

**REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, DECEMBER 19, 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 December 19, 2022 being the third Monday of said month when and where the following things were had and done to wit:

- Present:** Council Members: Ashby Foote, Council President, Ward 1; Angelique Lee, Council Vice President, Ward 2 (via teleconference); Aaron Banks, Ward 6 and Virgi Lindsay, Ward 7. Directors: Shanekia Mosley-Jordan; Clerk of Council; Sabrina Shelby; Chief Deputy Clerk of Council; Ester Ainsworth, Zoning Administrator; Catoria Martin, City Attorney and Kristie Metcalfe, Deputy City Attorney.
- Absent:** Kenneth I. Stokes, Ward 3, Brian Grizzell, Ward 4 and Vernon Hartley, Ward 5.

The meeting was called to order by **President Ashby Foote**.

President Foote recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4190, 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 GEOVON MARTIN A REZONING FROM I-1 (LIGHT) INDUSTRIAL DISTRICT AND I-2 (HEAVY) INDUSTRIAL DISTRICT & TO C-3 (GENERAL) COMMERCIAL DISTRICT TO ALLOW FOR THE CONVERSION OF THE PROPERTY TO A PERSONAL CARE/ASSISTED LIVING FACILITY WHICH EXCEEDS THIRTEEN (13) RESIDENTS FOR THE PROPERTY LOCATED AT 911 PALMYRA ST. (PARCEL: #91-41-4), CASE NO. 4190.

WHEREAS, Geovon Martin has filed a petition to rezone the property located at 911 Palmyra St. (Parcel: #91-41-4), in the City of Jackson, First Judicial District of Hinds County, Mississippi, from I-1 (Light) Industrial District and I-2 (Heavy) Industrial District to C-3 (General) Commercial District to allow for the conversion of the property to a personal care\assisted living facility which exceeds thirteen (13) residents; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has offered the recommendation to rezone the property from I-1 (Light) Industrial District and I-2 (Heavy) Industrial District to C-3 (General) Commercial District to allow for the conversion of the property to a personal care\assisted living facility which exceeds thirteen (13) residents; 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, December 19, 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 October 27, 2022 and November 10, 2022 that a hearing had been held by the Jackson City Planning Board on November 16, 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 above described property from I-1 (Light) Industrial District and I-2 (Heavy) Industrial District to C-3 (General) Commercial District; and

WHEREAS, the Jackson City Council after having considered the matter, is of the opinion that such changes would be in keeping with sound land use practice and to the best interest of the City and that there has been a substantial change in the land use character of the surrounding area that justifies rezoning the property and there is a public need for additional property in that area zoned in accordance with the request in said application since any previous Jackson City Council action.

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

SECTION 1. That the property located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particularly described as follows:

Parcel IA, Palmyra Street:

Part of Block "H" of Glendale Subdivision in the City of Jackson, Mississippi and being more particularly described by metes and bounds as follows, to-wit:

Beginning at a point on the West line of Palmyra Street (formerly called Sharkey and/or Stone Street) which point is a distance of 325 feet measured Southerly and along the West line of Palmyra Street from the intersection of the West line of Palmyra Street with the South line of Carnes Street as both streets were laid out and improved, November, 1959, in the City of Jackson, Mississippi, from this point of beginning run thence Southerly and along the West line of Palmyra Street for a distance of 75 feet; run thence Westerly and parallel with the South line of Carnes Street for a distance of 200 feet; run thence Northerly and parallel with the West line of Palmyra Street for a distance of 75 feet; run thence Easterly and parallel with the South line of Carnes Street for a distance of 200 feet to the point of beginning.

Being the same tract of land conveyed to Goodwill Industries of Mississippi, Inc. By Deed recorded in Chancery Clerk's office in Jackson, Hinds County, Mississippi, at Book 1188 Page 83.

Parcel 1B, Palmyra Street:

Part of 10.23 Acre Lot Four (4) of Block One (1) Mercerville Addition and a part of Glendale Subdivision in the City of Jackson, Mississippi, and being more particularly described by metes and bounds as follows, to-wit:

Beginning at a point on the West line of Palmyra Street (formerly called Sharkey Street and/or Stone Street) which point is a distance of 200 feet measured Southerly and along the West line of Palmyra Street from the intersection of the West line of Palmyra Street with the South line of Carnes Street, as both were laid out and improved in November, 1959, in the City of Jackson, Mississippi, said, point of beginning also being the Southeast corner of that certain lot or parcel of land conveyed to Wooley Bros., by deed dated June 4, 1959 and recorded in Deed Book 1130 at Page 221 in the office of the Hinds County Chancery Clerk at Jackson, Mississippi, reference to, which, is made in aid hereof; and from this point of beginning run thence Southerly and along the West line of Palmyra Street for a distance of 125 feet; run thence Westerly and parallel with the South line of Carnes Street for a distance of 200 feet; run thence Southerly and parallel with the West line of Palmyra Street for a distance of 75 feet; run thence Westerly and parallel with the South line of Carnes Street for a distance of 255 feet, more or less, to the West line of certain property as described in that conveyance of Anderson to Hobgood, June 17, 1955, as of record in Deed Book 920 at Page 375 in the office of the Rind's County Chancery Clerk at Jackson, Mississippi; run thence Northeasterly and along the West line of said property for a distance of 205 feet, more or less, to the Southwest corner of the aforesaid lot; thence Easterly, parallel with the South line of Carnes Street and along the South line of the aforesaid Wooley Bros. Lot for a distance of 410 feet, more or less, to the point of beginning.

