AGENDA CITY BOARD OF ZONING APPEALS JACKSON CITY HALL—101 EAST MAIN STREET—FIRST FLOOR GEORGE A. SMITH MEETING ROOM September 25, 2023 – 3:30 P.M.

- I. CALL TO ORDER/DETERMINATION OF QUORUM
- II. ELECTION OF OFFICERS
- III. APPROVAL OF MINUTES OF THE APRIL 24, 2023 MEETING
- IV. PUBLIC HEARINGS:
 - 1. Consideration of a special exception request by Shahzad Shah to approve a laser aesthetic and noninvasive pain treatment facility at 716 North Highland Avenue within the RG-2/H (General Residential/Historic) District.
 - Consideration of a special exception request by JB Partners for approval to expand the existing TriStar Self-Service Storage Facility Type I located at 64 North Star Drive & 929 Old Humboldt Road onto the adjacent property located at 44 North Star Drive within a B-5 (Highway Business) District.
 - 3. Consideration of a special exception request by Averitt Properties to approve a new distribution facility on the property located 90 Pipkin Road within the B-5 (Highway Business) District.
- V. OTHER BUSINESS
- VI. ADJOURNMENT

MINUTES CITY BOARD OF ZONING APPEALS JACKSON CITY HALL—101 EAST MAIN STREET—FIRST FLOOR GEORGE A. SMITH MEETING ROOM APRIL 24, 2023--3:30 P.M.

Members Present:

Mamie Hutcherson

Pat Ross Max Hart

Janna Hellums

Staff Present:

Elvis Hollis, Senior Planner

The meeting was called to order upon Chair Mamie Hutcherson making a determination of a quorum.

The minutes of January 23, 2023 were unanimously approved on motion of Januar Hellums and seconded by Pat Ross.

Consideration of a special exception request by Dakota O'Bryant, on behalf of Steve Catalano, for approval to construct and operate a drive-thru restaurant on the property located at 2757 North Highland Avenue within the O-C (Office-Center) District. — Mr. Hollis presented the request to the board. Mr. Hollis stated that the applicant has submitted a site plan showing a multi-tenant building containing 5,700 square feet and a drive-thru restaurant containing 2,000 square feet. The proposed development will have a total of 80 parking spaces. There will be one curb cut for entrance and exit. It appears that all zoning requirements can be met.

The O-C (Office Center) District allows restaurants, excluding drive-in or quick service type facilities, as a use permitted as special exceptions. The Board of Zoning Appeals may permit uses as special exceptions that are similar in character to those allowed in the district and will not be injurious to the district. Since the pandemic, many restaurants have gone to a carry-out or drive-thru model with less in-restaurant dining. It is harder to distinguish one type of restaurant from another. Therefore, the planning staff recommends approval of this request.

David Abbey, Development Management Group, was present to represent this appeal. He stated that the proposed Dunkin Donuts will be primarily drive-thru with a few in house seats.

Afterwards, Mr. Hollis also added that the City Zoning Ordinance is currently undergoing a rewrite.

The motion was made by Max Hart and seconded by Janna Hellums to approve the special exception request to construct and operate a drive-thru restaurant on the property located at 2757 North Highland Avenue request as recommended by the staff. Motion passed unanimously.

Consideration of a special exception request by Secure Storage of Jackson for approval to construct a self-service storage facility type II on the property located south of Herron Grove Road and east of Southcreek Drive within the B-5 (Highway Business) District – Mr. Elvis presented the request to the board. Mr. Hollis stated the Board of Zoning Appeals may permit as special exception a self-service storage facility type II, as regulated by the City of Jackson Zoning Ordinance Article VI, Section 21. As required by the ordinance, the applicants have submitted all the proper documentation for review. (See packet)

The property contains approximately 10.53 acres or 458,570 square feet. The applicants have submitted a preliminary site plan that shows that there will be one (1) office building, thirteen (13) self-service storage buildings, and two (2) climate-controlled buildings containing a total of 113,090 square feet. This would be in compliance with the fifty percent (50%) maximum lot coverage requirement.

According to the City of Jackson Zoning Ordinance Article VI, Section 21, self-storage facility type II must meet all regulations. (See packet)

The site plan shows that all zoning requirements can be met. Therefore, the planning staff recommends approval of this request with the following conditions:

- 1. All grading, structures, or development of any kind within the AE Flood zone will need appropriate documentation from the flood administrator or FEMA prior to construction.
- 2. The proposed development must go through the site review process. The design review will take place during this process.
- 3. The extension of Southcreek Drive must be completed before the issuance of the final Certificate of Occupancy.
- 4. The properties must be combined by final plat.

