

RED OAK INVESTMENT COMPANY
200 Business Highway 63 South
Columbia, Missouri 65203

July 28, 2014

City of Columbia – Planning and Development
Attn: Tim Teddy
701 E. Broadway
Columbia, Mo 65201

Re: Statement of Intent for Red Oak Investment Company (the “Red Oak”) for land located on the South Side of Grindstone Parkway across from Walmart

Statement of Intent:

The above-referenced property, being approximately 12.91 acres of platted land described as follows:

SEVEN LOTS OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 48 NORTH, RANGE 12 WEST, COLUMBIA, BOONE COUNTY, MISSOURI AND BEING A PORTION OF THE LAND DESCRIBED BY THE QUIT-CLAIM DEED RECORDED IN BOOK 2833, PAGE 2 AND THE QUIT-CLAIM DEED RECORDED IN BOOK 2927, PAGE 145 AND BEING ALL OF LOTS 1, 2, 3, 4, 5, 6 AND 7 OF RED OAK SOUTH, PLAT NO. 1 RECORDED IN PLAT BOOK 46, PAGE 32 AND CONTAINING 12.91 ACRES.

which land shall hereafter be referenced as the “Red Oak Development,” and which is a part of what was originally platted as Red Oak Development.

The land in the Red Oak Development is zoned A-1 under the Columbia Zoning Ordinance. This Statement of Intent is submitted with Owner’s Application to rezone the Red Oak Development to the C-P Zoning District (Planned Commercial District).

The intended uses permitted for Red Oak Development shall be medical testing laboratories and all uses listed on Exhibit A. In addition, on Lot 5A, automobile repair facility with all repairs taking place within an enclosed building shall be an additional permitted use, provided that such use is limited as follows: there shall be no outside storage of vehicles overnight; there shall be no outside storage of equipment, inventory, or other items; and the hours of operation shall be limited to between the hours of 7:00 am and 7:00 pm Monday through Friday, 8:00 am and 4:30 pm on Saturdays, and noon and 5:00 pm on Sundays. Red Oak Development further agrees that it will not seek approval of a conditional use permit for any of the following:

Pornography shops, head shops, or other shops selling drug paraphernalia
Massage parlors (not including licensed massage therapists)
Tattoo parlors

Travel trailer or mobile home parks
Cemeteries
Reservoirs, wells, water towers, filter beds, water supply plants, or water pumping stations
Research and development laboratories

It is acknowledged that in C-P Districts the following uses are not permitted:

Halfway houses
Gun ranges
Drive-in theaters
Live adult entertainment
Labor camps
Manufacturing of explosives or flammable liquids
Freight terminals
Junk yards
Stock yards
Landfills, garbage dumps, or trash incinerators
Packing houses or slaughter houses
Any use producing dust or fly ash in excessive quantities
Manufacture, compounding, or processing of hazardous materials
Outside repair of vehicles
Cement, asphalt, or concrete plants
Temporary shelters
Stables
Machine shops

Maximum Gross Square Footage of Building Floor Area on the entire Red Oak Development shall be 200,000 square feet in aggregate and the maximum building height is 60 feet subject to satisfaction of applicable C-P Zoning building set back requirements.

Minimum Percentage of Red Oak Development to be maintained in Open Space shall consist of preserving the climax forest on Lots 1 and 7 of Red Oak Development, and an additional 2.11 acres of climax forest space to be preserved on the other side of Grindstone, and will be in addition to the landscaping areas within Red Oak Development to be shown on C-P Plans.

The following additional provisions shall apply:

- All C-P Development Plans shall substantially conform to the Commercial District Compatibility Guidelines in the City's Metro 2020 plan.
- All C-P Development Plans light poles that comply with applicable City lighting standards. All such lights will be shielded to direct illumination away from residences, neighboring properties, public streets, and other public areas, and wall packs will not be used. Light pole height shall be limited to 25 feet.
- Landscaping shall be installed as required by the C-P zoning ordinances, provided that the east and south boundaries shall be screened from the neighboring property according

to C-P Zoning District landscaping requirements along boundaries with residentially zoned land.

- All rooftop HVAC units shall be designed with sound baffling devices built into the units or added to the units and all such units shall be screened from view from all sides.
- Common public elements throughout the development will include the same bicycle racks, light poles and lighting standards, same paving detailing and consistent landscaping qualities will be employed in all areas and all C-P Development Plans submitted shall include catalogue cut sheets or shop drawings of these elements are consistent for all areas.
- All C-P Development Plans will be accompanied by architectural elevations which include labeling of all exterior building surface materials All buildings shall be constructed with four-sided architecture, and exterior walls that are made of the following materials, or materials having a similar appearance, or some combination thereof:
 - LEED metal panels or other LEED materials or products
 - Stone
 - Cast stone
 - Colored block
 - Split faced block
 - Brick
 - Exposed architectural structural steel
 - Glass
 - Aluminum Storefront
 - Hardi-Plank siding and accent trims and accents
 - EIFS (provided that EIFS shall constitute not more than 50% of the façade, all of which EIFS shall be no lower than 5 feet above ground).

