

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 January 22, 2023, being the fourth 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; Ashby Foote, Ward 1; Angelique Lee, Council Vice President, Ward 2; Brian Grizzell, Ward 4 and Virgi Lindsay, Ward 7. Directors: Sabrina Shelby, Deputy Clerk of Council; Victor Allen, 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 Aaron Banks**.

President Banks recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4228, 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 DENYING KRISTI KIRKWOOD A REZONING FROM R-1A (SINGLE-FAMILY) RESIDENTIAL DISTRICT TO R-2 (SINGLE-FAMILY & TWO-FAMILY) RESIDENTIAL DISTRICT TO ALLOW FOR THE CONSTRUCTION OF A TWO-FAMILY RESIDENTIAL UNIT FOR THE PROERTY LOCATED AT 0 OLD CANTON RD. (PARCEL 564-16). CASE NO. 4228.

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

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has recommended denial to rezone the property from R-1A (Single-Family) Residential District to R-2 (Single-Family & Two-Family) Residential District to allow for the construction of a two-family residential unit; and

WHEREAS, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at the City Hall at 2:30 p.m., Monday, December 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 City Council that notice of said petition had been published in the Mississippi Link on October 5, 2023 and October 19, 2023 that a hearing had been held by the Jackson City Planning Board on October 25, 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 recommended denial to rezone the above described property from R-1A (Single-Family) Residential District to R-2 (Single-Family & Two-Family) Residential District to allow for the construction of a two family residential unit; and

WHEREAS, the Jackson City Council after having considered the matter, is of the opinion that such changes would not be in keeping with sound land use practice and to the best interest of the City and that there has not been a substantial change in the land use character of the surrounding area that justifies rezoning the property and there is not a public need for additional property in that area zoned in accordance with said application since any previous Jackson City Council action.

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

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

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

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

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

President Banks recognized **Scherrie L Prince, Representative for the Applicant**, who spoke in favor of a Rezoning from R-1 (Single-family) Residential District to R-2 (Single-Family & Two-Family) Residential District to allow for the construction of a two-family residential unit.

President Banks recognized **Ashley Ogden, Representative for the Sheffield Area and JXN United Community Associations**, who spoke in opposition of a Rezoning from R-1 (Single-family) Residential District to R-2 (Single-Family & Two-Family) Residential District to allow for the construction of a two-family residential unit.

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

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

Nays – None.

Absent – Hartley and Stokes.

Note: **Council Member Lindsay** 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. 4231, 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 EARNEST WILLIAMS A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A GENERAL RESTAURANT WITHIN A C80-C2 (LIMITED) COMMERCIAL SUBDISTRICT FOR THE PROPERTY LOCATED AT 1651 UNIVERSITY BLVD – SUITE B. (PARCEL #166-1), CASE NO. 4231.

WHEREAS, Earnest Williams has filed a petition for a Use Permit to allow for the operation of a general restaurant within a C80-C2 (Limited) Commercial Subdistrict for the property located at 1651 University Blvd – Suite B. (Parcel #166-1) 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 the operation of a general restaurant within a C80-C2 (Limited) Commercial Subdistrict for the property located at 1651 University Blvd – Suite B. (Parcel #166-1); 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, January 22, 2024 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 26, 2023 and November 9, 2023 that a hearing had been held by the Jackson City Planning Board on December 20, 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 C80-C2 (Limited) Commercial Subdistrict of the City of Jackson; and

WHEREAS, the Jackson City Council, after having considered the matter, is of the opinion that proposed use not being 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 the operation of a general restaurant for the property located at 1651 University Blvd – Suite B. (Parcel #166-1) within the existing C80-C2 (Limited) Commercial Subdistrict 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:

Being situated in the SW ¼ of Section 9, T5N, RI E, City of Jackson, Hinds County, Mississippi, and being more particularly described by metes and bounds as follows:

Commence at the intersection of the West right of way line of Old U. S. Highway No. 51 (now Terry Road) with the South line of Lot 49 of Mississippi Addition, a subdivision, the map or plat of which is recorded in Plat Book 4 at page 90 of the Chancery records of Hinds County at Jackson, Mississippi, said intersection being the point of beginning for the parcel herein described; thence run 44.338 feet along the arc of a 6615.93 foot radius curve to the right in the said West right of way line, said arc having a 44.338 foot chord which bears S 400 39'05" W, thence S 400 56' 25" W for a distance of 11.84' along the West right of way line; thence N 60 0 48' 35" W for a distance of 3575 ' along the said West right of way line; thence S 400 56' 25" W for a distance of 225.10' along the said West right of way line; thence leave said West right of way line and run N 670 03' 35" W for a distance of 335.45' to an iron pin which marks the Southwest corner of the T. R. Evans property as described in Deed Book 699 at page 366 of the said Chancery Clerk Records of Hinds County; thence N 18 0 34' 21" E for a distance of 351.885' to the South right of way line of U.S. Highway No. 80; thence S 820 46' 00" E for a distance of 349.515' along the said South right of way line of U. S. Highway No. 80; thence run 36.243 feet along the arc of a 3173.50 foot radius curve to the left, said arc having a 36.43 foot chord which bears S 290 23' 58" W; thence S 290 04' 20" W for a distance of 78.70'; thence S 600 55' 40" E for a distance of 60.0' along the Westerly extension of the South right of way line of Somme Street; thence S 290 04' 20" W for a distance of 50.0' along the West line of the said Mississippi Addition to the Southwest corner of the said Lot 49 of Mississippi Addition; thence S 600 55' 40" E for a distance of 106.81' along the said South line of Lot 49 to the point of beginning, containing 3,488 acres, more or less.

