University of Kentucky | Coldstream Research Campus

May 14, 2020

Senator Rick Girdler, Co-Chair
Representative Walker Thomas, Co-Chair
Capital Projects and Bond Oversight Committee
Legislative Research Commission
Capitol Annex Building – Room 34
702 Capitol Avenue
Frankfort, Kentucky 40601

Dear Senator Girdler and Representative Walker and Members of the Capital Projects and Bond Oversight Committee:

Pursuant to KRS §45A.077 the University of Kentucky reports the issuance of a Request for Proposals for a Public-Private Partnership (P3) project delivery method for the capital project, Construct Research Incubator Facility, authorized by the 2018 Kentucky General Assembly. The capital project was approved for initiation by the University's Board of Trustees at their February 21, 2020 meeting. Enclosed is a copy of the Request for Proposals.

Once negotiations are completed the final contract shall be submitted to the Committee prior to beginning work on the project pursuant to KRS §45.763.

Sincerely,

George Ward
Executive Director

c: Angie Martin Katherine Halloran Elizabeth Baker

UNIVERSITY OF KENTUCKY

Purchasing Division

Request for Proposal
UK-2057-20
Proposal Due Date – 05/05/2020

Coldstream Laboratory / High-Tech Multi-Tenant Building Developer
Public-Private Partnership (P3)

UNIVERSITY OF KENTUCKY
Purchasing Division

REQUEST FOR PROPOSAL (RFP)

ATTENTION: This is not an order. Read all instructions, terms and conditions carefully.

PROPOSAL NO.:	UK-2057-20	**RETURN ORIGINAL COPY OF PROPOSAL TO:**
Issue Date :	03/13/2020	**UNIVERSITY OF KENTUCKY**
	Coldstream Laboratory / High-Tech Multi-Tennant	**PURCHASING DIVISION**
Title:	Building Developer – Public-Private Partnership (P3)	**411 S LIMESTONE**
Purchasing Officer:	Matt Spalding	**ROOM 322 PETERSON SERVICE BLDG.**
Phone/ EMail:	859-323-5405 / matthew.spalding@uky.edu	**LEXINGTON, KY 40506-0005**

IMPORTANT: PROPOSALS MUST BE RECEIVED BY: 05/05/2020 @ 3 P.M. LEXINGTON, KY TIME.

NOTICE OF REQUIREMENTS

1. The University's General Terms and Conditions and Instructions to Bidders, viewable at www.uky.edu/Purchasing/terms.htm, apply to this RFP. When the RFP includes construction services, the University's General Conditions for Construction and Instructions to Bidders, viewable at www.uky.edu/Purchasing/ccphome.htm, apply to the RFP.
2. Contracts resulting from this RFP must be governed by and in accordance with the laws of the Commonwealth of Kentucky.
3. Any agreement or collusion among offerors or prospective offerors, which restrains, tends to restrain, or is reasonably calculated to restrain competition by agreement to bid at a fixed price or to refrain from offering, or otherwise, is prohibited.
4. Any person who violates any provisions of KRS 45A.325 shall be guilty of a felony and shall be punished by a fine of not less than five thousand dollars nor more than ten thousand dollars, or be imprisoned not less than one year nor more than five years, or both such fine and imprisonment. Any firm, corporation, or association who violates any of the provisions of KRS 45A.325 shall, upon conviction, be fined not less than ten thousand dollars or more than twenty thousand dollars.

AUTHENTICATION OF BID AND STATEMENT OF NON-COLLUSION AND NON-CONFLICT OF INTEREST

I hereby swear (or affirm) under the penalty for false swearing as provided by KRS 523.040:

1. That I am the offeror (if the offeror is an individual), a partner, (if the offeror is a partnership), or an officer or employee of the bidding corporation having authority to sign on its behalf (if the offeror is a corporation);
2. That the attached proposal has been arrived at by the offeror independently and has been submitted without collusion with, and without any agreement, understanding or planned common course of action with, any other Contractor of materials, supplies, equipment or services described in the RFP, designed to limit independent bidding or competition;
3. That the contents of the proposal have not been communicated by the offeror or its employees or agents to any person not an employee or agent of the offeror or its surety on any bond furnished with the proposal and will not be communicated to any such person prior to the official closing of the RFP:
4. That the offeror is legally entitled to enter into contracts with the University of Kentucky and is not in violation of any prohibited conflict of interest, including, but not limited to, those prohibited by the provisions of KRS 45A.330 to .340, and164.390;
5. That the offeror, and its affiliates, are duly registered with the Kentucky Department of Revenue to collect and remit the sale and use tax imposed by Chapter 139 to the extent required by Kentucky law and will remain registered for the duration of any contract award;
6. That I have fully informed myself regarding the accuracy of the statement made above.

SWORN STATEMENT OF COMPLIANCE WITH CAMPAIGN FINANCE LAWS

In accordance with KRS45A.110 (2), the undersigned hereby swears under penalty of perjury that he/she has not knowingly violated any provision of the campaign finance laws of the Commonwealth of Kentucky and that the award of a contract to a bidder will not violate any provision of the campaign finance laws of the Commonwealth of Kentucky.

CONTRACTOR REPORT OF PRIOR VIOLATIONS OF KRS CHAPTERS 136, 139, 141, 337, 338, 341 & 342

The contractor by signing and submitting a proposal agrees as required by 45A.485 to submit final determinations of any violations of the provisions of KRS Chapters 136, 139, 141, 337, 338, 341 and 342 that have occurred in the previous five (5) years prior to the award of a contract and agrees to remain in continuous compliance with the provisions of the statutes during the duration of any contract that may be established. Final determinations of violations of these statutes must be provided to the University by the successful contractor prior to the award of a contract.

CERTIFICATION OF NON-SEGREGATED FACILITIES

The contractor, by submitting a proposal, certifies that he/she is in compliance with the Code of Federal Regulations, No. 41 CFR 60-1.8(b) that prohibits the maintaining of segregated facilities.

SIGNATURE REQUIRED: This proposal cannot be considered valid unless signed and dated by an authorized agent of the offeror. Type or print the signatory's name, title, address, phone number and fax number in the spaces provided. Offers signed by an agent are to be accompanied by evidence of his/her authority unless such evidence has been previously furnished to the issuing office.

DELIVERY TIME:	**NAME OF COMPANY:**	**DUNS #**
PROPOSAL FIRM THROUGH:	**ADDRESS:**	**Phone/Fax:**
PAYMENT TERMS:	**CITY, STATE & ZIP CODE:**	**E-MAIL:**
SHIPPING TERMS: F. O. B. DESTINATION PREPAID AND ALLOWED	**TYPED OR PRINTED NAME:**	**WEB ADDRESS:**
FEDERAL EMPLOYER ID NO.:	**SIGNATURE:**	**DATE:**

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Appendices:

1.0 DEFINITIONS

The term “Addenda” means written or graphic instructions issued by the University of Kentucky prior to the receipt of proposals that modify or interpret the RFP documents by additions, deletions, clarifications and/or corrections.

The terms “Agreement” or “Contract” mean the entire written agreement between the parties including, but not limited to, this RFP and its specifications, terms, and conditions, the Addenda, if any, the Contractor’s Offer, the final Contract document, and Contract amendments, if any.

The term “Architect of Record” means the prime architectural firm, to include subconsultants providing architectural and/or engineering services for this development.

The term “Competitive Negotiations” means the method authorized in the Kentucky Revised Statutes, Chapter 45A.085.

The term “Contractor” means the entity receiving a contract award.

The term “Developer” means the entity elected to carry out the Project.

The terms “Offer” or “Proposal” mean the Offeror’s response to this RFP.

The term “Offeror” means the entity or group submitting the Proposal.

The term “Project” means the Coldstream Laboratory / High-Tech Multi-Tenant Building (Coldstream High-Tech Building) Project.

The term “Project Site” means the ground on which the Project is located.

The terms “Purchasing Agency” or “Purchasing Division” mean the University of Kentucky, Purchasing Division, Room 322 Peterson Service Building, Lexington, KY 40506-0005.

The term “Purchasing Official” means the University of Kentucky’s appointed contracting representative.

The term “Responsible Offeror” means a person, company or corporation that has the capability in all respects to perform fully the contract requirements and the integrity and reliability that will assure good faith performance. In determining whether an Offeror is responsible, the University may evaluate various factors including (but not limited to): financial resources; experience; organization; technical qualifications; available resources; record of performance; integrity; judgment; ability to perform successfully under the terms and conditions of the contract; adversarial relationship between the Offeror and the University that is so serious and compelling that it may negatively impact the work performed under this RFP; or any other cause determined to be so serious and compelling as to affect the responsibility of the Offeror.

The term “Solicitation” means RFP.

The terms “University” or “UK” mean the University of Kentucky.

2.0 GENERAL OVERVIEW

2.1 Intent and Scope

This Request for Proposal (RFP), is for the selection of a Developer to construct a Laboratory / High-Tech Multi-Tenant Building (Coldstream High-Tech Building) to be located on the University's Coldstream Research Campus. This project has been approved by the University of Kentucky Board of Trustees and was authorized by the 2018 Kentucky General Assembly as a "Research/Incubator Facility." The design of the Coldstream Building shall conform to the Coldstream Research Campus "Design Guidelines" which can be found at this link (81 page pdf): http://www.uky.edu/coldstream/sites/www.uky.edu.coldstream/files/CRC_Design_Guidelines_RFP.pdf.

The Project is described as follows:

Coldstream High-Tech Building Project: A building that houses wet laboratories, offices and flex space for early stage high-tech companies. The Coldstream High-Tech Building should be at least 40,000 square feet. Kentucky Technology, Inc. (KTI), a for-profit company owned by UK's Research Foundation, (UKRF), will master lease 20,000 square feet of this building for an initial term of 10 years with options to renew. Laboratories offering flexibility in square footage are desired and should be equipped with chemical fume hoods and bench workspace, office space, co-working shared workspace, flex space (office and small warehouse/assembly space, and common areas should also be included.

The University intends to enter into an Agreement, based upon fair market value, with the selected Developer for an agreed upon term. Financing, Design, Construction, and Operations, including leasing and managing any space not used by the University, is the responsibility of the Developer.

The components of the Project are as follows:

- The parties will negotiate and execute a long-term Agreement for the Coldstream High-Tech Building.

- The Developer will design and construct the Coldstream High-Tech Building and appropriate number of parking spaces at a site agreed upon between the Developer and the University (see map on Attachment A), and will provide the maintenance, operations, and custodial functions of the Project.

Qualified firms shall demonstrate knowledge, experience, organization and financial ability to implement a complex, progressive, innovative project in a timely manner that serves the best interest of the University.

The University intends to select a Developer who demonstrates the best value for the design, development, operations, and management of a laboratory / high-tech building development that will benefit the University, its staff, and KTI's sublessees. A proven track record in developing and managing laboratory / high-tech building projects in a fiscally responsible manner, including established relationships with tenant(s), is paramount. The University will select a Developer as described in this RFP, including Offeror presentations, if necessary (described in Section 3.4.).

The evaluation criteria (described in Section 4.0) will consider the capabilities of the Offerors and will include experience, resources, financial capability, and project financing.

The University anticipates additional buildings on the Coldstream Research Campus and the University's main campus in the near future. The University reserves the right to negotiate with the selected Developer for additional projects; however, the continued use of the Developer is on a case by case basis and the University is under no obligation to do so.

For additional information please refer to the following Appendices:

Appendix A – Topographic Map
Appendix B – Zoning Description – P-2 Zoning
Appendix C – Infrastructure Map
Appendix D – Coldstream Design Guidelines – Text only
Appendix E – 1991 Environmental Site Assessment
Appendix F – Coldstream 2-page promotional material

2.2 Coldstream Research Campus Background Information

Business and research connect at UK-CRC, a premier location situated on 735 acres owned by the University. UK-CRC provides a connection to students, researchers, and resources at the University. The University is one of the few universities in the country with agriculture, engineering, pharmacy, a top research hospital and a national cancer center on one campus.

UK-CRC is located in north Lexington at the Exit 115 Newtown Pike interchange of I-75 and I-64. The location offers easy access and visibility for tenant companies and a traffic count of 92,000 vehicles per day on the interstate and over 48,000 per day on Newtown Pike. UK-CRC is only minutes from downtown Lexington and the University's main campus, providing accessibility to the business and economic development community, and access to the University's intellectual capital and resources.

The mission of UK-CRC is to cultivate an innovative community where University research combines with private business to create high-tech startup companies, expand existing businesses, and grow well-paying jobs. UK-CRC currently is home to over 50 organizations, 1.3 million square feet of building floor space, and more than 2,250 employees.

UK-CRC's natural environment is a perfect example of the spirit of Bluegrass country. The on-site hotel and conference center and the full-service golf resort and spa across the street increase the value of UK-CRC as an innovative business location. UK-CRC has a great recreational amenity, a city park that creates a 225-acre "emerald necklace" around the site. Almost two miles of the 12.5-mile Legacy Trail, a shared-use pedestrian trail and public art venue, is on the UK-CRC campus. This trail connects pedestrian and bicycle enthusiasts from downtown Lexington to the Kentucky Horse Park and travels through the south and west side of UK-CRC. Existing trails in other parts of Coldstream City Park and the research campus connect with the Legacy Trail.

Historically, the land that makes up the UK-CRC was once called McGrathiana Farm and was home to the first Kentucky Derby winner, Aristides. The location of the Coldstream High-Tech Building project is near the intersection of McGrathiana Parkway and Aristides Boulevard, at 1532 Bull Lea Rd.

UK-CRC is part of the University and the real property is wholly owned by the University. Any reference to the University and UK-CRC are for clarity only. The University is a single entity.

For additional information, visit www.UKColdstream.com

2.3 University Information

Since his arrival, President Eli Capilouto has set forth an ambitious agenda to extend and enhance our role as Kentucky's land-grant and flagship research university. By focusing on infrastructure growth and improvement; creating opportunities for innovative teaching, learning, and academic excellence; fostering a robust research and creative scholarship enterprise; providing life-saving subspecialty care; empowering communities through service and outreach; and encouraging a transparent and shared dialogue about institutional priorities; the University will ensure a new century of promise for the people we impact.

Founded in 1865 as a land-grant institution adjacent to downtown Lexington, the University is nestled in the scenic heart of the beautiful Bluegrass Region of Kentucky. From its early beginnings, with only 190 students and 10 professors, the University's campus now covers more than 918 acres and is home to more than 30,000 students and approximately 20,000 full-time and part-time employees, including more than 2,300 full-time faculty. The University is one of a small number of universities in the United States that has programs in agriculture, engineering, a full complement of health colleges including medicine and pharmacy, law and fine arts on a single campus, leading to groundbreaking discoveries and unique interdisciplinary collaboration. The state's flagship university consists of 17 academic and professional colleges where students can choose from more than 200 majors and degree programs at the undergraduate and graduate levels. The colleges are Agriculture, Food and Environment; Arts and Sciences; Business and Economics; Communication and Information; Dentistry; Design; Education; Engineering; Fine Arts; Health Sciences; Law; Lewis Honor's College, Medicine; Nursing; Pharmacy; Public Health; and Social Work; and the Graduate School. These colleges are supported by a modern research library system.

Research at the University is a dynamic enterprise encompassing both traditional scholarship and emerging technologies, and the University's research faculty, staff and students are establishing the University as one of the nation's most prolific public research universities. The University's research enterprise attracted $285 million in research grants and contracts from out-of-state sources, which generated a $580 million impact on the Kentucky economy. Included in this portfolio is $153 million in federal awards from the National Institutes of Health, non-NIH grants from the Department Health and Human Services, the National Science Foundation, Department of Energy, Department of Agriculture and NASA, among others. The National Science Foundation ranks the University's research enterprise 44th among public institutions.

With more than 50 research centers and institutes, University researchers are discovering new knowledge, providing a rich training ground for current students and the next generation of researchers, and advancing the economic growth of the Commonwealth of Kentucky. Several centers

excel in the services offered to the public. The Gluck Equine Research Center is one of only three facilities of its kind in the world, conducting research in equine diseases.

The Center for Applied Energy Research (CAER) is pursuing groundbreaking discovery across the energy disciplines. CAER staff are pioneering new ways to sustainably utilize Kentucky natural resources through carbon-capture algae technology, biomass/coal to liquid products and the opening of the University's first LEED-certified research lab to support the development of Kentucky's growing alternative energy industry. Among the brightest examples of the University's investment in transformative research is the Markey Cancer Center. As a center of excellence and distinction at the University, Markey's robust research and clinical enterprise is the cornerstone of our commitment to Kentucky – fundamental to our success in uplifting lives through our endeavors and improving the general health and welfare of our state – burdened by the nation's highest rate of cancer deaths per 100,000 people. In 2013, Markey earned the prestigious National Cancer Institute-designation (NCI) – one of 68 nationally and the only one in Kentucky.

The University was awarded a $20 million Clinical Translational Sciences Award (CTSA) from the National Institutes of Health (NIH). As one of only 60 institutions with this research distinction, the University was awarded the CTSA for its potential in moving research and discovery in the lab into practical field and community applications. The CTSA and NCI are part of a trifecta of federal research grants that includes an Alzheimer's Disease Center. The University is one of only 22 universities in the country to hold all three premier grants from NIH.

Established in 1957, the medical center at the University is one of the nation's finest academic medical centers and includes the University's clinical enterprise, UK HealthCare. The 724-bed UK Albert B. Chandler Hospital and Kentucky Children's Hospital, along with 221 beds at UK Good Samaritan Hospital, are supported by a growing faculty and staff providing the most advanced subspecialty care for the most critically injured and ill patients throughout the Commonwealth and beyond. Over the last several years, the number of patients served by the medical enterprise has increased from roughly 19,000 discharges to more than 40,000 discharges in 2017.

UK Chandler Hospital includes the only Level 1 Trauma Center for both adult and pediatric patients in Central and Eastern Kentucky. In addition, UK HealthCare recently opened one of the country's largest robotic hybrid operating rooms and the first of its kind in the region. While our new patient care pavilion is the leading healthcare facility for advanced medical procedures in the region, our talented physicians consult with and travel to our network of affiliate hospitals so Kentucky citizens can receive the best health care available close to their home and never need to leave the Bluegrass for complex subspecialty care.

The University's agenda remains committed to accelerating the University's movement toward academic excellence in all areas and gain worldwide recognition for its outstanding academic programs, its commitment to students, its investment in pioneering research and discovery, its success in building a diverse community and its engagement with the larger society. It is all part of the University's fulfillment of our promise to Kentucky to position our state as a leader in American prosperity.

2.4 Financing

The University is seeking responses from Offerors that provide cost effective financing options and structures.

Therefore, Offerors responding to this Solicitation should anticipate that, during the Planning Stage, the University will engage the selected Developer in a comprehensive evaluation of transaction structures, business terms, and capital sources. The University is seeking Offerors with demonstrated ability and experience in financing multi-tenant laboratory / high-tech developments on publicly-owned property.

For the purposes of responding to this RFP, and subject to the on-going discussions described above, Offerors should assume that Agreements for the development of the site will include the general provisions as set forth in this RFP and Appendices.

3.0 PROPOSAL REQUIREMENTS

3.1 Key Event Dates

Release of RFP	03/13/2020
Pre-Proposal Conference (Optional)	03/31/2020 @ 10:00 am EST
Deadline for Written Questions	04/06/2020 @ 3:00 pm EST
RFP Proposals Due	05/05/2020 @ 3:00 pm EST
Offeror Presentations*	05/20/2020
Contract Award*	06/10/2020

3.2 Offeror Communication

To ensure that RFP documentation and subsequent information (modifications, clarifications, Addenda, Written Questions and Answers, etc.) are directed to the appropriate persons within the Offeror's firm, each Offeror who intends to participate in this RFP is to provide the following information to the Purchasing Official. Prompt, thorough compliance is in the best interest of the Offeror. Failure to comply may result in incomplete or delayed communication of Addenda or other vital information. Contact information is the responsibility of the Offeror. Without the prompt information, any communication shortfall shall reside with the Offeror.

- Name of primary contact
- Mailing address of primary contact
- Telephone number of primary contact
- Fax number of primary contact
- E-mail address of primary contact
- Additional contact persons with same information provided as primary contact

This information shall be transmitted via fax or e-mail to:

Matt Spalding
Purchasing Division
University of Kentucky
322 Peterson Service Building
Lexington, KY 40506-0005
Phone: 859-536-1843
Fax: 859-257-1951
E-mail: matthew.spaldng@uky.edu

All communication with the University regarding this RFP shall only be directed to the Purchasing Official listed above.

3.3 Pre-Proposal Conference

A Pre-Proposal Conference will be held via Zoom Meeting on 03/31/2020 at 10:00 AM EST (link/details to be provided via addendum) to allow prospective Offerors an opportunity to ask oral questions and clarify the University's expectations.

The following items should be noted in reference to the Pre-Proposal Conference:

Attendance at the Pre-Proposal Conference is **optional.** At this conference the scope of services will be discussed in detail and a site tour will be included.

Those Offerors planning to participate the Pre-Proposal Conference shall email Matt Spalding at matthew.spalding@uky.edu by 03/23/2020 indicating their interest in participating.

Offerors are encouraged to submit written questions after the conference by the date listed in Section 3.1.

The University will prepare written responses to all questions submitted and make them available to all Offerors. The questions and answers will be made part of the RFP and may become part of the Contract with the successful Developer. Answers given orally at the conference are not binding.

3.4 Offeror Presentations

Finalists shall be required to make a presentation to the evaluation committee. The presentations are tentatively scheduled to be held on 05/20/2020. Actual presentation times will be scheduled later. In addition, an agenda for the finalists will be issued prior to the presentations.

3.5 Preparation of Offers

The Offeror is expected to follow all specifications, terms, conditions and instructions in this RFP.

The Offeror will furnish all information required by this solicitation.

Proposals should be prepared simply and economically, providing a description of the Offeror's capabilities to satisfy the requirements of the solicitation. Emphasis should be on completeness and clarity of content. All documentation submitted with the proposal should be bound in the single volume except as otherwise specified.

An electronic version of the RFP, in .PDF format only, is available through the Purchasing Division web site: www.uky.edu/purchasing/bidlist.htm

3.6 Proposed Deviations from the RFP

The stated requirements appearing elsewhere in this RFP shall become a part of the terms and conditions of any resulting Contract. Any deviations therefrom must be specifically defined in accordance with the transmittal letter, Section 4.3 (d). If accepted by the University, the deviations

shall become part of the Contract, but such deviations must not be in conflict with the basic nature of this RFP.

Note: Offerors shall not submit their standard terms and conditions as exceptions to the University's General Terms and Conditions. Each exception to the University's General Terms and Conditions shall be individually addressed. Any exception to the University's terms and conditions not taken as part of the Offeror's Proposal shall be deemed waived during subsequent contract negotiations.

3.7 Proposal Submission and Deadline

The Offeror must provide the following materials prior to 3:00 p.m. (Lexington, KY time) on the date specified in Section 3.1 and addressed to the Purchasing Official listed in Section 3.2:

- **Technical Proposal:** One (1) copy on an electronic storage device (CD or USB) (1 copy per storage device) each clearly marked with the proposal number and name, firm name and what is included (Technical Proposal) and six (6) printed copies in a single package, separate from the Financial Proposal.

- **Financial Proposal:** One (1) copy on an electronic storage device (CD or USB) (1 copy per storage device) each clearly marked with the proposal number and name, firm name and what is included (Financial Proposal) and six (6) printed copies in a single package, separate from the Technical Proposal.

Note: Proposals received after the closing date and time will not be considered. In addition, Proposals received via fax or e-mail are not acceptable.

The University accepts deliveries of RFPs Monday through Friday from 8:00 a.m. to 5:00 p.m. (Lexington, KY time). However, RFPs must be received by 3:00 p.m. (Lexington, KY) time on the date specified on the RFP in order to be considered.

Proposals shall be enclosed in sealed envelopes to the above referenced address and shall show on the face of the envelope: the closing time and date specified, the solicitation number and the name and address of the Offeror. The technical proposal shall be submitted in a sealed envelope and the financial proposal shall be submitted in a sealed envelope under separate cover. Both sealed envelopes shall have identical information on the cover, with the addition that one will state "Technical Information," and the other, "Financial Proposal."

Note: In accordance with the Kentucky Revised Statute 45A.085, there will be no public opening.

3.8 Modification or Withdrawal of Offer

An Offer and/or Modification of Offer received at the office designated in the Solicitation after the exact hour and date specified for receipt will not be considered.

An Offer may be modified or withdrawn by written notice before the exact hour and date specified for receipt of offers. An Offer also may be withdrawn in person by an Offeror or an authorized representative, provided the identity of the person is made known and the person signs a receipt for the Offer, but only if the withdrawal is made prior to the exact hour and date set for receipt of offers.

3.9 Acceptance or Rejection and Award of Proposal

The University reserves the right to accept or reject any or all Proposals (or parts of Proposals), to waive any informalities or technicalities, to clarify any ambiguities in Proposals and (unless otherwise specified) to accept any item in the proposal. In case of error in extension or prices or other errors in calculation, the unit price shall govern. Further, the University reserves the right to make a single award, split awards, multiple awards or no award, whichever is in the best interest of the University.

3.10 Rejection

Grounds for the rejection of Proposals include (but shall not be limited to):

- Failure of a Proposal to conform to the essential requirements of the RFP.
- Imposition of conditions that would significantly modify the terms and conditions of the Solicitation or limit the Offeror's liability to the University on the Contract awarded on the basis of such solicitation.
- Failure of the Offeror to sign the University RFP. This includes the Authentication of Proposal and Statement of Non-Collusion and Non-Conflict of Interest statements.
- Receipt of Proposal after the closing date and time specified in the RFP.

3.11 Addenda

Any Addenda or instructions issued by the Purchasing Agency prior to the time for receiving Proposals shall become a part of this RFP. Such Addenda shall be acknowledged in the Proposal. No instructions or changes shall be binding unless documented by a proper and duly issued addendum.

3.12 Disclosure of Offeror's Response

The RFP specifies the format, required information and general content of Proposals submitted in response to this RFP. The Purchasing Agency will not disclose any portions of the Proposals prior to Contract award to anyone outside the Purchasing Division, the University's administrative staff, representatives of the state or federal government (if required) and the members of the committee evaluating the proposals. After a Contract is awarded in whole or in part, the University shall have the right to duplicate, use or disclose all Proposal data submitted by Offerors in response to this RFP as a matter of public record.

Any submitted Proposal shall remain valid six (6) months after the Proposal due date.

The University shall have the right to use all system ideas, or adaptations of those ideas, contained in any Proposal received in response to this RFP. Selection or rejection of the Proposal will not affect this right.

3.13 Restrictions on Communications with University Staff

From the issue date of this RFP until a Developer is selected and a Contract award is made, Offerors are not allowed to communicate about the subject of the RFP with any University administrator, faculty, staff or members of the board of trustees except: the Purchasing Official, any Purchasing Division representative representing the University administration, others authorized in writing by the Purchasing Division and University representatives during Offeror presentations. If violation of this provision occurs, the University reserves the right to reject the Offeror's proposal.

3.14 Cost of Preparing Proposal

Costs for developing the Proposals and any subsequent activities prior to Contract award are solely the responsibility of the Offerors. The University will provide no reimbursement for such costs.

3.15 Disposition of Proposals

All Proposals become the property of the University. The successful Proposal will be incorporated into the resulting Contract by reference.

3.16 Alternate Proposals

Offerors may submit alternate Proposals. If more than one Proposal is submitted, all must be complete (separate) and comply with the instructions set forth within this document. Each Proposal will be evaluated on its own merits.

3.17 Questions

All questions should be submitted by either fax or e-mail to the Purchasing Official listed in Section 3.2 no later than the date listed in Section 3.1. Fax to: 859-257-1951. Email to: matthew.spalding@uky.edu and sbowlin@uky.edu.

3.18 Section Titles in the RFP

Section titles used herein are for the purpose of facilitating ease of reference only and shall not be construed to infer the construction of contractual language.

3.19 No Contingent Fees

No person or selling agency shall be employed or retained or given anything of monetary value to solicit or secure this Contract, except bona fide employees of the offeror or bona fide established commercial or selling agencies maintained by the offeror for the purpose of securing business. For breach or violation of this provision, the University shall have the right to reject the Proposal, annul the Contract without liability, or, at its discretion, deduct from the contract price or otherwise recover the full amount of such commission, percentage, brokerage or contingent fee or other benefit.

3.20 Proposal Addenda and Rules for Withdrawal

Prior to the date specified for receipt of Offers, a submitted Proposal may be withdrawn by submitting a written request for its withdrawal to the Purchasing Division, signed by the Offeror. Unless requested by the University, the University will not accept revisions or alterations to Proposals after the proposal due date.

4.0 PROPOSAL FORMAT AND CONTENT

4.1 Proposal Information and Criteria

The following list specifies the items to be addressed in the proposal. Offerors should read it carefully and address it completely and in the order listed to facilitate the University's review of the proposal.

Proposals shall be organized into the sections identified below. The content of each section is detailed in the following pages. It is strongly suggested that Offerors use the same numbers for the following content that are used in the RFP.

- Signed Authentication of Proposal and Statement of Non-Collusion and Non-Conflict of Interest Form
- Transmittal Letter
- Executive Summary and Proposal Overview
- Criteria 1 – Offeror Information
- Criteria 2 – Development Experience
- Criteria 3 – Financial Capability to Execute the Project
- Criteria 4 – Project Financing
- Criteria 5 – Description of Proposed Project
- Criteria 6 – Laboratory, Office, and Flex Space Management Experience
- Criteria 7 – Offeror's Maintenance Plan and Schedule
- Criteria 8 – Financial Proposal
- Criteria 9 – Additional Resources Required
- Criteria 10 – References
- Criteria 11 – Construction Logistics and Impact
- Criteria 12 – Other Additional Information

4.2 Signed Authentication of Proposal and Statements of Non-Collusion and Non-Conflict of Interest Form

The Offeror will sign and return the Proposal cover sheet and print or type their name, firm, address, telephone number and date. The person signing the Offer must initial erasures or other changes. An Offer signed by an agent is to be accompanied by evidence of their authority unless such evidence has been previously furnished to the Purchasing Agency. The signer shall further certify that the proposal is made without collusion with any other person, persons, company or parties submitting a proposal; that it is in all respects fair and in good faith without collusion or fraud; and that the signer is authorized to bind the principal offeror.

4.3 Transmittal Letter

The Transmittal Letter accompanying the RFP shall be in the form of a standard business letter and shall be signed by an individual authorized to legally bind the Offeror. It shall include:

- A statement referencing all Addenda and written questions, the answers and any clarifications to this RFP issued by the University and received by the Offeror (If no Addenda have been received, a statement to that effect should be included.).
- A statement that the Offeror's Proposal shall remain valid for six (6) months after the closing date of the receipt of the Proposals.
- A statement that the Offeror will accept financial responsibility for all travel expenses incurred for oral presentations (if required) and candidate interviews.
- A statement that summarizes any deviations or exceptions to the RFP requirements and includes a detailed justification for the deviation or exception.
- A statement that identifies the confidential information as described in Section 6.23.

4.4 Executive Summary and Proposal Overview

The Executive Summary and Proposal Overview shall condense and highlight the contents of the technical proposal in such a way as to provide the evaluation committee with a broad understanding of the entire proposal.

4.5 Criteria 1 – Offeror Qualifications

Offerors must describe and offer evidence of their ability to meet each of the qualifications listed below.

a) Team and Firm Organization: Identify the Offeror's entity; its legal status; employer identification number; address; full names of the officers, their addresses, credit references, and brief biographical summaries. If the entity is a joint venture or partnership, provide the above information for each partner.

b) Key Personnel: Provide a description of the proposed staffing plan including the names and titles of all key staff assigned to the Project, their roles and responsibilities and their resumes.

c) Legal Claims: Disclose any recent or currently outstanding legal claims against the Offeror or any key personnel, including the source of such claims, their amount, and status.

d) Provide a list of proposed primary subcontractors (e.g., Architect and General Contractor) and experience of their firms with projects similar in size and scope to the Project. Identify whether any of the subcontractors are small businesses as determined by the U.S. Small Business Administration.