Afterwards, Max Hart questioned the buffering and lighting for the storage facility.

Brandon White and Robert Safin, TLM Associates, Inc., were both present to represent this appeal. Mr. White addressed the buffering and stated that there will be a 6ft wrought iron privacy fence with slats placed around the facility. Mr. Safin addressed the lighting and stated that the requirements for the lighting is to have the lights focused

on the property. He also added that there will be trees landscaped between the fence and property line for additional privacy.

The motion was made by Max Hart and seconded by Pat Ross to approve the appeal as recommended by the staff. Motion passed unanimously.

There being no further business, the meeting was adjourned.

PLANNING STAFF REPORT

The following is the staff report for the appeal under review by the Board of Zoning Appeals at the September 25, 2023 meeting:

Shahzad Shah

Consideration of a special exception request by Shahzad Shah to approve a laser aesthetic and noninvasive pain treatment facility at 716 North Highland within a RG-2/H (General Residential/Historic) District. Attached is a copy of the letter of justification submitted by the applicant.

Shahzad Shah will be utilizing approximately 2,290 square feet of office space on the first floor of the house. Mr. Shah said that the second floor and the basement will remain vacant. There will be ten (10) parking spaces provided on the premises. This property was previously used as Becky's School of Music & Theory. The historic zoning designation of this property would allow the office use as a special exception, if approved by the Board of Zoning Appeals.

Article V Section 6, C, 11. In Historic Districts only, under certain limited conditions:

- a. Museums;
- b. Offices;
- c. Business and professional services;
- d. Standard restaurants;
- c. Such other uses as may be in keeping with this section and are not incompatible with other uses in the district.

The off-street parking area on the property is adequate to accommodate the limited amount of office space that would be utilized at this time. The planning staff recommends approval of the request contingent upon the following:

- 1. Approval must be granted by the Jackson-Madison County Historic Zoning Commission for any exterior alterations to the house and for the placement of any signs on the premises.
- 2. Approval must be granted by the Planning Commission for the parking lot addition that would be required in order to utilize more office space in the house.
- 3. All applicable building permits must be obtained before any modification of the buildings.

JB Partners

Consideration of a special exception request by JB Partners for approval to expand the existing TriStar Self-Storage Facility Type I located at 64 North Star Drive & 929 Old Humboldt Road onto the adjacent property located at 44 North Star Drive within the B-5 (Highway Business) District. The Board of Zoning Appeals may permit as special exception a self-service storage facility, as regulated by the City of Jackson Zoning

Ordinance Article VI, Section 21. As required by the ordinance, the applicants have submitted all the proper documentation for review. (See packet)

The property located at 44 North Star Drive contains approximately 1.2 acres or 52,441 square feet. The applicants have submitted a preliminary site plan that shows four (4) proposed new buildings totaling 12,550 square feet. The total proposed building lot coverage would be twenty-four (24%) which would be in compliance with the forty percent (40%) maximum lot coverage requirement. The storage facility will not have an office.

The zoning provisions governing self-service storage facilities:

*SECTION 21

- C. TYPE I SPECIFIC PROVISIONS
- 1. Interior driveways between mini-warehouses shall be a minimum of forty feet (40') in width.
- 2. Individual storage units shall not exceed 200 square feet.
- 3. Woven wire fencing is permitted.
- 4. Metal clad and vinyl siding is permitted.
- 5. Maximum lot coverage 40 percent.

The site plan shows that all zoning requirements can be met. Therefore, the planning staff recommends approval of this request with the following conditions:

- 1. The proposed development must go through the site review process.
- 2. The site must be provided with a 20% minimum of green space.

Averitt Properties

Consideration of a special exception request by Averitt Properties to approve a new distribution facility on the property located at 90 Pipkin Road within the B-5 (Highway Business) District. As required by the ordinance, the applicants have submitted all the proper documentation for review. (See packet)

The property located at 90 Pipkin Road contains approximately 16.79 acres. The applicants have submitted a preliminary site plan that shows one (1) proposed building on the property totaling 114,665 square feet. The total proposed building lot coverage is sixteen (16%) which would be in compliance with the forty percent (40%) maximum lot coverage requirement. There will be fifty-three (53) parking spaces provided on the premises.

In the B-5 District, Board of Zoning Appeals approval is required for wholesale and distribution establishments involving over 5,000 square feet of storage of wares to be wholesaled or distributed. The applicants appear to be able to meet the provisions of the City of Jackson Zoning Ordinance. Therefore, the planning staff would recommend approval of a new distribution facility at this location, as proposed by the applicants.