be and is hereby modified so as to approve a Conditional Use Permit to allow for the operation of a general restaurant within a C80-C2 (Limited) Commercial Subdistrict for the property located at 1651 University Blvd – Suite B. (Parcel #166-1). The Conditions of the Use Permit shall be that it is granted on an annual basis; that it be granted to Earnest Williams, the owner/operator of the general restaurant, that subsequent owners or operators of a general restaurant at the location must apply for and receive a new Use Permit and that compliance with adopted property maintenance, building, fire, law enforcement 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 Lindsay** seconded.

There was no representation from the Applicant and opposition from the public.

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

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

Nays – None.

Absent – Hartley and Stokes

President Banks recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4232, 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 ROBINSON INDUSTRIES, INC. A REZONING FROM I-1 (LIGHT) INDUSTRIAL DISTRICT TO NMU-1 (NEIGHBORHOOD) MIXED-USE DISTRICT, PEDESTRIAN ORIENTED FOR THE PROPERTY LOCATED AT 5420 LYNCH ST. EXT. (PARCEL 825-483) TO ALLOW FOR A MULTIFAMILY RESIDENTIAL DEVELOPMENT. CASE NO. 4232.

WHEREAS, Robinson Industries, Inc. has filed a petition to rezone the property located at 5420 Lynch St. Ext. (Parcel 825-483), in the City of Jackson, First Judicial District of Hinds County, Mississippi from I-1 (Light) Industrial District to R-5 (Multi-family) Residential District to allow for a multifamily residential development; 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 to NMU-1 (Neighborhood) Mixed-Use District, Pedestrian Oriented to allow for a multifamily residential development; 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, January 22, 2024 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 26, 2023 and November 9, 2023 that a hearing had been held by the Jackson City Planning Board on December 20, 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 I-1 (Light) Industrial District to NMU-1 (Neighborhood) Mixed-Use District, Pedestrian Oriented to allow for a multifamily residential development; 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:

TRACT I: A parcel of land situated in the West half of the Southwest Quarter of Section 2, Township 5 North, Range 1 West and also part of Lot 1 5, Westhaven Subdivision according to a map or plat on file and of record in the Office of the Chancery Clerk of Hinds County, Mississippi at Jackson, in plat Book B at Page 71, and being more particularly described as follows:

Commence at the Southeast Corner of Lot 10, Westside Industrial Heights according to a map or plat on file and of record in the Office of the Chancery Clerk of Hinds County at Jackson, Mississippi in Plat Book 18 at Page 19 and from said point run Easterly along the North line of Lynch Street and on the Easterly extension of the South line of said Westside Industrial Heights, for a distance of 161.68 feet to the East line of Peach Place; continue thence Easterly along the North line of Lynch Street on an extension of the last mentioned course, for a distance of 100 feet; turn thence to the right through an angle of 00 degrees 37 minutes and continue Easterly along the North line of Lynch Street, parallel with the 30 feet North of the centerline thereof, for the distance of 100 feet; turn thence to the right through an angle of 2 degrees 03 minutes and continue Easterly along the North line of Lynch Street; 30 feet North of and parallel with the centerline thereof, for a distance of 100 feet; turn thence to the left through an angle of 80 degrees 54 minutes and run Northerly and parallel with the East line of Peach Place for a distance of 200 feet; turn thence to the left through an angle of 99 degrees 29 minutes and run Westerly and parallel with the North line of Lynch Street for a distance of 100 feet; turn thence to the left through an angle of 80 degrees 31 minutes and run Southerly 200 feet to the point of beginning.