4.6 Criteria 2 – Development Experience

a) The Offeror must provide evidence of having successfully undertaken other projects of this type and/or magnitude. Describe the background and experience of the entity and its principals in undertaking projects of this type and magnitude, including brief descriptions of similar projects completed and/or under construction. Provide a statement regarding the duration of the Offeror's financial and operational involvement with each such project following completion (or an affiliate's involvement if the Offeror is not the entity working with such project following completion). This description should additionally include the cost history of the projects in meeting construction budgets, operating budgets, debt coverage and delivery dates and where they differed from the pre-construction project pro forma.

b) The Offeror should identify and describe awards it has received for projects completed in the last five (5) years. It should show evidence of achieving high quality and affordability within the varying markets it has entered. Additionally, it should note the length of time key leadership and employees who have been with the company and working on this project. Provide project financing examples, drawn whenever possible from the project experience described above.

c) The Offeror should provide a brief statement outlining the experience of the firm, or each of the firms on the Development Team, in working with public institutes of higher education and appropriate local and state government offices.

4.7 Criteria 3 – Financial Capability to Execute the Project

Provide evidence of the Offeror entity's financial condition including company and, if relevant, personal financial statements; a statement detailing the different methods of financing the Offeror is capable of delivering including, but not limited to, private debt and other financing options. Provide financial and banking references and telephone numbers of contacts for such references, together with written authorization permitting the University to confirm financial information with such references. The University may request a review of such submissions by a Certified Public Accountant or its external auditors.

4.8 Criteria 4 – Project Financing

a) Proposed Financing Structure - Provide a detailed narrative description of the proposed financing structure, showing that the Project is 100% privately financed. Specify all assumptions about use of taxable and/or tax-exempt debt, and/or equity; cost of capital; expectation of Offeror's return on investment; and interim and permanent financing options available. Provide a detailed description of the organizational structure necessary to implement the proposed financing structure.

b) Alternative Financing Structure(s) - Provide a detailed narrative description of any alternative proposed financing structure(s), showing that the Project is 100% privately financed. Specify all assumptions about use of taxable and/or tax-exempt debt, and/or equity; cost of capital; expectation of Offeror's return on investment; and interim and permanent financing options available. Provide a detailed description of the organizational structure necessary to implement each alternative proposed financing structure.

4.9 Criteria 5 – Description of Proposed Project

Provide a narrative description of the proposed development. Furnish conceptual layout including proposed traffic flow, pedestrian and vehicular entrance and exit points. Provide square footage of proposed development uses including laboratory, co-working, flex space, and common areas. Provide an estimate of the number of net new parking spaces associated with the Project. Provide depictions of height and exterior design finishes and level of quality assumed in Developer's cost model.

4.10 Criteria 6 – Laboratory, Office, and Flex Space Management Experience

The University will evaluate various options, as proposed by Offerors responding to the RFP, for maintenance, operations, and custodial functions of the component(s) of the Project. The University anticipates that management, operations, and custodial responsibilities for the Coldstream High-Tech Building will be the sole responsibility of the Developer.

Provide a statement of previous management arrangements used by the Offeror and the success of each particularly as it relates to on-campus or publicly-owned facilities. Discuss the various options available regarding operations and maintenance. Provide a statement of the Offeror's preferred management arrangement. Provide a statement of evidence of the Offeror's property management experiences and the ability to maintain high standards of maintenance. If intending to contract with a management firm, describe prior joint projects with that firm and include the length of service.

4.11 Criteria 7 – Offeror's Maintenance and Operating Plan and Schedule

For the Project, the Offeror shall submit a maintenance plan and the source of funding to assure the new asset(s) built are kept in modern, safe and useful condition. The Offeror shall submit building systems replacement schedules for the types of systems it plans to install in the new facilities. The Offeror shall submit a plan to assure the facilities are properly staffed, maintained, upgraded and all safety conditions are met.

The Offeror shall detail how these costs are included in the financial pro forma and any other methods of accounting or alternate sources of funds to adequately maintain the Coldstream High-Tech Building constructed as part of the Project.

The Offeror shall submit a proposed operating plan for each component of the proposed Coldstream High-Tech Building Project.

4.12 Criteria 8 – Financial Proposal

The University will evaluate Offeror's complete financial offer based on information provided to the University using the format contained in Section 8.0.

All financial information must be submitted in a sealed envelope under separate cover.

4.13 Criteria 9 – Additional Resources Required

Respond to the following questions and/or requests for information, referencing as appropriate your preceding responses:

a) Describe how you have handled projects that have involved:

- Major on and off-site infrastructure;
- Sustainable design and implementation.

b) Include a statement acknowledging the major agreement terms as set forth in Section 7.6, General and Special Conditions, of this RFP, and those stated within the body of this RFP. Identify any such terms or issues you believe would make it difficult to consummate an Agreement to develop the Coldstream High-Tech Building, and why they would create a difficulty. Please refer to Section 3.6 for any deviations.

4.14 Criteria 10 - References

The Offeror shall supply names addresses, and telephone numbers of three (3) business references, preferably public sector clients for whom similar work has been accomplished and briefly describe the type of service provided. Include information on which components were implemented and the duration of the engagement. The Offeror must grant permission to the University to contact the references.

4.15 Criteria 11 – Construction Logistics and Impacts

Please provide your detailed approach to site logistics and strategies to lessen the impact to existing buildings and tenants on UK-CRC. Please provide a site logistics plan detailing crane location, ingress and egress to the site, material staging, plus any impact to existing buildings and tenants on UK-CRC.

4.16 Criteria 12 – Other Additional Information

Please provide any additional information that the Offeror feels should be considered when evaluating their Proposal.

The Offeror may present any creative approaches that might be appropriate. The Offeror may also provide supporting documentation that would be pertinent to this RFP.

5.0 EVALUATION CRITERIA PROCESS

A committee of University officials appointed by the Chief Procurement Officer will evaluate proposals and make a recommendation to the Chief Procurement Officer. The evaluation will be based upon the information provided in the proposal, additional information requested by the University for clarification, information obtained from references and independent sources and oral presentations (if requested).

The evaluation of responsive proposals shall then be completed by an evaluation team, which will determine the ranking of proposals. Proposals will be evaluated strictly in accordance with the requirements set forth in this solicitation, including any Addenda that are issued. The University will award the Contract to the responsible Offeror whose Proposal is determined to be the most advantageous to the University, taking into consideration the evaluation factors set forth in this RFP.

The evaluation of proposals will include consideration of responses to the list of criteria in Section 4.0. Offerors must specifically address all criteria in their response. Any deviations or exceptions to the specifications or requirements must be described and justified in a transmittal letter. Failure to list such exceptions or deviations in the transmittal letter may be considered sufficient reason to reject the proposal.

The relative importance of the criteria is defined below:

Primary Criteria

- Offeror Information
- Development Experience
- Financial Capability to Execute the Project
- Project Financing
- Description of Proposed Project
- Laboratory and Office Management Experience
- Offeror's Maintenance Plan and Schedule
- Financial Proposal
- Additional Resources Required
- References
- Construction Logistics and Impact

Secondary Criteria

- Other Additional Services

The University will evaluate Proposals as submitted and may not notify Offerors of deficiencies in their responses.

Proposals must contain responses to each of the criteria, listed in Section 4.0 even if the Offeror's response cannot satisfy those criteria. A Proposal may be rejected if it is conditional or incomplete in the judgment of the University.

6.0 TERMS AND CONDITIONS

6.1 Contract Term

Please refer to Section 7.6, General and Special Conditions, of the RFP for additional Contract Terms.

6.2 Effective Date

The effective date of the Contract shall be the date upon which the parties execute it and all appropriate approvals, including that of the University's Board of Trustees, Commonwealth of Kentucky Government Contracts Review Committee, and the Capital Projects Bond Oversight Committee, have been received.

6.3 Competitive Negotiation

It is the intent of the RFP to enter into competitive negotiation as authorized by KRS 45A.085.

The University will review all Proposals properly submitted. However, the University reserves the right to request necessary modifications, reject all proposals, reject any Proposal that does not meet mandatory requirement(s) or cancel this RFP, according to the best interests of the University.

Offeror(s) selected to participate in negotiations may be given an opportunity to submit a Best and Final Offer to the Purchasing Agency. All information-received prior to the cut-off time will be considered part of the Offeror's Best and Final Offer.

The University also reserves the right to waive minor technicalities or irregularities in Proposals providing such action is in the best interest of the University. Such waiver shall in no way modify the RFP requirements or excuse the Offeror from full compliance with the RFP specifications and other Contract requirements if the Offeror is awarded the Contract.

6.4 Bonding

A 100% Performance Bond and 100% Payment Bond shall be furnished by the successful bidder. All bonding and insurance requirements are contained in the Instruction to Bidders, General Conditions and Special Conditions.

6.5 Appearance Before Committee

Any, all or no Offerors may be requested to appear before the evaluation committee to explain their Proposal and/or to respond to questions from the committee concerning the Proposal. Offerors are prohibited from electronically recording these meetings. The committee reserves the right to request additional information.

6.6 Additions, Deletions or Contract Changes

The University reserves the right to add, delete, or change related items or services to the Contract established from this RFP. No modification or change of any provision in the resulting Contract shall be made unless such modification is mutually agreed to in writing by the Developer and the Director of Purchasing and incorporated as a written modification to the Contract. Memoranda of understanding and correspondence shall not be interpreted as a modification to the Contract.

6.7 Developer Cooperation in Related Efforts

The University reserves the right to undertake or award other contracts for additional or related work to other entities. The Developer shall fully cooperate with such other contractors and University employees and carefully fit its work to such additional work. The Developer shall not commit or permit any act which will interfere with the performance of work by any other contractor or by University employees. This clause shall be included in the contracts of all contractors with whom this Developer will be required to cooperate. The University shall equitably enforce this clause on all contractors to prevent the imposition of unreasonable burdens on any contractor.

6.8 Entire Agreement

The RFP shall be incorporated into any resulting Contract. The resulting Contract, including the RFP and those portions of the Offeror's response accepted by the University, shall be the entire agreement between the parties.

6.9 Governing Law

The Developer shall conform to and observe all laws, ordinances, rules and regulations of the United States of America, Commonwealth of Kentucky and all other local governments, public authorities, boards or offices relating to the property or the improvements upon same (or the use thereof) and will not permit the same to be used for any illegal or immoral purposes, business or occupation. The resulting Contract shall be governed by Kentucky law and any claim relating to this Contract shall only be brought in the Franklin Circuit Court in accordance with KRS 45A.245.

6.10 Kentucky's Personal Information Security and Breach Investigation Procedures and Practices Act

To the extent the Developer receives Personal Information as defined by and in accordance with Kentucky's Personal Information Security and Breach Investigation Procedures and Practices Act, KRS 61.931, 61.932 and 61.933 (the "Act"), the Developer shall secure and protect the Personal Information by, without limitation: (i) complying with all requirements applicable to non-affiliated third parties set forth in the Act; (ii) utilizing security and breach investigation procedures that are appropriate to the nature of the Personal Information disclosed, at least as stringent as the University's and reasonably designed to protect the Personal Information from unauthorized access, use, modification, disclosure, manipulation, or destruction; (iii) notifying the University of a security breach relating to Personal Information in the possession of Company or its agents or subcontractors within seventy-two (72) hours of discovery of an actual or suspected breach unless the exception set forth in KRS 61.932(2)(b)2 applies and the Developer abides by the requirements set forth in that exception; (iv) cooperating with the University in complying with the response, mitigation, correction,

investigation, and notification requirements of the Act , (v) paying all costs of notification, investigation and mitigation in the event of a security breach of Personal Information suffered by the Developer; and (vi) at the University's discretion and direction, handling all administrative functions associated with notification, investigation and mitigation.

6.11 Termination for Convenience

The University reserves the right to terminate the resulting Contract without cause with a thirty (30) day written notice. Upon receipt by the Developer of a "notice of termination," the Developer shall discontinue all services with respect to the applicable Contract. The cost of any agreed upon services provided by the Developer will be calculated at the agreed upon rate prior to a "notice of termination" and a fixed fee contract will be pro-rated (as appropriate).

6.12 Termination for Non-Performance

Default

The University may terminate the resulting Contract for non-performance, as determined by the University, for such causes as:

- Failing to provide satisfactory quality of service, including, failure to maintain adequate personnel, whether arising from labor disputes, or otherwise any substantial change in ownership or proprietorship of the Developer, which in the opinion of the University is not in its best interest, or failure to comply with the terms of this Contract;

  A. Failing to keep or perform, within the time period set forth herein, or violation of, any of the covenants, conditions, provisions or agreements herein contained;

  B. Adjudicating as a voluntarily bankrupt, making a transfer in fraud of its creditors, filing a petition under any section from time to time, or under any similar law or statute of the United States or any state thereof, or if an order for relief shall be entered against the Developer in any proceeding filed by or against Developer thereunder. In the event of any such involuntary bankruptcy proceeding being instituted against the Developer, the fact of such an involuntary petition being filed shall not be considered an event of default until sixty (60) days after filing of said petition in order that Developer might during that sixty (60) day period have the opportunity to seek dismissal of the involuntary petition or otherwise cure said potential default; or

  C. Making a general assignment for the benefit of its creditors, or taking the benefit of any insolvency act, or if a permanent receiver or trustee in bankruptcy shall be appointed for the Developer.

Demand for Assurances

In the event the University has reason to believe Developer will be unable to perform under the Contract, it may make a demand for reasonable assurances that the Developer will be able to timely perform all obligations under the Contract. If the Developer is unable to provide such adequate assurances, then such failure shall be an event of default and grounds for termination of the Contract.

Notification

The University will provide ten (10) calendar days written notice of default. Unless arrangements are made to correct the non-performance issues to the University's satisfaction within ten (10) calendar days, the University may terminate the Contract by giving forty-five (45) days' notice, by registered or certified mail, of its intent to cancel this Contract.

6.13 Funding Out

The University may terminate this Contract if funds are not appropriated or are not otherwise available for the purpose of making payments without incurring any obligation for payment after the date of termination, regardless of the terms of the Contract. The University shall provide the Developer thirty (30) calendar days' written notice of termination under this provision.

6.14 Prime Developer Responsibility

Any Contracts that may result from the RFP shall specify that the Developer is/are solely responsible for fulfillment of the Contract with the University.

6.15 Assignment and Subcontracting

The Developer may not assign or delegate its rights and obligations under any Contract in whole or in part without the prior written consent of the University. Any attempted assignment or subcontracting shall be void.

6.16 Permits, Licenses, Taxes

The Developer shall procure all necessary permits and licenses and abide by all applicable laws, regulations and ordinances of all federal, state and local governments in which work under this Contract is performed.

The Developer must furnish certification of authority to conduct business in the Commonwealth of Kentucky as a condition of contract award. Such registration is obtained from the Secretary of State, who will also provide the certification thereof. However, the Developer need not be registered as a prerequisite for responding to the RFP.

The Developer shall pay any sales, use, personal property and other tax arising out of this Contract and the transaction contemplated hereby. Any other taxes levied upon this Contract, the transaction or the equipment or services delivered pursuant hereto shall be the responsibility of the Developer.

The Developer will be required to accept liability for payment of all payroll taxes or deductions required by local and federal law including (but not limited to) old age pension, social security or annuities.

6.17 Attorneys' Fees

In the event that either party deems it necessary to take legal action to enforce any provision of the Contract and in the event that the University prevails, the Developer agrees to pay all expenses of such action including attorneys' fees and costs at all stages of litigation.

6.18 Royalties, Patents, Copyrights and Trademarks

The Developer shall pay all applicable royalties and license fees. If a particular process, products or device is specified in the Contract documents and it is known to be subject to patent rights or copyrights, the existence of such rights shall be disclosed in the Contract documents and the Developer is responsible for payment of all associated royalties. To the fullest extent permitted by law the Developer shall indemnify, hold the University harmless, and defend all suits, claims, losses, damages or liability resulting from any infringement of patent, copyright, and trademark rights resulting from the incorporation in the Work or device specified in the Contract documents.

Unless provided otherwise in the Contract, the Developer shall not use the University's name nor any of its trademarks or copyrights, although it may state that it has a Contract with the University.

6.19 Indemnification

The Developer shall indemnify, hold and save harmless the University, its affiliates and subsidiaries and their officers, agents and employees from losses, claims, suits, actions, expenses, damages, costs (including court costs and attorneys' fees of the University's attorneys), all liability of any nature or kind arising out of or relating to the Developer's response to this RFP or its performance or failure to perform under the Contract awarded from this RFP. This clause shall survive termination for as long as necessary to protect the University.

6.20 Insurance

The successful Developer shall procure and maintain, at its expense, the following minimum insurance coverages insuring all services, work activities and contractual obligations undertaken in this Contract. These insurance policies must be with insurers acceptable to the University.

COVERAGES	***LIMITS***
Workers' Compensation	**Statutory Requirements (Kentucky)**
Commercial Excess General Liability or, Umbrella Liability Insurance, including operations/ completed operations, products, and contractual liability (including defense and investigation costs) including this Contract. May include a Contractor Controlled Insurance Program (CCIP or Wrap-Up)	**$10,000,000 each occurrence combined single limits for bodily injury and property damage.**
Business Automobile Liability, covering owned, leased, or non-owned autos	**$2,000,000 each occurrence (BI & PD combined)**
Professional Liability/Errors & Omissions	**$1,000,000 each occurrence**
Environment Liability	**$1,000,000 each occurrence**

Construction utilizing Rigging, Cranes or Helicopter operations will require additional coverage limits naming the University as additional insured	**If the work involved requires the use of helicopters, a separate aviation liability policy with limits of liability of $30,000,000 will be required. If cranes and rigging are involved, a separate inland marine policy with liability limits of $15,000,000 will be required.**
There may be additional insurance requirements negotiated for inclusion in the Lease.	**This policy shall have a minimum of $5,000,000 limits for bodily injury and property damage for each occurrence in excess of the applicable limits in the primary policies.**

The successful Developer agrees to furnish Certificates of Insurance for the above described coverages and limits to the Purchasing Division. The University, its trustees and employees must be added as additional insured on the Commercial General Liability policy with regard to the scope of this solicitation. Any deductibles or self-insured retention in the above-described policies must be paid and are the sole responsibility of the Developer. Coverage is to be primary and non-contributory with other coverage (if any) purchased by the University. All of these required policies must include a Waiver of Subrogation (except Workers' Compensation) in favor of the University, its trustees and employees.

6.21 Method of Award

It is the intent of the University to award a contract to the qualified Offeror whose offer, conforming to the conditions and requirements of the RFP, is determined to be the most advantageous to the University, cost and other factors considered.

Notwithstanding the above, this RFP does not commit the University to award a contract from this Solicitation. The University reserves the right to reject any or all offers and to waive formalities and minor irregularities in the Proposal received.

6.22 Reciprocal Preference

In accordance with KRS 45A.494, a resident Offeror of the Commonwealth of Kentucky shall be given a preference against a nonresident Offeror. In evaluating proposals, the University will apply a reciprocal preference against an Offeror submitting a Proposal from a state that grants residency preference equal to the preference given by the state of the nonresident Offeror. Residency and non-residency shall be defined in accordance with KRS 45A.494(2) and 45A.494(3), respectively. Any Offeror claiming Kentucky residency status shall submit with its Proposal a notarized affidavit affirming that it meets the criteria as set forth in the above reference statute.

6.23 Reports and Auditing

The University, or its duly authorized representatives, shall have access to any books, documents, papers, records or other evidence which are directly pertinent to this Contract for the purpose of financial audit or program review.

6.24 Confidentiality

The University recognizes an Offeror's possible interest in preserving selected information and data included in the Proposal; however, the University must treat such information and data as required by the Kentucky Open Records Act, KRS 61.870, et seq.

Information areas which normally might be considered proprietary, and therefore confidential, shall be limited to individual personnel data, customer references, formulae and company financial audits which, if disclosed, would permit an unfair advantage to competitors. If a Proposal contains information in these areas and the Offeror declares them to be proprietary in nature and not available for public disclosure, the Offeror shall declare in the Transmittal Letter the inclusion of proprietary information and shall noticeably label as confidential or proprietary each sheet containing such information. Proposals containing information declared by the Offeror to be proprietary or confidential, either wholly or in part, outside the areas listed above may be deemed non-responsive and may be rejected.

The University's General Counsel shall review each Offeror's information claimed to be confidential and, in consultation with the offeror (if needed), make a final determination as to whether or not the confidential or proprietary nature of the information or data complies with the Kentucky Open Records Act.

6.25 Conflict of Interest

This RFP and resulting Contract are subject to provisions of the Kentucky Revised Statutes regarding conflict of interest and the University's Ethical Principles and Code of Conduct (www.uky.edu/Legal/ethicscode.htm). When submitting and signing a Proposal, an Offeror is certifying that no actual, apparent or potential conflict of interest exists between the interests of the University and the interests of the Offeror. A conflict of interest (whether contractual, financial, organizational or otherwise) exists when any individual, contractor or subcontractor has a direct or indirect interest because of a financial or pecuniary interest, gift or other activities or relationships with other persons (including business, familial or household relationships) and is thus unable to render or is impeded from rendering impartial assistance or advice, has impaired objectivity in performing the proposed work or has an unfair competitive advantage.

Questions concerning this section or interpretation of this section should be directed to the Purchasing Official identified in this RFP.

6.26 Extending Contract

The Offeror's response to this RFP must state whether or not the Offeror will permit the use of this Contract by other Universities, state agencies, public and private institutions in the Commonwealth of Kentucky. An answer to this issue must be submitted within the response.

6.27 Personal Service Contract Policies – Not Used

6.28 Copyright Ownership and Title to Designs and Copy

The Developer and the University intend this RFP to result in a contract for services, and both consider the products and results of the services to be rendered by the Developer hereunder to be a work made for hire. The Developer acknowledges and agrees that the work and all rights therein, including (without limitation) copyright, belongs to and shall be the sole and exclusive property of the University. For any work that is not considered a work made for hire under applicable law, title and copyright ownership shall be assigned to the University.

Title to all dies, type, cuts, artwork, negatives, positives, color separations, progressive proofs, plates, copy and any other requirement not stated herein required for completion of the finished product for use in connection with any University job shall be the property of and owned by the University. Such items shall be returned to the appropriate department upon completion and/or delivery of work unless otherwise authorized by the University. In the event that time of return is not specified, the Developer shall return all such items to the appropriate University department within one (1) week of delivery.

6.29 University Brand Standards

The Developer must adhere to all University of Kentucky Brand Standards. University Brand Standards are maintained by the University Public Relations Office (UKPR) and can be viewed at http://www.uky.edu/pmarketing/brand-standards. Non-adherence to the standards can have a penalty up to and including Contract cancellation. Only the UKPR Director or designee can approve exceptions to the University Brand Standards.

Graphics standards for the UK HealthCare areas are governed by UK HealthCare Clinical Enterprise Graphic Standards, found at: https://ourbrand.ukhealthcare.org.

The Developer warrants that its products or services provided hereunder will be in compliance with all applicable federal disabilities laws and regulations, including without limitation the accessibility requirements of Section 255 of the Federal Telecommunications Act of 1996 (47 U.S.C. § 255) and Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794d), and its implementing regulations set forth at Title 36, Code of Federal Regulations, Part 1194. For purposes of clarity, updated regulations under Section 508 standards now incorporate WCAG 2.0, and for purposes of this Contract WCAG 2.0 Level AA compliance is expressly included. The Developer agrees to promptly respond to, resolve and remediate any complaint regarding accessibility of products or services in a timely manner and provide an updated version to University at no cost. If deficiencies are identified, the University reserves the right to request from the Developer, a timeline by which accessibility standards will be incorporated into the products or services provided by the Developer and shall provide such a timeline within a commercially reasonable duration of time. Failure to comply with these requirements shall constitute a material breach of this Contract and shall be grounds for termination of this Contract.

Where any customized web services are provided, the Developer represents that it has reviewed the University's Web Policy and all products or services will comply with its published standards.

The Developer will provide the University with a current Voluntary Product Accessibility Template (VPAT) for any deliverable(s). If none is available, the Developer will provide sufficient information to reasonably assure the University that the products or services are fully compliant with current requirements.

6.30 Printing Statutes – Not Used

7.1 Developer Services Defined

The Developer will provide the following services:

- Design Phase Services
- Construction, including Acceptance
- Post Construction, including Warranty

The Developer will review with the University any proposed program changes from what is represented by the RFP to ascertain the requirements of the Project. Review and confirm the understanding of these requirements and other design parameters with the University.

7.2 Compliance with State Laws

Any Contract resulting from this solicitation shall be governed under, and the rights and obligations of the parties hereto, shall be determined in accordance with the laws of the Commonwealth of Kentucky. The firm selected shall provide equal job opportunity and prohibit discrimination based on race, creed, color, sex, age, religion or national origin as required by Kentucky Revised Statutes 45:550 through 45:640. All Contractors and subcontractors are required to comply with Federal Executive Order 11246 entitled “Equal Employment Opportunity” as amended by the Department of Labor regulations (41 CFR, Part 60). The successful firm will be required to provide Certificates of Insurance showing proof of general, vehicle liability and Worker’s Compensation insurance and a 100% Performance Bond.

7.3 General and Special Conditions

ARTICLE 01 FIELD CONDITIONS

1.1 The Developer will secure all data at the site such as grades, convenience of receiving and sorting material, location of public services, and other information which will have a bearing on proposals or on the execution of the Work and shall address these issues in the preparation of their response.

ARTICLE 02 PHASE 1 ENVIRONMENTAL REPORT

2.1 A Phase I Environmental Site Assessment for the entire campus was conducted in July 1991 and is included within these documents for information purposes only. The University will not be responsible for interpretations or conclusions drawn from this report by the Developer. This data is made available solely for the convenience of the Developer.

ARTICLE 03 TIME FOR COMPLETION

3.1 Final completion will be addressed in the KTI Master Lease.

ARTICLE 04 PLANS, DRAWINGS, AND SPECIFICATIONS

4.1 An electronic copy of the as-built drawings and specifications and copies prepared by the Developer will be provided to the UK Representative.

ARTICLE 05 PROGRESS MEETINGS

5.1 UK Representative is to be invited to the Developer's progress meetings.

5.2 Developer shall prepare and submit at each progress meeting an updated schedule indicating Work completed to date and any needed revisions.

5.3 With the express purpose of expediting construction and providing the opportunity for cooperation of affected parties, progress meetings will be held and attended by representatives of:

(1) The University's Representative
(2) The Developer.
(3) Design and construction teams.
(4) Others requested to attend (as deemed necessary).

5.4 A location near the site will be designated where such progress meetings will be held. Participants will be notified of the dates and times of the meetings by the Developer.

ARTICLE 06 FIELD OFFICE

6.1 If needed the Developer shall make his own provision for field office for his own personnel and for incidental use by their subcontractors. Quantity and location are to be reviewed with the UK's Representative.

ARTICLE 07 TELEPHONE SERVICE

7.1 Developer shall arrange for installation of on-site phone, internet and other communications services. Telephone service during the length of construction shall be paid for by the Developer.

ARTICLE 08 PROJECT SIGN

8.1 No signs, except those attached to vehicles or equipment, may be displayed without permission from UK Coldstream's Design Review Committee. No political signs will be permitted.

ARTICLE 09 PARKING

9.1 Parking for Contractors and subcontractors during construction of the Project should be coordinated with the Facilities Operations Director of UK-CRC.

ARTICLE 10 SANITARY FACILITIES

10.1 At the beginning of the Project, before any Work is started, the Developer shall furnish, install and maintain ample sanitary facilities for the workforce. Permanent toilets in the existing building shall not be used during construction of the Project. Drinking water shall be provided from an approved safe source, piped or transported as to be kept clean and fresh and served from single service containers or satisfactory types of sanitary drinking stands or fountains. All such facilities and services shall be furnished in strict accordance with existing governing health regulations.

ARTICLE 11 RULES OF MEASUREMENT

11.1 The Developer shall pay for and coordinate all associated Work by utility companies including relocation of utility poles, installation of new streetlights, relocation of overhead or underground lines, and any other Work called for the execution of the project.

ARTICLE 12 OTHER CONSIDERATIONS

12.1 The Developer shall coordinate any road and sidewalk closings, utility disruptions, etc. which will affect the use of the existing building(s) with the Lexington Fayette Urban County Government (LFUCG) prior to commencing that Work.

12.3 The adjacent buildings and public areas will remain in use and UK-CRC tenants and their employees shall have access to the existing building(s) throughout the duration of the Project. The Developer shall coordinate construction activity to assure the safety of those who must cross the Project site and shall provide and maintain the necessary barriers and accommodations for a completely safe route of accessibility. The Developer is to ensure that all exits provide for free and unobstructed egress. If exits must be blocked, prior arrangements must be made LFUCG.

12.4 The Developer shall cooperate with the University to minimize inconvenience to, or interference with normal use of existing buildings and grounds by other UK-CRC tenants, their employees, and the public. The Developer shall conduct operations to prevent damage to adjacent building structures and other facilities and in such a manner to protect the safety of building's occupants.

12.5 Special effort shall be made by the Developer to prevent any employee from entering existing buildings for reasons except construction business. In particular, use of toilets, drinking fountains, vending machines, etc. is strictly prohibited.

ARTICLE 13 CRANE & MATERIAL HOIST OPERATIONS

13.1 The Developer shall provide appropriate barriers around crane and material hoist to protect pedestrian-and vehicular traffic around operating area. When crane is operating or moving, flag men provided by Developer shall be utilized to prevent pedestrian and vehicular traffic from crossing the pathway of crane lift.

13.2 Cranes and material hoists shall be safely secured and inaccessible during non-operating hours and must comply with all applicable FAA requirements.

13.3 Any damage to trees, shrubs or plant material at the placement of crane or material hoist shall be repaired by tree surgery or replaced as directed by the University.

ARTICLE 14 CLEANING AND TRASH REMOVAL

14.1 The Developer shall keep clean the entire area of new construction and shall keep streets used as access to and from the site free of mud and debris. This shall include regular lawn care including trimming weeds and grass within the site area and maintenance within the Project site during all phases of the Project construction.

14.2 All exit ways, walks, drives, grass areas, and landscaping must be kept free from debris, materials, tools and vehicles at all times.

14.3 Upon completion of the Work, the Developer shall thoroughly clean and re-sod grass areas damaged to match existing areas.

14.4 The Developer shall be responsible for removal from the site of all liquid waste or other waste (i.e. hazardous, toxic, etc.) that requires special handling on a daily basis.

14.5 Dumpsters will be provided and maintained by the Developer.

ARTICLE 15 COMMUNICATIONS AND NETWORK SYSTEMS

15.1 The communications wiring is to be provided, installed and terminated by the Developer using a certified and approved communications contractor.

ARTICLE 16 EMERGENCY VEHICLE ACCESS

16.1 Emergency Vehicle Access must be maintained at all times during construction. The Developer shall coordinate with the local Fire and Emergency Medical Services department(s) that would respond to an emergency during the initial startup of construction to ensure a complete understanding of their requirements.

ARTICLE 16 FINANCIAL REPORTING

16.1 The Developer will be required to report capital costs and taxes paid during construction and throughout the operation of the Project. Details will be included in the ground lease. Sample language can be found in Attachment B.

8.0 FINANCIAL OFFER

8.1 Key Financial Components

For each proposed and alternative financing structure described in Section 4.8 Criteria 4 – Project Financing, the Offeror shall provide key financial components in the following format:

NOTE: PLEASE COMPLETE THE EXCEL FILE PROVIDED AS AN ADDENDUM TO THE RFP.

