

MINUTES
URBAN COUNTY PLANNING COMMISSION
SUBDIVISION ITEMS
January 15, 2026

- I. **CALL TO ORDER** – Chair Zach Davis called the meeting to order at 1:31 p.m. in the Council Chambers, Urban County Government Building, 200 East Main Street, Lexington, Kentucky.
- II. **ATTENDANCE** – Planning Commission members present were Zach Davis, Ivy Barksdale, Bruce Nicol, Larry Forester, William Wilson, Mike Owens, Johnathon Davis, Judy Worth, Robin Michler, and Molly Davis. Planning staff members present were Jim Duncan, Traci Wade, Daniel Crum, Chris Chaney, Cheryl Gallt, and Paula Owens. Other staff present were Brittany Smith, Department of Law; David Filiatreau, Division of Traffic Engineering; Vaughan Adkins, Division of Engineering; and Firefighter Embry Beatty, Division of Fire and Emergency Services.
- III. **APPROVAL OF MINUTES** – Mr. Wilson made a motion, seconded by Mr. J. Davis, and carried 10-0 (Penn absent), to approve the November 13, 2025, November 20, 2025, and December 11, 2025 minutes.

Note - Ms. Worth abstained from November 13, 2025 and November 20, 2025. Ms. M. Davis abstained from November 20, 2025.

- IV. **PERFORMANCE BONDS AND LETTERS OF CREDIT** – Mr. Wilson made a motion, seconded by Ms. Worth, and carried 10-0 (Penn absent), to approve the performance bonds and letters of credit as presented.

V. **POSTPONEMENTS AND WITHDRAWALS**

- A. **PLN-MJSUB-25-00005: SUBURBAN POINT SUBDIVISION EXPANSION (2/22/26)*** – located at 421 PRICE ROAD, LEXINGTON, KY
Council District: 2
Project Contact: Viox & Viox, Inc.

Note: The purpose of the plan is to create 57 single-family lots, two open space parcels, one detention basin/common area, and streets.

Requirements Not Met:

1. **Denote:** All buildings, paving, signs, fences, walls, and retaining walls that are depicted, described, or required on this development plan shall require a separate review and building permit from the Division of Building Inspection prior to construction. (Z.O. Art. 21(b)(1)) (Building Inspection)
2. **Denote:** The location of the fire hydrants, fire department or fire service features, if required, shall be approved by the Division of Fire, Water Control Office. (Fire)
3. **Denote:** Stormwater management, sanitary sewers, and public street improvements shall be designed and constructed in accordance with the LFUCG engineering manuals. (Engineering)
4. **Denote:** No land disturbance, construction, clearing of native vegetation, or mowing shall occur in the vegetative buffer zone. Invasive species may be removed by hand-held equipment or a forestry grinder. (SWM 1.4.4) (Engineering)
5. Provide traffic calming elements within the new streets, primarily, a traffic circle at the new intersection of Dominican Drive and St. Martin Avenue. (LSR Art. 6-9) (Traffic)
6. Proposed street cross-section must have restricted parking on one side of street (hydrant side). (Fire)
7. Denote tree canopy and street tree requirements, and provide tree mitigation proposal. (ZO Art. 26-4(c)) (Urban Forester)
8. Provide open space exhibit and include open space requirements in the site statistics as a percentage. (ZO Art. 20-3) (Open Space)
9. Label the intermittent stream. (Engineering)
10. Depict vegetative buffer. (SWM 1.4.4) (Engineering)
11. Combine all information onto one page (except tree inventory), and add vicinity sketch. (LSR Art. 5-2) (Planning)
12. Correct title block to match staff report. (LSR Art. 5-2(b)) (Planning)
13. Denote street address and name and address of owner/developer. (LSR Art. 5-2(a & b)) (Planning)
14. Denote all adjacent property owner information. (LSR Art. 5-2(d)(11)) (Planning)

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

15. Depict proposed cross-sections and all section lines on plan face. (LSR Art. 5-2(d)(2)) (Planning)
16. Denote front yard and street side yard building lines on plan face. (LSR Art. 5-2(d)(3)) (Planning)
17. Denote construction access. (LSR Art. 5-2(d)(2)) (Planning)
18. Correct zoning notation in site statistics. (LSR 5-2(f)) (Planning)
19. Denote improvements to Price Road. (LSR Art. 6-8(p)) (Planning)

Waiver(s) Necessary:

1. Proposed street cross-section. (LSR Art. 6-8 & Exhibit 6-3) (Planning & Traffic)

Design Considerations:

1. See all Accela comments provided by the Division of Engineering.
2. Proposed street cross-section must have restricted parking on one side of street (hydrant side). (Fire)
3. Design does not protect/preserve greatest number of trees reasonably/practically. Evaluate preserving healthy/significant trees on property. (ZO Art. 26-4(d)) (Urban Forester)
4. Describe how detention areas in the development are useable and accessible for common space.

