

**REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, FEBRUARY 27, 2023 2:30 P.M.**

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 27, 2023 being the fourth Monday of said month when and where the following things were had and done to wit:

Present: Council Members: Ashby Foote, Council President, Ward 1; Angelique Lee, Council Vice President, Ward 2; Aaron Banks, Ward 6 and Virgi Lindsay, Ward 7. 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; Brian Grizzell, Ward 4 and Vernon Hartley, Ward 5.

The meeting was called to order by **President Ashby Foote**.

President Foote recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4190, 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 Foote requested that the Clerk read the Order:

ORDINANCE GRANTING GEOVON MARTIN A REZONING FROM I-1 (LIGHT) INDUSTRIAL DISTRICT AND I-2 (HEAVY) INDUSTRIAL DISTRICT & TO C-3 (GENERAL) COMMERCIAL DISTRICT TO ALLOW FOR THE CONVERSION OF THE PROPERTY TO A PERSONAL CARE\ASSISTED LIVING FACILITY WHICH EXCEEDS THIRTEEN (13) RESIDENTS FOR THE PROPERTY LOCATED AT 911 PALMYRA ST. (PARCEL 91-41-4), CASE NO. 4190.

WHEREAS, Geovon Martin has filed a petition to rezone the property located at 911 Palmyra St. (Parcel 91-41-4), in the City of Jackson, First Judicial District of Hinds County, Mississippi, from I-1 (Light) Industrial District and I-2 (Heavy) Industrial District to C-3 (General) Commercial District to allow for the conversion of the property to a personal care\assisted living facility which exceeds thirteen (13) residents; and

WHEREAS, the Jackson City Council on December 19, 2022 after considering the matter, remanded the Case to the Jackson City Planning Board for the January 23, 2023 Planning Board +Hearing to allow for a community meeting to gather input from the residents and other stakeholders in addition to addressing concerns relative to the safety measures associated with the operation of the proposed facility; 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 and I-2 (Heavy) Industrial District to C-3 (General) Commercial District to allow for the conversion of the property to a personal care\assisted living facility which exceeds thirteen (13) residents; 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 27, 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 October 27, 2022 and November 10, 2022 that a hearing had been held by the Jackson City Planning Board on January 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 offered the recommendation to rezone the above described property from I-1 (Light) Industrial District and I-2 (Heavy) Industrial District to C-3 (General) Commercial District; and

WHEREAS, the Jackson City Council after having considered the matter, is of the opinion that such changes would be in keeping with sound land use practice and to the best interest of the City and that there has been a substantial change in the land use character of the surrounding area that justifies rezoning the property and there is a public need for additional property in that area zoned in accordance with the request in said application since any previous Jackson City Council action.

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

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

Parcel IA, Palmyra Street:

Part of Block "H" of Glendale Subdivision in the City of Jackson, Mississippi and being more particularly described by metes and bounds as follows, to-wit:

Beginning at a point on the West line of Palmyra Street (formerly called Sharkey and/or Stone Street) which point is a distance of 325 feet measured Southerly and along the West line of Palmyra Street from the intersection of the West line of Palmyra Street with the South line of Carnes Street as both streets were laid out and improved, November, 1959, in the City of Jackson, Mississippi, from this point of beginning run thence Southerly and along the West line of Palmyra Street for a distance of 75 feet; run thence Westerly and parallel with the South line of Carnes Street for a distance of 200 feet; run thence Northerly and parallel with the West line of Palmyra Street for a distance of 75 feet; run thence Easterly and parallel with the South line of Carnes Street for a distance of 200 feet to the point of beginning.

Being the same tract of land conveyed to Goodwill Industries of Mississippi, Inc. By Deed recorded in Chancery Clerk's office in Jackson, Hinds County, Mississippi, at Book 1188 Page 83.

Parcel 1B, Palmyra Street:

Part of 10.23 Acre Lot Four (4) of Block One (1) Mercerville Addition and a part of Glendale Subdivision in the City of Jackson, Mississippi, and being more particularly described by metes and bounds as follows, to-wit:

Beginning at a point on the West line of Palmyra Street (formerly called Sharkey Street and/or Stone Street) which point is a distance of 200 feet measured Southerly and along the West line of Palmyra Street from the intersection of the West line of Palmyra Street with the South line of Carnes Street, as both were laid out and improved in November, 1959, in the City of Jackson, Mississippi, said, point of beginning also being the Southeast corner of that certain lot or parcel of land conveyed to Wooley Bros., by deed dated June 4, 1959 and recorded in Deed Book 1130 at Page 221 in the office of the Hinds County Chancery Clerk at Jackson, Mississippi, reference to, which, is made in aid hereof; and from this point of beginning run thence Southerly and along the West line of Palmyra Street for a distance of 125 feet; run thence Westerly and parallel with the South line of Carnes Street for a distance of 200 feet; run thence Southerly and parallel with the West line of Palmyra Street for a distance of 75 feet; run thence Westerly and parallel with the South line of Carnes Street for a distance of 255 feet, more or less, to the West line of certain property as described in that conveyance of Anderson to Hobgood, June 17, 1955, as of record in Deed Book 920 at Page 375 in the office of the Rind's County Chancery Clerk at Jackson, Mississippi; run thence Northeasterly and along the West line of said property for a distance of 205 feet, more or less, to the Southwest corner of the aforesaid lot; thence Easterly, parallel with the South line of Carnes Street and along the South line of the aforesaid Wooley Bros. Lot for a distance of 410 feet, more or less, to the point of beginning.

