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University of Missouri Technology Park at Fort Leonard Wood

PROTECTIVE COVENANTS AND DESIGN GUIDELINES

1.0 DEVELOPMENT OBJECTIVES FOR THE TECHNOLOGY PARK

The Technology Park is being developed pursuant to a lease issued in accordance with 10 USC. 2667 between the Department of the Army and the Curators of the University of Missouri. These Protective Covenants and Design Guidelines are a supplement to the Use Agreement that accompanies the Lease. Should any conflict exist between these Protective Covenants and Design Guidelines and any provision(s) of the Lease or Use Agreement, the provisions of the Lease and Use Agreement shall control.

The University of Missouri System (the University) will be the representative of The Curators of the University of Missouri, for the development, operation, maintenance and management of the Technology Park. The University will be responsible for compliance with the terms and conditions of the Department of Army Lease and for coordination to meet Department of the Army installation requirements.

The controls and guidelines described in the Protective Covenants and Design Guidelines are intended to:

1. Preserve confidence that the overall quality of development within the Technology Park will be permanently protected,
2. Maintain a consistently high quality of architectural and landscape design, integrated

2.0 LAND AND BUILDING USES

The University and Fort Leonard Wood have established the following criteria for defining land and building uses appropriate to the mission and environment of the Technology Park:

2.1 PERMITTED ACTIVITIES

1. Offices and related facilities to be utilized by businesses, agencies, and organizations that support or enhance the missions, strategic goals, and activities of Fort Leonard Wood onard

Leonard Wood.

2.2 EXCLUDED ACTIVITIES

No building or land in the Technology Park shall be used for:

1. Gambling activities.
2. Facilities of the type that could cause an operational nuisance, such as excessive noise, noxious odors, or emission of environmentally hazardous effluents or gases.

3.0 DESIGN REVIEW PROCEDURES

3.1 DESIGN REVIEW COMMITTEE

The Design Review Committee is assigned by the University of Missouri and consists of three or more members. In accordance with the review procedures described in this section and applying its judgment on the intent of the Master Development Plan, the Committee will review and advise the University of Missouri of all development proposals. As the design for the building and site evolves, each development proposal will be reviewed by the Design Review Committee and the Directorate of Public Works, Fort Leonard Wood (DPW). At the University of Missouri's discretion, the Committee may retain the services of professional technical advisers in the fields of engineering, architecture, landscape architecture and/or planning to assist in evaluating submissions on the basis of design and other technical considerations.

The University of Missouri shall be responsible for coordinating the review and approval process for the Technology Park. This coordination includes receipt of submittals, communication of Committee responses and comments, coordination of meetings, and monitoring of and compliance with the Protective Covenants and the Master Development Plan before, during and after construction.

The DPW will respond to review requests from the University of Missouri within five working days. If the University of Missouri does not receive input from the DPW within five working days, an approval will be assumed.

3.2 PRE-DESIGN CONFERENCE

Before the design for a proposed development is initiated, representatives of the Design Review Committee will meet with the applicant, the applicant's architect, other consultants, and the DPW to clarify mutual design objectives, the characteristics of the particular lot, and technical issues related to design review procedures. At this meeting, the applicant will be provided with a topographical survey at the scale of one-inch equals forty feet and an out-boundary plat of the subject parcel. The preliminary planning survey, which is not intended for construction, will contain the following information:

1. Property boundaries, including relationship to adjacent land and access roads.
2. Topography within site boundaries, shown by two-foot contour intervals.
3. Locations of existing utilities, easements, and other existing improvements on or adjacent to the site.

