

**REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, SEPTEMBER 20, 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 September 20, 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 (via teleconference); Ashby Foote, Ward 1 (via teleconference) and Aaron Banks, Ward 6 (via teleconference).
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: Kenneth I. Stokes, Ward 3; Brian Grizzell, Ward 4 and Vernon Hartley, Ward 5.

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

President Lindsay recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4136, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

President Lindsay requested that the Clerk read the Order:

ORDINANCE GRANTING ALPHA ROBINSON A REZONING FROM R-4 (LIMITED MULTI-FAMILY) RESIDENTIAL DISTRICT TO C-2 (LIMITED) COMMERCIAL DISTRICT TO ALLOW FOR A RESTAURANT, COMMUNITY SERVICE CENTER AND OTHER RELATED C-2 USES FOR THE PROPERTY LOCATED AT 2000 VALLEY ST. (PARCEL 163-231).

WHEREAS, Alpha Robinson has filed a petition to rezone the property located at 2000 Valley St. (Parcel 163-231), in the City of Jackson, First Judicial District of Hinds County, Mississippi, from R-4 (Limited Multi-Family) Residential District to C-2 (Limited) Commercial District to allow for a restaurant, community service center and other related C-2 uses; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has offered the recommendation to rezone the property from R-4 (Limited Multi-Family) Residential District to C-2 (Limited) Commercial District to allow for a restaurant, community service center and other related C-2 uses; and

WHEREAS, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at the City Hall at 2:30 p.m., Monday, September 20, 2021 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 Jackson City Council that notice of said petition had been published in the Mississippi Link on August 5, 2021 and August 19, 2021 that a hearing had been held by the Jackson City Planning Board on August 25, 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 recommended the rezoning the above described property from R-4 (Limited Multi-Family) Residential District to C-2 (Limited) 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 particular described as follows:

LOT ONE (1) AND 2 (TWO) OF BLOCK 17 OF COLLEGE PARK ADDITION; PART 2, ACCORDING TO THE MAP OR PLAT THEREOF OF RECORD, IN THE OFFICE OF THE CHANCERY CLERK OF HINDS COUNTY, AT JACKSON, IN PLAT BOOK 4 AT PAGE 37 THEREOF, MADE IN AID OF AND AS A PART OF THIS DESCRIPTION.

is hereby modified so as to approve the rezoning of the property located at 2000 Valley St. (Parcel 163-231) from R-4 (Limited Multi-Family) Residential District to C-2 (Limited) Commercial District to allow for a restaurant, community service center and other related C-2 uses for the subject 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.

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

President Lindsay recognized **Alpha Robinson**, Applicant, who spoke in favor to approve a rezoning from R-4 (Limited Multi-Family) Residential District to C-2 (Limited) Commercial District to allow for a restaurant, community service center and other related C-2 uses.

There was no opposition from the public.

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

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

President Lindsay recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4137, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

President Lindsay requested that the Clerk read the Order:

ORDER GRANTING BETTY SULLIVAN A SPECIAL EXCEPTION TO ALLOW FOR A PROFESSIONAL (REAL ESTATE) OFFICE WITHIN A R-1 (SINGLE-FAMILY) RESIDENTIAL DISTRICT FOR THE PROPERTY LOCATED AT 1611 COUNTRYWOOD DR. (PARCEL 713-498).

WHEREAS, Betty Sullivan has filed a petition for a Special Exception to allow for a professional (real estate) office within a R-1 (Single-Family) Residential District for the property located at 1611 Countrywood Dr. (Parcel 713-498), 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 Special Exception to allow for a professional (real estate) office within a R-1 (Single-Family) Residential District; 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., September 20, 2021 to consider said petition 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 August 5, 2021 and August 19, 2021 that a hearing had been held by the Jackson City Planning Board on August 25, 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 Special Exception for the above described property within an existing R-1 (Single-Family) Residential Zoning District of the City of Jackson; and

WHEREAS, it appears to the Jackson City Council that the documents are in order, and that the recommendation of the Planning Board to approve a Special Exception to allow for a professional (real estate) office within a R-1 (Single-Family) Residential District does support the promotion of the public health, safety, morals, the general welfare of the community and the granting of such will not adversely affect adjacent property owners.

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

That the property located in the First Judicial District of Hinds County, Jackson, Mississippi, and being more particularly described as follows:

Lot 20, Fairwood Subdivision, Part 3, a subdivision according to a map of plat thereof which is on file and of record in the office of the Chancery Clerk of Hinds County, Mississippi in Plat Book 35, at Page 49, reference to which is hereby made in aid of and as a part of this description.

be and is hereby granted a Special Exception to allow for a professional (real estate) office within a R-1 (Single-Family) Residential District for the property located at 1611 Countrywood Dr. 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.

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

There was no representation from the applicant.

There was no opposition from the public.

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

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

President Lindsay recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4141, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

President Lindsay requested that the Clerk read the Order:

ORDINANCE GRANTING MILTORIA HEATH A REZONING FROM I-1 (LIGHT) INDUSTRIAL DISTRICT TO R-4 (LIMITED MULTI-FAMILY) RESIDENTIAL DISTRICT WITH A CONDITIONAL USE PERMIT TO ALLOW FOR A COMMERCIAL CHILDCARE CENTER FOR THE PROPERTY LOCATED AT 1110 NOEL ST. (PARCEL 65-81-1).

