

Current Plan Category:

Requested Plan Category:

SUBDIVISION INFORMATION (where applicable)

Subdivision Name:

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested:

S/D Name Change:

OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.:

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Jessie Hillman

Staff Recomm. (Abbr.): Approve the request for a live music venue with approximately 6,530 sq-ft of floor area in the DK-G (Downtown Grid) zoning district, subject to 2 conditions.

Staff Recomm. (Full): 1) Meeting all applicable requirements of the City of Knoxville Zoning Ordinance, including but not limited to Article 5, Section 5.5.C. (Design Standards) for the DK-G zone.
2) Meeting all applicable requirements of the City of Knoxville Department of Engineering, Fire Prevention Bureau, and Department of Plans Review and Inspections.

With the conditions noted, this plan meets the requirements for approval of a live performance venue in the DK-G zoning district and the criteria for approval of a special use.

Comments: This proposal is for a live performance venue called "The Outpost" with approximately 6,530 sq-ft of floor space. The property is zoned DK-G (Downtown Knoxville Grid Subdistrict) which requires Special Use approval for live performance venues. A vacant brick commercial building would be renovated for this purpose, with exterior rehabilitation and additions.

A live performance venue is defined by the City of Knoxville Zoning Ordinance as follows:

- 1) A facility for the presentation of live entertainment, including musical acts, including disc jockeys (DJs), theatrical plays, stand-up comedy, and similar performances.
- 2) Performances are scheduled in advance and tickets are required for admission and available for purchase in advance, though tickets may be purchased at the venue's box office on the day of the performance.
- 3) Only open to the public when a live performance is scheduled.
- 4) May include classroom and/or rehearsal space utilized during hours it is not open to the public for a performance.
- 5) May include concession stands, including sale of alcohol, but only when it is open to the public for a performance.
- 6) Does not include any adult use as defined by the City Code and does not include a nightclub.

STANDARDS FOR EVALUATING A SPECIAL USE (ARTICLE 16.2.F.2.)

THE USE IS CONSISTENT WITH ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND THE ONE-YEAR PLAN.

- a. The One Year Plan and the Central City Sector Plan land use designation for this site are MU-RC (Regional Mixed Use Center), which is particular to Downtown Knoxville's Central Business District and envisioned as the highest intensity of mixed use centers.
- b. The proposed live performance venue is consistent with the sector plan and the One Year Plan.

THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THIS ZONING CODE.

- a. Live performance venues require Special Use approval by the Planning Commission in the DK-G (Downtown Grid) zoning district.
- b. Live Performance Venues do not have principal use standards. They only need to meet the standards of the DK-G zone and other general standards of the zoning ordinance.
- c. The dimensional and design standards for the DK-G zone are not applicable to this request because the renovation does not exceed 30 percent or more of the existing structure's square footage.

THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

- a. The proposed live performance venue would make the surrounding area, which is primarily

comprised of parking garages and surface parking, more accommodating and engaging for pedestrians.

- b. The venue is one block away from another venue where live performances occur, the Bijou Theater.
- c. The Design Review Board approved the proposed exterior rehabilitation and additions with conditions at their March 16, 2022 meeting (Case 2-A-22-DT).

THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY OR BY NOISE, LIGHTS, FUMES, ODORS, VIBRATION, TRAFFIC, CONGESTION, OR OTHER IMPACTS DETRACT FROM THE IMMEDIATE ENVIRONMENT.

- a. There are no residences in close proximity to the subject property that would be impacted by noise or other environmental factors related to a live performance venue.
- b. There is a hotel nearby, which is also located a block away from the entertainment-oriented corridor of Gay Street. Environmental factors such as evening crowds and music are already an established precedent in this downtown area.
- c. The development would be required to comply with Article 10 of the City of Knoxville Zoning Ordinance standards for the aforementioned impacts. Section 10.2 regulates lighting, while noise, dust and pollution, odors, fire hazards, and other similar concerns are regulated in Section 10.5.

THE USE IS NOT OF A NATURE OR SO LOCATED AS TO DRAW SUBSTANTIAL ADDITIONAL TRAFFIC THROUGH RESIDENTIAL STREETS.

- a. The proposed live performance venue will not draw additional traffic through residential streets because it is not located in a residential area.

THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

- a. There are no known uses surrounding the subject site that will pose a potential hazard or undesirable environment for the proposed use.

Action: Approved with Conditions **Meeting Date:** 4/14/2022

Details of Action:

Summary of Action: Approve the request for a live music venue with approximately 6,530 sq-ft of floor area in the DK-G (Downtown Grid) zoning district, subject to 2 conditions.

Date of Approval: 4/14/2022 **Date of Denial:** **Postponements:**

Date of Withdrawal: **Withdrawn prior to publication?:** **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body:

Date of Legislative Action: **Date of Legislative Action, Second Reading:**

Ordinance Number: **Other Ordinance Number References:**

Disposition of Case: **Disposition of Case, Second Reading:**

If "Other": **If "Other":**

Amendments: **Amendments:**

Date of Legislative Appeal: **Effective Date of Ordinance:**