TRACT II: A parcel situated in the West Half of the Southwest Quarter of Section 2, Township 5 North, range 1 West, Hinds County, Mississippi, and also a part of Lot 15 Westhaven Subdivision according to a map or plat on file and of record in the Office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book B at Page 71 and being more particularly described as follows:

Commence at the Southeast Comer of Lot 10 Westside Industrial Heights according to a map or plat on file and of record in the Office of the Chancery Clerk of Hinds County at Jackson, Mississippi, in Plat Book 18 at Page 1 9, and from said point run Easterly along the North line of Lynch Street and on the Easterly extension of the South line of said Westside Industrial Heights for the distance of 161.68 feet to the East line of Peach Place; continue thence Easterly along the North line of Lynch Street on an extension of the last mentioned course, for a distance of 10 feet; turn thence to the right through an angle of 00 degrees 37 minutes and continue Easterly along the North line of Lynch Street, parallel with and 30 feet North of the centerline thereof, for a distance of 100 feet; turn thence to the right through an angle of 2 degrees 03 minutes and continue Easterly along the North line of lynch Street, 30 feet North of an parallel with the centerline thereof for a distance of 100 feet; turn thence to the right through an angle of 00 degrees 23 minutes and run Easterly along the North line of Lynch Street, 30 feet North of and parallel with the centerline thereof, fort a distance of 100 feet to the point of beginning, thence turn right through an angel of 00 degrees 33 minutes and run Easterly 100.0 feet; turn thence to the left through an angle of 80 degrees 54 minutes and run Northerly for a distance of 400 feet; turn thence to the left through an angle of 99 degrees 29 minutes and run Westerly for a distance of 200 feet, turn thence to the left through an angle of 80 degrees 31 minutes and run Southerly 200 feet; thence left 99 degrees 29 minutes and run Easterly 100.0 feet; thence turn right 99 degrees 29 minutes and run Southerly 200.0 feet to the point of beginning.

is hereby modified so as to approve the rezoning of the of the property located at 5420 Lynch St. Ext. (Parcel 825-483) from I-1 (Light) Industrial District to NMU-1 (Neighborhood) Mixed-Use District, Pedestrian Oriented to allow for a multifamily residential development. 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.

President Banks moved adoption; **Vice President Lee** seconded.

President Banks recognized **Mack Robinson, Applicant**, who spoke in favor of a **Rezoning** from C80—C3 (General) Commercial Subdistrict to C80-MU (Mixed-Use) Subdistrict to allow for a mixed-use development and a **Use Permit** to allow for a community recreational center.

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

President Banks recognized **Council Member Grizzell** who moved, seconded by **Vice President Lee** that Case No. 4232 be remanded back to the planning board and held until the February Zoning Meeting. The motion prevailed by the following vote:

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

After a thorough discussion, **President Banks** and **Vice President Lee** withdrew their motion and second.

President Banks recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4233, 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 CLIFTON BURNS A REZONING FROM C3 (GENERAL) COMMERCIAL DISTRICT TO CMU-1 (COMMUNITY) MIXED-USE DISTRICT, PEDESTRIAN ORIENTED FOR THE PROPERTY LOCATED AT 3243 MEDGAR EVERS BLVD. (PARCEL 409-4) TO ALLOW FOR THE ADAPTIVE REUSE OF THE PROPERTY. CASE NO. 4233.

WHEREAS, Clifton Burns has filed a petition to rezone the property located at 3243 Medgar Evers Blvd. (Parcel 409-4), in the City of Jackson, First Judicial District of Hinds County, Mississippi from C-3 (General) Commercial District to CMU-1 (Community) Mixed Use District, Pedestrian Oriented to allow for the adaptive reuse of the property; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has offered the recommendation to rezone the property from C3 (General) Commercial District to CMU-1 (Community) Mixed-Use District, Pedestrian Oriented to allow for the adaptive reuse of the property; 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, January 22, 2024 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 26, 2023 and November 9, 2023 that a hearing had been held by the Jackson City Planning Board on December 20, 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 C3 (General) Commercial District to CMU-1 (Community) Mixed-Use District, Pedestrian Oriented to allow for the adaptive reuse of the property; 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 SW COR LOT 16BLK A SHADY OAKS SUBD NE ALONG LOTS 16 & 3.200. 16 FT TO DELTA DR NW 239.6. FT SW 128.2 FT TO WHITFIELD MILLRD SE 233.5 TO POB PT SW 1/4 NW 1/4 SEC 28 T6N R1E PT LOTS 1 2 3 16 & 17 BLK A SHADY OAKS SUBD

is hereby modified so as to approve the rezoning of the of the property located at 3243 Medgar Evers Blvd. (Parcel 409-4) from C3 (General) Commercial District to CMU-1 (Community) Mixed-Use District, Pedestrian Oriented to allow for the adaptive reuse of the property. 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.

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

President Banks recognized **Carol Burns, Representative for the Applicant**, who spoke in favor of a Rezoning from C3 (General) Commercial District to CMU-1 (Community) Mixed-Use District, Pedestrian Oriented to allow for the adaptative reuse of the property.

There was no opposition from the public.

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

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

President Banks recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4234, 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 COMMUNITY ANIMAL RESCUE & ADOPTION A REZONING FROM C-2 (LIMITED) COMMERCIAL DISTRICT TO C-3 (GENERAL) COMMERCIAL DISTRICT FOR THE PROPERTY LOCATED AT PARCEL 835-46 ON HIGHWAY 18 TO ALLOW FOR A VETERINARIAN CLINIC AND KENNELS. CASE NO. 4234.

