

Phone: (615) 794-4333
 Fax: (615) 794-3313
 www.thompsons-station.com



1550 Thompson's Station Road W.
 P.O. Box 100
 Thompson's Station, TN 37179

STAFF DETERMINATION

November 9, 2020

TO: Vogue Tower Partners VII, LLC
 Via email to: pat@voguetowers.net

FROM: Micah Wood, AICP *Micah*
 Planning Director

This memo, provided at the direction of the Board of Zoning Appeals, serves as the Staff opinion on the permitted location of Wireless Communication Facilities within the Town of Thompson's Station. This determination is issued in relation to a Site Plan submitted for a Wireless Communications Facility to be located at 4561 Columbia Pike within the Town of Thompson's Station.

ANALYSIS

From Staff's review of the Land Development Ordinance (LDO), Table 4.4 Permitted Use Table, allows Wireless Communications Facilities in the Community Commercial (CC), Light Industrial (IL), and Medium Industrial (IM) zoning districts.

Table 4.4 O2, G1, G2 USE ZONES LAND USE								
USE	D1	D2	D3	NC	CC	IL	IM	
INSTITUTIONAL								
Wireless communications facility					P	P	P	

KEY: "P" = Permitted by Right; "S" = Special Exception (BZA Approval required); " " = Prohibited

Section 4.11.7 Wireless Communications Facilities contains the Use Conditions for all Wireless Communications Facilities within the Town and lists only Medium Industrial (IM) as the permitted zoning district.

4.11.7 Wireless Communications Facilities

These standards govern the development of wireless communications facilities.

- b. Permitted Locations. WCTs are permitted within the IM zoning district subject to these standards; however, the placement of such towers in areas and specific locations to minimize the visual impact of WCTs is strongly encouraged.**

In the review by Staff, in conjunction with a proposed Site Plan for a Wireless Communications Facility to be located at 4561 Columbia Pike, within a CC zoning district, the following analysis lead to the final determination on this matter. Staff finds Table 4.4 and Section 4.11.7(b) to be in conflict as to the permitted location of a Wireless Communications Facility within the Town. The Use Condition for Wireless Communications Facility, in Section 4.11.7, is both more specific and detailed in narrowing the permitted location for all Wireless Communications Facility to the Medium Industrial (IM) zone. This is the only Zoning District explicitly mentioned within Section 4.11.7 (b). Therefore, this standard is determined to be the overriding and more correct expression of the intent of the BOMA in the permitted locations for Wireless Communications Facilities. Staff finds that Section 4.11.7, which permits Wireless Communications Facilities only within the Medium Industrial (IM) zone, is the appropriate standard for the permitted location of Wireless Communications Facilities within the Town. Along with this determination, Staff has initiated the drafting of an amendment to the LDO to revise the Table 4.4 Permitted Uses to limit Wireless Communications Facilities to the Medium Industrial (IM) zone.

FINDING

It is the opinion of Town Staff that Section 4.11.7(b) is the controlling standard for the permitted location of Wireless Communications Facilities (limited to the Medium Industrial (IM) Zone) and that a Site Plan for a Wireless Communications Facility in a CC zone shall not be submitted to the Planning Commission for review, since it would not be a permitted use at 4561 Columbia Pike.