Streets, drives and entrances.

- The two existing entrances from Grindstone will provide access to the development. No other direct access entrances to Grindstone will be permitted.
- The west entrance will be right-in right-out only.
- A four-way signalized intersection for the easternmost of the two entrances opposite Grindstone Plaza Drive will be installed at no cost to the City or State of Missouri, with costs to be shared under an existing agreement between the Red Oak Development and Grindstone Plaza.
- The intersection will be installed in accordance with plans approved by the Missouri Department of Transportation and the City Public Works Department in order to achieve Level of Service C at peak hour on build out of the project and Level of Service D at peak hour in 2030.
- The street entering Red Oak Development at that intersection will be a dedicated Major Collector street with 6-foot wide bike lanes in a 66-foot wide right of way, which will be extended to the south boundary line of Red Oak Development (ending with a temporary cul de sac until such time as adjoining property is developed, if ever).

- The public street will permit access to the property of the Crossings Church on the east via a side street or drive, at the church's cost, and at an access point acceptable to Red Oak provided agreement is reached by the time a plat of Red Oak Development dedicating the street right of way is submitted to the City for approval. Any such side street or access drive shall be engineered to discourage through traffic.
- The C-P Development Plans will provide for internal connectivity of interior drives between the west entrance and the intersection at the east entrance, and shall allow for shared use between all lot owners within the development. Development plans for the subject site will follow MoDOT access management guidelines.
- Upon future subdivision of the Red Oak Development, additional right of way shall be dedicated to accommodate public amenities necessary to support public transit.
- C-P Development Plans shall, if determined necessary by the City public transit authorities, include a bus shelter location, and shall provide for an internal sidewalk network to afford pedestrian access between interior streets, public transit stops, if any, and shops within the development.
- An updated traffic impact study shall be provided by the developer concurrent with any future development plan submittal. Based on the findings of the updated traffic impact study, the total square footage and mix of land uses on the subject site may be adjusted or reduced from the initial development proposal to maintain the following minimum Levels of Service:
 - Level of Service C at peak hour at adjacent intersections upon project buildout
 - Level of Service D at peak hour at adjacent intersections in 20 years (i.e., 2030)

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By: Phebe La Mar
Phebe La Mar, Attorney

C-P
*Accessory uses, including drive-up facilities, customarily incidental to any of the above uses.
*Any retail business or use of a similar character to those listed above, provided that such use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.
*Customary accessory uses including drive-up facilities, subject to the provisions of Section 29-27.
*Customary accessory uses subject to the provisions of Section 29-27, Accessory Uses.
*Customary accessory uses, including drive-up facilities, subject to the provisions of Section 29-23.
*Customary accessory uses, including drive-up facilities, subject to the provisions of Section 29-27 of this chapter.
*Dwelling units shall be subject to Section 29-8(d), (R-3 height & area regs)
A hobby may be pursued as an accessory use by the occupant of the premises purely for personal enjoyment, amusement or recreation, provided that the articles produced or constructed are not sold in the ordinary course of business either on or off the premises, and provided such use will not be obnoxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.
Adult day care home.
Agriculture, nurseries and truck gardens, each of which shall be limited to the propagation and cultivation of plants, provided no retail or wholesale business shall be conducted upon the premises, and no obnoxious fertilizer is stored upon the premises; and no obnoxious soil or fertilizer removal is conducted thereon.
Alcoholic beverage sales by the package or as an accessory use to a restaurant.
Alcoholic beverage sales in the original package or by the drink on licensed premises shall be permitted in restaurants or similar places where substantial quantities of food are served, all in compliance with the alcoholic beverage regulations of Chapter 4 of this Code.
Any retail or wholesale business or use of a similar character to those listed above, provided that such use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.
Apartment houses.
Amusements.
Assembly and lodge halls.
Automobile repair facilities, provided that all repair shall take place within an enclosed building.
Bakeries.
Banks, other financial institutions, and travel agencies.
Barber and beauty shops.
Bars, cocktail lounges and night clubs.
Bicycle repair shops.
Billiard halls and game arcades.
Boarding houses or lodging houses.
Bowling alleys.
Buildings and premises for public utility services or public service corporations.
Bus stations.
Car washes, coin-operated or attendant-operated.
Car washes.
Churches, mosques and synagogues.
Cleaning, pressing and dyeing establishments, provided that no explosive cleaning fluids shall be used.
Commercial greenhouses and plant nurseries.
Commercial parking for automobiles and light trucks only if covered.
Commercial swimming pools.
Counseling centers operated by charitable or not-for-profit organizations; excluding any use connected with penal or correctional institutions.
Dwellings, One-Family.
Dwellings, Two-Family.
Electrical repair shop.
Family day care homes, day care centers, pre-school centers, nursery school, child play care centers, child education centers, child experiment stations or child development institutions under the following regulations: (see Zoning Regulations for restrictions)
Family day care homes; day care centers, pre-school centers, nursery school, child play care centers, child education centers, child experiment stations or child development institutions.
Farm machinery sales and services; provided no repair facilities shall be maintained or used outside the building.
Fraternal or society houses and dormitories.
Garage sales, under the following restrictions: (see Zoning Regulations for restrictions)
Garment storage facilities.