WHEREAS, Community Animal Rescue & Adoption has filed a petition to rezone the property located at Parcel 835-46 on Highway 18, in the City of Jackson, First Judicial District of Hinds County, Mississippi from C-2 (Limited) Commercial District to C-3 (General) Commercial District to allow for a veterinarian clinic and kennels; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has offered the recommendation to rezone the property from C-2 (Limited) Commercial District to C-3 (General) Commercial District to allow for a veterinarian clinic and kennels; 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, January 22, 2024 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 26, 2023 and November 9, 2023 that a hearing had been held by the Jackson City Planning Board on December 20, 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 C-2 (Limited) Commercial District to C-3 (General) Commercial District to allow for a veterinarian clinic and kennels; 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:

A CERTAIN PARCEL OF LAND LYING AND BEING SITUATED IN SOUTHWEST QUARTER OF SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 1 WEST, HINDS COUNTY, MISSISSIPPI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CORNER COMMON TO SECTIONS 15, 16, 21 AND 22, TOWNSHIP 5 NORTH, RANGE 1 WEST, THENCE NORTH 00 DEGREES 16 MINUTES EAST ALONG THE LINE BETWEEN SAID SECTIONS 15 AND 16 FOR A DISTANCE OF 76.1 FEET TO THE NORTH RIGHT-OF-WAY OF NEW HIGHWAY 18; THENCE SOUTH 88 DEGREEES 58 MINUTES EAST ALONG THE NORTH RIGHT-OF-WAY OF NEW HIGHWAY 18 A DISTANCE OF 676.8 FEET TO THE POINT OF BEINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE NORTH 01 DEGREE 07 MINUTES 30 SECONDS EAST ALONG AN OLD FENCE LINE, 1202.25 FEET; THENCE SOUTH 89 DEGREES 33 MINUTES 40 SECONDS EAST ALONG AN OLD FENCE LINE, 664.9 FEET; THENCE SOUTH 01 DEGREE 44 MINUTES 40 SECONDS WEST, 740.0 FEET; THENCE NORTH 88 DEGREES 58 MINUTES WEST, 190.0 FEET; THENCE SOUTH 01 DEGREE

44 MINUTES 40 SECONDS WEST, 470.0 FEET TO THE AFOREMENTIONED NORTH RIGHT-OF-WAY OF NEW HIGHWAY 18; THENCE NORTH 88 DEGREES 58 MINUTES WEST ALONG NORTH RIGHT-OF-WAY OF NEW HIGHWAY 18 FOR A DISTANCE OF 462.7 FEET TO THE POINT OF BEGINNING CONTAINING 16.18 ACRES, MORE OR LESS.

is hereby modified so as to approve the rezoning of the of the property located at Parcel 835-46 on Highway 18 from C-2 (Limited) Commercial District to C-3 (General) Commercial District to allow for a veterinarian clinic and kennels. However, that before for any structure is erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process. The Zoning Administrator is ordered to note such change on the Official Zoning Map to the City of Jackson, Mississippi.

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

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

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

President Banks recognized **Ann Somers, Applicant**, who spoke in favor of a Rezoning from C2 (Limited) Commercial District to C3 (General) Commercial District to allow for a veterinarian clinic and kennels.

There was no opposition from the public.

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

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

Nays – None.

Absent – Hartley and Stokes

President Banks recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4235, 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 MARTIN INGRAM A VARIANCE OF UP TO SIX (6) FEET FROM THE REQUIRED TWENTY-FIVE FEET (25) FRONT YARD SETBACK REQUIREMENTS FOR PROPERTIES WITHIN A R-1A (SINGLE-FAMILY) RESIDENTIAL DISTRICT TO ALLOW FOR THE CONSTRUCTION OF A CARPORT FOR THE PROPERTY LOCATED AT 1322 SIMWOOD PLACE (PARCEL 450-186), CASE NO. 4235.

WHEREAS, Martin Ingram has filed a petition for a four foot (4') Variance from the required twenty-five feet (25) front yard setback requirements for properties within a R-1A (Single-Family) Residential District to allow for the construction of a carport for the property located at 1322 Simwood Place (Parcel 450-186) in the City of Jackson, First Judicial District of Hinds County, Mississippi; and

WHEREAS, Jackson City Planning Board, after holding the required public hearing on December 20, 2023, has recommended the approval of a Variance of up to six (6) feet from the

required twenty-five feet (25) front yard setback requirements for properties within a R-1A (Single-Family) Residential District to allow for the construction of a carport; 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, January 22, 2024 to consider said change, based upon the record of the case as developed before the City Planning Board; and

WHEREAS, it appeared to the satisfaction of the City Council that notice of said petition had been published in the Mississippi Link on November 30, 2023 and December 14, 2023 that a hearing would be held by the Jackson City Planning Board, as provided for by ordinances of the City of Jackson and the laws of the State of Mississippi, and that the Jackson City Planning Board has recommended approval of a Variance of up to six (6) feet from the required twenty-five feet (25) front yard setback requirements for R-1A (Single-Family) zoned properties allow for the construction of a carport for the property located at 1322 Simwood Place (Parcel 450-186) of the City of Jackson; and

WHEREAS, the Council, after having considered the matter, is of the opinion that the granting of the Variance will not confer upon the applicant any special privilege that is denied by this Ordinance to other similar lands, structures or buildings in the same district within the existing R-1A (Single-Family) Residential District of the City of Jackson and that the Variance request be granted.