Being the same tract of land conveyed to Goodwill Industries of Mississippi, Inc. By Deed recorded in Hinds County, Mississippi, at Book 1 188 Page 83.

Parcel 2:

Lots 5 and 7, Block "C" of Glendale Subdivision, as recorded in Plat Book 1, Page 88 of the public records of Hinds County, at Jackson, Mississippi: **EXCEPTING THEREFROM** a triangular shaped parcel of land located in the Southwest Corner of said Lot 7, measuring 10.00 feet along the West Lot Line and 5.00 feet along the South Lot Line.

is hereby modified so as to approve the rezoning of the property located at 911 Palmyra St. (Parcel: #91-41-4) from I-1 (Light) Industrial District and I-2 (Heavy) Industrial District to C-3 (General) Commercial District to allow for the conversion of the property to a personal care\assisted living facility which exceeds thirteen (13) residents. However, that before 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 Hartley moved adoption; **Council Member Lindsay** seconded.

There was no representative from the Applicant.

There was no opposition from the public.

President Foote recognized **Ester Ainsworth** and **Kristie Metcalfe** who provided an overview on this case being remanded back to the planning board until the February Zoning Meeting.

President Foote recognized **Council Member Stokes** who moved to have Case No. 4190 remanded back to the planning board and be held until February Zoning Meeting, seconded by **Council Member Hartley** seconded. The motion prevailed by the following vote:

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

Note: **Council Member Banks** joined the meeting.

President Foote recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4191, 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 CAPITOL MAGNOLIA, LLC A REZONING FROM R-4 (LIMITED MULTI-FAMILY) RESIDENTIAL DISTRICT, C-1 (RESTRICTED) COMMERCIAL DISTRICT AND C-2 (LIMITED) COMMERCIAL DISTRICT TO C-3 (GENERAL) COMMERCIAL DISTRICT TO ALLOW FOR THE POTENTIAL DEVELOPMENT OF APARTMENTS AND OTHER DEVELOPMENT OPPORTUNITIES FOR THE PROPERTIES LOCATED AT 1415 LELIA DR., 1417 LELIA DR., 1425 LELIA DR., 1435 LELIA DR., 1445 LELIA DR., 2525 LAKEWARD DR. AND 2510 LAKELAND TERRACE,

**(PARCEL NUMBERS: 542-26, 542-28, 542-32, 542-30, 542-34, 542-42 AND 542-36),
CASE NO. 4191.**

WHEREAS, Capitol Magnolia, LLC has filed a petition to rezone the properties located at 1415 Lelia Dr., 1417 Lelia Dr., 1425 Lelia Dr., 1435 Lelia Dr., 1445 Lelia Dr., 2525 Lakeward Dr. and 2510 Lakeland Terrace, (Parcel Numbers: 542-26, 542-28, 542-32, 542-30, 542-34, 542-42 and 542-36), in the City of Jackson, First Judicial District of Hinds County, Mississippi, from R-4 (Limited Multi-Family) Residential District, C-1 (Restricted) Commercial District and C-2 (Limited) Commercial District to C-3 (General) Commercial District to allow for the potential development of apartments and other development opportunities; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has offered the recommendation to rezone the properties from R-4 (Limited Multi-Family) Residential District, C-1 (Restricted) Commercial District and C-2 (Limited) Commercial District to C-3 (General) Commercial District to allow for the potential development of apartments and other development opportunities; 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, December 19, 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 October 27, 2022 and November 10, 2022 that a hearing had been held by the Jackson City Planning Board on November 16, 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 above described properties from R-4 (Limited Multi-Family) Residential District, C-1 (Restricted) Commercial District and C-2 (Limited) Commercial District to C-3 (General) 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 properties located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particularly described as follows:

PARCEL 1 (1415/1417, 1425/1435, 1445 Lelia Dr; Parcel #s 542-26, 542-28, 542-30, 542-32, 542-34):

Lots 13, 14, 15, 16 and 17, Lakeland Terrace, 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 10, Page 42, reference to which is hereby made in aid of and as a part of this description.

