

that justifies rezoning the properties 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:

Lot 8, Block C, Meadow Heights Subdivision, 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 5 at Page 34, reference to which is made in aid and as a part of this description.

is hereby modified so as to approve the rezoning of the of the property located at 2425 Martin Luther King Dr. (Parcels 108-2-60 & 108-2-61) from R-2 (Single-Family & Two-Family) Residential District to C-2 (Limited) Commercial District. 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 Grizzell moved adoption; **Council Member Banks** seconded.

After a thorough discussion, **President Foote** recognized **Council Member Grizzell** and **Council Member Banks** withdrew their motion and second. Said item was tabled until later in the meeting.

President Foote recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Violation Case No. 4177, 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 Foote requested that the Clerk read the Order:

ORDINANCE GRANTING WHITNEY PLACE, LLC A REZONING OF THE PROPERTIES LOCATED AT 510, 518 & 524 MITCHELL AVE. AND 3012, 3016, 3024, 3032, 3038 & 3046 OXFORD AVE. (PARCEL NUMBERS: 51-142-1, 51-142, 51-141, 51-143-1, 51-143-2, 51-143-3, 51-143-4, 51-143-5 & 51-144) FROM UV URBAN VILLAGE (MIXED USE) AND R-4 (LIMITED MULTI-FAMILY) RESIDENTIAL DISTRICTS TO UTC - URBAN TOWN CENTER (MIXED USE) DISTRICT TO ALLOW FOR POTENTIAL HIGHER DENSITY AND/OR MIXED USE DEVELOPMENT AND AN ORDER GRANTING A USE PERMIT FOR THE PROPERTY LOCATED AT 3009 N. STATE ST. (PARCEL #51-151) TO ALLOW FOR ACCESSORY PARKING, CASE NO. 4177.

WHEREAS, Whitney Place, LLC has filed a petition to rezone the properties located at 510, 518 & 524 Mitchell Ave. and 3012, 3016, 3024, 3032, 3038 & 3046 Oxford Ave. (Parcel Numbers: 51-142-1, 51-142, 51-141, 51-143-1, 51-143-2, 51-143-3, 51-143-4, 51-143-5 & 51-144) from UV Urban Village (Mixed Use) and R-4 (Limited Multi-family) Residential to UTC - Urban Town Center (Mixed Use) to allow for potential higher density and/or mixed use development and a Use Permit be granted for 3009 N. State St. (Parcel #51-151) to allow for accessory parking, 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 offered the recommendation to rezone the properties located at 510 (Parcel #51-142-1), 518 (Parcel #51-142) & 524 Mitchell Ave. (Parcel # 51-141), 3012 (Parcel #51-143-1), 3016 (Parcel #51-143-2), 3024 (Parcel # 51-143-3), 3032 (Parcel #51-143-4), 3038 (Parcel #51-143-5) & 3046 Oxford Ave. (Parcel #51-144) from UV Urban Village (Mixed Use) and R-4 (Limited Multi-family) Residential to UTC - Urban Town Center (Mixed Use) to allow for potential higher density and/or mixed use development and a Use Permit be granted for 3009 N. State St. (Parcel #51-151) to allow for accessory parking; 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 Jackson City Hall at 2:30 p.m., Monday, August 15, 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 July 7, 2022 and July 21, 2022 and that a hearing had been held by the Jackson City Planning Board on July 27, 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 has offered the recommendation to rezone the properties located at 510, 518 & 524 Mitchell Ave. and 3012, 3016, 3024, 3032, 3038 & 3046 Oxford Ave. (Parcel Numbers: 51-142-1, 51-142, 51-141, 51-143-1, 51-143-2, 51-143-3, 51-143-4, 51-143-5 & 51-144) from UV Urban Village (Mixed Use) and R-4 (Limited Multi-family) Residential to UTC - Urban Town Center (Mixed Use) to allow for potential higher density and/or mixed use development and a Use Permit be granted for 3009 N. State St. (Parcel #51-151) to allow for accessory parking; 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 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 for the properties at 510 (Parcel #51-142-1), 518 (Parcel #51-142) & 524 Mitchell Ave. (Parcel # 51-141), 3012 (Parcel #51-143-1), 3016 (Parcel #51-143-2), 3024 (Parcel # 51-143-3), 3032 (Parcel #51-143-4), 3038 (Parcel #51-143-5) & 3046 Oxford Ave. (Parcel #51-144); and

WHEREAS, the Jackson City Council, after having considered the matter, is of the opinion that the 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; would not be detrimental to the continued use, value, or development of properties in the vicinity and is in harmony with the Comprehensive Plan and that a Use Permit be granted to allow for an accessory parking lot within the UTC - Urban Town Center (Mixed Use) District of the City of Jackson for the property located at 3009 N. State St. (Parcel #51-151).

