

**REGULAR ZONING MEETING OF THE CITY COUNCIL  
MONDAY, AUGUST 21, 2023 2:30 P.M.**

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**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 August 21, 2023, being the third Monday of said month when and where the following things were had and done to wit:

Present: Council Members: Aaron Banks, Council President, Ward 6; Angelique Lee, Council Vice President, Ward 2 (via teleconference); Ashby Foote, Ward 1; Brian Grizzell, Ward 4 and Virgi Lindsay, Ward 7. Directors: Shanekia Mosley-Jordan, Clerk of Council (via teleconference); Sabrina Shelby, Chief Deputy Clerk of Council; Denise Fortner, 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.

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The meeting was called to order by **President Aaron Banks**.

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**President Banks** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4213, 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.

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**President Banks** requested that the Clerk read the Order:

**ORDER GRANTING SHIRLEY JOHNSON A CONDITIONAL USE PERMIT TO ALLOW FOR TRANSITIONAL HOUSING FOR SEVEN (7) TO TWELVE (12) RESIDENTS WITHIN A R-1 (SINGLE-FAMILY) RESIDENTIAL DISTRICT FOR THE PROPERTY LOCATED AT 451 ROLAND ST. (PARCEL 305-107), CASE NO. 4213.**

**WHEREAS**, Shirley Johnson has filed a petition for a Use Permit to allow for transitional housing for seven (7) to twelve (12) residents located within a R-1 (Single-Family) Residential District for the property located at 451 Roland St. (Parcel 305-107) 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 transitional housing for seven (7) to twelve (12) residents within a R-1 (Single-Family) Residential District of the property located at 451 Roland St. (Parcel 305-107); 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 21, 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 July 6, 2023 and July 20, 2023 that a hearing had been held by the Jackson City Planning Board on July 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 had recommended approval of a Conditional Use Permit within the existing R-1 (Single-Family) Residential District of the City of Jackson; and

**WHEREAS**, the Jackson City Council, after having considered the matter, is of the opinion that the proposed use would not be detrimental to the continued use, value or development of properties in the vicinity and 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 transitional housing for seven (7) to twelve (12) residents within a R-1 (Single-Family) Residential District for the property located at 451 Roland St. (Parcel 305-107).

**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:

Lot 13, Block "E", Dearborn 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, in Plat Book 9 at Page 11, reference to which is hereby made.

be and is hereby modified so as to approve a Conditional Use Permit to allow for transitional housing for seven (7) to twelve (12) residents within a R-1 (Single-Family) Residential District for the property located at 451 Roland St. (Parcel 305-107). The Conditions of the Use Permit shall be that it is granted on an annual basis; be granted to Shirley Johnson, the owner/operator of the transitional housing facility; any subsequent owners or operators of a transitional housing facility at this location must apply for and receive a new Use Permit; and compliance with adopted property maintenance, building, fire and Zoning 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.

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

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**President Banks** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4214, 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 Banks** requested that the Clerk read the Order:

**ORDINANCE GRANTING GATEWAY RESCUE MISSION A REZONING OF THE I-1 (LIGHT) INDUSTRIAL DISTRICT PORTION OF THE PROPERTY LOCATED AT 410 S. GALLATIN ST. (PARCEL # 182-53) TO C-3 (GENERAL) COMMERCIAL DISTRICT TO CREATE ONE (1) ZONING CLASSIFICATION FOR THE PROPERTY AND TO ALLOW FOR THE CONTINUATION AND EXPANSION OF SERVICES PROVIDED AT THE EXISTING GATEWAY RESCUE MISSION FACILITY FOR THE PROPERTY LOCATED AT 410 S. GALLATIN ST. (PARCEL # 182-53), CASE NO. 4214.**

**WHEREAS**, Gateway Rescue Mission has filed a petition to rezone the I-1 (Light) Industrial District portion of the property located at 410 S. Gallatin St. (Parcel # 182-53) to C-3 (General) Commercial District to create one (1) Zoning classification for the property and to allow for the continuation and expansion of services provided at the existing Gateway Rescue Mission facility; and

**WHEREAS**, the Jackson City Planning Board, after holding the required public hearing, has offered the recommendation to rezone the I-1 (Light) Industrial District portion of the property located at 410 S. Gallatin St. (Parcel # 182-53) to C-3 (General) Commercial District to create one (1) Zoning classification for the property and to allow for the continuation and expansion of services provided at the existing Gateway Rescue Mission facility; 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 21, 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 July 6, 2023 and July 20, 2023 that a hearing had been held by the Jackson City Planning Board on July 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 I-1 (Light) Industrial District portion the above described property 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:

That certain tract or parcel of land situated in 2.3 Acre Lot 33, West Jackson, and more particularly described as follows, to-wit:

Beginning at a point which is the Northwest corner of 2.3 Acre Lot 33, West Jackson, facing South Gallatin Street, and from such point of beginning run thence Eastward (North 89 degrees and 40 minutes East) for 349 feet to the Northwest corner of the tract of land in said Lot 33 now owned by the Y. & M.V. Railroad Company; thence run Southward (South 5 degrees and 26 minutes East) along the Western boundary line of said railroad tract of land for 215.1 feet to the Southern boundary line of said Lot 33, now marked by a railroad iron in the ground; thence run Westward (South 89 degrees and 19 minutes West) along the Southern boundary line of said Lot 33 for 370.5 feet to the Southwest corner of said Lot 33 on South Gallatin Street; thence Northward (O degrees and 18 minutes West) for 65.2 feet to the Southwest corner of the land sold by the Lemon heirs to Mrs. Elizabeth Lemon Sugg, as shown by deed in Book 93, at page 137, of the records on file in the office of the Chancery Clerk of Hinds County, at Jackson, Mississippi; thence run Eastward along the Southern boundary line of said Sugg tract for 160 feet; thence run Northward along the Eastward boundary line of said Sugg tract for 81 feet; thence run Westward along the Northern boundary line of said Sugg tract for 160 feet to the front or Western boundary line of said Lot 33; thence run Northward along the Western boundary line of said Lot 33 for 70.3 feet to the point of beginning. This being the same property conveyed to Leo R. McGehee by George D. Harrell and wife, Mrs. George D. Harrell, by instrument dated January 4, 1946, and recorded in Deed Book 422, at Page 114, of the aforesaid Chancery Clerk's records.

is hereby modified so as to approve the rezoning of the I-1 (Light) Industrial District portion of the property located at 410 S. Gallatin St. (Parcel # 182-53) to C-3 (General) Commercial District to create one (1) Zoning classification for the property and to allow for the continuation and expansion of services provided at the existing Gateway Rescue Mission facility. 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; **Council Member Grizzell** seconded.

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**President Banks** recognized **James Henley, Applicant**, who spoke in favor of a Rezoning from the I-1 (Light) Industrial District portion of the property located at 410 S. Gallatin St. (Parcel # 182-53) to C-3 (General) Commercial District to create one (1) Zoning classification for the property and to allow for the continuation and expansion of services provided at the existing Gateway Rescue Mission facility.

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There was no opposition from the public.

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

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

Nays – None.

Absent – Hartley and Stokes

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**President Banks** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4215, 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.

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**President Banks** requested that the Clerk read the Order:

**ORDINANCE GRANTING SONIA D. FERRERAS A REZONING FROM R-1A (SINGLE-FAMILY) RESIDENTIAL DISTRICT TO R-5 (MULTI-FAMILY) RESIDENTIAL DISTRICT FOR THE PROPERTY LOCATED AT 5755 HORTON AVE. (PARCEL #723-67-3) TO ALLOW FOR CONSISTENCY WITH THE ZONING CLASSIFICATIONS OF THE ADJACENT PROPERTIES, CASE NO. 4215.**

**WHEREAS**, Sonia D. Ferreras has filed a petition to rezone the property located at 5755 Horton Ave. (Parcel #723-67-3), in the City of Jackson, First Judicial District of Hinds County, Mississippi, from R-1A (Single-family) Residential District to R-5 (Multi-family) Residential District to allow for consistency with the Zoning classifications of the adjacent properties; and

**WHEREAS**, the Jackson City Planning Board, after holding the required public hearing, has offered the recommendation to rezone the property R-1A (Single-family) Residential District to R-5 (Multi-family) Residential District to allow for consistency with the Zoning classifications of the adjacent properties; 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 21, 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 July 6, 2023 and July 20, 2023 that a hearing had been held by the Jackson City Planning Board on July 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 above described property from R-1A (Single-family) Residential District to R-5 (Multi-family) Residential; 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:

BEG NW COR LOT 55 BLK B FERNWOOD SUBN W 318.13 FT S 150 FT TO POB S 202 FT W 180 FT N 204 FT E 180 FT TO POB PT LOTS 59 & 60 BLK B FERNWOOD SUBN

is hereby modified so as to approve the rezoning of the property located at 5755 Horton Ave. (Parcel #723-67-3) from R-1A (Single-family) Residential District to R-5 (Multi-family) Residential District to allow for consistency with the Zoning classifications of the adjacent properties. 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 Foote moved adoption; President Banks seconded.**

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**President Banks** recognized **Paul Purser, Applicant**, who spoke in favor of a **Rezoning** from R-1A (Single-family) Residential District to R-5 (Multi-family) Residential District to allow for consistency with the Zoning classification of the adjacent properties.

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There was no opposition from the public.

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

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

Nays – None.

Absent – Hartley and Stokes

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**President Banks** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4216, 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.

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**President Banks** requested that the Clerk read the Order:

**ORDINANCE GRANTING REDEEMER CHURCH A REZONING OF THE PROPERTIES LOCATED AT 608 WELLINGTON DR. (PARCEL: 432-328), 616 WELLINGTON DR. (PARCEL: 431-20), 630 WELLINGTON DR. (PARCEL: 431-18), 638 WELLINGTON DR. (PARCEL: 431-17), 644 WELLINGTON DR. (PARCEL: 431-16), 654 WELLINGTON DR. (PARCEL: 431-15), AND 4638 LONDONDERRY DR. (PARCEL: 432-327) FROM R-1 AND R-1A (SINGLE-FAMILY) RESIDENTIAL DISTRICT TO SUD - SPECIAL USE DISTRICT AND AN ORDER GRANTING A USE PERMIT FOR THE PROPERTY LOCATED AT 706 E. NORTHSIDE DR. (PARCEL: 431-129) TO ALLOW FOR THE**

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**EXPANSION OF THE CHURCH'S INSTITUTIONAL AND EDUCATIONAL  
ACTIVITIES AND ACCESSORY PARKING. CASE NO. 4216.**

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**WHEREAS**, Redeemer Church has filed a petition to rezone the properties located at 608 Wellington Dr. (Parcel: 432-328), 616 Wellington Dr. (Parcel: 431-20), 630 Wellington Dr. (Parcel: 431-18), 638 Wellington Dr. (Parcel: 431-17), 644 Wellington Dr. (Parcel: 431-16), 654 Wellington Dr. (Parcel: 431-15), 4638 Londonderry Dr. (Parcel: 432-327) and 706 E. Northside Dr. (Parcel: 431-129), in the City of Jackson, First Judicial District of Hinds County, Mississippi, from R-1 & R-1A (Single-Family) Residential District to SUD - Special Use District to allow for the expansion of the church and school facilities; and

**WHEREAS**, the Jackson City Planning Board, after holding the required public hearing, has offered the recommendation to rezone the properties located at 608 Wellington Dr. (Parcel: 432-328), 616 Wellington Dr. (Parcel: 431-20), 630 Wellington Dr. (Parcel: 431-18), 638 Wellington Dr. (Parcel: 431-17), 644 Wellington Dr. (Parcel: 431-16), 654 Wellington Dr. (Parcel: 431-15), and 4638 Londonderry Dr. (Parcel: 432-327) from R-1 & R-1A (Single-Family) Residential District to SUD - Special Use District and a Use Permit for the property located at 706 E. Northside Dr. (Parcel: 431-129) to allow for the expansion of the church's institutional and educational activities and 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, August 21, 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 July 6, 2023 and July 20, 2023 that a hearing had been held by the Jackson City Planning Board on July 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 608 Wellington Dr. (Parcel: 432-328), 616 Wellington Dr. (Parcel: 431-20), 630 Wellington Dr. (Parcel: 431-18), 638 Wellington Dr. (Parcel: 431-17), 644 Wellington Dr. (Parcel: 431-16), 654 Wellington Dr. (Parcel: 431-15), 4638 Londonderry Dr. (Parcel: 432-327) from R-1 & R-1A (Single-Family) Residential District to SUD - Special Use District and a Use Permit for the property located at 706 E. Northside Dr. (Parcel: 431-129); 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 for the properties at 608 Wellington Dr. (Parcel: 432-328), 616 Wellington Dr. (Parcel: 431-20), 630 Wellington Dr. (Parcel: 431-18), 638 Wellington Dr. (Parcel: 431-17), 644 Wellington Dr. (Parcel: 431-16), 654 Wellington Dr. (Parcel: 431-15), and 4638 Londonderry Dr. (Parcel: 432-327); and

**WHEREAS**, the Jackson City Council, after having considered the matter, is of the opinion that proposed use would not be detrimental to the continued use, value, or development of properties in the vicinity and that a Use Permit be granted to allow for the expansion of the church's institutional and educational activities and accessory parking within the existing R-1A (Single-Family) Residential District of the City of Jackson for the property at 706 E. Northside Dr. (Parcel: 431-129).