PARCEL 2 (2510 Lakeland Terrace; Parcel # 542-36):

A parcel of land composed of Lots 18 and 19 and a strip of land 65 feet wide off the West edge of Lot 20 of Lakeland Terrace Subdivision, a subdivision in the City of Jackson, First Judicial District, Hinds County, Mississippi a copy of the record plat of which is in Plat Book 10 at Page 42 (see copy filed in Plat Cabinet B at Slot 114) of the Hinds County Land Records for the First Judicial District; PLUS that portion of the north half of the vacated portion of Lakeside Drive abutting Lots 18 and 19 and the appropriate part of Lot 20, said property being more fully described as follows:

Begin at the NW corner of Lot 18, said point being on the East line of the 50 foot wide right-of-way for Lakeland Terrace and proceed thence:

1. S 01° 01' W along the East line of the right-of-way for Lakeland Terrace for 175.01 feet to a point on the center line of the vacated right-of-way for Lakeside Drive; thence,
2. N 89° 35' E along the center line of the vacated right-of-way for Lakeside Drive for 265.0 feet; thence,
3. N 01° 01' E for 175.01 feet to a point on the north line of Lot 20; thence,
4. S 89° 35' W along the north line of Lots 20, 19, and 18 for 265.0 feet to the POINT OF BEGINNING.

PARCEL 3 (2525 Lakeward Dr; Parcel no. 542-42):

Lot 21, and Part of Lot 20, Lakeland Terrace and situated in Sec. 25, T6N, R1E, more particularly described as:

A parcel of land composed of Lot 21 and a strip of land 60 feet wide off the east edge of Lot 20 of Lakeland Terrace Subdivision, a subdivision in the City of Jackson, First Judicial District, Hinds County, Mississippi a copy of the record plat of which is in Plat Book 10 at Page 42 (see copy filed in Plat Cabinet B at Slot 114) of the Hinds County Land Records for the First Judicial District; plus that portion of the north half of the vacated right-of-way for Lakeside Drive abutting Lot 21 and the appropriate part of Lot 20, said property being more fully described as follows:

Begin at the NW corner of Lot 18 of Lakeland Terrace Subdivision, said point being on the east line of the right-of-way for Lakeland Terrace and proceed thence:

1. North 89 degrees 35 minutes east along the north line of Lots 18, 19, and part of Lot 20 for 265.0 feet to the NW corner of the subject parcel which is the point of beginning for its description.

Continue Thence:

2. North 89 degrees 35 minutes east along the north line of Lots 20 and 21 for 252.24 feet to the NE corner of Lot 21, said point being on the west line of right-of-way for Lakeward Drive; thence,
3. South 23 degree 14 minutes west along the west line of the right-of-way for Lakeward Drive for 190.99 feet to a point on the center line of the vacated right-of-way for Lakeside Drive; thence,
4. South 89 degrees 35 minutes west along the center line of the vacated right-of-way for Lakeside Drive for 180.00 feet; thence,
5. North 01 degree 01 minute east for 175.01 feet to the Point of Beginning.

PARCEL 4:

Non-exclusive easements and rights appurtenant to and for the benefit of Parcel 3 as created by Temporary Construction and Drainage Pipe Easement Agreement recorded in Book 7179 at Page 1305, for the purposes described in that easement, over, under and across the lands described therein.

Subject to the terms, provisions and conditions set forth in said instrument.

is hereby modified so as to approve the rezoning of the property located at 1415 Lelia Dr., 1417 Lelia Dr., 1425 Lelia Dr., 1435 Lelia Dr., 1445 Lelia Dr., 2525 Lakeward Dr. and 2510 Lakeland Terrace, (Parcel Numbers: 542-26, 542-28, 542-32, 542-30, 542-34, 542-42 and 542-36) from R-4 (Limited Multi-Family) Residential District, C-1 (Restricted) Commercial District and C-2 (Limited) Commercial District to C-3 (General) Commercial District to allow for the potential development of apartments and other development opportunities. However, that before 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; **President Foote** seconded.

President Foote recognized **Justin Peterson, Representative for the Applicant**, who spoke in favor of a Rezoning from R-4 (Limited Multi-Family) Residential District, C-1 (Restricted) Commercial District and C-2 (Limited) Commercial District to C-3 (General) Commercial District to allow for the potential development of apartments and other development opportunities.

There was no opposition from the public.

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

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

President Foote recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4193, 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 YOLANDA BELL A CONDITIONAL USE PERMIT TO ALLOW FOR A PRESCHOOL LEARNING CENTER AND AFTER SCHOOL PROGRAM WITHIN A R-2 (SINGLE-FAMILY & TWO-FAMILY) RESIDENTIAL DISTRICT FOR THE PROPERTIES LOCATED AT 2425 MARTIN L. KING DR. (PARCEL:108-2-60), 2427 MARTIN L. KING DR. (PARCEL:108-2-61) AND 1039 MARINE ST. (PARCEL:108-2-58), CASE NO. 4193.

