Planning Commission
Staff Report
April 23, 2026

Case No:	26-ZONE-0025
Project Name:	Poplar Tri-Plex
Location:	3827 Poplar Level Road
Applicant:	ZNB Properties LLC
Representative:	Mike Brewer
Jurisdiction:	Louisville Metro
Council District:	10 – Josie Raymond
Case Manager:	Jude Mattingly, Planner II

REQUEST(S)

- **Change in zoning** from R-5 Residential to R-6 Residential
- **Waiver** from 10.2.4 to omit the property perimeter landscape buffer required along the northwestern and southeastern property line.
- **Detailed District Development Plan** with proposed binding elements

CASE SUMMARY

The applicant is requesting a change in zoning from R-5 residential single-family to R-6 residential multi-family to allow for three (3) total dwelling units on site. Containing 0.22 acres, the subject site is located 0.10 miles SE of the Trevilian Way and Poplar Level Rd intersection and is developed with a 1.5 story single family residential structure and detached accessory dwelling unit (ADU) / garage in the rear. The proposal is to convert the single-family residential structure into a duplex with the ADU then being considered a non-accessory dwelling unit. No new construction or changes in impervious surface area is purposed as all renovations will be internal. The subject site is located within a Neighborhood form district and there is no proposed form district change associated with this request.

STAFF FINDING

The change in zoning does not violate the goals and/or objectives of the Comprehensive Plan based on staff's analysis. The Detailed District Development Plan is compliant with the Land Development Code except where the waiver is requested. The Wavier is adequately justified for approval and meets the standard of review.

TECHNICAL REVIEW

Plan 2040

Land Development Code (2025) Louisville Metro

The Department of Transportation and MSD have preliminarily approved the proposal.

INTERESTED PARTY COMMENTS

All comments received have been placed in the record and made available to the Commission in advance of the public hearing.

STANDARD OF REVIEW FOR REZONING AND FORM DISTRICT CHANGES

Criteria for granting the proposed form district change/rezoning: *KRS Chapter 100.213*

1. The proposed form district/rezoning change complies with the applicable guidelines and policies Plan 2040; **OR**
2. The existing form district/zoning classification is inappropriate and the proposed classification is appropriate; **OR**
3. There have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Plan 2040 which have substantially altered the basic character of the area.

STAFF ANALYSIS FOR CHANGE IN ZONING / FORM DISTRICT

The following is staff's analysis of the proposed rezoning against the Guidelines and Policies of Plan 2040.

The site is located in the Neighborhood Form District

> Neighborhood Form is characterized by predominantly residential uses that vary from low to high density and that blend compatibly into the existing landscape and neighborhood areas. High-density uses will be limited in scope to minor or major arterials and to areas that have limited impact on the low to moderate density residential areas.
>
> The Neighborhood Form will contain diverse housing types in order to provide housing choice for differing ages, incomes and abilities. New neighborhoods are encouraged to incorporate these different housing types within a neighborhood as long as the different types are designed to be compatible with nearby land uses. These types may include, but not be limited to, large lot single family developments with cul-de-sacs, traditional neighborhoods with short blocks or walkways in the middle of long blocks to connect with other streets, villages and zero-lot line neighborhoods with open space, and high-density multi-family housing.
>
> The Neighborhood Form may contain open space and, at appropriate locations, civic uses and neighborhood centers with a mixture of uses such as offices, retail shops, restaurants and services. These neighborhood centers should be at a scale that is appropriate for nearby neighborhoods. The Neighborhood Form should provide for accessibility and connectivity between adjacent uses and neighborhoods by automobile, pedestrian, bicycle and transit.
>
> Neighborhood streets may be either curvilinear, rectilinear or in a grid pattern and should be designed to support physical activity for all users and invite human interaction. Streets are connected and easily accessible to each other, using design elements such as short blocks or bike/walkways in the middle of long blocks to connect with other streets. Examples of design elements that encourage this interaction include narrow street widths, street trees, sidewalks, shaded seating/gathering areas and bus stops. Placement of utilities should permit the planting of shade trees along both sides of the streets.

