



# CITY OF CAPE GIRARDEAU, MISSOURI

## City Council Agenda

Stacy Kinder, Mayor  
Dan Presson, Ward 1  
Tameka Randle, Ward 2  
Nate Thomas, Ward 3  
Robbie Guard, Ward 4  
Shannon Truxel, Ward 5  
Mark Bliss, Ward 6

City Council Chambers  
City Hall  
44 N. Lorimier St

Agenda Documents, Videos  
Minutes, and Other Information:  
[www.cityofcape.org/citycouncil](http://www.cityofcape.org/citycouncil)

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**March 18, 2024**  
**5:00 PM**

- Individuals desiring to speak about items NOT on the agenda must register no later than 12:00 pm, on Monday, March 18, 2024, by using the form found at [cityofcape.org/council](http://cityofcape.org/council), by emailing [cityclerk@cityofcape.org](mailto:cityclerk@cityofcape.org), or by calling 573-339-6320.

### **Invocation**

Pastor Zack Strong of Christ Church of the Heartland in Cape Girardeau

### **Pledge of Allegiance**

### **Study Session**

No action will be taken during the study session

### **Presentations**

### **Communications/Reports**

### **Items for Discussion**

- Appearances by Advisory Board Applicants
- Planning and Zoning Commission Report
- Consent Agenda Review

### **Regular Session**

### **Call to Order/Roll Call**

### **Adoption of the Agenda**

## Public Hearings

### Consent Agenda

The Consent Agenda is a meeting method to make City Council meetings more efficient and meaningful to the members of the audience. All matters listed within the Consent Agenda have been distributed to each member of the Cape Girardeau City Council for reading and study, are considered to be routine, and will be enacted by one motion of the council with no separate discussion. Staff recommends approval of the Consent Agenda. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the Regular Agenda by request of a member of the City Council.

1. Approval of the March 4, 2024, City Council Regular Session Minutes and the March 5, 2024 Closed Session Minutes..
2. BILL NO. 24-26, an Ordinance authorizing the acquisition of Temporary Construction Easements and Permanent Drainage Easements from various property owners for the PRS2 Stormwater Projects, in the City of Cape Girardeau, Missouri. Second and Third Readings.
3. BILL NO. 24-27, an Ordinance approving the record plat of The Meadows of Whispering Oaks - Fourth. Second and Third Readings.
4. BILL NO. 24-28, an Ordinance approving the record plat of Rhodes Town Plaza Subdivision. Second and Third Readings.
5. BILL NO. 24-29, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by changing the zoning of property located at 298 North West End Boulevard, in the City and County of Cape Girardeau, Missouri, from C-1 to NC. Second and Third Readings.
6. BILL NO. 24-30, an Ordinance granting a special use permit to Midamerica Hotels Corporation for the purposes of constructing, maintaining, and operating two billboards at 2567 and 2649 Veterans Memorial Drive, in the City of Cape Girardeau, Missouri. Second and Third Readings.
7. BILL NO. 24-31, a Resolution adopting the 2024-2029 Capital Improvements Program, in the City of Cape Girardeau, Missouri. Reading and Passage.
8. Approval of the Release of Escrow Agreement for Williamsburg Phase 3.

### Items Removed from Consent Agenda

9. BILL NO. 24-25, an Ordinance approving a Cooperation Agreement among the City of Cape Girardeau, Missouri, the RCC Community Improvement District, the RCC Transportation Development District and River City Centre, LLC. Second and Third Readings.

### New Ordinances

#### **Mayor will ask for appearances after each Ordinance is read.**

Individuals who wish to make comments regarding the item must be recognized by the Mayor/Mayor Pro Tempore. Each speaker is allowed 3 minutes and must stand at the public microphone and state his/her name and address for the record. The timer will buzz at the end of the speaker's time.

10. BILL NO. 24-32, an Ordinance approving the record plat of Bailey Keller Subdivision. First Reading. DEV - Ryan Shrimplin
11. BILL NO. 24-33, an Ordinance approving the record plat of Midamerica Crossings Third Subdivision. First Reading. DEV - Ryan Shrimplin
12. BILL NO. 24-34, an Ordinance approving the record plat of Themis Street Subdivision. First Reading. DEV - Ryan Shrimplin
13. BILL NO. 24-35, an Ordinance accepting a Permanent Utility Easement from Cape Retirement Community, Inc., d/b/a Chateau Girardeau, for property located at Ramsay's Run, in the City of



Cape Girardeau, Missouri. First Reading. DEV - Trevor Pulley

14. BILL NO. 24-36, an Ordinance accepting a Permanent Water Line Easement from Midamerica Hotels Corporation for property located at 2520 Veterans Memorial Drive, in the City of Cape Girardeau, Missouri. First Reading. DEV - Trevor Pulley

15. BILL NO. 24-37, an Ordinance accepting a Permanent Water Line Easement from SIMX Holdings, Inc., for property located at 4269 Nash Road in Scott County, Missouri. First Reading. DEV - Trevor Pulley

## **Appointments**

## **Other Business**

16. Motion to set a Special City Council Meeting to declare the results of the April 2, 2024, municipal election.

### **Appearances regarding items not listed on the agenda.**

This is an opportunity for the City Council to listen to comments regarding items not listed on the agenda. The Mayor may refer any matter brought up to the City Council to the City Manager if action is needed. Individuals who wish to make comments must first be recognized by the Mayor or Mayor Pro Tempore. Each speaker is allowed 3 minutes. Please face and speak directly to the City Council as a whole. The Mayor and Council Members will not engage or answer questions during the speaker's time at the podium. The timer will sound at the end of the speaker's time.

## **Meeting Adjournment**

## **Closed Session**

The City Council of the City of Cape Girardeau, Missouri, may, as a part of a study session or regular or special City Council meeting, vote to hold a closed session to discuss issues listed in RSMo. Section 610.021, including but not limited to: legal actions, causes of legal action or litigation, leasing, purchasing or sale of real estate, hiring, firing, disciplining, personnel issues, or confidential or privileged communications with its attorneys.

- Legal actions and litigation, confidential communications with legal counsel, and personnel matters, pursuant to RSMo. Sections 610.021(1), and (3).

## **Future Appointments and Memos**

- Appointments to the Historic Preservation Commission
- Town Plaza Community Improvement District Adopted Budget for FYE June 30, 2025, and Amended Budget for FYE June 30, 2024.

## **Advisory Board Minutes**

- **Advisory Board Minutes**

- Parks and Recreation Advisory Board Minutes, February 12, 2024

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**Staff:** Bruce Taylor, Deputy City Clerk  
**Agenda:** 3/18/2024

**AGENDA REPORT**  
Cape Girardeau City Council

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**SUBJECT**

Approval of the March 4, 2024, City Council Regular Session Minutes and the March 5, 2024 Closed Session Minutes..