Golf courses and golf clubhouses appurtenant thereto, (except miniature golf courses, driving ranges, and other activities operated as a business).
Government buildings and facilities.
Group care homes for mentally retarded children.
Group Homes for Foster Care.
Group Homes for mentally or physically handicapped, under the following restrictions: see Zoning Regulations for restrictions)
Home occupations which are compatible with the residential character of the neighborhood will be permitted, however, in order to promote peace, quiet and freedom from excessive noise, excessive traffic, nuisance, fire hazard, and other possible effects of commercial uses being conducted in residential areas, all home occupations must meet the following restrictions: (see Zoning Regulations for restrictions)
Hospitals for human beings, medical or dental clinics, sanitariums, and medical laboratories.
Hospitals for small animals, if within an enclosed building.
Hospitals, medical or dental clinics, sanitariums, and medical laboratories.
Hotels.
Kennels for the boarding of animals, subject to the following conditions: (see C-3 District regulations)
Laundries, coin operated.
Laundries, commercial.
Lumberyards, but only in connection with a home improvement store such as Home Depot or Menard's
Miniature golf courses or driving ranges.
Merchandises, which may include a crematory.
Motels.
Motor vehicle or trailer sales and service, provided no dismantling or storage of parts of inoperable vehicles occurs outside.
Multi-level, underground or covered commercial parking for automobiles and light trucks.--
Newspaper Publishing Plants.
Office buildings used for the administrative functions of businesses, professions, companies, corporations; and social, philanthropic, eleemosynary, or governmental organizations or societies.
Offices for professional and business use involving the sale or provision of services, but not the sale or rental of goods, including, but not limited to:
(1) Artists, sculptors, photographers.
(2) Authors, writers, composers.
(3) Lawyers, engineers, planners, architects, realtors, accountants, insurance agents, brokers, and other consultants in similar professions.
(4) Ministers, rabbis, priests, or other clergy members.
(5) Physicians, dentists, chiropractors, or other licensed medical practitioners.
(6) Seamstresses, tailors.
(7) Teachers or private lessons in art, music, or dance.
Pet stores and grooming shops, for small animals.
Photographic service shops and studios.
Physical fitness centers, private gymnasiums and reducing salons.
Printing shops, provided the total mechanical power used in the operation of such printing plant shall not exceed five (5) horsepower.
Printing Shops.
Public administrative buildings.
Public libraries.
Public museums.
Public parks and playgrounds, including public recreation or service buildings within such parks.
Public police and fire stations.
Public schools, elementary and secondary, private schools with curriculum equivalent to that of a public elementary or high school, and institutions of higher learning including gymnasiums, stadiums, and dormitories if located on campus. (see Zoning Regulations for additional requirements)
Publicly owned and operated community buildings.
Radio and television sales and services.
Rental services.
Repair of household appliances.
Residential care facilities.
Restaurants, cafes and cafeterias.

Restaurants, cafes or cafeterias which provide live or recorded music, provided that such music is played indoors only and further provided that the music from any such restaurant, cafe or cafeteria shall not be plainly audible at the property line of the property on which the building housing such restaurant, cafe or cafeteria is located.
Restaurants, cafes or cafeterias, which provide no form of entertainment.
Schools operated as a business within an enclosed building, except trade schools and schools which offer retail goods or services to the public.
Schools operated as a business, except trade schools.
Self-service storage facilities, subject to the following conditions: (see C-3 District regulations)
Service stations, provided all fuel storage tanks are located underground, except a fuel station in conjunction with c-store permitted.
Shoe repair shops.
Shops for custom work, or the manufacture of articles to be sold at retail only on the premises, provided that in such manufacture the total mechanical power shall not exceed five (5) horsepower for the operation of any one shop, and provided that the space occupied by the manufacturing use permitted herein shall not exceed fifty (50) percent of the total floor area of the entire building or the equivalent of the ground thereof, and provided further that such manufacturing use is not noxious or offensive by reason of vibration, noise, odor, dust, smoke, gas, or otherwise.
Sign painting shops.
Stores, shops and markets for retail trades, provided merchandise is not displayed, stored or offered for sale on the premises outside a building in the required front yard or in any side or rear yard adjacent to a residential zoning district.
Temporary real estate sales office, located on property being sold and limited to a period of sale, but not exceeding two (2) years without special permit from the Board.
Theaters, not including drive-in theaters.
Trade schools.
Tree-trimming and removal services.
Wholesale sales offices and sample rooms.