

**REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, APRIL 18, 2022 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 18, 2022 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; Ashby Foote, Ward 1; Brian Grizzell, Ward 4 (via teleconference), Vernon Hartley, Ward 5 and Aaron Banks, Ward 6. Directors: Constance White; Chief Deputy Clerk of Council; Ester Ainsworth, Zoning Administrator; Victoria James, Deputy City Attorney and Sondra Moncure, Deputy City Attorney.

Absent: Angelique Lee, Ward 2 and Kenneth I. Stokes, Ward 3.

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

President Virgi Lindsay recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4165, 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 LAMAR OUTDOOR ADVERTISING, INC. A USE PERMIT TO ALLOW FOR THE PLACEMENT OF A SINGLE FACE 14X48 DIGITAL ELECTRONIC SIGN WITHIN A C-3 (GENERAL) COMMERCIAL DISTRICT FOR THE PROPERTY LOCATED AT 3906 I-55 SOUTH (PARCEL 862-365), CASE NO. 4165.

WHEREAS, Lamar Outdoor Advertising, Inc. has filed a petition for a Use Permit to allow for the placement of a digital electronic sign within a C-3 (General) Commercial District for the property located at 3906 I-55 South (Parcel 862-365) 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 to allow for the placement of a digital electronic sign within a C-3 (General) Commercial District for the property located at 3906 I-55 South (Parcel 862-365); 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 18, 2022 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 3, 2022 and March 17, 2022 that a hearing had been held by the Jackson City Planning Board on March 23, 2022, 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 C-3 (General) Commercial District of the City of Jackson; and

WHEREAS, the Jackson City Council, after having considered the matter, is of the opinion that proposed use would not be detrimental to the continued use, value, or development of properties in the vicinity and that a Use Permit be granted to allow for the placement of a digital electronic sign within the existing C-3 (General) 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:

South 54 degrees 59 minutes 11 seconds East for 19.72 feet to an iron pin at a fence corner; run thence, along the west line of U.S. Highway 51, South 38 degrees 25 minutes 00 seconds West for 479.08 feet to an iron pin; run thence, West for 341.41 feet back to the iron pin marking the POINT OF BEGINNING.

Parcel 7

Being situated in Lot 30, The Meadows, as recorded in Plat Book 3, at page 92, in the office of the Chancery Clerk of Hinds County, Mississippi, and also situated in Lot 7, Block C, Robertson's Subdivision as recorded in Plat Book 7, at page 38, in said Chancery Clerk's office and being more particularly described as follows:

Commence at the SW corner of Lot 3 of the aforesaid The Meadows and runs N 00 degrees 22 minutes 37 seconds E, along the Westerly boundary of said Lot 31 and the eastern R.O. W. line of Elton Road as it is unimproved in the City of Jackson, Mississippi, 549.84 feet to the Point of Beginning for the property herein described; continue thence N 00 degrees 22 minutes 37 seconds E, along said easterly R.O.W. line of Elton Road (unimproved) and the western boundary of aforesaid Lot 30, The Meadows, and Lot 7 Block C, Robertson's Subdivision, 370.03 feet to an iron bar marking the southern limits of the Cany Creek Floodway; run thence N 75 degrees 00 minutes 37 seconds E, along said southern limits of Floodway, 517.33 feet to an iron bar marking the beginning of a curve run thence easterly clockwise, along the arc of said curve having the following characteristics: central angle of 33 degrees 46 minutes 00 seconds and a radius of 63.57 feet, run thence S 71 degrees 13 minutes 23 seconds E, along said southern limits of Floodway, 66.39 feet to an iron bar in the western R.O. W. line of Interstate Highway 55, as it was in use on April, 1980; run thence S 23 degrees 28 minutes 05 seconds W, along said westerly R.O.W. line, 528.41 feet; leaving said western R.O.W. line, run thence N 89 degrees 29 minutes 36 seconds W, 391.48 feet to the Point of Beginning. Containing 5.02 acres, more or less.

