

**DEVELOPMENT REVIEW COMMITTEE MINUTES**  
**October 6, 2021**

**OLD BUSINESS**

**CASE NUMBER 21-DDP-0048**

Request: Revised Detailed District Development Plan with Replacement of Binding Elements (Continued from the 9/15 DRC Meeting)

Project Name: Greyhound Bus Station

Location: 4826 Preston Highway

Owner: Frank and Victoria Serapiglia

Applicant: Frank and Victoria Serapiglia

Representative: BTM Engineering

Jurisdiction: Louisville Metro

Council District: 21 – Nicole George

**Case Manager: Jay Lockett, AICP, Planner I**

Notices were sent by first class mail to those adjoining property owners whose names were supplied by the applicants.

The staff report prepared for this case was incorporated into the record. The Commissioners received this report in advance of the hearing, and this report was available to any interested party prior to the public hearing. (The staff report is part of the case file maintained in Planning and Design Services offices, 444 S. 5th Street.)

**Agency Testimony:**

00:21:15 Jay Lockett explained that there were no changes to the plan being proposed but the applicant has proposed new bus routing to prevent busses from using narrow road paths or making uncontrolled turns. He had an interested party comment from a resident concerned with the uncontrolled turns and if the facility would be staffed.

Commissioner Carlson asked if they could use signs to prevent busses from making certain turns. Commissioner Brown said that was something they could have the applicant do. There was conversation about enforcing regulatory signs.

**The following spoke in support of the proposal:**

Chris Brown, 3001 Taylor Springs Drive, Louisville, KY 40220

Bill Sliger, 350 N. Saint Paul Street, Dallas, TX 75201

Ed Weatherford, 350 N Saint Paul Street, Dallas, TX 75201

**Summary of testimony of those in support:**

00:25:35 Chris Brown, the applicant's representative, discussed the development plan, the bus routing, and the amended bus turning routes in more detail (see video for detailed presentation).

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Commissioner Clare asked if personal vehicles dropping off could use those neighborhood roads. Commissioner Brown said those roads were less than 18 feet and he was hesitant about having an increase in traffic intensity. Commissioner Clare asked if the signage would specify no turns onto Meadow. Chris Brown said the signage would restrict that turn.

**The following spoke as neutral:**

Rachel Roarx, Metro Council District 21, 601 W Jefferson Street, Louisville, KY 40202

**Summary of testimony as those neutral:**

00:33:21 Rachel Roarx asked what is meant by 25 trips per day. Chris Brown explained that they had 25 coaches per day, this information was used to designate parking requirements for the site. Ms. Roarx asked what will be used to prevent extended parking at the location. Bill Sliger answered they don't allow long term parking and they have towing enforcement signs to prevent that and the intention is short term parking. Ms. Roarx asked how staffing would work. Ed Weatherford explained the staffing in detail. Ms. Roarx asked about the hours of operation. Mr. Weatherford said the site could operate 24 hours a day, but each Greyhound Station is tailored to the specific site. Ms. Roarx asked for all considerations to address neighbor's concerns, such as signage and towing enforcement, be considered. Mr. Weatherford went into more detail on special precautions they take to ensure safety.

Jay Lockett presented a proposed Binding Element for signage, "Prior to requesting a certificate of occupancy, the applicant shall install regulatory signage to prevent turns westbound onto Meadow Avenue or northbound onto Preston Highway."

**00:46:40 Commissioners' deliberation.**

**An audio/visual recording of the Development Review Committee meeting related to this case is available on the Planning & Design Services website, or you may contact the Customer Service staff to view the recording or to obtain a copy.**

On a motion by Commissioner Mims, seconded by Commissioner Clare, the following resolution was adopted:

**WHEREAS**, there do not appear to be any environmental constraints or historic resources on the subject site.

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**WHEREAS**, provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and Transportation Planning Staff has approved the preliminary development plan.

**WHEREAS**, there are no open space requirements pertinent to the current proposal.

**WHEREAS**, the Metropolitan Sewer District has approved the preliminary development plan and will ensure the provision of adequate drainage facilities on the subject site in order to prevent drainage problems from occurring on the subject site or within the community.

**WHEREAS**, the overall site design and land uses are compatible with the existing and future development of the area. Buildings and parking lots will meet all required setbacks.

**WHEREAS**, the development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code.

Proposed Binding Elements:

1. The development shall be in accordance with the approved district development plan, all applicable sections of the Land Development Code (LDC) and agreed upon binding elements unless amended pursuant to the Land Development Code. Any changes/additions/alterations of any binding element(s) shall be submitted to the Planning Commission or the Planning Commission's designee for review and approval; any changes/additions/alterations not so referred shall not be valid.
2. No outdoor advertising signs, small freestanding signs, pennants, balloons, or banners shall be permitted on the site.
3. Construction fencing shall be erected when off-site trees or tree canopy exists within 3' of a common property line. Fencing shall be in place prior to any grading or construction to protect the existing root systems from compaction. The fencing shall enclose the entire area beneath the tree canopy and shall remain in place until all construction is completed. No parking, material storage or construction activities are permitted within the protected area.
4. Before any permit (including but not limited to building, parking lot, change of use, site disturbance, alteration permit or demolition permit is requested:

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- a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.
  - b. Encroachment permits must be obtained from the Kentucky Transportation Cabinet for any work in the State right-of-way.
  - c. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Chapter 10 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.
5. A certificate of occupancy must be received from the appropriate code enforcement department prior to occupancy of the structure or land for the proposed use. All binding elements requiring action and approval must be implemented prior to requesting issuance of the certificate of occupancy, unless specifically waived by the Planning Commission.
  6. The applicant, developer, or property owner shall provide copies of these binding elements to tenants, purchasers, contractors, subcontractors and other parties engaged in development of this site and shall advise them of the content of these binding elements. These binding elements shall run with the land and the owner of the property and occupant of the property shall at all times be responsible for compliance with these binding elements. At all times during development of the site, the applicant and developer, their heirs, successors; and assignees, contractors, subcontractors, and other parties engaged in development of the site, shall be responsible for compliance with these binding elements.
  7. No idling of trucks or buses shall take place within 200 feet of residences. No overnight idling of trucks or buses shall be permitted on-site.
  8. The applicant shall install regulatory signage to prevent turning westbound onto Meadow Ave or Northbound onto Preston Hwy prior to requesting a certificate of occupancy.

**RESOLVED**, that the Louisville Metro Development Review Committee does hereby **APPROVE** the Revised Detailed District Development Plan for case 21-DDP-0048 at 4826 Preston Highway and to replace the existing Binding Elements found in the staff report with the Proposed Binding Elements found on page eight of the staff report and to include the addition of the proposed Binding Element read into the record in regard to the signage prohibiting bus turns northbound onto Preston Highway redirecting busses eastbound, and to include a condition of approval to look at the driveway geometry that discourages any right turns onto Meadow Avenue, based on the staff report and testimony heard today and at previous meetings.

**The vote was as follows:**

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**YES: Commissioners Clare, Seitz, Mims and Carlson.**

**ABSTAIN: Commissioner Brown.**

**NO: No one.**