

**REGULAR ZONING MEETING OF THE CITY COUNCIL
MONDAY, FEBRUARY 26, 2024 2:30 P.M.**

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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 26, 2024, 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; Angelique Lee, Council Vice President, Ward 2; Ashby Foote, Ward 1 (via teleconference); Kenneth I. Stokes, Ward 3; Brian Grizzell, Ward 4 (via teleconference); Vernon Hartley, Ward 5 and Virgi Lindsay, Ward 7. Directors: Shanekia Mosley, Clerk of Council; Sabrina Shelby, Deputy Clerk of Council; Ester Ainsworth, Zoning Administrator and Kristie Metcalfe, Deputy City Attorney.

Absent: None.

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

President Banks requested that Agenda Item No. 4, 5 and 2 be moved forward on the Agenda. Hearing no objections, the following was discussed:

Cancelled Special Exceptions\Use Permits – No Action Required

(Ward 7) SE 4114 – Jabaz Reeves – 239 Ferguson Dr. (Parcel 207-48)

- Special Exception was granted to Jabaz Reeves on March 01, 2021 to operate a Private Kennel for up to five (5) canines within a R-1 (Single-family) Residential District.
- Cancellation was based upon **non-response** from the grantee by the deadline date of **February 12, 2024**.

Note: Council Member Stokes and Council Member Grizzell joined the meeting.

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-2949 Ward 3	Operation Shoestring	1711 Bailey Ave. Jackson, MS 39203	Office/Youth Center	02/03/93
3960 Ward 3	James Addison	1805 Bailey Ave. Jackson, MS 39203	Night Club/General Restaurant	2/17/17
C-UP SE-4027 Ward 7	Matthew McLaughlin	1704 North State St. Jackson, MS 39202	Professional Office	1/28/19

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SE-4195	1990 Pleasant Ave.	Residential	
Ward 7	Aaron Honeysucker Jackson, MS 39202	Community Center	1/23/23

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; Vice President Lee seconded.

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

Nays – None.

Absent – Hartley.

There came on for consideration Agenda Item No. 2:

ORDER GRANTING MICHAEL HOLLIMON A USE PERMIT TO ALLOW FOR THE PLACEMENT OF A MANUFACTURED HOUSE WITHIN A R-2 (SINGLE & TWO FAMILY) RESIDENTIAL DISTRICT ON THE PROPERTY LOCATED AT 0 POWELL RHODES DR. (PARCEL 107-194) CASE NO. 4241.

President Banks recognized Council Member Stokes who moved, Vice President Lee seconded to have Case No. 4241 remanded back to the Planning Board for further consideration by the newly appointed Ward 3 board member. The motion prevailed by the following vote:

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

Nays – None.

Absent – Hartley.

President Banks requested that Agenda Item No. 3 be moved forward on the Agenda. Hearing no objections, the following was discussed:

President Banks recognized Zoning Administrator Ester Ainsworth who provided the Council with a procedural history of Appeal of Zoning Violation Case No. 2023-12.22, including all applicable ordinances, statutes, and a brief review of documents included in the Council agenda packets which were the applicable zoning violation report, photos of the subject area, staff report, zoning violation letters with exhibits and planning board meeting transcript.

President Banks requested that the Clerk read the Order:

ORDER DETERMINING THAT THE PROPERTY LOCATED AT 1740 HWY 80 W (PARCEL 163-424) HAS BEEN OPERATING AS AN EXTENDED STAY HOTEL WHICH IS IN VIOLATION OF SECTION 706.06.1-B FOR USES PERMITTED IN THE C80-C2 (LIMITED) COMMERCIAL DISTRICT AND REQUIRING THE OWNER OF THE SUBJECT PROPERTY TO SUBMIT A ZONING ACTION APPLICATION TO REZONE THE PROPERTY FROM C80-C2 (LIMITED) COMMERCIAL SUBDISTRICT TO C80-C3 (GENERAL) COMMERCIAL SUBDISTRICT AND RECEIVE CLEARANCE FROM THE SITE PLAN REVIEW PROCESS TO ALLOW FOR THE OPERATION OF A HOTEL AT THE PROPERTY LOCATED AT 1740 HWY 80 W (PARCEL 163-424).

