

REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, OCTOBER 18, 2021 10:00 A.M.

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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 October 18, 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(Teleconference); Angelique Lee, Council Vice President, Ward 2 (Teleconference); Brian Grizzell, Ward 4 (Teleconference); Vernon Hartley, Ward 5 (Teleconference); Aaron Banks, Ward 6 and Virgi Lindsay, Council President, Ward 7. Directors: Constance White, Chief Deputy Clerk of the Council; Victor Allen, Chief Deputy Clerk of the Council; Ester Ainsworth, Zoning Administrator; and Chandra Gayten, Deputy City Attorney.

Absent: Kenneth Stokes, Ward 3.

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. 4144, 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 VIEUX CARRE APARTMENTS, LLC A REZONING FROM R-1 (SINGLE-FAMILY) RESIDENTIAL DISTRICT AND C-1 (RESTRICTED) COMMERCIAL DISTRICT TO R-4 (LIMITED MULTI-FAMILY) RESIDENTIAL DISTRICT TO ALLOW FOR THE DEVELOPMENT OF MULTI-FAMILY APARTMENTS AND/OR CONDOMINIUMS AT THE PROPERTY LOCATED ON A PORTION OF PARCEL 451-18 ON HIGHWAY 55 NORTH AND PARCEL 442-110 ON NASSAU ST.

WHEREAS, Vieux Carre Apartments, LLC has filed a petition to rezone the property located on a portion of parcel 451-18 on Highway 55 North and Parcel 442-110 on Nassau St., in the City of Jackson, First Judicial District of Hinds County, Mississippi, from R-1 (Single-Family) Residential District and C-1 (Restricted) Commercial District to R-4 (Limited Multi-Family) Residential District to allow for the development of multi-family apartments and/or condominiums on 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-1 (Single-Family) Residential District and C-1 (Restricted) Commercial District to R-4 (Limited Multi-Family) Residential District to allow for the development of multi-family apartments and/or condominiums on 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, October 18, 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 September 2, 2021 and September 16, 2021 that a hearing had been held by the Jackson City Planning Board on September 22, 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-1 (Single-Family) Residential District and C-1 (Restricted) Commercial District

to R-4 (Limited Multi-Family) Residential 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:

A CERTAIN PARCEL OF LAND LYING AND BEING SITUATED IN THE SOUTHEAST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 23, TOWNSHIP 6 NORTH, RANGE 1 EAST, AND PART OF LOT 51 CANTON ROAD MANOR, PART III, ACCORDING TO A PLAT ON FILE IN PLAT BOOK 10 PAGE 50 IN THE CITY OF JACKSON, HINDS COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 44, OF CANTON ROAD SUBDIVISION, PART III, A PLAT ON FILE OF SAID SUBDIVISION BEING RECORDED IN PLAT BOOK 10, PAGE 50, IN THE OFFICE OF THE CHANCERY CLERK AT JACKSON, MISSISSIPPI, AND RUN THENCE NORTH 29 DEGREES 34 MINUTES WEST ALONG THE EAST LINE OF SAID LOT 44 FOR A DISTANCE OF 100.0 FEET TO THE SOUTHWEST CORNER OF EAST HILL, A PLAT OF FILE OF SAID SUBDIVISION BEING RECORDED IN PLAT BOOK 27, PAGE 33; RUN THENCE NORTH 40 DEGREES 59 MINUTES EAST ALONG THE SOUTH LINE OF SAID EAST HILL A DISTANCE OF 167.37 FEET TO THE SOUTHEAST CORNER OF LOT 11 OF SAID EAST HILL AND THE POINT OF BEGINNING OF THE PROPERTY DESCRIBED HEREIN: THENCE CONTINUE NORTH 40 DEGREES 59 MINUTES EAST ALONG SAID SOUTH LINE AND A PROJECTION THEREOF A DISTANCE OF 361.34 FEET TO ITS INTERSECTION WITH A SOUTHERLY PROJECTION OF THE EAST LINE OF SAID EAST HILL; RUN THENCE SOUTH 29 DEGREES 42 MINUTES EAST ALONG SAID SOUTHERLY PROJECTION AND THE WEST LINE OF VIEUX CARRE APARTMENTS A DISTANCE OF 350.44 FEET TO THE PRESENT WESTERLY RIGHT OF WAY OF INTERSTATE HIGHWAY NO. 55 AS SHOWN ON THE PLANS BY MISSISSIPPI STATE HIGHWAY DEPARTMENT FIA PROJECT NO. 51.0055-02-085-10; RUN THENCE THE FOLLOWING BEARINGS AND DISTANCES ALONG SAID WESTERLY RIGHT OF WAY: SOUTH 22 DEGREES 20 MINUTES WEST, 22.2 FEET; THENCE RUN SOUTHERLY ALONG A CURVE BEARING TO THE RIGHT HAVING A RADIUS OF 3,789.72 FEET, AN ARC DISTANCE OF 139.0 FEET, HAVING A CHORD DISTANCE OF SOUTH 27 DEGREES 14 MINUTES WEST, 139.76 FEET TO A FOUND MDOT MONUMENT; RUN THENCE SOUTH 40 DEGREES 15 MINUTES WEST A DISTANCE OF 85.82 FEET TO A POINT; RUN THENCE SOUTH 17 DEGREES 14 MINUTES WEST A DISTANCE OF 52.48 FEET TO A FOUND MDOT MONUMENT; RUN THENCE SOUTH 36 DEGREES 26 MINUTES WEST A DISTANCE OF 151.50 TO A FOUND MDOT MONUMENT; RUN THENCE SOUTH 29 DEGREES 31 MINUTES WEST A DISTANCE OF 102.35 FEET TO A SET COTTON PICKER SPINDLE IN THE SOUTH LINE OF SAID CANTON ROAD SUBDIVISION, PART III EXTENDED; RUN THENCE SOUTH 89 DEGREES 30 MINUTES WEST ALONG THE SAID SOUTH LINE A DISTANCE OF 22.94 FEET TO A FOUND CONCRETE MONUMENT; RUN THENCE NORTH 41 DEGREES 09 MINUTES WEST A DISTANCE OF 97.54 FEET TO A FOUND REBAR AT FENCE CORNER MARKING THE SOUTHEAST CORNER OF PROPERTY DESCRIBED IN BOOK 3458 PAGE 275; RUN THENCE NORTH 33 DEGREES 11 MINUTES WEST ALONG A FENCE AND A PROJECTION THEREOF A DISTANCE OF 177.92 FEET TO A FOUND REBAR IN SOUTH RIGHT OF WAY OF NASSAU DRIVE MARKING THE NORTHEAST CORNER OF SAID PROPERTY; THENCE NORTH 60 DEGREES 25 MINUTES EAST ALONG SAID SOUTH RIGHT OF WAY A DISTANCE OF 30.95

FEET TO THE EAST LINE OF SAID CANTON ROAD SUBDIVISION, PART III; RUN THENCE NORTH 29 DEGREES 35 MINUTES WEST A DISTANCE OF 47.2 FEET TO THE SOUTHWEST CORNER OF PROPERTY DESCRIBED IN BOOK 4536 PAGE 246; THENCE THE FOLLOWING BEARINGS AND DISTANCES ALONG THE SOUTH AND EAST LINES OF SAID PROPERTY: SOUTH 82 DEGREES 31 MINUTES EAST, 18.53 FEET; NORTH 07 DEGREES 10 MINUTES WEST, 33.15 FEET; NORTH 11 DEGREES 52 MINUTES WEST, 21.79 FEET; NORTH 18 DEGREES 35 MINUTES WEST, 34.54 FEET; NORTH 18 DEGREES 35 MINUTES WEST, 16.13 FEET; NORTH 02 DEGREES 58 MINUTES WEST, 8.16 FEET; NORTH 08 DEGREES 18 MINUTES EAST, 10.50 FEET; NORTH 14 DEGREES 55 MINUTES EAST, 26.90 FEET; NORTH 33 DEGREES 14 MINUTES EAST, 95.74 FEET TO THE POINT OF BEGINNING, CONTAINING 4.7 ACRES, MORE OR LESS.

is hereby modified so as to approve the rezoning of the property located on a portion of parcel 451-18 on Highway 55 North and Parcel 442-110 on Nassau St. from R-1 (Single-Family) Residential District and C-1 (Restricted) Commercial District to R-4 (Limited Multi-Family) Residential District to allow for the development of multi-family apartments and/or condominiums 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.

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

President Lindsay recognized **Justin Peterson**, representative for the Applicant, who spoke in favor to approve a rezoning from R-1 (Single-Family) Residential District and C-1 (Restricted) Commercial District to R-4 (Limited Multi-Family) Residential District to allow for the development of multi-family apartments and/or condominiums.

There was no opposition from the public.

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

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

Nays – None.

Absent – Stokes.

