

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 September 18, 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 (via teleconference); Brian Grizzell, Ward 4 (via teleconference) and Vernon Hartley, Ward 5. Directors: Shanekia Mosley-Jordan, Clerk of Council; Sabrina Shelby, Chief Deputy Clerk of Council; Ester Ainsworth, Zoning Administrator and Kristie Metcalfe, Deputy City Attorney.

Absent: Kenneth I. Stokes, Ward 3 and Virgi Lindsay, Ward 7.

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

President Banks recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4218, 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:

ORDER GRANTING LEMUEL & ARCHIE TRIPP A CONDITIONAL USE PERMIT TO ALLOW FOR A COMMUNITY RECREATIONAL CENTER WITHIN A C-3 (GENERAL) COMMERCIAL DISTRICT FOR THE PROPERTY LOCATED AT 3181 J R LYNCH ST. (PARCEL #697-520-4), CASE NO. 4218.

WHEREAS, Lemuel & Archie Tripp has filed a petition for a Use Permit to allow for a community recreational center within a C-3 (General) Commercial District for the property located at 3181 J R Lynch St. (Parcel #697-520-4) 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 community recreational center within a C-3 (General) Commercial District for the property located at 3181 J R Lynch St. (Parcel #697-520-4); 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, September 18, 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 August 3, 2023 and August 17, 2023 that a hearing had been held by the Jackson City Planning Board on August 23, 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 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 proposed use is compatible with the character of development in the vicinity relative to density, bulk and intensity of structures, parking, and other uses; would not be detrimental to the continued use, value, or development of properties in the vicinity and is in harmony with the Comprehensive Plan and that a Conditional Use Permit be granted to operate a community

recreational center for the property located at 3181 J R Lynch St. (Parcel #697-520-4) within the existing C-3 (General) Commercial 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:

Part of Lot 5, Jackson College Commercial Farms, more particularly described as follows:

Begin at intersection of the South right of way line of Lynch Street and the East right-of-way line of Craft Street, as both streets are now laid out and in use (February, 1967) and run thence easterly along said South right of way of Lynch Street a distance of 160.0 feet to a point; thence leaving South right of way turn right through an angle of 90 degrees 30 minutes and run southerly a distance of 124.85 feet to a point; thence turn right through an angle, of 89 degrees 30 minutes and run westerly a distance of 160.0 feet to a point on aforementioned East right-of-way of Craft Street; thence run northerly along said East right of way of Craft Street a distance of 124.85 feet to the point of beginning, Said property containing 19,976 square feet or .46 acres, more or less.

be and is hereby modified so as to approve a Conditional Use Permit to operate a community recreational center within a C-3 (General) Commercial District for the property located at 3181 J R Lynch St. (Parcel #697-520-4). The Conditions of the Use Permit shall be that it is granted on an annual basis; that it be granted to Lemuel & Archie Tripp, the owners/operators of the community recreational center, that subsequent owners or operators of a community recreational center at the location must apply for and receive a new Use Permit and that 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.

Vice President Lee moved adoption; **Council Member Hartley** seconded.

President Banks recognized **Lenuel & Archie Tripp, Applicant**, who spoke in favor of a Use Permit to allow for community recreational center within a C-3 (General) Commercial District.

There was no opposition from the public.

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

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

Note: **Council Member Grizzell** joined the meeting during the discussion.

President Banks recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4219, 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:

ORDER GRANTING KINYA GODBOLT A SPECIAL EXCEPTION TO ALLOW FOR A CATERING SERVICE, WHERE THEY ARE A PART OF THE OWNER/OPERATOR'S RESIDENCE WITHIN A R-1 (SINGLE-FAMILY) RESIDENTIAL DISTRICT FOR THE PROPERTY LOCATED AT 34 ELAINE CT. (PARCEL #212-354, CASE NO. 4219.

WHEREAS, Kinya Godbolt has filed a petition for a Special Exception to allow for a catering service, where they are a part of the owner/operator's residence within a R-1 (Single-Family) Residential District for the property located at 34 Elaine Ct. (Parcel #212-354), 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 Special Exception to allow for a catering service, where they are a part of the owner/operator's residence within a R-1 (Single-Family) Residential District; 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., September 18, 2023 to consider said petition 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 August 3, 2023 and August 17, 2023 that a hearing had been held by the Jackson City Planning Board on August 23, 2023, 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 Special Exception for the above described property within an existing R-1 (Single-Family) Residential Zoning District of the City of Jackson; and

WHEREAS, it appears to the Jackson City Council that the documents are in order, and that the recommendation of the Planning Board to approve a Special Exception to allow for a catering service, where they are a part of the owner/operator's residence within a R-1 (Single-Family) Residential District does support the promotion of the public health, safety, morals, the general welfare of the community and the granting of such will not adversely affect adjacent property owners.