WHEREAS, Miltoria Heath has filed a petition to rezone property the located at 1110 Noel St. (Parcel 65-81-1), in the City of Jackson, First Judicial District of Hinds County, Mississippi, from I-1 (Light) Industrial District to R-4 (Limited Multi-family) Residential District with a Use Permit to allow for a commercial childcare center; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has recommended the approval of the rezoning of the property at 1110 Noel St. (Parcel 65-81-1) from I-1 (Light) Industrial District to R-4 (Limited Multi-family) Residential District with a Conditional Use Permit to allow for a commercial childcare center; 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, September 20, 2021 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 Jackson City Council that notice of said petition had been published in the Mississippi Link on August 5, 2021 and August 19, 2021 that a hearing had been held by the Jackson City Planning Board on August 25, 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 the rezoning of the property located at 1110 Noel St. (Parcel 65-81-1) from I-1 (Light) Industrial District to R-4 (Limited Multi-family) Residential District with a Conditional Use Permit; 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 said application since any previous City Council action; and

WHEREAS, the Council, after having considered the matter, is also of the opinion that the proposed use 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 allow for the operation of a commercial childcare center within a R-4 (Limited Multi-family) Residential District of the City of Jackson.

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:

Being a part of block A of split addition to the city of Jackson, and recorded in surveyor's record block "A" at page 263 in the office of the chancery clerk of the first judicial district of Hinds county, Mississippi and being more particularly described as follows:

Commencing at the southwest corner of said block "A" of Split addition and in aid of this description reference made to a later survey of said property, known as school subdivision,

a plat of which is of record in the chancery clerk's office above mentioned and the property herein conveyed is situated upon thereon as an unnumbered lot in the southwest corner of said plat, thence run north 88 degrees 31 minutes east along the north *line* of bell street as shown on said school subdivision plat 210.0 feet to an iron pin being 85.0 feet measured along the north line of bell street from the found iron at the southeast corner of lot 20 of block C of said school subdivision; thence north 10 degrees 25 minutes east along the west side of A 10 foot alley a distance of 105.1 feet to an iron pin marking the point of beginning of the property described herein; thence continue north 10 degrees 25 minutes east along last mentioned call 89.1 feet to an iron pin in the south right of way of Noel Avenue as shown on aforesaid school subdivision said iron pin being 353.6 feet measured along the south line of Noel Avenue from the northeast corner of lot 12, block C of said school line of Noel Avenue 122.2 feet; thence south 01 degree 53 minutes east 91.8 feet; thence north 85 degrees 59 minutes east 103.3 feet to the point of beginning and containing 0.231 acres, more or less.

is hereby modified so as to approve the rezoning of the property located at 1110 Noel St. (Parcel 65-81-1) from I-1 (Light) Industrial District to R-4 (Limited Multi-family) Residential District with a Conditional Use Permit to allow for a commercial childcare center. The conditions of the Use Permit are that it shall be granted on an annual basis; be granted to Miltoria Heath, the owner/operator of the commercial childcare center; and that subsequent owners or operator of a commercial childcare center at this location must apply for and receive a new Use Permit. 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.

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

President Lindsay recognized **Miltoria Heath**, Applicant, who spoke in favor to approve rezoning from I-1 (Light) Industrial District to R-4 (Limited Multi-family) Residential District with a Conditional Use Permit to allow for the operation of a commercial childcare center.

There was no opposition from the public.

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

Yeas – Banks, Foote, Lee and Lindsay.

Nays – None.

Absent – Grizzell, Hartley and Stokes.

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:

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<u>CASE NO.</u>	<u>NAME</u>	<u>LOCATION</u>	<u>USE</u>	<u>GRANTED</u>
SE- 3329 Ward 7	North Midtown Community Development Co.	219 McTyere Ave. Jackson, MS 39209	Office	09/06/00
SE-3844 Ward 1	Anthony R. Simon	621 E. Northside Dr. Jackson, MS 39206	Professional Non-Retail Office	09/16/13
3914 C-UP Ward 7	Richard & Company LLC C/O Richard McKey	Patton Ave. Parcel #48-97 Jackson, MS 39206	Accessory Parking Lot	09/21/15
SE – 4097 Ward 1	Lakeita F. Rox-Love	5375 Red Fox Rd. Jackson, MS 39206	Professional (Real Estate) Office	09/21/20
3946 C-UP Ward 7	Catholic Diocese of Jackson	921 N. President St. Jackson, MS 39202	Emergency Shelter/Mission	08/15/16
SE-4095 Ward 1	Art Minton	1131 Druid Hill Dr. Jackson, MS 39206	Professional Real Estate Office	08/17/20

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

Yeas – Banks, Foote, Lee and Lindsay.

Nays – None.

Absent – Grizzell, Hartley and Stokes.

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 10:30 a.m. on Tuesday, September 21, 2021. At 3:12 p.m., the Council stood adjourned.

PREPARED BY:

Shanekia Merley-Jordan

CLERK OF COUNCIL

APPROVED:

Charles A. Jordan, 11/30/21

MAYOR

DATE

ATTEST:

Angela Harris

CITY CLERK
