

REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, MAY 15, 2023 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 May 15, 2023, 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); Brian Grizzell, Ward 4 (via teleconference); Aaron Banks, Ward 6 and Virgi Lindsay, Ward 7. Directors: Shanekia Mosley-Jordan, Clerk of Council (via teleconference); Sabrina Shelby, Chief Deputy Clerk of Council; Ester Ainsworth, Zoning Administrator and Kristie Metcalfe, Deputy City Attorney.

Absent: Kenneth I. Stokes, Ward 3 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 JENNIFER WELCH DBA VESICA REAL ESTATE A REZONING OF THE PROPERTIES LOCATED AT 804, 814, 818 & 823 N. JEFFERSON ST. (PARCELS #22-19, 22-18, 22-17, 23-16), 920, 924, 927, 928, 935, 937 HARDING ST. (PARCELS #22-20, 22-21, 25-4, 22-22, 25-7, 25-8) FROM R-1 (SINGLE-FAMILY) RESIDENTIAL DISTRICT TO NMU-1 (NEIGHBORHOOD) MIXED-USE DISTRICT, PEDESTRIAN ORIENTED TO ALLOW FOR CONSISTENCY WITH THE ZONING IN THE IMMEDIATE VICINITY OF THE PROPERTIES AND FOR A COMPATIBLE DIVERSITY OF LAND USES AND AN ORDER GRANTING A USE PERMIT FOR THE PROPERTY LOCATED AT PARCEL 22-19 ON JEFFERSON ST. TO ALLOW FOR ACCESSORY PARKING.

WHEREAS, Jennifer Welch DBA Vesica Real Estate has filed a petition to rezone the properties located at 804, 814, 818 & 823 N. Jefferson St. (Parcels #22-19, 22-18, 22-17, 23-16), 920, 924, 927, 928, 935, 937 Harding St. (Parcels #22-20, 22-21, 25-4, 22-22, 25-7, 25-8) and Parcels 25-7-1 & 25-49 Harding St. from R-1 (Single-Family) Residential District to NMU-1 (Neighborhood) Mixed-Use District, Pedestrian Oriented to allow for consistency with the zoning in the immediate vicinity of the properties and for a compatible diversity of land uses and a Use Permit for Parcel 22-19 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 804, 814, 818 & 823 N. Jefferson St. (Parcels #22-19, 22-18, 22-17, 23-16), 920, 924, 927, 928, 935, 937 Harding St. (Parcels #22-20, 22-21, 25-4, 22-22, 25-7, 25-8) and Parcels 25-7-1 & 25-49 Harding St. from R-1 (Single-Family) Residential District to NMU-1 (Neighborhood) Mixed-Use District, Pedestrian Oriented to allow for consistency with the zoning in the immediate vicinity of the properties and for a compatible diversity of land uses and a Use Permit be granted for Parcel 22-19 to allow for accessory parking; 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 Jackson City Hall at 2:30 p.m.,

Monday, May 15, 2023 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 April 6, 2023 and April 20, 2023 that a hearing had been held by the Jackson City Planning Board on April 26, 2023, 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 804, 814, 818 & 823 N. Jefferson St. (Parcels #22-19, 22-18, 22-17, 23-16), 920, 924, 927, 928, 935, 937 Harding St. (Parcels #22-20, 22-21, 25-4, 22-22, 25-7, 25-8) and Parcels 25-7-1 & 25-49 Harding St. from R-1 (Single-Family) Residential District to NMU-1 (Neighborhood) Mixed-Use District, Pedestrian Oriented to allow for consistency with the zoning in the immediate vicinity of the properties and for a compatible diversity of land uses and a Use Permit be granted for Parcel 22-19 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 804, 814, 818 & 823 N. Jefferson St. (Parcels #22-19, 22-18, 22-17, 23-16), 920, 924, 927, 928, 935, 937 Harding St. (Parcels #22-20, 22-21, 25-4, 22-22, 25-7, 25-8) and Parcels 25-7-1 & 25-49 Harding St.; 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 the 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 an accessory parking lot within the NMU-1 (Neighborhood) Mixed-Use District, Pedestrian Oriented of the City of Jackson for the property located at Parcel 22-19.

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:

Parcel 22-19

100 FT E/S N JEFFERSON ST X 184 FT N/S HARDING ST IN 5 A LOT 10 NJ *CITY OF JACKSON LOT CLEANUP ASSESSMENT* PARCEL NO.: 22-19 HINDS COUNTY, FIRST JUDICIAL DISTRICT, MISSISSIPPI

Parcel 22-18

A part of Five Acre Lot No. 10 North Jackson according to the official map of said city made by J.C. Daniel in the year 1875 and more particularly described by metes and bounds as follows:

Beginning at a point on the East side of North Jefferson Street 100 feet North of the intersection of the North line of Harding Street (formerly called Oldham Street), with the East line of North Jefferson Street; thence running from said point of beginning East and parallel with the North line of Harding Street 234 feet; thence North and parallel with North Jefferson Street 60 feet 9 inches; thence West parallel with Harding Street 234 feet to the East line of North Jefferson Street; thence South along the east line of North Jefferson Street 60 feet 9 inches to the point of beginning; the said lot having a frontage on North Jefferson Street of 60 feet 9 inches and running back between parallel lines 234 feet.