Parcel 8

Being situated in Lot 30, The Meadows, as recorded in Plat Book 3, at page 92, in the office of the Chancery Clerk of Hinds County, Mississippi, and being more particularly described as follows:

Commence at the SW corner of Lot 31 of the aforesaid The Meadows and run N 00 degrees 22 minutes 37 seconds E, along the Western boundary of said Lot 31 and the eastern R.O.W. line of Elton Road as it is unimproved in the City of Jackson, Mississippi, 349.84 feet to an iron bark marking the SE corner of Lot 30 of said The Meadows and the Point of Beginning for the property herein described; continue thence N 00 degrees 22 minutes 37 seconds E, along said eastern R.O.W. line of Elton Road (unimproved) and the western boundary of aforesaid Lot 30, The Meadows, 200.00 feet to a point; run thence S 89 degrees 29 minutes 36 seconds E for a distance of 391.48 feet to a point on the western R.O.W. line of Interstate Highway 55 as it was in use on April 1980; run thence S 23 degrees 28 minutes 05 seconds W along the western R.O.W. line run thence N 89 degrees 25 minutes 36 seconds W, along the South boundary of Lot 30, 306.29 feet to the Point of Beginning. Containing 1.60 acres, more or less.

Parcel 9

Being situated in Lot 7, 16 and 17, Block C, Robertson's Subdivision, as recorded in Plat Book 7, at page 28, in the office of the Chancery Clerk of Hinds County, Mississippi, and being more particularly described as follows:

Commence at the SW corner of Lot 31, The Meadows, as recorded in Plat Book 3, at page 92, in the office of the Chancery Clerk of Hinds County, Mississippi, and run N 00 22' 37" E, along the Eastern R.O.W. line of Elton Road, as it is unimproved in the City of Jackson, Mississippi, 919.87 feet to an iron bar marking the southern limits of the Cany Creek Floodway, said point is in the western boundary of aforesaid said Lot 7, Block C, Robertson's Subdivision and said point also marks the SW corner of and the Point of Beginning for the property herein described, continue thence N 00 23' 37" E, along said eastern R.O.W. line of Elton Road (unimproved) and said western boundary of Lot 7, 207.42 feet to the centerline of said Cany Creek; run thence N 75 0 00' 37" E along said centerline, 462.34 feet to the beginning of a curve, run thence, clockwise, along the arc of said curve, 155.32 feet to the point of tangency, said

curve having the following characteristics: central angle of 33 0 46" and a radius of 263.57 feet, run hence S 71 0 13'23" E, along said centerline to Cany Creek, 82.80 feet to the western R.O.W. line of Interstate Highway 55 as it is now (April 1980) in use; run thence S 23 0 28'5" W. along said westerly R.O.W. 00 0 6 feet to an iron bar marking the aforesaid southern limits of Cany Creek Floodway; commence N 71 0 13' 23" W, along said southern limits, 66.39 feet to an iron bar marking the beginning of a curve, run thence counter-clockwise along the arc of said curve 37.46 feet to the point of tangency, said curve have the following characteristics: central angle of 33 0 46' and a radius of 63.57 feet; run thence S 75 0 00' 37" W, along said southern limits of Floodway, 517.33 feet to the Point of Beginning. Containing 3.034 acres, more or less.

Parcel 10

A parcel of land situated in the First Judicial District of Hinds County, Mississippi, being part of Lots 5, 6 and 7, of Block C, Robertson's subdivision, as recorded in Plat Book 7, page 38, of the Chancery Clerk's records of Hinds County, Mississippi, and being more particularly described as follows:

Beginning at an iron pipe marking the NW corner of Lot 5, Block C, Robertson's Subdivision, and run Easterly along the North boundary of Lot 5, 613.64 feet; run thence South 22 degrees 41 minutes West, parallel with the West R.O.W. Line of Interstate Highway 55, 351.94 feet to the centerline of Cany Creek, run thence Southwesterly, along the arc of the curve to the centerline of Cany Creek, 30.41 feet to the point of tangency; said curve having a radius of 263.57 feet; run thence South 74 degrees 13 minutes West, along the centerline of said creek, 462.34 feet to the East R.O.W. line of Elton Road (abandoned), run thence North 0 degrees 25 minutes West, along the East R.O.W. line of Elton Road, 456.97 feet to the Point of Beginning, containing 4.772 acres, more or less.