WHEREAS, Yolanda Bell has filed a petition for a Use Permit to allow for a preschool learning center and after school program within a R-2 (Single-Family & Two-Family) Residential District for the properties located at 2425 Martin L. King Dr. (Parcel:108-2-60), 2427 Martin L. King Dr. (Parcel:108-2-61) and 1039 Marine St. (Parcel:108-2-58) 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 Conditional Use Permit to allow for a preschool learning center and after school program within a R-2 (Single-Family & Two-Family) Residential District for the properties located at 2425 Martin L. King Dr. (Parcel:108-2-60), 2427 Martin L. King Dr. (Parcel:108-2-61) and 1039 Marine St. (Parcel:108-2-58); 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, December 19, 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 October 27, 2022 and November 10, 2022 that a hearing had been held by the Jackson City Planning Board on November 16, 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 R-2 (Single-Family & Two-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 be compatible with the character of development in the vicinity relative to density, bulk and intensity of structures, parking and other uses and that a Conditional Use Permit be granted to allow for a preschool learning center and after school program within the existing R-2 (Single-Family & Two-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:

Parcel 108-2-60

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.

Parcel 108-2-61

Lot 11, Block 35, Elaine Resurvey, Part One, 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 4 at Page 7, reference to which is made in aid and as a part of this description.

Parcel 108-2-58

Lot 7, BLK C Meadow HGTS SUBN LESS A STRIP ON S/S BEING 28 FT ON W/S & 41.5 FT ON E/S

be and is hereby modified so as to approve a Conditional Use Permit to allow for a preschool learning center and after school program for the properties located at 2425 Martin L. King Dr. (Parcel:108-2-60), 2427 Martin L. King Dr. (Parcel:108-2-61) and 1039 Marine St. (Parcel: 108-2-58) within a R-2 (Single-Family & Two-Family) Residential District. The Conditions of the Use Permit shall be that it is granted on an annual basis; that it be granted to Yolanda Bell, the owner/operator of the school; and that subsequent owners or operators of a commercial day care center at this location must apply for and receive a new Use Permit. 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 Stokes moved adoption; Council Member Banks seconded.

President Foote recognized Yolanda Bell, Applicant, who spoke in favor of a Use Permit within a R-2 (Single-Family & Two-Family) Residential District to allow for a school on a site that is less than five (5) acres and greater than ten thousand (10,000) square feet.

There was no opposition from the public.

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

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

Note: Council Member Stokes left the meeting.

President Foote recognized Zoning Administrator Ester Ainsworth who provided the Council with a procedural history of Zoning Case No. 4194, 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 LONNIE J. WILKERSON A REZONING FROM SR (SUBURBAN RURAL) RESIDENTIAL DISTRICT TO C-3 (GENERAL) COMMERCIAL DISTRICT TO ALLOW FOR AN AUTOMOTIVE SERVICE AND REPAIR CENTER FOR THE PROPERTY LOCATED AT PARCEL: #2859-935 ON HIGHWAY 49, CASE NO. 4194.

WHEREAS, Lonnie J. Wilkerson has filed a petition to rezone the property located at Parcel: #2859-935 on Highway 49, in the City of Jackson, First Judicial District of Hinds County, Mississippi, from SR (Suburban Rural) Residential District to C-3 (General) Commercial District to allow for an automotive service and repair center; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has offered the recommendation to rezone the property from SR (Suburban Rural) Residential District to C-3 (General) Commercial District to allow for an automotive service and repair 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, December 19, 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 October 27, 2022 and November 10, 2022 that a hearing had been held by the Jackson City Planning Board on November 16, 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 above described property from SR (Suburban Rural) Residential District to C-3 (General) 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:

18.85 acres being part of Lots 21, 22 and 23 of Exchange Club Subdivision, a subdivision of record, plat of which is filed in Plat Book 2 at Page 1 1 and also situated in the Southwest ¼ of the Southwest ¼ of Section 1, the Southeast ¼ of the Southeast ¼ of Section 2, the Northeast ¼ of the Northeast ¼ of Section 11, Township 6 North, Range 1 West, First Judicial District, Hinds County, Mississippi, and being more particularly described as follows:

Commence at the found #4 rebar marking the common corner of Lots 15, 16, 21, and 22 of said Exchange Club Subdivision; run thence, South 00 degrees and 09 minutes East for 50.30 feet to a found #4 rebar; run thence, East for 728.40 feet to a found #4 rebar, said rebar also marking the POINTE OF BEGINNING; run thence, South 48 degrees 27 minutes west for 1322.20 feet to a set #4 rebar being on the Easterly line of U.S. Highway 49; run thence along said Easterly line 43 degrees 11 minutes East for 175.87 feet to a point; run thence, South 33 degrees 40

minutes East for 296.30 feet to a found concrete monument; run thence, South 38 degrees 33 minutes East for 10.27 feet to a found #4 rebar being at an existing fence corner; run thence leaving said Easterly line and along said existing fence, North 47 degrees 47 minutes East 457.84 feet to a found #4 rebar; run thence along said existing fence North 39 degrees 39 minutes East for 196.65 feet to a set #4 rebar being in existing 24 inch pine stump; run thence, North 33 degrees 40 minutes East for 18.91 feet to a 28 inch pine tree being in said existing fence; run thence along existing fence, North 37 degrees 04 minutes East for 187.60 feet to a found #4 rebar; run thence leaving said existing fence, South 80 degrees 51 minutes East for 58.02 feet to a found #4 rebar; run thence, North 34 degrees 55 minutes East for 312.10 feet to a found #4 rebar; continue thence, North 34 degrees 55 minutes East for 172.63 feet to a found #4 rebar; continue thence, North 34 degrees 55 minutes East for 455.12 feet to a found #4 rebar; run thence, West for 493.26 feet to a set #4 rebar; run thence, South 48 degrees 27 minutes West for 72.07 feet back to the found #4 rebar marking the POINT OF BEGINNING.

Together with and including all of the following:

BEGIN AT THE CORNER COMMON TO LOTS 15, 16, 21, AND 22 OF THE EXCHANGE CLUB SUBDIVISION IN SECTION ONE AND SECTION TWO, TOWNSHIP SIX NORTH, RANGE ONE WEST, HINDS COUNTY, MISSISSIPPI, A MAP OR PLAT OF SAID SUBDIVISION BEING ON RECORD IN THE CHANCERY CLERK'S OFFICE OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY, MISSISSIPPI, RUN THENCE SOUTH ALONG THE WEST LINE OF LOT 22 FOR DISTANCE OF FIFTY FEET, RUN THENCE EAST PARALLEL WITH THE NORTH LINE OF LOT 22 FOR A DISTANCE OF 728 FEET; RUN THENCE SOUTH 48 DEGREES 45 MINUTES WEST FOR A DISTANCE OF 1371 FEET TO A POINT ON NORTH LINE OF U.S. HIGHWAY NO. 49, RUN THENCE SOUTH 38 DEGREES 50 MINUTES EAST ALONG THE NORTH LINE OF US HIGHWAY NO. 49 TO A POINT WHERE THE NORTH LINE OF U.S. HIGHWAY NO. 49 INTERSECTS THE SOUTH LINE OF LOT 21, RUN THENCE EAST ALONG THE SOUTH LINE OF LOTS 21, 22, AND 23 FOR A DISTANCE OF 1465 FEET TO THE CENTER LINE OF THE CYNTHIA-CLINTON ROAD, THENCE RUN NORTHEASTERLY ALONG THE CENTER LINE OF SAID CYNTHIA-CLINTON ROAD FOR A DISTANCE OF 1415 FEET, TO A POINT WHERE SAID ROAD INTERSECTS THE NORTH LINE OF LOT 23 OF SAID SUBDIVISION, RUN THENCE WEST ALONG THE NORTH LINE OF LOTS 23 AND 22 A DISTANCE OF APPROXIMATELY: 1882 FEET TO THE POINT OF BEGINNING.

ALSO:

A STRIP OF LAND THIRTY-THREE (33) FEET FOUR (4) INCHES IN WIDTH OFF THE ENTIRE WEST SIDE OF LOT 15 OF SAID EXCHANGE CLUB SUBDIVISION.

A CERTAIN PARCEL OF LAND BEING SITUATED IN THE NORTHEAST QUARTER NORTHEAST QUARTER OF SECTION 1 1, TOWNSHIP 6 NORTH, RANGE 1 WEST, HINDS COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS: BEGINNING AT A POINT IN THE NORTH LINE OF SECTION 1 1, TOWNSHIP 6 NORTH, RANGE 1 WEST, WHICH POINT IS 38.8 FEET MEASURED WESTERLY ALONG THE NORTH LINE OF SECTION 1 1 FROM THE NORTHEAST CORNER THEREOF, SAID POINT OF BEGINNING IS FURTHER DESCRIBED AS BEING THE POINT OF INTERSECTION OF THE NORTHERN RIGHT-OF-WAY LINE OF THE PROPOSED NATCHEZ TRACE WITH THE NORTHERN LINE OF SAID SECTION 1 1 AND FROM SAID POINT OF BEGINNING RUN THENCE SOUTH 60 DEGREES 54 MINUTES WEST AND ALONG THE PROPOSED NORTHERN RIGHT-OF-WAY OF SAID NATCHEZ TRACE FOR A DISTANCE OF 469.7 FEET; RUN THENCE SOUTH 50 DEGREES 39 MINUTES WEST AND ALONG THE PROPOSED NORTHERN RIGHT-OF-WAY LINE OF THE NATCHEZ TRACE FOR A DISTANCE OF 46.1 FEET TO THE PRESENT NORTHEASTERLY RIGHT-OF-WAY LINE OF SAID OLD U.S. HIGHWAY #49; RUN THENCE NORTH 38-DEGREE 46 MINUTES WEST AND ALONG THE NORTHEASTERN RIGHT-OF-WAY LINE OF SAID OLD U.S. HIGHWAY FOR A DISTANCE OF 335.55 FEET TO ITS INTERSECTION WITH THE NORTH LINE OF SECTION 1 1; RUN THENCE SOUTH 89 DEGREES 37 MINUTES EAST AND ALONG THE NORTH LINE OF SECTION 1 1 FOR A DISTANCE OF 655.9 FEET TO THE POINT OF BEGINNING, CONTAINING 2.65 ACRES, MORE OR LESS.