And being the same property described in Instrument recorded in Book 7183 at Page 4722.

Parcel 22-17

Beginning the a point on the East line of Jefferson Street which point is 160.75 feet measured northerly along the East line of Jefferson Street from the Intersection of the East line of Jefferson Street with the North line of Oldham (Harding) Street; run thence northerly along the East line

of Jefferson Street 60.75 feet; run thence easterly and parallel with Oldham (Harding) Street 234 feet; run thence southerly and parallel with Jefferson Street 60.75 feet; run thence westerly and parallel with Oldham (Harding) Street 234 feet to the point of beginning.

And being the same property as described in Quitclaim Deed recorded in Book 7130 at Page 1750 and Warranty Deed recorded in Book 5850 at Page 200.

Parcel 23-16

That part of 5-acre Lot 7 North, in the City of Jackson, Mississippi, indicated on the map of said City made by H.C. Daniels in 1875, more particularly described by metes and bounds as follows:

For a point of beginning, commence at a point on the West line of N. Jefferson Street 414.3 feet measured southerly along the West line of N. Jefferson Street from the intersection of the West line of N. Jefferson Street with the South line of Boyd Street as both streets are now laid out and improved, said point of beginning being the northeast corner of the property hereby conveyed which is known as the Mary E. McGill property; thence run southerly along the West line of N. Jefferson street for a distance of 151.3 feet to the Spann property; thence westerly along the North line of the Spann property 157 feet, more or less, to the southeast corner of that certain property sold to Miss Mary E McGill and Richard F. McGill to James T. Canizaro on or about July 25, 1945; thence run in a northerly direction along the East line of the Canizaro property 49.92 feet to a point; thence run westwardly along the Canizaro property for 7 feet to a point; thence northwardly along the East line of the Canizaro property and along the East line of J. J. Neal property for 106 feet more or less to the northeast corner of the said J. J. Neal property and the northwest corner of the lands hereby conveyed; thence easterly in a straight line 163.5 feet, more or less, to the point of beginning on N. Jefferson Street.

There is also conveyed hereby all rights in and to a certain sewer line running across the Canizaro property to North Street, as amended by agreement of record in Deed Book 408, page 101 in the Chancery Clerk's office at Jackson, Mississippi, which rights were reserved in the deed aforesaid to Canizaro of record in said Clerk's office in Deed Book 404, page 396 et.seq., reference to which deed and to the recitations therein and to the affidavits attached there-to is hereby made for greater certainty of deraignment of title to the lands hereby conveyed.

Parcel 22-20

Part of Five-acre Lot No. 10 North Jackson in said City particularly described as: Commencing at a point on the North line of Oldham or Harding Street, which point is 184 feet East of the intersection of said street with North Jefferson Street; run thence North parallel with Jefferson Street 92 ½ feet; thence East 50 feet; thence South 92 ½ feet; thence West 50 feet to the Point of Beginning, and being the same lot conveyed to David T. Flanagan by deed recorded in Book 323 at Page 10 of the land deed records of Hinds County, Mississippi.

Parcels 22-21 & 22-22

PARCEL A:

A CERTAIN LOT OR PARCEL OF LAND, FRONTING 45 FEET ON THE NORTH LINE OF HARDING STREET (FORMERLY OLDHAM STREET) AND RUNNING BACK NORTHERLY BETWEEN PARALLEL LINES FOR A DISTANCE OF 220 FEET, MORE OR LESS, TO THE PROPERTY FORMERLY OWNED BY JUDGE COOK, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT ON THE NORTH LINE OF HARDING STREET 279 FEET MEASURED EASTERLY ALONG THE NORTH LINE OF HARDING STREET FROM ITS INTERSECTION WITH THE EAST LINE OF NORTH JEFFERSON STREET, AS BOTH STREETS ARE NOW LAID OUT AND IMPROVED IN THE CITY OF JACKSON, MISSISSIPPI, RUNNING THENCE EASTERLY ALONG THE NORTH LINE OF HARDING STREET FOR A DISTANCE OF 45 FEET; THENCE TURNING TO THE LEFT THROUGH AN ANGLE OF 89 DEGREES 26 SECONDS, RUN NORTHERLY FOR A DISTANCE OF 220 FEET, MORE OR LESS, TO THE SOUTH LINE OF THE COOK PROPERTY; THENCE WESTERLY AND PARALLEL WITH THE NORTH LINE OF HARDING STREET FOR A DISTANCE OF 45 FEET; THENCE SOUTHERLY IN A STRAIGHT LINE 220 FEET, MORE

OR LESS, TO THE POINT OF BEGINNING, AND BEING A PART OF 5 ACRE LOT 10, NORTH JACKSON.