STAFF: The change in zoning from R-5 to R-6 is compliant with the guidelines and policies of Plan 2040 in the context of the Neighborhood form district. The site fronts Poplar Level Rd which is classified as a Major Arterial roadway and the immediate area contains a developed network of sidewalks, allowing for several public transit options and is located near activity and employment centers. There are a variety of office residential, commercial, and other multi-family zoning districts and land uses in close proximity of the subject site.

A checklist is attached to the end of this staff report with a more detailed analysis. The Planning Commission is charged with making a recommendation to the Louisville Metro Council regarding the appropriateness of this zoning map amendment. The Louisville Metro Council has zoning authority over the property in question.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR 26-WAIVER-0033

(a) The waiver will not adversely affect adjacent property owners; and

STAFF: The waiver is unlikely to adversely affect adjacent property owners. There is no proposed construction with this request. The existing structure and site conditions are compatible with other properties on the same block face.

(b) The waiver will not violate specific guidelines of Plan 2040; and

STAFF: Community Form Goal 1, Policy 4 calls for a proposal to ensure new development and redevelopment are compatible with the scale and site design of nearby existing development and with the desired pattern of development within the Form District. Quality design and building materials should be promoted to enhance compatibility of development and redevelopment projects.

(c) The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant; and

STAFF: The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant as implementing the provision in full would require partial demolition of both existing structures on site.

(d) Either:
(i) The applicant has incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect); **OR**
(ii) The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant.

STAFF: The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant. Implementing the provision in full would require partial demolition of both existing structures on site. The property owner has installed plantings and fencing to create some buffer against the remaining R-5 zoned properties.

STANDARD OF REVIEW AND STAFF ANALYSIS FOR DDDP and PROPOSED BINDING ELEMENTS

a. The conservation of natural resources on the property proposed for development, including: trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites;

STAFF: There do not appear to be any significant environmental constraints or natural resources on the subject site. While not formally recognized as being in a Historic Preservation district or National Register district the single-family structure on site was originally constructed in the mid-1920s according to Jefferson County PVA records. This proposal retains that structure while renovating it for the proposed duplex use.

b. The provisions for safe and efficient vehicular and pedestrian transportation both within the development and the community;

STAFF: Provisions for safe and efficient vehicular and pedestrian transportation within and around the development and the community has been provided, and the Department of Transportation and the KYTC have reviewed and approved the preliminary development plan.

c. The provision of sufficient open space (scenic and recreational) to meet the needs of the proposed development;

STAFF: There are no open space requirements pertinent to the current proposal. If the property were redeveloped in the future the subject site will be required to meet Land Development Code requirements.

d. 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;

STAFF: MSD has reviewed and 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.

e. The compatibility of the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses with the existing and projected future development of the area;

STAFF: The overall site design and land uses are compatible with the existing and future development of the area.

f. Conformance of the development plan with the Comprehensive Plan and Land Development Code. Revised plan certain development plans shall be evaluated for conformance with the non-residential and mixed-use intent of the form districts and comprehensive plan.

STAFF: The development plan conforms to applicable guidelines and policies of the Comprehensive Plan and to requirements of the Land Development Code except for where the waiver is requested.

REQUIRED ACTIONS:

- **RECOMMEND** that the Louisville Metro Council **APPROVE** or **DENY** the **Change in Zoning** from R-5 Residential to R-6 Residential
- **APPROVE** or **DENY** the **Waiver** to omit the property perimeter LBA along both the north-western and south-eastern property lines
- **APPROVE** or **DENY** the **Detailed District Development Plan** with proposed binding elements

Based upon the information in the staff report, the testimony and evidence provided at the public hearing, the Planning Commission must determine if the proposal is in conformance with the Comprehensive Plan; OR the existing form district/zoning classification is inappropriate and the proposed classification is appropriate; OR if there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in Plan 2040 which have substantially altered the basic character of the area.