3.3 DEVELOPMENT AND SUBMITTAL OF PRELIMINARY PLANS

Prior to submitting the Preliminary Plans for approval, the applicant should submit conceptual and schematic drawings for review by the University as they evolve.
Submittal of

2. A description of proposed operating characteristics in sufficient detail to

Construction documents submitted for

4.0 CODES AND STANDARDS

4.1 SCOPE AND JURISDICTION

All projects shall be designed and constructed per the codes and standards of the University. In case of conflict, the most restrictive code shall apply unless otherwise specified by the University. All design and construction activities must also be in full

4.2.3 Maintenance Escrow and Contractor Responsibility. Prior to commencing construction, the General Contractor or Construction Manager will be required to submit a Cashier's Check in the amount of \$10,000.00 made payable to the Curators, University of Missouri. This money will be held in escrow, and, if necessary, be used for repairs in the event the contractor or subcontractors are responsible for damage done to either common ground (e.g., streets, berms, existing utilities, landscaping) or adjacent sites.

During construction, it will be the responsibility of the contractor and all subcontractors to maintain siltation control devices along the main road of the park, and in any other areas that are determined necessary through review and approval by the DPW and Missouri Department of Natural Resources (DNR).

It will be the responsibility of the

Prior to issuance of a final Certificate of Compliance, the University will require a certified copy of the Architect's Final Inspection List of items to be completed or corrected. Inspection list must specify that all items have been duly inspected and approved by Architect.

5.0 STANDARDS FOR DEVELOPMENT OF INDIVIDUAL LOTS

5.1 MINIMUM LOT SIZE

The minimum lot size for development is two acres (87,120 square feet).

5.2 SETBACKS

Unless otherwise specified in these standards, no structure of any kind and no part thereof, may be sited within these setback lines described below. Dimensions are from the legal lot line as illustrated on the property plat.

5.2.1 **Front Setbacks.** A building must be set back a minimum of thirty (30) feet from any public street right-of-way. An additional five (5) feet setback should be added for each story above the first story or a building. As an alternative, the minimum thirty (30) feet set back line can be maintained if each story above the first floor is stepped back a minimum of five (5) feet from the floor below it.

5.2.2 **Side Setbacks.** The side yard of each lot must be a minimum of fifteen (15) feet from the property line of the adjacent lot.

5.2.3 **Rear Setbacks.** The rear yard of each lot must be a minimum of fifteen (15) feet from the property line of the adjacent property.

5.2.4 **Setbacks from Designated Wooded Area.** All proposed construction shall minimize the disturbance of existing wooded areas.

5.2.5 **Exceptions.** The following improvements are expressly excluded from these setback restrictions:

1. Steps, walks and driveway access to the site.
2. Landscaping, including landscaped earthen berms.
3. Planters not to exceed four (4) feet in diameter or two (2) feet in height where they should interfere with visual safety at site access points.
4. Illumination.
5. Identification graphics.

5.3 DENSITY OF DEVELOPMENT

The density of development will be subject to design review by the University. It will be evaluated with the objective of creating a campus-like environment. A floor area ratio (FAR) of .25 will be used as a general guideline for proposed projects, computed as follows:

$$\text{Floor Area Ratio} = \frac{\text{Gross Building Area (all floors)}}{\text{Total Site Area}}$$

This ratio may be changed for a particular project by the Design Review Committee with

consist of split faced block units, limestone or EIFS. All brick shall be the same size, color and texture. Sloped roofs are the standard roofing design for the Technology Park. Sloped roofs shall be factory finished bronze metal. All trim elements shall be factory finished and maintenance free. All exterior ferrous metal shall be painted. Concrete should not be painted. All elevations shall have detailing to provide relief from large plain surfaces. Glass windows and detailing surrounding the openings are preferable to blank walls. Upon review and acceptance by the design review committee, buildings greater than 25,000 square feet in gross area may be constructed utilizing alternative materials and roofing designs. Prefabricated buildings or similar “stock” structures are not acceptable.

5.5.5 Scale. New construction next to adjacent buildings should be of compatible scale.

5.5.6 Style. The Architectural character of each proposed building or structure shall be contemporary, rather than traditional in style, e.g., gothic or colonial will not be permitted. Architectural designs will be evaluated in terms of the sensitive integration of form, textures and colors with the particular landscape and topographical character of each site and adjacent site.