PARCEL B:

A PART OF 5-ACRE LOT TEN (10) NORTH ACCORDING TO H. C. DANIELS'S MAP OF THE CITY OF JACKSON, MISSISSIPPI, AND MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT ON THE NORTH LINE OF HARDING STREET WHICH POINT IS 279 FEET MEASURED EASTERLY ALONG THE NORTH LINE OF HARDING STREET FROM THE INTERSECTION OF THE NORTH LINE OF HARDING STREET WITH THE EAST LINE OF NORTH JEFFERSON STREET AS BOTH STREETS ARE NOW LAID OUT AND IMPROVED IN THE CITY OF JACKSON, MISSISSIPPI; RUN THENCE WESTERLY ALONG THE NORTH LINE OF HARDING STREET FOR A DISTANCE OF 45 FEET; THENCE TURNING TTO THE RIGHT THROUGH AN ANGLE OF 90 DEGREES 24 SECONDS RUN NORTHERLY 220 FEET; RUN THENCE EASTERLY AND PARALLEL WITH THE NORTH LINE OF HARDING STREET FOR A DISTANCE OF 45 FEET; RUN THENCE SOUTHERLY 220 FEET TO THE POINT OF BEGINNING.

Parcels 25-4, 25-7 & 25-7-1

Beginning at a point on the south side of Harding Street, formerly Oldham Street, in the said City of Jackson, which point is 246 (248 measured) feet east of the intersection of the east line of North Jefferson Street with the south line of said Harding Street as said streets are now laid out and improved in the said City of Jackson and run thence 120 feet to a point; thence run east 52 feet to the point of beginning; said property being a part of the East Half of Lots Number Two (2) and Number Three (3) of Patton Subdivision of Five Acre Lot Number Eleven (11) North, as shown by plat recorded in Surveyor's Record Book "B" at Page 31 thereof in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, and the west half of a twenty-foot alley lying east of and adjacent to the property hereinabove described.

And being the same property as described in Quitclaim Deed recorded in Book 5318 at Page 134.

Fifty feet wide across and off the West side of Lot 4 of Pattons Subdivision of said City, a subdivision according to the map or plat thereof which is on file and of record in the office of the Chancery Clerk of Hands County, Mississippi, in Plat Book B at Page 31, reference to which is hereby made in aid of and as a part of this description and the East Half of a twenty-foot alley lying West of and adjacent to the property herein above described.

And being the same property as described in Quitclaim Deed recorded in Book 5314 at Page 510.

Parcel 25-8

10 feet off the East side of Lot 4 and 40 feet off the West side of Lot 5 of Pattons 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 B at Page 31, reference to which is hereby made in aid of and as a part of this description.

Parcel 25-49

20 FT E/S LOT 5 & 30 FT W/S LOT 6 PATTONS SUBN 5 A LOT 11 NJ

is hereby modified so as to approve the rezoning of the properties located at 804, 814, 818 & 823 N. Jefferson St. (Parcels #22-19, 22-18, 22-17, 23-16), 920, 924, 927, 928, 935, 937 Harding St. (Parcels #22-20, 22-21, 25-4, 22-22, 25-7, 25-8) and Parcels 25-7-1 & 25-49 Harding St. from R-1 (Single-Family) Residential District to NMU-1 (Neighborhood) Mixed-Use District, Pedestrian Oriented to allow for consistency with the zoning in the immediate vicinity of the properties and for a compatible diversity of land uses and a Use Permit be granted for Parcel 22-19 to allow for accessory parking. However, 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; **Council Member Banks** seconded.

President Foote recognized **Jennifer Welch**, Applicant and **Brad Reeves**, Attorney for Applicant, who spoke in favor of a **Rezoning** from R-1 (Single-Family) Residential District to NMU-1 (Neighborhood) Mixed-Use District, Pedestrian Oriented for the properties located at 804, 814, 818 & 823 N. Jefferson St. (Parcels #22-19, 22-18, 22-17, 23-16), 920, 924, 927, 928, 935, 937 Harding St. (Parcels #22-20, 22-21, 25-4, 22-22, 25-7, 25-8) and Parcels 25-7-1 & 25-49 Harding St. with a **Use Permit** for Parcel 22-19 to allow for accessory parking for businesses located at 730, 750 and 752 N. Jefferson St. in addition to the Oaks House Museum and Urban Foxes at 833 N. Jefferson St. & duplex at 818 N. Jefferson.

There was no opposition from the public.

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

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

Note: Council Member Grizzell left the meeting.

President Foote requested that the Clerk read the Order:

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 – 3862 Ward 7	Millsaps College	1702 N. State St. Jackson, MS 39206	Office/Meeting Spaces & Administrative Units	05/19/14
C-UP-4166 Ward 2	John W. Craig & Lynn Nguyen	6351 I-55 N. Frontage Rd. - Suite 147 Jackson, MS 39206	Operation of a Graphic Arts Studio w/ Professional Tattooing	5/16/22

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

Yeas – Banks, Foote, Lee and Lindsay.

Nays – None

Absent – Grizzell, Hartley 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, May 23, 2023. At 2:55 p.m., the Council stood adjourned.

PREPARED BY:

APPROVED:

Shanekia Masley - Gonda
CLERK OF COUNCIL

[Signature], 5/23/2023
COUNCIL PRESIDENT DATE

[Signature]

MAYOR

ATTEST:

Angela Harris
CITY CLERK
