

## Proposed BEs

7. Five percent (5%) of the multi-family units, 1 bedroom or more, either sold or rented shall comply with the following:

Units sold: Unit sale prices shall be calculated using 80% of the current Jefferson County area median income (AMI) limit for a given household size.

For rented units: The most current published HUD Fair Market Rent value and the Low-Income Housing Tax-Credit rent limits for Jefferson County will be used to calculate the Affordable Rent. Affordable Rent must not exceed the higher of the two rent calculations in order to be classified as an affordable rental unit (see LDC Chapter 4.3.20 (MRDI) for more information on calculating affordable rents).

The developer/owner shall be responsible for submitting an annual report to Planning & Design Services staff at 12-month intervals from the date of the first certificate of occupancy (for a residential unit), until all affordable owner occupied units have been issued building permits and for a period of 15 years after the last affordable rental unit building permit has been issued. The annual report shall identify the name of the development, the unit numbers, the unit addresses, and the sale price and/or rental rates of the designated affordable units. The annual report shall indicate separately the number of building permits issued for owner occupied and for rental dwellings

8. All exterior lighting, whether freestanding or attached to any structure, including street lights, lot lights and lighting for any signage, shall be fully shielded, shall utilize flat or hidden lenses, and shall be pointed directly to the ground. No exterior LED or metal halide lighting shall have a correlated color temperature (CCT) exceeding 3000 Kelvin. No parking lot light fixtures shall be more than fourteen feet high, measured from ground level (this shall not apply to the parking garage).
9. No changing image or moving business signs shall be permitted. All freestanding business signage shall not exceed six feet in height, measured from ground level.
10. Developer shall work with Louisville Metro Parks and the Olmsted Conservancy to secure better maintenance and infrastructure in the Willow Lake area of Cherokee Park and will report back to the Planning Commission before Certificate of Occupancy with a plan to achieve the objective of this binding element.
11. At least 30 days in advance of any blasting, developer shall send regular US mail notices to the Director of Planning and Design Services, the Director of Metro Parks, the owner of Cave Hill Cemetery and the owners of the properties located opposite the subject property along Lexington Road west of the Lexington Road/Grinstead Drive intersection and continuing west of the Lexington Road/Etley Avenue intersection for a distance of 1000 feet. Such notice shall include a schedule when blasting is anticipated to occur and the name, address, phone number and contact person of the blasting contractor. This blasting schedule shall also be made available to anyone who specifically requests such schedule from developer. Developer shall meet in advance of blasting with the owners or other legal representatives of any of the forgoing properties who request a meeting and shall provide each such property owner (or other legal representative) with a copy of the pre-blast survey, including photographs, affecting such property. Any blasting that occurs shall be performed by a certified and bonded blasting contractor and only after the aforementioned pre-blast survey is conducted and issued to the adjoining property owners/legal representatives. The pre-blast surveys as respects Cave Hill Cemetery and Metro Parks properties shall only be conducted as respects structures within 1000 feet of the subject property. This binding element shall not relieve the developer of its obligation to comply with any statutory or other legal requirements.