**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 432-328**

Lot Four (4), Block X, Broadmoor Subdivision, Part 3, 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 6 at Page/Slide/Slot 34 thereof, reference to which is made in aid of and as a part of this description.

**Parcel 431-20**

Lot 12, and the West 35 feet of Lot 11, Block B, East Broadmoor Subdivision, Part 1, 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 7 at Page 45, reference to which is hereby made in aid of and as a part of this description.

**Parcel 431-18**

Lot 10, and East 1/2 of Lot 11, Block B, East Broadmoor Subdivision, Part 1, 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 7 at Page 45, Reference to which is hereby made in aid of and as a part of this description.

**Parcel 431-17**

Lot 9, of Block B, East Broadmoor Subdivision, Part 1; according to the map thereof which is of record in the Office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book 7 at Page 45, reference to which is made.

**Parcel 431-16**

Lot 8 of Block B, East Broadmoor\*, 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/Cabinet 7 at Page/Slide/Slot 45 thereof, reference to which is made in aid of and part of this description.

**Parcel 431-15**

Lot 7, Block B. East Broadmoor Subdivision, Part 1, a Subdivision according to the map or plat thereof which is on file and of record in the Office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book 7 at Page 45, reference to which map or plat is hereby made in aid of and as a part of this description.

**Parcel 432-327**

Lot 3, Block X, Broadmoor Subdivision, Part Three, 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 6 at Page 34 reference to which is hereby made in aid of and as a part of this description.

**Parcel 431-129**

Lot 1, of Block M of East Broadmoor Subdivision, Part 2, 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/Cabinet 7 at Page/Slide/Slot 74 thereof, reference to which is made in aid of and part of this description.

is hereby modified so as to approve the rezoning of the properties located at 608 Wellington Dr. (Parcel: 432-328), 616 Wellington Dr. (Parcel: 431-20), 630 Wellington Dr. (Parcel: 431-18), 638 Wellington Dr. (Parcel: 431-17), 644 Wellington Dr. (Parcel: 431-16), 654 Wellington Dr. (Parcel: 431-15), 4638 Londonderry Dr. (Parcel: 432-327) from R-1 (Single-Family) Residential District to SUD - Special Use District and a Use Permit for the property located at 706 E. Northside Dr. (Parcel: 431-129) to allow for the expansion of the church and school facilities. 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.

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**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.

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

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**President Banks** recognized **Kelle Menogan, Applicant**, who spoke in favor of a Rezoning of the of the properties located at 706 E Northside Dr, 608, 616, 630, 638, 644 & 654 Wellington Dr. & 4638 Londonderry Dr. from R-1 & R-1A (Single-Family) Residential District to SUD - Special Use District to allow for the expansion of the church's institutional and educational activities.

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There was no opposition from the public.

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

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

Nays – None.

Absent – Hartley and Stokes

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**President Banks** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4217, 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.

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**President Banks** requested that the Clerk read the Order:

**ORDER GRANTING PATRICK S. HERRING A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A USED CAR LOT WITHIN A C-3 (GENERAL) COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 5295 I-55 NORTH FRONTAGE RD. (PARCEL 507-350-1) SUITE C, CASE NO. 4217.**

**WHEREAS**, Patrick S. Herring has filed a petition for a Use Permit to allow for the operation of a used car lot within a C-3 (General) Commercial District for the property located at 5295 I-55 North Frontage Rd. (Parcel 507-350-1) Suite C 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 Use Permit to allow for the operation of a used car lot in a C-3 (General) Commercial District for the property at 5295 I-55 North Frontage Rd. (Parcel 507-350-1) Suite C; and

**WHEREAS**, notice was duly and legally given to property owners and interested citizens that a meeting of the Jackson City Council would be held at the City Hall at 2:30 p.m., Monday, August 21, 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 July 6, 2023 and July 20, 2023 that a hearing had been held by the Jackson City Planning Board on July 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 had recommended approval of the petitioned Use Permit within the existing C-3 (General) Commercial District of the City of Jackson; and