<b>ATTACHMENTS:</b>	
Name:	Description:
 <a href="#">DRAFT_Council.RegularSession_Minutes.03-04-2024.pdf</a>	Regular Session minutes 03-04-2024

**Proceedings of the City Council, City of Cape Girardeau, Mo.  
Regular Session                      March 4, 2024                      MM-21**

**STUDY SESSION – March 4, 2024**

**NO ACTION TAKEN DURING THE STUDY SESSION**

The Cape Girardeau City Council held a study session at the Cape Girardeau City Hall on Monday, March 4, 2024, starting at 5:00 p.m. with Mayor Stacy Kinder presiding and Council Members Mark Bliss, Robbie Guard, Dan Presson, Tameka Randle, Nate Thomas, and Shannon Truxel present

**REGULAR SESSION –March 4, 2024**

**CALL TO ORDER**

The Cape Girardeau City Council convened in regular session at the Cape Girardeau City Hall on Monday, March 4, 2024, starting at 5:04 p.m. with Mayor Stacy Kinder presiding and Council Members Mark Bliss, Robbie Guard, Dan Presson, Tameka Randle, Nate Thomas, and Shannon Truxel present.

**ADOPTION OF THE AGENDA**

A Motion was made by Dan Presson, Seconded by Mark Bliss, to approve and adopt the agenda. Motion passed. 7-0. Ayes: Bliss, Guard, Kinder, Presson, Randle, Thomas, Truxel.

**PUBLIC HEARINGS**

A public hearing on the FY2024-2029 Capital Improvement Program.  
Mayor Stacy Kinder opened the public hearing.

Neil Casey, 2006 Evergreen Drive, appeared requesting rehearsal space improvements for the Municipal Band.

There being no further appearances the public hearing was closed.

A public hearing to consider a request to rezone property located at 298 North West End Boulevard from C-1 (General Commercial District) to NC (Neighborhood Commercial District).  
Mayor Stacy Kinder opened the public hearing.

There being no appearances the public hearing was closed.

A public hearing to consider a request for a special use permit for the purposes of constructing, maintaining, and operating two billboards at 2567 and 2649 Veterans Memorial Drive.  
Mayor Stacy Kinder opened the public hearing.

There being no appearances, the public hearing was closed.

The Agenda report in the agenda packet presented for the record, a certified copy of the following items: (1) Section 30-104 entitled “Special Use Permits” from the City Code; (2) the application for Special Use Permit; and (3) the application file.

**Proceedings of the City Council, City of Cape Girardeau, Mo.  
Regular Session                      March 4, 2024                      MM-22**

**CONSENT AGENDA**

Approval of the February 20, 2024, City Council Regular Session Minutes.

BILL NO. 24-22, an Ordinance accepting a Permanent Water Line Drainage Easement for property located at 4150 Thousand Oaks Lane, in the City of Cape Girardeau, Missouri. Second and Third Readings.

BILL NO. 24-23, an Ordinance approving the record plat of Wren Subdivision. Second and Third Readings.

BILL NO. 24-24, a Resolution authorizing the City Manager to execute an Agreement with Southeast Missouri State University for the 2024 Historic Resource Survey, in the City of Cape Girardeau, Missouri. Reading and Passage.

Accept Improvements and Authorize Final Payment to Nip Kelley Equipment Co, Inc for the replacement of Capaha Field Fence.

A Motion was made by Tameka Randle, Seconded by Nate Thomas, to approve and adopt. Motion passed. 7-0. Ayes: Bliss, Guard, Kinder, Presson, Randle, Thomas, Truxel.

BILL NO. 24-22 will be Ordinance NO. 5736; BILL NO. 24-23 will be Ordinance NO. 5737; and BILL NO. 24-24 will be Resolution NO. 3596.

**NEW ORDINANCES**

BILL NO. 24-25, an Ordinance approving a Cooperation Agreement among the City of Cape Girardeau, Missouri, the RCC Community Improvement District, the RCC Transportation Development District and River City Centre, LLC. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

A Motion was made by Dan Presson, Seconded by Shannon Truxel, to approve. Motion passed. 6-1. Ayes: Bliss, Guard, Kinder, Presson, Thomas, Truxel. Nay, Randle.

BILL NO. 24-26, an Ordinance authorizing the acquisition of Temporary Construction Easements and Permanent Drainage Easements from various property owners for the PRS2 Stormwater Projects, in the City of Cape Girardeau, Missouri. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

A Motion was made by Tameka Randle, Seconded by Shannon Truxel, to approve. Motion passed. 7-0. Ayes: Bliss, Guard, Kinder, Presson, Randle, Thomas, Truxel.

BILL NO. 24-27, an Ordinance approving the record plat of The Meadows of Whispering Oaks - Fourth. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

A Motion was made by Dan Presson, Seconded by Mark Bliss, to approve. Motion passed. 7-0. Ayes: Bliss, Guard, Kinder, Presson, Randle, Thomas, Truxel.

**Proceedings of the City Council, City of Cape Girardeau, Mo.  
Regular Session                      March 4, 2024                      MM-23**

BILL NO. 24-28, an Ordinance approving the record plat of Rhodes Town Plaza Subdivision. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

A Motion was made by Mark Bliss, Seconded by Nate Thomas, to approve.  
Motion passed. 7-0. Ayes: Bliss, Guard, Kinder, Presson, Randle, Thomas, Truxel.

BILL NO. 24-29, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by changing the zoning of property located at 298 North West End Boulevard, in the City and County of Cape Girardeau, Missouri, from C-1 to NC. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

A Motion was made by Shannon Truxel, Seconded by Nate Thomas, to approve.  
Motion passed. 7-0. Ayes: Bliss, Guard, Kinder, Presson, Randle, Thomas, Truxel.

BILL NO. 24-30, an Ordinance granting a special use permit to Midamerica Hotels Corporation for the purposes of constructing, maintaining, and operating two billboards at 2567 and 2649 Veterans Memorial Drive, in the City of Cape Girardeau, Missouri. First Reading. Mayor Kinder called for public appearances regarding this Bill.

David Jansen, Jansco Outdoor Advertising, appeared in support of the request and to answer questions.  
There were no other appearances.

A Motion was made by Robbie Guard, Seconded by Shannon Truxel, to approve.  
Motion passed. 7-0. Ayes: Bliss, Guard, Kinder, Presson, Randle, Thomas, Truxel.

**OTHER BUSINESS**

Appearances regarding items not listed on the agenda.

Leslie Washington, resident of 315 N. Frederick, expressed concern with continued gun violence.

**MEETING ADJOURNMENT**

A Motion was made by Robbie Guard, Seconded by Dan Presson, to adjourn.  
Motion passed. 7-0. Ayes: Bliss, Guard, Kinder, Presson, Randle, Thomas, Truxel.  
The regular session ended at 5:19 pm.

\_\_\_\_\_  
Gayle L. Conrad City Clerk



\_\_\_\_\_  
Stacy Kinder, Mayor

Proceedings of the City Council, City of Cape Girardeau, Mo.  
Regular Session                      March 4, 2024                      **MM-24**

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**Staff:** Casey Brunke, P.E., Public Works  
**Agenda:** Director  
3/18/2024

**AGENDA REPORT**  
Cape Girardeau City Council

**24-042**

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**SUBJECT**

An Ordinance authorizing the acquisition of Temporary Construction Easements and Permanent Drainage Easements from various property owners for the PRS2 Stormwater Projects, in the City of Cape Girardeau.