WHEREAS, on December 21, 2023, the Zoning Administrator provided a Notice of Violation to Shree Mtaji LLC/ Singh, Piyush Patel, the property owner of 1740 Hwy 80 W (Parcel 163-424), that subject property was being operated as an extended stay hotel/apartments which was violation of Section 706.06.1-B of the City of Jackson Zoning Ordinance in the City of Jackson, First Judicial District of Hinds County, Mississippi; and

WHEREAS, in response to the Notice of Violation, Shree Mtaji LLC/ Singh, Piyush Patel filed a Notice of Appeal of the Zoning Administrator's Decision, wherein they asserted that the property was not in violation of the alleged violations and requested a hearing date to challenge the asserted violations for the subject property; and

WHEREAS, the Jackson City Planning Board held the requested Appeal Hearing on January 24, 2023 and recommended that the a violation of Section 706.06.1-B for the C80-C2 (Limited) Commercial Subdistrict does exist due to the non-permitted operation of an extended stay hotel/apartments in the Subdistrict for the property located at 1740 Hwy 80 W (Parcel 163-424) and in order to allow for the operation of a motel at the location , the owner/operator be required to apply for a non-conforming use status or a rezoning to C80-C3 (General) Commercial Subdistrict and to receive clearance from the Site Plan Review process for the proposed renovation of the property; and

WHEREAS, the Jackson City Council, after having considered the matter, is of the opinion that the subject property is in violation of Section 706.06.1-B of the City of Jackson Zoning Ordinance for the C80-C2 (Limited) Commercial Subdistrict due to the non-permitted operation of an extended stay hotel/apartments in the Subdistrict for the property located at 1740 Hwy 80 W (Parcel 163-424).

NOW, THEREFORE, BE IT ORDERED BY THE COUNCIL OF THE CITY OF JACKSON, MISSISSIPPI that the Appellant, Shree Mtaji LLC/ Singh, Piyush Patel submit a Zoning Action Application for the rezoning of the subject property from C80-C2 (Limited) Commercial Subdistrict to C80-C3 (General) Commercial Subdistrict and receive Site Plan Review Clearance to allow for the operation of a motel on the property located at 1740 Hwy 80 W (Parcel 163-424).

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

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

Nays – None.

Absent – None.

Note: Council Member Hartley 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. 4240, 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 TONIA LOUISVILLE-JONES & RODDRICK JONES, SR. A CONDITIONAL USE PERMIT TO ALLOW FOR A COMMUNITY RECREATIONAL CENTER WITHIN A C-3 (GENERAL) COMMERCIAL DISTRICT FOR THE PROPERTY LOCATED AT 6204 N. STATE ST. (PARCEL 709-37) CASE NO. 4240.

WHEREAS, Tonia Louisville-Jones & Roddrick Jones, Sr. 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 6204 N. State St. (Parcel 709-37) 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 6204 N. State St. (Parcel 709-37); 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 26, 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 January 4, 2024 and January 18, 2024 that a hearing would be held by the Jackson City Planning Board on January 24, 2024, 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 6204 N. State St. (Parcel 709-37) 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:

LOTS 6 7 & 8 BLK B BEVERLEY HGTS PT 1 LESS TO CITY FOR ST

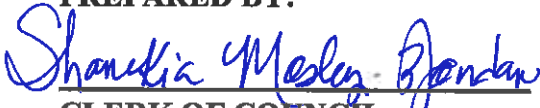
be and is hereby modified so as to approve a Conditional Use Permit to operate a community recreational center within a C-3 (General) Commercial District for the property located at 6204 N. State St. (Parcel 709-37). The Conditions of the Use Permit shall be that it is granted on an annual basis; that it be granted to Tonia Louisville-Jones & Roddrick Jones, Sr., 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.

Note: Said item failed due for lack of motion.

President Banks recognized **Tonia Louisville-Jones, Applicant**, who spoke in favor of a Use Permit to allow for the operation of a community recreational (event venue) within a C-3 (General) Commercial District.

There was one letter of opposition received from the public.

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 27, 2024. At 2:58 p.m., the Council stood adjourned.

PREPARED BY:

CLERK OF COUNCIL

APPROVED:

COUNCIL PRESIDENT 3/19/2024
DATE



MAYOR

ATTEST:


CITY CLERK