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

That the property located in the First Judicial District of Hinds County, Jackson, Mississippi, and being more particularly described as follows:

LOT THIRTY-FOUR (34) ROLLING PINES, 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 29 AT PAGE 30, REFERENCE TO WHICH IS HEREBY MADE.

be and is hereby granted a Special Exception to allow for a catering service, where they are a part of the owner/operator's residence within a R-1 (Single-Family) Residential District for the property located at 34 Elaine Ct. (Parcel #212-354). 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.

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

President Banks recognized **Kinya Godbolt, Applicant**, who spoke in favor of a Special Exception to allow for a catering service, where they are a part of the owner/operator's residence within a R-1 (Single-Family) Residential District.

There was no opposition from the public.

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

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

Nays – None.

Absent – Lindsay and Stokes.

President Banks recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4220, 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:

ORDER GRANTING JISHNU GOSAIN A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A LIQUOR STORE IN A NEIGHBORHOOD SHOPPING CENTER AND NOT IN COMBINATION WITH A CONVENIENCE TYPE GROCERY STORE OR SERVICE STATION WITHIN A C-3 (GENERAL) COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 4840 HIGHWAY 18 W. (PARCEL #831-100-2), CASE NO. 4220.

WHEREAS, Jishnu Gosain has filed a petition for a Use Permit to allow for a liquor store in a neighborhood shopping center and not in combination with a convenience type grocery store or service station within a C-3 (General) Commercial District for the property located at 4840 Highway 18 W. (Parcel #831-100-2) 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 Use Permit to allow for a liquor store in a neighborhood shopping center and not in combination with a convenience type grocery store or service station within a C-3 (General) Commercial District for the property located at 4840 Highway 18 W. (Parcel #831-100-2); 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, September 18, 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 August 3, 2023 and August 17, 2023 that a hearing had been held by the Jackson City Planning Board on August 23, 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 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 Use Permit be granted to allow for a liquor store in a neighborhood shopping center not in combination with a convenience type grocery store or service station within the existing C-3 (General) Commercial District of the City of Jackson; and

WHEREAS, pursuant to Section 702.05.02 (14) of the City of Jackson Zoning Ordinance, use permits for liquor stores are issued to the owner of the liquor store rather than to the owner of the land; do not run with the land but will allow the store to remain at a specific location until such

time as the ownership of the liquor store changes; and subsequent owners of a liquor store at this location must apply for and receive a new Use Permit.

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:

The Land referred to herein below is situated in the First Judicial District of Hinds County, Mississippi, and is described as follows:

Tax Parcel Identification Numbers: 831-100-2 and 830-81

A parcel of land containing 1.3571 acres, more or less, lying and being situated in part of Lots 1, 2, and 1 8 of Saunders Farm, 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 Play) Book 2 at Page 107, and also in the Northeast 14 of the Southwest 14 and in the Northwest 14 of the Southeast !4 of Section II, Township 5 North, Range 1 West, First Judicial District of Hinds County, Mississippi, and being more particularly described as follows:

Commencing at the Northwest comer of the Southeast ¼ of Section 11, Township 5 North, Range 1 West, Hinds County, Mississippi, marked by a found railroad spike; thence North 90 degrees 00minutes 00 seconds East for a distance of 331.48 feet; thence South 00 degrees 00 minutes 00seconds East for a distance of 175.45 feet to a right of way monument marking the Easterly right of way of Mississippi Highway 18, as it is now laid out and exists, August 20, 1996; thence South 42 degrees.30 minutes 35 seconds West along said East right of way of Mississippi Highway 18 for a distance of 637.00 feet to a set ½ inch iron pin; thence South 36 degrees 47 minutes 57 seconds West along said East right of way of Mississippi Highway 18 for a distance of 31.35 feet to a set ½ inch iron pin marking the POINT OF BEGINNING of the following described parcel; thence South 47 degrees 12 minutes 03 seconds East for a distance of 66.82 feet to a set ¼ inch iron. pin; thence South 68 degrees 36 minutes 01 seconds East for a distance of 64.65 feet to a set ½ inch iron pin; thence North 90 degrees 00 minutes 00 seconds East for a distance of 94.52 feet to a set ½ inch iron pin; thence North 42 degrees 31 minutes 43 seconds East for a distance of 231.55 feet to a found ½ inch pin marking the Southeast (being the most Southerly) comer of the Waffle House property; thence North 47 degrees 29 minutes 25 seconds West for a distance of 200.00 feet to the Southeasterly, right of way of said Highway 18; thence South 42 degrees 30 minutes 35 seconds West for a distance of 287.17 feet to a point; thence ran South 36 degrees 47 minutes 57 seconds West for a distance of 31.35 feet to the POINT OF BEGINNING.