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:

510 Mitchell Ave. (51-142-1)

Lot 7, Block G of Asylum Heights Subdivision, a subdivision according to a map or plat thereof which is on file and record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book /Cabinet 1 at Page/Slide/Slot 30 thereof, reference to which is made in aid of and as a part of this description.

And being part of the same property described in Instrument recorded in Book 7147 at Page 724.

518 Mitchell Ave. (51-142)

Lot 6, Block G, Asylum Heights Subdivision, a subdivision according to a map or plat thereof which is on file and record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book /Cabinet 1 at Page/Slide/Slot 30 thereof, reference to which is made in aid of and as a part of this description.

524 Mitchell Ave. (51-141)

Lot 4, Block "G" of Asylum Heights Subdivision, a subdivision according to a map or plat thereof which is on file and record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book /Cabinet 1 at Page/Slide/Slot 30 thereof, reference to which is made in aid of and as a part of this description.

and,

Lot 5, Block "G" of Asylum Heights Subdivision, a subdivision according to a map or plat thereof which is on file and record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book /Cabinet 1 at Page/Slide/Slot 30 thereof, reference to which is made in aid of and as a part of this description.

3009 North State (Parcel 51-151)

Parcel of land located in Lots 5 & 6 of Fannie Brown Estate Survey as recorded in Plat Book "A", Page 336 in the office of the Chancery Clerk at Jackson, Hinds County, Mississippi, and Part of Lot 1, Block "G", Asylum Heights as recorded in Plat Book 1 Page 30 in the office of the Chancery Clerk at Jackson, Hinds County, Mississippi and more particularly described as follows:

Beginning at a point which is Northwest corner of Lot 5, Fannie Brown Estate Survey and is also Southwest corner of Lot 9 of Highland Addition to City of Jackson as recorded in Plat Book 2, Page 57 in the office of the Chancery Clerk at Jackson, Hinds County, Mississippi; run South 89 degrees 20 minutes East along the South line of Highland Addition, 390.68 feet to a point; thence South 20 degrees 10 minutes West for 149.8 feet to a point; thence South 69 degrees 50 minutes East 141.1 feet to West line of North State Street as laid out and in use at time of this survey; thence South 20 degrees 10 minutes West for 108.28 feet along West line North State Street' thence North 74 degrees 01 minute West for 225.0 feet' thence South 20 degrees 13 minutes West for 50.14 feet to a point; thence 74 degrees 01 minute East along a line used as a party wall for 198.2 feet to the East line of North State Street and afront line of existing building at time of this survey; thence South 16 degrees 00 minutes West along said front line of existing building 1379.5 feet to a point; thence South 12 degrees 51 minutes West along said front line of existing building 44.3 feet to a point; thence South 88 degrees 29 minutes West along South line of Lot 1, Block "G", Asylum Heights, 101.9 feet to a point; thence North 0 degrees 10 minutes West along the East lone of Lot 3 of Block "G", Asylum Heights; 86.6 feet to a point; thence 89 degrees 29 minutes West along North line of Block "G", Asylum Heights, 239.05 feet to a point; thence North 0 degrees 21 minutes West, along East line of Block "G", Asylum Heights, 429.9 feet to the point of beginning.

3012 Oxford Ave. (51-143-1)

Lot 9, Block "G" of Asylum Heights Subdivision, a subdivision according to a map or plat thereof which is on file and record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book /Cabinet 1 at Page/Slide/Slot 30 thereof, reference to which is made in aid of and as a part of this description.

And being part of the same property described in Instrument recorded in Book 7147 at Page 0727.