**EXECUTIVE SUMMARY**

The attached Ordinance authorizes City staff to acquire Temporary Construction Easements and Permanent Drainage Easements needed for the PRS2 Stormwater Projects.

**BACKGROUND/DISCUSSION**

In April 2018, the citizens of Cape Girardeau passed the Parks and Recreation and Stormwater Phase 2 (PRS2) tax initiative. On the list of projects to complete were drainage improvements, including replacing/upgrading street crossings at:

Westwood Drive, between Glenridge Drive and Sherwood Drives;

Glenridge Drive, west of Westwood Drive;

Melrose Avenue, between Margaret Street and Randol Drive;

Lisa Drive, west of Randol Drive; and

Perryville Road, between Sherwood Drive and Rotary Drive.

**FINANCIAL IMPACT**

Funding for the PRS2/ARPA Stormwater Projects is from the Parks and Recreation and Stormwater Phase 2 (PRS2) fund and American Rescue Plan Act (ARPA) funds. City staff applied for and received an ARPA grant under the Stormwater Category for this project. The grant pays 79%, the City pays 21%.



**SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS**

The improvements will aid with stormwater drainage in the Lisa Branch and Scivally Branch watersheds.

**STAFF RECOMMENDATION**

Staff recommends approval of the Ordinance authorizing the acquisition of property for the PRS2/ARPA Stormwater Projects, in the City of Cape Girardeau, Missouri.

**ATTACHMENTS:**

Name:	Description:
 <a href="#">Prop_Acquisition_TCE_PDE_PRS2_Stormwater_proj.doc</a>	Ordinance
 <a href="#">PRS2_Stormwater - List of Parcels.pdf</a>	Exhibit A
 <a href="#">Map_Lisa_Branch.pdf</a>	Map - Lisa Branch
 <a href="#">Map_Scivally_Branch.pdf</a>	Map - Scivally Branch



BILL NO. 24-26

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AUTHORIZING THE ACQUISITION OF  
TEMPORARY CONSTRUCTION EASEMENTS AND  
PERMANENT DRAINAGE EASEMENTS FROM VARIOUS  
PROPERTY OWNERS FOR THE PRS2 STORMWATER  
PROJECTS, IN THE CITY OF CAPE GIRARDEAU,  
MISSOURI

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BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE  
GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. The City Staff is authorized and directed to acquire, Temporary Construction Easements and Permanent Drainage Easements from various property owners for the PRS2 Stormwater Projects. The City staff is hereby authorized and directed to accept offers of donation of property needed, make appropriate offers of purchase to the owners of the properties based on values provided by professional appraisers; to negotiate with the owners of the property in an effort to reach agreement for the purchase of the property needed and if the negotiations fail, then to proceed to acquire the needed properties through the exercise of the City's powers of Eminent Domain. All of the above actions heretofore taken by the officers, agents, and employees of the City relating to this Project are hereby authorized and ratified by the City Council.

ARTICLE 2. The Council of the City of Cape Girardeau, Missouri hereby finds and declares that the acquisition of Temporary Construction Easements and Permanent Drainage Easements from various owners of properties as described in Exhibit A, attached and incorporated herein, is for a public use and that such acquisition is within the scope of the authority or power of the City of Cape Girardeau, Missouri, and that the acquisition of the properties is reasonable and necessary for public use in order to provide for the PRS2 Stormwater Projects, in the City of Cape Girardeau, Missouri. The officers, agents, and employees of the City are hereby authorized to execute all documents, and take such steps as they deem necessary and advisable in order to carry out and perform the purpose of this Ordinance.

ARTICLE 3. This ordinance shall be in full force and effect ten days after its passage and approval.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
Stacy Kinder, Mayor

ATTEST:

\_\_\_\_\_  
Bruce Taylor, Deputy City Clerk



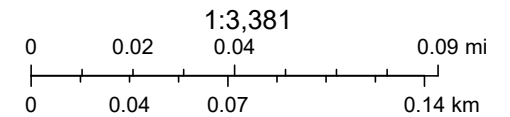
## **PRS2 Stormwater Projects List of Parcels**

2418 Glenridge Drive  
2414 Glenridge Drive  
2415 Glenridge Drive  
Sherwood Drive – Unimproved Lot  
2419 Glenridge Drive  
2560 Lisa Drive  
2555 Lisa Drive  
2440 Melrose Avenue  
Randol Avenue – Unimproved Lot  
1832 Margaret Street  
1852 Perryville Road  
1855 Perryville Road  
2202 Sherwood Drive  
1824 Westwood Drive  
1804 Westwood Drive  
1809 Westwood Drive  
1823 Westwood Drive

# PRS2 Stormwater Projects



2/16/2024

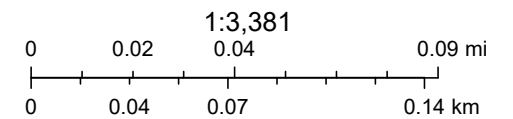




# PRS2 Stormwater Projects



2/16/2024



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**Staff:** Ryan Shrimplin, AICP - City  
**Agenda:** Planner  
3/18/2024

**AGENDA REPORT**  
Cape Girardeau City Council

**24-043**

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**SUBJECT**

An Ordinance approving the record plat of The Meadows of Whispering Oaks - Fourth.

**EXECUTIVE SUMMARY**

The attached ordinance approves a record plat for a one-lot subdivision at 130 Frogs Leap.

**BACKGROUND/DISCUSSION**

A record plat has been submitted for The Meadows of Whispering Oaks - Fourth, located at 130 Frogs Leap and zoned R-1 (Single-Family Suburban Residential). The plat combines two lots to create one new lot. An exception is shown for the omission of the required 10-foot utility easement along the rear lot line of Lot No. 1. Staff supports the exception because there are no existing or proposed utilities in the area where the easement is required.

**STAFF RECOMMENDATION**

The staff report to the Planning and Zoning Commission recommended approval of the record plat.

**BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission, at its February 14, 2024 meeting, recommended approval of the record plat with a vote of 8 in favor, 0 in opposition, and 0 abstaining.

**ATTACHMENTS:**

Name:	Description:
<a href="#">❏ RP_Whispering_Oaks_Fourth.doc</a>	Ordinance
<a href="#">❏ Staff_Review-Referral-Action_Form.pdf</a>	The Meadows of Whispering Oaks - Fourth - Staff RRA Form
<a href="#">❏ Map - Meadows of Whispering Oaks - Fourth.pdf</a>	The Meadows of Whispering Oaks - Fourth - Map
<a href="#">❏ Application - Meadows of Whispering Oaks - Fourth Subdivision.pdf</a>	The Meadows of Whispering Oaks - Fourth - Application
<a href="#">❏ s23127_record_plat_revised.pdf</a>	The Meadows of Whispering Oaks - Fourth - Record Plat

BILL NO. 24-27

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING THE RECORD PLAT OF  
THE MEADOWS OF WHISPERING OAKS - FOURTH

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BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE  
GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. The record plat of The Meadows of Whispering Oaks - Fourth, being all of Lots 1 & 2 of The Meadows of Whispering Oaks - Third as recorded in Plat Document No. 2023 - 01542 of the County Land Records, being a part of the Southwest Quarter, Section 10, Township 31 North, Range 13 East of the Fifth Principal Meridian, City and County of Cape Girardeau, Missouri, submitted by Taylor H. Williams and Casey B. Williams, husband and wife, bearing the certification of R. Christopher Bowen, a Registered Land Surveyor, dated the 13th day of February, 2024, including all exceptions and variances, is hereby approved.

