

**DEMONSTRATION OF APPROPRIATENESS
McMahan Group Ventures, Owner**

**9840 and 9850 Von Allmen Court
Louisville, Kentucky**

**Proposal for Zone Change from Commercial District C-1 to
Commercial District C-2**

The site. The site lies on the north side of Old Brownsboro Road, having a street address of 9640 and 9850 Von Allmen Court. The site consists of 3.464 acres. The proposed C-2 zoning category is intended to accommodate a tavern, World of Beer within the building. Other uses within the building are retail, medical office, general office together with an outdoor dining area.

Regional Center Form District. The site lies within the Regional Center Form District, as does all of Old Brownsboro Crossing.

The proposed zone change from Commercial District C-1 to Commercial District C-2 is appropriate because it conforms to KRS 100.312 in that it is in agreement with the Comprehensive Plan in effect for Louisville, Jefferson County, Kentucky. Conformance with specific Goals, Objectives, Guidelines and Policies of the Comprehensive Plan are detailed in this Demonstration of Appropriateness.

Comprehensive Plan Analysis

The proposal conforms to all applicable Goals, Objectives, Guidelines and Policies of the Comprehensive Plan, as detailed below.

Community Form Guideline 1. The proposal conforms to Community Form Guideline 1 and all applicable Policies adopted thereunder, including Policy 1.B.6 because it lies within the Regional Center Form District. The Regional Center Form District is "characterized by a mixture of high intensity uses including regional shopping, office, [and] services,...." The site will be appropriately landscaped.

Centers Guideline 2. The proposal conforms to Centers Guideline 2 and all applicable Policies adopted thereunder, including Policies 2.1, 2.3 and 2.7 because the proposed use will provide a consistent entertainment, food and beer establishment consistent with other development in the center.

Compatibility Guideline 3. The proposal conforms to Compatibility Guideline 3 and all applicable Policies adopted thereunder, including Policies 3.1, 3.2, 3.5, 3.6, 3.7, 3.8, 3.9, 3.11, 3.21, 3.22, 3.23, 3.24 and 3.28. The designed was previously approved by the DRC Committee. This previous approval indicates that the building materials

and building design are appropriate. The proposal will cause no odor or adverse air quality emissions, and no adverse traffic, noise lighting or visual impacts. The development, as previously approved, provides for adequate buffers and has minimized the impact of parking, loading and delivery. No additional free-standing signs are proposed.

Natural Areas and Scenic and Historic Resources Guideline 5. The proposal conforms to Natural Areas and Scenic and Historic Resources Guideline 5 and all applicable Policies adopted thereunder, including Policies 5.1, 5.2, 5.3, and 5.6. Site topography will be observed. There are no historic resources or distinctive cultural features located on site, and the soils on site are not wet or highly permeable.

Circulation Guideline 7. The proposal conforms to Circulation Guideline 7 and all applicable Policies adopted thereunder, including Policies 7.1, 7.2 and 7.10. The development plan, which was previously approved by the DRC Committee, does not require dedication of right-of-way. Sidewalks are proposed throughout the development as shown on the development plan. Adequate parking pursuant to Land Development Code requirements is proposed.

Bicycle, Pedestrian and Transit Guideline 9. The proposal conforms to Bicycle, Pedestrian and Transit Guideline 9 and all applicable Policies adopted thereunder, including Policies 9.1 and 9.2. Short term bicycle parking will be provided on-site, and long-term bicycle parking facilities will be provided within the building. Sidewalks will be provided throughout the development.

Flooding and Stormwater Guideline 10. The proposal conforms to Flooding and Stormwater Guideline 10 and all applicable Policies adopted thereunder, including Policies 10.1, 10.3, 10.7, 10.10, and 10.11. It is anticipated that the Metropolitan Sewer District ("MSD") will approve the development plan. MSD's approval will indicate that the development will not have an adverse impact on the watershed as a whole, reflecting the development potential of the entire watershed; that the drainage design will accommodate on-site and upstream run-off water; that the drainage system will preserve the "through" drainage system, and that peak stormwater runoff rates after development will not exceed pre-development rates.

Air Quality Guideline 12. The proposal conforms to Air Quality Guideline 12 and all applicable Policies adopted thereunder, including Policies 12.1 and 12.8. It is anticipated that the Louisville Air Pollution Control District ("APCD") will approve the development plan. APCD's approval will indicate that activities at the site will not be a source of ambient air pollution exceedance due to the low intensity of the proposal. Traffic to and from the site will be insubstantial.

Landscape Character Guideline 13. The proposal conforms to Landscape Character Guideline 13 and all applicable Policies adopted thereunder, including Policies 13.2, 13.4, 13.5, and 13.6. Proposed landscaping will be native plant species. The development will conform to the requirements of LDC Chapter 10 regarding

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landscaping and tree canopy. Landscape buffers will be employed to provide an appropriate buffer for the building.

Infrastructure Guideline 14. The proposal conforms to Infrastructure Guideline 14 and all applicable Policies adopted thereunder, including Policies 14.2, 14.3, 14.4, 14.6 and 14.7. Adequate utility service is located within Old Brownsboro Crossing to serve the proposed development. The site is served by MSD sewage facilities. An adequate supply of potable water and water for fire-fighting purposes is supplied by the Louisville Water Company. Utilities will be located underground wherever possible and will be placed in easements as prescribed by the applicable utility.

Community Facilities Guideline 15. The proposal conforms to Community Facilities Guideline 15 and all applicable Policies adopted thereunder, including Policy 15.9 because the site will be adequately served by the Worthington Fire Protection District.

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