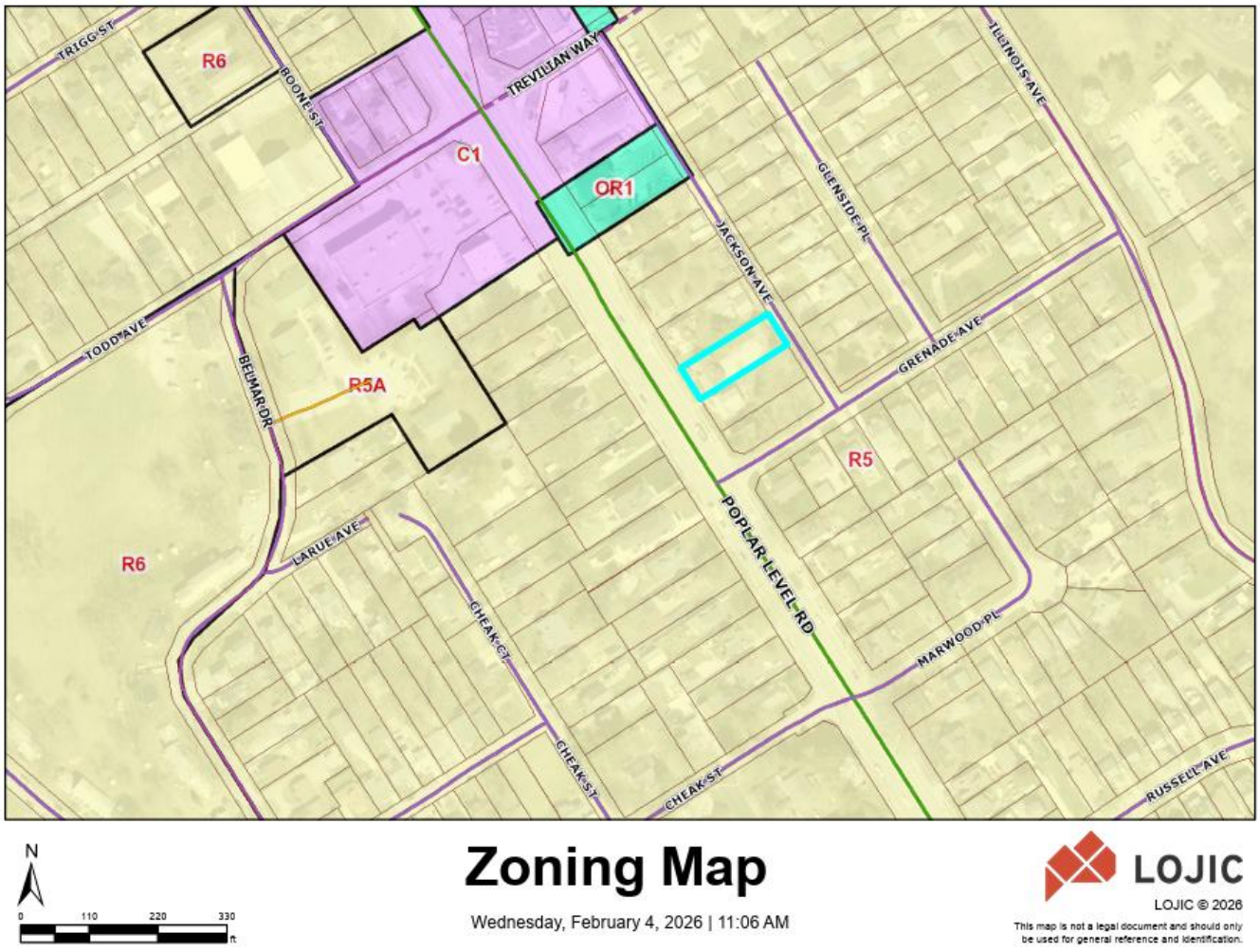
NOTIFICATION

Date	Purpose of Notice	Recipients
04-07-26 **04-07-26**	Hearing before PC	1st and 2nd tier adjoining property owners and current residents Registered Neighborhood Groups in Council District 10
04-03-26	Hearing before PC	Sign Posting on property
04-10-26	Hearing before PC	Legal Advertisement in the Courier-Journal

ATTACHMENTS

1. Zoning Map
2. Aerial Photograph
3. Staff Plan 2040 Checklist
4. Proposed Binding Elements

1. Zoning Map


TRIGG ST
R6
BOONE ST
TREVILIAN WAY
C1
OR1
ILLINOIS AVE
GLENSIDE PL
JACKSON AVE
TODD AVE
BELMAR DR
R5A
GRENADE AVE
R5
R6
LARUE AVE
POPLAR LEVEL RD
CHEAK CT
CHEAK ST
CHEAK ST
MARWOOD PL
RUSSELL AVE
N
0 110 220 330
ft
Zoning Map
Wednesday, February 4, 2026 | 11:06 AM
LOJIC
LOJIC © 2026
This map is not a legal document and should only be used for general reference and identification.