TOGETHER WITH a non-exclusive easement ten (10) feet in width for a sanitary sewer line appurtenant to the conveyed property, as reserved in warranty deed from Breton E. Grantham, Jr., et al, to Wal-Mart Stores, Inc., dated January 13, 1997, and recorded in Book 4724 at Page 596.

be and is hereby modified so as to approve a Conditional Use Permit to allow for a liquor store in a neighborhood shopping center and not in combination with a convenience type grocery store or service station for the property located at 4840 Highway 18 W. (Parcel #831-100-2) within a C-3 (General) Commercial District. The Use Permit shall be issued to the owner of the liquor store rather than to the owner of the land; shall not run with the land but will allow the store to remain at a specific location until such time as the ownership of the liquor store changes; and subsequent owners of a liquor store at this location must apply for and receive a new Use Permit, will be granted on an annual basis and remain in 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 Grizzell moved adoption; **Council Member Hartley** seconded.

President Banks recognized **Jishnu Gosain, Applicant**, who spoke in favor of a Use Permit to allow for operation of a liquor where part of a neighborhood shopping center and not in combination with a convenience type grocery store or service station within a C-3 (General) Commercial District.

There was no opposition from the public.

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

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

* * * * *

President Banks recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4221, 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:

ORDER GRANTING ANDY ABRAMS FOUNDATION A CONDITIONAL USE PERMIT TO ALLOW TRANSITIONAL HOUSING FOR SEVEN (7) TO TWELVE (12) RESIDENTS WITHIN A R-4 (LIMITED MULTI-FAMILY) RESIDENTIAL DISTRICT FOR THE PROPERTY LOCATED AT 142 MAGNOLIA ST (PARCEL # 133-29), CASE NO. 4221.

WHEREAS, Andy Abrams Foundation has filed a petition for a Use Permit to allow for a boarding home with a Variance from the required number of parking spaces within a R-4 (Limited Multi-family) Residential District for the property located at 142 Magnolia St (Parcel # 133-29) in the City of Jackson, First Judicial District of Hinds County, Mississippi; and

WHEREAS, the Applicant submitted a Site Plan Review Application (SITE-23-41) prior to the submission of the Zoning Action Application which indicated that the proposed project would be a group home which is no longer a defined land use in the Zoning Ordinance but a function of the transitional housing land use; and

WHEREAS, the 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-4 (Limited Multi-family) Residential District for the property located at 142 Magnolia St (Parcel # 133-29); and

WHEREAS, notice was duly and legally given to property owners and interested citizens that a meeting of the Jackson Council would be held at the City Hall at 2:30 p.m., Monday, September 18, 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 August 3, 2023 and August 17, 2023 that a hearing had been held by the Jackson City Planning Board on August 23, 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-4 (Limited Multi-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 not be detrimental to the continued use, value, or development of properties in the vicinity and that a Use Permit be granted to allow transitional housing for seven

(7) to twelve (12) residents for the property located at 142 Magnolia St (Parcel # 133-29) within the existing R-4 (Limited Multi-family) Residential District of the City of Jackson.

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

That the properties located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particular described as follows:

Lot Three (3) less a strip eight (8) feet wide off the entire North side thereof and Lot Four (4), less sixty (60) feet off the entire South side thereof of the F. C. Robertson Subdivision of a part of Lot Fifteen (15) and Sixteen (16) of the Smythe Survey, West Jackson, as shown by plat of record in Book A at Page 345 of the records of the Chancery Clerk of the First Judicial District of Hinds County, Mississippi. Together with an undivided 1/5 interest and to a strip of land eight (8) feet in width off the entire North side of the said Lot three (3) of the said F. E. Robertson subdivision, which is the alley upon which the above-described land abuts.