3016 Oxford Ave. (51-143-2)

Lots 10 and 13, Block "G" of Asylum Heights Subdivision, a subdivision according to a map or plat thereof which is on file and record in the office of the Chancery Clerk of Hinds County

at Jackson, Mississippi, in Plat Book /Cabinet 1 at Page/Slide/Slot 30 thereof, reference to which is made in aid of and as a part of this description.

And being part of the same property described in Instrument recorded in Book 7150 at Page 2193.

3024 Oxford Ave. (51-143-3)

Lot 11, Block "G" of Asylum Heights Subdivision, a subdivision according to a map or plat thereof which is on file and record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book /Cabinet 1 at Page/Slide/Slot 30 thereof, reference to which is made in aid of and as a part of this description.

And being the same property described in warranty deed recorded in Book 5525 at Page 703.

3032 Oxford Ave. (51-143-4)

Lot 12, Block "G" of Asylum Heights Subdivision, a subdivision according to a map or plat thereof which is on file and record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book /Cabinet 1 at Page/Slide/Slot 30 thereof, reference to which is made in aid of and as a part of this description.

And being part of the same property described in Instrument recorded in Book 7150 at Page 2193.

3038 Oxford Ave. (51-143-5)

Lots 10 and 13, Block "G" of Asylum Heights Subdivision, a subdivision according to a map or plat thereof which is on file and record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book /Cabinet 1 at Page/Slide/Slot 30 thereof, reference to which is made in aid of and as a part of this description.

And being part of the same property described in Instrument recorded in Book 7150 at Page 2193.

3046 Oxford Ave. (51-144)

Lot Fourteen (14), Block "G" of Asylum Heights Subdivision, a subdivision according to a map or plat thereof which is on file and record in the office of the Chancery Clerk of the Hinds County at Jackson, Mississippi, reference to which map or plat is hereby made.

is hereby modified so as to approve the rezoning of the properties located at 510, 518 & 524 Mitchell Ave. and 3012, 3016, 3024, 3032, 3038 & 3046 Oxford Ave. (Parcel Numbers: 51-142-1, 51-142, 51-141, 51-143-1, 51-143-2, 51-143-3, 51-143-4, 51-143-5 & 51-144) from UV Urban Village (Mixed Use) and R-4 (Limited Multi-family) Residential to UTC - Urban Town Center (Mixed Use) District to allow for potential higher density and/or mixed use development and a Use Permit be granted for the property located at 3009 N. State St. (Parcel #51-151) to allow for accessory parking. 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 Banks** seconded.

President Foote recognized **Jason Watkins** and **David Farr**, **Representative for the Applicant**, who spoke in favor to approve a rezoning from UV Urban Village (Mixed Use) and R-4 (Limited

Multi-family) Residential Districts to UTC – Urban Town Center (Mixed Use) District to allow for potential higher density and/or mixed-use development and a Use Permit for accessory parking for the property located at 3009 North State St.

The was no opposition from the public.

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

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

Nays – None.

Absent – Stokes.

Note: Vice President Lee left the meeting.

President Foote recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Violation Case No. 4178, 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 Foote requested that the Clerk read the Order:

ORDER DENYING KRISTI KIRKWOOD A REZONING FROM R-1A (SINGLE-FAMILY) RESIDENTIAL DISTRICT TO R-2 (SINGLE-FAMILY & TWO-FAMILY) RESIDENTIAL DISTRICT TO ALLOW FOR THE CONSTRUCTION OF A TWO-FAMILY RESIDENTIAL UNIT FOR THE PROPERTY LOCATED AT 0 OLD CANTON RD. (PARCEL 564-16). CASE NO. 4178.

WHEREAS, Kristi Kirkwood has filed a petition to rezone the property located at 0 Old Canton Rd. (Parcel 564-16), in the City of Jackson, First Judicial District of Hinds County, Mississippi from R-1A (Single-Family) Residential District to R-2 (Single-Family & Two-Family) Residential District to allow for the construction of a two-family residential unit; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has recommended denial to rezone the property from R-1A (Single-Family) Residential District to R-2 (Single-Family & Two-Family) Residential District to allow for the construction of a two-family residential unit; 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, August 15, 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 City Council that notice of said petition had been published in the Mississippi Link on July 7, 2022 and July 21, 2022 and that a hearing had been held by the Jackson City Planning Board on July 27, 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 has recommended denial to rezone the above described property from R-1A (Single-Family) Residential District to R-2 (Single-Family & Two-Family) Residential District to allow for the construction of a two family residential unit; and

WHEREAS, the Jackson City Council after having considered the matter, is of the opinion that such changes would not be in keeping with sound land use practice and to the best interest of the City and that there has not been a substantial change in the land use character of the surrounding

area that justifies rezoning the property and there is not a public need for additional property in that area zoned in accordance with said application since any previous Jackson City Council action.

