

**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 February 24, 2020 being the fourth Monday of said month when and where the following things were had and done to wit:

Present: Council Members: Virgi Lindsay, Council President; Ward 7; Ashby Foote, Ward 1; Melvin Priester, Jr., Ward 2; Charles Tillman, Ward 5 and Aaron Banks Ward 6. Directors: Alice Patterson, Interim Deputy Clerk of the Council; Ester Ainsworth, Zoning Administrator; and Chandra Gayten, Deputy City Attorney.

Absent: Kenneth I. Stokes, Ward 3 and De'Keither Stamps, Vice President, Ward 4.

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The meeting was called to order by **President Virgi Lindsay**.

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**President Lindsay** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4078, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning map, future land use map, photos of the subject area, staff report, application with exhibits and planning board meeting minutes.

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

**ORDER DENYING JEFFERY N. REED, SR. A REZONING FROM C80-C2 (LIMITED) COMMERCIAL SUBDISTRICT TO C3 (GENERAL) COMMERCIAL WITH A USE PERMIT TO OPERATE A USED CAR LOT FOR PROPERTY LOCATED AT 1500 HIGHWAY 80 WEST (PARCEL: 163-348), CASE NO. 4078.**

**WHEREAS**, Jeffery N. Reed, Sr. has filed a petition to rezone the property located at 1500 Highway 80 West (Parcel: 163-348), in the City of Jackson, First Judicial District of Hinds County, Mississippi, from C80-C2 (Limited) Commercial Subdistrict to C3 (General) Commercial with a Use Permit to operate a used car lot; and

**WHEREAS**, the Jackson City Planning Board, after holding the required public hearing, has recommended the denial of the rezoning of the property from C80-C2 (Limited) Commercial Subdistrict to C3 (General) Commercial with a Use Permit to operate a used car lot; 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, February 24, 2020 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 28, 2019 and December 12, 2019 that a hearing had been held by the Jackson City Planning Board on December 18, 2019, 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 deny the request to rezone the above described property from C80-C2 (Limited) Commercial Subdistrict to C3 (General) Commercial with a Use Permit to operate a used car lot; and

**WHEREAS**, the 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 the request in said application since any previous City Council action; and

**WHEREAS**, the Council, after having considered the matter, is also of the opinion that the proposed use will be detrimental to the continued use, value, or development of properties in the vicinity and that a Conditional Use Permit be denied to allow for the sale of used automobiles.

**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:

Land lying and being situated in Section 10, Township 5 North, Range 1-East, and being part of Block 23 and Block 24, College Park Addition, Part 2, and a parcel of land between the South line of Block 24, aforesaid and the North right of way line of U.S. Highway 80, and a parcel of land formerly known as a part of Powe Street, now closed, all being situated in the City of Jackson, First Judicial District, Hinds County, Mississippi and being more particularly described by meter and bounds in Exhibit (A).

That portion of Harrison Avenue extending from U.S. Highway 80 to Dansby Street in the City of Jackson, Section 10, Township 5 North, Range 1-East, First Judicial District of Hinds County, Mississippi.

**AND ALSO:**

Being part of Block 23 and Block 24, College Park Addition, Part 2, and a parcel of land between the South line of Block 24 aforesaid and the North right of way line of U.S. Highway 80, and a parcel of land formerly known as a part of Powe Street, now closed all being situated in the City of Jackson, First Judicial District of Hinds County, Mississippi, and being more particularly described by metes and bounds as follows:

Beginning at the Northwest corner of Lot 20, Block 23, College Park Addition, Part 2, and run thence Easterly along the line between the North half and the South half of said Block 23 for a distance of 211.0 feet to the Point of Beginning; continue thence Easterly, along the line between the North half and the South half of Block 23 for a distance of 189 feet to the Northeast corner of Lot 11 of said Block 23, run thence Southerly along the East line of Lot 11, Block 23, College Park Addition, Part 2, and said line extended to and along the East line of Lot 10, Block 24, College Park Addition, Part 2, and said line extended to the Northern right of way line of U.S. Highway 80 for a total distance of 300.1 feet, turn thence to the right through an angle of 96 degrees 04 minutes (interior angle of 83 degrees 56 minutes per Plat Description) and run Westerly along the Northern right of way line of said U.S. Highway 80 for a distance of 190.13 feet, turn thence to the right through an interior angle of 96 degrees 04 minutes and run Northerly, 279.91 feet to the point of beginning containing 1.258 acres, more or less, and also the West ½ of Harrison Avenue now closed, that is adjacent to the above described property.