TOGETHER with easement for ingress and egress over and upon lands described as follows, to wit:

A parcel of land situated in the First Judicial District of Hinds County, Mississippi, being situated in Lots 6,7,13 and 14, Block C, Robertson's Subdivision; as recorded in Plat Book 7, at page 38, of the Chancery Clerk's records of Hinds County, Mississippi, and being more particularly described as follows:

Commence at an iron pipe marking the Northwest corner of Lot 5, Block C, of said Robertson's Subdivision, and run Easterly along the North boundary of Lot 5, 613.54 feet; run thence South 22 degrees 41 minutes West parallel with West R.O.W. line of Interstate Highway 55, 205.80 feet to the Northern boundary of Mississippi Power and Light Company's easement as recorded in Deed Book 2088, at page 344, of the aforesaid Chancery Clerk's records and the point of the beginning for the property herein described, run thence N 74 degrees 36 minutes 30 seconds East, along the Northern boundary of said easement, 254.18 feet to the West R.O.W. line of the Interstate Highway 55, run thence South 22 degrees 41 minutes West, along the West R.O.W. line of Interstate Highway 55, 63.52 feet to the centerline of said Mississippi Power of Light easement, run thence South 74 degrees 36 minutes 30 seconds West, along the centerline of said easement, 254.18 feet; run thence North 22 degrees 41 minutes East, parallel with the West R.O.W. line of Interstate Highway 55, 63.52 feet to the point of beginning.

NOTE: This easement is across and over the land described as Parcel No. 12.

Parcel 11

Lot Four (4) Block "C", Robertson's 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 7, at page 38, thereof reference to which map or plat is here made in aid of and as a part of this description.

Parcel 12

Being situated in Lots 5, 6, 7, 12, 13, 14, 15 and 16, Block C, Robertson's Subdivision, Jackson Hinds County, Mississippi, and recorded in Plat Book 7, at page 38, of the Chancery Records of Hinds County, Mississippi, and being more particularly described as follows:

Commencing at an iron pipe marking the Northwest corner of Lot 5, Block C of said Robertson's Subdivision and run easterly along the North boundary of said Lot 5, 613.64 feet to the Northwest corner of and the Point of Beginning for the property herein described, continue thence easterly along the said northern boundary of Lot 5 and the easterly projection thereof, 216.77 feet to the

West R.O.W. line 1-55, turn thence through an interior angle of 67 degrees 19 minutes and run southwesterly along the West R.O.W. line of 1-55, 389.96 feet to the centerline of Cany Creek; turn thence through an interior angle of 94 degrees 41 minutes and run northwesterly, along the centerline of Cany Creek, 82.77 feet to the beginning of a curve, said curve having the following characteristics: central angle of 33 degrees 46 minutes, radius of 263.57 feet; run thence westerly, counter-clockwise, along the arc of said curve, 124.92 feet, run thence northeasterly, parallel with the aforesaid West R.O.W. line 1-55, 351.94 feet to the Point of Beginning.

be and is hereby modified so as to approve a Use Permit to allow for the placement of a digital electronic sign for the property located at 3906 I-55 South (Parcel: 862-365) within a C-3 (General) Commercial District. 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 President Lindsay** seconded.

President Lindsay recognized **David Johnson, Representative for the applicant**, who spoke in support of the request to approve a Use Permit to allow for the placement of a single face 14x48 digital sign within a C-3 (General) Commercial District.

There was no opposition from the public.

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

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

President Lindsay recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4168, 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 BYRON & OCTAVIA POINDEXTER TWO (2) CONDITIONAL USE PERMITS TO OPERATE TWO (2) ROOMING HOUSES IN AN R-4 (LIMITED MULTI-FAMILY) RESIDENTIAL DISTRICT FOR THE PROPERTIES LOCATED AT 210-12 W. ASH ST., CASE NO. 4168.