ARTICLE 2. The City Clerk is hereby directed to sign the record plat with the date of Council approval and affix thereto the seal of the City of Cape Girardeau, Missouri.

ARTICLE 3. This ordinance shall be in full force and effect ten days after its passage and approval.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
Stacy Kinder, Mayor

ATTEST:

\_\_\_\_\_  
Bruce Taylor, Deputy City Clerk





**CITY OF CAPE GIRARDEAU, MISSOURI**  
City Staff Review, Referral and Action - Subdivision Application

FILE: **The Meadows of Whispering Oaks - Fourth**

LOCATION: 130 Frogs Leap

**STAFF REVIEW & COMMENTS:**

A record plat has been submitted to combine two (2) lots at on Frogs Leap. SEE STAFF REPORT FOR MORE DETAILS.

B 838.  
City Planner

2/1/24  
Date

[Signature]  
City Attorney

2/1/24  
Date

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**CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:**

[Signature]  
City Manager

2/2/24  
Date

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***Planning & Zoning Commission***

**RECOMMENDED ACTION:**

	Favor	Oppose	Abstain
Trae Bertrand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Blank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Favor	Oppose	Abstain
Chris Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nick Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sommer McCauley-Perdue	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sid Whittington	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**VOTE COUNT:** 8 Favor 0 Oppose 0 Abstain

**COMMENTS:**

**CITIZENS COMMENTING AT MEETING:**

[Signature]  
Chris Martin  
Planning & Zoning Commission Secretary

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***City Council Action***

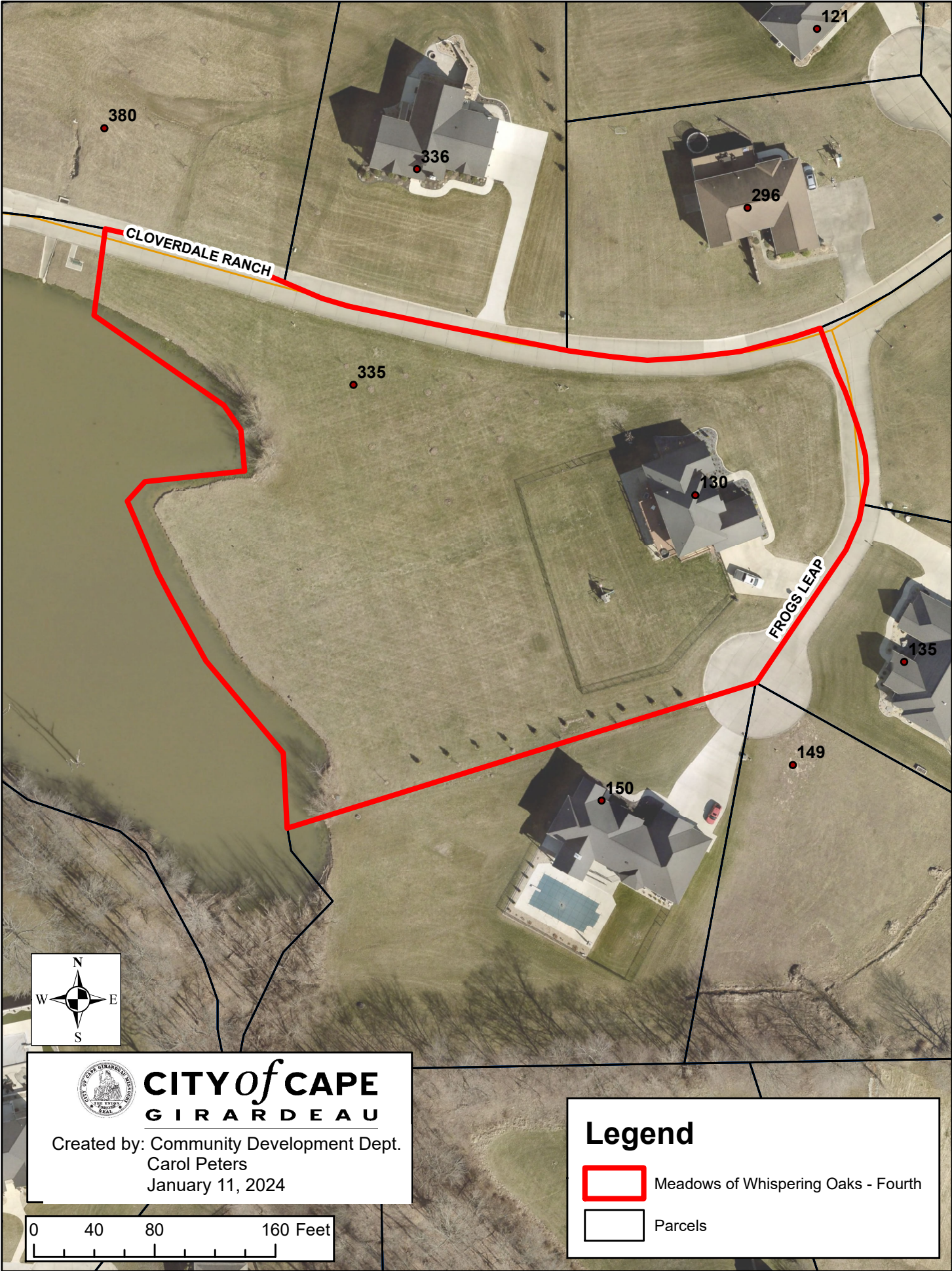
Ordinance 1<sup>st</sup> Reading \_\_\_\_\_ Ordinance 2<sup>nd</sup> & 3<sup>rd</sup> Reading: \_\_\_\_\_

**ORDINANCE #** \_\_\_\_\_ **Effective Date:** \_\_\_\_\_

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# The Meadows of Whispering Oaks - Fourth Subdivision







SUBDIVISION PLAT APPLICATION  
**CITY of CAPE GIRARDEAU**

COMMUNITY DEVELOPMENT DEPARTMENT, 44 NORTH LORIMIER STREET, CAPE GIRARDEAU, MO 63701 (573) 339-6327

<b>Name of Subdivision</b> THE MEADOWS OF WHISPERING OAKS FOURTH		<b>Type of Plat</b> <input checked="" type="checkbox"/> Record <input type="checkbox"/> Preliminary <input type="checkbox"/> Boundary Adjustment	
<b>Applicant</b> Taylor H. Williams		<b>Property Owner of Record</b> <input checked="" type="checkbox"/> Same as Applicant	
<b>Mailing Address</b> 130 Frogs Leap	<b>City, State, Zip</b> Cape Girardeau, MO 63701	<b>Mailing Address</b>	<b>City, State, Zip</b>
<b>Telephone</b>	<b>Email</b>	<b>Telephone</b>	<b>Email</b>
<b>Contact Person (if Applicant is a Business or Organization)</b> Taylor H. Williams		<i>(Attach additional owners information, if necessary)</i>	
<b>Professional Engineer/Surveyor (if other than Applicant)</b> Bowen Engineering & Surveying		<b>Developer (if other than Applicant)</b>	
<b>Mailing Address</b> 2121 Megan Drive	<b>City, State, Zip</b> Cape Girardeau, MO 63701	<b>Mailing Address</b>	<b>City, State, Zip</b>
<b>Telephone</b> 573-339-5900	<b>Email</b> chrisbowen@bowenengsurv.com	<b>Telephone</b>	<b>Email</b>

**ADDITIONAL ITEMS  
REQUIRED**

See Instructions for more  
information.