The petition to rezone the property located at 1500 Highway 80 West (Parcel: 163-348) from C80-C2 (Limited) Commercial Sub-district to C3 (General) Commercial District is hereby denied.

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

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**President Lindsay** recognized **Jeffery N. Reed, Sr.**, Applicant, who spoke in favor to approve a Rezoning from C80-C2 (General) Commercial Subdistrict to C3 (General) Commercial use a Use Permit to operate a used car lot.

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**President Lindsay** recognized **Theresa King**, who spoke in opposition to approve a Rezoning from C80-C2 (General) Commercial Subdistrict to C3 (General) Commercial use a Use Permit to operate a used car lot.

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**President Lindsay** recognized **Felicia McClinton**, who spoke in opposition to approve a Rezoning from C80-C2 (General) Commercial Subdistrict to C3 (General) Commercial use a Use Permit to operate a used car lot.

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

Yeas- Banks, Foote, Lindsay, Priester and Tillman.

Nays- None.

Absent- Stamps and Stokes.

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**President Lindsay** recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Case No. 4082, 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 Lindsay** requested that the Clerk read the Order:

**ORDINANCE GRANTING FLOYD MARSHALL JR. A REZONING FROM R-1 (SINGLE-FAMILY) RESIDENTIAL DISTRICT TO C-2 (LIMITED) COMMERCIAL DISTRICT TO CREATE A MORE SUSTAINABLE AND VIABLE COMMERCIAL NODE ALONG THE MEDGAR EVERS CORRIDOR FOR THE PROPERTIES LOCATED AT 3733 MEDGAR EVERS BLVD (PARCEL 408-403) AND THE VACANT LOTS LOCATED ON PARCELS 408-405, 408-406, 408-407 AND 408-408, CASE NO. 4082.**

**WHEREAS**, Floyd Marshall Jr. has filed a petition to rezone properties located at 3733 Medgar Evers Blvd (Parcel 408-403) and the vacant lots located on Parcels 408-405, 408-406, 408-407 and 408-408, in the City of Jackson, First Judicial District of Hinds County, Mississippi, from R-1 (Single-family) Residential District to C-2 (Limited) Commercial District to create a more sustainable and viable commercial node along the Medgar Evers corridor; and

**WHEREAS**, the Jackson City Planning Board, after holding the required public hearing, has recommended the approval of the rezoning of the properties at 3733 Medgar Evers Blvd (Parcel 408-403) and the vacant lots located on Parcels 408-405, 408-406, 408-407 and 408-408 from R-1 (Single-family) Residential District to C-2 (Limited) Commercial District to create a more sustainable and viable commercial node along the Medgar Evers corridor; 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, February 24, 2020 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 January 2, 2020 and January 16, 2020, that a hearing had been held by the Jackson City Planning Board on January 22, 2020, 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 the rezoning of the properties located at 3733 Medgar Evers Blvd (Parcel 408-403) and the vacant lots located on Parcels 408-405, 408-406, 408-407 and 408-408 from R-1 (Single-Family) Residential District Residential District to C-2 (Limited) Commercial District; and

**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 properties and there is a public need for additional property in that area zoned in accordance with said application since any previous City Council action; and

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

**SECTION 1.** That the properties located in the City of Jackson, First Judicial District of Hinds County, Mississippi, more particular described as follows:

**Parcel #408-403**

Lot 8 BLK 12 ELRAINE RESY PT2 & THAT PT S ½ VACATED CARSON ST N OF & ADJ TO LOT 8

**Parcel #408-405**

Lot Ten (10), Block Twenty-two (22), Elaine Resurvey, Part Two, Hinds County, Mississippi a subdivision according to a map or plat thereof on file and of record in the office of the Chancery Clerk of Hinds County at Jackson, Mississippi, and being Plat Book four (4) at page 71, reference to which map or plat is hereby made in aid of and as part of this description.