NOW, THEREFORE, BE IT ORDAINED 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:

Lot 1, Block B, Canton Club Subdivision, Part 1, a subdivision according to the map or plat thereof which is on file and record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book 12 at Page 26 thereof, reference to which is made in aid of and as a part of this description. And being the same property described in Instrument recorded in Book 4584 at Page 507.

is hereby denied the petitioned rezoning of the property located at 0 Old Canton Rd. (Parcel 564-16) from R-1A (Single-Family) Residential District to R-2 (Single-Family & Two-Family) Residential District.

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

There was no representative from the Applicant.

There was no opposition from the public.

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

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

Nays – None.

Absent – Lee and Stokes.

There came on for consideration Agenda Item No. 1:

ORDINANCE GRANTING YOLANDA BELL A REZONING FROM R-2 (SINGLE-FAMILY & TWO-FAMILY) RESIDENTIAL DISTRICT TO C-2 (LIMITED) COMMERCIAL DISTRICT TO ALLOW FOR A COMMERCIAL DAY CARE CENTER FOR THE PROPERTY LOCATED AT 2425 MARTIN LUTHER KING DR. (PARCELS 108-2-60 & 108-2-61), CASE NO. 4175.

WHEREAS, Yolanda Bell has filed a petition to rezone property located at 2425 Martin Luther King Dr. (Parcels 108-2-60 & 108-2-61), in the City of Jackson, First Judicial District of Hinds County, Mississippi, from R-2 (Single-Family & Two-Family) Residential District to C-2 (Limited) Commercial District to allow for a commercial day care center; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has offered the recommendation to rezone the property R-2 (Single-Family & Two-Family) Residential District to C-2 (Limited) Commercial District to allow for a commercial day care center; 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, August 15, 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 May 5, 2022 and May 19, 2022 that a hearing had been held by the Jackson City Planning Board on May 25, 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 at 2425 Martin Luther King Dr. (Parcels 108-2-60 & 108-2-61) from R-2 (Single-Family & Two-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 properties 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:

Lot 8, Block C, Meadow Heights Subdivision, 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 5 at Page 34, reference to which is made in aid and as a part of this description.

is hereby modified so as to approve the rezoning of the of the property located at 2425 Martin Luther King Dr. (Parcels 108-2-60 & 108-2-61) from R-2 (Single-Family & Two-Family) Residential District to C-2 (Limited) Commercial District. 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.

Note: Said item failed due to a lack of motion.

President Foote recognized **Sondra Moncure, Deputy City Attorney**, who provided a brief overview of Ordinance Section 17.03.08 in regards to remanding said item back to the planning board.

ORDER DENYING YOLANDA BELL A REZONING FROM R-2 (SINGLE-FAMILY & TWO-FAMILY) RESIDENTIAL DISTRICT TO C-2 (LIMITED) COMMERCIAL DISTRICT TO ALLOW FOR A COMMERCIAL DAY CARE CENTER FOR THE PROPERTY LOCATED AT 2425 MARTIN LUTHER KING DR. (PARCELS 108-2-60 & 108-2-61), CASE NO. 4175.

WHEREAS, Yolanda Bell has filed a petition to rezone property located at 2425 Martin Luther King Dr. (Parcels 108-2-60 & 108-2-61), in the City of Jackson, First Judicial District of Hinds County, Mississippi, from R-2 (Single-Family & Two-Family) Residential District to C-2 (Limited) Commercial District to allow for a commercial day care center; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has offered the recommendation to rezone the property R-2 (Single-Family & Two-Family) Residential District to C-2 (Limited) Commercial District to allow for a commercial day care center; 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, August 15,

