

Board of Zoning Adjustment Staff Report

July 24, 2017



Case No:	17NONCONFORM1020
Project Name:	700 Central Ave.
Location:	700 Central Ave.
Owners:	Louisville / Jefferson County Metro Gov.; Churchill Downs, Inc.; AQ Properties, LLC
Applicant:	Ryan Jordan, Churchill Downs, Inc.
Representative:	Jon Baker, Wyatt, Tarrant & Combs, LLP
Jurisdiction:	Louisville Metro
Council District:	15—Marianne Butler
Case Manager:	Brian Mabry, AICP, Planning Supervisor

REQUEST

- Expansion of nonconforming use rights allowed by KRS 100.253(2)

CASE SUMMARY

Churchill Downs requests an expansion of nonconforming use rights allowed by Kentucky Revised Statutes (KRS) 100.253(2). This portion of KRS says, in summary, that the Board of Zoning Adjustment may approve extensions of a long-standing nonconforming use, where the use consists of a major public attraction of international prestige, such as a sports event, that contributes substantially to the economy of the community and state, and where the extension is designed to maintain the prestige and status by meeting the increasing demands of participants and patrons.

The specific expansion requested primarily consists of proposed interior landscape islands and 4,350 parking spaces on approximately 37 acres of existing parking, vacant land, and existing structures immediately west of the race track, all under ownership of Metro Government, Churchill Downs, Inc. and AQ Properties. In addition, the proposal includes installing a fence along the western perimeter of the expansion. The applicant has requested a Variance and a Waiver (case number 17VARIANCE1036) related to the height of the perimeter fencing and the spacing of required interior landscape islands for the proposed parking area. Properties where the expansion is proposed to occur are zoned R-5, R-6, and C-1. Without the benefit of the exemption in KRS, the proposed expansion could not occur on these properties.

The Applicant justifies the expansion by stating in the application that the expansion is needed to address the increasing demands of Churchill Downs' race fans and patrons. The Applicant states that the expansion will:

- Increase parking capacity for cars, vans, buses, trucks and media vehicles;
- Establish a more safe and efficient internal vehicular maneuvering area for all automobiles, especially during the peak demands of Derby Week; and
- Create a promenade for race fans to safely enter and exit the Racetrack from and to the parking and loading/drop-off areas.

STAFF FINDING

The Board of Zoning Adjustment should acknowledge the expansion of the nonconforming rights and approve such expansion as allowed by KRS 100.253(2) conditioned upon approval of case number 17VARIANCE1036.