Plan Questions or Concerns:

1. Discuss need for waiver for proposed street cross-section. (Planning & Traffic)
2. Discuss accessibility for residential service trucks on proposed streets. (Waste)
3. Discuss improvements for Price Road frontage. (Engineering)
4. Discuss impact to spring point near Lot 39. (Engineering)
5. Discuss need for additional stormwater or drainage easements. (Engineering)
6. Discuss detention area outfall and if this detention is sufficient for the development. (Engineering)
7. Discuss stormwater management proposal. (LSR-Art. 6-7) (Engineering)
8. Discuss encroachment of structures from adjacent property. (Planning)

The Subdivision Committee Recommended: **Postponement**, for the following reasons: a waiver has been identified that has not been addressed, and the necessary revisions and corrections have not been submitted for review.

Should this plan be approved, the following requirements should be considered:

1. Urban County Engineer's acceptance of drainage, storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree protection area(s) and required street tree information.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Open Space Planner's approval of open space areas.
9. Documentation of Division of Water Quality's approval of the Capacity Assurance Program requirements, prior to plan certification.
10. Provided the Planning Commission grants the requested waiver for the proposed street cross-section.
11. Correct all noted deficiencies listed as "requirements not met" herein.

Applicant Representation - Chris Sabetta, Viox & Viox, Inc., was present to represent the applicant. He requested a one-month postponement so they could update their plan to address possible waivers.

Action - Mr. Wilson made a motion, seconded by Mr. Owens, and carried 10-0 (Penn absent), to postpone PLN-MJSUB-25-00005: SUBURBAN POINT SUBDIVISION EXPANSION to the February 12, 2026 meeting.

- B. PLN-MJDP-25-00067: MARGARET C. CAMIC PROPERTY (W.E. SAVAGE PROPERTY) (2/1/26)* – located at 4630 OLD SCHOOLHOUSE LANE, LEXINGTON, KY
Council District: 9
Project Contact: Prime AE

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

Note: The purpose of the plan is to propose a senior living facility, ten single family residential lots, and one HOA lot on a portion of the site.

Requirements Not Met:

1. Denote: All buildings, paving, signs, fences, walls, and retaining walls that are depicted, described, or required on this development plan shall require a separate review and building permit from the Division of Building Inspection prior to construction. (Z.O. Art. 21(b)(1)) (Building Inspection)
2. Denote: Structures built in areas of alluvial soils will have a foundation and footer detail prepared by a licensed professional engineer prior to issuance of a building permit. (LSR Art. 6-11(a)(2)) (Environmental)
3. Denote: No buildings or structures shall be located on any land with a slope greater than 30%. For areas with slopes between 15% and 30%, the provisions of Article 6-11 of the Land Subdivision Regulations shall be applicable. (Environmental)
4. Denote: The location of the fire hydrants, fire department or fire service features, if required, shall be approved by the Division of Fire, Water Control Office. (ZO Art. 21-6(a)(3)) (Planning)
5. Denote: No land disturbance, construction, clearing of native vegetation, or mowing shall occur in the vegetative buffer zone. Invasive species may be removed by hand-held equipment or a forestry grinder. (SWM 1.4.4) (Engineering)
6. Denote: All pavement markings, aside from standard parking stalls, shall be thermoplastic. (Traffic)
7. Provide dumpster enclosure and pad specifications. (DSG p.8 & 11) (Waste)
8. Correct address of Parcel 12 to 4734 Rhema Way. (Addressing)
9. Provide open space exhibit and include open space requirements in the site statistics as a percentage. (ZO Art. 20-3) (Open Space)
10. Provide record plat designation. (ZO Art. 21-6(a)) (Planning)
11. Include north arrow on vicinity map. (ZO Art. 21-6(a)(3)) (Planning)
12. Remove gap/match line in detail drawing. (ZO Art. 21-6) (Planning)
13. Remove the 500-year floodplain, and differentiate line types for floodplain and vegetative buffer. (ZO Art. 21-6(a)(9)) (Planning)
14. Denote all existing and proposed easements. (LSR 5-4(d)(4)) (Engineering)
15. Denote timing and maintenance responsibility for 7.5' sidewalk. (Engineering)
16. Provide Tree Inventory Map and Tree Preservation Plan that comply with ZO Art. 26-4(b)&(c). (Urban Forester)
17. Depict sidewalk rather than a sidewalk easement. (Traffic)
18. Install either choker islands/bulb outs or propose a location for a couple of speed tables. (Traffic)

Waiver(s) Necessary: None at this time.