**Parcel #408-406**

Lot 11 BLK 22 ELRAINE RESY PT2

**Parcel #408-407**

Lot Twelve 12, Block 22, ELRAINE RESY PT 2, Jackson, Hinds County, Mississippi

**Parcel #408-408**

N ½ of lot thirteen (13), Block 22, ELRAINE RESY PT 2, Jackson, Hinds County, Mississippi

Are hereby modified so as to approve the rezoning of the properties located at 3733 Medgar Evers Blvd (Parcel 408-403) and the vacant lots located on Parcels 408-405, 408-406, 408-407 and 408-408 from R-1 (Single-family) Residential District to C-2 (Limited) Commercial District to create a more sustainable and viable commercial node along the Medgar Evers corridor. However, that before for any structure is erected or use thereof on the said properties, 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 Lindsay** moved adoption; **Council Member Banks** seconded.

**President Lindsay** recognized **Floyd Marshall, Jr.**, Applicant, who spoke in favor to approve a Rezoning from R-1 (Single-Family) Residential District to C-2 (Limited) Commercial District to create a more sustainable and viable commercial node along the Medgar Evers corridor.

There was no opposition from the public.

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

Yeas- Banks, Foote, Lindsay, Priester and Tillman.  
Nays- None.  
Absent- Stamps and Stokes.

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**ORDER GRANTING EXTENSION OF SPECIAL EXCEPTIONS AND USE PERMITS FOR ONE YEAR.**

Coming for consideration are requests for the approval of the following for certification of renewal for one year and after the anniversary date of approval for Use Permit or Special Exceptions as follows:

CASE NO.	NAME	LOCATION	USE	GRANTED
SE-2949 Ward 3	Operation Shoestring	1709/1711 Bailey Ave.	Office/Youth Center	02/03/93



		Jackson, MS 39283		
3893 Ward 7 C-UP	Richard Myles	2771 Old Canton Rd.	Outdoor Venue for consumption of beers/cigars	02/23/15
3960 Ward 3 C-UP	James Addison	1805 Bailey Ave.	Night Club/General Restaurant	02/27/17
4003 Ward 2 C-UP	Shanta Galloway	4426 Hanging Moss Rd.	Commercial Day Care	02/26/18

IT IS HEREBY ORDERED by the Council of the City of Jackson that the said Use Permits and/or Special Exceptions be and the same are hereby extended for another year from and after the anniversary date granting said permits.

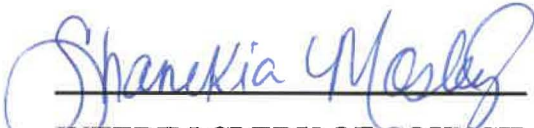
Council Member Banks moved adoption; Council Member Tillman seconded.

Yeas- Banks, Foote, Lindsay, Priester and Tillman.  
Nays- None.  
Absent- Stamps and Stokes.


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There being no further business to come before the City Council, it was unanimously voted to adjourn until the next Regular Council Meeting to be held at 10:00 a.m. on Tuesday, March 3, 2020. At 3:20 p.m., the Council stood adjourned.

PREPARED BY:

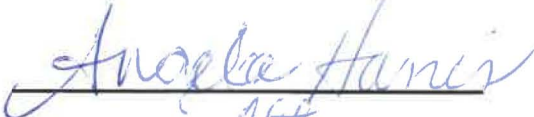
  
INTERIM CLERK OF COUNCIL

APPROVED:

  
MAYOR

3/12/2020  
DATE

ATTEST:

  
CITY CLERK

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