LESS AND EXCEPT: being part of Lot Three (3) and Four (4), of the F. Robertson Subdivision as recorded in Plat Book A, at Page 345 of the Chancery Records of Hinds County, Mississippi and being more particularly described as follows:

Beginning at the NE corner of said Lot Three (3) and run Northwesterly along the North Boundary of said Lot (3), seventy (70) feet to the SW corner of Lot One (1); run thence Southwesterly, along the Southerly projection of the West Boundary of Lot One (1), seventy-one (71) feet more or less to the South boundary of that property conveyed to Roy G. Wilson, et ux, as recorded in Deed Book 1894 at Page 451 of the aforesaid Chancery Records; run thence Southeasterly along the South boundary of the said Wilson property seventy (70) feet to the East boundary of aforesaid Lot Four (4); run thence Northerly, along the East Boundary of said Lots Three (3) and Four (4), seventy-one (71) feet more or less to the point of Beginning, less and except eight (8) feet off the North side of the above described property for an alley.

The above description is intended to describe the East seventy (70) feet of that property conveyed to Roy G. Wilson, et ux as recorded in Deed Book 1894 at Page 451 of the Chancery Clerk Records of Hinds County, Mississippi

be and is hereby modified so as to approve a Conditional Use Permit to allow transitional housing for seven (7) to twelve (12) residents for the property located at 142 Magnolia St (Parcel # 133-29) within a R-4 (Limited Multi-family) Residential District. The Conditions of the Use Permit shall be that it is granted on an annual basis; that it be granted to the Andy Abrams Foundation, the owner/operator of the transitional house; that subsequent owners or operators of a transitional house at the location must apply for and receive a new Use Permit and that 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 properties, the applicant must meet the requirements established through the Site Plan Review process.

Council Member Hartley moved adoption; **Vice President Lee** seconded.

President Banks recognized **Akili Kelly**, representative for the **Applicant**, who spoke in favor of a Use Permit to allow for operation of a boarding home with a Variance from the required number of parking spaces within a R-4 (Limited Multi-Family) Residential District.

There was no opposition from the public.

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

Yeas – Banks, Grizzell, Hartley and Lee.

Nays – Foote.

Absent – Lindsay and Stokes.

* * * * *

President Banks recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4222, 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 AFRICAN CHRISTIAN FELLOWSHIP USA, INC. JACKSON CHAPTER A REZONING FROM I-1 (LIGHT) INDUSTRIAL DISTRICT TO NMU-1 (NEIGHBORHOOD) MIXED USE DISTRICT, PEDESTRIAN ORIENTED AND AN ORDER GRANTING A USE PERMIT TO ALLOW FOR A COMMUNITY RECREATIONAL CENTER FOR PROPERTIES LOCATED AT 1638 & 1640 S. GALLATIN ST. (PARCELS 175-101, 175-104, 175-104-1, 175-262, 175-266, 175-290 & 175-330). CASE NO. 4222.

WHEREAS, African Christian Fellowship USA, Inc. Jackson Chapter has filed a petition to rezone the properties located at 1638 & 1640 S. Gallatin St. (Parcels 175-101, 175-104, 175-104-1, 175-262, 175-266, 175-290 & 175-330), in the City of Jackson, First Judicial District of Hinds County, Mississippi, from I-1 (Light) Industrial District to NMU-1, (Neighborhood) Mixed Use District, Pedestrian Oriented with a Use Permit to allow for the remodeling/ reconstructing of the buildings for religious and recreational activities; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has offered the recommendation to rezone the properties located at 1638 & 1640 S. Gallatin St. (Parcels 175-101, 175-104, 175-104-1, 175-262, 175-266, 175-290 & 175-330) from I-1 (Light) Industrial District to NMU-1, (Neighborhood) Mixed Use District, Pedestrian Oriented with a Conditional Use Permit to allow for a community recreational 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 Jackson City Hall at 2:30 p.m., Monday, September 18, 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 August 3, 2023 and August 17, 2023 that a hearing had been held by the Jackson City Planning Board on August 23, 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 1638 & 1640 S. Gallatin St. (Parcels 175-101, 175-104, 175-104-1, 175-262, 175-266, 175-290 & 175-330) from I-1 (Light) Industrial District to NMU-1, (Neighborhood) Mixed Use District, Pedestrian Oriented with a Conditional Use Permit to allow for a community recreational center; 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 1638 & 1640 S. Gallatin St. (Parcels 175-101, 175-104, 175-104-1, 175-262, 175-266, 175-290 & 175-330); and

WHEREAS, the Jackson City Council, after having considered the matter, is of the opinion that 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 would not be detrimental to the continued use, value, or development of properties in the vicinity within the existing NMU-1, (Neighborhood) Mixed Use District of the City of Jackson for the property at 1638 & 1640 S. Gallatin St. (Parcels 175-101, 175-104, 175-104-1, 175-262, 175-266, 175-290 & 175-330).