* Provide a narrative description of any expenses included in this line item.

** Provide the rental rate per square foot assumption being used, as well as occupancy rates over the term of the Contract.

***Provide a narrative description of any revenues included in this line item.

Provide a description of any and all other assumptions used to develop Offeror's financial proposal.

8.2 Alternate Pricing

In addition to the above financial Offer, the Offeror may submit alternative financial proposals, however the information requested above must be supplied and will be used for proposal evaluation purposes.

PROPOSED STRUCTURE				
Key Financial Component	**Cost**	**SF**	**Cost/SF**	
Estimated Project Costs				
Estimated Total Project Cost - Coldstream High-Tech Building	-	-	#DIV/0!	
Estimated Office Space	-	-	*#DIV/0!*	
Estimated Laboratory Space	-	-	*#DIV/0!*	
Estimated Flex Space	-	-	*#DIV/0!*	
Estimated Co-Working Space	-	-	*#DIV/0!*	
Estimated Common Area	-	-	*#DIV/0!*	
Estimated Annual Developer Expenses				
Proposed Ground Lease Payment to UK	-	-	#DIV/0!	
Estimated O&M	-	-	#DIV/0!	
Estimated Reserve(s)	-	-	#DIV/0!	
Estimated Other Expenses	-	-	#DIV/0!	
Estimated Annual KTI Lease Payments paid to the Developer				
Estimated Annual Lease Payments Proposed	-	20,000		-
Estimated Base Rent Proposed	-	20,000		-
Estimated Additional Rent Proposed (if applicable)	-	20,000		-

Attachment A

1532 Bull Lea Rd, Lexington, KY 40511
Outlined in RED below (approximate)

Attachment B

Sample Language to be Included in Ground Lease
Specific to Financial Reporting

Landlord and Tenant agree to the following:

A. Tenant agrees to submit a completed Questionnaire to Landlord (see Exhibit B-1, attached).

B. If not previously done, Tenant agrees to register its business with the Lexington Fayette Urban County Government ("LFUCG"), and provide its LFUCG occupational license number to Landlord.

C. Tenant agrees to submit a quarterly capital expenditure report to Landlord evidencing all capital expenditures made by Tenant within the Coldstream High-Tech Building Project during the previous calendar quarter. Tenant agrees to submit such capital expenditure report to Landlord within sixty (60) days of the end of each calendar quarter, commencing with the first calendar quarter end following the commencement of construction on the Coldstream High-Tech Building Project. Such capital expenditure report shall continue to be submitted by Tenant on a quarterly basis to Landlord until the Lease has been terminated or Tenant has been notified by Landlord that such reports are no longer required. Each quarterly capital expenditure report shall be made using a form substantially similar to Exhibit B-2, attached and incorporated herein, and, if requested by Landlord, shall include electronic copies of paid invoices or receipts related to the capital expenditures. Quarterly capital expenditure reports shall clearly identify each capital expenditure item and the specific facility to which the expenditure was related.

D. Tenant agrees to submit a periodic tax report to Landlord evidencing the following taxes generated within the Coldstream High-Tech Building Project and paid during the previous calendar year:

- Total local occupational license taxes withheld from Tenant's employees working within the Coldstream High-Tech Building Project and remitted to LFUCG during the previous calendar year.
- Total net profits taxes generated by Tenant within the Coldstream High-Tech Building project and remitted to LFUCG during the previous calendar year.
- If Tenant does not operate under a distinct Kentucky sales tax ID number within the Coldstream High-Tech Building Project, Tenant shall include on the report total state sales taxes collected and remitted to the state Department of Revenue by Tenant during the previous calendar year on sales transacted within the Coldstream High-Tech Building Project. If Tenant does operate under a distinct Kentucky sales tax ID number within the Coldstream High-Tech Building Project, this item is optional.
- If Tenant does not operate under a distinct Kentucky withholding tax ID number within the Coldstream High-Tech Building Project, Tenant shall include on the tax report total state income taxes withheld from Tenant's employees working within the Coldstream High-Tech Building Project and remitted to the state Department of Revenue during the previous calendar year. If Tenant does operate under a distinct Kentucky

withholding tax ID number within the Coldstream High-Tech Building Project, this item is optional.

Tenant agrees to submit such tax report to Landlord within sixty (60) days of the end of each calendar year, commencing with the first calendar year end after the commencement of construction on the Coldstream High-Tech Building Project.

E. Landlord and Tenant expressly acknowledge that this Lease must be disclosed in response to a request made under the Kentucky Open Records Act, KRS 61.870 et seq., or as required by other applicable law. Except as required by the Kentucky Open Records Act or other applicable law or court order, Landlord agrees to hold confidential and will not disclose other information submitted by Tenant per the items above, and only use in conjunction with the reporting requirements with LFUCG and the Commonwealth of Kentucky.

EXHIBIT B-1

For Official Use Only
Zone Number _____
Local Agent Initials ____

Agency Name
Contact Person
Title
Address
City, State Zip
Telephone Number Email Address

Business Information

Business Name _____
DBA (if applicable) _____
Location Address _____
City, State _____ Zip _____
Contact Person _____
Telephone Number _____ Email Address _____
Date operations began at this location _____

Tax Identification Numbers (if applicable):
(if not applicable input "N/A")

Commonwealth Business Identifier Number (CBI) _____
FEIN or SSN _____
KY Corporation Tax _____ ☐ Check Box if multiple locations file under this Tax ID

Are you registered with the Secretary of State? ☐ Yes ☐ No

If yes, please provide the registered name, if it is not the Business Name or DBA listed above. _____

For Corporation Income Tax Purposes

Is all income earned at the site of the business location? ☐ Yes ☐ No
What type of return is filed? ☐ Separate ☐ Consolidated

KY Withholding _____ ☐ Check Box if multiple locations file under this Tax ID
KY Sales Tax _____ ☐ Check Box if multiple locations file under this Tax ID

If a box was checked for multiple locations, please list the addresses of other business locations:

_____
_____

For multiple locations only - Are separate accounting records kept for activity within and outside the footprint? ☐ Yes ☐ No

Provide a brief description of business activity, property sold and services provided at the location address:

_____
_____

Was the business previously operated under a different owner or name? ☐ Yes ☐ No

Former Business Name: _____
Name of previous owner: _____ Date of acquisition: _____

I understand that the information provided will be confidential and will be shared only with the Commonwealth of Kentucky's Department of Revenue and the Cabinet for Economic Development.

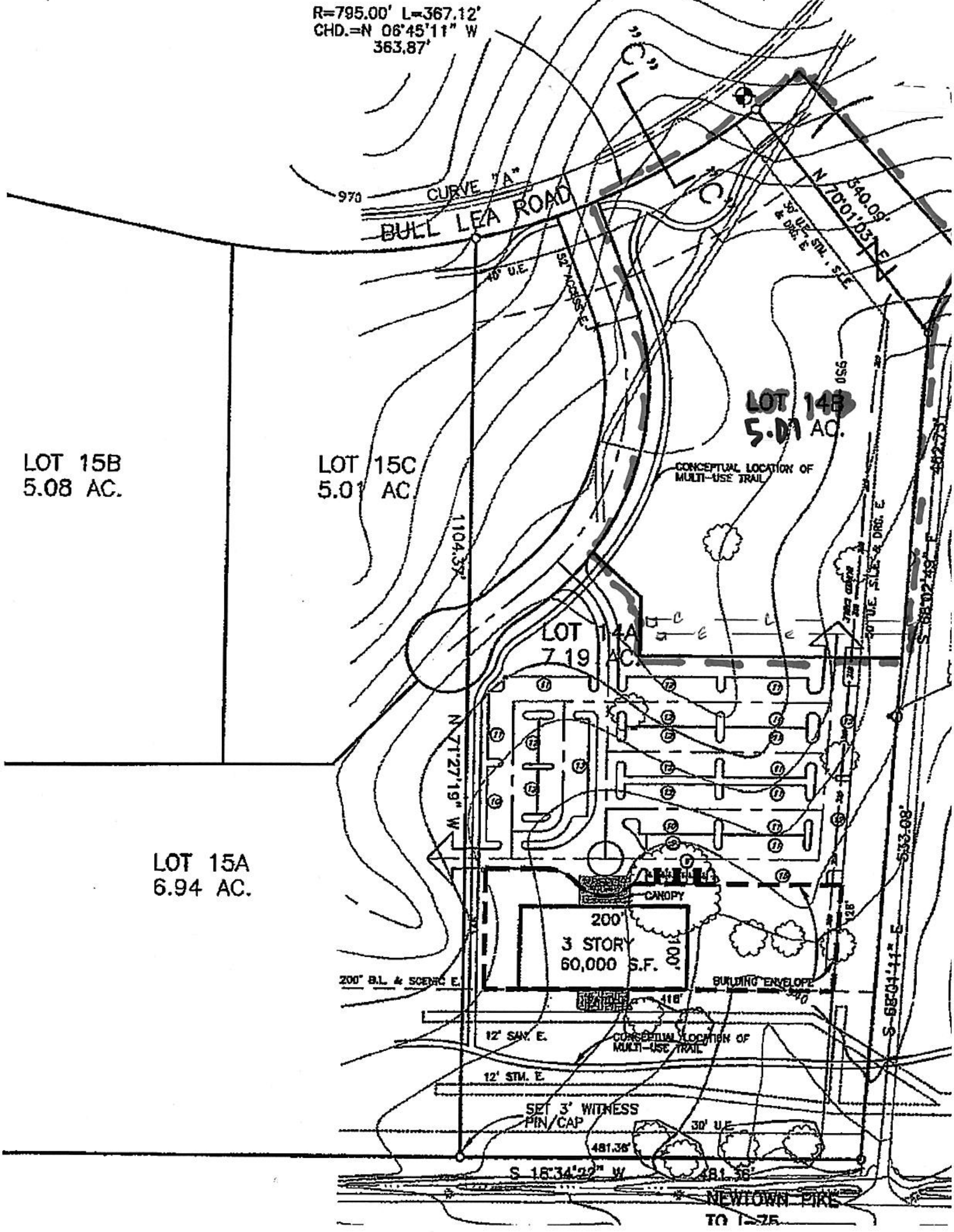
_____ _____
Printed Name Title

Exhibit B-2

Capital Investment Report

Through 12/31/_____

Vendor Name	Description	Date Pai	Check #	Invoice #s		Amount	Reimbursable P.I. Costs	Non P.I. Capital Investment	Capital Investment for $20mm Threshol


R=795.00' L=367.12'
CHD.=N 06°45'11" W
363.87'
970
CURVE "A"
BULL LEA ROAD
40' U.E.
52' ACCESS E.
30' U.E., STM., S.L.E. & DRG. E.
N 70°01'03" E
340.09'
LOT 14B
5.01 AC.
CONCEPTUAL LOCATION OF
MULTI-USE TRAIL
LOT 15B
5.08 AC.
LOT 15C
5.01 AC.
1104.37'
LOT 14A
7.19 AC.
N 71°27'19" W
S 68°02'49" E
482.73'
LOT 15A
6.94 AC.
CANOPY
200'
3 STORY
60,000 S.F.
100'
200' B.L. & SCENIC E.
BUILDING ENVELOPE
416'
12' SAN. E.
CONCEPTUAL LOCATION OF
MULTI-USE TRAIL
12' STM. E.
SET 3' WITNESS
PIN/CAP
30' U.E.
481.36'
S 18°34'22" W
481.36'
S 68°01'11" E
533.08'
NEWTOWN PIKE
TO I-75

8-24 UNIVERSITY RESEARCH CAMPUS (P-2) ZONE

8-24(a) Intent - This zoning category is created to provide for a mixture of compatible office, and research uses in a campus setting that adheres to high quality standards. Residential, retail, and hotel/motel uses are intended to be supportive uses for the organizations located on the research campus.

8-24(b) Principal Uses (Other uses substantially similar to those listed herein shall also be deemed permitted.)

1. Banks, credit agencies, security and commodity brokers and exchanges, credit institutions, savings and loan companies, holding and investment companies.
2. Offices for business, professional, governmental, civic, social, fraternal, political, religious, and charitable organizations.
3. Research development and testing laboratories or centers.
4. Colleges, universities, business colleges, technical or trade schools, and other schools and institutions for academic instruction, including dormitory facilities.
5. Libraries, museums, art galleries, and reading rooms.
6. Hospitals, medical and dental offices, clinics, and laboratories.
7. Telephone exchanges, radio, and television studios.
8. Studios for work or teaching of fine arts, such as photography; music; drama; dance; and theater.
9. Community centers and private clubs.
10. Computer and data processing centers.
11. Ticket and travel agencies.
12. Television system signal distribution centers and studios.
13. Meeting and conference centers.
14. Storage and warehousing, when conducted in a completely enclosed building.
15. Parking lots and structures.
16. Offices of purchasers, processors, and handlers of agricultural products, limited to administrative uses only.
17. The manufacturing, compounding, assembling, processing, packaging, or similar treatment of articles of merchandise from the following previously prepared materials: bone, canvas, cellophane, cellulose, cloth, cork, feather, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious and semi-precious metals, precious and semi-precious stones, rubber, sheet metal (excluding large stampings), shell, textiles, tobacco, wax, wire, wood (excluding sawmills, planing mills), and yarn.
18. The manufacturing, compounding, assembling, processing, packaging, or similar treatment of such products as: bakery goods; billboards; candy; ceramics; cosmetics; drafting instruments; electrical parts; appliances; electric or neon signs; electronic instruments; food products; meat packaging; ice cream; medical and dental instruments; musical instruments; pharmaceuticals; pottery, china, or figurines; radios; record players; rubber and metal stamps; rubber products; scientific instruments and equipment; shoes; television receivers; toiletries, soaps and detergents; toys; and watches and clocks.
19. Other industrial and manufacturing uses, such as beverage manufacturing; dairy and non-dairy, and food and non-food product bottling plants; box and crate assembly; cabinet shop; cannery; caterers; cooperage; crematory; dextrine and starch manufacturing; enameling, lacquering and japanning; furniture manufacturing; heating equipment manufacturing; inflammable underground liquid storage; iron works (ornamental), and wire drawing; parcel delivery stations; phonograph record manufacturing; public utility service yard; and tool manufacturing.
20. Recycling, sorting, baling and processing of glass, nonferrous metals (not including automobile wrecking yard), paper scrap and storage of waste paper, when wholly conducted in a completely enclosed building.
21. Indoor and outdoor athletic facilities, such as field houses; gymnasiums; soccer; polo; and baseball fields.
22. Outdoor recreational facilities, including swimming pools; tennis courts; golf courses and golf driving ranges, and similar uses.
23. Agricultural research and experimentation facilities.
24. Kindergartens, nursery schools, and child care centers for four (4) or more children. A fenced and screened play area shall be provided, which shall contain not less than twenty-five square feet per child.
25. Veterinarian clinics and laboratories.
26. Supportive uses, limited to the following uses:
    a. Multi-family dwellings.
    b. Townhouses, except that not more than twelve (12) units shall be attached.
    c. Restaurants, brew-pubs, and banquet facilities with indoor live entertainment. Such facilities utilizing live entertainment shall be located at least one-hundred (100) feet from any non-mixed use residential structure.
    d. Hotels and motels, as specifically regulated under Article 8-24(o)(13) herein.
    e. Designed retail sales or mixed-use areas, which shall be limited to the following uses:
        i. Offices for business, professional, governmental, civic, social, fraternal, political, religious, and charitable organizations.
        ii. Banks, credit agencies, security and commodity brokers and exchanges, credit institutions, savings and loan companies, holding and investment companies.
        iii. Establishments for the retail sale of food products, as per Article 8-16(b)(17).
        iv. Medical and dental offices, clinics, and laboratories.

v. Ticket and travel agencies.
vi. Restaurants, brew-pubs, and banquet facilities; with live entertainment, dancing, and/or sale of alcoholic beverages.
vii. Establishments for the retail sale of merchandise, as per Article 8-16 (b)(19).
viii. Beauty shops, barber shops, and shoe repair.
ix. Quick copy services utilizing xerographic or similar processes, but not including offset printing methods.
x. Laundry and laundry pick-up stations, but not including self-service laundry.
xi. Kindergartens, nursery schools and child care centers for four (4) or more children. A fenced and screened play area shall be provided, which shall contain not less than 25 square feet per child.
xii. Athletic club facilities.
xiii. Market gardens.
xiv. Multi-family dwellings.
xv. Townhouses, except that not more than twelve (12) units shall be attached,

27. Temporary cellular telephone transmitting facility; not to exceed 70' in height and with a 1:1 height-to-yard ratio.
28. Adult day care centers.
29. Day Shelters.

8-24(c) Accessory Uses (Uses and structures which are customarily accessory, clearly incidental, and subordinate to permitted uses.)

1. The accessory uses permitted in the P-1, B-4, and I-1 zones, except as specifically prohibited in Article 8-24(e) below.
2. Within the designated retail area, the following accessory uses shall be permitted:
   a. Parking areas and structures.
   b. Outdoor patio area.
   c. Warehousing, wholesaling, and storage, excluding outdoor storage.
   d. Drive-through facilities for the sale of goods or products or the provision of services otherwise permitted herein.
   e. Satellite dish antennas, as further regulated by Article 15-8.

8-24(d) Conditional Uses (Permitted only with Board of Adjustment approval.)

1. Helistops and/or heliports, provided such facilities conform to the requirements of all appropriate Federal, State, and local regulations.
2. Mining of non-metallic minerals, but only when the proposal complies with the requirements of the Mining/Quarrying Ordinance (Code of Ordinances #252-91) and the conditions and requirements as set forth therein. The Board of Adjustment shall specifically consider and be able to find:
   a. That the proposed use will not constitute a public nuisance by creating excessive noise, odor, traffic, dust, or damage to the environment or surrounding properties;
   b. That a reasonable degree of reclamation and proper drainage control is feasible; and
   c. That the owner and/or applicant has not had a permit revoked or bond or other security forfeited for failure to comply with any Federal, State or local laws, regulations or conditions, including land reclamation, pertaining to the proposed use.
3. Outdoor live entertainment and/or dancing, when accessory to a restaurant, brew-pub or banquet facility. Such uses shall be located at least one-hundred (100) feet from any structure devoted solely to residential use. The Board may also impose time restrictions to minimize nuisance to the surrounding neighborhood.
4. Temporary structures designed for use or occupancy for 61 to 180 days per 12-month period on a single property, calculating said period by cumulative consideration of the use of any and all such structures on a single property.

8-24(e) Prohibited Uses (All uses other than those listed as principal, accessory, or conditional uses, or substantially similar to principal, accessory, or conditional uses shall be prohibited. The uses below are provided for illustration purposes and for the purpose of limiting permitted uses and are not intended to be a total listing of all the uses that are prohibited.)

1. Single-family detached residences and two-family dwellings.
2. All outdoor storage and display, and/or sales areas, including any vehicular sales facilities; but excluding outdoor patio areas operated in conjunction with a restaurant.
3. Any uses first permitted in the Heavy Industrial (I-2) zone.
4. Refuse dumps, incinerators, and landfills.
5. A facility for the storage and distribution of gas by railroad tank cars, through gas piping, or by tank trucks which each have a water capacity in excess of 4,000 gallons.
6. Ecotourism activities.
7. Establishments for the storage, display, rental, or sales of any type of vehicles.
8. Automobile and vehicle refueling and/or service stations.

Lot, Yard, and Height Requirements (See Articles 3 and 15 for additional regulations)

8-24(f) Minimum Lot Size – No limitation, as specifically regulated under 8-24(o) herein.

8-24(g) Minimum Lot Frontage - No limitation.

8-24(h) Minimum Front Yard - 200' on streets classified as expressways and major arterials on the official functional classification map; 100' on streets classified as minor arterials; 5' on collector and local streets.

8-24(i) Minimum Side Yard - 15'.

8-24(j) Minimum Rear Yard - 25'.

8-24(k) Minimum Useable Open Space – 40% for the entire P-2 development, as specifically regulated under Article 8-24(o) herein.

8-24(l) Maximum Floor Area – Maximum floor area ratio of 0.75 and as further regulated by Article 8-24(o).

8-24(m) Maximum Height of Building - 120'.

8-24(n) Off-Street Parking (See Article 16 for additional parking regulations.)

Uses first permitted in the B-4 zone - As per B-4.

Uses first permitted in the I-1 zone - As per I-1.

Office Uses - One (1) space for each 400 square feet of floor area.

Townhouse Dwelling Units – One (1) space per dwelling unit.

Multi-family Dwelling Units – Three (3) spaces for every two (2) dwelling units or 0.9 spaces per bedroom in a multi-family dwelling, whichever is greater.

Hospitals – One (1) space for every three (3) beds, plus one (1) space for each employee on the maximum working shift, with a minimum of five (5) spaces.

Hotels and/or Motels – One (1) space per suite with a minimum of five (5) spaces.

Designated Retail Area for Non-Residential Uses - One (1) space for each 400 square feet of floor area for the first 10,000 square feet; one (1) space for each 200 square feet of floor area after the first 10,000 square feet.

Kindergartens, Nursery Schools, and Childcare Centers – Three (3) spaces for the first twelve (12) children, plus one (1) space for every ten (10) (or fraction thereof) additional children.

Adult Day Care Center - One (1) space for every ten (10) persons being provided care, plus one (1) space per caregiver on the maximum shift.

Day Shelter - One (1) space for every ten (10) persons being provided services, plus one (10 space per staff member on the maximum shift.

Other Recreational Facilities or activities not otherwise stated herein – Five (5) spaces, plus one (1) space for each employee for each separate use.

Combinations - Combined uses shall provide parking equal to the sum of individual requirements.

8-24(o) Special Provisions

1. Any site to be zoned in a P-2 zoning category shall be a minimum of fifty (50) net acres in size.
2. No more than sixty percent (60%) of any P-2 project shall be covered with buildings and parking lots or other paved surfaces designed for vehicular use. All open space areas shall be permitted, however, to contain outdoor recreational/athletic facilities, such as ball fields; jogging trails; tennis courts; picnic areas; golf courses; or similar outdoor activities for the use of the employees of the principal use of the property or the public at large. Land owned by the developer at the time of rezoning, which is subsequently dedicated at no cost to the public as recreational or open spaces (not streets), shall be included in such open space requirement.
3. The developer shall be required to provide proof of at least the following private covenants having been created prior to the approval of any final development plan:
   a. A design committee of at least three registered architects and landscape architects (mixed 2 to 1 in either combination) shall be required to review and approve all site and architectural designs within the development.
   b. An owners' association or other mechanism which provides for uniform maintenance of all open space areas and common areas.
4. Landscaping shall be required as per Article 18 of the Zoning Ordinance, except as modified herein. Perimeter landscaping around the exterior boundary of the project shall be as provided under Article 18 for the I-1 zone; however, the Commission may permit such portions of required perimeter planting to be reallocated to areas interior to the site, where it finds that solid screening is not needed to screen the uses from the adjoining rights-of-way or properties. Tree canopy requirements shall be met for the development in accordance with Article 26. In addition, ten (10) square feet of landscape area for each 100 square feet,

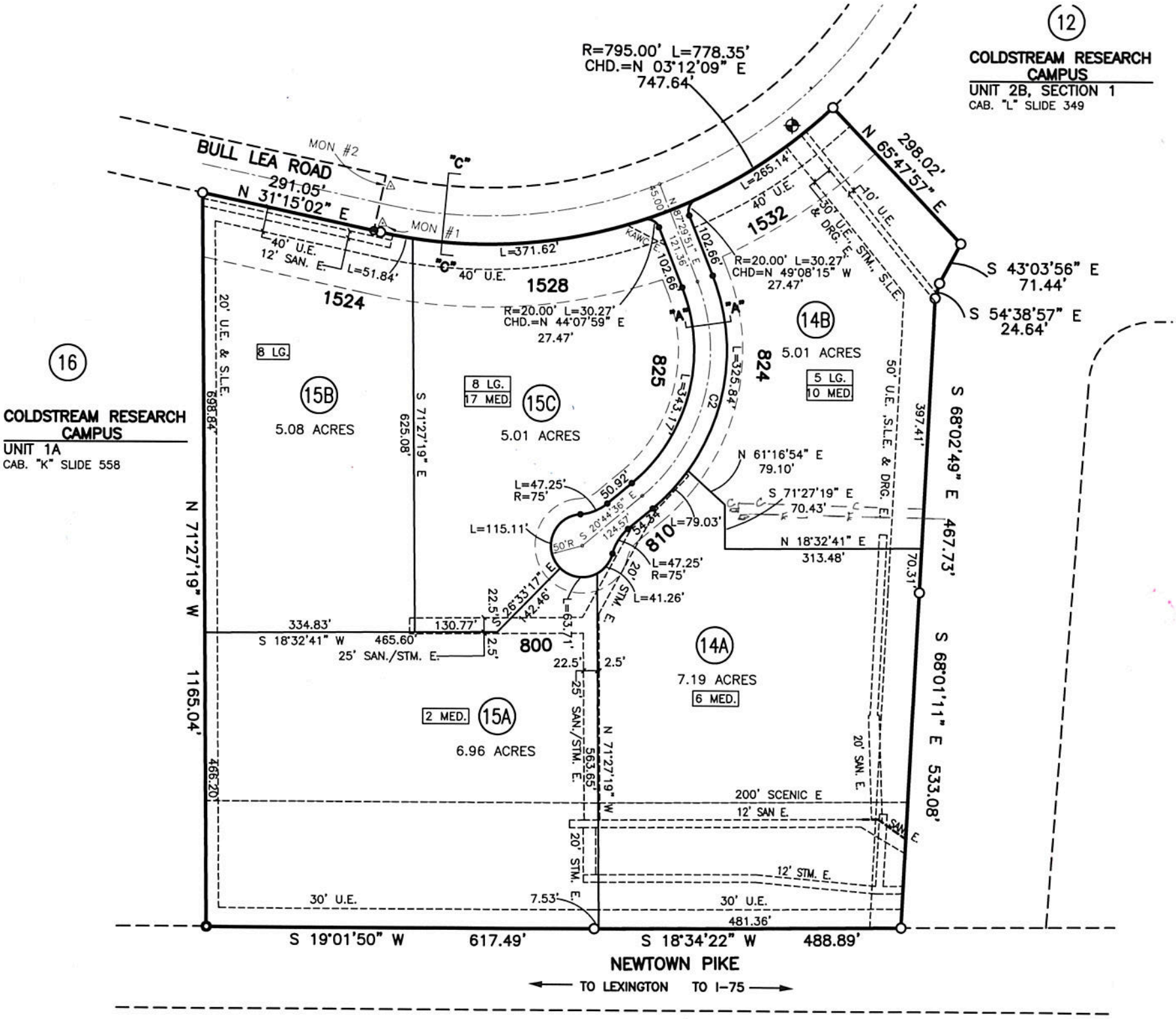
or fraction thereof, of vehicular use area shall be required within the development. Street trees shall be required as outlined in the Land Subdivision Regulations. Open space shall be defined on the preliminary development plan, and designated to protect and/or formally recognize existing natural and man-made features with a particular emphasis on any environmentally sensitive areas, geologic hazard areas, cemeteries, floodplains, or other area in order to meet the open space requirements for the P-2 development. Structures devoted solely to residential use shall be screened from adjacent industrial, office or business use as required by the Property Perimeter Requirements provided in Article 18-3(a)(1)(C & D)(3).

5. Signage within the P-2 zone shall be specifically regulated under Article 17-7(m) of the Zoning Ordinance.
6. A preliminary development plan shall be required to be filed in conjunction with any zoning map amendment to a P-2 zone. No building permits shall be issued for any lot or building within the development unless and until final development plans are approved, as provided in Article 21. Prior to filing a final development plan with the Planning Commission, the site developer shall seek the approval of the design committee, as established under Article 8-23(o)(3)(a) herein.
7. At the time of filing of the final development plan, the site developer shall provide a summary report documenting the conceptual design review and recommendation(s) of the design committee. Such summary report shall inform the Planning Commission of the following: architectural elements included in the building(s) design; how the building(s) will be compatible in form and scale with adjacent structures; building materials; entry features; and sustainable building features. The Planning Commission shall consider the design committee's recommendation in their decision. A final development plan with two or more buildings shall be designed as a cohesive architectural statement, with all development features exhibiting compatible design elements.
8. Each subdivided lot shall have access to adjacent streets or joint parking areas, as provided by appropriate easements shown on the final development plan and final record plat.
9. Parking areas shall not be permitted to encroach into required front yards. However, no more than 10 visitor parking spaces may be permitted within such required yards.
10. In addition to the required development plan, the applicant for any P-2 zoning category shall be required to file a comprehensive development statement at the time of filing. Such comprehendsive development statement shall include, at a minimum:
    a. A traffic impact analysis.
    b. A preliminary site analysis of all significant natural and man-made features with a particular emphasis on any environmentally sensitive areas, geologic hazard areas, existing vegetation which should be given priority as use for open space areas.
    c. Any proposed use restrictions, building requirements, architectural requirements, or similar restrictions over those required herein.

    Such studies shall be evaluated by the staff as part of the overall review of the map amendment request and development plan. Based upon such review, the Planning Commission and/or Council may impose restrictions on uses or other development aspects, including design criteria, as a part of the approval of the P-2 project.
11. Except to the extent otherwise permitted in above, all uses shall be conducted in a completely enclosed building.
12. No site utilities shall be permitted to be above ground, with the exception of major electric and telephone distribution lines (which shall generally be located on lot perimeters), pad mounted transformers, and similar facilities. Service connections of such utilities to individual buildings shall be required to be underground. Any utilities to be located above ground shall be shown on required final development plans. All such overhead utilities shall be designed, located, and, where appropriate, screened, so as to preclude visibility from adjoining arterial roadways and public open space and/or greenway areas to the greatest extent feasible.
13. Supportive uses are subject to the following requirements:
    a. The total acreage of supportive uses shall not exceed fifteen percent (15%) of the area of the P-2 development.
    b. Supportive uses shall only be developed and constructed either concurrently with or after construction and occupancy of at least 250,000 square feet of floor area for other principal permitted uses. Development shall be phased as follows:
        i. Until 250,000 square feet of other principal permitted uses are approved and constructed for the P-2 development, the permitted floor area of supportive uses shall not exceed a maximum of twenty percent (20%) of the total floor area of all approved and constructed structures.
        ii. Once the P-2 development has 250,000 square feet of existing floor area of other principal permitted uses, the phasing restriction in Article 8-24(o)(13)(b)(i) shall no longer apply.
    c. Designated retail or mixed-use areas can be included within the supportive uses. Such designated retail and mixed-use areas shall be defined on

a preliminary development plan for the P-2 zone. The designated retail or mixed-use areas shall be designated and located to primarily serve the needs of employees, residents, and visitors to the university research campus. Entrance to designated retail or mixed-use areas shall be located on collector or local streets and not major or minor arterial streets.

d. Entrance to restaurants, brew-pubs and/or banquet facilities, with indoor live entertainment shall be located on collector or local streets, and not on major or minor arterial streets.
e. The number of hotels and/or motels within a P-2 development shall not exceed a total of one (1) per fifty (50) net acres of the P-2 development.