Design Considerations:

1. Review all Accela comments provided by the Division of Engineering.

Plan Questions or Concerns:

1. Discuss Vehicular Use Area (VUA) in front of senior living facility. (Planning)
2. Discuss whether assisted living or nursing services will be provided. (Planning)
3. Discuss opening of Agape Drive/removal of permanent barricade at northern terminus point. (Council Resolution 610-2014) (Engineering & Planning)
4. Discuss density change and land use change. (Planning)
5. Discuss ownership and maintenance of stormwater management areas. (Engineering)

The Subdivision Committee Recommended: **Postponement.** There are questions regarding significant changes to the plan from the original preliminary subdivision plan.

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Open Space Planner's approval of open space areas.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Correct all noted deficiencies listed as "requirements not met" herein.

Staff Comments - Mr. Chaney informed the Commission that the applicant had requested a one-month postponement via email.

Action - Mr. J. Davis made a motion, seconded by Ms. Barksdale, and carried 10-0 (Penn absent), to postpone PLN-MJDP-25-00067: MARGARET C. CAMIC PROPERTY (W.E. SAVAGE PROPERTY) to the February 12, 2026 meeting.

- VI. LAND SUBDIVISION ITEMS** – The Subdivision Committee met on Thursday, January 8, 2026 at 8:30 a.m. The meeting was attended by Commission members Ivy Barksdale, Mike Owens, and Judy Worth. Other Committee members present were Vaughan Adkins, Division of Engineering; and David Filiatreau, Division of Traffic Engineering. Staff members in attendance were Traci Wade, Daniel Crum, Chris Chaney, Jeremy Young, Cheryl Galt, Ryelle Browning, Paula Owens; Firefighter Embry Beatty, Division of Fire and Emergency Services; and Brittany Smith, Department of Law. The Committee made recommendations on plans as noted.

General Notes

The following automatically apply to all plans listed on this agenda unless a waiver of any specific section is granted by the Planning Commission:

1. All preliminary and final subdivision plans are required to conform to the provisions of Article 5 of the Land Subdivision Regulations.
2. All development plans are required to conform to the provisions of Article 21 of the Zoning Ordinance.

- A. NO DISCUSSION ITEMS** – Following requests for postponement or withdrawal, items requiring no discussion will be considered.

Criteria: (1) The Subdivision Committee recommendation is for approval, as listed on this agenda, and
(2) the Petitioner agrees with the Subdivision Committee recommendation and conditions listed on the agenda, and
(3) no discussion of the item is desired by the Commission, and
(4) no person present at this meeting objects to the Commission acting on the matter without discussion, and
(5) the matter does not involve a waiver of the Land Subdivision Regulations.

- B. DISCUSSION ITEMS** – Following requests for postponement, withdrawal and no discussion items, the remaining items will be considered.

The procedure for these hearings is as follows:

- Staff Report(s), including subcommittee reports (30 minute maximum)
- Petitioner's report(s) (30 minute maximum)
- Citizen Comments
 - (a) Proponents (10 minute maximum OR 3 minutes each)
 - (b) Objectors (30 minute maximum OR 3 minutes each)
- Rebuttal & Closing Statements
 - (a) Petitioner's comments (5 minute maximum)

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

- (b) Citizen objectors (5 minute maximum)
- (c) Staff comments (5 minute maximum)
- Commission discusses and/or votes on the plan.

1. **Final Subdivision Plans** - None at this time.
2. **Preliminary Subdivision Plans** - None at this time.
3. **Development Plans** - None at this time.
4. **Waivers**

- a. **PLN-WAV-25-00009: EAST HIGH MULTI-USE PROJECT (AMD)** - requests a waiver for the direct pedestrian connection to E. Vine Street (ZO 16-6(b)), in association with PLN-MJDP-25-00072, for property at 227 & 229 E. High Street.
Council District: 3
Project Contact: Tate-Bryan Realty

The Subdivision Committee Recommended: **Approval**.