LESS AND EXCEPT:

A CERTAIN TWO ACRES OF LAND IN THE NORTHEAST CORNER OF LOT 23, EXCHANGE CLUB SUBDIVISION, WHICH IS MORE PARTICULARLY DESCRIBED AS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF LOT 23 OF THE EXCHANGE CLUB SUBDIVISION WHERE THE SAME IS INTERSECTED BY THE WEST BOUNDARY OF A PUBLIC GRAVEL ROAD; RUN THENCE SOUTH 20 DEGREES 50 MINUTES WEST ALONG THE WESTERNLY AND PARALLEL WITH THE NORTH LINE OF SAID LOT 23 FOR A DISTANCE OF 305.5 FEET TO THE NORTH LINE OF SAID LOT 23; THENCE EASTERNLY 305.5 FEET TO THE POINT OF BEGINNING.

A CERTAIN TRACT CONTAINING 4.136 ACRES, SITUATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 6 NORTH, RANGE 1 WEST, FIRST JUDICIAL DISTRICT, HINDS COUNTY, MISSISSIPPI, WHICH IS MORE PARTICULARLY DESCRIBED AS: STARTING AT A POINT THAT IS THE CORNER COMMON TO SECTIONS 1, 2, 11, AND 12, TOWNSHIP 6 NORTH, RANGE 1 WEST, FIRST JUDICIAL DISTRICT, HINDS COUNTY, MISSISSIPPI; BEING THE POINT OF BEGINNING; RUN THENCE NORTH 60 DEGREES 54 MINUTES EAST 250.5 FEET TO A POINT, CORNER #247; RUN THENCE NORTH 66 DEGREES 34 MINUTES EAST 747.4 FEET TO A POINT, CORNER #246; RUN THENCE SOUTH 21 DEGREES 33 MINUTES WEST 474.2 FEET TO A POINT; THENCE DUE WEST 730.0 FEET TO A POINT, THE POINT OF BEGINNING.

BEGIN AT THE POINT OF THE INTERSECTION OF THE PRESENT NORTHEASTERNLY RIGHT-OF-WAY LINE OF THE NATCHEZ TRACE PARKWAY WITH THE PRESENT NORTHEASTERNLY RIGHT-OF-WAY LINE OF THE U.S. HIGHWAY NO. 49, SAID POINT OF INTERSECTION IS 257.4 FEET SOUTH OF AND 484.5 FEET WEST OF THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 6 NORTH, RANGE 1 WEST; FROM SAID POINT OF BEGINNING RUN THENCE NORTH 38 DEGREES 44 MINUTES WEST ALONG THE PRESENT NORTHEASTERNLY RIGHT-OF-WAY LINE OF SAID U.S. HIGHWAY 49, A DISTANCE OF 787.3 FEET; THENCE RUN NORTH 48 DEGREES 45 MINUTES EAST ALONG THE NORTHEASTERNLY LINE OF GRANTORS PROPERTY, A DISTANCE OF 96.0 FEET, TO THE PROPOSED NORTHEASTERNLY RIGHT-OF-WAY LINE OF STATE PROJECT NO. SP-0008-3(10); THENCE RUN SOUTH 43 DEGREES 11 MINUTES EAST ALONG SAID PROPOSED NORTHEASTERNLY RIGHT-OF-WAY LINE, A DISTANCE OF 181.7 FEET; THENCE RUN SOUTH 33 DEGREES 59 MINUTES EAST, A DISTANCE OF 301.0 FEET; THENCE RUN SOUTH 38 DEGREES 44 MINUTES EAST ALONG A LINE THAT IS PARALLEL WITH AND 61 FEET NORTHEASTERNLY OF THE CENTERLINE OF PARALLEL OF SURVEY OF SAID HIGHWAY PROJECT, A DISTANCE OF 200.0 FEET; THENCE RUN SOUTH 51 DEGREES 18 MINUTES EAST, A DISTANCE OF 115.0 FEET, TO THE PRESENT NORTHEASTERNLY RIGHT-OF-WAY LINE OF THE NATCHEZ TRACE PARKWAY; THENCE RUN SOUTH 60 DEGREES 54 MINUTES WEST ALONG SAID NORTHEASTERNLY RIGHT-OF-WAY LINE, A DISTANCE OF 24.79 FEET; THENCE RUN SOUTH 50 DEGREES 39 MINUTES WEST, A DISTANCE OF 46.1 FEET, TO THE POINT OF BEGINNING, CONTAINING 1.01 ACRES, MORE OR LESS, AND ALL BEING SITUATED IN AND A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11 AND LOTS 21 AND 22 OF THE EXCHANGE CLUB SUBDIVISION IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 2, ALL IN TOWNSHIP 6 NORTH, RANGE 1 WEST, FIRST JUDICIAL DISTRICT OF HINDS COUNTY, MISSISSIPPI.