12
COLDSTREAM RESEARCH CAMPUS
UNIT 2B, SECTION 1
CAB. "L" SLIDE 349
16
COLDSTREAM RESEARCH CAMPUS
UNIT 1A
CAB. "K" SLIDE 558
R=795.00' L=778.35'
CHD.=N 03°12'09" E
747.64'
BULL LEA ROAD
291.05'
N 31°15'02" E
MON #2
MON #1
"C"
"C"
40' U.E.
12' SAN. E.
L=51.84'
L=371.62'
1524
1528
1532
R=20.00' L=30.27'
CHD.=N 44°07'59" E
27.47'
R=20.00' L=30.27'
CHD=N 49°08'15" W
27.47'
L=265.14'
N 65°47'57" E
298.02'
40' U.E.
10' U.E.
50' U.E. STM. & DRG. E.
S 43°03'56" E
71.44'
S 54°38'57" E
24.64'
20' U.E. & S.L.E.
698.84'
8 LG.
15B
5.08 ACRES
8 LG.
17 MED
15C
5.01 ACRES
825
824
14B
5.01 ACRES
5 LG.
10 MED
50' U.E. S.L.E. & DRG. E.
397.41'
S 68°02'49" E 467.73'
S 71°27'19" E
625.08'
L=343.17'
L=325.84'
C2
N 61°16'54" E
79.10'
S 71°27'19" E
70.43'
L=47.25'
R=75'
50.92'
S 20°44'36" E
124.57'
L=115.11'
50'R
54.34'
L=79.03'
810
N 18°32'41" E
313.48'
70.31'
L=47.25'
R=75'
L=41.26'
20' STM. E.
22.5'
26°33'17" E
142.46'
L=63.71'
334.83'
S 18°32'41" W
130.77'
465.60'
25' SAN./STM. E.
2.5'
800
22.5'
2.5'
14A
7.19 ACRES
6 MED.
N 71°27'19" W
1165.04'
2 MED.
15A
6.96 ACRES
466.20'
25' SAN./STM. E.
563.65'
N 71°27'19" W
20' SAN. E.
200' SCENIC E
12' SAN. E.
20' STM. E.
12' STM. E.
30' U.E.
7.53'
30' U.E.
481.36'
S 19°01'50" W
617.49'
S 18°34'22" W
488.89'
S 68°01'11" E 533.08'
NEWTOWN PIKE
TO LEXINGTON
TO I-75

Coldstream Research Campus
University of Kentucky

Design Guidelines
June 2009

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Contents

1.0 Introduction

Purpose
The overall objective in establishing design guidelines for site development at Coldstream Research Campus and other development areas of Coldstream Farm is to ensure a sense aesthetic value and environmental sensitivity in the development of the campus.

These guidelines are for use by the University of Kentucky and the tenants of the campus, their architects, landscape architects, engineers, and maintenance personnel in the design, development, and care of the tracts within the Coldstream boundaries.

In no instance are these guidelines intended to be less restrictive than the requirements of the Lexington – Fayette Urban County Government. For any item not covered by these guidelines, the provisions of the P-2 Ordinance covering minimum requirements for development shall apply.

Objectives for Use
The following are the objectives for these design guidelines:
• To promote a high quality park setting for a mix of buildings marked by a consistently high quality of architectural design.
• To assist in the development of a comprehensive open space system for the community.
• To promote and enhance the development of an attractive, effective, and safe transportation network.
• To assure those locating in the campus that the quality of the overall development will remain high; and therefore, that the economic and environmental values will be protected permanently.
• To preserve, enhance, and protect the natural and cultural features of the environment.
• To provide direction for maintenance following development of the site.

Design Review Committee
A Design Review Committee oversees the application of the design guidelines. This committee is comprised of architects, landscape architects, and other design professionals who interpret the guidelines to project tenants and developers, review all plans for building and site design, and serve to discern any special requirements for preservation of natural site characteristics. Official approval of all development and construction plans will be subject to approval of the Design Review Committee prior to implementation. Construction work will be given periodic inspection by a representative of the Design Review Committee to ensure its compliance with the Design Guidelines. Each proposal will be considered on its own merits. The Design Review Committee will study the natural conditions of each parcel and its development potentials and problems. Each proposal will be evaluated on the basis of its conformance to high aesthetic standards, its relationship to the characteristics of the site, and its compatibility with the development on adjoining parcels.

The process of project applications and design review is described in Chapter 6: Design Implementation.

Master Plan
The master plan for Coldstream Research Campus builds upon the existing fabric of development since its inception in the 1980's. The current plan, dated 2009, has a series of over arching objectives, out of which flows these Design Guidelines. The Design Guidelines are the primary tool to achieve the objectives of the master plan, and as such, have a variety of measurable strategies to effect those objectives.

Objectives include:
• The creation of a walkable community, one in which the standard of measure is the human, not the automobile.
• The evolution toward a mixed use community in which to work, live, shop, and recreate.
• The preservation of the natural systems of Cane Run and its tributaries.
• The enhancement of the cultural landscape around the Carnahan House and its incorporation into a mixed use town center for the campus.

• The creation of a comprehensive open space network connecting all developed areas within the campus to each other with walking and bicycle trails to reduce vehicular trips.
• The creation of a compact street grid with small parcel sizes and small setbacks to produce a human-scaled neighborhood pattern of development.
• The inclusion of local retail within office and residential buildings across the campus to reduce vehicular trips.
• The provision for a wide variety of building types and sizes to best meet the diverse needs of the marketplace.
• The inclusion of principles of sustainability into planning, design, and maintenance of the campus to set a benchmark for environmental stewardship within the region.
• The establishment of a benchmark of LEED certification for all commercial buildings and an energy star rating for residential buildings. LEED Silver commercial buildings are strongly encouraged.

2.0 Site Design Criteria

Purpose
This chapter addresses the qualities of the common areas of Coldstream Research Campus. Common areas are those outside of lease lines and include green spaces and roadways. These areas create an impression of the character of the campus through both hard materials – pavements, walls, lights, etc. – and soft materials – plants, berms, and bodies of water. It is the intent of these Design Guidelines that the common areas have a consistent character that builds upon the beauty of the existing landscape of the campus.

The master plan for Coldstream Research Campus is a framework for development of a variety of building types, all set within a verdant park setting. This concept builds upon the existing green infrastructure of parks, historic grounds, and floodplains. Collectively, these existing open spaces create a valuable and scenic common area that benefits users and visitors to the campus. The master plan envisions additional green areas to create a comprehensive network of green spaces that encourage walking, provide storm water management, and provide for active and passive recreation. In addition to green spaces, roadways are a critical part of the public realm of Coldstream Research Campus. Both existing and proposed roads are a part of the master plan and each type has a unique set of guidelines that shape its character. One of the over arching concepts of the master plan is to transform the existing paradigm of automobile–scaled environment toward a more human scaled environment. To that end, guidelines are proposed herein that suggest some critical spatial relationships that will lead in that direction.

Green Spaces
Coldstream Park: This area is a 225-acre park containing Cane Run and a tributary of Cane Lexington – Fayette Urban County Government and is open to the public, with trails and parking areas in place. In the master plan, a few improvements are envisioned; notably a pair of pedestrian bridges to cross the stream and a pair of road crossings as well. In addition, a series of new trails are proposed to provide continuous walking opportunities both east and west of Cane Run itself. These improvements would require approval of Lexington – Fayette Urban County Government prior to implementation. **Carnahan House:** The Carnahan House is the historic center of the research campus and both the house and its grounds should be retained and enhanced. The master plan proposes to preserve the existing entry drive and tree grove area east of the house, and to supplement that with additional trails to provide more walkability.
The existing stone walls should be retained as is, but with two pedestrian openings of 6 feet in width created; one each on the north and on the south walls to allow for better pedestrian access to this grove. The immediate setting of the house itself is envisioned in the master plan to be adapted into an elliptical-shaped public green of 275 feet x 600 feet. This area would capture the house, its driveway approach, and immediate landscape, but would remove parking, outbuildings, and a swimming pool. New parking and service would be provided in the ellipse for the adapted reuse of the house as a restaurant, meeting facility, or bed and breakfast. The intent is to create a vibrant future for this historic building in a new public setting. The roads that frame the ellipse would provide a new north – south access for both vehicles and pedestrians to traverse the campus, and the construction of these would require some selective removal of existing stone walls in this area.

The Quadrangle: The quadrangle is a new green space that is the extension of the historic grove of trees and lawn that is the driveway approach to the Carnahan House from Newtown Pike. It stretches from the house to Coldstream Park, creating a green ribbon from east to west and capturing the two primary natural and cultural landscapes of the campus into one continuous landscape. The south side of this green is a straight line, echoing the straight line of the stone wall of the Carnahan House and signifying the cultural landscape, while the north side forms a graceful curve that flows to Cane Run and signifies the natural landscape. Reinforcing this notion is the landscape itself, with formal rows of trees on the south side and informal groves of trees on the north side. A series of walks are proposed in the quadrangle and connect access points from outside across the green to each other in a stitching pattern, to facilitate easy pedestrian movement both east/west and north/ south, much like in a quadrangle on a

college campus. Benches and other site furniture are envisioned throughout the quadrangle to make it both passage and destination for users and visitors. The quadrangle should be 75% pervious and feature a minimum tree canopy coverage of 30%. To denote the mission of the research campus as a place of innovation and technology, a series of helical wind turbines are proposed along the south side of the quadrangle from Newtown Pike across Cane Run itself. These turbines would be placed at 400-foot to 500-foot intervals and are envisioned as 60 feet in height. They would serve as highly visible symbols of 21st century technology and generate power that could be utilized to operate lighting in the park. Thus, the quadrangle is envisioned as the civic green for the campus, with respect to the past, but technology that speaks to the future.

The Crescent: The Crescent is about one acre of green in the Northeast Village on McGrathiana Parkway. It is a formal space intended to serve as passive recreation for the mixed use community adjoining it. It is envisioned as predominantly lawn, with a surrounding walk and trees that shade the walk. Benches and trash receptacles should be provided for the comfort and convenience of pedestrians. Shade structures, public art, or fountains may be a part of the program, but are not required. The Crescent should be 75% pervious and feature 50% tree canopy coverage.

Bull Lea Square: Bull Lea Square is a quarter acre park and plaza that straddles Bull Lea Road on the north side of its intersection with Street A. It is envisioned as a sunny pocket park onto which retail uses like a delicatessen or coffee shop may front. It is proposed as a mix of lawn, against Street A, and paved plaza, against the pair of enframing office buildings. In this manner, the walkway adjacent to the buildings may function as an outdoor café in the mild seasons, with umbrella tables and chairs providing shade and seating. This walkway should be a minimum of 15 feet wide and a maximum of 25 feet wide to accommodate that intended use. Retail storefronts and entry doors should face directly upon the square, with no vehicular conflicts. The square should be 50% pervious and feature 30% tree canopy coverage.

Roadways
The roadways of Coldstream Research Campus carry vehicles, bicycles, and pedestrians to and through the site. Varieties of road types exist or are proposed to provide that circulation. These include:

Level 2: Major Arterial
Newtown Pike
- Right of Way: 130 feet; No on-street parking
- Speed: 55 mph
- Building Setback: 200 feet
- Sidewalk: 8 foot asphalt trail
- Landscape character: Informal

Level 3: Minor Arterial
Citation Boulevard
- Right of Way: 150 feet; No on-street parking
- Speed: 45 mph
- Building Setback: 100 feet
- Sidewalk: 8 foot asphalt trail on north side
- Landscape Character: Informal

Level 4: Collector Road
McGrathiana Parkway
- Right of Way: 90 feet; No on-street parking
- Speed: 35 mph
- Building Setback: 10 feet minimum; 20 feet maximum
- Sidewalk: 8 foot concrete both sides in Northeast Village; one side in Northeast and Northwest Villages
- Landscape Character: Formal; street trees at 40 foot centers

Aristides Boulevard

Right of Way: 70 feet (Carnahan Center area); On-street parking both sides
Speed: 25 mph
Building Setback: 0 foot – 10 feet
Sidewalk: 15 foot pavers both sides in Carnahan Center; 10 foot concrete beyond
Landscape Character: Formal; Street trees at 30 foot centers

Bull Lea Road
Right of Way: 70 feet; On-street parking both sides
Speed: 25 mph
Building Setback: 0 foot – 10 feet maximum
Sidewalk: 15 foot pavers both sides in Carnahan Center; 10 foot concrete both sides
Landscape Character: Formal; Street trees at 40 foot centers

Eastern/Western Parkway
Right of Way: 60 feet; No on-street parking
Speed: 35 mph
Building Setback: 10 feet minimum; 30 feet maximum
Sidewalk: 8 foot concrete on building side only

Level 5: Local Street

Street A
Right of Way: 70 feet; On-street parking both sides
Speed: 25 mph
Building Setback: 0 foot – 20 feet maximum, except at square
Sidewalk: 8 foot concrete both sides
Landscape Character: Formal; Street trees at 40 foot centers

Street B
Right of Way: 60 feet; On-street parking building side only
Speed: 35 mph
Building Setback: 20 feet
Sidewalk: 8 foot concrete both sides
Landscape Character: Formal; Street trees at 40 foot centers

Street C
Right of Way: 70 feet; On-street parking both sides
Speed: 25 mph
Building Setback: 0 foot – 15 feet maximum
Sidewalk: 6 foot concrete both sides
Landscape Character: Formal; Street trees at 50 foot centers

Street D,E,F,G
Right of Way: 60 feet; No on-street parking
Speed: 25 mph
Building Setback: 60 feet minimum
Sidewalk: 6 foot concrete one side
Landscape character: Informal; Street trees at 60 foot centers

1.0 Site Development Guidelines

Purpose
This chapter describes the character and quality of building development within leased parcels. The information contained herein sets the standards for quality that will protect and enhance Coldstream Research Campus as it grows in the future. The information should be used by corporations, developers, architects, landscape architects, and engineers as they prepare site plans for individual buildings and parcels. The intent is to foster a consistent level of quality and conformance to the master plan, so that the individual projects contribute to the overall ambience and value of the campus. The master plan anticipates future building patterns with a distinctly different character than the existing patterns. The existing pattern features generous setbacks from streets, parking in the front yard, and inconsistent relationships between a building and the street it addresses. This has resulted in a sprawling, automobile–scaled environment. The pattern of the master plan features smaller setbacks from streets, little parking in the front yard, and a consistent relationship between a building and the street it addresses. This will result in a walkable, pedestrian–scaled environment. The primary siting difference from the existing pattern to the proposed master plan lies in what is termed “streetwall” buildings; buildings that have a direct connection and orientation to the street upon which they front. The following guidelines illuminate the criteria necessary to achieve that end result.

Building Locations
Parcels for lease in Coldstream may be developed for one building or a series of buildings, depending upon the size of the parcel. As described in the master plan, whether a single building or multiple buildings, any building shall have its front yard and address on a street. Since the streets in the campus vary in terms of scale, building setbacks vary as well. In Chapter 2, each street type is illustrated, with a menu of building setbacks. Setbacks are defined as the horizontal distance from right of way line of street to building façade. Applicants should note that in Coldstream there are some setbacks that include both minimum distance and also maximum distance. The maximum distance criteria is included to create the pattern of streetwall buildings described above, and mandates that buildings directly address the street onto which they front. Further, all buildings shall have an entry on the front yard with a walkway that leads directly to the street and sidewalk. The side and rear yards for any building shall conform to standard zoning ordinance requirements, without additional requirements from these design guidelines. That said, in the case of a building that lies at the corner of two streets, each façade that addresses each street shall conform to the setbacks for each street. The intent is to consistently align streets with buildings. Therefore, it follows that parking, circulation, and services areas should be in the side or rear yards. As a practical matter, if the majority of parking fields are in the rear yards, it follows that an entry should be provided on the rear yard façade of the buildings. This may, on a daily basis, serve as the primary entry, but it does not relieve the applicant of the obligation to provide an entry on the front yard.

Building Height / Mass
The height of a given building varies by use and location within the campus. In general, the intent is to promote new building heights that are in harmony with the existing building heights. In most areas of the campus, a 45 feet height limit is recommended. This would support up to a 3 story office or up to a 4 story residential building, uses that are proposed throughout the master plan. Certain particular areas or neighborhoods are planned for higher buildings. These include Interstate Commerce, which should have an 8 story height restriction as it lies adjacent to the interstate highway and Carnahan Center, which should have a maximum height of 90 feet to allow for a robust mix of retail, office, residential, and hotel uses as envisioned in the master plan.

Site Circulation
There are three types of circulation systems to be included in any parcel or building development plan: vehicular, pedestrian/ bicycle, and truck/service vehicle. Many times, these systems are co-located but each has different requirements that must be addressed. For vehicles, there should be a clearly defined access drive from the street which should be 24 feet minimum and 30 feet maximum. Buildings over 75,000 SF may have 2 such entry drives, but no more than 2 entry drives are permitted for any single building. Parcels of multiple buildings may have up to 3 entries, unless the parcel is over 10 acres, in which case up to 4 entries are permitted. For any building or parcel with multiple entries, these shall be a

minimum of 200 feet apart from each other and also from any street. The intention for these guidelines is to provide adequate vehicular access without compromising the continuity of pedestrian sidewalks that follow streets. For buildings or parcels over 100,000 square feet, there should be a main circulation drive leading from street to building without perpendicular parking along it. Parallel parking on such an approach drive is permitted. For trucks and service vehicles a separate cartway is not required, but where the site permits, a separate drive from street to service yard is encouraged, especially for users with multiple tractor trailer loading docks, so that the large truck movements are not through parking fields. All truck turning movements shall be within a given parcel and are not permitted within a street right of way. When trucks and cars share the drive, care should be taken in the site plan to accommodate the large turning radii of trucks. Pedestrians and bicyclists should have continuous access within a parcel from the street to the building entry in a manner that meets the standards of ADA and with a minimum of vehicular conflict points. Pedestrian paths shall be a minimum of 6 feet wide. Separate Class 1 bicycle lanes are not required within a parcel, but Class 2 shared bicycle lanes of 5 feet width are encouraged to reduce vehicular trips.

Parking

Parking is a necessity in the campus, but in many cases can detract from the overall campus if its extent is uncontrolled. It is the intent of these guidelines to utilize low impact development strategies to mitigate the negative aspects of parking including increased storm water runoff, decreased water quality, and heat gain. Parking fields should consider the smallest possible footprint of impervious surface, utilizing 9 feet x 18 feet spaces with 24 feet drive aisles, yielding a tray of 60 feet. Provision of 10% compact spaces at 8.5 feet wide is encouraged to reduce that footprint. No more than 10 spaces in a row may be provided without a planted island of 9 feet wide to support a shade tree. In addition, 10% of the interior area of a parking field shall be devoted to planted islands. These islands shall not be smaller than 9 feet x 18 feet in size. Note that the interior area is defined as that area within the overall paved outline of the parking field; in this manner, corners where two parking trays intersect count towards interior area, while perimeter green space does not. Where parking fields abut a street, a continuous evergreen hedge or shrub mass shall be provided with a height of 4 feet to visually screen the parked cars from public view.

Bioswales are encouraged on the perimeter of parking fields. Bioswales are shallow depressions filled with water tolerant plantings that capture the first flush of storm water and absorb much of it into the groundwater through the plant root systems, thus reducing downstream runoff. The absorption process cleanses road salts, oils, and fertilizers from the water, and thus improves water quality as well. Bioswales may be provided within a parking field or at its perimeter and should feature a curbless edge to facilitate the capture of rain water. However, care should be taken to include curb stops in this instance, so that cars do not drive into the bioswale. It is also critical to coordinate the site grading plans with any consideration of using bioswales so that drainage is effective. Bioswales have specific requirements for soil mix, subbase, drain pipes, and plantings and should be designed by a licensed landscape architect or engineer.

Porous pavements are also encouraged in parking fields to reduce storm water runoff and to polish rain water. This pavement type is structurally appropriate for parking areas, but features voids in its surface to allow for rain water to percolate through the pavement. Concrete, asphalt, and precast concrete pavers are various types of porous paving that may be considered.

Heat gain from paved areas and rooftops has been linked to global climate change. There are two ways that parking fields can reduce heat gain. One is to utilize pavements with high albedo (light color) for better reflectivity of solar heat. In this manner, a light colored concrete would be favored over a dark asphalt. A second way to mitigate heat gain is to shade the pavement. The guideline for planted islands stated above will go far to reducing heat gain. In addition, trees around the perimeter of a parking field are encouraged. It is worth noting that certain shade trees are water tolerant and therefore could be included within a bioswale, doubling the benefit.

Service Areas
Service areas for loading, utilities, and waste management are a necessary function but should not detract from the overall appearance of the landscape and park setting. To that end, no such service facilities shall be placed in the front yard of any building. Such facilities may occur in the side or rear yard and shall be screened from view from any street with an opaque screen, the type of which varies by the facility.

Loading areas are typically expanses of pavement that allow for truck turning movements as well as loading/unloading of materials and supplies. In the case of some office buildings with limited service needs, truck docks may be within the building footprint, and therefore no additional screening is required. In the case of some research or manufacturing buildings with multiple docks and large service trucks, these areas shall be screened from view from any street by a 6 feet high masonry wall that is of the same material as the building or a double row of evergreen trees of 6 feet height. Berms may be substituted for plantings or walls if space permits, as long as a total height of 6' is achieved. Wood fences are not permitted as a screening device.

Utilities, including transformers, condensers, satellite dishes, back flow preventers, etc. should be screened from view from streets to the extent practicable, given that some access to them is required for routine maintenance. Care should be taken in the development of a site plan to coordinate these features and to consolidate them into one area, rather than have them strewn about the landscape. Where utilities are co-located within loading areas, the screening wall provided for the loading can be extended to include the utilities. The preferred color for such utility structures is black and the preferred method of screening is with evergreen shrubs as part of larger landscape design. Individual utilities with individual walls or fences are not encouraged, and therefore care should be taken in the site planning process to illustrate comprehensively all such utility structures. Waste management is an issue of health and safety and all such facilities shall meet health department codes. In addition, dumpsters and recycling bins should be visually and physically screened from view. Where practical, these should be located within the building footprint. When in a service yard, dumpsters shall be screened with a 6 feet wall for office, retail, hotel, and laboratory buildings that is of the same material as the building. Toxic, hazardous, or medical waste and material shall be stored in locked containment areas in accordance with health department and environmental regulatory agency requirements.

All dry utilities within a parcel shall be underground. This includes electric, cable, communication, and fiber optic. Care should be taken to aggregate such dry utilities into defined corridors to maximize opportunities for landscape planting throughout the site and to minimize excavation areas for routine maintenance and replacement.

Site Lighting
Parking fields and pedestrian paths within a parcel shall be adequately illuminated for public safety. Two types of exterior lights should be considered for that purpose: roadway/parking light masts and walkway light poles.

For the roadway/parking lights, the height of the mast shall not exceed 24 feet and the poles should be spaced accordingly for even illumination. The lamp should be a downlight or cutoff type, to avoid light spill toward the sky or adjacent parcels. The light source should be metal halide, LED, or color corrected high pressure sodium. Standard high pressure sodium produces a yellow cast which renders landscape plantings as brown, so a color corrected version is preferred.

For walkway lights, the height of the pole shall not exceed 14 feet, nor be less than 10 feet in height. These fixtures shall be spaced accordingly along pedestrian walks to provide a minimum average footcandle reading of 1.0. Like roadway lights, pedestrian lights should be downlights and share a common light source within a given parcel, for an even and consistent reading throughout the parcel. Consideration should be given to energy efficiency in selection of light fixtures, with LED sources currently having the most efficient output, then color corrected high pressure sodium, then metal halide.

Site lighting fixtures should be black or anodized bronze in color to blend into the landscape during the day. Contemporary style is preferred over classical or traditional styles, in keeping with the character of the architecture of the campus. Floodlighting of building facades is discouraged as it causes unnecessary light spill into the night sky, though selective downlighting of facades is allowable.

Signage
Building and parcel identity is an important component of wayfinding and efficient circulation throughout the campus. To that end, both building mounted signs and freestanding signs are permitted. Any and all such signs must first conform to Lexington/Fayette Urban County Government ordinances. Beyond those legal requirements, the intent of these design guidelines is to create signs that are clear, simple, direct, and appropriately scaled for their intended purpose.

Landscape Plantings
The existing landscape of Coldstream Research Campus is one of the great strengths of its character; its historic groves of trees, vast sweeps of bluegrass, and natural riparian areas associated with Cane Run contribute to a beauty and tranquility that adds terrific value to the campus. The planted landscapes of the roads and existing research buildings have respected that landscape ethic and it is the intent of these guidelines to continue that standard of quality. Landscape plans submitted by an applicant shall be produced by a licensed landscape architect.

To that end are a series of guidelines that will assist applicants in the creation of landscapes that fit within the existing patterns and will add value to the overall campus. In the front yard of any building, shade trees are encouraged, depending upon the building setback and the presence of street trees along the street. Where the setback is 20 feet or greater, shade trees are encouraged. Where the setback is less than 20 feet, shade trees should not be planted, and either flowering trees, shrubs, or groundcovers are more appropriate to the available space.

Evergreen trees are not permitted in the front yard.

In the side and rear yards, a variety of shade, flowering, and evergreen trees are encouraged, in either formal or informal patterns, depending upon the architectural context. In general, a formal architecture setting should have a formal landscape plan, while an informal architecture setting should have an informal landscape plan.

Landscape plans should avoid the practice of monoculture, which is the use of large quantities of a single species, as the occurrence of a pest or disease could decimate a given parcel. It is preferred to intermix species to minimize that risk. There are certain circumstances in a formal landscape where consistency is desirable, but judgment should be used to avoid monoculture. Therefore, a strategy for parcel landscape is that no single species should represent more than 25% of landscape plantings.

Native plants are preferred over exotic plants, as they require less water and maintenance for healthy growth. These plantings are more likely to reseed themselves and be resistant to pests, fungi, and diseases. Native plants also contribute to wildlife habitat with a variety of nuts, berries, and seeds as food sources for animals. The landscape plant palette which follows provides a list of native plants appropriate to Coldstream Research Campus.

In parking areas, the guidelines from that section above apply as far as quantity. As far as type, all parking islands should be planted with shade trees for maximum pavement cooling. Flowering trees and evergreen trees should not be used in parking islands. At the perimeter of a parking field, evergreen trees are appropriate as a screening material. Care should be taken in the design of such buffers so that they fit within the overall landscape concept and do not stand apart from it. For example, in a formal landscape, an informal evergreen mass would not be appropriate; similarly, a straight evergreen hedge set within an informal landscape would be equally inappropriate. The intent of a landscape screen is that it fits seamlessly into an overall pattern.

Recent studies have demonstrated that lawn areas can contribute to strong concentrations of nitrogen and phosphorous runoff into waterways, a leading source of non-point pollution in watersheds. While the Lexington area is known worldwide for its bluegrass, it is the intent of these guidelines to improve water quality while creating a memorable landscape. Therefore, care should be taken in landscape plans to provide judicious use of lawn areas, and not simply have lawn as the ubiquitous groundcover for everything not paved. Two strategies are recommended here. One is to use organic fertilizers for any lawn area to reduce the quantities of nitrogen and phosphorous, and the second is to consider the use of native grasses, forbs, and perennials to create meadows as a landscape type. Meadows would be appropriate at the perimeter of a site and not appropriate in the front yard. Meadows could also be placed next to bioswales (a bioswale is a form of a wet meadow) to form a large sweep of native plantings. The value of a meadow lies in its ability to sustain itself without undue mowing, fertilizers, pesticides, or irrigation. That said, meadows, to be successful, need to be expansive in size, and therefore, judgment must be used in the inclusion of a meadow within a parcel landscape plan so it fits within the overall plan.

Site Furnishings

Site furniture enhances the aesthetics, comfort, and safety of the pedestrian environment and should be provided wherever there is pedestrian traffic. Such areas include building entrances, park areas, intersections, and areas of special interest or views. Types of site furniture include bike racks, benches, trash receptacles, newspaper racks, bollards, transit stop shelters, and site amenities like chairs, tables, planters, and display panels.

All site furniture selections should be coordinated with one another and should be compatible with the surrounding architecture and other contextual elements. For newly established areas, a consistent furniture style should be provided.

Benches are an integral part of the pedestrian experience and impact visual quality of a place. Benches should be used throughout Coldstream at building entrances, drop-off zones, congregation points, and high activity areas.

Trash receptacles should match the benches, strategically placed along major walkways, intersections of paths, and near building entrances, picnic areas, food services, and congregation points.

Bicycle racks should be placed at each major building and in visible locations for safety purposes and to reduce potential for theft. Bicycle racks for Coldstream shall be stainless steel.

2.0 Stormwater Control

Stormwater Management
Coldstream Research Campus is located in Northern Fayette County, Kentucky along the lower reaches of Cane Run Creek, a significant watershed of the region. Due to karst topography in the lower reaches of Cane Run, the creek and natural ground water is a major contributor of the Royal Spring Aquifer. The Royal Spring Aquifer and Cane Run are the primary sources of water supply for Georgetown and Scott Country, to the north of Coldstream Research Campus and Lexington. The Coldstream Research Campus watershed feeds directly into these municipal water sources and thus the management of stormwater discharged within Coldstream Research Campus is critical to the protection of these water supplies. Consequently, mitigation of stormwater pollution is imperative and the regulatory oversight is heightened.

These guidelines are intended to provide direction towards Best Management Practices and procedures for short and long term management of stormwater.

Coldstream Research Campus Jurisdictions
Coldstream Research Campus is located in Lexington-Fayette Urban County, which has a merged City/County government. Jurisdiction of development lies with several entities. Stormwater management means and methods are primary considerations for approval and permitting of new development at Coldstream Research Campus. Any development at Coldstream Research Campus will require review and approvals by each of these entities
•University of Kentucky/ Coldstream Design Review Committee
•LFUCG Division of Engineering
•Commonwealth of Kentucky Division of Water

Requirements for each entity are contained in the:
•Coldstream Stormwater Master Plan
•LFUCG Stormwater Manual
•Kentucky BMP's for Controlling Erosion, Sediment and Pollutant Runoff from Construction Sites

Sustainable Stormwater Management
A sustainable approach to stormwater management involves finding ways to harvest it on site, using it for irrigation, ornamental water features, and groundwater recharge. As the value of water is recognized, the value of natural systems to store, clean and distribute available fresh water must also be recognized. Technology exists to integrate systems that mimic nature's capacity to store, filter and clean water.

Examples of Sustainable Practices at Coldstream Research Campus
Protect and restore existing hydrologic functions:
Avoid development and disturbance near Cane Run Creek. Plant native or appropriate non-native vegetation, re-grade soils only where necessary, and use soft engineering techniques to preserve the functions of floodplains and riparian buffers.

Manage and clean water on-site: Design sites to capture, slow, and treat stormwater runoff by reducing impervious surfaces, harvesting rainwater, and directing remaining stormwater runoff to soil and vegetation-based water treatment methods, such as vegetated bioretention facilities, rain gardens, wetlands, green roof, and bioswales. Maintain and store vegetation to ensure water can percolate into the soil or groundwater.

Design stormwater feature to be accessible to site users: Integrate multifunctional stormwater management features into site design to improve both water quality and aesthetics. Stormwater management features can provide calming views, spaces for restoration, and even opportunities for play and interaction with water.

Design the site to minimize or eliminate use of potable water for irrigation: Use native and appropriate non-native vegetation adapted to site conditions, climate, and design intent. Group plants with similar water needs to maximize irrigation efficiency. Climate-based controllers for irrigation systems can also be used to lower water consumption. In addition, non-potable water can be collected and used for irrigation from sources such as rainwater from rooftops, gray water, air conditioners condensate or stormwater basins.

These initiatives are parallel with the site guidelines of the U.S. Green Building Council's LEED requirements. LEED requirements have became a benchmark for sustainable and energy efficient site design. The intent of these guidelines is not to mandate LEED, but to encourage the use of principals set forth as the prerequisites and conditions of LEED sustainable sites.

Stormwater Controls

Development within the Coldstream Research Campus shall conform with the approved Stormwater Master Plan. Stormwater quantity control is not required based on the approved Stormwater Master Plan. Thus, stormwater detention to control and delay discharge is not required.

