

AGENDA
CITY BOARD OF ZONING APPEALS
JACKSON CITY HALL—101 EAST MAIN STREET—FIRST FLOOR
GEORGE A. SMITH MEETING ROOM
February 26, 2024 – 3:30 P.M.

- I. CALL TO ORDER/DETERMINATION OF QUORUM
- II. INVITATION FOR PUBLIC COMMENT
- III. APPROVAL OF MINUTES OF THE SEPTEMBER 25, 2023 MEETING
- IV. PUBLIC HEARINGS:
 - 1. Consideration of a special exception request by SoulQuest Church to operate a church in the existing building located at 38 Garland Drive within the O-C (Office-Center) District.
 - 2. Consideration of a special exception request by Pembroke Capital Partners to use the existing building located at 385 North Parkway for retail sales of tobacco and CBD products within the O-C (Office-Center) 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
SEPTEMBER 25, 2023--3:30 P.M.**

Members Present: Mamie Hutcherson
Pat Ross
Max Hart
Janna Hellums
Mike Singleton
Councilwoman Marda Wallace

Staff Present: Elvis Hollis, Senior Planner

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

Election of Officers: A motion was made by Max Hart and seconded by Mike Singleton to elect Janna Hellums as Chair. Motion passed unanimously.

A motion was made by Max Hart and seconded by Pat Ross to elect Mike Singleton as Vice Chair. Motion passed unanimously.

The minutes of April 24, 2023 were unanimously approved on motion of Pat Ross and seconded by Janna Hellums.

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. – Mr. Hollis presented the request to the board. Mr. Hollis stated that 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;

- e. 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 recommended 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.

Attorney Todd Siroky was present to represent Shahzad Shah. Mr. Siroky stated that the applicant is proposing to use the facility as a medical spa that will be licensed and registered by the State of Tennessee.

Shahzad Shah was also present to address the entrance to the facility.

The motion was made by Max Hart and seconded by Mike Singleton to approve the special exception request, as recommended by the staff. Motion passed unanimously.

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. – Mr. Elvis presented the request to the board. Mr. Hollis stated 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 recommended 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.

Mickey Evans, Clay Williams and Associates Civil Engineer, was present to represent the special exception request.

The motion was made by Mike Singleton and seconded by Max Hart to approve the special exception request, as recommended by the staff. Motion passed unanimously.

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. – Mr. Elvis presented the request to the board. Mr. Hollis stated 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 recommended approval of a new distribution facility at this location, as proposed by the applicants.

Sid Henderson, nearby property owner, was present to address his concerns regarding the proximity of his home to the proposed facility and the additional noise that will come from the semi-trucks.

Mickey Evans, Clay Williams and Associates Civil Engineer, was present to represent the special exception request to answer questions regarding setbacks and buffering. Mr. Evans also added that the proposed facility will have a 25ft setback.

Mr. Hollis added that once the special exception request is approved, the next step is the Site Plan Review process. This step will be a more detailed process once the plans are submitted that the Planning Staff reviews. Mr. Hollis also mentioned that during this process, the Planning Staff could incorporate Mr. Henderson to address his concerns with buffering.

There was also additional discussion regarding traffic.

The motion was made by Mike Singleton and seconded by Janna Hellums to approve the special exception request contingent on Mr. Henderson being informed by the Planning Staff during the Site Plan Review process, 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 appeals under review by the Board of Zoning Appeals at the February 26, 2024 meeting:

SoulQuest Church

Consideration of a special exception request by SoulQuest Church to operate a church in the existing building located at 38 Garland Drive within the O-C (Office-Center) District/RG-2 (General Residential) District. As required by the ordinance, the applicants have submitted all the proper documentation for review. (See packet)

The majority of this property is situated in the O-C (Office Center) District. 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. The O-C District allows some educational services such as: business and stenographic, barber, beauty, art, music, and dancing schools. The property was previously used as the Madison Haywood Developmental Center. The Planning Staff would recommend approval of the church use at this location. There is an existing 44,000 square foot building on the property which contains approximately seven (7) acres. The development has two driveway connections off Garland Drive and a parking lot with 216 parking spaces. The church will have a shared parking agreement with West Tennessee Healthcare and the Jackson Clinic for additional parking spaces. This would meet the parking requirement for the sanctuary or main auditorium with the seating capacity of 1,000 people based on the occupancy load determined by the City of Jackson Building Department. It appears that all zoning requirements can be met.