Being the same tract of land conveyed to Goodwill Industries of Mississippi, Inc. By Deed recorded in Hinds County, Mississippi, at Book 1 188 Page 83.

Parcel 2:

Lots 5 and 7, Block "C" of Glendale Subdivision, as recorded in Plat Book 1, Page 88 of the public records of Hinds County, at Jackson, Mississippi: **EXCEPTING THEREFROM** a triangular shaped parcel of land located in the Southwest Corner of said Lot 7, measuring 10.00 feet along the West Lot Line and 5.00 feet along the South Lot Line.

is hereby modified so as to approve the rezoning of the property located at 911 Palmyra St. (Parcel 91-41-4) from I-1 (Light) Industrial District and I-2 (Heavy) Industrial District to C-3 (General) Commercial District to allow for the conversion of the property to a personal care\assisted living facility which exceeds thirteen (13) residents. However, that before any structure is erected or use thereof on the said property, the applicant must meet the requirements established through the Site Plan Review process. The Zoning Administrator is ordered to note such change on the Official Zoning Map to the City of Jackson, Mississippi.

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

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

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

President Foote recognized **Geovan Martin, Applicant** and **Sandra Price, Attorney for Applicant**, who spoke in favor of a Rezoning from I-1 (Light) Industrial District & I-2 (Heavy) Industrial District to C-3 (General) Commercial District to allow for the conversion of the property to a personal care\assisted living facility which exceeds thirteen (13) residents.

There was no opposition from the public.

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

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

President Foote recognized Zoning Administrator **Ester Ainsworth** who provided the Council with a procedural history of Zoning Case No. 4197, 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 Foote requested that the Clerk read the Order:

ORDER GRANTING SURINDER P. KAUR & GURJEET SINGH A 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-2 (LIMITED) COMMERCIAL DISTRICT FOR PROPERTY LOCATED AT 6080 HIGHWAY 18 WEST. (PARCEL 835-58), CASE NO. 4197.

WHEREAS, Surinder P. Kaur & Gurjeet Singh 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-2 (Limited) Commercial District for the property

located at 6080 Highway 18 West. (Parcel 835-58) 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 and with the additional condition that the property cannot be used as a convenience type grocery store for the duration of the operation of the liquor store within a C-2 (Limited) Commercial District for the property located at 6080 Highway 18 West. (Parcel 835-58); 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 27, 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 January 5, 2023 and January 19, 2023 that a hearing had been held by the Jackson City Planning Board on January 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 had recommended approval of the petitioned Use Permit within the existing C-2 (Limited) Commercial District of the City of Jackson; and

WHEREAS, the Jackson City Council, after having considered the matter, is of the opinion that a Use Permit for the subject property located within the existing C-2 (Limited) Commercial District of the City of Jackson. be granted based upon the proposed use not being detrimental to the continued use, value, or development of properties in the vicinity; 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:

A PARCEL OF LAND CONTAINING 0.697 ACRES SITUATED IN THE SOUTH HALF OF SECTION 15, T4N-R1 W, JACKSON, HINDS COUNTY, MISSISSIPPI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE INTERSECTION OF THE SOUTH BOUNDARY OF THE L.J. JACKSON PARTITION WITH THE WEST RIGHT-OF-WAY LINE OF MISSISSIPPI HIGHWAY 18 AND RUN SOUTH 88 DEGREES 51 MINUTES 00 SECONDS WEST ALONG SAID SOUTH BOUNDARY FOR A DISTANCE OF 1502.93 FEET; LEAVING SAID SOUTH BOUNDARY, RUN THENSE SOUTH 50 DEGREES 31 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 323.15 FEET TO THE CENTERLINE OF A PROPOSED ROADWAY; THEN SOUTH 00 DEGREES 26 MINUTES 00 SECONDS WEST ALONG SAID CENTERLINE FOR A DISTANCE OF 624.5 FEET; LEAVING SAID CENTERLINE, THENSE NORTH 60 DEGREES 53 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 234.23 FEET; CONTINUE THENSE NORTH 60 DEGREES 53 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 150.00 FEET; THENSE SOUTH 32 DEGREES 09 MINUTES AND 00 SECONDS EAST FOR A CONTINUE THENSE SOUTH 32 DEGREES 09 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 210.70 FEET TO THE NORTHERN RIGHT-OF-WAY LINE OF MISSISSIPPI HIGHWAY 18; 1 THENSE SOUTHWESTERLY, CLOCKWISE ALONG THE ARC OF A CURVE ON SAID WESTERN RIGHT-OF-WAY LINE FOR A DISTANCE OF 141.03 FEET, SAID CURVE HAVING A CENTRAL ANGLE OF 04 DEGREES 09 MINUTES 37 SECONDS, A RADIUS OF 1942.23 FEET AND A CHORD BEARING OF SOUTH 57 DEGREES 13 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 14 1.00 FEET; LEAVING SAID WESTERN RIGHT-OF-WAY LINE, RUN THENCE

NORTH 33 DEGREES 50 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 208.96 FEET; THENCE NORTH 56 DEGREES 3 1 MINUTES 50 SECONDS EAST FOR A DISTANCE OF 147.17 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL IS THE SAME PROPERTY AS DESCRIBED IN DEED BOOK PAGE 5926 AT PAGE 101.