JBZA-23-8

Board of Zoning Appeals

Application Status: Active

Submitted On: 9/1/2023

Primary Location

No location

Applicant

Shahzad Shah

3 731-803-3500

@ shezishah@gmail.com

88 Breuington Dr Jackson, TN 38305

Applicant Information

Applicant Name*

Shahzad Shah

Applicant Address*

88 Breuington Dr

Applicant City*

Jackson

Applicant State*

ΤN

Applicant Zip*

38305

Applicant Phone*

7318033500

Applicant Email*

shezishah@gmail.com

Property Information

Type of Request*

Planning Region*

Special Exception Request

City

Describe and Justify Request*

This is a great hostorial area of Jackson that has no laser aesthetic and non invasive medical treatment available. We have the opportunity to bring cutting edge laser hair removal and skin care with pain management in this area of Jackson, TN.

We will have licensed and professional reovators make the building meet city codes and above prior to its use. We will like to get the approval to proceed with our plan prior to the renovations and then also have historical devision give us their clearence.

Address of Subject Property*

716 N Highland Ave, Jackson TN 38301

Note

A PRE-APPLICATION CONFERENCE WITH ELVIS HOLLIS IS REQUIRED BEFORE SUBMITTAL OF THIS APPLICATION. TO MAKE AN APPOINTMENT PLEASE CALL 731-425-8283 OR EMAIL AT EHOLLIS@JACKSONTN.GOV.

Proposed Facility: We aim to establish a cutting-edge laser hair removal and laser skincare facility, equipped with the latest technology and staffed by certified professionals.

Services Offered:

- 1. Laser Hair Removal: A procedure that utilizes light to target hair follicles, inhibiting future hair growth without causing damage to the skin.
- 2. Skin Rejuvenation: Procedures designed to improve skin texture, reduce wrinkles, and diminish age spots.
- 3. Scar Reduction: Advanced laser techniques to reduce the appearance of scars.
- 4. Provide non invasive pain treatment using cutting edge sound wave technology that is above and beyond PT, surgery and has shown excellent results including treatments for skin wounds in diabetics and peripheral vascular disease.
- 5. Additional Treatments: As the industry evolves, we anticipate introducing more services based on client demand and technological advancements.

Location and Layout:

The proposed facility will occupy a space of approximately first floor of 716 N Highland Ave, Jackson TN 38301. It will include 3 treatment rooms, a reception area, a waiting room, and restrooms. The design will be modern and aesthetically pleasing on the inside and preserving the outside to confirm with the historical landscape, ensuring it enhances the local area.

Justification:

- 1. Meeting Community Needs: With cosmetic treatments gaining popularity, there's a notable gap in downtown Jackson for such specialized services. Our establishment would cater to this growing demand.
- 2. Economic Boost: Establishing our facility could bolster the local economy in several ways:
- Job Creation: Hiring local professionals, including skincare specialists, reception staff, and facility maintenance personnel.
- Increased Commerce: Our clients, often seeking services over multiple sessions, would likely patronize nearby businesses, including cafes, restaurants, and shops.
- 3. Safety Commitment: There's a risk to the public from unregulated or lesser-quality treatment centers. We pledge:
 - To employ only certified professionals and have well trained staff

- To use FDA-approved equipment.
- To maintain a sterile environment, exceeding industry standards.
- 4. Community Integration: Our facility would have minimal noise pollution and no industrial byproducts. Our building has excellent parking availability and driveway allowing for easy access.
- 5. Wellness Contribution: Beyond the cosmetic, our services contribute to physical well-being. This includes improvement form pain.
- 6. Sustainable Practices: We commit to implementing eco-friendly practices. This includes using energy-efficient machines, minimizing waste, and promoting recycling.
- 7. Traffic and Parking Strategy: Acknowledging potential concerns about increased traffic:
 - We will provide ample on-site parking.
- Our appointment-based system will distribute client visits throughout the day, mitigating any surge in local traffic.
- If feasible, we'll collaborate with local transportation systems to promote alternative modes of transport for our clients.
- 8. Community Engagement: Prior to opening, we propose to reach electronically to our community to make them aware of our treatments, equipment and efficacy of treatment.