The planning staff recommends approval of this request with the following conditions:

1. A walk-through inspection must be completed by the City of Jackson Building Department before occupying the building.
2. All applicable building permits are obtained before any modification of the buildings.





Pembroke Capital Partners, LLC

Consideration of a special exception request by Pembroke Capital Partners to use the existing building located at 385 North Parkway for retail sales of tobacco and CBD products within the O-C (Office-Center) District. Attached is a copy of the letter of justification submitted by the applicant.

The property is situated in the O-C (Office Center) District. 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. The O-C District allows some retail uses such as: bookstores, drugstores, camera shops, gift shops and florists. The property was previously used as a community bank branch with a drive-through. The existing building on the property contains approximately 1,092 square feet. The development has two curb cuts for entrance and exit from North Parkway and a parking lot with 26 parking spaces. It appears that all zoning requirements can be met.

The planning staff recommends approval of this request with the following conditions:

1. A walk-through inspection must be completed by the City of Jackson Building Department before occupying the building.
2. All applicable building permits must be obtained before any modification of the buildings.

JBZA-24-1	Primary Location	Applicant
Board of Zoning Appeals Application	No location	 Eden Smith
Status: Active		 731-225-8004
Submitted On: 2/5/2024		 eden@edensmith.com
		 1104 North Parkway #44 Jackson , TN 38305

Applicant Information

Applicant Name*	Applicant Address*
SoulQuest Church, Inc.	1050 Union University Drive
Applicant City*	Applicant State*
Jackson	TN
Applicant Zip*	Applicant Phone*
38305	(731) 499-1153
Applicant Email*	
ronnie@soulquestchurch.com	

Property Information

Type of Request*	Planning Region*
Special Exception Request	City

Describe and Justify Request*

SoulQuest Church is wanting to purchase 38 Garland Drive in order to use the facility as their church.

Address of Subject Property*

38 Garland 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.



SoulQuest Church

PO Box 10902, Jackson, TN, 38308

Dear Mr. Hollis/Planning Department,

On behalf of SoulQuest Church, I am writing this letter of justification to you and your office to explain our use of the property on 38 Garland Drive, Jackson, Tn. SoulQuest Church is a 9 year old church that started with a handful of people on April the 13th, 2014. During our 9 plus years of existence we have congregated in 4 different rented spaces(Star Center, Northside High School, Lifeway Christian Bookstore and now the Chapel at Union University).

Our primary use of this facility will be the Sunday morning gathering of our church. The seating capacity is 1,000. The parking wraps all around the building with the potential of pouring even more in the future on the extra open space. We have also been in contact with the administration of both West Tennessee Healthcare and the Jackson Clinic who have tons of parking close to our building. Both were excited for us and were very positive about us using their parking if needed in the future.