WHEREAS, Byron & Octavia Poindexter has filed a petition for a Use Permit to operate two (2) rooming houses in an R-4 (Limited Multi-family) Residential District for the properties located at 210-12 W Ash St., in the City of Jackson, First Judicial District of Hinds County, Mississippi; and

WHEREAS, Jackson City Planning Board, after holding the required public hearing, offered no recommendation for the Use Permit requests to operate two (2) rooming houses in an R-4 (Limited Multi-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., Monday, April 18, 2022 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 3, 2022 and March 17, 2022 that a hearing had been held by the Jackson City Planning Board on March 23, 2022, 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 offered no recommendation for the petitioned Use Permits within the 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 rooming houses will not be detrimental to the continued use, value, or development of properties in the and that two (2) Conditional Use Permits be granted to operate two (2) rooming houses within the existing R-4 (Limited Multi-family) Residential District of the City of Jackson; and

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 15 and 16 Ideal Horne Plot, 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 Plat. Book 3 at Page 30, reference to which-to-which map or plat is hereby made in aid of and as a part of this description.

be and is hereby modified so as to approve two (2) Use Permits to allow for the operation of two (2) rooming houses within a R-4 (Limited Multi-family) for the properties located at 210-12 W. Ash St. with the conditions that the Use Permits shall be that they are granted on an annual basis; granted to Byron & Octavia Poindexter, the owners/operators of the rooming houses, and that subsequent owner or operators of rooming houses at the locations must apply for and receive a new Use Permits. However, that before the Use Permits are 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 Hartley** seconded.

President Lindsay recognized **Byron Poindexter, Representative for the applicant**, who spoke in support of the request to approve a Use Permit to operate a rooming house within a 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, Hartley and Lindsay.

Nays – Grizzell.

Absent – Lee and Stokes.

President Lindsay recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4169, 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 PLEASANT GIFT MB CHURCH A USE PERMIT TO CONSTRUCT A FELLOWSHIP ASSEMBLE HALL AND PARKING LOT ADJACENT TO THE EXISTING CHURCH WITHIN A R-1 (SINGLE-FAMILY) RESIDENTIAL DISTRICT FOR THE PROPERTY LOCATED AT 203 EAST LANE (PARCELS 641-93-1, 641-121, 641-97-1, 641-97-2, 641-175, 641-177, 641-180, 641-181, 641-182 & 641-183), CASE NO: 4169.

WHEREAS, Pleasant Gift MB Church has filed a petition for a Use Permit to allow construct a fellowship assembly hall and parking lot adjacent to the existing church within a R-1 (Single-Family) Residential District for the property located at 203 East Lane (Parcels 641-93-1, 641-121, 641-97-1, 641-97-2, 641-175, 641-177, 641-180, 641-181, 641-182 & 641-183) 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 to construct a fellowship assembly hall and parking lot adjacent to the existing church within a R-1 (Single-Family) Residential District for the property located at 203 East Lane (Parcels 641-93-1, 641-121, 641-97-1, 641-97-2, 641-175, 641-177, 641-180, 641-181, 641-182 & 641-183); and

WHEREAS, notice was duly and legally given to property owners and interested citizens that a meeting of the Jackson Council would be held at the City Hall at 2:30 p.m., Monday, April 18, 2022 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 3, 2022 and March 17, 2022 that a hearing had been held by the Jackson City Planning Board on March 23, 2022, 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-1 (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 proposed use would not be detrimental to the continued use, value, or development of properties in the vicinity and that a Use Permit be granted to construct a fellowship assembly hall and parking lot adjacent to the existing church within the existing R-1 (Single-Family) Residential 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:

TRACT 3

Beginning at the apparent northeast corner of Lot 46, Oakhaven Subdivision as recorded in the Hinds County Chancery Clerk's Office in Jackson, Mississippi, said point being a ½" iron rebar found and thence run North 02 degrees 34 minutes 55 seconds East for a distance of 26.65 feet to a ½" iron rebar set; thence run South 88 degrees 04 minutes 09 seconds East for a distance of 175.96 feet to a ½" iron rebar set; thence run South 01 degrees 55 minutes 51 seconds West for a distance of 180.00 feet to a ½" iron rebar set; thence run North 88 degrees 04 minutes 09 seconds West for a distance of 178.01 feet to a ½" iron rebar set; thence run South 02 degrees 34 minutes 55 seconds West for a distance of 247.61 feet to a ½" iron rebar set; thence run North 59 degrees 59 minutes 12 seconds West for a distance of 151.91 feet to a ½" iron rebar set on the east right-of-way line of East Lane; thence run North 03 degrees 48 minutes 37 seconds East, along said right-of-way, for a distance of 336.09 feet to a ½" iron rebar set; thence leave said right-of-way line and run South 85 degrees 09 minutes 39 seconds East for a distance of 127.72 feet back to the Point of Beginning, said tract being 1.844 acres, more or less, and being within Lots 46 thru 54 of said Oakhaven Subdivision and Lots G, H and I of the C.E. Hawkins Survey as recorded in the Hinds County Chancery Clerk's Office in Jackson, Mississippi, and also located in the East Half (E ½) of the Southeast Quarter (SE ¼) of Section 26, Township 6 North, Range 1 West, City of Jackson, Hinds County, Mississippi.

be and is hereby modified so as to approve a Use Permit to construct a fellowship assembly hall and parking lot adjacent to the existing church for the property located at 203 East Lane (Parcels 641-93-1, 641-121, 641-97-1, 641-97-2, 641-175, 641-177, 641-180, 641-181, 641-182 & 641-183) within a R-1 (Single-Family) Residential District. 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 Hartley seconded.

President Lindsay recognized **Willie Watson and Maurice Davis, Representatives for the Applicant**, who spoke in favor to approve a Use Permit to construct a fellowship hall and parking lot adjacent to existing church within a R-1 (Single-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 and Lindsay.

Nays – None.

Absent – Lee and Stokes.

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President Lindsay recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4170, 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 CHERRY GROVE MB CHURCH A USE PERMIT TO ALLOW FOR A CAR WASH/ DETAIL SHOP WITHIN A C-2 (LIMITED) COMMERCIAL DISTRICT FOR THE PROPERTY LOCATED AT 1250 MARTIN LUTHER KING DR. (PARCEL 105-195), CASE NO. 4170.

WHEREAS, Cherry Grove MB Church has filed a petition for a Use Permit to allow for a car wash/ detail shop within a C-2 (Limited) Commercial District for the property located at 1250 Martin Luther King Dr. (Parcel 105-195) 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 to allow for a car wash/ detail shop within a C-2 (Limited) Commercial District for the property located at 1250 Martin Luther King Dr. (Parcel 105-195); 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, April 18, 2022 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 3, 2022 and March 17, 2022 that a hearing had been held by the Jackson City Planning Board on March 23, 2022, 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 C-2 (Limited) Commercial District of the City of Jackson; and

WHEREAS, the Jackson City Council, after having considered the matter, is of the opinion that proposed use would not be detrimental to the continued use, value, or development of properties in the vicinity and that a Use Permit be granted to allow for a car wash/ detail shop 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 certain parcel of land being situated in Block 19 of Woodland Park Subdivision, Jackson, Hinds County, Mississippi, and being more particularly described as follows, to-wit:

Beginning at the Northwest corner of Lot I of Block 19 of said Woodland Park Subdivision and run easterly along the South line of Oak Street 175 feet; thence, turn to the right through an angle of 90 degrees and run southerly 171.87 feet to a point in the Northern line of Whitfield Mills Road; thence, turn to the right through an angle of 134 degrees 29 minutes and run Northwesterly along the Northern line of Whitfield Mills Road for a distance of 245.29 feet to the point of beginning.

be and is hereby modified so as to approve a Use Permit to allow for a car wash/ detail shop for the property located at 1250 Martin Luther King Dr. (Parcel 105-195) within a C-2 (Limited) Commercial District. 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 President Lindsay** seconded.

President Lindsay recognized **Harry Keeler, Representative from the church**, who spoke in favor to approve a Use Permit within a C-2 (Limited) Commercial District to allow for a car wash/ detail shop.

There was no opposition from the public.

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

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

Nays – None.

Absent – Lee and Stokes.