DERMABLATE

The Most Powerful, Versatile, and Controllable Erbium Laser in the World





THE INDUSTRY-LEADING ERBIUM:YAG LASER

HOMOGENOUS
BEAM PROFILE
FOR SAFE,
PRECISE, AND
MORE EFFECTIVE
TREATMENTS



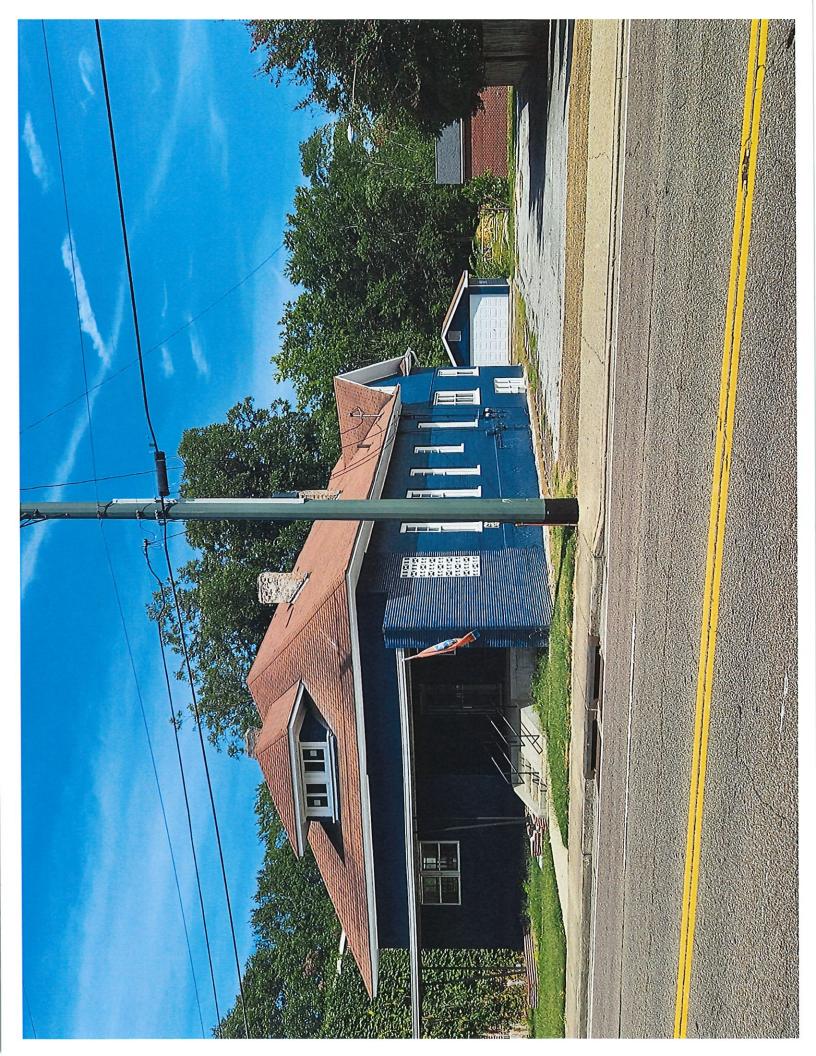
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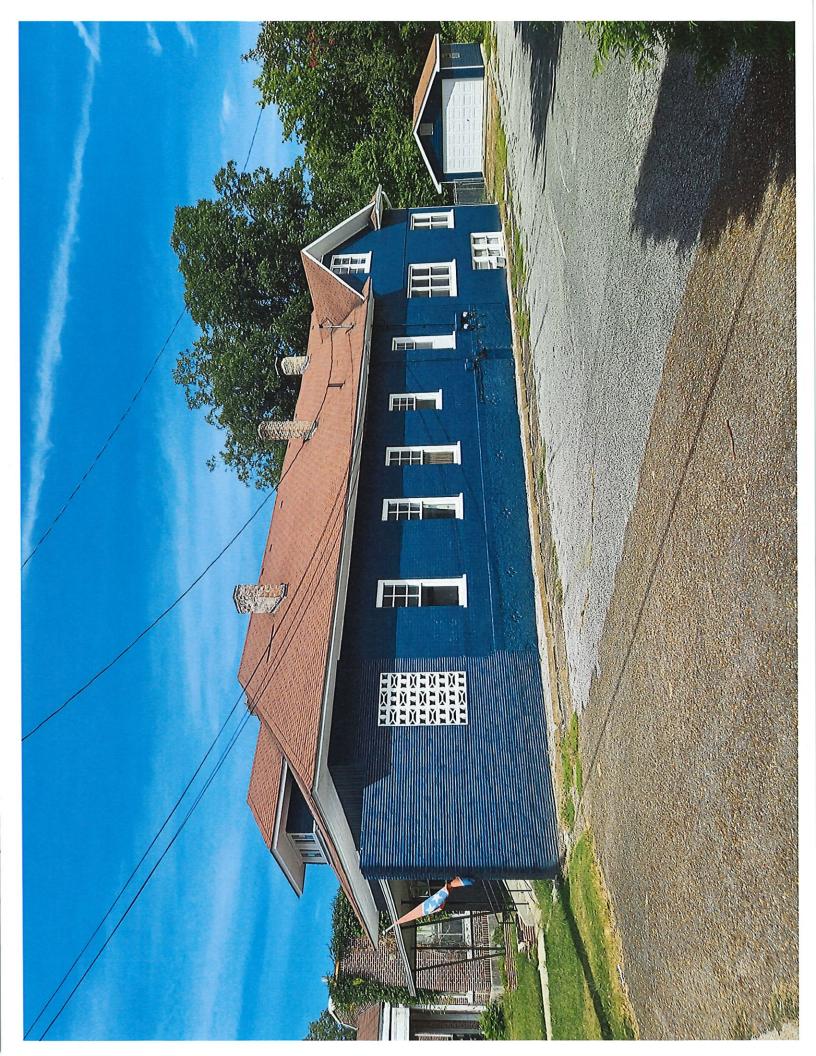
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SPECIAL EXCEPTION REQUEST - MEDICAL CLINIC IN RG-2/H ZONE CITY B.Z.A. SITE LOCATION MAP #716 NORTH HIGHLAND AVENUE