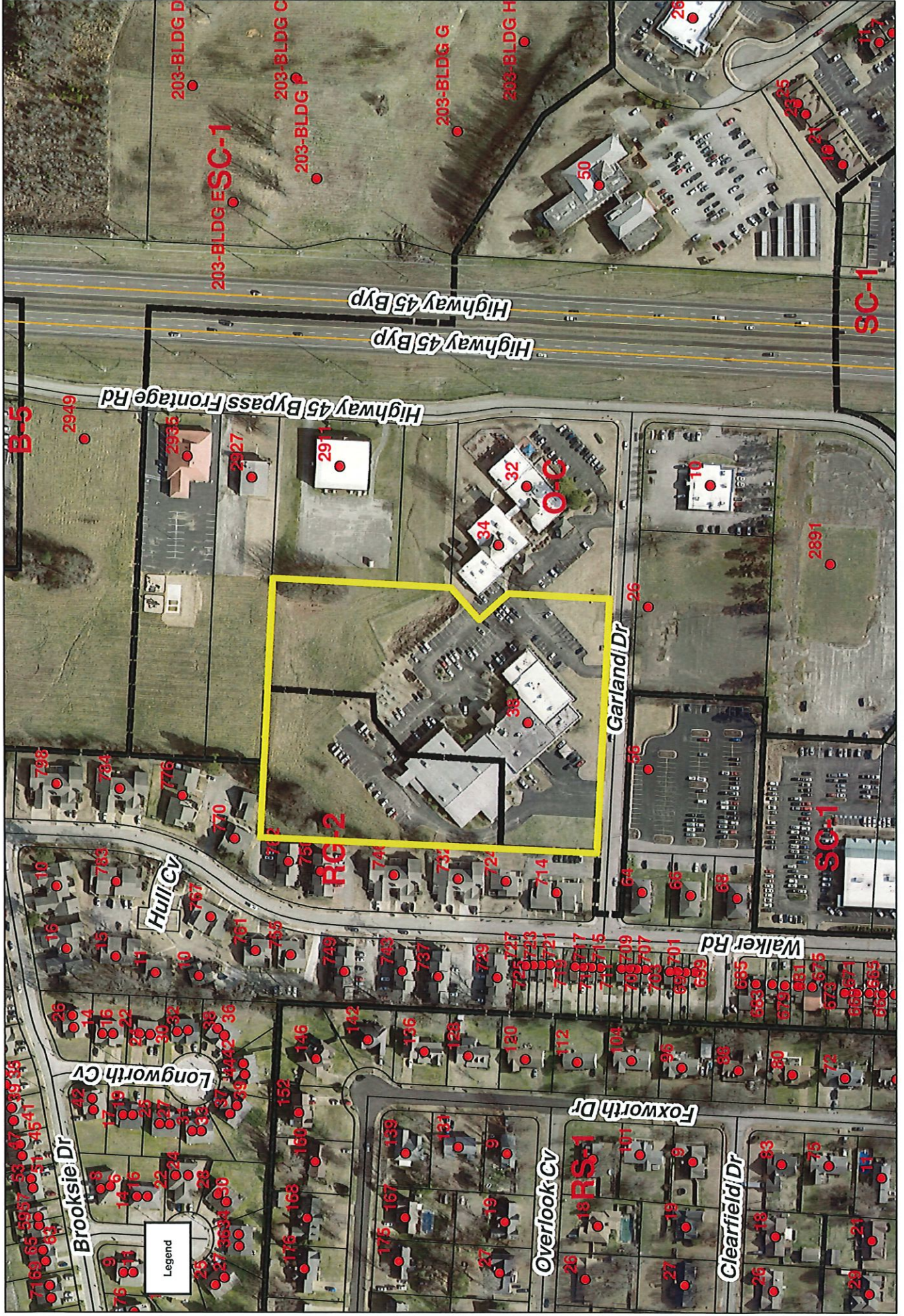
We believe this is the perfect facility for the future of our church! We so appreciate your recommendation to the board as we move forward in this endeavor. Our goal as a church is always to preach the life changing gospel of Jesus Christ and to serve our city in anyway we possibly can. Thank you again and God bless!!!

Senior Pastor, Ronnie Coleman

A handwritten signature in black ink, appearing to read 'Ronnie Coleman', written over a horizontal line.