Stormwater quality controls are required for all development at Coldstream Research Campus. Stormwater quality controls are intended to remove solid particles from stormwater runoff and may consist of bioretention basins, bioswales, infiltration basins, vegetated filtration strips, riparian buffers, sand filters and/ or prefabricated treatment devices. The design parameters for stormwater quality control shall comply with the LFUCG Stormwater Manual.

3.0 Architectural Guidelines

Purpose
The objective of these architectural guidelines is to ensure quality, continuity and environmental sensitivity in future development of the Coldstream Research Campus

The information contained in these guidelines is meant to be used by Coldstream Research Campus owners, tenants and personnel, public works officers, and personnel responsible for planning, design, or maintenance, as well as private firms contracted for planning, design, or renovation and maintenance of facilities. All future construction projects should be guided by these recommendations to assure that the Campus achieves its potential for development and a lively and attractive environment.

Building Types
All buildings within the Coldstream Research Campus Plan have been assigned a building type. A building type represents a recognizable urban form, such as a townhouse, a mixed-use office, or a laboratory. The building type of each building is based on the desired urban form, relationship to the street, and desired relationship of the building to the site.

Each building type in the architectural guidelines is organized into the following groups of elements.

- Building Siting
- Height and Massing
- Parking and Service
- Architectural Design
- Special Features

Building Materials
All buildings shall be composed of high quality durable materials that also contribute to the goal of sustainability. Material selection for individual buildings must consider the context and character of its neighboring buildings and remain harmonious in appearance. Preferred materials are indicated for each building type within the guidelines. Materials that are not allowed include: E.I.F.S., vinyl siding, artificial stone, low slope industrial metal roofing, prefabricated industrial metal buildings, painted metal siding as primary skin, , non-decorative CMU, decorative CMU as primary skin, and hazardous materials including, but not limited to, asbestos and lead based paint.

Sustainable Strategies
Sustainability is important at the Coldstream Research Campus and is essential to creating neighborhoods that are economical, durable, efficient, and healthy environments in which to live, work, and play. Every new building in the campus must obtain certification from the Leadership in Energy and Environmental Design (LEED) Green Building Rating System or an equivalent national standard. All office buildings and laboratories are encouraged to seek a LEED Silver or higher rating. The U.S. Green Building Council's LEED rating system is utilized because it represents the current national standard for commercial green building and uses established and innovative practices, standards, and technologies to provide common design guidelines and third-party certification to ensure sustainability goals are achieved. New buildings may achieve the goals of the LEED system by focusing on energy conservation, energy production, sustainable materials, and water efficiency. These guidelines illustrate specific strategies to achieve the goal of a sustainable development.

3.1 Office Building

Office Building - Commercial Office

Building Siting

- Main facades of buildings shall be generally parallel to the streets or property lines.
- Building shall sit on the setback line as per Chapter 2. The buildings in the Quadrangle shall sit directly on the setback line creating a consistent building edge alignment.
- Corner lots are considered to have two front lot lines. Any lot line fronting main streets or The Quadrangle shall be considered a front lot line.
- Buildings may vary in depth up to 10 feet along their fronts to undulate the façade providing variety and interest.

Height and Massing

- Building heights shall be up to 3 stories.
- Building massing and height may vary to allow for variety and creation of special feature building segments.
- Predominant roof form shall be flat and parapeted. Pitched roof forms are allowed at corners and feature areas. Additional height is allowed at pitched roofs, roof equipment penthouses and special feature building segments.

Parking and Service

- Parking shall be located adjacent to buildings in surface lots accessed by tertiary roads. Lots adjacent to main streets should be screened with appropriate landscaping at their perimeters.
- Buildings directly fronting streets should utilize parallel parking at the streets for visitor parking with lobby access provided accordingly. Buildings fronting The Quadrangle should provide visitor parking within their main parking lots differentiated as may be required.
- All services to be located to building rears or sides and should be screened and incorporated into building design. No curb cuts are allowed on the front lot line along building frontage.
- Dumpsters should be completely enclosed and recessed into the buildings they serve or may be exterior if completely screened with durable materials matching the parent building.

Architectural Design

- All sides of buildings shall be of the same quality of materials.
- Building façade materials shall be durable and of high quality. Preferred materials include: brick, stone, high quality precast concrete, metal panels, metal and glass curtain walls, and preapproved newly developed materials as may present themselves in the future. Locally derived, sustainable and high-recycled content materials are strongly encouraged.
- Building fenestration at facades directly fronting main streets and The Quadrangle shall include a minimum of 40% openings or windows. Substantially increased openings or all-glass walls are allowed. Blank walls shall be avoided on these facades with the maximum length of any segment without fenestration limited as follows: 25 feet fronting The Quadrangle, 20 feet fronting other streets.
- Buildings may include segmented portions having little or no openings as may be required but such segments shall not appear overly monolithic and shall include special materials, design features or offsets to provide relief.
- Continuous ribbon type windows and reflective or dark tinted glass are prohibited.
- Main entrances shall be at the front facades and should be articulated as significant building elements. Buildings fronting The Quadrangle may provide main entrances at other facades but should provide a secondary entrance on The Quadrangle façade having architectural significance.
- No mechanical or utility equipment shall be visible from any street or The Quadrangle.

Special Features

- At upper floor or parapet, approved corporate signage, features and specialized lighting are allowed.
- Roofs shall be considered a visible ‘elevation’ and shall be designed with features, materials and patterns that reflect the character of the building.

Office Building – Interstate Office

Building Siting

- At lots fronting the Interstate, buildings should be sited at rear of lots adjacent to Interstate. At lots not fronting the Interstate, buildings shall create corners along the main streets and shall sit back from setback line on main streets no more than 25 feet and sit back from setback line on minor streets no more than 12 feet.
- At lots not fronting the Interstate, the lot line fronting the minor streets shall be considered the front lot line and no less than 80% of the front lot width shall be covered by direct building frontage.

Height and Massing

- At lots fronting the Interstate, building heights shall be up to 8 stories but no less than 4 stories. At lots not fronting the Interstate building heights shall be up to 8 stories but no less than 2 stories.
- Building massing and height may vary to allow for variety and creation of special feature building segments. At lots fronting the Interstate, iconic forms are encouraged.

Parking and Service

- Parking shall be located adjacent to buildings in surface lots accessed by tertiary roads. Lots adjacent to main streets should be screened with appropriate landscaping at their perimeters. Below grade and/or above grade structured parking is allowed per the Parking Garage guidelines.
- All services to be located to building rears or sides. At lots not fronting the Interstate, no curb cuts are allowed on the front lot line.
- Dumpsters must be completely enclosed and recessed into the buildings they serve.

Architectural Design

- Upper floor may utilize materials differing from other floors, change of color and additional height to provide unique expression and increased visibility from the Interstate.
- Building façade materials shall be high quality and durable. Preferred materials include: stone, high quality precast concrete, metal panels, metal and glass curtain walls, and preapproved newly developed materials as may present themselves in the future. Wood may be used as accent and trim material. Locally derived, sustainable and high-recycled content materials are strongly encouraged.
- Building fenestration at floors above ground level shall include a minimum of 40% openings or windows. Substantially increased openings or all-glass walls are allowed.
- Continuous ribbon type windows and reflective or dark tinted glass are prohibited.
- Main entrances shall be at the front facades and can be emphasized with canopies or similar features.
- At lots not fronting the Interstate, blank walls at ground level shall be avoided. The maximum length of any segment of a street-fronting ground floor façade without transparency is 20 feet.
- No mechanical or utility equipment shall be visible from any street.

Special Features

- At upper floor or parapet, approved corporate signage, features and specialized lighting are allowed.
- Roof terraces or vegetative roofs are encouraged. Roofs shall be considered a visible ‘elevation’ and shall be designed with features, materials and patterns that reflect the character of the building.

3.2 Laboratory Building

Building Siting

- Main facades of buildings shall be generally parallel to the streets or property lines or adjacent buildings.
- Building shall sit on the setback line as per Chapter 2.
- Corner lots are considered to have two front lot lines. Any lot line fronting main streets, The Quadrangle or facing Citation Boulevard shall be considered a front lot line.
- Buildings may vary in depth to undulate the façade providing variety and interest.

Height and Massing

- Building heights shall be up to 3 stories.
- Building massing and height may vary to allow for variety and creation of special feature building segments.
- Predominant roof form shall be flat and parapeted. Additional height is allowed at roof equipment penthouses and special feature building segments.

Parking and Service

- Parking shall be located adjacent to buildings in surface lots accessed by tertiary roads. Lots adjacent to main streets should be screened with appropriate landscaping at their perimeters.
- Buildings directly fronting streets should utilize parallel parking at the streets for visitor parking with lobby access provided accordingly. Buildings fronting The Quadrangle and Citation Boulevard should provide visitor parking within their main parking lots differentiated as may be required.
- All services to be located to building rears or sides and should be screened and incorporated into building design. Manufacturing and similar operations shall consolidate truck traffic and screen loading areas from view from main streets. No curb cuts are allowed on the front lot line along building frontage.
- Dumpsters should be completely enclosed and recessed into the buildings they serve or may be exterior if completely screened with durable materials matching the parent building.

Architectural Design

- All sides of buildings shall be of the same quality of materials.
- Building façade materials shall be durable and of high quality. Preferred materials include: brick, stone, high quality precast concrete, metal panels, metal and glass curtain walls, and preapproved newly developed materials as may present themselves in the future. Locally derived, sustainable and high-recycled content materials are strongly encouraged.
- Building fenestration at facades directly fronting main streets and The Quadrangle shall include a minimum of 20% openings or windows. Substantially increased openings or all-glass walls are allowed. Blank walls shall be avoided on these facades with the maximum length of any segment without fenestration limited as follows: 30 feet fronting The Quadrangle, 30 feet fronting main streets, 100 feet fronting Citation Boulevard.
- Buildings may include segmented portions having little or no openings as may be required but such segments shall not appear overly monolithic and shall include special materials, design features or offsets to provide relief.
- Continuous ribbon type windows and reflective glass are prohibited.
- No mechanical or utility equipment shall be visible from any street or The Quadrangle other than specialized equipment necessary for laboratory functionality. Where screening such equipment proves unreasonable, it may extend above screen wall structures and shall be carefully arranged so as to minimize visibility. Free standing ground level equipment is not allowed unless fully screened.
- Roofs and mechanical screens shall be considered a visible ‘elevation’ and shall be designed with features, materials and patterns that reflect the character of the building.
- Building canopies shall not be supported by adjustable turnbuckles and cable systems.

Special Features

- At upper floor or parapet, approved corporate signage, features and specialized lighting are allowed.
- Buildings in the Citation Neighborhood shall consider their facades facing Citation Boulevard as front facades and must include enhanced design treatment, features, materials and lighting to present well these largest buildings.
- Vegetated roof systems are encouraged.

3.3 Residential Building

Residential Building - Multi-Family

Building Siting

- Main facades of buildings shall be parallel to the streets or property line.
- Buildings shall sit on the setback line as per Chapter 2.
- Buildings may vary in depth up to 8 feet to undulate the façade providing variety and interest.
- Corner lots are considered to have two front lot lines.
- Not less than 80% of the front lot width shall be covered by direct building frontage.
- Building adjacencies shall create vistas and/ or drives connecting the parking lots behind buildings in a prominent manner.
- Certain buildings in Carnahan Center shall abut parking garage structures directly serving to screen them from street view.

Height and Massing

- Building heights shall be up to 5 stories but no less than 3 stories.
- Building massing may step back at the corners, entrances or at feature areas.
- Predominant roof form shall be flat and parapeted. Pitched roof forms are allowed at corners and feature areas. Additional height is allowed at pitched roofs and special feature building segments. Additional roof level occupiable volumes set back a minimum of 15 feet are allowed for amenity use.
- Certain buildings in Carnahan Center that abut parking garage structures directly shall take the form of half of a similar freestanding multifamily residential building.

Parking and Service

- Parking shall be located behind buildings in surface lots accessed by tertiary roads between or beyond buildings. Lots shall be configured so as not to be visible from main streets and should be screened with appropriate landscaping at other perimeters.
- Certain buildings in Carnahan Center that abut parking garage structures directly may have individual parking spaces provided at their rear in the parking structures that they screen.
- Lighting in parking structures shall be arranged so that the source of light is screened from view at the buildings street sidewalks.
- All services to be located to building rears or sides accessed by tertiary roads between or beyond buildings. No service drive curb cuts are allowed on any of the main streets within the building street wall frontage.
- Dumpsters must be completely enclosed and recessed into the buildings they serve.

Architectural Design

- Upper floor and recessed or projected areas may utilize materials differing from other floors to provide unique expression.
- Building façade materials shall be high quality and durable. Preferred materials include: brick, stone, cast stone, cementitious panels or siding at upper levels, metal panels and glass, and preapproved newly developed materials as may present themselves in the future. Wood or other siding products may be used as special feature area surfaces and as trim materials. Locally derived, sustainable and high-recycled content materials are strongly encouraged.
- Building fenestration shall include a minimum of 35% openings, windows or balconies. While punched windows are encouraged, substantially increased openings or all-glass walls are allowed in recessed or special corner feature areas. Ribbon windows are not allowed.
- Main entrances shall be at the front facades and articulated as significant public entrances.
- First floor screening at street facades may include elevated patio features or carefully screened and landscaped buffers that engage the street and sidewalk.
- Ground level residential units may have individual entries accessing sidewalks.

- At certain buildings in Carnahan Center that abut parking garage structures directly, units may access private parking stalls directly at each level, or may be accessed by common building lobbies and single loaded corridors as necessary.
- No mechanical or utility equipment may be visible from main front or side facades. Unit exhaust and louvers are not allowed on these facades; systems shall route through roof.
- Roofs may be occupiable and embellished for amenity use. Stair and elevator access to room shall be integrated in to the core architecture.

Special Features

- Individual unit balconies are allowed at floors above grade.
- Roof terraces or vegetative roofs are encouraged.
- Façade mounted entry canopies or awnings and specially approved signage is allowed.

Residential Building – Garden Style Multi-Family

Building Siting

- Main facades of buildings along perimeter streets shall be generally parallel to the streets or property line.
- Building shall sit on the setback line as per Chapter 2.
- Buildings may vary in depth up to 8 feet to undulate the façade and create perceived breaks between buildings.
- Corner lots are considered to have two front lot lines.
- Building adjacencies shall create vistas and/ or drives connecting the parking lots and green spaces behind buildings. Minimum separation between buildings shall be 30 feet.

Height and Massing

- Building heights shall be up to 3 stories but no less than 2 stories.
- Building massing may step back at the corners, entrances or at feature areas.
- Predominant roof form shall be flat to integrate with the urban character of the neighborhood. Pitched segments are acceptable for feature areas.

Parking and Service

- Parking shall be located behind buildings in surface parking aisles accessed between buildings. Lots shall be configured so as not be visible from main streets and should include appropriate landscaping at the perimeters or parking may be covered with architecturally compatible structures.
- Trash services shall be provided within the development in centralized fully screened bin enclosures carefully located about parking areas or against or between buildings.

Architectural Design

- Building façade materials shall be high quality and durable. Preferred materials include: brick, stone, cast stone, cementitious panels or siding, metal panels and glass, and preapproved newly developed materials as may present themselves in the future. Locally derived, sustainable and high-recycled content materials are strongly encouraged.
- Building fenestration shall include a minimum of 25% openings, windows or balconies.
- Main entrances shall be at the front facades and may be open breezeways if stairs are concealed from street view.
- First floor screening at street facades may include elevated patio features or carefully screened and landscaped buffers that engage the street and sidewalk.
- Ground level residential units may have individual entries accessing sidewalks.

Special Features

- Individual unit balconies and patios are allowed.
- Exposed metal flue-type chimneys are not allowed.
- Amenity building and common amenities such as a pool and recreation are allowed when fully concealed and screened within the development.

Residential Building – Townhouse

Building Siting

- Main facades of buildings along perimeter streets shall be generally parallel to the streets or property line.
- Buildings shall sit on the setback line as per Chapter 2.
- Buildings may vary in depth up to 4 feet to undulate the façade and create variety of style and break to unit rows.
- Corner lots are considered to have two front lot lines.
- Building adjacencies shall create vistas and/ or drives connecting the parking lots and green spaces behind buildings. Minimum separation between buildings shall be 20 feet.

Height and Massing

- Building heights shall be up to 3 stories but no less than 2 stories.
- Building massing may step back at the corners, entrances or at feature areas.
- Predominant roof form shall be pitched with eaves. Dormers and gable embellishment are allowed. Flat roof design with parapets is acceptable in the Carnahan Center neighborhood.

Parking and Service

- Parking for units that front streets shall be internally garaged from back of unit. Units that abut garage structures shall include parking within the abutting garage structure accessed though the back of unit.

Architectural Design

- Building façade materials shall be high quality and durable. Preferred materials include: brick, stone, cast stone, metal or engineered wood siding, cementitious panels or siding, metal panels and glass, and preapproved newly developed materials as may present themselves in the future. Locally derived, sustainable and high-recycled content materials are strongly encouraged.
- Building fenestration shall include a minimum of 25% openings, windows or balconies.
- Main entrances shall be at the front facades at grade level.
- First floor screening at street facades may include elevated patio features or carefully screened and landscaped buffers that engage the street and sidewalk.

Special Features

- Individual unit balconies and patios are allowed.
- Exposed metal flue-type chimneys are not allowed.

3.4 Retail Building

Retail Building – Neighborhood Retail

Building Siting

- Retail uses shall be incorporated into the volumes of the parent buildings, normally located on corners or ends of parent buildings.
- Retail portions of buildings may sit directly on setback line or may vary in depth inward up to 6 feet to undulate the façade providing variety or differentiation from parent building.

Height and Massing

- Retail portions shall occupy the first floor of parent buildings. When occupying in single story buildings the retail portion may have additional height up to one half additional story.

Parking and Service

- Parking shall be provided on adjacent streets and in the parent buildings parking scenario.
- At smaller parent buildings where retail portions extend to back of building, all services shall be provided as part of the parent building back of house services. At larger parent buildings where direct access to back of parent building is not possible and where loading and trash service is not desirable over sidewalks to back of house, trash storage must be enclosed and recessed completely into the building via secured alley or other concealed entry.
- No service drive curb cuts are allowed on any of the main streets within the building street wall frontage.

Architectural Design

- Facades may be of different materials from the parent building.
- Building façade materials shall be high quality and durable. Preferred materials include: brick, stone, cast stone, metal and glass, and preapproved newly developed materials as may present themselves in the future. Wood and aluminum may be used as storefront and trim materials. Finished face concrete masonry may be used at ground level at back of house areas. Locally derived, sustainable and high-recycled content materials are strongly encouraged.
- Main entrances shall be at the front facades and may be emphasized with canopies or similar features which should provide a minimum clearance of 9 feet above the sidewalk.
- Blank walls at ground level shall be avoided. The maximum length of any segment of a street-fronting ground floor façade without transparency is 15 feet.
- Storefronts shall be provided for no less than 65% of the length of street-fronting facades shall have transparent glass. Storefront sills shall be no higher than 3 feet above the adjacent sidewalk and tops of storefront openings shall be no less than 9 feet above the adjacent sidewalk.
- Storefronts shall continue at the exposed side of buildings for no less than 20 feet from the front façade.
- Awnings are allowed over storefront windows and doors. No awning may be substantially wider than the storefront it covers. Awnings should provide no less than 8 feet clearance above sidewalks. Awnings must be hung from the building façade and may not be supported by columns on the sidewalk.
- Building lighting should be mounted at 8 feet or higher.
- No mechanical or utility equipment may be located within 20 feet of the street-fronting façade or corner.
- Flat roofs should drain to internal roof drains and/or to the rear leaving street-fronting façades free of gutters and downspouts.

Special Features

- Building arcades at ground level are strongly discouraged.
- Allowances for on-sidewalk dining areas are strongly encouraged as well as accommodation of bicycles.

- Façade mounted flags, clocks, specialty lighting, information displays and specially approved banner signage are allowed.
- All branding and main signage should be located within 9 to 18 feet above grade for multi-story buildings and at any height for single story buildings. Blade or canopy signage is encouraged.

Retail Building – Large Format Retail

Building Siting

- Minimum street frontage shall be 100 feet.
- Main facades of buildings shall be parallel to the streets or property line.
- Corner lots are considered to have two front lot lines.
- Buildings shall sit directly on the setback line at front lot lines.
- Buildings may vary in depth up to 8 feet to undulate the façade providing variety and interest.

Height and Massing

- Building heights shall be up to 45 feet above grade but no less than 25 feet above grade.
- Building massing should step back at the corners, entries or other specially articulated areas and may increase height for variety in roof line and building massing.
- Predominant roof form shall be flat and parapeted. Vertically projecting elements or elevated sloped roof forms are allowed at special feature building segments.

Parking and Service

- Parking shall be located in surface lots accessed by tertiary roads between or beyond buildings. Lots should be screened with appropriate landscaping at other perimeters.
- All services to be located to building rears or sides accessed by tertiary roads between or beyond buildings separate from patron parking routes. No service drive curb cuts are allowed on any of the main streets within the building street wall frontage.
- Dumpsters should be completely enclosed and recessed into the buildings they serve or may be exterior if completely screened with durable materials matching the parent building.

Architectural Design

- Front and side facades shall be of the same or similar materials and of a similar level of detail.
- Building façade materials shall be high quality and durable. Preferred materials include: brick, stone, cast stone, metal and glass, and preapproved newly developed materials as may present themselves in the future. Wood and aluminum may be used as storefront and trim materials. Locally derived, sustainable and high-recycled content materials are strongly encouraged.
- Main entrances shall be at the front facades or corners and may be emphasized with substantial canopies or similar features which should provide a minimum clearance of 9 feet above the sidewalk.
- Blank walls at ground level of street fronting facades shall be minimized. The maximum length of any segment of a street-fronting ground floor façade without transparency is 20 feet.
- Storefronts shall be provided for no less than 65% of the length of street-fronting facades shall have transparent glass. Storefront sills shall be no higher than 3 feet above the adjacent sidewalk and tops of storefront openings shall be no less than 12 feet above the adjacent sidewalk
- Awnings are allowed over storefront windows and doors. No awning may be substantially wider than the storefront it covers. Awnings should provide no less than 8 feet clearance above sidewalks. Awnings must be hung from the building façade and may not be supported by columns on the sidewalk.
- Building lighting should be mounted at 8 feet or higher.
- No mechanical or utility equipment may be located within 20 feet of the street-fronting façade or corner.
- Flat roofs should drain to internal roof drains and/or to the rear leaving street-fronting façades free of gutters and downspouts.

Special Features

- Building arcades at ground level are allowed.
- All building mounted signage shall be higher than 9 feet above the sidewalk. Blade or canopy signage is encouraged.

- National retailers should incorporate branding colors and signage identity into a building façade that is unique to Coldstream.

Retail Building – Outparcel Retail

Building Siting

- Minimum street frontage shall be 45 feet.
- Main facades of buildings shall be parallel to the streets or property line.
- Corner lots are considered to have two front lot lines.
- Drive through buildings are strongly discouraged.
- Buildings shall sit directly on the setback line at front lot lines along main corridor street. Restaurants that have building forms stepping back from the setback line shall provide permanent vertical element around dining areas such as a wall or fence with landscaping.
- Buildings may vary in depth up to 15 feet to undulate the façade providing variety and interest.

Height and Massing

- Building heights shall be up to 35 feet above grade but no less than 22 feet above grade.
- Building massing should step back at the corners, entries or other specially articulated areas and may increase height for variety in roof line and building massing.
- Predominant roof form shall be flat and parapeted. Vertically projecting elements or elevated sloped roof forms are allowed at special feature building segments.

Parking and Service

- Parking shall be located in surface lots accessed by tertiary roads between or beyond buildings. Lots should be screened with appropriate landscaping at other perimeters.
- All services to be located to building rears or sides accessed by tertiary roads between or beyond buildings separate from patron parking routes.
- Dumpsters should be completely enclosed and completely screened with durable materials matching the parent building.

Architectural Design

- Front and side facades shall be of the same or similar materials and of a similar level of detail.
- Building façade materials shall be high quality and durable. Preferred materials include: brick, stone, cast stone, metal and glass, wood or engineered wood sidings, and preapproved newly developed materials as may present themselves in the future. Locally derived, sustainable and high-recycled content materials are strongly encouraged.
- Storefronts shall be provided for no less than 65% of the length of street-fronting facades shall have transparent glass. Storefront sills shall be no higher than 3 feet above the adjacent sidewalk and tops of storefront openings shall be no less than 10 feet above the adjacent sidewalk.
- Awnings are allowed over storefront windows and doors. Awnings should provide no less than 8 feet clearance above sidewalks. Awnings must be hung from the building façade and may not be supported by columns on the sidewalk.
- Building lighting should be mounted at 8 feet or higher.
- No mechanical or utility equipment may be located within 20 feet of the street-fronting façades.

Special Features

- All building mounted signage shall be higher than 9 feet above the sidewalk. Blade or canopy signage is encouraged.
- Outdoor dining is encouraged at street fronting facades or sides.
- National retailers should incorporate branding colors and signage identity into a building façade that is unique to Coldstream.

3.5 Parking Garage

Building Siting

- Main facades of structure shall be generally parallel to the streets or property lines or adjacent buildings.
- Corner lots are considered to have two front lot lines. Any lot line fronting main streets shall be considered a Primary façade for guideline purposes, and other facades considered a Secondary facade.
- Structure may undulate in depth to accommodate special stair or tower features or other uses such as small retail infill or residential units occurring at perimeter.

Height and Massing

- Heights shall be up to 6 stories, but no higher than highest adjacent building or building served.
- Garage massing and height may vary to allow for variety and creation of special feature building segments. Such segments are strongly encouraged to break up long monolithic facades.
- Roof forms over top parking deck are strongly encouraged and additional height is allowed where proposed.

Architectural Design

- Primary street-fronting facades shall be designed with opaque architectural screening and building-like façade features so as to completely screen structure and partially screen vehicles, and shall be designed in context with the adjacent street-fronting buildings and buildings served.
- Secondary facades exposed to view from adjacent properties shall be designed with screening features so as to generally screen structure and vehicles. Where garage is within 30 feet and adjacent to building served and completely screened from view, such as illustrated at Carnahan Center, façade screening is not required on facades facing building served.
- Façade materials shall be durable and of high quality. Preferred primary façade materials include: brick, stone, architectural precast concrete, metal panels and louver systems, metal and glass curtain walls. Preferred secondary façade materials include: any primary façade material, metal louver systems, perforated metal and mesh materials, vegetated trellis systems, and awning systems. Structural precast elements qualify as façade when incorporating architectural precast concrete faces with decorative patterning, coloring and textures. Preapproved newly developed materials acceptable. Locally derived, sustainable and high-recycled content materials are strongly encouraged.
- Building fenestration at primary facades directly fronting streets shall include a minimum of 20% openings or windows and as required for garage ventilation. Substantially increased openings without screening is strongly discouraged. Blank walls shall be avoided on these facades with the maximum length of any segment without fenestration limited to 20 feet.
- No mechanical or utility equipment shall be visible from any street.
- Architecturally designed structured canopy systems over parking aisles at top floor are strongly encouraged. Fabric systems are not acceptable.
- Where garages are within 60 feet and adjacent to taller neighboring buildings, roof systems are required and vegetated roofing systems are strongly encouraged.

Special Features

- At upper floor or parapet, approved corporate signage, features and specialized lighting are allowed.
- Vegetated roof systems are encouraged.

3.6 Mixed-Use Building

Mixed-Use Building – Mixed-Use Office

Building Siting

- The main facades of buildings shall be parallel to the streets or property line.
- Buildings shall sit directly on setback line (back of sidewalk).
- Buildings may vary in depth up to 5 feet to undulate the façade providing variety and interest, especially at retail.
- Corner lots are considered to have two front lot lines.
- Not less than 80% of the front lot width shall be covered by direct building frontage.
- Building adjacencies shall create vistas to connect the retail environment to garages structures in a prominent manner.

Height and Massing

- Building heights shall be up to 5 stories over retail but no less than 3 stories over retail. Retail floor-to-floor shall be 18 feet minimum, 20 feet preferred.
- Building massing should step back at the corners on Aristides Boulevard intersections and can increase height to articulate and celebrate these most urban corners.
- A strong unifying horizontal expression over the ground level retail area is encouraged.
- Building mass setbacks are allowed only on the upper floors and are encouraged.
- Predominant roof form shall be flat and parapeted. Vertically projecting elements or elevated sloped roof forms are allowed at special feature building segments.
- Buildings may include a single story ground level retail mass that projects substantially beyond the upper building massing. This segment of the building shall conform to the character of the parent building and shall follow the guidelines specific to retail uses.

Parking and Service

- Parking should be hidden behind buildings in structured decks. Below grade parking is allowed. If a portion of a parking structure or service area is visible from the street, it should be screened physically or with appropriate landscaping.
- Parking deck structures are limited to 3 stories to preserve the building's 2nd story views, light and egress.
- Parking structures may stand free of the buildings or connect but shall allow unencumbered service drive access at sides and rears of buildings.
- Lighting in parking structures shall be arranged so that the source of light is screened from view at the buildings street sidewalks.
- All services to be located to building rears or sides accessed by tertiary roads between or beyond buildings. No service drive curb cuts are allowed on any of the main streets within the building street wall frontage.
- Dumpsters must be completely enclosed and recessed into the buildings they serve.

Architectural Design

- Front and side facades shall be of the same or similar materials and similarly detailed.
- Upper floor may utilize materials differing from other floors to provide unique expression.
- Building façade materials shall be high quality and durable. Preferred materials include: brick, stone, high quality precast concrete, metal and glass, and preapproved newly developed materials as may present themselves in the future. Wood and aluminum may be used as storefront and trim materials. Finished face concrete masonry may be used at ground level at service areas. Locally derived, sustainable and high-recycled content materials are strongly encouraged.
- Buildings may express uniform usage of materials, or may differentiate major building segments toward creating a multiplebuilding aesthetic by using various materials per segment only when

substantial physical breaks and planar offsets are incorporated at segment points to prevent a flat building appearance.

- Building fenestration at floors above ground level shall include a minimum of 40% openings or windows. While punched windows are encouraged, substantially increased openings or all-glass walls are allowed in recessed or special corner feature areas.
- Reflective or dark tinted glass is prohibited. Ground level storefronts shall have transparent glass.
- Main entrances shall be at the front facades and articulated as significant public entrances.
- Main entrances can be emphasized with canopies or similar features which should provide a minimum clearance of 9 feet above the sidewalk.
- Blank walls at ground level shall be avoided. The maximum length of any segment of a street-fronting ground floor façade without transparency is 20 feet.
- Storefronts shall be provided for no less than 65% of the length of street-fronting ground floor facades. Storefront sills shall be no higher than 3 feet above the adjacent sidewalk and tops of storefront openings shall be no less than 10 feet above the adjacent sidewalk.
- All ground level retail shall have its own entrance opening directly to a street.
- Storefronts shall continue at the exposed side of buildings for no less than 40 feet from the front façade.
- Awnings are allowed over storefront windows and doors. No awning may be substantially wider than the storefront it covers. Awnings should provide no less than 8 feet clearance above sidewalks. Awnings must be hung from the building façade and may not be supported by columns on the sidewalk.
- Building lighting should be mounted at 8 feet or higher. Lighting shall be aimed downward at the building such that no light projects above the fixture.
- No mechanical or utility equipment may be located within 40 feet of the street-fronting or corner, and shall not be visible from any street.
- Flat roofs should drain to internal roof drains and/or to the rear leaving street-fronting façades free of gutters and downspouts. Roofing on lower level or ground floor building segments visible directly form upper floors of buildings shall be vegetative, white, or otherwise decorative in design.

