

**REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, JULY 21, 2014, 2:30 P.M.**

408

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 July 21, 2014, being the third Monday of said month when and where the following things were had and done to wit:

Present: Council Members: Melvin Priester, Jr.; Vice-President, Ward 2; Charles Tillman, Ward 5; Tyrone Hendrix, Ward 6 and Margaret Barrett-Simon, Ward 7. Kristi Moore, Interim City Clerk; Angela Harris, Deputy City Clerk; Ester Ainsworth, Zoning Administrator; Carl Allen, Director of City Planning; Akili Kelly, Senior Planner and Azande Williams, Deputy City Attorney.

Absent: Quentin Whitwell, Ward 1; LaRita Cooper-Stokes, Ward 3 and De'Keither Stamps, Ward 4.

The meeting was called to order by **Vice-President Melvin Priester, Jr.**

Vice-President Priester recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 3865, 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. Thereafter, **Vice-President Priester** requested that the Clerk read said Order:

ORDINANCE APPROVING ECRF ENTERPRISES, LLC A REZONING FROM C-2 (LIMITED) COMMERCIAL DISTRICT TO C-3 (GENERAL) COMMERCIAL DISTRICT IN ORDER TO ESTABLISH CONTIGUITY WITH THE ADJACENT C-3 ZONED PROPERTIES FOR PROPERTY LOCATED AT 5444 I-55 NORTH FRONTAGE ROAD, CASE NO. 3865.

WHEREAS, ECRF Enterprises, LLC has filed a petition to rezone property located at 5444 I-55 North Frontage Road, in the City of Jackson, First Judicial District of Hinds County, Mississippi, from C-2 (Limited) Commercial District to C-3 (General) Commercial District in order to establish contiguity with the adjacent C-3 zoned properties; and

WHEREAS, the Jackson City Planning Board, after holding the required public hearing, has recommended approval to rezone the property from C-2 (Limited) Commercial District to C-3 (General) Commercial District in order to establish contiguity with the adjacent C-3 zoned properties; and

WHEREAS, notice was duly and legally given to property owners and interested citizens that a meeting of the Council would be held at the City Hall at 2:30 p.m., Monday, July 21, 2014 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 Clarion Ledger on June 5, 2014 and June 19, 2014 that a hearing would be held by the Jackson City Planning Board on June 25, 2014, 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 rezoning of the above described property to C-3 (General) Commercial District in order to establish contiguity with the adjacent C-3 zoned properties; and

**REGULAR ZONING MEETING OF THE CITY COUNCIL
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WHEREAS, the 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 since any previous 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 particular described as follows:

Commence at the Southwest corner of Lot 16 of Briarwood Subdivision according to the map or plat of Briarwood Subdivision on file in Plat Book 13 at Page 39 thereof in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, reference to which is made in aid hereto, which Southwest corner of said lot 16 is further described as being a distance of 1433.4 feet West of and 3525.5 feet South of the Northeast corner of Section 12, Township 6 North, Range 1 East, Hinds County, Mississippi: from the said Southwest corner of Lot 16 run N 0°15'00" E 565.73 feet along the West line of Briarwood Subdivision to a point in a pine tree and the Point of Beginning; thence continue N 0°15'00" E 148.00 feet along the West line of Briarwood Subdivision to a found iron pin: run thence N 89°38'00" W 184.09 feet to an iron pin on the East right of way line of Interstate Highway No. 55: run thence S 11°58'29" W 151.09 feet along the East right of way line of Interstate Highway No. 55 to an iron pin: run thence S 89.38'00" E 214.79 feet to the Point of Beginning. This parcel contains 0.6776 acres more or less.

is hereby rezoned and changed from C-2 (Limited) Commercial District to C-3 (General) Commercial District in order to establish contiguity with the adjacent C-3 zoned properties provided, however that before a permit is issued for any structure to be erected or modified on the said property, or for any use thereof, 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.

There was no opposition from the public.

Council Member Tillman moved adoption; **Council Member Hendrix** seconded.

Yeas- Hendrix, Priester and Tillman.
Nays- None.
Abstention- Barrett-Simon.
Absent- Cooper-Stokes, Stamps and Whitwell.

Ester Ainsworth noted for the record: **Cancelled Special Exceptions:**

- SE-2167- Alma Pope – 4314 Sunset Dr.
- SE-2483- Carl R. Lackey – 1718 Bailey Ave.
- SE-2820- Dorothy Mabry – 3328 Livingston Rd.
- SE-3313- Eva Shell – 303 Wilshire Dr.

**REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, JULY 21, 2014, 2:30 P.M.**

410

- SE-3314- Carolyn Ammons – 535 W. Porter St.
- SE-3714- Mae Henry – 350 Maryland Dr.

No action required.

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- 2482 Ward 3	George Wilkes, Jr.	729 Beaverbrook Dr. Jackson, MS 39206	One-Chair Barber	07/16/86

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 Barrett-Simon moved adoption; **Council Member Tillman** seconded.

Yeas- Barrett-Simon, Hendrix, Priester and Tillman.

Nays- None.

Absent- Cooper-Stokes, Stamps and Whitwell.

There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Special Meeting to held at 4:00 p.m. on Monday, July 21, 2014; and at 3:28 p.m., the Council stood adjourned.

ATTEST:

APPROVED:



INTERIM CITY CLERK


_____, 8/15/14
MAYOR DATE