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

Tract 1: A certain lot or parcel of land lying in the Northwest Quarter of Section 7, Township 5 North, Range 1 East, Hinds County, Mississippi, and being more particularly described by metes and bounds as follows, to-wit:

Beginning at an iron pipe marking the Southwest corner of Lot 18, Jackson College Community Farms, run thence North along the West line of said Lot 18 327.8 feet to the Southern Right-of-way of U. S. Highway #80, run then South 60 degrees 30 minutes East along the Southern Right-of-way line of U. S. Highway #80 175 feet to the West line of Mississippi State property, run thence South 1 degree 45 minutes West along the West line of the aforementioned State property 248.7 feet to the North line of Lynch Street, run thence North 88 degrees West along the North line of Lynch Street 153 feet to the point of beginning.

Tract 2: Beginning at the Northeast Corner of that parcel of land now owned by the grantee as described in Hinds County Deed Record Book 976, page 294, said Corner being a point on the Southern right-of-way line of U. S. Highway #80, run thence South 60 degrees 30 feet East, parallel with and 100 feet from the center line of U. S. Highway No. 80, a distance of 233 feet, more or less, to a point 35 feet Westerly from the center line of present Lynch Street or North McRaven Road; run thence Southwesterly, parallel with and 35 feet from the center line of said street or road, 250 feet, more or less, to grantees present East property line; run thence North on said property line, 235 feet, more or less, to the point of beginning, containing 0.675 of an acre, more or less, and being situated in the Northwest quarter of section 7, Township 5 North, Range 1 East, Hinds County, Mississippi.

is hereby modified so as to approve the rezoning of the properties located at 1638 & 1640 S. Gallatin St. (Parcels 175-101, 175-104, 175-104-1, 175-262, 175-266, 175-290 & 175-330) from I-1 (Light) Industrial District to NMU-1, (Neighborhood) Mixed Use District, Pedestrian Oriented with a Conditional Use Permit to allow for a community recreational center. The Conditions of the Use Permit shall be that the Use Permit be granted on an annual basis; be granted to, African Christian Fellowship USA, Inc., Jackson Chapter, the owner(s)/operator(s) of the community recreational center; that subsequent owners or operators of a community recreational center at this location must apply for and receive a new Use Permit; and compliance with adopted property maintenance, building, fire codes & Zoning Codes be maintained at all times. However, that before for any structure is erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process. The Zoning Administrator is ordered to note such change on the Official Zoning Map to the City of Jackson, Mississippi

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

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

Council Member Hartley moved adoption; **Vice President Lee** seconded.

There was no representative from the Applicant.

There was no opposition from the public.

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

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

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>LOCATION</u>	<u>USE</u>	<u>GRANTED</u>	
SE – 3844 Ward 1	Anthony R. Simon	621 E. Northside Dr. Jackson, MS 39206	Professional Non-Retail Office	09/16/13
3914 C-UP Ward 7	Richard & Company, LLC - C/o Richard McKey Initially Issued to the Fondren Renaissance Foundation	Patton Ave. Parcel #48-97 Jackson, MS 39206	Accessory Parking Lot	09/21/15
SE – 4097 Ward 1	Lakeita F. Rox-Love	5375 Red Fox Rd. Jackson, MS 39206	Professional (Real Estate) Office	09/21/20
SE – 4137 Ward 2	Betty Sullivan	1611 Countrywood Dr. Jackson, MS 39213	Professional (Real Estate) Office	9/20/21
4141 C-UP Ward 7	Miltoria Heath	1110 Noel St. Jackson, MS 39202	Commercial Child Care Center	9/20/21
C-UP 4179 Ward 5	Terrence Brent, Sr.	540 Raymond Rd. – Suite 2 Jackson, MS 39202	General Restaurant	9/19/22

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.

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

President Banks recognized **Ester Ainsworth, Zoning Administrator** and **Kristie Metcalfe, Deputy City Attorney**, who provided a brief overview of said item.

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

Yeas – Banks, Grizzell and Lee.
Nays – Foote and Hartley.
Absent – Lindsay and Stokes.

REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, SEPTEMBER 18, 2023 2:30 P.M.

879

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, September 26, 2023. At 3:32 p.m., the Council stood adjourned.

PREPARED BY:

Shanikia Mosley-Gordon
CLERK OF COUNCIL

APPROVED:

W. D. [Signature], 9/20/2023
COUNCIL PRESIDENT DATE

[Signature]

MAYOR

ATTEST:

Anzela Harris
CITY CLERK