Special Features

- At building corners and spaces between buildings, change of materials, projections and delineating features and additional height are allowed.
- Building arcades at ground level are strongly discouraged except for recessed corner conditions at the Ellipse intersections.
- Balconies are allowed at top floor setbacks.
- Roof terraces or vegetative roofs are encouraged. Roofs shall be considered a visible ‘elevation’ and shall be designed with features, materials and patterns that reflect the character of the building.
- Façade mounted flags, clocks, specialty lighting, and specially approved banner signage are allowed.
- All signage should be located within 12 to 18 feet above grade. Blade or canopy signage is encouraged.
- Marquee signage may be attached to upper stories announcing large destination tenants or users, however careful attention shall be given to size and lighting.

Mixed-Use Building – Mixed-Use Multi-Family

Building Siting

- Main facades of buildings shall be parallel to the streets or property line.
- Buildings shall sit directly on setback line (back of sidewalk).
- Buildings may vary in depth up to 5 feet to undulate the façade providing variety and interest, especially at retail.
- Corner lots are considered to have two front lot lines.
- Not less than 80% of the front lot width shall be covered by direct building frontage.
- Building adjacencies shall create vistas to connect the retail environment to garages structures in a prominent manner.

Height and Massing

- Building heights shall be up to 5 stories over retail but no less than 3 stories over retail. At the Georgetown Pike Center neighborhood, buildings shall be no less than 2 stories over retail. Retail floor-to-floor shall be 18 feet minimum, 20 feet preferred.
- Building massing should step back at the corners on Aristides Boulevard intersections and can increase height to articulate and celebrate these most urban corners.
- A strong unifying horizontal expression over the ground level retail area is encouraged.
- Building mass setbacks are allowed only on the upper floors and are encouraged.
- Predominant roof form shall be flat and parapeted. Vertically projecting elements or elevated sloped roof forms are allowed at special feature building segments. Additional roof level occupiable volumes set back a minimum of 20 feet are allowed for amenity use.

Parking and Service

- Parking should be hidden behind buildings in structured decks. Below grade parking is allowed. If a portion of a parking structure or service area is visible from the street, it should be screened physically or with appropriate landscaping.
- Parking deck structures are limited to 3 stories to preserve the building's 2nd story views, light and egress.
- Parking structures may stand free of the buildings or connect but shall allow unencumbered service drive access at sides and rears of buildings.
- Lighting in parking structures shall be arranged so that the source of light is screened from view at the buildings street sidewalks. Top level perimeter shall be solid to screen headlights into residential units.
- All services to be located to building rears or sides accessed by tertiary roads between or beyond buildings. This includes move-in events. No service drive curb cuts are allowed on any of the main streets within the building street wall frontage.
- Dumpsters must be completely enclosed and recessed into the buildings they serve. Retail waste rooms must isolate odor and unreasonable noise from residents.

Architectural Design

- Front and side facades shall be of the same or similar materials and of a similar level of detail.
- Upper floor and recessed areas may utilize materials differing from other floors to provide unique expression.
- Building façade materials shall be high quality and durable. Preferred materials include: brick, stone, high quality precast concrete, metal and glass, and preapproved newly developed materials as may present themselves in the future. Finished face concrete masonry may be used at ground level at service areas. Wood and aluminum may be used as storefront and trim materials. Locally derived, sustainable and high-recycled content materials are strongly encouraged.
- Buildings may express uniform usage of materials, or may differentiate major building segments toward creating a multiple building aesthetic by using various materials per segment only when

substantial physical breaks and planar offsets are incorporated at segment points to prevent a flat building appearance.

- Building fenestration at floors above ground level shall include a minimum of 40% openings or windows. While punched windows are encouraged, substantially increased openings or all-glass walls are allowed in recessed or special corner feature areas.
- Reflective or dark tinted glass is prohibited.
- Ground level storefronts shall have transparent glass.
- Main entrances shall be at the front facades and articulated as significant public entrances.
- Main entrances can be emphasized with canopies or similar features which should provide a minimum clearance of 9 feet above the sidewalk.
- Blank walls at ground level shall be avoided. The maximum length of any segment of a street-fronting ground floor façade without transparency is 20 feet.
- Storefronts shall be provided for no less than 65% of the length of street-fronting ground floor facades. Storefront sills shall be no higher than 3 feet above the adjacent sidewalk and tops of storefront openings shall be no less than 10 feet above the adjacent sidewalk.
- All ground level retail shall have its own entrance opening directly to a street.
- Storefronts shall continue at the exposed side of buildings for no less than 40 feet from the front façade.
- Awnings are allowed over storefront windows and doors. No awning may be substantially wider than the storefront it covers. Awnings should provide no less than 8 feet clearance above sidewalks. Awnings must be hung from the building façade and may not be supported by columns on the sidewalk.
- Building lighting should be mounted at 8 feet or higher. Lighting shall be aimed downward at the building such that no light projects above the fixture.
- No mechanical or utility equipment may be located within 40 feet of the street-fronting façade or corner.
- No mechanical systems shall be visible from any street. Unit exhaust and louvers are not allowed on facades; systems shall route through roof
- Flat roofs should drain to internal roof drains and/or to the rear leaving street-fronting façades free of gutters and downspouts. Roofs may be occupiable and embellished for amenity use. Stair and elevator access to roof shall be integrated in to the core architecture.

Special Features

- At building corners and façade segments at spaces between buildings, change of materials, projections and delineating features and additional height are allowed.
- Building arcades at ground level are strongly discouraged except for recessed corner conditions at the Ellipse intersections.
- Balconies are allowed at top floor setbacks. Projecting balconies are not allowed into Aristides Right-of-Way. Recessed or projecting balconies are allowed at other facades.
- Roof terraces or vegetative roofs are encouraged. Roofs shall be considered a visible ‘elevation’ and shall be designed with features, materials and patterns that reflect the character of the building.
- Façade mounted flags, clocks, specialty lighting, and specially approved banner signage are allowed.
- All signage should be located within 12 to 18 feet above grade. Blade or canopy signage is encouraged.

Mixed Use Building – Mixed-Use Hotel

Building Siting

- Main facades of buildings shall be parallel to the streets or property line.
- Buildings shall sit directly on setback line (back of sidewalk).
- Buildings may vary in depth up to 8 feet to undulate the façade providing variety and interest, especially at retail.
- Corner lots are considered to have two front lot lines.
- Not less than 80% of the front lot width shall be covered by direct building frontage.
- Building adjacencies shall create vistas to connect the retail environment to garages structures in a prominent manner.

Height and Massing

- Building heights shall be up to 8 stories over ground floor but no less than 5 stories over ground floor. Retail floor-to-floor shall be 15 feet minimum, 18 feet preferred.
- Building massing may articulate inward or outward at the prime street façade corner and unoccupied feature elements may increase height up to an additional story.
- Predominant roof form shall be flat and parapeted. Pitched roof forms are allowed at corners and feature areas. Additional height is allowed at pitched roofs and special feature building segments.

Parking and Service

- Parking should be hidden behind buildings in structured decks. Below grade parking is allowed. If a portion of a parking structure or service area is visible from the street, it should be screened physically or with appropriate landscaping.
- Parking deck structures are limited to 4 stories and must be designed to preserve the building's lowest guest room views, light and egress.
- Parking structures may stand free of the buildings or connect but shall allow unencumbered service drive access at sides and rears of buildings.
- Lighting in parking structures shall be arranged so that the source of light is screened from view at the buildings street sidewalks and from guest rooms beyond.
- All services to be located to building rear or sides accessed by tertiary roads between or beyond buildings. No service drive curb cuts are allowed on any of the main streets within the building street wall frontage.
- Dumpsters must be recessed into the buildings they serve. Trash room must isolate odor and unreasonable noise from residents.

Architectural Design

- Front and side facades shall be of the same or similar materials and similarly detailed.
- Upper floor and recessed or projected areas may utilize materials differing from other floors to provide unique expression.
- Building façade materials shall be high quality and durable. Preferred materials include: brick, stone, cast stone, metal panels and glass, and preapproved newly developed materials as may present themselves in the future. Finished face concrete masonry may be used at ground level at service areas. Wood and aluminum may be used as storefront and trim materials. Locally derived, sustainable and high-recycled content materials are strongly encouraged.
- Building fenestration at floors above ground level shall include a minimum of 30% openings or windows. While punched windows are encouraged, substantially increased openings or all-glass walls are allowed in recessed or special corner feature areas.
- Reflective or dark tinted glass is prohibited. Ground level storefronts shall have transparent glass.
- Main entrance shall be at The Ellipse street facade and articulated as a significant public entrance.
- Main entrance shall be emphasized with porte-cochere feature which should provide a minimum clearance of 14 feet above the sidewalk and arrival drop-off.

- Blank walls at ground level shall be avoided on street and Quadrangle green space facades. The maximum length of any segment of street-fronting ground floor façade without fenestration is 20 feet.
- Storefronts shall be provided for no less than 60% of the length of The Ellipse street-fronting ground floor facade. Storefront sills shall be no higher than 2 feet above the adjacent sidewalk and tops of storefront openings shall be no less than 9 feet above the adjacent sidewalk.
- Any ground level retail other than restaurant shall have its own entrance opening directly to a street. A restaurant may include entrances from the hotel lobby but must provide dining engaging the Quadrangle green lawn as an amenity.
- Awnings are allowed over storefront windows and doors. No awning may be substantially wider than the storefront it covers. Awnings should provide no less than 8 feet clearance above sidewalks. Awnings must be hung from the building façade and may not be supported by columns on the sidewalk.
- Building lighting should be mounted at 8 feet or higher. Lighting shall be aimed downward at the building such that no light projects above the fixture.
- No mechanical systems shall be visible from the Ellipse street or the Quadrangle green space.
- Flat roofs should drain to internal roof drains and/or to the rear leaving street-fronting façades free of gutters and downspouts.

Special Features

- At building corners and spaces between buildings, change of materials, projections and delineating features and additional height are allowed.
- All building signage should be located within 10 to 16 feet above grade with operator or marquee signage allowed at top level.
- Roofs shall be considered a visible ‘elevation’ and shall be designed with features, materials and patterns that reflect the character of the building.

3.7 Sustainability

Sustainability – Energy Conservation

Designs for new buildings must make energy conservation a priority. According to the U.S. Department of Energy, buildings consume approximately 37% of the energy and 68% of the electricity produced in the United States annually. In addition to the pollutants released by power plants, generating electricity from fossil fuels has a multitude of harmful effects on the environment beginning with extraction, transportation, refining, and distribution.

Sustainable design confronts these problems by reducing the amount of energy required and using less harmful forms. In addition to the environmental benefits, buildings with higher energy performance will have lower operating costs. The rate of return on energy-efficiency measures will only improve as world competition for the available supply of fuel increases.

Geothermal Heating and Cooling
A geothermal heat pump moves heat from the earth into the building in the winter, and pulls the heat from the building and discharges it into the ground in the summer. It may also provide water heating to supplement or replace conventional water heaters. Geothermal heating and cooling systems are a means to reduce reliance on fossil fuels as they typically operate three times more efficiently than conventional systems. Geothermal systems are space saving, quiet and reliable operating practically maintenance free.

Buildings surrounded by open space and parking lots can take advantage of this area by installing a conventional horizontal closed loop system. Based on energy cost savings, the expected payback for this system is seven years. Buildings in the Carnahan Center should consider tapping into aquifers with a vertical open loop system. Open loop systems utilize two small wells under the building and have an expected payback of five years.

Daylighting
Daylighting design requires a careful balance of heat gain and loss, controlling glare and visual quality, and planning for variations in daylight availability. Major considerations during early design include building orientation, window size and spacing, glass selection, reflectance of interior finishes, and location of interior partitions. Further building design strategies to employ include shading devices, light shelves, light monitors, courtyards, atriums, and window glazing.

Daylighting will reduce the need for electric lighting in building interiors resulting in lower operating costs. Well designed day lit spaces have also been shown to increase occupant productivity and reduce absenteeism.

Solar Thermal Systems
Solar thermal is among the most cost-effective of all renewable energy systems. The most common solar thermal system is an indirect active water heater. These systems use pumps to circulate an antifreeze solution through heat-absorbing solar thermal collectors and into a heat-transfer unit where is warms the cool water heading into a conventional hot water tank. Solar thermal systems can be used to meet all the hot water needs of a building or supplement a conventional hot water system, eliminating or greatly reducing the need for gas or electricity to heat water.

Sustainability – Energy Production

On-site renewable energy.

Solar Power
Photovoltaic (PV) panels are a simple, low-maintenance method for producing onsite renewable energy. Equip buildings, especially those with large flat roofs, with photovoltaic panels to produce electricity for daytime building operations. PV panels are especially effective because their peak production matches the peak demand for office buildings. Should the initial investment in photovoltaic panels seem cost prohibitive, consider leasing roof space to energy providers that can install and maintain the panels onsite.

Sustainability – Sustainable Materials

Considering the extensive network of extraction, processing, and transportation steps required for production, the selection of building materials becomes an important aspect of sustainable design. Production of many building materials while polluting our air and water. Even after these materials have been created and shipped to the site, construction and demolition wastes continue to overload our landfills constituting nearly 40% of the total solid waste stream in the United States.

When selecting materials for new buildings it is essential to consider new and alternative sources. Substituting salvaged materials for new materials can reduce costs while adding character to the building. Recycled-content materials can make use of waste products that might otherwise end up in landfills. Choosing local materials is especially important because it reduces transportation while supporting the local economy. Rapidly renewable materials should be considered because they minimize natural consumption and protect natural habitats. Selecting wood that has been certified by the Forest Stewardship Council will help protect natural forests and their related ecosystems.

Sustainability – Water Efficiency

Incorporate high efficiency fixtures, waterless urinals, and occupant sensors into the building design to reduce the potable water demand. Consider harvesting stormwater and graywater for non-potable uses such as irrigation and toilet flushing. Large cisterns are an effective and widespread method for capturing water from roof run-off. The cistern can be used to store large quantities of water to be used later for onsite irrigation or sewage conveyance.

Reducing the amount of potable water used for building functions helps protect natural water resources such as rivers, streams, and underground aquifers. This in turn reduces the chemical inputs at municipal water treatment works leading to more stables taxes and water rates. Additional benefits of potable water conservation include reduced energy use and lower building operating costs.

Sustainability – Vegetated Roof

Incorporate a vegetated roof into the design to mitigate the heat island effect, conserve energy, and manage stormwater. Urban and heavily paved areas are known to have higher air temperatures due to high concentrations of dark surfaces. Simply covering a roof with sedums and other very low maintenance plants can return air temperatures to more natural levels. Vegetated roofs can lower heating and cooling demands and conserve energy by stabilizing building temperatures. The insulating properties of the soil and plantings prevent excess heat gain from the sun on hot days, while slowing heat loss on colder days. On rainy days, a vegetated roof will help control the quantity of water dumped into storm drainage systems and the quality of water returned to the ground. The plants absorb all the water they need during storms and act as a natural filter for the water that passes through to the storm drains.

4.0 Design Implementation

Work Procedures of the Design Review Committee

The Design Review Committee is authorized to review and act on all development proposals in accordance with the review procedures described herein, and to apply its judgment in accordance with the criteria contained in these guidelines.

Each development proposal will be reviewed by the Design Review Committee as the design for the building(s) and the site evolves, in accordance with the following schedule:

Pre-Design Conference
Before the design is initiated, the Design Review Committee will meet with the applicant, the applicant's architect, and other consultants to clarify mutual design objectives, building program.

Schematic Design Review
This will include plans, sections, elevations, and other materials sufficient to clearly indicate the placement, height, and massing of the building(s), the horizontal layout of on-site access roads, parking facilities, and service areas, the location of building entries, the overall grading concept, the intended treatment and preservation of natural landscape features, and the application of new landscape elements.

At the Committee's option, a meeting will be held with the applicant, the applicant's architect, and other consultants to discuss the design at this stage.

1. Property boundaries, including relationship to adjacent lands and access roads.
2. Topography, shown by one foot contours.
3. Locations of any existing utilities or other improvements on the site.
4. Description of general site drainage characteristics.
5. Location and description of any characteristics and noteworthy natural features.
6. Description of existing vegetation on the parcel, including the location, name, size, and condition of trees and shrubs. This shall include trees of 6" caliper or larger and all groups of trees, whatever their sizes.

Preliminary Plans
The applicant will submit no less than three (3) sets of preliminary architectural and site plans, including:

1. Dimensioned building plans, sections, and elevations, with representations of exterior materials, textures, colors, fenestration, and other detailing necessary for accurately depicting the finished building and its site.
2. Outline specifications to indicate the intent for major architectural, structural, mechanical, electrical, and site elements.
3. Samples of proposed exterior materials and colors.
4. Site plan(s) showing:
    a. A grading concept at an appropriate interval.
    b. Layout of all roads, walks, paved areas, and other elements which constitute modifycation of the natural site.
    c. A planting concept, including placement and species of new plants and integration with existing planting.
    d. A site lighting concept, with heights, spacing, and other characteristics.
5. A cross section of the site, indicating the relationship of the building and major grading to the street, adjacent properties, and tree edges. The site plan and sections will be sufficiently accurate to permit analysis of visual screening, erosion control, drainage, tree protection, and landscape architectural design.
6. Concept plans for the major entrance sign and building identification sign, if any, including dimensions, location, material, lettering, color, lighting, and elevations of the prototype for on site directional signs, showing format, typeface, and colors.

7. Proposed methods for protecting any existing trees affected by grading, paving, or other construction.
8. An estimate of the maximum number of employees for the proposed development.
9. The results of a traffic impact analysis indicating (1) the number and peak hour time of cars entering and leaving the particular installation, (2) the estimated peak hour traffic at the intersection of the parcel entrance and the collector road, and (3) the estimate of the impact of the traffic generated by this installation on Citation Boulevard and Newtown Pike.
10. The applicant shall submit written evidence in the form of a letter from the Kentucky Department for Environmental Protection that the plan for the management of toxic and hazardous waste material meets their standards.
11. A description of proposed operating characteristics in sufficient detail to permit assessment of the extent of noise, odor, glare, vibration, smoke, dust, gases, radiation, or liquid wastes that may be created and proposed mitigation of these as may be necessary. Approval, rejection, or recommendation for changes will be made by the Committee within fifteen days of receiving the proposal. The Committee will reserve the right to request a meeting with the applicant, the applicant's architect, and other consultants to discuss the design at this stage.

Final Plan Approval

The applicant will submit working drawings and specifications for the building and the site to ensure adherence to the approved design.

Prior to any site clearing, development, or building, the final plan must be submitted to the Design Review Committee for a review of the plan's conformity to the approved design. The Committee will have fifteen days after the three sets of required plans and specifications have been submitted to review and give an opinion of the final plan. The Committee will reserve the right to request a meeting with the applicant to discuss any modifications necessary to make the design conform to the approved preliminary design.

The Design Review Committee will return to the applicant one complete set of plans and specifications marked "Approved" and signed by an authorized representative of the University of Kentucky. This set will become a part of the agreement between the applicant and the University of Kentucky.

SITE PLAN REVIEW CHECKLIST

Site

1. Coverage
    a. Building footprint 25% maximum
2. Building setbacks
    From Interstate 64/75: 100 feet
    From Newtown Pike: 200 feet
    From Citation Boulevard: 100 feet
    From McGrathiana Parkway: 10 feet
    From local streets: Varies; See Chapter 2

Buildings

1. Floor area ratio: 0.4 typical;
2. In the area of Carnahan Center, a floor area ratio of 1.0 is recommended. Note that this is intended to stimulate the creation of an urban town center in this location.
3. Exposed mechanical equipment on roof shall be screened from view.

Parking

1. Offices: One space per 400 square feet of floor area
2. Laboratories: One space per 500 square feet of floor area.
3. Retail: One space for each 400 square feet of floor area for the first 10,000 square feet. One space per 200 square feet for floor area above 10,000 square feet. For ground floor retail within

an office or laboratory building that is locally serving and does not exceed 2,000 square feet, no off street parking is required.
4. Parking structures: Maximum of four stories above grade. In no case shall a parking structure exceed the height of the surrounding buildings it serves.

Service areas:
1. Screened from roads and exterior views.
2. Service area noises buffered.
3. Designed to mitigate impacts of any toxic or hazardous wastes.

Utilities
1. Indicate availability and underground location.

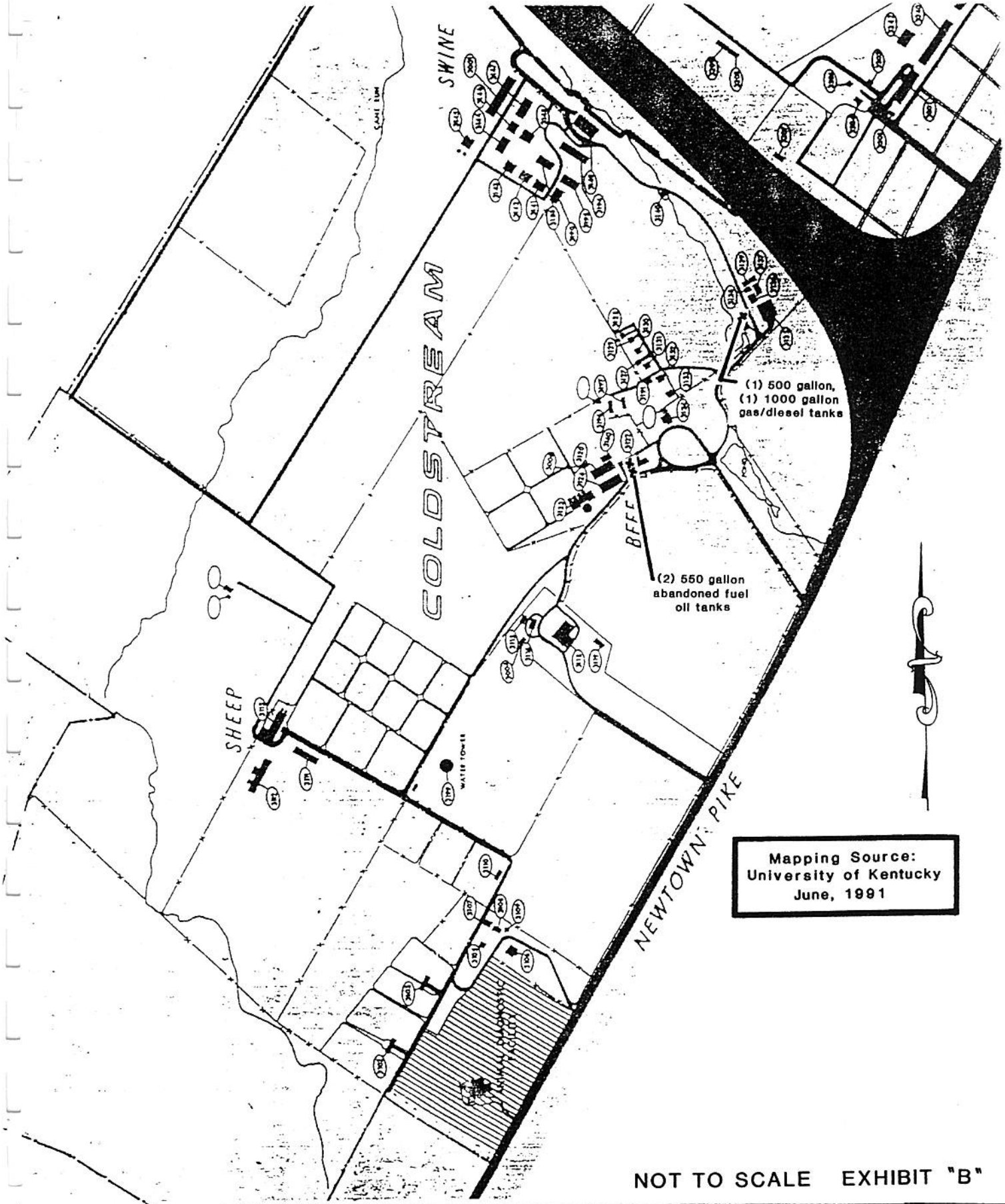
Lighting
1. Major lines and fixtures indicated.

Signage
1. Company identification sign at parcel entry.
2. Smaller identification sign at principal entrance to building.
3. Directional, traffic, and parking control signs.
4. All signs consistent with site architecture in colors, materials, and design.

Landscaping
1. Existing major trees to be preserved where possible, unless dying or badly damaged.
2. Development zones
    a. All construction of buildings and parking areas (except access drives) shall be restricted to the development zones shown on the plan.
    b. All landscape treatment visible from Newtown Pike to be compatible with that of the Newtown Pike scenic easement zone.
    c. Planting near buildings to respond to architectural features and materials.
    d. Fences to be used only for purposes of security or during building construction.
    e. Proposed landscape plan must comply with the minimum requirements of LFUCG.

Stormwater runoff control
1. Cane Run watershed is protected against pollution from surface run-off, debris, and hazardous materials.
2. Erosion and sediment to be controlled by methods and via entities described in Chapter 4.

Hazardous materials
1. Not to be disposed of on site.
2. Plan for use and disposition submitted to Design Review Committee and Kentucky Department for Environmental Protection. Reply from state agency submitted with Final Plans for approval.



NOT TO SCALE EXHIBIT "B"

PEH
ENGINEERS
PARROTT, ELY & HURT

COLDSTREAM FARM
UNDERGROUND STORAGE
TANK LOCATION MAP

Notification for Underground Storage Tanks

FORM APPROVED
OMB NO. 2050-0049
APPROVAL EXPIRES 6-30-88

FOR TANKS IN **KY**

RETURN COMPLETED FORM TO: Natural Resources Cabinet
Division of Waste Management
Attention: Vicki Pettus
18 Reilly Road
Frankfort, KY 40601

STATE USE ONLY
I.D. Number
Date Received

GENERAL INFORMATION

Notification is required by Federal law for all underground tanks that have been used to store regulated substances since January 1, 1974, that are in the ground as of May 8, 1986, or that are brought into use after May 8, 1986. The information requested is required by Section 9002 of the Resource Conservation and Recovery Act, (RCRA), as amended.

The primary purpose of this notification program is to locate and evaluate underground tanks that store or have stored petroleum or hazardous substances. It is expected that the information you provide will be based on reasonably available records, or, in the absence of such records, your knowledge, belief, or recollection.

Who Must Notify? Section 9002 of RCRA, as amended, requires that, unless exempted, owners of underground tanks that store regulated substances must notify designated State or local agencies of the existence of their tanks. Owner means—
(a) in the case of an underground storage tank in use on November 8, 1984, or brought into use after that date, any person who owns an underground storage tank used for the storage, use, or dispensing of regulated substances, and
(b) in the case of any underground storage tank in use before November 8, 1984, but no longer in use on that date, any person who owned such tank immediately before the discontinuation of its use.

What Tanks Are Included? Underground storage tank is defined as any one or combination of tanks that (1) is used to contain an accumulation of "regulated substances," and (2) whose volume (including connected underground piping) is 10% or more beneath the ground. Some examples are underground tanks storing: 1. gasoline, used oil, or diesel fuel, and 2. industrial solvents, pesticides, herbicides or fumigants.

What Tanks Are Excluded? Tanks removed from the ground are not subject to notification. Other tanks excluded from notification are:
1. farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;
2. tanks used for storing heating oil for consumptive use on the premises where stored;
3. septic tanks;
4. pipeline facilities (including gathering lines) regulated under the Natural Gas Pipeline Safety Act of 1968, or the Hazardous Liquid Pipeline Safety Act of 1979, or which is an intrastate pipeline facility regulated under State laws;
5. surface impoundments, pits, ponds, or lagoons;
6. storm water or waste water collection systems;
7. flow-through process tanks;
8. liquid traps or associated gathering lines directly related to oil or gas production and gathering operations;
9. storage tanks situated in an underground area (such as a basement, cellar, mineworking, drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.

What Substances Are Covered? The notification requirements apply to underground storage tanks that contain regulated substances. This includes any substance defined as hazardous in section 101 (14) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), with the exception of those substances regulated as hazardous waste under Subtitle C of RCRA. It also includes petroleum, e.g., crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute).

Where To Notify? Completed notification forms should be sent to the address given at the top of this page.

When To Notify? 1. Owners of underground storage tanks in use or that have been taken out of operation after January 1, 1974, but still in the ground, must notify by May 8, 1986. 2. Owners who bring underground storage tanks into use after May 8, 1986, must notify within 30 days of bringing the tanks into use.

Penalties: Any owner who knowingly fails to notify or submits false information shall be subject to a civil penalty not to exceed $10,000 for each tank for which notification is not given or for which false information is submitted.

INSTRUCTIONS

Please type or print in ink all items except "signature" in Section V. This form must by completed for each location containing underground storage tanks. If more than 5 tanks are owned at this location, photocopy the reverse side, and staple continuation sheets to this form.

Indicate number of continuation sheets attached: 1

I. OWNERSHIP OF TANK(S)

Owner Name (Corporation, Individual, Public Agency, or Other Entity): University of Kentucky, Lexington Campus

Street Address: Rm 215N Peterson Service Bldg.

County: Fayette

City: Lexington | State: Ky. | ZIP Code: 40506

Area Code: 606 | Phone Number: 257-1012

Type of Owner (Mark all that apply ☒)

- ☒ Current
- ☐ Former
- ☐ State or Local Gov't
- ☐ Federal Gov't (GSA facility I.D. no. _____)
- ☐ Private or Corporate
- ☐ Ownership uncertain

II. LOCATION OF TANK(S)

(If same as Section 1, mark box here ☐)

Facility Name or Company Site Identifier, as applicable: Coldstream Farm BLDG. No. 3134

Street Address or State Road, as applicable: Newton Rd.

County: Fayette

City (nearest): Lexington | State: Ky. | ZIP Code:

Indicate number of tanks at this location: 2

Mark box here if tank(s) are located on land within an Indian reservation or on other Indian trust lands ☐

III. CONTACT PERSON AT TANK LOCATION

Name (If same as Section I, mark box here ☐): Dave Tyler | Job Title: Engineering Associate II | Area Code: 606 | Phone Number: 257-1012

IV. TYPE OF NOTIFICATION

☐ Mark box here only if this is an amended or subsequent notification for this location.

