

ZONING CASES TO BE CONSIDERED BY THE CITY COUNCIL

MONDAY, NOVEMBER 15, 2021 - 2:30 P.M.

CITY HALL - COUNCIL CHAMBER - 219 S. PRESIDENT STREET

AGENDA

I. Case No. 4143 – Ward 7

Location: 2974 Terry Rd. (Parcel 607-34)

Petitioner: Shen Chen

Request: a **Use Permit** the operation of a liquor store in a C-3 (General) Commercial District.

Planning Board Motion: To **deny** a **Use Permit** for the operation of a liquor store in a C-3 (General) Commercial District.

Planning Board Vote: (10) in favor (0) Opposing

Planning Board Recommendation: **Denial of the Use Permit Request**

Public Input: The representative for the applicant, Tamara Bowie, spoke in support of the request. A Letter of Opposition to the Use Permit request was submitted by the Association of South Jackson Neighborhoods and a representative for the organization, Johnny Byrd via Zoom spoke in opposition to the request.

II. Case No. 4146 – Ward 1

Location: 5610 Old Canton Rd. (559-1040)

Petitioner: Mohammed Alqadhi

Request: a **Use Permit** to allow for the operation of a paraphernalia retail business in a C-2 (Limited) Commercial District.

Planning Board Motion: To **deny** a **Use Permit** to allow for the operation of a paraphernalia retail business in a C-2 (Limited) Commercial District.

Planning Board Vote: (10) in favor (0) Opposing

Planning Board Recommendation: **Denial of the Use Permit Request**

Public Input: The representative for the applicant, John C. Hall, II, spoke in support of the request. Ashley Ogden representing several community organizations

(JXNUnited, Sheffield Area Homeowners Association, Carolwood Part 4 Homeowners Association, Jackson Academy and Heatherwood,) Eric Farmer and China Donnell spoke in opposition of the request. Letters of Opposition to the Use Permit request were submitted by the JXNUnited, Sheffield Area Homeowners Association, Carolwood Part 4 Homeowners Association, Jackson Academy and Heatherwood Area Homeowners Association.

III. Case No. 4102 – Ward 7

Location: 217 Millsaps Ave. (Parcel: 58-47)

Petitioner: Midtown Christian Academy

Request: a **Removal of the condition** that limits the number of students for a commercial day care in a R-4 (Limited Multi-family) Residential District.

Planning Board Motion: To **approve** a **Modification** of the Conditional Use Permit to allow the number of students to be limited to a maximum of thirty-five (35) students with the other conditions remaining the same within a R-4 (Limited Multi-family) Residential District.

Planning Board Vote: (10) in favor (0) Opposing

Planning Board Recommendation: **Approval of a Modification of a Current Conditional Use Permit**

Public Input: Kimberly McBride, (the applicant) and Tony McBride, spoke in support of the request. Jennifer West & Monica Cannon Butler, representatives of the Midtown Community expressed that residents in the immediate vicinity were not in opposition to the request but shared with the Board the concerns of the residents regarding the dynamics of the area. The representatives did express support of the modification to allow for the number of student to be increased to a maximum of thirty-five (35).

IV. Appeal of Zoning Administrator Decision – Zoning Violation Case # 2021.8.10

Ward 3

Location: 1034 Woodrow Wilson Ave (Parcel 10-2-59)

Appellant: Jasco Bailey Ave LLC C/o Jaspal Singh

Request: Declaration of the Liquor Store as a grandfathered/non-conforming use

Planning Board Motion: The appellant shall submit relative documentation for the liquor store to support declaring the property a non-conforming use designation and if the documentation is unavailable or insufficient, the appellant must submit a Zoning Action Application for a Use Permit to operate a liquor store.

Planning Board Vote: (10) in favor with (0) opposing

Planning Board Recommendation: The appellant shall submit support documentation to the Zoning Division that would support the declaration of the liquor store as a non-conforming use and in the event the information is unavailable or insufficient the appellant must submit a Zoning Action Application for a Use Permit.

Public Input: Michael Cory, representative for the appellant, spoke on behalf of the appellant. Earl Johnson, Geneva Johnson and Edward Harden spoke in opposition of the Liquor Store. A Petition of Opposition with approximately 105 signatures relative to the Liquor Store was submitted.

V. Cancelled Special Exceptions\Use Permits – **No Action Required**

(Ward 4) SE 4099 – Teresa J. Bryant – 531 Claiborne Ave. (Parcel 123-85)

- SE was granted to Teresa J. Bryant on Nov. 16, 2020 to operate a Residential Childcare Center within an R-1 (Single-family) Residential District.
- Cancellation was based upon **non-response and non-payment** from the grantee by the deadline date of **November 2, 2021**.

VI. Special Exception and Use Permit Renewals for November 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 - 1636 Ward 4	Lillie Robinson	3554 Rita Drive Jackson, MS 39213	Day Care Center	11/30/1977
SE - 2704 Ward 4	Mary L. Clay	2684 Maddox Rd. Jackson, MS 39209	One-Chair Beauty Shop	11/9/1988
SE - 3788 Ward 4	Artemesia Thompson	471 Roland St. Jackson, MS 39209	Residential Child Care Center	11/14/2011
3948 Ward 4 C-UP	Marvin Cornelius	2926 J R Lynch St. Jackson, MS 39209	Used Car Dealership/ Mechanic Shop	11/21/2016

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.

November 15, 2021