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 FOURTEEN (14), ROXBURY PARK SUBDIVISION, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CHANCERY CLERK OF HINDS COUNTY, MISSISSIPPI IN PLAT BOOK 14 AT PAGE 41, LESS AND EXCEPT BEGINNING AT THE SOUTHEAST CORNER OF LOT 14; THENCE NORTHERLY ALONG THE EASTERN BOUNDARY LINE OF LOT 14 FOR A DISTANCE OF 108.62 FEET TO THE NORTHWEST CORNER OF LOT 15, ROXBURY PARK; THENCE TURN LEFT 89 DEGEES 24 MINUTES AND GO WESTERLY 7 FEET; THENCE TURN LEFT AND GO SOUTHERLY AND PARALLEL TO THE EASTERN LINE OF LOT 14 A DISTANCE OF 108 FEET TO THE NORTH LINE OF SIMWOOD PLACE; THENCE TURN LEFT AND GO EASTERLY 7 FEET TO THE POINT OF BEGINNING.

be granted a Variance of up to six (6) feet from the required twenty-five feet (25) front yard setback requirements for R-1A (Single-Family) zoned properties allow for the construction of a carport for the property located at 1322 Simwood Place (Parcel 450-186). 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 Grizzell moved adoption; **Council Member Lindsay** seconded.

President Banks recognized **Martin Ingram, Applicant**, who spoke in favor of a Four-foot (4') Variance from the required twenty-five feet (25') front yard setback requirements for properties within a R-1A (Single-Family) Residential District to allow for the construction of a carport.

There was no opposition from the public.

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

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

President Banks recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4236, 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 THE EBONY PEARLS FOUNDATION INCORPORATED \PATRICIA MAGEE A CONDITIONAL USE PERMIT TO ALLOW FOR A COMMUNITY RECREATIONAL CENTER WITHIN A C-3 (GENERAL) COMMERCIAL DISTRICT FOR THE PROPERTY LOCATED AT 6060 BONITA ST. (PARCEL 709-4-5), CASE NO. 4236.

WHEREAS, the Ebony Pearls Foundation Incorporated (Patricia Magee) 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 6060 Bonita St. (Parcel 709-4-5) 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 6060 Bonita St. (Parcel 709-4-5); 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, January 22, 2024 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 November 30, 2023 and December 14, 2023 that a hearing had been held by the Jackson City Planning Board on December 20, 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 6060 Bonita St. (Parcel 709-4-5) 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:

That certain tract or parcel of land situated in Section 1, T6N-RIE, Jackson, Hinds County, Mississippi, and being more particularly described as follows:

Beginning at the Western most corner of Lot 1, Block H, of Beverley Heights, Part 1, as recorded in Plat Book 7 at Page 17 of the Chancery Records of Hinds County, Mississippi, and run thence S 63 degrees 30' E, along the Southern boundary of said Block H of Beverley Heights, Part 1, 212.00'; run then S 27 degrees 33' W, 293.18'; run thence N 62 degrees 27' W, 20.00', run thence S 27 degrees 33' W, 112,50'; run thence N 62 degrees 27' W, 141.11' to the East boundary of Lot 33, Block K, Beverley Heights, Part 3, as recorded in Plat Book 11 Page

36 of the aforesaid Chancery records; run thence N O degrees 00' 57" E, along the East boundary of said Lot 33, 40.68 ¹ to the NE corner thereof; run thence N 62 degrees 36' 37" W, along the Northern boundary of Lot 33, 3209' to the Eastern R.O.W, line of Bonita Avenue; run thence N 27 degrees 33' E, along the said East R.O.W. line of Bonita Avenue, 369.52 to the point of beginning, containing 1.888 acres, more or less,

Plus: A non-exclusive easement for ingress and egress over that certain tract of land also situated in Section 1, Township 6 North, range 1 East, First Judicial District of Hinds County, Mississippi, and described as follows:

Commence at the Western most corner of Lot 1, Block H, of Beverley Heights, Part I, as recorded in Plat Book 7 at Page 17 of the Chancery Records of Hinds County, Mississippi, and run thence S 27 degrees 33' W, along the Eastern R.O.W. line of Bonita Avenue, 293.00' to the Point of Beginning for the herein described easement; run thence S 62 degrees 27' E, 334.90' to the beginning of a curve; run thence Southeasterly, counter-clockwise, along the arc of said curve, 132.92 ¹ to the point of tangency; said curve having the following characteristics: central angle of 27 degrees 13'03", radius of 279.81' and chord bearing and distance of S74 degrees 02' 44" E, 131.67'; run thence S 89 degrees 40' 03" E, 362.38' to the Western R.O.W. line of Interstate Highway 55, as it is now (July 1989) in use; run thence S 3 degrees 51' 07" W, along the Western R.O.W. line of Interstate Highway 55, 60.11'; run thence N 89 degrees 40' 03" W, 358.69' to the beginning of a curve; run thence Northwesterly, clockwise, along the arc of said curve, 161.42' to the point of tangency; said curve having the following characteristics: central angle of 27 degrees 13' 03", radius of 339.81' and the chord bearing and distance of N 74 degrees 02' 44" W, 159.91'; run thence N 62 degrees 27' W, 334.98' to the Eastern R.O.W. line of Bonita Avenue; run thence N 27 degrees 33' E, along the Eastern R.O.W. line of Bonita Avenue, 60.00' to the point of beginning. (the "Subject Property")

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 6060 Bonita St. (Parcel 709-4-5). The Conditions of the Use Permit shall be that it is granted on an annual basis; that it be granted to the Ebony Pearls Foundation\Patricia Magee, the owner/operator 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 law enforcement 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 Grizzell** 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, Lee and Lindsay.

Nays – None.

Absent – Hartley and Stokes

President Banks requested that the Clerk read the Order:

ORDER GRANTING MYRIAM B. RICHARD A SPECIAL EXCEPTION TO ALLOW FOR THE OPERATION OF A RESIDENTIAL COMMUNITY FACILITY WITHIN A R-4 (LIMITED MULTI-FAMILY) RESIDENTIAL

**DISTRICT FOR THE PROPERTY LOCATED AT 1031 NORTH CONGRESS ST.
(PARCEL 41-17), CASE NO. 4237.**

WHEREAS, Myriam B. Richard has filed a petition for a Special Exception to allow for the operation of a residential community facility within a R-4 (Limited Multi-family) Residential District for the property located at 1031 North Congress St. (Parcel 41-17), 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 the operation of a residential community facility within a R-4 (Limited Multi-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., January 22, 2024 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 November 30, 2023 and December 14, 2023 that a hearing had been held by the Jackson City Planning Board on December 20, 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-4 (Limited Multi-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 the operation of a residential community facility within a R-4 (Limited Multi-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:

Commencing at a 1/2" iron rebar found at the intersection of the north right-of-way line of Fortification Street with the west right-of-way line North Congress Street and thence run North 00 degrees 39 minutes 22 seconds East, along the west right-of-way line of said North Congress Street, for a distance of 180.65 feet to a 1/2 " iron rebar found, said point also being the True Point of Beginning of the tract herein described:

From the True Point of Beginning thence leave said right-of-way and run South 89 degrees 53 minutes 13 seconds West for a distance of 149.45 feet to a 1/2" iron rebar found in the centerline of an abandoned 10 foot alley; thence run North 00 degrees 16 minutes 44 seconds East, along said centerline of alley, for a distance of 71.83 feet to a 1/2" iron rebar set; thence leave said alley and run North 89 degrees 55 minutes 25 seconds East for a distance of 149.49 feet to a 1/2" iron rebar set; thence run South 00 degrees 18 minutes 33 seconds West for a distance of 71.73 feet back to the True Point of Beginning, and being situated in Lot 73 of the H.C. Daniels Official City Map, dated 1875, City of Jackson, Hinds County, Mississippi.

be and is hereby granted a Special Exception to allow for the operation of a residential community facility within a R-4 (Limited Multi-family) Residential District for the property located at 1031 North Congress St. (Parcel 41-17). 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.

Vice President Lee moved adoption; **Council Member Grizzell** 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, Lee and Lindsay

Nays – None.

Absent – Hartley and Stokes.

* * * * *

President Banks requested that the Clerk read the Order:

ORDINANCE GRANTING OPAL FUELS A REZONING FROM I-1 (LIGHT) INDUSTRIAL DISTRICT TO I-2 (HEAVY) INDUSTRIAL DISTRICT FOR THE PROPERTY LOCATED AT 605 E. MCDOWELL RD. (PARCEL 602-4) TO ALLOW FOR THE INSTALLATION OF A RENEWABLE NATURAL GAS CNG STATION. CASE NO. 4238.