V. CERTIFICATION (Read and sign after completing Section VI.)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete.

Name and official title of owner or owner's authorized representative	Signature	Date Signed

CONTINUE ON REVERSE SIDE

Owner Name (from Section I) University of Kentucky Location (from Section II) Coldstream Farm Page No. 2 of 2 Pages

Bldg. No. 3184

VI. DESCRIPTION OF UNDERGROUND STORAGE TANKS (Complete for each tank at this location.)

Tank Identification No. (e.g., ABC-123), or Arbitrarily Assigned Sequential Number (e.g., 1,2,3...)	Tank No. 1037	Tank No. 1038	Tank No.	Tank No.	Tank No.
1. Status of Tank (Mark all that apply ☒)					
Currently in Use	☒	☒	☐	☐	☐
Temporarily Out of Use	☐	☐	☐	☐	☐
Permanently Out of Use	☐	☐	☐	☐	☐
Brought into Use after 5/8/86	☐	☐	☐	☐	☐
2. Estimated Age (Years)	1971	1971			
3. Estimated Total Capacity (Gallons)	500	1000			
4. Material of Construction (Mark one ☒)					
Steel	☐	☐	☐	☐	☐
Concrete	☐	☐	☐	☐	☐
Fiberglass Reinforced Plastic	☐	☐	☐	☐	☐
Unknown	☒	☒	☐	☐	☐
Other, Please Specify					
5. Internal Protection (Mark all that apply ☒)					
Cathodic Protection	☐	☐	☐	☐	☐
Interior Lining (e.g., epoxy resins)	☐	☐	☐	☐	☐
None	☐	☐	☐	☐	☐
Unknown	☒	☒	☐	☐	☐
Other, Please Specify					
6. External Protection (Mark all that apply ☒)					
Cathodic Protection	☐	☐	☐	☐	☐
Painted (e.g., asphaltic)	☐	☐	☐	☐	☐
Fiberglass Reinforced Plastic Coated	☐	☐	☐	☐	☐
None	☐	☐	☐	☐	☐
Unknown	☒	☒	☐	☐	☐
Other, Please Specify					
7. Piping (Mark all that apply ☒)					
Bare Steel	☐	☐	☐	☐	☐
Galvanized Steel	☐	☐	☐	☐	☐
Fiberglass Reinforced Plastic	☐	☐	☐	☐	☐
Cathodically Protected	☐	☐	☐	☐	☐
Unknown	☒	☒	☐	☐	☐
Other, Please Specify					
8. Substance Currently or Last Stored in Greatest Quantity by Volume (Mark all that apply ☒)					
a. Empty	☐	☐	☐	☐	☐
b. Petroleum					
Diesel	☐	☒	☐	☐	☐
Kerosene	☐	☐	☐	☐	☐
Gasoline (including alcohol blends)	☒	☐	☐	☐	☐
Used Oil	☐	☐	☐	☐	☐
Other, Please Specify					
c. Hazardous Substance	☐	☐	☐	☐	☐
Please Indicate Name of Principal CERCLA Substance					
OR Chemical Abstract Service (CAS) No.					
Mark box ☒ if tank stores a mixture of substances	☐	☐	☐	☐	☐
d. Unknown	☐	☐	☐	☐	☐
9. Additional Information (for tanks permanently taken out of service)					
a. Estimated date last used (mo/yr)	/	/	/	/	/
b. Estimated quantity of substance remaining (gal.)					
c. Mark box ☒ if tank was filled with inert material (e.g., sand, concrete)	☐	☐	☐	☐	☐

Notification for Underground Storage Tanks

FORM APPROVED
OMB NO. 2050-0049
APPROVAL EXPIRES 6-30-88

FOR TANKS IN **KY**

RETURN COMPLETED FORM TO: Natural Resources Cabinet
Division of Waste Management
Attention: Vicki Pettus
18 Reilly Road
Frankfort, KY 40601

STATE USE ONLY
I.D. Number
Date Received

GENERAL INFORMATION

Notification is required by Federal law for all underground tanks that have been used to store regulated substances since January 1, 1974, that are in the ground as of May 8, 1986, or that are brought into use after May 8, 1986. The information requested is required by Section 9002 of the Resource Conservation and Recovery Act, (RCRA), as amended.

The primary purpose of this notification program is to locate and evaluate underground tanks that store or have stored petroleum or hazardous substances. It is expected that the information you provide will be based on reasonably available records, or, in the absence of such records, your knowledge, belief, or recollection.

Who Must Notify? Section 9002 of RCRA, as amended, requires that, unless exempted, owners of underground tanks that store regulated substances must notify designated State or local agencies of the existence of their tanks. Owner means—
(a) in the case of an underground storage tank in use on November 8, 1984, or brought into use after that date, any person who owns an underground storage tank used for the storage, use, or dispensing of regulated substances, and
(b) in the case of any underground storage tank in use before November 8, 1984, but no longer in use on that date, any person who owned such tank immediately before the discontinuation of its use.

What Tanks Are Included? Underground storage tank is defined as any one or combination of tanks that (1) is used to contain an accumulation of "regulated substances," and (2) whose volume (including connected underground piping) is 10% or more beneath the ground. Some examples are underground tanks storing: 1. gasoline, used oil, or diesel fuel, and 2. industrial solvents, pesticides, herbicides or fumigants.

What Tanks Are Excluded? Tanks removed from the ground are not subject to notification. Other tanks excluded from notification are:
1. farm or residential tanks of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;
2. tanks used for storing heating oil for consumptive use on the premises where stored;
3. septic tanks;
4. pipeline facilities (including gathering lines) regulated under the Natural Gas Pipeline Safety Act of 1968, or the Hazardous Liquid Pipeline Safety Act of 1979, or which is an intrastate pipeline facility regulated under State laws;
5. surface impoundments, pits, ponds, or lagoons;
6. storm water or waste water collection systems;
7. flow-through process tanks;
8. liquid traps or associated gathering lines directly related to oil or gas production and gathering operations;
9. storage tanks situated in an underground area (such as a basement, cellar, mineworking, drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.

What Substances Are Covered? The notification requirements apply to underground storage tanks that contain regulated substances. This includes any substance defined as hazardous in section 101 (14) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), with the exception of those substances regulated as hazardous waste under Subtitle C of RCRA. It also includes petroleum, e.g., crude oil or any fraction thereof which is liquid at standard conditions of temperature and pressure (60 degrees Fahrenheit and 14.7 pounds per square inch absolute).

Where To Notify? Completed notification forms should be sent to the address given at the top of this page.

When To Notify? 1. Owners of underground storage tanks in use or that have been taken out of operation after January 1, 1974, but still in the ground, must notify by May 8, 1986. 2. Owners who bring underground storage tanks into use after May 8, 1986, must notify within 30 days of bringing the tanks into use.

Penalties: Any owner who knowingly fails to notify or submits false information shall be subject to a civil penalty not to exceed $10,000 for each tank for which notification is not given or for which false information is submitted.

INSTRUCTIONS

Please type or print in ink all items except "signature" in Section V. This form must by completed for each location containing underground storage tanks. If more than 5 tanks are owned at this location, photocopy the reverse side, and staple continuation sheets to this form.

Indicate number of continuation sheets attached: 1

I. OWNERSHIP OF TANK(S)

Owner Name (Corporation, Individual, Public Agency, or Other Entity)
UNIVERSITY OF KENTUCKY, LEXINGTON CAMPUS

Street Address
RM. 215 N PETERSON SERVICE BLDG.

County
FAYETTE

City: LEXINGTON | State: KY | ZIP Code: 40506

Area Code: 606 | Phone Number: 257-1012

Type of Owner (Mark all that apply ☒)
- ☒ Current
- ☐ Former
- ☒ State or Local Gov't
- ☐ Federal Gov't (GSA facility I.D. no. _____)
- ☐ Private or Corporate
- ☐ Ownership uncertain

II. LOCATION OF TANK(S)

(If same as Section 1, mark box here ☐)

Facility Name or Company Site Identifier, as applicable
COLDSTREAM FARM BLDG. NO. 3122

Street Address or State Road, as applicable
NEWTON RD.

County
FAYETTE

City (nearest): LEXINGTON | State: KY | ZIP Code:

Indicate number of tanks at this location: 2

Mark box here if tank(s) are located on land within an Indian reservation or on other Indian trust lands ☐

III. CONTACT PERSON AT TANK LOCATION

Name (If same as Section I, mark box here ☐): DAVID TYLER
Job Title: ENGINEERING ASSOCIATE
Area Code: 606 | Phone Number: 257-1012

IV. TYPE OF NOTIFICATION

☐ Mark box here only if this is an amended or subsequent notification for this location.

V. CERTIFICATION (Read and sign after completing Section VI.)

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete.

Name and official title of owner or owner's authorized representative	Signature	Date Signed

CONTINUE ON REVERSE SIDE

Owner Name (from Section I) UNIVERSITY OF KENTUCKY Location (from Section II) COLD STREAM FARM BLDG. No. 3122 Page No. 2 of 2 Pages

VI. DESCRIPTION OF UNDERGROUND STORAGE TANKS (Complete for each tank at this location.)

Tank Identification No. (e.g., ABC-123), or Arbitrarily Assigned Sequential Number (e.g., 1,2,3...)		Tank No. 1063	Tank No. 1064	Tank No.	Tank No.	Tank No.
1. Status of Tank (Mark all that apply ☒)	Currently in Use	☐	☐	☐	☐	☐
	Temporarily Out of Use	☐	☐	☐	☐	☐
	Permanently Out of Use	☐	☐	☐	☐	☐
	Brought into Use after 5/8/86	☐	☐	☐	☐	☐
2. Estimated Age (Years)		UNKNOWN	UNKNOWN			
3. Estimated Total Capacity (Gallons)		550	550			
4. Material of Construction (Mark one ☒)	Steel	☐	☐	☐	☐	☐
	Concrete	☐	☐	☐	☐	☐
	Fiberglass Reinforced Plastic	☐	☐	☐	☐	☐
	Unknown	X	X	☐	☐	☐
	Other, Please Specify					
5. Internal Protection (Mark all that apply ☒)	Cathodic Protection	☐	☐	☐	☐	☐
	Interior Lining (e.g., epoxy resins)	☐	☐	☐	☐	☐
	None	☐	☐	☐	☐	☐
	Unknown	X	X	☐	☐	☐
	Other, Please Specify					
6. External Protection (Mark all that apply ☒)	Cathodic Protection	☐	☐	☐	☐	☐
	Painted (e.g., asphaltic)	☐	☐	☐	☐	☐
	Fiberglass Reinforced Plastic Coated	☐	☐	☐	☐	☐
	None	☐	☐	☐	☐	☐
	Unknown	X	X	☐	☐	☐
	Other, Please Specify					
7. Piping (Mark all that apply ☒)	Bare Steel	☐	☐	☐	☐	☐
	Galvanized Steel	☐	☐	☐	☐	☐
	Fiberglass Reinforced Plastic	☐	☐	☐	☐	☐
	Cathodically Protected	☐	☐	☐	☐	☐
	Unknown	X	X	☐	☐	☐
	Other, Please Specify					
8. Substance Currently or Last Stored in Greatest Quantity by Volume (Mark all that apply ☒)	a. Empty	☐	☐	☐	☐	☐
	b. Petroleum					
	Diesel	☐	☐	☐	☐	☐
	Kerosene	☐	☐	☐	☐	☐
	Gasoline (including alcohol blends)	☐	X	☐	☐	☐
	Used Oil	☐	☐	☐	☐	☐
	Other, Please Specify	FUEL OIL				
	c. Hazardous Substance	☐	☐	☐	☐	☐
	Please Indicate Name of Principal CERCLA Substance					
	OR Chemical Abstract Service (CAS) No.					
	Mark box ☒ if tank stores a mixture of substances	☐	☐	☐	☐	☐
	d. Unknown	☐	☐	☐	☐	☐
9. Additional Information (for tanks permanently taken out of service)	a. Estimated date last used (mo/yr)	/	/	/	/	/
	b. Estimated quantity of substance remaining (gal.)					
	c. Mark box ☒ if tank was filled with inert material (e.g., sand, concrete)	☐	☐	☐	☐	☐

* U.S. Government Printing Office: 1986—496-735

PEH
ENGINEERS
PARROTT, ELY & HURT

UNIVERSITY OF KENTUCKY
COLDSTREAM FARM
ENVIRONMENTAL PSA INTERVIEW QUESTIONNAIRE

April 18, 1991

1. Land Use
   a. What percent is grazing pastures? 60%
   b. What percent is crops? 30%
   c. What percent is residential? 3%
   e. Other uses (i.e. satellite dishes, Carnahan House, diagnostic lab)? _____

2. a. How long has U.K. been operating the farm? 39 years
   b. Have operations changed over time? Increased confinement of livestock
   c. What types of operations were conducted before? Horse Farm
   d. Why did they change? Purchased by UK for use as a research farm

3. a. Has any particular area been determined as a non-productive area to grow crops? No, except for slopes
   b. Where? streams, etc
   c. Why? _____
   d. When was this done? _____

4. a. Since UK acquired the farm has the farm ever been used by an entity other than the U.K. College of Agriculture? Satellite Station

620 Euclid Avenue P.O. Box 22738 Lexington, Kentucky 40522 606-266-2144

b. For what type of activity? _____

c. When? _____

d. Name of other entity? _____

5. a. How many known sinkholes are on the farm? 5

b. Any trash disposal into sinkholes? Old hay until 1987

c. Are items washed into the sinkholes? Creek debris

b. How are these areas treated differently? _____

6. a. Any garbage/trash disposal areas? Yes

b. Where? Area around Poultry Center #3003

c. What is in them? Assorted household trash, agricultural chemicals and containers, unknown materials

d. What are they covered with? soil

e. Are there any liners in the bottom? no

7. a. Types of animals on farm? Beef, sheep, dairy, swine

b. How is manure disposed of (i.e. from barns)? Used to fertilize pasture and row crops

8. a. Is there any on-site treatment of water or waste before discharge? _____

b. How? Lagoon at dairy unit

c. Where ? _____

9. a. Have chemicals or trash ever been washed into creek? Yes Motor Oil

b. When? Jan., 1990

c. Why? Accidentally poured into shop drain. New drain installed to prevent furture problems.

10. a. Is the creek used as a watering source for animals? No
    b. Is the creek used for irrigation? No

11. a. Any awareness of contamination in the creek that came from upstream? Yes
    b. When? During heavy rains
    c. How long did it last? continues
    d. What was the source?
    e. Any lasting affects, from the contaminations, to the farm? debris left along water ways

12. a. Types of chemicals used on the farm (i.e. fertilizer, pesticides, research related chemicals)? Fertilizers, Herbicides and Pesticides (all types)
    b. Quantity of chemicals? Recommended rates
    c. Where are chemicals stored? Chemicals bought and used as needed

13. a. Any chemical spills of any type? yes
    b. Type(s) of chemicals spilled? Motor oil
    c. When? Jan., 1990
    d. Resulting contamination from spill? Oil film on stream behind BLD. #3134 (Cleaned up according to state regulations)

14. Have any spills run off of the property or were they all, if any, contained on site? Contained on site

15. What procedures are followed if a spill occurs? Contain spill and report to John Lowry (Environmental Health)

16. a. Have any vehicular accidents (from I-75, nearby roads, railroad ....) occurred, which caused contaminants to run onto the farm? Yes April, 1991

b. What type? Semi (Diesel fuels)

d. How was it handled? Contact John Lowry

17. a. Any underground storage tanks? Yes

b. Where? BLDG #3122 , #3134 (underground)

c. What is in them? Fuel oil + water, gasoline + water, disel + water

d. How old are they? unknown

e. Who owns the tanks? UK

f. What material are the tanks made of? metal (steel)

18. a. Any above ground tanks? Yes

b. Where? Dairy Center

b. What is in them? Disel fuel

c. How old are they? unknown

d. Who owns the tanks? UK

e. Tank material? steel

19. Where are petroleum products stored? BLDG #3138

20. a. Has any antifreeze ever spilled or drained onto the ground? Yes

b. Approximate amount spilled? Very small quantities-less than 2 gal.

c. Where did it occur? Various locations associated with radiator leaks

d. Were clean-up procedures followed? No

21. Do any underground tanks have automatic shutoff? No

22. Are records kept concerning spills or accidents? Yes J. Lowry

23. Are underground tanks protected against corrosion? No

24. Are underground pipes protected against corrosion? No

25. Are there any leak detective devices currently in use for the tanks? No

26. a. Any septic tanks on site? Yes
    b. Where? At various residences and buildings - 18 systems
    c. For how long? unknown

27. a. Any known drums stock piled on site? No
    b. Where? _____
    c. Why? _____
    d. What is in them? _____

28. Are the tanks (above or below ground) registered with:
    a. LFUCG? _____
    b. Division of Underground Storage Tanks (Frankfort, KY)?

    Consult with David Tyler, Physical Plant, University of Kentucky

29. a. Have any tanks been removed? _____
    b. Which ones? _____
    c. From where? _____
    d. For what reason? _____
    e. When? _____

30. a. Any evidence of PCB oil? No
    b. Are there any electric transformers buried or damaged on site? _____
    c. Where? _____
    d. When? _____
    e. How? _____

f. What was done? _____

31. a. Any evidence of asbestos? Possibly
b. Where? Building siding
c. When was it discovered? _____
d. What has been done about it? _____

32. a. Has EPA, LFUCG or any other agency investigated problems on the farm? Yes
b. When? Jan., 1990
c. Why? See Question # 9
d. What was their conclusion? _____

33. a. Any known environmental problems from the nearby sewage treatment facility? No
b. When? _____
c. What type? _____
d. Any lasting effects? _____

34. a. Has there been any potentially environmentally hazardous experiments or research on animals or crops conducted at the farm in the past history? No
b. If yes, how have these experiments affected the farmland? _____

35. a. Any complaints from neighbors in industrial or residential areas? Occasional complaints involving farm animal odors

b. Concerning what? Farm animal odors

c. What actions were taken by complainants and by U.K.? None

36. a. Have employees complained about allegedly hazardous conditions they work in? No

b. Why?

c. Did they suffer an illness as a result?

d. When?

37. a. Has any group of animals died suddenly or unexpectedly, due to suspected environmental causes? No

b. Reason?

38. Any utilities underground (gas .....) that may cross the farm? Yes (gas, water, electric and phone)

39. a. Have any fires occurred on the farm?

b. Where? Black Tobacco Barns (Beef & sheep areas) BLDG #3131

c. When? Beef area barn- 1970's; Sheep area barn-early 1980's House 3131 (fireplace) 1985; Dairy maternity barn, early 1970's

d. What damage? Barns destroyed House had smoke and floor damage

*40. 3 sinkholes appear in the 1988 comprehensive plan (pg 49) for the farm.

*41. Look for stains on concrete and ground that may indicate spills of chemicals.

*42. Look around telephone poles for evidence of transformers leaking PCB oil?

Animal Diagnostics Lab

1. a. What is disposed of in the incinerator? Incineration of known toxic substance cases and rabies suspect cases.

   b. How often? 1-2 times per week

   c. Volume of material? an average of 500 pounds per burning.

2. a. How long are things stored before being incinerated? 1-3 days is possible. Occasionally longer than 3 days if we are short staffed.

3. a. Have any leaks occurred from stored chemicals? NO

   b. How? ---

   c. When? ---

   d. What was done to correct it? ---

   e. Where did the leaks flow to? ---

4. How many animals per day are processed? 15

5. a. Are all animals dead when they come to the facility? NO

   b. What anti-contamination measures followed by employees? Cleaning of dock cooler and necropsy laboratory, instruments and equipment with appropriate disinfectant solution.

6. a. Have there been any hazardous material violations in the past? NO

   b. Reported to which agency? ---

   c. When? ---

   d. Why? ---

e. What remediation efforts were performed? ---

7. a. Have there been any hazardous material violations in the past?

b. Reported to which agency?

c. When?

d. Why?

e. What remediation effeorts were performed?

8. a. Are there discharge treatments of waste products?

b. How? Dilution by water

9. Any evidence of employees being affected by diseases? NO

10. a. Are hazardous materials and/or chemicals used? YES

b. If yes, what are the procedures for safe handling? OSHA standards

c. If yes, what are the procedures for proper disposal? OSHA standards

11. How long has this facility been in operation at this site? Since 1971

12. a. Any discharge of hazardous materials into creek? NO

b. When? ---

c. Why? ---

d. Results? ---

13. a. How is hazardous materials disposed of? N/A

b. By Whom? Human Safety and Environmental Health-Med Ctr/UK

c. How often are the hazardous materials hauled off? As needed (approximately once per month)

d. How are they stored prior to being hauled off? In approved containers- stored in unused room.

14. a. How are incinerated ashes disposed of? They are put into the dumpster.

b. By whom? Necropsy staff or students.

Environmental Site Assessment
Phase One

Coldstream Farm
Lexington, Kentucky

July 1991

Prepared for:

University of Kentucky

PEH
ENGINEERS
PARROTT, ELY & HURT

Table of Contents

SECTION I

INTRODUCTION

I. Introduction

PEH Engineers has completed a Phase I environmental site assessment of Coldstream Farm located in northern Fayette County, Lexington, Kentucky.

The objective of this assessment is to characterize the current and previous uses of the site with respect to the existence of environmental hazards and corresponding federal, state and local regulations. This scope of work provides for the following:

1. Regulatory file review to determine the site's present regulatory compliance status.

2. Regulatory file review to determine regulatory compliance status of selected adjoining or nearby properties.

3. Review of available aerial photographs to view any visual evidence of past disposal activity.

4. Site inspection to look for evidence of environmental contamination.

5. Preparation of Final Report.

This report represents the completion of the aforementioned tasks. This study was conducted for the University of Kentucky under contract with PEH Engineers, Inc. for the above stated purpose within the limitations of the scope. This report, therefore, may not contain sufficient information for other purposes or parties.

SECTION II
SOURCES OF INFORMATION

II. Sources of Information

Several sources of information were utilized to develop the conclusions arrived at in this report. Persons contacted and the entities they represent are as follows:

NAME	TITLE AND AFFILIATION	MEANS OF CONTACT
Pat Dugger	Division of Environmental and Energy Management - LFUCG	Office Visit Concerning UST (Underground Storage Tank)
Bill Burger	Division of Water - Frankfort Kentucky Department of Environmental Protection	Telephone Conversation Concerning UST
Dr. John Thrailkill	Professor of Hydrology University of Kentucky	Telephone Conversation Concerning Landfills Nearby
Theresa McGinnis	State Fire Marshall's Office LFUCG	Telephone Conversation Concerning Environmental Hazards
Charles Richie	Division of Waste Management Kentucky Department of Environmental Protection	Telephone Conversation Concerning UST
Dr. Jack Hiatt	Dean and Director of College of Agriculture - University of Kentucky	Collaboration With Questionnaire and On-Site Investigation
Dr. William Moody	Professor of Animal Science University of Kentucky	Preliminary Meeting Concerning Study
Dr. Peter Timoney	Professor of Animal Science University of Kentucky	Preliminary Meeting Concerning Study
Bill Peterson	Management Operations for University of Kentucky	Collaboration With On-Site Investigation
Dave Smith	Manager of Coldstream Farm	Collaboration With On-Site Investigation

NAME	TITLE AND AFFILIATION	MEANS OF CONTACT
David Tyler	UST Manager for University of Kentucky	On-Site Meeting Concerning UST
Ken Boll	Animal Diagnostic Lab Center Employee	Collaboration With On-Site Investigation
Theresa Abel	Animal Diagnostic Lab Center Employee	Collaboration With On-Site Investigation
George Gilbert	Division of Waste Management Kentucky Department of Environmental Protection	Telephone Conversation Concerning UST and Environmental Hazards
Linda Nutgrass	Division of Waste Management Kentucky Department of Environmental Protection	Collaboration Concerning Environmental Records

Aerial photographs from 1974 and 1986 were obtained from the Kentucky Department of Transportation and Highways in Lexington, Kentucky. These photographs were reviewed as part of the previous land use determination. The details of the study as well as findings and conclusions are presented in the following sections of this report.

SECTION III
SITE CHARACTERISTICS

III. SITE CHARACTERISTICS

Coldstream Farm, owned by the University of Kentucky, is a 1000± acre agricultural research farm situated in northern Fayette County near the junction of Interstates 64 and 75, extending eastward to Newtown Pike, and is bounded in part by Georgetown Road and Belmont Farm. A portion of the subject property lies north of the interstate and outside the Urban Service Boundary for Fayette County, Lexington, Kentucky and was not part of this study.

The agricultural research farm houses several different species of farm animals. There are several barns located on the farm in which animals, equipment, tools, feed and other supplies are kept. Approximately 60 percent of the farmland is used for grazing and approximately 30 percent for growing crops. The remaining 10% is occupied with structures. The property can be described as gently rolling hills with small outcrops of limestone, typical of Central Kentucky. It is located in area of karst topography, which allows the rapid movement of groundwater through channels in the rock layers. Numerous springs outcrop when the groundwater table is high.

In general, the property is surrounded by open farmland to the north and east, and light industrial and residential sites to the south and west. The farm is traversed by Cane Run Creek, which serves as a drainage outlet for a large portion of northern Lexington. Cane Run Creek flows from southeast to northwest across the farm.

Coldstream Farm serves host to the University of Kentucky Animal Diagnostic Center Laboratory located along Newtown Pike. The farm is situated immediately north of Melbourne Industrial Park, which is occupied by the following industries:

1. Kentucky Freightliner
2. Perennial Pools
3. Contract Machining
4. Barnes Trucking Company

5. M&M Polishing & Plating Co., Inc.
6. M&J Auto & Truck Repair
7. Welding Products of KY, Inc.
8. PacLease
9. Canteen Corporation
10. Lexington Mack
11. Airborne Express
12. Atec Associates
13. Blue Star Plastics
14. Hagyard-Davidson-McGee Equine Medicine
15. Confederate Plastics, Inc.
16. Custom Tool & Manufacturing

Lexmark Incorporated, formerly International Business Machines (IBM) is nearby situated upstream on Cane Rune Creek of Coldstream Farm. Information obtained and all future references made in this report concerning current Lexmark, Inc. facility, will be referred to as IBM.

The drainage basin for Coldstream Farm, which lies within the North Elkhorn Watershed, consists of approximately 5720 acres at its confluence of I-64 and I-75. The drainage basin can be divided into four (4) primary drainage subbasins, three (3) of which are relatively small in comparison to the principal tributary, Cane Run. Cane Run Creek drains approximately 3000 acres, most of which is currently in operations within the LFUCG sewer system.

LAND USE	AREA (ac)	% of TOTAL
Industrial & Commercial	770	15%
Residential	2015	35%
Pasture land & Open Space	2935	50%
TOTALS	5720	100%

An abandoned wastewater treatment facility is located near Cane Run Creek adjacent to Coldstream Farm. This facility is situated near Highlands Subdivision which sits on the southwesterly side of Coldstream Farm. The sewage disposal plant was abandoned in June 11, 1990. The plant served Highlands Subdivision and treated influent before discharging into Cane Run Creek. The plant has been converted to a pumping station and is currently in operation within the LFUCG sewer system.

SECTION IV

PREVIOUS AND CURRENT USES OF SUBJECT PROPERTY AND SELECTED ADJOINERS

IV. PREVIOUS AND CURRENT USES OF SUBJECT PROPERTY AND SELECTED ADJOINERS

Aerial photographs of Coldstream Farm indicate very little additional development has occurred in the area over the past fifteen years. The subject property has been utilized by University of Kentucky as farm land since 1952, according to Dr. Hiatt. Most of the adjacent lands to the north and west are open with little development. Highlands Subdivision located on the southwesterly side began development in the late 1950's. Melbourne Industrial Park to the south, was primarily developed in the 1960's. The IBM plant situated to the southeast was established at the location upstream of Coldstream Farm in 1956.

The aerial photographs show no indication of any disposal activity occurring at the subject site. A review of National Priorities List in 40 CFR 302 Appendix B reveals no listed "Superfund" sites in the vicinity of the subject properties.

The predominant land use of Coldstream Farm as well as surrounding areas has been consistent within the pasts 15 years. Coldstream Farm was purchased by the University of Kentucky for the purpose of the research operations in 1952 from Henry Knight who operated a horse farm. Very little change has taken place on the farm, with increased confinement with the livestock. The farm serves host to an educational broadcasting satellite station located on the southern portion of the property.

A review of pertinent documents from the Division of Environmental and Energy Management department of the Lexington-Fayette Urban County Government, reveals that no previous disposal activities of hazardous materials are on file or known to have taken place. The one and only entry within the University of Kentucky Coldstream Farm's file was an action taken by the Kentucky State Highway Patrol. On March 9, 1987, six (6) sticks of dynamite were taken to the farm from a nearby resident upon confiscation, and disposed of

via detonation. Three pounds of Picric acid, generated by the University of Kentucky, were also disposed of at the same time. No other governing agencies listed in Section II revealed any environmental hazards occurring on the farm. None of the uncontrolled hazardous sites presently identified by the Environmental Protection Agency for the State of Kentucky appears to be located in the proximity of the subject property.

A questionnaire was developed and given to the University of Kentucky containing pertinent environment concerns (included in appendices). University personnel listed one event where motor oil was washed into the nearby Cane Run Tributary in January, 1991. The substance was accidentally poured into a shop drain (quantity unknown). A new type of drain was installed to prevent future occurrences. The spill was cleaned up in accordance to state regulatory standards according to the questionnaire.

The questionnaire also indicates that in April 1991, a semi-tractor trailer spilled diesel fuel onto the farm. The location of the spill was on the northern side of I-75/I-64, outside the boundaries of the scope of this study.

The questionnaire reveals that antifreeze has been spilled in various locations across the farm from radiator leaks. The amount assumed to be less than two (2) gallons. No attempts of cleaning-up have taken place.

SECTION V
SURROUNDING INDUSTRIES

V. SURROUNDING INDUSTRIES

As previously discussed, Coldstream Farm is situated downstream along Cane Run Creek of several diverse industrial and commercial facilities. Refuse generated by these businesses appears to be contained and disposed of by approved methods.

One source of information (Division of Environmental and Emergency Management - LFUCG) reveals historical evidence of accidental spills and/or contaminations that have occurred within surrounding businesses. All of these facilities' tanks have been registered with the LFUCG. A review of the underground tank files revealed several tanks have been removed and sites properly closed. No tanks present are suspected of leaks, although some are scheduled for final closure in the near future.

Several spills have occurred in the area and reported to LFUCG. According to their records, in each case, procedures were followed to minimize any discharge into nearby Cane Run Creek. Clean-up was completed by removing contaminated materials and said materials are not considered a threat to neighboring properties.

The following information is on file with environmental agencies in Lexington and Frankfort, Kentucky and has been reported for the respective businesses listed in Section III of this report.

	Location	Date	Comments in Files
1.	IBM	12/24/86	20 gal. of No. 4 fuel oil leaked into the creek via storm sewers. Clean-up was rapid and successful with minimal environmental impact.
2.	IBM	7/1/88	500 gal. of No. 2 diesel fuel discharged from an overflow of a small tank into the storm sewer system, then into Cane Run Creek Tributary. Indications are that the spill was confined to IBM property with minimal adverse environmental impact.

3.	IBM	7/22/88	A 40 gal. drum of Adcote 37R345 fell over and burst during transit to a freight terminal on Nandino Blvd. No hazardous material was involved. Clean-up was rapid, resulting in minimal environmental impact.
4.	IBM	9/4/88	104,000 gal. of No. 4 fuel oil leaked from an above ground fuel oil tank, resulting in approximately 6000 gal. discharging into Cane Run Creek Tributary. All indications are that the spill was confined to IBM property with minimal adverse environmental impact.
5.	IBM	9/4/88	20 gal. of hydraulic oil was released on a concrete pad via a hose bursting on a trash compactor. Clean-up was rapid, resulting in minimal environmental impact.
6.	IBM	12/1/88	Approximately 150 gal. of diesel fuel spilled while being transported via pipelines. Clean-up was raid, resulting in minimal adverse environmental impact.
7.	IBM	4/29/90	Approximately 6 gal. of diesel fuel was spilled from a truck's holding tank. Spill was contained with minimal adverse environmental impact.
8.	IBM	5/29/90	Confirmed levels of methyl chloroform detected on site. Still under investigation.
9.	Perennial Pools	3/9/89	Alcohol and chlorine leaked from two 55 gal. drums. The spill was contained and clean-up was successful, resulting in minimal adverse environmental impact.
10.	KY Freightliner	10/23/90	Found in violation of Hazardous Materials Ordinance Section 16A-3 Discharges, when used oil was illegally disposed of on the property.

The Underground Storage Tank Division of the Kentucky Department of Environmental Protection indicates that additional surrounding business upstream from Coldstream have existing underground tanks, although there are no current records of any reported spills or contaminations.

SECTION VI
SITE INSPECTION

VI. SITE INSPECTION OF COLDSTREAM FARM

A visual site inspection was conducted on May 16, 1991 to look for evidence of any environmental concerns. University of Kentucky personnel, Dr. Jack Hiatt, Bill Peterson and David Smith assisted with the inspection. Several animal barns and equipment storage facilities were observed along with two houses currently being utilized by the farm. None of the houses were inspected internally nor were any materials sampled for the presence of asbestos. Mr. David Tyler, an employee of the University of Kentucky, stated that asbestos studies have been completed for the on-site Diagnostic Laboratory and the Poultry Research Center in 1985-86. No evidence of asbestos was found at the Poultry Research Center, although some positive results were found for the Diagnostic Laboratory (i.e. floor tile, piping). The extent of the clean-up process or possible procedures taken for the Center is unknown.