www.soulquestchurch.com

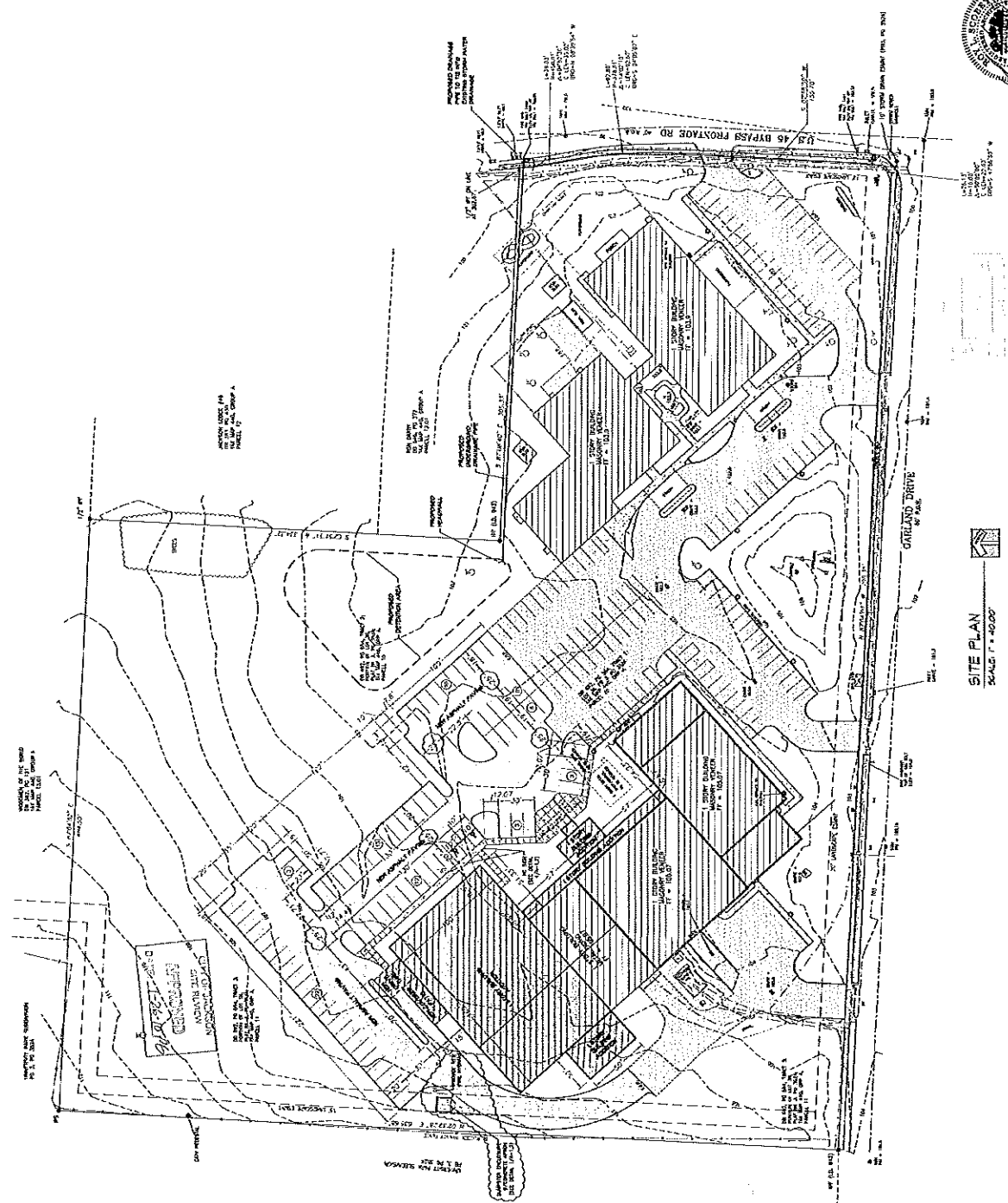
CITY BZA SITE LOCATION MAP
SPECIAL EXCEPTION REQUEST - CHURCH
#38 GARLAND DRIVE









PROJECT: BUILDING ADDITION AND RENOVATION FOR:
DEVELOPER: MADISON HAYWOOD
38 GARLAND DRIVE JACKSON, TN

PROFESSIONAL DESIGN RESOURCES
ARCHITECTURE and PLANNING - residential - commercial - industrial
7800 KENNEDY BLVD. 104 BUNNELL, TENNESSEE 38135 - PO BOX 34398 MEMPHIS, TENNESSEE 38184
PHONE (901) 384-8003 - FAX (901) 384-1013 - ELECTRONIC MAIL: RLS@PDRS.COM



JBZA-24-2	Primary Location	Applicant
Board of Zoning Appeals	No location	 Jack Hatcher
Application		 205-422-7317
Status: Active		 jack.r.hatcher@gmail.com
Submitted On: 2/11/2024		 758 Plowson Road
		Mount Juliet, Tennessee
		37122

Applicant Information

Applicant Name*	Applicant Address*
Jack Hatcher	758 Plowson Road
Applicant City*	Applicant State*
Mount Juliet	2/9/2024
Applicant Zip*	Applicant Phone*
37188	205-422-7317
Applicant Email*	
jack.r.hatcher@gmail.com	

Property Information

Type of Request*	Planning Region*
Special Exception Request	City

Describe and Justify Request*

Pembrook Capital Partners, LLC, respectfully requests a special exception for the property known as 385 North Parkway in Jackson, Tennessee. The proposed use is retail sales of tobacco and CBD products. The building is 1,092 SF and the former location of a community bank branch with a drive-through. The building has been vacant since 2017, so the proposed use will include interior renovations with no change to the existing footprint or parking.

Address of Subject Property*

385 North Parkway Jackson, Tennessee
38305

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.

2/9/2024

Mr. Hollis:

Pembroke Capital Partners, LLC, respectfully requests a special exception for the property known as 385 North Parkway in Jackson, Tennessee. The proposed use is retail sales of tobacco and CBD products. The building is 1,092 SF and the former location of a community bank branch with a drive-through. The building has been vacant since 2017, so the proposed use will include interior renovations with no change to the existing footprint or parking.

Very respectfully,

Jack Hatcher

205-422-7317

Jack.r.hatcher@gmail.com

CITY B.Z.A. SITE LOCATION MAP
SPECIAL EXCEPTION REQUEST
385 NORTH PARKWAY