In addition to this completed application form, the following items must be submitted:

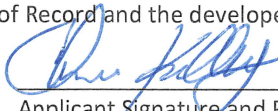
- ☒ Review Fee (payable to City of Cape Girardeau)  
\$21.00 per lot (**\$210.00 minimum**)
- ☒ Recording Fee Deposit (payable to City of Cape Girardeau)

Sheet Size	Record Plat	Boundary Adjustment Plat
18" x 24"	\$46.00	\$26.00
24" x 36"	\$71.00	\$31.00

*(The City reserves the right to issue a partial refund or collect an additional fee if the actual recording cost differs from the deposit amount)*
- ☒ One (1) full size print of the plat
- ☐ Digital file of the plat in .pdf format (can be emailed to [cityplanning@cityofcape.org](mailto:cityplanning@cityofcape.org))
- ☐ Completed minimum requirements checklist

**CERTIFICATION**

I hereby certify that I am the sole Property Owner of Record or an agent duly authorized by the Property Owner(s) of Record to file this application on their behalf. Furthermore, I hereby acknowledge that the plat submitted with this application must meet certain requirements in order to be approved including, but not limited to: a) successfully addressing all review comments, and b) any and all new public improvements for the subdivision being completed and/or covered under a performance guarantee agreement in accordance with the City's Code of Ordinances. If I am an agent, I hereby certify that I have notified the Property Owner(s) of Record and the developer of these requirements.

 **CHRIS KELLEY**  
Applicant Signature and Printed Name

**1/9/2024**

Date

**OFFICE USE ONLY**

Date Received & By 01-09-24 File # \_\_\_\_\_ MUNIS Application # 14886 MUNIS Permit # \_\_\_\_\_  
Review Fee Received \$ 210- Recording Fee Received \$ 71- ☐ Check # 30877 ☐ Credit Card ☐ Cash  
Preliminary and Record Plats:  
Planning & Zoning Commission Recommendation \_\_\_\_\_ Date \_\_\_\_\_ City Council Final Action \_\_\_\_\_ Date \_\_\_\_\_

**City of Cape Girardeau**  
**Subdivision Plat Requirements**  
**(Record Plats)**

**MINIMUM REQUIREMENTS FOR RECORD PLATS – COMPLETE CHECKLIST AND SUBMIT WITH APPLICATION**

*(First column of check boxes is for professional engineer/surveyor; second column is for City staff)*

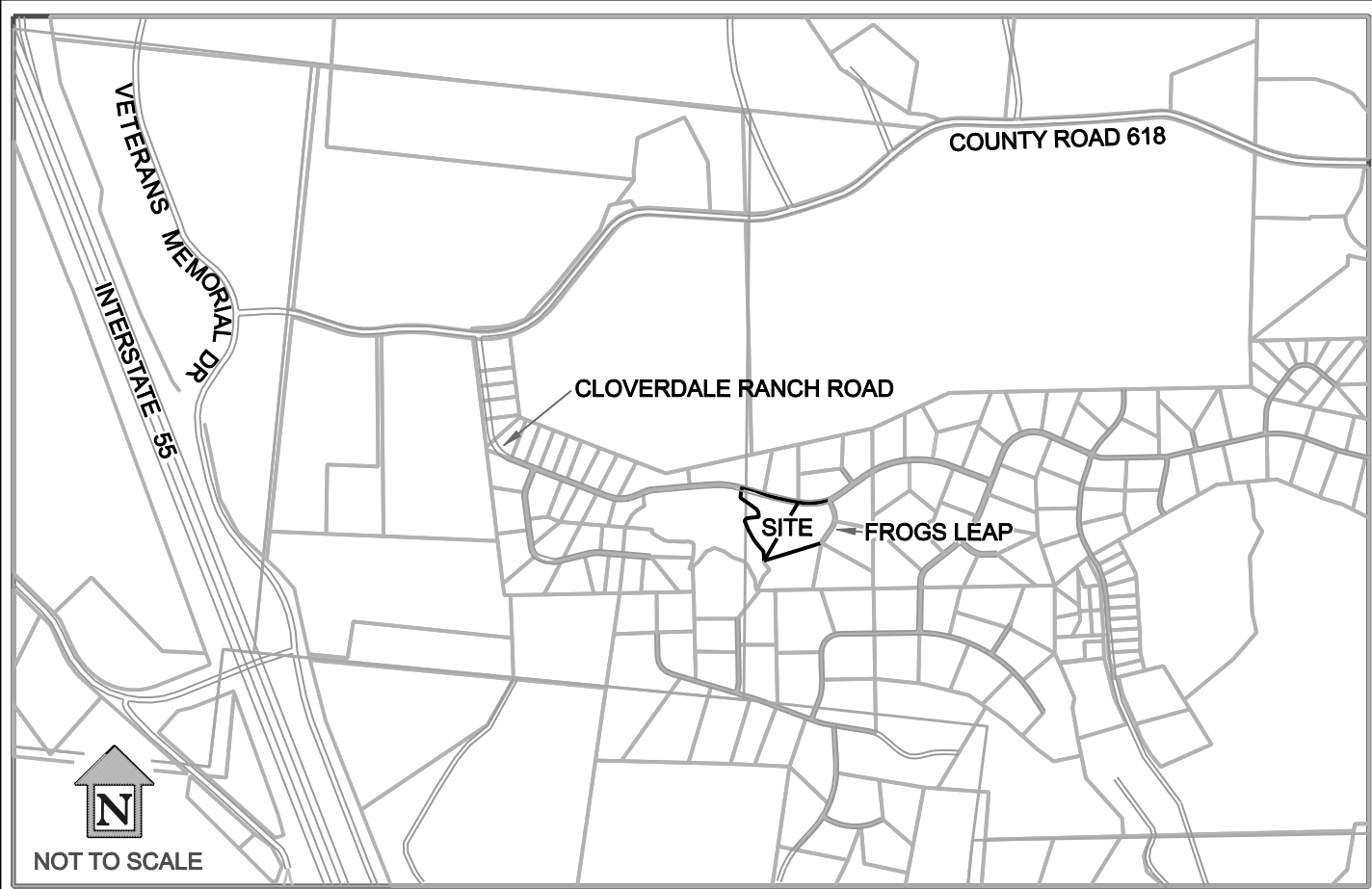
NAME OF SUBDIVISION: The Meadows of Whispering Oaks 4TH