**WHEREAS**, the Jackson City Council, after having considered the matter, is of the opinion that the proposed use is 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 the operation of a used car lot within a C-3 (General) Commercial District for the property located at 5295 I-55 North Frontage Rd. (Parcel 507-350-1) Suite C in the City of Jackson; and

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

That the property located in the City of Jackson, First Judicial District of Hinds County, Mississippi, described as:

Situated in the North ½ of Section 13, Township 6 North, Range 1 East, City of Jackson, Hinds County, Mississippi, and being more particularly described by metes and bounds as follows, to-wit:

Commence at an iron pin which marks the intersection of the present western right of way line of Interstate Highway No. 55 with the present southern right of way line Of Bounds Street (June, 1999), said intersection being the POINT OF BEGINNING for the parcel herein described; thence South 89°51'50" West for a distance of 249.27 feet along the said southern right of way line of Bounds Street to an iron pin; thence leave said southern right of way line of Bounds Street and run South 00°11'38" East for a distance of 179.29 feet; thence North 89°47'06" East for a distance of 219.17 feet to the western right of way line of Interstate Highway No, 55; thence North 09°21'09" East for a distance of 181.47 feet along the said western right of way line of Interstate Highway No, 55 to the POINT OF BEGINNING, containing 0.9632 acres, more or less.

be and is hereby modified so as to approve a Use Permit allow for the operation of a used car lot within a C-3 (General) Commercial District for the property located at 5295 I-55 North Frontage Rd. (Parcel 507-350-1) Suite C. Additionally, pursuant to Section 702.05.02 of the City of Jackson Zoning Ordinance, Use Permits for a used car lot are issued to the owner of a used car lot rather than to the owner of the land; the Use Permit does not run with the land; subsequent owners of a used car lot at this location must apply for and receive a new Use Permit; the Use Permit shall be renewed annually with supporting documentation from the MS State Tax Commission; and the Use Permit will be cancelled upon the cancellation of any of the requirements from the MS State Tax Commission and furthermore compliance with adopted property maintenance; building, fire and Zoning 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 Lindsay** moved adoption; **Council Member Grizzell** seconded.

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**President Banks** recognized **Patrick Herring, Applicant**, who spoke in favor of a Use Permit to allow for the operation of a Used Car Lot within a C-3 (General) Commercial District.

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There was no opposition from the public.

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

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

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

**Ward 3)**

**SE 3715 – Charlotte Ford – 227 Stillwood Dr. (Parcel #430-180)**

- SE was granted to Charlotte Ford on Aug 17, 2000 to operate a Catering Service within an R-1 (Single-family) Residential District.
- Cancellation was based upon non-response from the grantee by the deadline date of August 4, 2023.

**(Ward 1)**

**C-UP 4095 – Art Minton – 1131 Druid Hill Dr. (Parcel #438-101)**

- C-UP was granted to Art Minton on Jul. 20, 2020 to operate a Professional Real Estate Office within an R-1 (Single-family) Residential District.
- Cancellation was based upon non-response from the grantee by the deadline date of August 4, 2023.

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**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>ASE 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
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
C-UP 4087 Ward 2	Jamika Dixon	241 Briarwood Dr. Jackson, MS 39206	Commercial Child Care Center	07/20/20
C-UP 4130 Ward 5	WMIW, LLC (Sam Astrahan)	3883/3885 Metro Dr. Jackson, MS 39209	Community Recreational Center	07/19/21

**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 Grizzell** seconded.

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REGULAR ZONING MEETING OF THE CITY COUNCIL  
MONDAY, AUGUST 21, 2023 2:30 P.M.

703

**President Banks** recognized **Robert Ireland** and **Patrick Herring**, who spoke in favor of a Special Exceptions to be extended for another year on Case No. 4130.

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

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

Nays – None.

Absent – Hartley and Stokes.

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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, August 29, 2023. At 2:45 p.m., the Council stood adjourned.

PREPARED BY:

APPROVED:

Shamekia Maskey - Jondaw  
CLERK OF COUNCIL

Robert Ireland, 9/12/2023  
COUNCIL PRESIDENT DATE

Christopher L. ...  
MAYOR

ATTEST:

Angela Harris  
CITY CLERK

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