President Lindsay recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4145, 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 YANA CLUB OF MS, INC. A CONDITIONAL USE PERMIT TO ALLOW FOR AN ACCESSORY OFF-STREET PARKING LOT WITHIN A R-4 (LIMITED MULTI-FAMILY) RESIDENTIAL DISTRICT FOR PROPERTY LOCATED ON PARCEL #52-10 AT THE NORTHEAST CORNER OF HARTFIELD ST AND NORTHVIEW DR.

WHEREAS, YANA Club of MS, Inc. has filed a petition for a Use Permit to allow for an accessory off-street parking lot within a R-4 (Limited Multi-family) Residential District for the property located on Parcel #52-10 at the northeast corner of Hartfield St and Northview Dr. 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 an accessory off-street parking lot within a R-4 (Limited Multi-family) Residential District for the property located on Parcel #52-10 at the northeast corner of Hartfield St and Northview Dr.; 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, October 18, 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 September 2, 2021 and September 16, 2021 that a hearing had been held by the Jackson City Planning Board on September 22, 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 R-4 (Limited Multi-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 proposed use would not be detrimental to the continued use, value or development of properties in the vicinity, would not adversely affect vehicular or pedestrian traffic in the vicinity and that such a use be granted in the R-4 (Limited Multi-family) Residential District.

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 16 AND 17 OF THE DECELLE SUBDIVISION, ACCORDING TO A MAP OR PLAT THEREOF ON FILE IN THE OFFICE OF THE CHANCERY CLERK OF HINDS COUNTY AT JACKSON, MISSISSIPPI, IN PLAT BOOK 1 AT PAGE 91 THEREOF, REFERENCE TO WHICH IS HEREBY MADE AS A PART OF THIS DESCRIPTION, LESS AND EXCEPT, HOWEVER, THAT PART OF SAID LOT 16 WHICH CONSTITUTES A PART OF NORTHVIEW DRIVE AS NOW LAID OUT AND USED, AND LESS AND EXCEPT THAT PART OF THE NORTHERN END OF SAID LOTS 16 AND 17 SOLD BY MISS MAY JOHNSON AND MISS MAGGIE JOHNSON ON MARCH 23, 1961 TO MRS. EVELYN R. FRYE BY WARRANTY DEED RECORDED IN DEED BOOK 1276 AT PAGE 587 IN THE OFFICE OF SAID CHANCERY CLERK AT JACKSON, MISSISSIPPI, REFERENCE TO WHICH IS HEREBY MADE IN AID HEREOF.

be and is hereby modified so as to approve a Conditional Use Permit to allow for an accessory off-street parking lot within a R-4 (Limited Multi-family) Residential District for the property located on Parcel #52-10 at the northeast corner of Hartfield St. and Northview Dr. The Condition of the Use Permit shall be that it is granted on an annual basis. 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.

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

President Lindsay recognized **Virden Jones**, representative for the Applicant, who spoke in favor to approve a Conditional Use Permit for an accessory off-street parking lot within an R-4 (Limited Multi-family) Residential District.

There was no opposition from the public.

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

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

Nays – None.

Absent – 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:

<u>CASE NO.</u>	<u>NAME</u>	<u>LOCATION</u>	<u>USE</u>	<u>GRANTED</u>
SE- 2697 Ward 5	Alma Ruffin	4212 Oakmont Drive	Daycare Center	10/05/1988
SE-3970 Ward 1	Brad Reeves	4909 Ridgewood Rd. & 1538 Sheffield Dr.	Professional Office	10/16/2017
SE-4102 Ward 7	Midtown Christian Academy	217 Millsaps Ave	Commercial Day Care	10/19/2020

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; **President Lindsay** seconded.

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

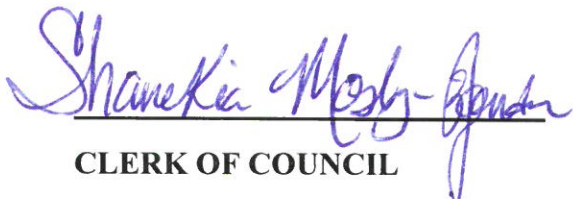
Nays – None.


Absent – 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 10:00 a.m. on Tuesday, October 26, 2021. At 3:01 p.m., the Council stood adjourned.

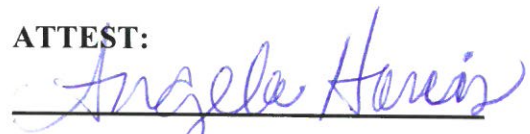
PREPARED BY:

APPROVED:


CLERK OF COUNCIL

 4/5/22
MAYOR DATE

ATTEST:


CITY CLERK