- |                                     |                          |   |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Sheet size - 18" x 24", 24" x 24", or 24" x 36"   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | White background with black text and graphics; greyscale allowed; no other colors   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Border - rectangular, solid line(s)   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Title block - include name, address, and phone number of consultant preparing the plat; include box for original issue date and at least 3 revision issue dates   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Sheet number, if plat consists of more than one sheet   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Plat title - located at the top of the sheet, preferably centered; begin with "RECORD PLAT"; name cannot be a duplicate of an existing subdivision in the county or include "RESUBDIVISION"   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Description beneath plat title - if existing platted lots are involved, begin with "ALL OF" or "PART OF" as applicable; include Block Number if applicable; include Book and Page or Document Number of existing plat; include vacated right-of-way/alley if applicable; end with "IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI"   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | References - list all deeds, plats, separate easement instruments, etc. used in preparing the plat; include Book and Page or Document Number for each, if recorded  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | North arrow with basis of bearings  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Graphic scale - 1:100 or less; must be a multiple of 10   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Vicinity map - lines only (no images); all nearby streets and major streets labeled; site labeled; include North arrow and "NTS" or "NOT TO SCALE"; use transparent background for labels   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legend - list found monuments first, followed by set monuments, followed by: "SUBDIVISION BOUNDARY LINE", "LOT LINE TO BE ELIMINATED" and/or "NEW LOT LINE" as applicable, "EXISTING EASEMENT LINE" and/or "NEW EASEMENT LINE" as applicable, "BUILDING SETBACK LINE", "EXTERNAL PROPERTY LINE", "RIGHT-OF-WAY LINE", "CENTERLINE", other symbols as applicable   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Curve table and/or line table, if necessary - include unit symbols for distances/lengths  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Subdivision boundary and internal lines accurately drawn and labeled with bearing and distance or referenced to curve table/line table  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Section/township/range lines accurately drawn and labeled   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Adjacent parcel lines accurately drawn  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Subdivision boundary and each lot checked for closure   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Each proposed lot labeled with lot number and area expressed in square feet and acres   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All parcels within and adjacent to the subdivision boundary labeled with record owner name and Book and Page or Document Number for deed  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All existing platted lots within and adjacent to the subdivision boundary labeled with subdivision name and Book and Page or Document Number for plat   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All existing easements within the subdivision boundary labeled as existing; include type of easement (water, sewer, utility, drainage, access, etc.); include Book and Page or Document Number, if recorded   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All new easements within the subdivision boundary labeled as "NEW ___' UTILITY EASEMENT", "NEW ___' ACCESS EASEMENT", or other type of easement as applicable   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All building setback lines within the subdivision boundary labeled; include depth   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All rights-of-way within and adjacent to the subdivision boundary labeled with street name (or labeled as alley if applicable) and right-of-way width   |
| <input type="checkbox"/>            | <input type="checkbox"/> | All private streets within and adjacent to the subdivision boundary labeled with street name followed by "(PRIVATE STREET)" along with existing access easement information, if applicable, or shown in a new 50 foot access easement   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Notes:  |
|                                     |                          | <ul style="list-style-type: none"><li>• Zoning - include zoning district name, minimum lot area, minimum lot width, maximum density if applicable, and setbacks; if zoning district has different standards based on land use type, include all standards and state the proposed use type(s)</li><li>• Lot - include total number of lots, largest lot area, smallest lot area, and total subdivision area; include proposed density (for residential subdivisions)</li></ul> |

# **MINIMUM REQUIREMENTS FOR RECORD PLATS (CONTINUED)**

- Variance, if applicable - begin with "A VARIANCE IS SHOWN FOR" followed by "A REDUCED LOT AREA FOR LOT \_", "A REDUCED LOT WIDTH FOR LOT \_", or "A REDUCED \_\_\_\_ YARD SETBACK ALONG THE \_\_\_\_ LOT LINE OF LOT \_", as applicable
- Exception, if applicable - begin with "AN EXCEPTION IS SHOWN FOR" followed by "THE OMISSION OF THE REQUIRED 10 FOOT UTILITY EASEMENT ALONG THE \_\_\_\_ LOT LINE OF LOT \_" or "A REDUCED UTILITY EASEMENT WIDTH ALONG THE \_\_\_\_ LOT LINE OF LOT \_", as applicable
- Floodplain - begin with "A PORTION OF THE PROPERTY FALLS WITHIN" or "NO PORTION OF THE PROPERTY FALLS WITHIN", as applicable; if referencing a zone designation, state what that designation means
- ☒ ☐ List each record owner name and Book and Page or Document Number for deed, name and address of party for whom the plat was prepared, name and address of consultant that performed the survey and prepared the plat
- ☒ ☐ Subdivision Dedication:
  - Begin with "THE UNDERSIGNED," followed by the owner name(s) as stated in the current deed(s); include "HUSBAND AND WIFE," if applicable; include "A [insert state name] LIMITED LIABILITY COMPANY," or "A [insert state name] CORPORATION," if applicable; followed by "OWNER OF" or "OWNERS OF" and a description matching the description beneath the plat title, followed by "CONTAINING \_\_\_\_ SQUARE FEET (\_\_\_\_ ACRES), MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:"; followed by a legal description of the total subdivision area; followed by "HEREBY SUBDIVIDE" or "HEREBY SUBDIVIDES"; followed by "SAID TRACT INTO \_\_\_\_ AS SHOWN HEREON, WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID SUBDIVISION, WHICH IS HEREBY NAMED \_\_\_\_."
  - New right-of-way and/or easements - use standard language
- ☒ ☐ Legal description checked against drawing for congruence
- ☒ ☐ Owner signature line(s) with notary block(s) - include title after signatory name if owner is not an individual; include "HUSBAND AND WIFE," if applicable; include "A [insert state name] LIMITED LIABILITY COMPANY," or "A [insert state name] CORPORATION," if applicable
- ☒ ☐ If plat shows existing public easement(s) to be released – use standard block for City Manager's release
- ☒ ☐ City Clerk's certificate - use standard block for record plats
- ☒ ☐ County Recorder of Deeds' certificate - use standard block
- ☒ ☐ Surveyor's certificate





VICINITY MAP

SURVEY NOTES

This Survey Creates a New One Lot Subdivision By  
Combining Lots 1 & 2 Of "The Meadows of Whispering Oaks - Third" Subdivision.

Measured Dimensions Shown Without Parentheses  
Deed Or Record Dimensions Shown with Parentheses

Basis Of Survey Datum - Nad83, M.S.P.C. Zone 2401 East  
CORS Station MOJK Of the MoDOT GPS RTK Network

Latitude 37° 24' 44.5840" North  
Longitude 89° 39' 00.22115" West  
Ellipsoid Height 384.012 U.S. Survey Feet  
Northing 575,957.276 U.S. Survey Feet  
Easting 1,067,059.319 U.S. Survey Feet  
Elevation 476.96 U.S. Survey Feet

As Published on National Geodetic Data Sheets,  
Retrieval Date December 28, 2023 and Converted  
From Meters to U.S. Survey Feet.