Although Coldstream Farm functions as one operation, the farm is divided into specific individual operation (i.e. beef cattle, swine, dairy cattle, sheep, poultry, etc.). Each of the specific areas occupies its own facilities and typically is managed independently. Each has barns that are used for housing the animals, storing specific equipment, and feed. Although each barn was not inspected, a possibility remains that oil and/or fuel for the equipment could be mishandled and result in a spill. University personnel indicated that herbicides and pesticides are not stored on site and are purchased on an as-needed basis.

Cane Run Creek that flows in a northerly direction across the farm was found to be dry, with occasional small shallow pools along the creek bed. The creek bed was observed and revealed no indication of contamination, although samples were not analyzed to verify the absence of contaminants.

Several barns on the farm have concrete aprons that were inspected for evidence of chemical spills. The only stains observed were small and the source undetermined. Small

stains around the base of the gasoline and diesel pumps were assumed to have been a result of overfilling equipment tanks used on the farm. No sampling was conducted.

Evidence of nine (9) sinkholes was located during the field inspection of the farm, and is shown on Exhibit "A". According to Dr. Thrailkill, et. al., University of Kentucky Professor of Geology, Coldstream Farm is located above a portion of the Royal Spring Groundwater basin and within the catchment area of the basin. The catchment area of the basin is the area of the surface drainage that flows into openings in the groundwater basin (eg. swallets, sinkholes). Groundwater basins are recharged by surface runoff that enters swallets and sinkholes or that infiltrates through soil and caprock. The sinkholes located on Coldstream Farm are of interest according to Dr. Thrailkill, et.al., because the entire drainage area of Cane Run in Fayette County, which includes the subject property, enters the Royal Spring groundwater basin through sinkholes and swallets, except for times of abnormally high flows. Swallets, as defined by Dr. Thrailkill, et.al. (1982), are openings where surface water is diverted underground. Although the majority of the sinkholes observed on May 16, 1991, should show no evidence that any contaminants had ever been washed into or directly placed into them, this report will focus on specific sinkholes that are of specific interest due to nearby disposal areas and/or physical structures.

The sinkhole, listed as Number 5 on Exhibit "A", was filled by the University of Kentucky in 1991, when discovered due to soil collapsing around the surface. As of May 16, 1991, the fill appears to be stable. The significance of this sinkhole is its location relative to the recently abandoned sewage treatment facility nearby. The treatment facility was used specifically for Highland Subdivision adjacent to the facility. Neither infiltration of sewage into the sinkhole nor the effects that sinkholes may have on Highland Subdivision residences can be determined within the scope of this study.

Sinkhole listed as Number 8 on Exhibit "A" was also filled by the farm approximately 10 years ago and was used to dispose of animal waste (i.e. manure, straw) as well as burying swine carcasses. The location of the sinkhole is noted since Cane Run Creek flows nearby and the sinkhole contained no liner to prevent migration into the creek or underground

aquifers. Deceased animals currently are transported to the Animal Diagnostic Center Laboratory nearby for disposal. The manure taken from the barns primarily is liquified with the exception of waste from the poultry center which is in solidified form. The manure is used as fertilizer for crops as it is spread onto the fields.

Sinkhole listed as Number 11 of Exhibit "A" is an area where solidified ammonium nitrate (fertilizer) was buried and the sinkhole filled several years ago. No other activity has taken place at this location according to University personnel. Dr. Hiatt stated that this chemical would have dissolved long ago, due to the flow of groundwater through the area. The sinkhole fill appears to be stable with no evidence of soil erosion or structural collapse.

Sinkhole listed as Feature 12 is currently being used by the farm as a disposal dumping site. The materials entering this area were stated by UK personnel to be of only organic matter (wooden fencing, trees, tree stumps, etc.), although evidence of household items like bathroom fixtures and used automobile tires were present on the perimeter of the site. University personnel stated that when the site becomes filled with items, the farm manager coordinates with the local fire department to burn the stock piles and remove the tires and large household items.

An area approximately 10' x 15' located adjacent to and on the southern perimeter of the sinkhole Feature 12 was used one time to bury used chemical containers (metal, plastic, and glass). University personnel stated that approximately 20'-30' of earthen cover was placed on the disposal area. They stated that this disposal area has seen no other activity since.

Sinkhole numbered as Feature 13, on Exhibit "A" is an area of approximately 0.5± acres located adjacent to the Poultry Research Center and is perhaps of greatest concern from an environmental standpoint. This area was used last around 1983, prior to the construction of the Poultry Research Center, for disposal activity of used chemical containers (metal, plastic and glass) as well as serving as an organic disposal area similar to that of sinkhole feature number 12 currently. Household waste (type unknown) was also disposed of at this location. The site was used by the University of Kentucky's Chemistry department and

physical plant for disposal of waste (type unknown). The materials were buried approximately 4' - 6' deep and backfilled with earthen cover. University personnel feel that proper procedures were followed at the time to conform to environmental standards. It was stated that the possibility exists that all materials buried were not documented, thus the disposed matter is unknown. Geotextile liners were not utilized prior to filling the disposal "pits". It should be noted that the "pits" were thought to have been excavated to bedrock, apparently 4' - 6' below existing surface. During the construction of the Poultry Research Center at least two (2) "disposal pits" were relocated nearby. The actual extent of environmental contamination from this site or similar sites is undetermined for this study. Geotechnical subsurface investigation would be required and is recommended for these areas, to determine if any soil and/or groundwater sources have been adversely affected, prior to construction within or around this location.

Other sinkholes were located and are shown on Exhibit "A". Although all of the sinkholes were not discussed in this report, careful consideration should be given to determine soil characteristics as well as the extent of the sinkhole as it relates to underground aquifers and the water supply draining to Royal Spring.

Other physical features, shown on Exhibit A, consist of the Newtown swallet, marked animal graves, ponds, an abandoned rock quarry, outcropping springs, two (2) animal waste sedimentation lagoons and equipment storage facilities.

Dr. Hiatt said that environmental agencies have periodically tested the water flowing through Cane Run Creek and continue to do so. Dr. Hiatt concluded by stating that all tests have yielded acceptable results. The samples were mostly taken from Cane Run Creek as it flows under I-64 and I-75. These samples were of surface water and not from monitoring wells.

Small transformers were observed on utility poles located near several facilities throughout the farm. The transformers had identification plates on the sides but no PCB labels were observed. Whether or not the transformers contain PCB oil is undetermined. Evidence of leakage was not obvious although sampling was not conducted.

The dairy facility on the farm utilizes two (2) manure sedimentation lagoons that receive waste from nearby barns via concrete flumes extending from the barns. The lagoons are periodically cleaned and the manure spread onto the fields. The lagoons, Feature 19 on Exhibit "A" appeared to have no leaks around the perimeters. The lagoons appeared to be similar to a farm pond with no evidence of liners present.

An abandoned rock quarry as stated earlier and referenced as Feature 14 on Exhibit "A" has not been active for many years and is used by the farm occasionally to store crushed stone and other similar items, none of which are of apparent environmental concern.

Underground Storage Tanks

Four (4) underground storage tanks exist on Coldstream Farm and are located on Exhibit "B". During the on-site investigation these tank locations were observed and stated by University personnel to be in functional condition. University personnel indicated that some of these UST's are no longer being used but have not been closed out. These tanks and associated pipes are constructed from metal and believed to have no corrosion protection nor leak detectors.

Two (2) of the four (4) UST's consist of gasoline and diesel fuel tanks and were observed near an equipment storage facility (Feature 16 on Exhibit "A"). The contents of these tanks are dispensed via gasoline/diesel pumps and show evidence of small spills resulting most likely from overfilling. Although no sampling was conducted, it is recommended to determine if any adverse effects have resulted from these spills.

Although these four (4) UST's were not registered with LFUCG at the time of this investigation, Mr. David Tyler indicated that the registration process is underway. The "Notification of Underground Storage Tanks" applications for the referenced tanks have been supplied by the University of Kentucky and are included within the Appendix of this report.

Above Ground Storage Tank

A metal diesel fuel storage tank is in use near the dairy center. This tank, as all tanks on-site, is owned by the University of Kentucky. The age of the tank is unknown.

SECTION VII
SITE INSPECTION OF
THE ANIMAL DIAGNOSTIC CENTER LABORATORY

VII. SITE INPSPECTION OF THE ANIMAL DIAGNOSTIC CENTER LABORATORY

The Animal Diagnostic Center Laboratory is located at 1429 Newton Pike on Coldstream Farm. This operation deals with deceased animals. The facility is funded by the State of Kentucky through the University of Kentucky.

The services offered by the Center consist of determining the cause of death of various animals as well as conducting research on animals which have been introduced to specific known diseases. The Center is able to view the effects a particular disease has on the animal and use this information to control the spread of the disease.

The Center receives from ten (10) to fifty (50) various types and breeds of animals per day. Primarily the animals brought to the Center can be divided into three (3) categories: one-third (1/3) horses, one-third (1/3) cows and one-third (1/3) private household pets (dogs, cats, ...). Generally these animals come from within the State of Kentucky, although indications were made that animals from outside the State would be and have been received.

Animals are received by the Center through an unloading dock that leads directly into the observation room where the animals are autopsied. Larger animals are transported from the unloading dock to the observation room via an electric overhead crane/hoist.

Upon completion of the autopsy, and in some cases prior to the autopsy, the animals carcass and removed organs are stored in a walk-in cooler to await disposal. The cooler maintains an average temperature of 50°F to 55°F. The facility houses an incinerator that is periodically used (every 2 to 3 days) to dispose of diseased animals, organs, tissues and medical waste brought in from the University of Kentucky Medical Center and Gluck Equine Center. The incinerator enables the disposal of the animals and the associated diseases in a manner to prevent the diseases from re-entering the food chain. Large animals are again transported via an overhead crane/hoist from the cooler to the incinerator to minimize

human contact. Animals that are considered not to be of a threat to the food chain are hauled off-site for disposal by others.

During the on-site investigation a few flies were observed in and around the storage cooler. Laboratory personnel said that flies are a concern and are controlled to the best of their abilities. The first noticeable feature of the laboratory is the odor generated from the facility. Employees indicated that they strive to minimize the smell by keeping the outside doors closed. They followed by stating that to the best of their knowledge the surrounding neighbors had never complained about the noticeable odor before.

Ms. Theresa Abel and Mr. Ken Boll, employees of the laboratory who assisted with the on-site investigation, indicated that the tools used during an autopsy are autoclaved, which sterilizes them by subjecting them to super-heated steam under pressure. If for any reason the equipment is discarded after being autoclaved, it is thought to be acceptable for normal disposal and is not considered environmentally dangerous.

Replying to the question if any employee had ever been adversely affected from working at the laboratory with the various diseases, Ms. Abel stated that two (2) employees had contracted brucellosis, an infection or disease spread mainly by cattle. Ms. Abel went on to say that occasionally veterinarians bring blood samples to the laboratory in syringes that find their way into the trash. The two (2) employees, on different occasions, were pierced with such syringes which resulted in them contracting the disease. The employees are instructed to wear rubber gloves to minimize their exposure to other diseases.

The local health department monitors the processes in which the laboratory follows and according to Ms. Abel no violations have been issued to the Center. The health department has required specific maintenance associated with the incinerator (i.e. replacement parts such as liners, valves ...) and overall operations of the facility. Ms. Abel conveyed that the Center has had instances where chemicals (type unknown) had been washed down the drain into the sanitary sewer system. This action was followed by notifying the health department of this action. It should also be noted that although the diseased tissue is disposed of by

being incinerated or hauled off-site, blood and body fluids are washed into the sanitary sewer system. It was also noticed during the investigation that a delivery truck, delivering a deceased horse, washed out the truck bedliner onto the pavement, near the unloading dock, after the animal was taken inside.

SECTION VIII
CONCLUSIONS AND RECOMMENDATIONS

VIII. CONCLUSIONS AND RECOMMENDATIONS

PEH Engineers has completed an environmental site assessment of Coldstream Farm and the surrounding properties that potentially impact the farm. Upon completing the objectives, as stated earlier in this report, PEH Engineers concludes the following:

The regulatory file review revealed that Coldstream Farm had minimal information on file. The UST's were not registered with LFUCG. (It should be noted that the size of the tanks were smaller than the minimum size required to be registered with regulatory agencies in Frankfort, Kentucky.) The University of Kentucky plans to register the UST's with LFUCG in the very near future. The applications are included in the Appendices.

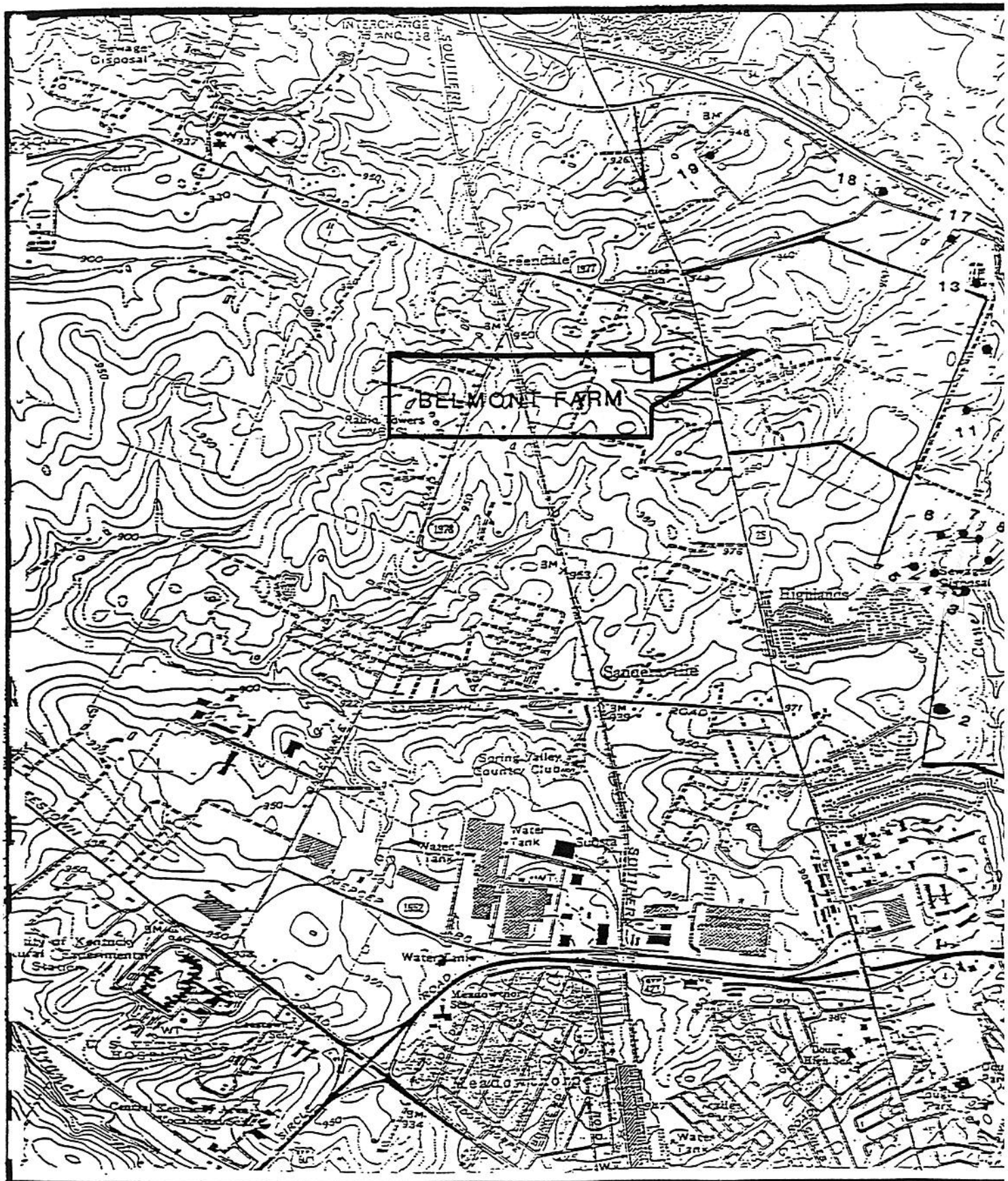
The regulatory file review of surrounding properties revealed numerous spills that had occurred upstream of the farm in Cane Run Creek and IBM Tributary. According to the reports on file, the spills were contained with minimal adverse environmental impact.

The review of the aerial photography showed little change in land usage and disclosed no evidence of past disposal activities on the farm.

The site investigation that PEH Engineers conducted on May 16-17, discovered several sinkholes and areas of concern as stated earlier in Sections VI and VII. These areas noted within this report should again be reviewed, especially the area adjacent to the Poultry Research Center. Given the unknown disposal activities in which this area has experienced in the past, it is recommended that additional subsurface and groundwater investigation be performed to determine the full impact this and other areas previously discussed have had on the environment.

Due to the elusive nature of hazardous and solid wastes, PEH cannot certify or guarantee that the site is free from contamination not delineated herein. This statement is not meant to compromise the findings of the report; rather, it is provided as a statement of limitations within the intended scope of the assessment as set forth by the University of Kentucky.

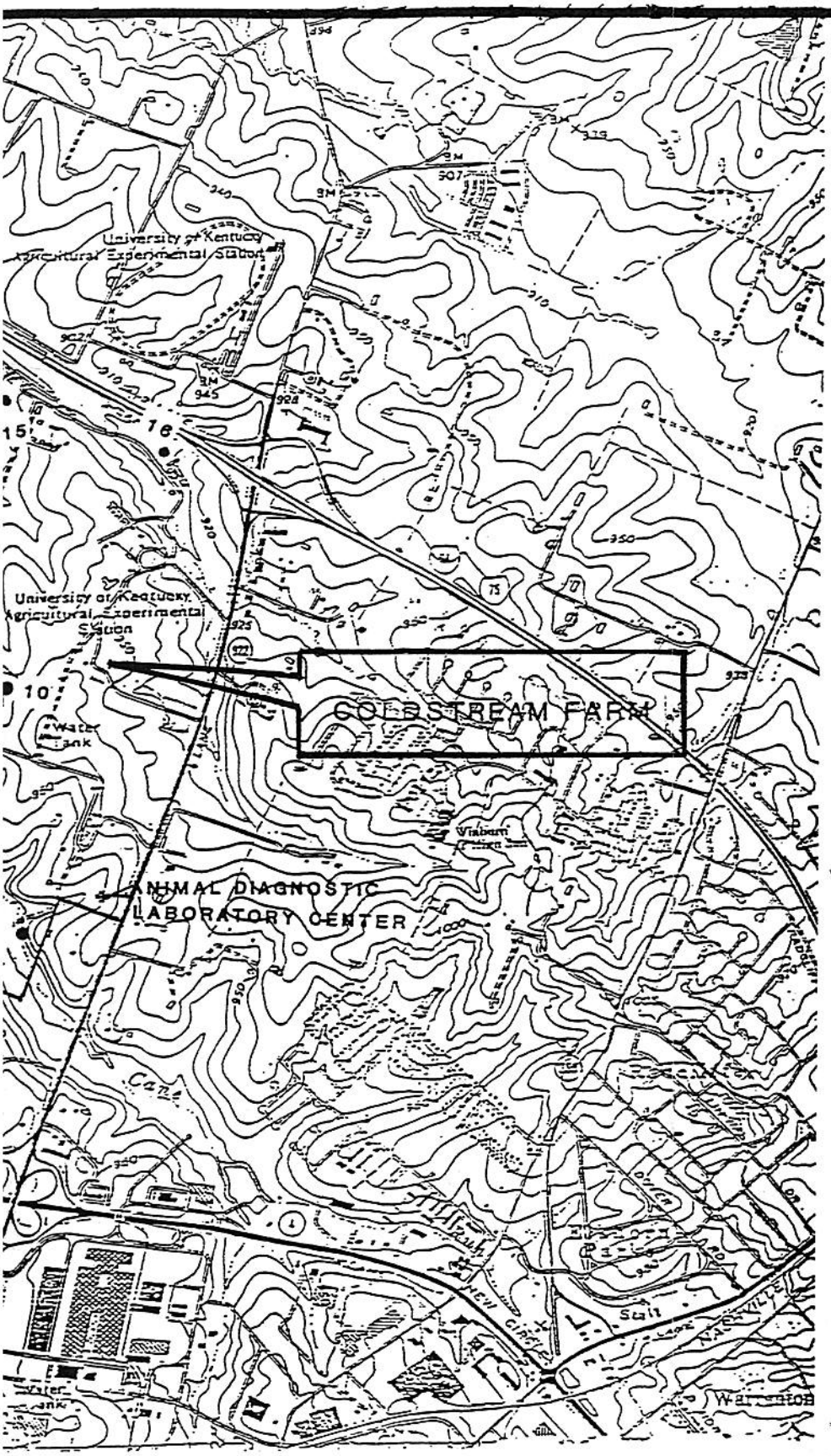
APPENDICES



PEH
ENGINEERS

PARROTT, ELY & HURT

LEXINGTON, KENTUCK

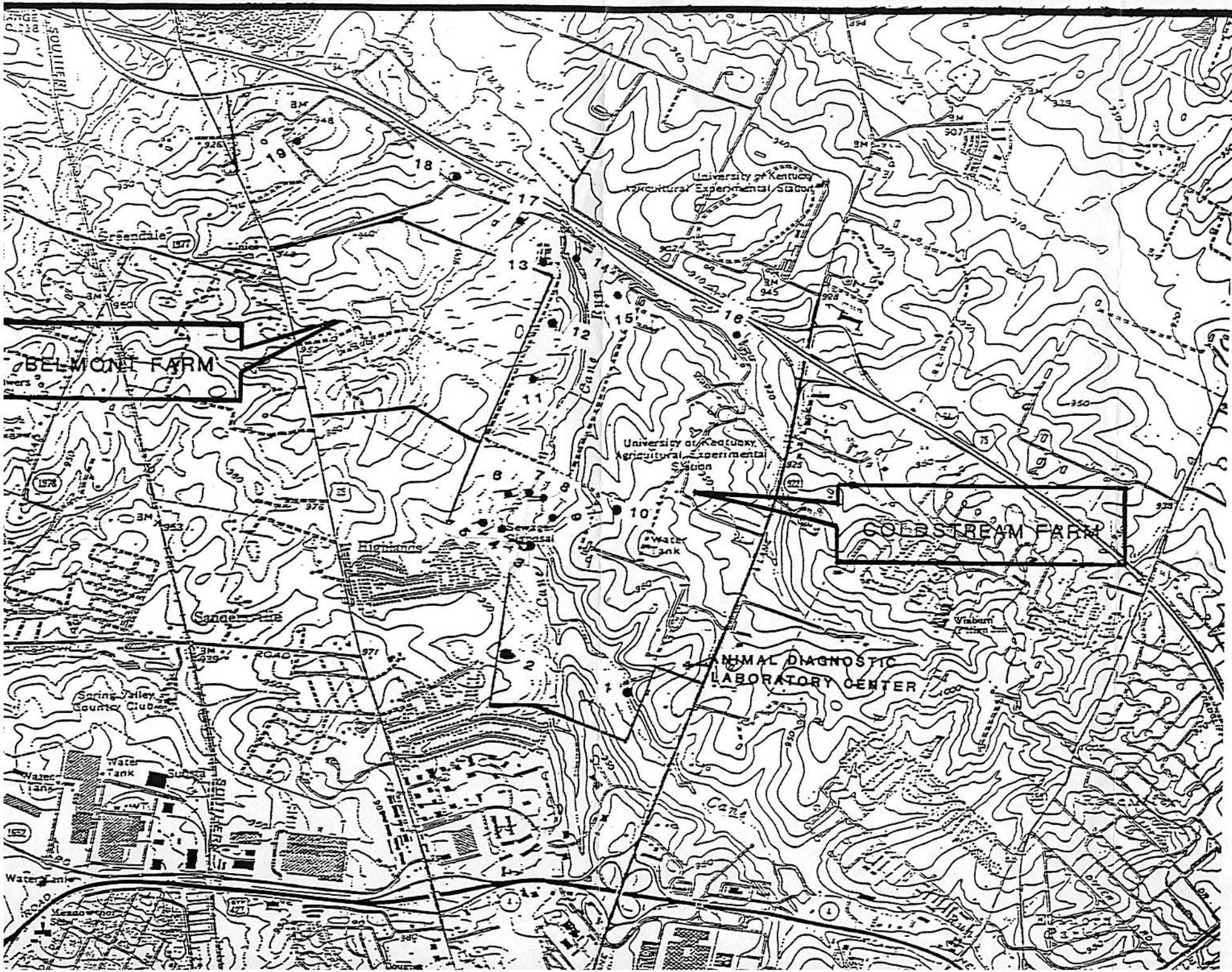


FEATURE NUMBER	FEATURE
1.	NEWTOWN SWALLET
2.	SINKHOLE
3.	ABANDONED SEWAGE TREATMENT PLANT-PUMP STATION
4.	SPRING
5.	SINKHOLE (FILLED)
6.	BLIND VALLEY AND POCKET VALLEY
7.	CANE RUN CREEK CHANNEL
8.	SWINE & WASTE BURIED IN SINKHOLE
9.	SINKHOLE
10.	3 ANIMAL GRAVES
11.	FERTILIZER BURIED IN SINKHOLE
12.	SINKHOLE & ACTIVE DISPOSAL SITE
13.	PREVIOUS DISPOSAL AREA OF CHEMICAL WASTE & HOUSEHOLD WASTE
14.	ABANDONED ROCK QUARRY
15.	SINKHOLE
16.	EQUIPMENT STORAGE AND 2 UST
17.	SINKHOLE & POND
18.	SINKHOLE
19.	2 RETENTION BASINS WITH FLUME

SCALE:
1:24 000

DATE:
JULY 1991

EXHIBIT "A"



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Coldstream Research Campus - Lexington, KY

The Coldstream Research Campus is the gateway to Lexington's high-tech, higher education corridor with connections to downtown Lexington and the University of Kentucky. Located at the intersection of I-64 and I-75, the once-prominent horse farm has transformed into a 735-acre hub of innovation and creativity. Coldstream is the location of choice for locally grown research and development companies and contributes to the city of Lexington's vibrant entrepreneurial community, educated workforce, low cost of living, and high quality of life.

Coldstream companies include those working in biotechnology, pharmaceuticals, equine health, and a variety of other business sectors. Many have ties to the University of Kentucky, including graduates of ASTeCC, UK's high-tech business incubator. Others have licensed UK intellectual property or are clients of the UK Office of Technology Commercialization. Visit UKColdstream.com for information on the research campus and the companies that call it home.

Coldstream Research Campus

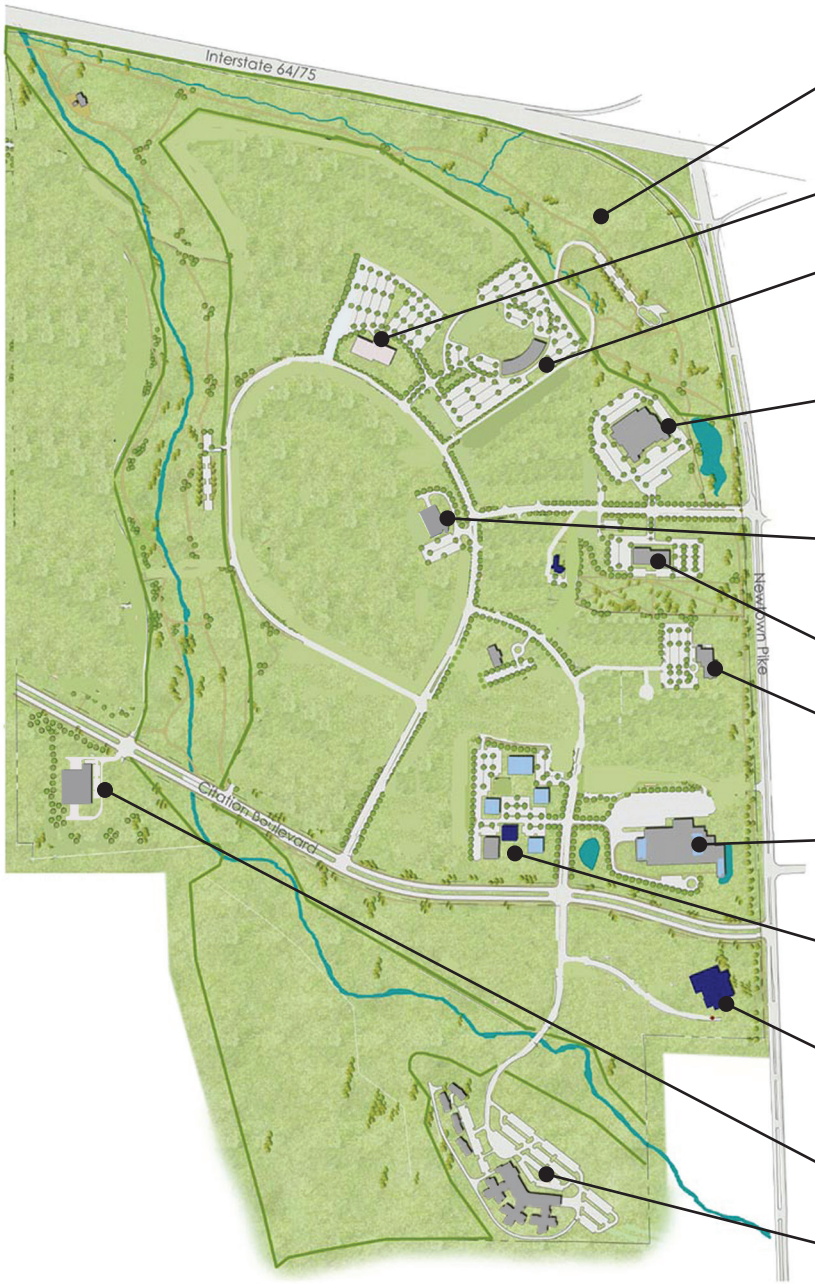
George Ward, Executive Director
1500 Bull Lea Road, Suite 100, Lexington, KY 40511
office: 859.231.8324, cell: 859.221.4122
george.ward@uky.edu, UKColdstream.com

Ideal location

- Intersection of I-75/I-64 at Exit 115
- Gateway to Lexington's high-tech, higher education corridor
  - 3 miles to downtown
  - 4.5 miles to University of Kentucky
  - 7.5 miles to Bluegrass Airport
- Convenient to lodging, dining, shopping, and entertainment
  - On-site Embassy Suites Hotel and Conference Center
  - On-site Paddock Bar and Grill
  - 1,400 hotel rooms, 9 restaurants at Exit 115
- 735 total acres including a 225-acre park
  - Pedestrian/bicycle trails
  - Large fenced in dog park
- Top 10 educated workforce
- Vibrant entrepreneurial community
- Low cost of living and high quality of life

The Coldstream Community

- 50+ companies in biotech, animal health, pharmaceutical, and service industries
- Headquarter and regional facilities for: Tempur Sealy, Komatsu, Piramal, Open Text, and A&W Restaurants
- 2,250+ employee population
- 1.3 million square feet under roof
- Office and lab space available for lease
- Development ready land with utilities, roads, redundant electrical power, and high-speed data connections



City Park Trail System
225 acres within darker green border

Tempur Sealy

High-tech Class A Office
A&W Restaurants, Komatsu, and Tops Products

Embassy Suites
Hotel, Conference Center, Paddock Grille and Lounge

Piramal Healthcare
Sterile Pharma Manufacturing

High-tech Class A Office

Open Text
Software and Cloud Computing

Coldstream Center
160K sf high-tech / laboratories

Kentucky Technology Center
Biotech cluster

UK Veterinary Diagnostic Laboratory

Covetrus

Eastern State Hospital operated by UK HealthCare