WHEREAS, OPAL Fuels has filed a petition to rezone the property located at 605 E. McDowell Rd. (Parcel 602-4), in the City of Jackson, First Judicial District of Hinds County, Mississippi from I-1 (Light) Industrial District to I-2 (Heavy) Industrial District to allow for the installation of a renewable natural gas CNG Station; 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 to I-2 (Heavy) Industrial District to allow for the installation of a renewable natural gas CNG Station; 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, January 22, 2024 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 November 30, 2023 and December 14, 2023 that a hearing had been held by the Jackson City Planning Board on December 20, 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 I-1 (Light) Industrial District to I-2 (Heavy) Industrial District to allow for the installation of a renewable natural gas CNG Station; 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:

Tract 1: The following described land and property situated in the First Judicial District of Hinds County, Mississippi, to-wit:

Part of Lot 3 of the Ellen L. Poindexter Survey in the East ½ of the NW ¼ of Section 21, Township 5 North, Range 1 East, First Judicial District of Hinds County, Mississippi, and being more particularly described by metes and bounds as:

Commence at the NW corner of Lot 3 of the Ellen L. Poindexter Survey situated in Section 21, Township 5 North, Range 1 East, First Judicial District of Hinds County, Mississippi, said point

being on the centerline of the McDowell Road Right-Of-Way (being 80 feet in width) as is presently laid out and existing and proceed thence S 0 degrees 30 minutes W for 40 feet to a point on the South line of McDowell Road; thence S 89 degrees 24 minutes E along the South line of McDowell Road for 80 feet to the NW corner of the Bel Air Enterprises, Inc. property; thence S 0 degrees 30 minutes W along the West line of the Bel Air Enterprises, Inc. property for 976.0 feet; thence S 19 degrees 13 minutes E along the West line of the Bel Air Enterprises, Inc. property for 439.4 feet; thence S 86 degrees 31 minutes E along the South line of the Bel Air Enterprises, Inc. property for 142.8 feet to the SW corner and the point of beginning of the property herein described; continue thence S 86 degrees 31 minutes E along the South line of the Bel Air Enterprises, Inc. property for 961.3 feet to the SE corner of the Bel Air Enterprises, Inc. property; said point being on the East line of Lot 3, Ellen L. Poindexter Survey; thence N 0 degrees 30 minutes E along the East line of Lot 3 for 755.0 feet; thence North 89 degrees 30 minutes W for 960.0 feet; thence South 0 degrees 30 minutes W for 705 feet to the point of beginning of the property herein described.

Tract 2:

6.0035 Acres more or less in Lot 3 of the Ellen L. Poindexter Survey in the East Half of the Northwest Quarter of Section 21, Township 5 North, Range 1 East, First Judicial District of Hinds County, Mississippi and being more particularly described by metes and bounds as follows:

Commence at the northwest corner of the said Lot 3 of the Ellen L. Poindexter Survey, said northwest corner being on the centerline of east McDowell Road right of way (being 80 feet in width), and run thence south 0 degrees 30 minutes west for a distance of 40.0 feet to a point on the south right of way line of East McDowell Road; run thence south 89 degrees 24 minutes east along said south right of way line of East McDowell Road for a distance of 970.0 feet to an Iron Pin which marks the POINT OF BEGINNING for the parcel herein described; continue thence along the said southerly right of way line of East McDowell Road for a distance of 158.39 feet to an Iron Pin; thence turn through an interior angle of 89 degrees 39 minutes and run southerly for a distance of 200.0 feet to an Iron Pin; thence turn through an interior angle of 270 degrees 21 minutes and run easterly for a distance of 200.0 feet to an Iron Pin; thence turn through an interior angle of 89 degrees 39 minutes and run southerly along the east line of the said Lot 3 of the Ellen L. Poindexter Survey for a distance of 492.45 feet to an Iron Pin; thence turn through an interior angle of 90 degrees 27 minutes and run westerly along the north line of Miss Jack property for a distance of 493.15 feet to an Iron Pin; thence turn through an interior angle of 90 degrees 01 minute and run northerly along the east line of A-1 Self Storage for a distance of 240.0 feet to an Iron Pin; thence turn through an interior angle of 179 degrees 53 minutes and run northerly along the east line of W. W. Grainger property for a distance of 153.3 feet to an Iron Pin; thence turn through an interior angle of 90 degrees 00 minutes and run easterly for a distance of 140.0 feet to an Iron Pin; thence turn through an interior angle of 270 degrees 06 minutes and run northerly along the east line of the Sandair Corp. property for a distance of 300.0 feet to the point of beginning.

is hereby modified so as to approve the rezoning of the of the property located at 605 E. McDowell Rd. (Parcel 602-4) from I-1 (Light) Industrial District to I-2 (Heavy) Industrial District to allow for the installation of a renewable natural gas CNG Station. However, that before for any structure is erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process. The Zoning Administrator is ordered to note such change on the Official Zoning Map to the City of Jackson, Mississippi.

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

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

Council Member Lindsay moved adoption; **Council Member Grizzell** 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, Lee and Lindsay

Nays – None.

Absent – Hartley and Stokes.

Cancelled Special Exceptions\Use Permits – No Action Required:

(Ward 2) SE 3729 - Shirley Cleveland – 5304 Queen Christina Ln. (Parcel 642-591)

- Special Exception was granted to Shirley Cleveland on Jan. 19, 2010 to operate a Residential Child Care Center within a R-1 (Single-Family) Residential District.
- Cancellation was based upon the request to cancel from the grantee.