Survey Class - Urban

An Exception Is Shown for The Omission of The Required  
10-Foot Utility Easement Along the Rear Lot Line of Lot  
No. 1

REFERENCES

Record Plat of The Meadows of Whispering Oaks - Third  
as Recorded in Plat Document No. 2023 - 01542

General Warranty Deed, Document No. 2023 - 03982  
General Warranty Deed, Document No. 2023 - 04001

Online Mapping Records for Cape Girardeau County,  
<https://Maps.Camavision.Com/Capegirardeaum>

ZONING INFORMATION

Zoning: R-1, Single Family Suburban Residential District  
Number Of Lots = 1  
Lot Size - 2.78 Acres (121,108 Sq. Ft.)  
Total Area of Subdivision - 2.78 Acres (121,108 Sq. Ft.)

Maximum Height: 2-1/2 Stories, Not to Exceed 35 Feet  
Minimum Lot Area: 10,000 Square Feet  
Minimum Lot Width: Eighty (80) Feet  
Minimum Yard Requirements:  
Front Yard - Thirty (30) Feet  
Rear Yard - Twenty-Five (25) Feet  
Side Yard - Six (6) Feet

SURVEY MONUMENT NOTES

⊙ - FOUND 1/2" IRON PIN  
○ - SET 1/2" IRON PIN  
○ - ANGLE POINT, NO CORNER SET

NOTE: NO CAPS WERE SET ON 1/2" IRON PINS  
SET IN THE CONCRETE PAVEMENT ON CLOVERDALE  
RANCH ROAD AND FROGS LEAP.

LEGEND

SUBDIVISION BOUNDARY LINE  
LOT LINE TO BE ELIMINATED  
ADJOINER PROPERTY LINE  
EXISTING ACCESS, UTILITY AND SEWER EASEMENT LINE  
EXISTING UTILITY AND SEWER EASEMENT LINE  
CENTERLINE  
BUILDING SETBACK LINE

RECORD PLAT

# THE MEADOWS OF WHISPERING OAKS - FOURTH

ALL OF LOTS 1 & 2 OF THE MEADOWS OF WHISPERING OAKS - THIRD AS RECORDED IN PLAT DOCUMENT NO.2023 - 01542 OF THE  
COUNTY LAND RECORDS, BEING A PART OF THE SOUTHWEST QUARTER, SECTION 10, TOWNSHIP 31 NORTH, RANGE 13 EAST  
OF THE FIFTH PRINCIPAL MERIDIAN, CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI

LINE DIMENSION TABLE

NO.	BEARING	DISTANCE
1	S 35°01'58" E	18.80' (18.80')
2	S 06°40'28" E	28.34' (28.34')
3	S 39°50'56" W	17.67' (17.67')
4	S 42°29'03" E	32.18' (32.18')

CURVE DIMENSION TABLE

NO.	RADIUS	DELTA	LENGTH	TANGENT	CHORD	BEARING
1	100.00'	55°49'03"	97.42'	52.97'	93.61'	N 06°35'39" E
2	(100.00')	32°30'56"	(97.40')	87.49'	167.97'	S 84°56'31" W
3	300.00'	(170.26')	170.25'	(167.98')	41.64'	(S 84°55'16" W)
4	200.00'	11°57'02"	41.72'	20.93'	41.64'	N 72°49'35" W
5	(200.00')	(41.72')	(41.64')	(41.64')	19.13'	(N 72°50'44" W)
6	723.69'	01°30'53"	19.13'	9.57'	19.13'	N 67°36'30" W
7	(723.69')	(19.13')	(19.13')	(19.13')	123.88'	(N 67°37'39" W)
8	723.69'	09°49'11"	124.03'	62.17'	123.88'	N 74°59'16" W
9	(723.69')	(124.03')	(123.88')	(123.88')	(N 73°17'40" W)	

NW CORNER, LOT 1,  
THE MEADOWS OF WHISPERING  
OAKS - THIRD  
DOCUMENT NO. 2023 - 01542  
N - 581,599.890327  
E - 1,080,979.925595  
NAD83, M.S.P.C.  
ZONE 2401 EAST  
U.S. SURVEY FEET  
C.A. = 00° 32' 41.08952"  
S.F. = 1.000011126

LOT 115  
THE MEADOWS OF WHISPERING OAKS - AMENDED  
PLAT BOOK NO. 23 - PAGE NO. 62

NOW OR FORMERLY  
MADRA MEYSTEDT JONES TRUST  
DOCUMENT NO. 2019-04297

LOT 114  
THE MEADOWS OF WHISPERING OAKS - AMENDED  
PLAT BOOK NO. 23 - PAGE NO. 62

NOW OR FORMERLY  
FATIMA J. PAIS  
DOCUMENT NO. 2021-04508

LOT 113  
THE MEADOWS OF WHISPERING OAKS - AMENDED  
PLAT BOOK NO. 23 - PAGE NO. 62

STATE OF MISSOURI ) ss  
COUNTY OF CAPE GIRARDEAU )

Before Me, A Notary Public for Said State and County, Personally  
Appeared Taylor H. Williams & Casey B. Williams, Husband and Wife,  
Known To Me to Be the Persons Described Herein, Who Acknowledged  
That They Executed the Foregoing Instrument as Their Free Act  
and Deed.

In Witness Whereof, I Hereunto Set My Hand and Affix My Official  
Seal This \_\_\_\_\_ Day Of \_\_\_\_\_, 2024, A.D.

Notary Public \_\_\_\_\_ My Term Expires \_\_\_\_\_

I, \_\_\_\_\_, City Clerk of The City of Cape  
Girardeau, Missouri, Hereby Certify That This Plat Was Approved By  
The City Council of The City of Cape Girardeau, Missouri By  
Ordinance No. \_\_\_\_\_ Passed and Approved,  
This \_\_\_\_\_ Day Of \_\_\_\_\_, 2024, A.D.