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 May 5, 2022 and May 19, 2022 that a hearing had been held by the Jackson City Planning Board on May 25, 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 at 2425 Martin Luther King Dr. (Parcels 108-2-60 & 108-2-61) from R-2 (Single-Family & Two-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 not be in keeping with sound land use practice and to the best interest of the City and that there has not been a substantial change in the land use character of the surrounding area that justifies rezoning the properties and there is not 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:

Lot 8, Block C, Meadow Heights Subdivision, 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 5 at Page 34, reference to which is made in aid and as a part of this description.

is hereby denied the rezoning of the of the property located at 2425 Martin Luther King Dr. (Parcels 108-2-60 & 108-2-61) from R-2 (Single-Family & Two-Family) Residential District to C-2 (Limited) Commercial District.

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

There was no representative from the Applicant.

There was no opposition from the public.

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

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

Nays – None.

Absent – Lee and Stokes.

President Foote recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Violation Case No. 4179, 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 Foote requested that the Clerk read the Order:

**ORDER GRANTING TERRENCE BRENT, SR. A CONDITIONAL USE PERMIT
TO ALLOW FOR A GENERAL RESTAURANT WITHIN A C-2 (LIMITED)**

**COMMERCIAL DISTRICT FOR THE PROPERTY LOCATED AT 540
RAYMOND RD., SUITE A (PARCEL 217-9), CASE NO. 4179.**

WHEREAS, Terrence Brent, Sr. has filed a petition for a Use Permit to allow for a general restaurant located within a C-2 (Limited) Commercial District for the property located at 540 Raymond Rd., Suite A (Parcel 217-9) 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 a general restaurant within a C-2 (Limited) Commercial District for the property located at 540 Raymond Rd., Suite A (Parcel 217-9); 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, August 15, 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 July 7, 2022 and July 21, 2022 and that a hearing had been held by the Jackson City Planning Board on July 27, 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 a Conditional 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 the proposed use would not be hazardous, detrimental, or disturbing to present surrounding land uses due to noises, glare, smoke, dust, odor, fumes, water pollution, vibration, electrical interference, or other nuisances and that a Conditional Use Permit be granted to allow for a general restaurant within a C-2 (Limited) Commercial District for the property located at 540 Raymond Rd., Suite A (Parcel 217-9).

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 situated in the East 1/2 of the Southwest Quarter of Section 8, Township 5 North, Range 1 East, Jackson, Hinds County, Mississippi, and being more particularly described as follows:

Commencing at the Southwest corner of that certain ten acre tract conveyed by Henry and Anne Moore to W.E. Johnson by Warranty Deed recorded in Deed Book 227 at Page 126 in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi; run thence Easterly along the South line of said ten acre tract for a distance of 4.0 feet to the Point of Beginning of the parcel of land herein described; from said Point of Beginning, turn thence left through a deflection angle of 88 degrees 21 minutes 49 seconds and run Northerly 4.0 feet East of and parallel to the West line of said ten acre tract for a distance of 458.20 feet; turn thence left through an interior angle of 91 degrees 38 minutes 11 seconds and run Easterly for a distance of 481.43 feet to a point on the East line of said ten acre tract; said point also being on the West line of Glenwood Subdivision, a subdivision 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; turn thence left through an interior angle of 88 degrees 25 minutes 10 seconds and run Southerly along the East line of said ten acre tract and West line of Glenwood Subdivision for a distance of 183.19 feet; turn thence left through an interior angle of 91 degrees 34 minutes 50 seconds and run Westerly for a distance of 175.0 feet; turn thence left through an interior angle of 268 degrees 25 minutes 10 seconds and run Southerly for a distance of 275.0 feet to the South line of said ten acre tract; turn thence left through an interior angle of 91 degrees 34 minutes 50 seconds and run Westerly along the South line of said ten acre tract for a distance of 306.88 feet to the Point of Beginning, containing 172,498.08 square feet or 3.96 acres, more or less.

be and is hereby modified so as to approve a Conditional Use Permit to allow for a general restaurant within a C-2 (Limited) Commercial District for the property located at 540 Raymond Rd., Suite A (Parcel 217-9). The Conditions of the Use Permit shall be that it is granted on an annual basis; that it be granted to Terrence Brent, Sr., the owner/operator of the general restaurant; that subsequent owners or operators of a general restaurant at the location must apply for and receive a new Use Permit and that compliance with adopted property maintenance, building and fire codes be maintained at all times. 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 Lindsay** seconded.