JBZA-23-6

Board of Zoning Appeals

Application Status: Active

Submitted On: 8/31/2023

Primary Location

No location

Applicant

Mickey Evans

3 731-664-6335

mevans@cwandassociates.com

2796 N. Highland Ave, B Jackson, TN 38305

Applicant Information

Applicant Name*

Applicant Address*

JB Partners

62 Pine Tree Drive

Applicant City*

Applicant State*

Jackson

TN

Applicant Zip*

Applicant Phone*

38301

731-668-1812

Applicant Email*

mark@johnstonegroup.net

Property Information

Type of Request*

Planning Region*

Special Exception Request

City

Describe and Justify Request*

Special Exception request for use as mini storage in B-5 zone

Address of Subject Property*
44 Northstar Drive

Note

A PRE-APPLICATION CONFERENCE WITH ELVIS HOLLIS IS REQUIRED BEFORE SUBMITTAL OF THIS APPLICATION. TO MAKE AN APPOINTMENT PLEASE CALL 731-425-8283 OR EMAIL AT EHOLLIS@JACKSONTN.GOV.



August 31, 2023

City of Jackson, Board of Zoning Appeals 111 E. Main St., Suite 201 Jackson, TN 38301

Re:

Self Storage Facility - 44 Northstar Drive

Special Exception Request Statement of Justification

Dear sir or madam:

On behalf of JB Partners, owner of the property located at 44 Northstar Drive, we request that the subject property be granted a special exception for the purpose of constructing a mini storage facility. The subject property is on Tax Map 033J, Parcel 6.00. Properties to the south and to the east currently have self storage use.