SUBJECT TO:

A CERTAIN EASEMENT OR RIGHT-OF-WAY PARALLEL AND ADJACENT TO THE NORTH SIDE OF CYNTHIA ROAD GRANTED TO MISSISSIPPI POWER AND LIGHT COMPANY ON JULY 5, 1946, OF RECORD IN THE OFFICE OF THE CHANCERY CLERK OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY, MISSISSIPPI IN BOOK 452 AT PAGE 282.

A CERTAIN EASEMENT OR RIGHT-OF-WAY ACROSS LOT 22 GRANTED TO MISSISSIPPI POWER & LIGHT COMPANY ON DECEMBER 7, 1948, OF RECORD

IN THE OFFICE OF THE CHANCERY CLERK OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY, MISSISSIPPI IN BOOK 570 AT PAGE 175.

LESS AND EXCEPT:

INDEXING INSTRUCTIONS: SW $\frac{1}{4}$, SW $\frac{1}{4}$, S1, T6N, R1W, 1ST JUDICIAL DISTRICT, HINDS COUNTY, MISSISSIPPI

5.00 Acres located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1, Township 6 North, Range 1 West, Hinds County, Mississippi, and being further described as follows to-wit:

Commencing at Natchez Trace Parkway monument Number 249, said monument being the SW corner of said Section 1, run thence, North for 799.49 feet, run thence, East for 246.33 feet to an iron pin; run thence, North 34 degrees 55 minutes East for 172.63 feet to the iron pin marking the POINT OF BEGINNING, run thence, South 75 degrees 53 minutes East for 661.73 feet to an iron pin on the west line of Cynthia Road; run thence, along the west line of said road, North 21 degrees 19 minutes East for 267.37 feet; run thence, leaving the west line of said road; West for 281.04 feet to an iron pin; run thence, West for 306.11 feet to an iron pin, run thence South 34 degrees 54 minutes West for 455, 12 feet back to the iron pin marking the POINT OF BEGINNING.

INDEXING INSTRUCTIONS: SW $\frac{1}{4}$, SW $\frac{1}{4}$, S1, T6N, R1W, 1ST JUDICIAL DISTRICT, HINDS COUNTY, MISSISSIPPI.

2.90 acres located in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1, Township 6 North, Range I West, Hinds County, Mississippi, and being further described as follow to-wit:

Commencing at Natchez Trace Parkway monument Number 249, said monument being the SW corner of said Section 1; run thence, North for 799.49 feet; run thence, East for 246.33 feet to the iron pin marking the POINT OF BEGINNING; run thence, North 34 degrees 55 minutes East for 172.63 feet to an iron pin, run thence, South 75 degrees 53 minutes East for 661.73 feet to an iron pin on the west line of Cynthia Road, run thence, along the west line of said road, South 21 degrees 19 minutes West for 210.0 feet to an iron pin; run thence, leaving the west line of said road, North 72 degrees 02 minutes West for 698.25 feet back to the iron pin marking the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

2.0 acres, more or less, situated in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of section 1, Township 6 North, Range 1 West, First Judicial District of Hinds County, Mississippi and being further described as follows, to-wit:

Commencing at concrete monument #249 of the Natchez Trace Parkway, said monument being the SW corner of said Section I : run thence, North for 799.49 feet ; run thence, East for 246.33 feet to the iron pin found marking the POINT OF BEGINNING; run thence, South 21 degrees 19 minutes West for 146.50 feet to an iron pin; run thence, 72 degrees 02 minutes East for 595.69 feet to an iron pin on the west line of Cynthia Road; run thence, along the west line of said road, South 21 degrees 19 minutes West for 35.20 feet to an iron pin; run thence, North 80 degrees 35 minutes West for 787.36 feet to an iron pin; run thence, North 34 degrees 55 minutes East for 312.19 feet back to the iron pin marking the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

2.00 acres situated in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1, Township 6 North, Range 1 West, Hinds County, Mississippi and being further described as follows, to-wit:

Commencing at concrete monument #249 of the Natchez Trace Parkway, said monument also being the SW corner of said Section 1; run thence, North for 799.49; run thence, East for 246.33 feet to a found iron pin; run thence, South 72 degrees 02 minutes East for 102.56 feet to the iron pin marking the POINT OF BEGINNING; run thence, South 72 degrees 02 minutes East for 595.69 feet to an iron pin found on the west line of Cynthia Road; run thence, along the west line of said road, South 21 degrees 19 minutes West for 146.50 feet to an iron pin; run thence North

72 degrees 02 minutes west for 595.69 feet to an iron pin; run thence, North 21 degrees 19 minutes East for 146.50 feet back to the iron pin marking the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

0.56 acres, more or less, situated in the Southwest Quarter of the Southwest Quarter of Section 1, Township 6 North, Range 1 West, Hinds County, Mississippi and being further described as follows, to-wit:

Commencing of concrete monument #249 of the Natchez Trace Parkway said concrete monument being the SW corner of said Section 1; run thence, North for 543.57 feet to a point; run thence, East for 67.69 feet to the iron pin marking the POINT OF BEGINNING; run thence, south 80 degrees 35 minutes East for 787.36 feet to an iron pin marking the west line of Cynthia Road; run thence, South 82 degrees 53 minutes West for 216.93 feet to an iron pin; run thence, North 74 degrees 30 minutes West for 582.68 feet back to the iron pin marking the POINT OF BEGINNING.

ALSO, LESS AND EXCEPT:

8.62 acres, more or less, situated in Section 1, 2, and 11 all in Township 6 North, Range 1 West, Hinds County, Mississippi, and being further described as follows, to -wit:

BEGINNING at concrete monument #249 of the Natchez Trace Parkway, said monument being the SW corner of said Section 1; run thence, along the north line of the Natchez Trace Parkway for the following courses:

North 88 degrees 25 minutes West for 38.95 feet to concrete monument #250 of the Natchez Trace Parkway; run thence, South 61 degrees 07 minutes West 449.20 feet to a concrete monument marking the intersection of the north line of the Natchez Trace Parkway with the east line of Highway 49; run thence, leaving the north line of the Natchez Trace Parkway and along the east line of Highway 49 for the following courses;

North 50 degrees 27 minutes West for 115.81 feet to a concrete monument; run thence, North 38 degrees 33 minutes West for 90.08 feet to an iron pin;

run thence, leaving the east line of highway 49 and along a fence line and its northerly projection for the following courses: North 47 degrees 47 minutes East for 457.84 feet to an iron pin; run thence, North 39 degrees 39 minutes East for 196.65 feet to a 24-inch pine tree; run thence, North 33 degrees 40 minutes East for 18.91 feet to a 15-inch pine tree; run thence, North 37 degrees 04 minutes East for 187.60 feet to an iron pin;

run thence, leaving said fence line, south 80 degrees 51 minutes East for 58.02 feet to an iron pin; run thence, south 74 degrees 30 minutes East for 582.68 feet to an iron pin; run thence, North 82 degrees 53 minutes East for 216.93 feet to an iron pin marking the intersection of the west line of Cynthia Road with the north line of the Natchez Trace Parkway; run thence, along the north line of the Natchez Trace Parkway for the following courses:

South 66 degrees 37 minutes West for 681.77 feet to concrete monument #247 of the Natchez Trace Parkway; run thence, South 60 degrees 53 minutes West for 250.51 feet to concrete monument #248 of the Natchez Trace Parkway; run thence, South 00 degrees 30 minutes East for 22.38 feet back to the concrete monument marking the POINT OF BEGINNING.

is hereby modified so as to approve the rezoning of the property located at Parcel: #2859-935 on Highway 49 from SR (Suburban Rural) Residential District to C-3 (General) Commercial District to allow for an automotive service and repair center. However, that before any structure is erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process. The Zoning Administrator is ordered to note such change on the Official Zoning Map to the City of Jackson, Mississippi.

SECTION 2. That the cost of publication of this Ordinance shall be borne by the petitioner.

SECTION 3. That this Ordinance shall be effective thirty (30) days after its passage and after publication of same by the petitioner.

Council Member Banks moved adoption; Council Member Lindsay seconded:

President Foote recognized **Payton Wilkerson, Representative for the Applicant**, who spoke in favor to approve a rezoning from SR – (Suburban) Residential District to C-3 (General) Commercial District to allow for an automotive service and repair center.

There was no opposition from the public.

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

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 Regular Council Meeting to be held at 10:00 a.m. on Tuesday, December 20, 2022. At 3:42 p.m., the Council stood adjourned.

PREPARED BY:

Shanekia Mosley-Jordan
CLERK OF COUNCIL

APPROVED:

[Signature], 1/17/2023
COUNCIL PRESIDENT DATE

[Signature]
MAYOR

ATTEST:

[Signature]
CITY CLERK