2. Aerial Photograph

N

0 25 50 75 ft

Aerial Photograph

Wednesday, February 4, 2026 | 11:07 AM

LOJIC

LOJIC © 2026

This map is not a legal document and should only be used for general reference and identification.

3. Staff Plan 2040 Checklist

+	Exceeds Guideline
✓	Meets Guideline
-	Does Not Meet Guideline
+/-	More Information Needed
NA	Not Applicable

Neighborhood: Residential

	Plan 2040 Plan Elements/Staff Analysis
1	***Community Form: Goal 1, Policy 7.*** *Locate higher density and intensity uses near major transportation facilities and transit corridors, employment centers, in or near activity centers and other areas where demand and adequate infrastructure exists or is planned.*
✓	**Staff Analysis:** The site fronts Poplar Level Rd which is classified as a Major Arterial roadway and the immediate area contains a developed network of sidewalks, allowing for several public transit options and is located near activity and employment centers. The area would be able to accommodate the proposed R-6 zoning and the use of (3) dwelling units. R-6 would not constitute a significantly higher density or intensity than what currently exists in the area.
2	***Community Form: Goal 1, Policy 9.*** *Ensure an appropriate transition between uses that are substantially different in scale and intensity or density of development. The transition may be achieved through methods such as landscaped buffer yards, vegetative berms, compatible building design and materials, height restrictions and setback requirements.*
✓	**Staff Analysis:** R-6 zoning at this site will not allow for uses that are substantially different in scale, intensity, or density compared to the adjacent R-5 zoning. A Waiver has been submitted to omit the property perimeter LBA, however, there is still fencing and plantings that act as a buffer between the subject site and the adjacent R-5 zoning.
3	***Community Form: Goal 2, Policy 9.*** *Encourage new developments and rehabilitation of buildings that provide commercial, office and/or residential uses.*
✓	**Staff Analysis:** The proposal is to convert the existing single family structure originally constructed in the mid-1920s into a duplex. While not formally recognized as being in a Historic Preservation district or National Register district repurposing the existing structure is in compliance with Community Form: Goal 2, Policy 9.
4	***Community Form: Goal 3, Policy 10.*** *Encourage development to avoid wet or highly permeable soils, severe, steep or unstable slopes where the potential for severe erosion problems exists in order to prevent property damage and public costs associated with soil slippage and foundation failure and to minimize environmental degradation.*
✓	**Staff Analysis:** The proposal does not include any new construction, but no protected waterways, severe, steep, or unstable slopes, or wet / highly permeable soils that have been identified.
5	***Community Form: Goal 4, Policy 2.*** *Encourage preservation of distinctive cultural features including landscapes, natural elements and built features.*
✓	**Staff Analysis:** The proposal does not include any new construction, and as a result any distinctive cultural features are at risk of being lost. Historic Preservation / Urban Design Team has reviewed the proposal and did not identify any potential issues.