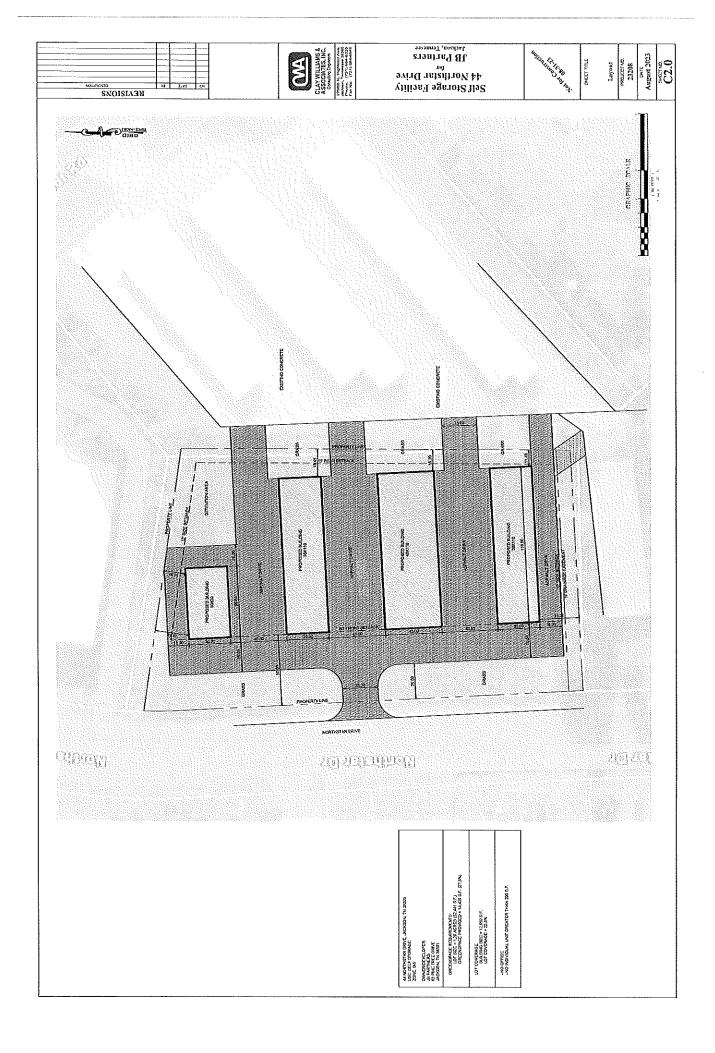
Sincerely,

Clay Williams & Associates, Inc.

Consulting Engineers

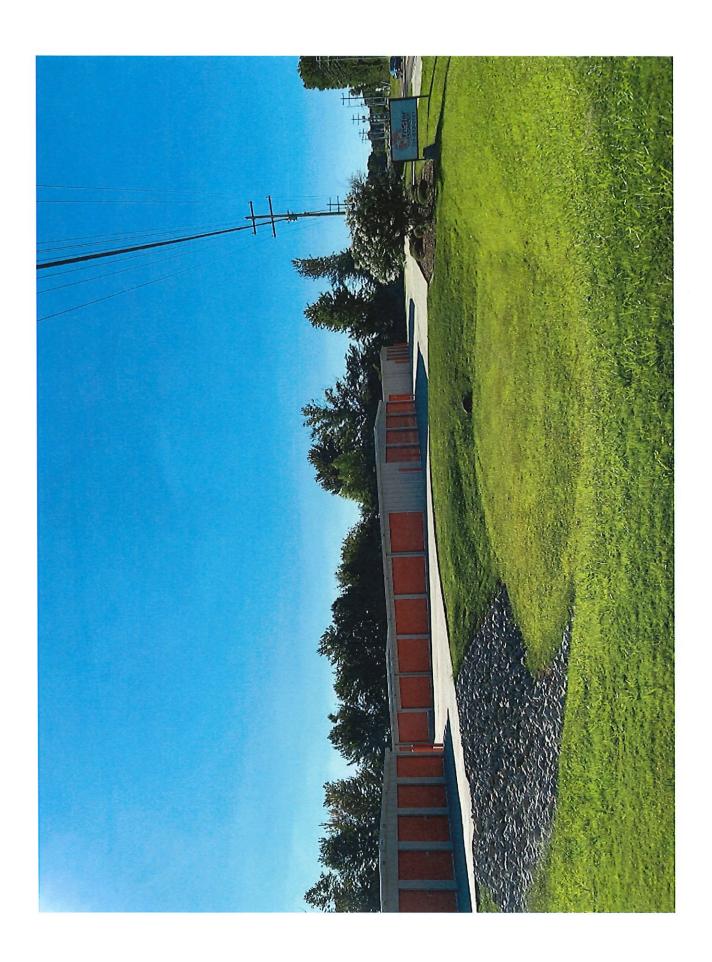
Mickey Evans, P.E.

