

**LOUISVILLE METRO PLANNING COMMISSION
BINDING ELEMENT FINAL ORDER 4701 COMMERCE CROSSINGS DRIVE**

WHEREAS, On June 9, 2022, Louisville Metro Code Enforcement Officer James Mullarkey issued a Binding Element Violation Citation (“Citation”) to Insight Kentucky Partners II LP, the property owner (the “Owner”), for violation of Binding Element No. 8b under Docket Number 09-032-97 (“applicable binding element”), on the property located at 4701 Commerce Crossings Drive and being in Louisville, Kentucky (hereafter “Subject Property”) because:

8b. The property owner/developer must obtain approval of a detailed plan for screening (buffering/landscaping) as described in Article 12 prior to requesting a building permit. Such plan shall be implemented prior to occupancy of the site and shall be maintained thereafter.

However, the Subject Property is not in accordance with the approved detailed district development plan because the required landscaping has not been installed and maintained as required, as it is missing from the rear of the Subject Property.

WHEREAS, the Owner failed to contest the Citation and did not request an appeal before the Louisville Metro Planning Commission (the “Commission”); and

WHEREAS, the Commission finds, based on the evidence submitted into the record under Docket Number Binding Element Final Order 4701 Commerce Crossings Drive, that the Owner committed violations for Binding Element 8b on the Subject Property because the Owner failed to comply with the applicable binding element on the Subject Property as put forth herein above.

It is hereby **ORDERED** by the Commission that the Citation issued on June 9, 2022, to the Owner is **UPHELD**, and that the Owner shall bring the Subject Property into full compliance with the most recently approved development plan for the Subject Property within thirty (30) calendar days from when the Commission entered this Final Order, as specified by the dated signatures below.

It is hereby further **ORDERED** by the Commission, after considering the Owner’s lack of achieving compliance with the applicable binding elements on the Subject Property, the Commission hereby fines the Owner \$1,000.00 and that the Owner shall pay said fine by certified check made payable to Louisville Metro Finance, within thirty (30) calendar days from when the Commission entered this Final Order, as specified by the dated signatures below.

MICHAEL J. O’CONNELL
Jefferson County Attorney

LOUISVILLE METRO
PLANNING COMMISSION

By: _____
Laura M. Ferguson

By: _____
Chairperson

DATE: _____
Final Order 4701 Commerce Crossings Drive (06/09/22)

DATE: _____