President Foote recognized **Terrence Brent, Sr., Applicant**, who spoke in favor to approve a Use Permit to allow for the operation of a general restaurant within a C-2 (Limited) Commercial District.

President Foote recognized **Jemal Clark, Hinds County Election Commissioner**, who spoke in favor to approve a Use Permit to allow for the operation of a general restaurant within a C-2 (Limited) Commercial District.

The was no opposition from the public.

After a thorough discussion, **President Foote** recognized **Council Member Banks** and **Council Member Lindsay** who withdrew their motion and second. Said item was tabled until the next Regular Zoning Council Meeting to be held on September 19, 2022.

Cancelled Special Exceptions\Use Permits – No Action Required

(Ward 7) SE 2483 – Carl Lackey – 1718 Bailey Ave. (Parcel 98-147)

- SE was granted to Carl Lackey on Jul. 16, 1986 to operate a Commercial Parking Lot within an R-1 (Single-family) Residential District.
- Cancellation was based upon a **non-response** from the grantee by the deadline date of August 3, 2022.
- Cancellation was based upon the property being sold.

(Ward 7) C-UP 4134 – Fortification 1012, LLC – 1012 E. Fortification St. (Parcel: 18-63)

- C-UP was granted to Fortification 1012, LLC on Jul. 19, 2021 to allow for a neighborhood restaurant within a C-1A (Restricted) Commercial District.
- Cancellation was based upon non-response and non-payment from the grantee by the deadline date of July 3, 2022.

Note: Council Member Grizzell left the meeting.

**REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, AUGUST 15, 2022 2:30 P.M.**

563

**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>NAME</u>	<u>LOCATION</u>	<u>USE</u>	<u>GRANTED</u>
George Wilkes, Jr.	729 Beaverbrook Dr. Jackson, MS 39206	One-Chair Barber Shop	07/16/86
Eva Shell	303 Wilshire Dr. Jackson, MS 39211	Day Care Center	07/14/00
Avtar Singh o/b/o United Development, LLC	1001 W. County Line Rd. Jackson, MS 39211	Automobile Repair Shop	07/15/19
Laura Robbins	5663 Beechwood Dr. Jackson, MS 39206	Residential Day Care Center	07/20/20
Jamika Dixon	241 Briarwood Dr. Jackson, MS 39206	Commercial Child Care Center	07/20/20
Rhemalyn Lewis	4872 North State St. (formerly 4866/4872) Jackson, MS 39206	Commercial Child Care Center	07/20/20
WMIW, LLC (Sam Astrahan)	3883/3885 Metro Dr. Jackson, MS 39209	Community Recreational Center	07/19/21
Jackson Memorial Funeral Services, LLC	800, 816 & 818 Woodrow Wilson Ave. Jackson, MS 39213	Residential Community Center	07/19/21

<u>CASE NO.</u>	<u>NAME</u>	<u>LOCATION</u>	<u>USE</u>	<u>GRANTED</u>
SE- 3676 Ward 3	Richard Moman	4644 N. State St. Jackson, MS 39206	Tax Office	08/18/08
SE-3715 Ward 3	Charlotte Ford	227 Stillwood Dr. Jackson, MS 39206	Catering Service	08/17/09
C-UP 3946 Ward 7	Catholic Diocese of Jackson	921 N. President St. Jackson, MS 39202	Emergency Shelter/ Mission	08/15/16
C-UP 4092 Ward 2	Linda Stuckey	5753 Angle Dr. Jackson, MS 39204	Commercial Day Care	08/17/20
SE- 4094 Ward 7	Bill Kellum	1438 N. State St. Jackson, MS 39206	Law Office	08/17/20
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 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 Banks** seconded.

Yeas – Banks, Foote, Hartley and Lindsay.

Nays – None.

Absent – Grizzell, 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, August 16, 2022. At 4:17 p.m., the Council stood adjourned.

PREPARED BY:

Shanekia Mosley-Jones
CLERK OF COUNCIL

APPROVED:

[Signature] 9/13/22
COUNCIL PRESIDENT DATE

[Signature]
MAYOR

ATTEST:

[Signature]
CITY CLERK