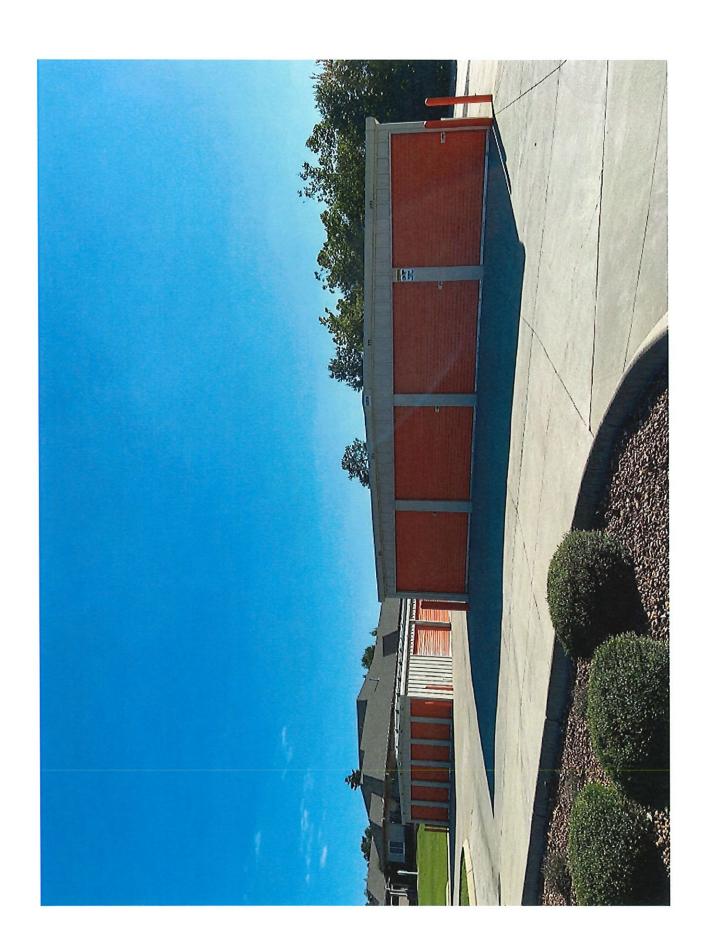
Civil Engineering Manager



CITY B.Z.A. SITE LOCATION MAP SPECIAL EXCEPTION REQUEST - MINI STORAGE FACILITY IN B-5 ZONE #44 NORTH STAR DRIVE







JACKSON City of Jackson, TN

JBZA-23-7

Board of Zoning Appeals

Application Status: Active

Submitted On: 8/31/2023

Primary Location

No location

Applicant

Mickey Evans

731-664-6335

mevans@cwandassociates.com

2796 N. Highland Ave, B Jackson, TN 38305

Applicant Information

Applicant Name*

Averitt Properties

Applicant Address*

1415 Neal Street

Applicant City*

Applicant State*

Cookeville

TN

Applicant Zip*

Applicant Phone*

38501

931-520-5127

Applicant Email*

wcrawford@averitt.com

Property Information

Type of Request*

Planning Region*

Special Exception Request

City

Describe and Justify Request*

Special Exception request for use as a distribution facility

Address of Subject Property*

Pipkin Road

Note

A PRE-APPLICATION CONFERENCE WITH ELVIS HOLLIS IS REQUIRED BEFORE SUBMITTAL OF THIS APPLICATION. TO MAKE AN APPOINTMENT PLEASE CALL 731-425-8283 OR EMAIL AT EHOLLIS@JACKSONTN.GOV.



August 31, 2022

City of Jackson, Board of Zoning Appeals 111 E. Main St., Suite 201 Jackson, TN 38301

Re:

Averitt Properties

Appeal on Use

Statement of Justification

Dear sir or madam:

On behalf of Averitt Properties, owner of the property, located behind the existing Averitt Express facility on Express Drive (Pipkin Road), we request a special exception for the use of the property to provide a distribution facility in a B-5 zone as shown in the attached drawings. The property is in map 054, parcel 045.07.

Sincerely,

Clay Williams & Associates, Inc.