(Ward 7) SE 4027- Matthew McLaughlin – 1704 North State St. (Parcel 12-16)

- Special Exception was granted to Matthew McLaughlin on Jan. 28, 2019 to operate a Professional Office within a R-4 (Limited Multi-Family) Residential District.
- Cancellation was based upon non-response and non-payment from the grantee by the deadline date January 8, 2024.

(Ward 4) SE 4155 - Rosemont Human Services, Inc. – 3801 Officer Thomas Catchings, Sr. Dr. (Parcel 305-49-39)

- Special Exception was granted to Rosemont Human Services, Inc. on Jan. 24, 2022 to operate a Residential Community Facility within a R-1 (Single-Family) Residential District.
- Cancellation was based upon non-response and non-payment from the grantee by the deadline date January 8, 2024.

(Ward 7) SE 4195 - Aaron Honeysucker – 1990 Pleasant Ave. (Parcel 99-30)

- Special Exception was granted to Aaron Honeysucker on Jan. 23, 2023 to operate a Residential Community Facility within a C-3 (General) Commercial District.
- Cancellation was based upon non-response and non-payment from the grantee by the deadline date January 8, 2024.

(Ward 3) C-UP 4080 - Care Center Ministries Mississippi – 258 E. Northside Dr. (Parcel 433-75)

- Conditional Use Permit was granted to Care Center Ministries Mississippi on Jan. 27, 2020 to operate a transitional house for 7 to 12 residents within a R-1A (Single-Family) Residential District.
- Cancellation was based upon the property being sold which would require the new owners to obtain a Use Permit if the intent is to continue the operation of a transitional housing unit for 7 to 12 residents.

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 – 3792 Ward 5	Andrea Crudup	103 Alta Woods Blvd.	One-chair Beauty Shop	1/9/12
SE – 3796 Ward 7	Fondren Renaissance Foundation	4145 Old Canton Rd.	Professional Non-Retail Office	1/9/12
SE – 4035 Ward 2	Myrtis D. Patterson	5417 Grafton St.	One-Chair Beauty Salon	1/28/19
SE-4109 Ward 1	Eris Giurintano	12 St. Andrews Dr. Jackson, MS 39211	Professional Real Estate Office	1/25/21
SE – 2331 Ward 3	New Testament M.B. Church	2702 Holmes Ave. Jackson, MS 39213	Church on less than 1 acre	12/5/84
SE – 2340 Ward 5	Barbara Moaton	422 Eastview St. Jackson, MS 39209	One-Chair Beauty Salon	12/5/84
SE – 3997 Ward 6	Kimberly Course	451 McDowell Park Cir. Jackson, MS 39204	Residential Daycare Center	12/18/2017
C-UP- 4033 Ward 7	Michael Boerner	2801 & 2807 Old Canton Rd. Jackson, MS 39216	Community recreational center part of a neighborhood shopping center	12/17/2018
C-UP - 4150 Ward 3	Shirley Cleveland	4417 O'Bannon Dr. Jackson, MS 39209	Commercial Child Care Center	12/20/2021
C-UP 4193 Ward 3	Yolanda Bell	2425 Martin L. King Dr. 2427 Martin L. King Dr. & 1039 Marine St Jackson, MS 39213	Preschool Learning Center & After School Program	12/19/2022

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.

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

Nays – None.

Absent – Hartley and Stokes.

President Banks recognized **Council Member Lindsay** who moved, seconded by **Council Member Grizzell** to add an item to the agenda, discussion: pending litigation. The motion prevailed by the following vote:

REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, JANUARY 22, 2024 2:30 P.M.

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

Note - Council Member Foote left the meeting.

There came on the Agenda for Discussion:

DISCUSSION: PENDING LITIGATION: **President Banks** stated that said item would be discussed in Executive Session.

President Banks recognized **Council Member Lindsay** who moved, seconded by **Council Member Grizzell** to go into Closed Session to discuss pending litigation. The motion prevailed by the following vote:

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

President Banks announced to the public that the Council voted to go into Closed Session to discuss “Pending Litigation”.

During Closed Session, **Council Member Lindsay** moved and **Council Member Grizzell** seconded to go into Executive Session to discuss “Pending Litigation”. The motion prevailed by the following vote:

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

President Banks announced that the Council voted to go into Executive Session to discuss “Pending Litigation”.

Note: Council Member Foote returned to the meeting.

Council Member Grizzell moved, seconded by **Council Member Lindsay** to come out of Executive Session. The motion prevailed by the following vote:

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

President Banks announced that the Council voted to come out of Executive Session and no action was taken.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Special Council Meeting to be held at 10:30 a.m. on Tuesday, January 30, 2024. At 4:13 p.m., the Council stood adjourned.

REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, JANUARY 22, 2024 2:30 P.M.

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PREPARED BY:

Shanikia Mesley-Bjordan
CLERK OF COUNCIL

APPROVED:

[Signature], 1/30/2024
COUNCIL PRESIDENT DATE

[Signature]
MAYOR

ATTEST:

Angela Harris
CITY CLERK