Plan 2040 Plan Elements/Staff Analysis	
6	***Community Form: Goal 4, Policy 3.*** *Encourage preservation and/or adaptive reuse of historic sites listed on or eligible for the National Register of Historic Places and/or recognized by the Louisville Metro Landmarks Commission or other national, state or local government historic preservation agencies*.
✓	**Staff Analysis:** The proposal does not include any new construction, and as a result the structure, which is not formally recognized as being in a Historic Preservation district or National Register district will be preserved and repurposed for a the new use.
7	***Mobility: Goal 1, Policy 4.*** *Encourage higher densities and intensities within or near existing marketplace corridors, existing and future activity centers, and employment centers to support transit-oriented development and an efficient public transportation system.*
✓	**Staff Analysis:** The site fronts Poplar Level Rd which is classified as a Major Arterial roadway and the immediate area contains a developed network of sidewalks, allowing for several public transit options and is located near activity and employment centers. The area would be able to accommodate the proposed R-6 zoning and the use of (3) dwelling units. R-6 would not constitute a significantly higher density or intensity than what currently exists in the area.
8	***Mobility: Goal 2, Policy 4.*** *Avoid access to development through areas of significantly lower intensity or density development if such access would create significant nuisances.*
✓	**Staff Analysis:** R-5 to R-6 would not constitute a significantly higher density or intensity than what currently exists in the area as a result there is not a concern of access through an area of significantly lower intensity.
9	***Mobility: Goal 3, Policy 2.*** *To improve mobility, and reduce vehicle miles traveled and congestion, encourage a mixture of compatible land uses that are easily accessible by bicycle, car, transit, pedestrians and people with disabilities. Housing should be encouraged near employment centers.*
✓	**Staff Analysis:** The subject site is developed with a network of sidewalks allowing for multi-modal transportation options and public transit options while being in proximity to employment and activity centers.
10	***Mobility: Goal 3, Policy 5.*** *Evaluate developments for their impact on the transportation network (including the street, pedestrian, transit, freight movement and bike facilities and services) and air quality.*
✓	**Staff Analysis:** The Department of Transportation Planning and KYTC have reviewed the proposal and provided preliminary approval. No significant or detrimental impacts to the existing transportation network are anticipated by the proposal.
11	***Mobility: Goal 3, Policy 6.*** *Ensure that those who propose new developments bear or share in rough proportionality the costs of transportation facilities and services made necessary by development.*
✓	**Staff Analysis:** The Department of Transportation Planning and KYTC have reviewed the proposal and provided preliminary approval.
12	***Mobility: Goal 3, Policy 9.*** *When existing transportation facilities and services are inadequate and public funds are not available to rectify the situation, the developer may be asked to make improvements, roughly proportional to the projected impact of the proposed development, to eliminate present inadequacies if such improvements would be the only means by which the development would be considered appropriate at the proposed location.*
✓	**Staff Analysis:** The Department of Transportation Planning and KYTC have reviewed the proposal and provided preliminary approval.
13	***Mobility: Goal 3, Policy 10.*** *Ensure that necessary improvements occur in accordance with long-range transportation plans and level of mobility criteria for all modes of travel.*
✓	**Staff Analysis:** The Department of Transportation Planning and KYTC have reviewed the proposal and provided preliminary approval.
14	***Mobility: Goal 3, Policy 21.*** *Prevent safety hazards caused by direct residential access to high-speed roadways.*
✓	**Staff Analysis:** The subject site is accessed from Poplar Level Rd which is classified as a Major Arterial roadway. Poplar Level Rd does not meet the criteria of a high-speed roadway by the Federal Highway Administration's guidelines.