5.5.7 Auxiliary Buildings. Mechanical equipment and auxiliary buildings, if otherwise acceptable, should not be located within the building setback lines. Proper spacing for landscaping is important. Auxiliary building design shall be correlated with design of main building(s). Metal prefabricated or similar “stock” structures are not acceptable. Portable storage containers may be considered on a temporary basis only.

5.6 UTILITIES

5.6.1 Underground Utilities. Water mains, sanitary sewers, gas mains, electric and telecommunications service will be located underground in the street right-of-way or easements provided in the open space system and either adjacent to or within the lot area.

5.6.2 Utility Contacts. The site user must coordinate hookups with the utility companies. The utility contacts responsible for coordinating development in the Technology Park area:

Water and Sanitary Sewers: Operations Branch, DPW, 573-596-0946

Electric and Telecommunications: Park Management Office: 573-364-8570

5.6.3 Responsibility for Damage to Utilities. The site user is responsible for utility location, for prompt and proper repair of damages caused by his project work, and for all work, coordination and payment for the repair, movement or alteration of any portion of the existing Technology Park infrastructure. The site user shall obtain a Digging Permit, FLW Form 364, from the DPW, 573-596-1790.

5.7 PARKING AND LOADING AREAS

2. No parking will be permitted closer than 10 feet to a building.
3. Lighting of parking and walkways is to be done in a manner such that there is minimal glare. Indirect methods of illumination that highlight the structures and landscape elements, such as up lighting or down lighting of trees, light washes across building facades and indirect source luminaries are recommended. (Lighting requirements are in Section 5.12).
4. Roadways accessing parking areas should be separated from internal drives and parking lots using landscaped areas, raised walls, or other visual dividers.
5. Adequate loading, trash storage and maneuvering areas will be provided for each building and separated from the parking areas with appropriate screening or planting.
6. The suggested parking module is at least 180 square feet per space (10' x 18' or 9' x 20'), with aisles of 24 feet for a 90-degree system. An equivalent layout as appropriate to site conditions and landscaping concept may be acceptable.
7. The number of access drives per building is subject to design review, with the intent to minimize the number of drives provided.
8. Disabled parking shall be located as near to the main building entrance as possible. The number and width of disabled parking spaces should meet the ADA Accessibility Guidelines for cars and vans.

5.8 DISABLED ACCESSIBILITY

All sites and buildings should be accessible to disabled individuals in compliance with ADA Accessibility Guidelines for new buildings. Tj ET Q9T0 -1 18 774 cm BT 12 Tj ET Q9T0 -1 18

entrance to each lot in an area to be approved by the University and the DPW. The design, format and materials of the sign will be consistent with the lot design and building architecture. No flashing or moving elements shall be permitted. All illuminated signs shall be subject to approval.

5.9.4 Directional Traffic and Parking Control Signs. Any directional, traffic or parking control signs on the lot will be reviewed by the University and the DPW with the intent that the signs will be restricted to the minimum necessary, will be visually unobtrusive and will be consistent with other Technology Park signage in format, lettering and coloring. Traffic and parking signs shall use the international pictographic system, as modified for consistency with the design concept.

5.9.5 Construction Signs. One construction sign denoting the architect, engineer, contractor and other related professionals will be permitted on a lot upon the commencement of construction. Maximum size shall be 96 s.f. (8.92 square meters), and shall not be more than 12' (3.66 meters) above ground level. Location of the construction sign is to be shown on the site plan and approved by the University and the DPW.

5.9.6 Limitations. Signs containing moving devices, flashing lights, or banners are prohibited. No portable or temporary signs, other than construction signs will be allowed.

5.9.7 Flags. Flags may be installed only as follows: The flag of the USA; State of Missouri; official government or corporate seal.

5.10 STORM DRAINAGE

On-site storm-water drainage and/or detention plans will be subject to design review and must be approved by the University and the DPW.

5.11 LANDSCAPE DESIGN

5.11.1ed professionals will be permitted on a0 -12 464.e6tate42 126 4ew284.302 288 Tm /

4. Use of plants known to produce materials that interfere with modern mechanical devices (such as cottonwood or sycamore) or which cause other maintenance problems should be avoided. Deciduous hardwoods, native to this area, are preferred for large or tall tree needs.