President Lindsay recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4171, 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 ASHLEY JOHNSON A USE PERMIT TO ALLOW FOR A DRIVE THRU RESTAURANT (SNO BIZ BUSINESS) WITHIN A C-2 (LIMITED) COMMERCIAL DISTRICT FOR THE PROPERTY LOCATED AT PARCEL 638-41-1 ON DIXON RD., CASE NO. 4171.

WHEREAS, Ashley Johnson has filed a petition for a Use Permit to allow for a drive thru restaurant (sno biz business) within a C-2 (Limited) Commercial District for the property located at Parcel 638-41-1 on Dixon Rd. 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 to allow for the operation of a drive thru restaurant within a C-2 (Limited) Commercial District for the property located at Parcel 638-41-1 on Dixon Rd.; 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 18, 2022 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 3, 2022 and March 17, 2022 that a hearing had been held by the Jackson City Planning Board on March 23, 2022, 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 C-2 (Limited) Commercial District of the City of Jackson; and

WHEREAS, the Jackson City Council, after having considered the matter, is of the opinion that proposed use would be compatible with the character of development in the vicinity relative to density, bulk and intensity of structures, parking, and other uses and would not be detrimental to the continued use, value, or development of properties in the vicinity and that a Use Permit be granted to allow for a drive thru restaurant 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:

BEGINNING at the intersection of the South right-of-way line of Clinton Blvd and east right-of way line of Dixon Road; thence South 0 Degrees 48 Minutes West along the East right of way line of Dixon Road a distance of 200.0 feet to the true point of beginning. Thence South 72 Degrees 40 Minutes East a distance of 250.0 feet to a point; thence South 0 Degrees 48 Minutes West a distance of 409.0 feet to a point; thence due West a distance of 239.9 feet a point on the east right-of-way of Dixon Road; thence North 0 degrees 48 Minutes East along the East right-of-way line of Dixon Road a distance of 482.5 feet to the true Point of Beginning

be and is hereby modified so as to approve a Use Permit to allow for a drive thru restaurant for the property located at Parcel 638-41-1 on Dixon Rd. within a C-2 (Limited) Commercial District. 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 President Lindsay** seconded.

President Lindsay recognized **Ashley Johnson, Applicant**, who spoke in favor to approve a Use Permit within a C-2 (Limited) Commercial District allow for a drive thru sno biz business.

There was no opposition from the public.

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

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

Nays – None.

Absent – Lee and Stokes.

President Lindsay recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4172, 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 DMG REAL ESTATE HOLDINGS 319 MEADOWBROOK, LLC A REZONING FROM R-1 (SINGLE-FAMILY) RESIDENTIAL DISTRICT AND C-3 (GENERAL) COMMERCIAL DISTRICT TO CMU-1 (COMMUNITY) MIXED-USE DISTRICT, PEDESTRIAN ORIENTED TO ALLOW FOR THE REDEVELOPMENT OF PROPERTY AS HIGH-END LOFTS FOR THE PROPERTY LOCATED ON 315-335 MEADOWBROOK RD. (PARCEL 430-310), CASE NO. 4172.

WHEREAS, DMG Real Estate Holdings 319 Meadowbrook, LLC has filed a petition to rezone property located on 315-335 Meadowbrook Rd. (Parcel 430-310), in the City of Jackson, First Judicial District of Hinds County, Mississippi, from R-1 (Single-Family) Residential District and C-3 (General) Commercial District to CMU-1 (Community) Mixed-Use District, Pedestrian Oriented to allow for the redevelopment of property as high end lofts; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has recommended the approval of the rezoning of the property located on 315- 335 Meadowbrook Rd. (Parcel 430-310) from R-1 (Single-Family) Residential District and C-3 (General) Commercial District to CMU-1 (Community) Mixed-Use District, Pedestrian Oriented to allow for the redevelopment of property as high end lofts; 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 18, 2022 to consider said change, based upon the record of the case as developed before the City Planning Board; and

WHEREAS, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Mississippi Link on March 3, 2022 and March 17, 2022 that a hearing had been held by the Jackson City Planning Board on March 23, 2022, 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 on 315- 335 Meadowbrook Rd. (Parcel 430-310) from R-1 (Single-Family) Residential District and C-3 (General) Commercial District to CMU-1 (Community) Mixed-Use 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 said application since any previous 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 particular described as follows:

A certain piece or parcel of land situated in Section 23, Township 6 North, Range 1 East, City of Jackson Hinds County, Mississippi, being Lot A-2 in Meadowbrook Resubdivision, and being part of Lots 4-23, including that portion designated as Seminole Avenue, in the Stokes Subdivision and Lots 1, 6 and part of Lot 7 of the Seminole Gardens Resurvey, said property being more particularly described as follows:

Commencing at a ½" iron rod set at the intersection of the Northerly right of way line of Choctaw Road and the Easterly right of way line of North State Street; thence North 06 degrees 27 minutes 00 seconds East along said Easterly right of way line a distance of 310.60 feet to a ½ " iron rod set on the Southerly right of way line of Meadowbrook Road, as it now exists; thence South 89 degrees 50 minutes 01 seconds East along the said Southerly right of way line a distance of 197.00 feet to a mag nail set on said right of way line for a POINT OF BEGINNING; thence continuing South 89°50'01 " East along said right of way line a distance of 724.11 feet to a ½ " iron rod set; thence South 00°09'19" West a distance of 245.07 feet to a point; thence South 02°03'52" East a distance of 60.92 feet to a point on the Northerly right of way line of Choctaw Road; thence West along said right of way line a distance of 2.36 feet to a ½ " iron rod found; thence continuing West

along said right of way line a distance of 724.17 feet to a ½" iron rod set; thence North 00 degrees 09 minutes 59 seconds East a distance of 308.06 feet to the POINT OF BEGINNING; containing an area of approximately 5.105 acres more or less.

is hereby modified so as to approve the rezoning of the property located at 315- 335 Meadowbrook Rd. (Parcel 430-310) from R-1 (Single-Family) Residential District and C-3 (General) Commercial District to CMU-1 (Community) Mixed-Use District, Pedestrian Oriented to allow for the redevelopment of property as high end lofts. 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 President Lindsay moved adoption; **Council Member Banks** seconded.

President Lindsay recognized **Gabriel Prado, Rebecca Garrison, and Bill Wilson, Representative for the Applicant**, who spoke in favor to approve a Rezoning from R-1 (Single-Family) Residential District and C-3 (General) Commercial District to CMU-1 (Community) Mixed-Use District, Pedestrian Oriented to allow for the redevelopment of property as high end lofts.

There was no opposition from the public.

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

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

Cancelled Special Exceptions\Use Permits – No Action Required

(Ward 3) SE 2905 – Mary Tillman – 3651 Mosley Ave. (Parcel 425-353)

- SE was granted to Mary Tillman on Apr. 8, 1992 to operate a Personal Care Facility with a maximum of twelve residents (12) within an R-4 (Limited Multi-family) Residential District.
- Cancellation was based upon **non-response and non-payment** from the grantee by the deadline date of **April 4, 2022**.

(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 4, 2022**.

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:

CASE NO.	NAME	LOCATION	USE	GRANTED
SE – 3048 Ward 4	Deborah Harper	405 Queen Margaret Lane	One-Chair Beauty Salon	04/05/95
SE – 3962 Ward 7	Morrison Heights Baptist Church	142 E. Bell St.	Residential Community Facility	04/17/17

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.

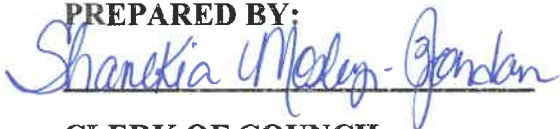
Council Member Banks moved adoption; **Council Member Hartley** seconded.

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

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

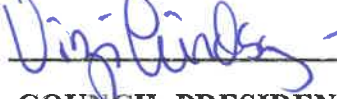
There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Special Council Meeting to be held at 10:00 a.m. on Tuesday, April 26, 2022. At 3:44 p.m., the Council stood adjourned.

PREPARED BY:



CLERK OF COUNCIL

APPROVED:



COUNCIL PRESIDENT

5/10/22

DATE

ATTEST:



CITY CLERK