TOGETHER WITH AN EASEMENT FOR SEWER FACILITES, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING SITUATED IN THE SOUTH HALF OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 1 WEST, HINDS COUNTY, MISSISSIPPI AND BEING MORE PARTICULARY DESCRIBED AS FOLLOWS:

COMMENCE AT THE POINT OF INTERSECTION OF THE SOUTH PROPERTY LINE OF THE L. J. JACKSON PARTITION WITH THE WEST RIGHT OF WAY LINE OF MISSISSIPPI STATE HIGHWAY 18; THENCE RUN SOUTH 88° 51' WEST ALONG SAID SOUTH L. J. JACKSON PROPERTY LINE A DISTANCE OF 1,502.93 FEET; THENCE RUN SOUTH 50° 31' EAST A DISTANCE OF 323.15 FEET TO A POINT ON THE CENTERLINE OF A 60 FOOT PROPOSED STREET; THENCE RUN SOUTH 00° 26' WEST ALONG SAID CENTERLINE OF A PROPOSED STREET A DISTANCE OF 624.5 FEET; THENCE RUN NORTH 60° 53' EAST A DISTANCE OF 234.23 FEET TO A POINT; THENCE RUN NORTH 60° 53' EAST A DISTANCE OF 150 FEET; THENCE RUN SOUTH 32° 09' EAST A DISTNACE OF 75 FEET; THENCE RUN SOUTH 58° 01' WEST A DISTANCE OF 147.31 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED EASEMENT FOR SWER FACILITIES; RUN THENCE NORTH 33° 50' WEST A DISTANCE OF 25 FEET; RUN THENCE NORTH 58° 01' EAST 40 FEET, MORE OR LESS, TO THE EDGE OF THE EXISTING DIRECTION ALONG THE EDGE OF THE SAID PAVEMENT TO THE BOUNDARY

LINE SEPARATING THE PROPERTY OF WILLIAM B. LAW AND RICKY ROBERTS FROM THE PROPERTY OF VICKSBURG LP-GAS COMPANY; RUN THENCE ALONG THE SAID BOUNDARY LINE, SOUTH 58° 01' WEST TO THE POINT OF BEGINNING.

be and is hereby modified so as to approve 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 and with the additional condition that the property cannot be used as a convenience type grocery store for the duration of the operation of the liquor store for the property located at 6080 Highway 18 West. (Parcel 835-58) within a C-2 (Limited) Commercial District. 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 Lindsay** seconded.

President Foote recognized **Surinder P. Kaur, Applicant**, who spoke in favor of a Use Permit within a C-2 (Limited) Commercial District to allow for a liquor store in a neighborhood shopping center and not in combination with a convenience type grocery store or service station.

There was no opposition from the public.

President Lee recognized **Vice President Lee** and **Council Member Lindsay** who withdrew their motion and second. Said item would be table until the next Regular Zoning Meeting on March 20, 2023.

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:

**REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, FEBRUARY 27, 2023 2:30 P.M.**

CASE NO.	NAME	LOCATION	USE	GRANTED
SE -2949 Ward 3	Operation Shoestring	1711 Bailey Ave. Jackson, MS 39203	Office/Youth Center	02/03/93
3960 Ward 3 C-UP	James Addison	1805 Bailey Ave. Jackson, MS 39203	Night Club/General Restaurant	02/27/17
SE -4114 Ward 7	Jabaz Reeves	239 Ferguson Dr. Jackson, MS 39204	Private Kennel	03/01/21
SE - 4027 Ward 7	Matthew McLaughlin	1704 North State St. Jackson, MS 39202	Professional Office	1/28/19
4111 Ward 7 C-UP	Dericka Norwood	3821 I-55 South Jackson, MS 39203	Tattoo Parlor	01/25/21
SE -4155 Ward 4	Rosemont Human Services, Inc.	3801 Officer Thomas Catchings Sr. Dr. Jackson, MS 39209	Residential Community Center	01/24/22
SE - 2331 Ward 3	New Testament M.B. Church	2702 Holmes Ave. Jackson, MS 39213	Church on less than 1 acre	12/5/84

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 Banks** seconded.

Yeas – Banks, Foote, Lee and Lindsay.

Nays – None

Absent – Grizzell, Hartley and Stokes.

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, February 28, 2023. At 3:01 p.m., the Council stood adjourned.

PREPARED BY:

Shanekia Moley-Bondan
CLERK OF COUNCIL

APPROVED:

[Signature], 3/14/2023
COUNCIL PRESIDENT DATE

[Signature]
MAYOR

ATTEST:

Angela Harris
CITY CLERK