Note: The Technical Review Committee voted to approve PLN-MJDP-25-00072: EAST HIGH MULTI-USE PROJECT (AMD) on December 17, 2025, subject to the following conditions:

1. Urban County Engineer's acceptance of drainage, and storm and sanitary sewers.
2. Urban County Traffic Engineer's approval of street cross-sections and access.
3. Landscape Examiner's approval of landscaping and landscaping buffers.
4. Addressing Office's approval of street names and addresses.
5. Urban Forester's approval of tree preservation plan.
6. Department of Environmental Quality's approval of environmentally sensitive areas.
7. Bike & Pedestrian Planner's approval of bike trails and pedestrian facilities.
8. Open Space Planner's approval of open space areas.
9. Division of Fire, Water control Office's approval of the locations of fire hydrants, fire department connections, and fire service features.
10. Division of Waste Management's approval of refuse collection locations.
11. Documentation of Division of Water Quality's approval of Capacity Assurance Program requirements, prior to plan certification.
12. United States Postal Service Office's approval of kiosk locations or easement.
13. Provided the Planning Commission grants the requested waiver for ZO 16-6(b).
14. Correct all noted deficiencies listed as "requirements not met" herein.

Staff Presentation - Mr. Chaney oriented the Commission to the development plan that required a waiver. The applicant was requesting a waiver for pedestrian access to adjacent roadways. He pointed out the retaining wall on one side of the property that was planned to be rebuilt by the LFUCG Department of Public Works. Based on that new construction, the applicant opined that it would create a hardship for them to provide the direct pedestrian connection. He displayed aerial photographs of the property and explained how pedestrians could easily access E. High Street and Beck Alley. Mr. Chaney said that the Staff was recommending approval of the waiver request for the following reasons:

1. The waiver will not compromise public health, safety, and welfare, and will have minimal adverse impacts because of the grade separation between the site and the roadway, and because other compliant pedestrian connections exist on site. Additionally, pedestrian access from the site to Vine Street can be accomplished via Beck Alley.
2. The extent of the waiver of this regulation is the minimum necessary to reasonably afford relief to the applicant as no direct pedestrian access to East Vine Street exists currently, and all other requested pedestrian facilities are being provided.
3. A strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land and would create an unnecessary hardship on the applicant. Without this requested waiver, the

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.

applicant would be required to install a pedestrian connection that would directly conflict with the planned retaining wall improvements in order to be able to further develop the site.

Commission Questions - Mr. Michler asked about the existing stairs to E. High Street and if they would remain. Ms. Wade responded that the existing stairs were on adjacent property, and the Staff did not know if they would be removed during the construction of the new wall.

Ms. Worth clarified that, during the Subdivision Committee, the applicant stated that they would have to demolish part of the new wall to create the access. She also stated that the Subdivision Committee had recommended approval of the waiver.

Mr. Owens asked about the use of the proposed building on the corresponding development plan. Mr. Chaney replied that it was a 3-story residential building.

Mr. Owens asked where Beck Alley was located, and Mr. Chaney pointed it out on the aerial photograph.

Mr. Owens asked for clarification about the specific hardship that was being addressed. Mr. Chaney replied that the applicant would have to demolish part of the new wall that would be built. Ms. Wade stated that the applicant had originally agreed to create the access, but the Department of Public Works asked them not to.

Ms. M. Davis asked about possible re-development of the adjacent lot, and voiced concern that others would ask for the same waiver. Ms. Wade replied that they would evaluate any future developments on a case by case basis.

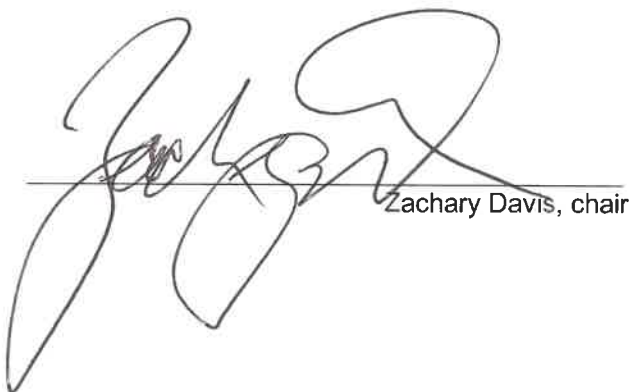
Mr. Nicol read a portion of the applicants letter that explained the reasons why it would be difficult to cut an access point into the wall.

Action - Mr. Nicol made a motion, seconded by Ms. Worth, and carried 10-0 (Penn absent), to approve PLN-WAV-25-00009: EAST HIGH MULTI-USE PROJECT (AMD), for the reasons listed by staff.

VII. COMMISSION ITEMS

Mr. Duncan reminded the Planning Commission about the upcoming work session the following Thursday.

VIII. ADJOURNMENT – Chair Davis adjourned the meeting at 1:51 p.m.



Zachary Davis, chair



Robin Michler, secretary

TW/DC/CC/CG/PO

* - Denotes date by which Commission must either approve or disapprove request, unless agreed to a longer time by the applicant.