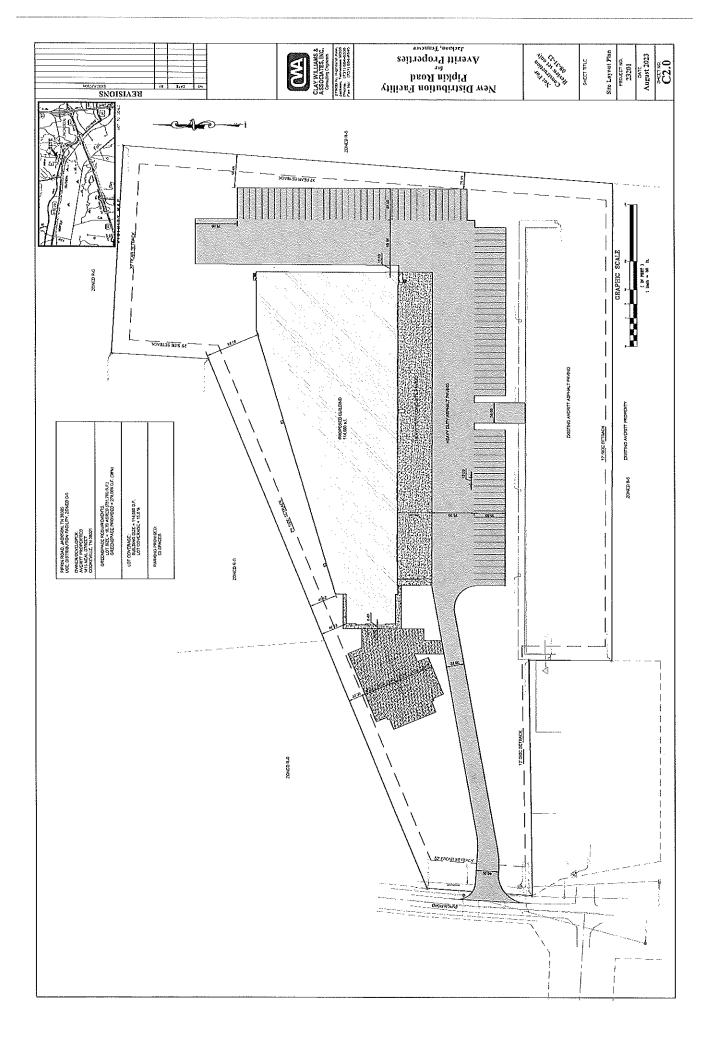
Consulting Engingers

Mickey Evans, P.E.

Civil Engineering Manager

CITY B.Z.A. SITE LOCATION MAP SPECIAL EXCEPTION REQUEST - DISTRIBUTION FACILITY IN B-5 ZONE #100 BLOCK OF PIPKIN ROAD





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A NEW FACILITY FOR:

Jackson, TN

AVERITT EXPRESS, INC.



PLUMBING

MECHANICAL

genesis

S A B S A A S S S O C I A T E S

LIJ

AVERITT

MPE & FP Engineer: OLG Engineering 301 industrial Blvd Tullahoma, TN 37388

Structural Engineer: Genesis Engineering Group, LLC 134 Fourth Avenue North Franklin, TN 37064

CHASE
Contractor:
DF Chase
3001 Armory Drive
Sulte 228
Nashville, TN 37204

615-777-5900 Mike Skuski

DMA

Owels industrying Autoritical Art Markells and Markells a

Owner: Averitt Express, Inc. 1415 Neal St. P.O. Box 3166 Cookeville, TN 38502

205-263-2117 Chris Jenkins 931-520-5127 Walter Crawford

Civil Engineer: Sain Associates Two Perfinetor Park South Suite 500 East Birmingham, Alabama 35243

615-628-7270 Russell A. Skrabut, P.E.

931-454-9940 Tim Little M P & FP Tony Gipson E

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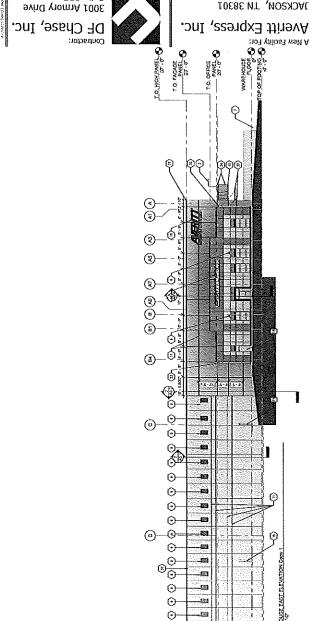
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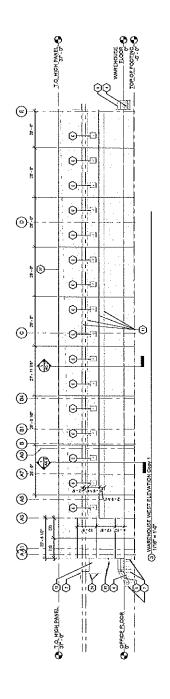


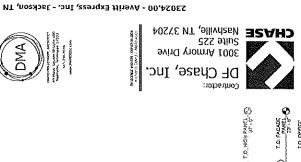
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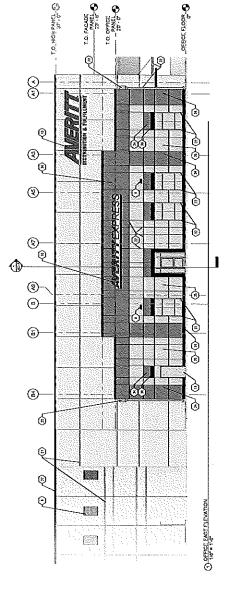
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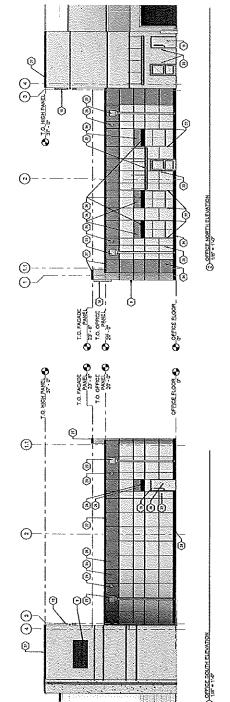
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