5.11.2 Preservation of Existing Vegetation. A premium will be placed on preservation of natural vegetative cover. It is desirable to preserve the intrinsic environmental values and continuity of existing mature native tree cover wherever possible. Disturbance of existing vegetation during construction should be limited to the immediate construction area to minimize erosion, destruction of wildlife habitat or damage to existing trees, and ground cover.

5.11.3 Lot Grading and Erosion Control. The plan for lot grading and erosion

5.12.3 **Minimum Lighting Requirements.** The minimum light levels accepted are the following:

- Building entrances - 5 FC (foot candles)
- Collector roads/drives - 1 FC
- Walks - 1 FC
- Parking areas - 0.5 FC

All wiring for lighting shall be underground.

5.13 STORAGE AREAS AND FENCES

No outside storage or operations of any kind will be permitted in any lot area unless properly screened. Screening must be approved by the University and the DPW. All fire and hazard regulations must be followed regarding inside and outside storage.

Screening fences, walls and vegetative buffers, at mature height, shall be at least 6' high or rise 2' above material or equipment being stored, whichever is greater. If vegetation materials are used, they must provide total visual screening. In no location on the site, may the tenant utilize an open-mesh chain-link fence. Storage or materials of 8' in height or more must be screened by a wall built of similar material to those of the building. The placement of all fences and the design and materials utilized shall be subject to the approval of the University and the DPW.

6.0 IMPLEMENTATION

6.1 MAINTENANCE AGREEMENTS

In order to ensure that the high quality of development planned for the Technology Park is achieved, the University and Fort Leonard Wood retains the following rights:

1. The University shall have the right to maintain all designed common areas and roadways, and, for this purpose, to enter into contracts for maintenance and replacement of landscaping, snow removal, and the repair of improvements within the common areas. The University shall also have the right to enter into contracts for trash collection, fire protection, security, and other services that it deems beneficial to all tenants in the development.
2. The University shall bill a pro-rata share of the cost of such services to the site user, plus an administrative service fee of fifteen percent (15%) of the amount billed to offset the cost incurred in negotiating and administering these service contracts.
3. Each site user may contract with the University's service contractor(s) for landscape, snow removal and other maintenance services.
4. In the event that the obligations for meeting the standards of these guidelines are not kept by the site user, the University shall have the right, thirty (30) days after written notice of intent to do so has been mailed to the site user, to enter the property, perform the required maintenance and upgrading, including, but not limited to, replacement of dying landscape materials, building repairs, removal of non-conforming signs and lighting standards. The University may assess the site user for the cost of such work on the basis described in paragraph 2 (above).
5. Unpaid financial obligations of the site user with respect to maintenance charges shall become a lien on the real and personal property of the site user within the leasehold.

6.2 RIGHTS-OF-WAY/EASEMENTS

Each site user hereby agrees to cooperate with the University in the planning and granting of all easements necessary and reasonable for the further development of the Technology Park. In addition, all lots within the Technology Park shall dedicate a 15-foot utility easement in favor of the Technology Park, along all property lines.

6.3 GENERAL MAINTENANCE BY SITE USER

Each site user shall at all times keep his lot, buildings and improvements in a safe, clean, neat and sanitary condition and shall comply with all laws, ordinances and regulations pertaining to health and safety. Each site user shall provide for the timely mowing of lawn areas, as well as removal of trash and rubbish from his lot.

7.0 VARIANCE

The Design Review Committee and the DPW may modify or authorize variance to all provisions of these Protective Covenants when the following circumstances apply:

1. When the strict application of requirements in these Protective Covenants would impose unforeseen practical difficulties or particular hardship.

2. The granting of a variance will not be detrimental to the interest of the owner and the tenants of the Technology Park.

In granting variances the Design Review Committee and the DPW may require such conditions, as in their judgment, secure the obligations of these Protective Covenants.

The University is responsible for coordination with Department of the Army, as necessary, for clarification, exceptions, and compliance with Army requirements.