Plan 2040 Plan Elements/Staff Analysis	
15	***Community Facilities: Goal 2, Policy 1.*** *Locate development in areas served by existing utilities or capable of being served by public or private utility extensions.*
✓	**Staff Analysis:** The area is served by existing utilities and no issues have been identified.
16	***Community Facilities: Goal 2, Policy 2.*** *Ensure that all development has an adequate supply of potable water and water for fire-fighting purposes. Locate only very low-density land uses on sites that use on-lot sewage disposal systems or on a private supply of potable water.*
✓	**Staff Analysis:** No issues with the supply of potable water and water for fire-fighting purposes has been identified. There is an active fire hydrant within 75' of the subject property.
17	***Community Facilities: Goal 2, Policy 3.*** *Ensure that all development has adequate means of sewage treatment and disposal to protect public health and to protect water quality in lakes and streams as determined by the Metropolitan Sewer District (MSD).*
✓	**Staff Analysis:** MSD has reviewed the proposal and provided preliminary approval.
18	***Livability: Goal 1, Policy 5.*** *Encourage development that recognizes and incorporates the unique characteristics of identified general landscape types and native plant communities (e.g., upland hardwood forest) throughout Louisville Metro.*
✓	**Staff Analysis:** No detriments to any unique characteristics of identified general landscape types and native plan communities has been identified.
19	***Livability: Goal 1, Policy 17.*** *Determine site susceptibility to erosion; identify the presence of on-site carbonate conditions and features that are vulnerable to site disturbance; identify the extent of existing groundwater use and the impacts of the project on groundwater resources, flow patterns, and existing and proposed surface drainage. Then mitigate potential hazards to such systems resulting from the project.*
✓	**Staff Analysis:** MSD has reviewed the proposal and provided preliminary approval.
20	***Livability: Goal 1, Policy 21.*** *Mitigate negative development impacts to the integrity of the regulatory floodplain by encouraging development patterns that minimize disturbance and consider the increased risk of more frequent flooding events.*
NA	**Staff Analysis:** The subject site is not located in the regulatory floodplain. No increased risk of more frequent flooding events is anticipated as a result of this proposal.
21	***Housing: Goal 1, Policy 1.*** *Encourage a variety of housing types including, but not limited to, detached and attached single family, multi-family, mixed use, zero lot line, average lot, cluster, and co-housing. Allow for accessory residential structures and apartments. Housing types should reflect the Form District pattern.*
✓	**Staff Analysis:** The proposed zoning district would allow for a maximum of (3) dwelling units to exist on site under the current regulations. A duplex with a detached third unit would represent different housing types in an area and form district pattern that appears to be able to accommodate them.
22	***Housing: Goal 1, Policy 2.*** *Promote housing options and environments that support aging in place. Encourage housing for older adults and people with disabilities to be located close to shopping and transit routes and, when possible, medical and other supportive facilities.*
✓	**Staff Analysis:** The proposed zoning district would allow housing options and developments that support aging in place. Supportive services and facilities exist nearby to serve the proposal. There are shopping, medical, and other facilities all within a mile of the site which has access to a developed network of sidewalks and public transit options.
23	***Housing: Goal 2, Policy 1.*** *Encourage inter-generational, mixed-income and mixed-use development that is connected to the neighborhood and surrounding area.*
✓	**Staff Analysis:** The proposed zoning district would encourage inter-generational and mixed-income housing with adequate infrastructure to support the proposal.

Plan 2040 Plan Elements/Staff Analysis	
24	***Housing: Goal 2, Policy 2.*** *Locate housing within proximity to multi-modal transportation corridors providing safe and convenient access to employment opportunities, as well as within proximity to amenities providing neighborhood goods and services. Higher density, accessible residential uses should be located along transit corridors and in or near activity centers.*
✓	**Staff Analysis:** The site fronts Poplar Level Rd which is classified as a Major Arterial roadway and the immediate area contains a developed network of sidewalks, allowing for several public transit options and is located near activity and employment centers. The area would be able to accommodate the proposed R-6 zoning and the use of (3) dwelling units. R-6 would not constitute a significantly higher density or intensity than what currently exists in the area
25	***Housing: Goal 3, Policy 1.*** *Encourage provision of fair and affordable housing by providing a variety of ownership options and unit costs throughout Louisville Metro. Expand opportunities for people to live in quality, variably priced housing in locations of their choice by encouraging affordable and accessible housing in dispersed locations throughout Louisville Metro.*
✓	**Staff Analysis:** The proposal would encourage fair and affordable housing efforts while expanding the opportunity for people to live in quality and variably priced housing options.
26	***Housing: Goal 3, Policy 2.*** *As neighborhoods evolve, discourage displacement of existing residents from their community.*
✓	**Staff Analysis:** The proposal would add dwelling units and as a result is not a risk to displace any existing resident.
27	***Housing: Goal 3, Policy 3.*** *Encourage the use of innovative methods such as clustering, mixed-use developments, co-housing, and accessory apartments to increase the production of fair and affordable housing.*
✓	**Staff Analysis:** The proposal would add dwelling units and as a result would increase the production of housing units.

4. 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. 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.

3. Before any permit (including but not limited to building, parking lot, change of use, site disturbance) is requested:

    a. The development plan must receive full construction approval from Construction Review, Louisville Metro Public Works and the Metropolitan Sewer District.

4. 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.

5. 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.