City Clerk of the City of Cape Girardeau, Missouri

SURVEYOR'S CERTIFICATION

This Is to Certify That at The Request of Taylor H. Williams  
The Tract Shown Hereon Was Surveyed Under My Direct  
Supervision, And the Results of Said Survey Are Represented  
Correctly On This Plat. Said Survey Was Executed in Accordance  
With The Current Minimum Standards for Property Boundary Surveys  
Of The Missouri Department of Agriculture, Division of Weights  
And Measures. There May Exist Other Documents That Could Affect  
This Parcel, Of Which an Accurate and Current Title Search May  
Disclose. In Witness Whereof, I Hereunto Set My Seal and Signature

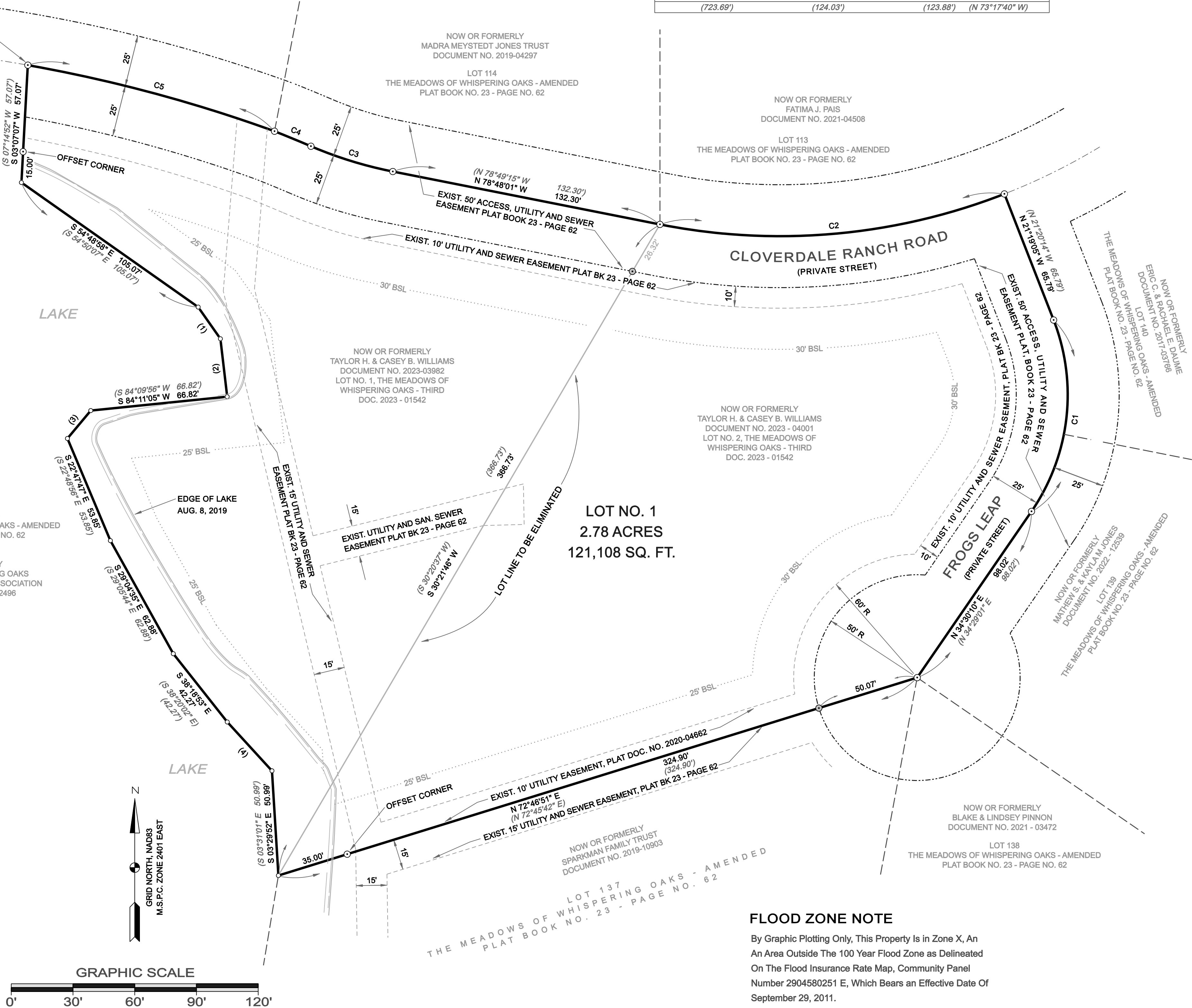
This \_\_\_\_\_ Day Of \_\_\_\_\_, 2024 A.D.

R. Christopher Bowen Mo. P.L.S. #2232

STATE OF MISSOURI ) ss  
COUNTY OF CAPE GIRARDEAU )

Filed For Record This \_\_\_\_\_ Day Of \_\_\_\_\_, 2024 A.D.  
And Duly Recorded in Document No. \_\_\_\_\_

Andrew David Blattner, Cape Girardeau County Recorder of Deeds



FLOOD ZONE NOTE

By Graphic Plotting Only, This Property Is in Zone X, An  
An Area Outside The 100 Year Flood Zone as Delineated  
On The Flood Insurance Rate Map, Community Panel  
Number 2904580251 E, Which Bears an Effective Date Of  
September 29, 2011.

2121 Megan Drive  
Cape Girardeau, MO 63603  
Phone: 573.339.5300  
Fax: 573.339.1391  
www.bowenengineering.com

**Bowen**  
ENGINEERING & SURVEYING

Consulting Engineers • Land Surveyors • Testing Laboratories  
Bowen Engineering & Surveying, P.C.  
Engineering Corporation - Missouri State Certificate of Authority #000383  
Land Surveying Corporation - Missouri State Certificate of Authority #000166

TAYLOR H. & CASEY B. WILLIAMS  
130 FROGS LEAP  
CAPE GIRARDEAU, MISSOURI 63701

DESCRIPTION	DATE

Copyright © 2020 by  
Bowen Engineering & Surveying, P.C.

JOB NO.	S23-124
DATE	JAN. 8, 2024
FILE	S23124.DGN
CAICE	S19109.ZIP
DWN BY	RCB
CKD BY	CCK
SCALE	1" = 30'

RECORD  
PLAT

SHEET NO.  
1 of 1

---

**Staff:** Ryan Shrimplin, AICP - City  
**Agenda:** Planner  
3/18/2024

**AGENDA REPORT**  
Cape Girardeau City Council

**24-044**

---

**SUBJECT**

An Ordinance approving the record plat of Rhodes Town Plaza Subdivision.

**EXECUTIVE SUMMARY**

The attached ordinance approves a record plat for a two-lot subdivision at 2146 and 2148 William Street.

**BACKGROUND/DISCUSSION**

A record plat has been submitted for Rhodes Town Plaza Subdivision, located at 2146 and 2148 William Street, which is zoned C-2 (Highway Commercial). The plat reconfigures two lots to create two new lots. An exception is shown for the omission of the required 10-foot utility easement along the rear (north) lot line of Lot 1 and along the front (west) and rear (north) lot lines of Lot 2. Staff supports the exception because there are no existing or proposed utilities in the areas where the easement is required.

**STAFF RECOMMENDATION**

The staff report to the Planning and Zoning Commission recommended approval of the record plat.

**BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission, at its February 14, 2024 meeting, recommended approval of the record plat with a vote of 8 in favor, 0 in opposition, and 0 abstaining.

**ATTACHMENTS:**

Name:	Description:
<a href="#">☐ Rhodes Town Plaza Subdivision.doc</a>	Ordinance
<a href="#">☐ Staff_Review-Referral-Action_Form.pdf</a>	Rhodes Town Plaza Subdivision - Staff RRA Form
<a href="#">☐ Map - Rhodes Town Plaza Subdivision.pdf</a>	Rhodes Town Plaza Subdivision - Map
<a href="#">☐ Application - Rhodes Town Plaza Subdivision.pdf</a>	Rhodes Town Plaza Subdivision - Application
<a href="#">☐ RhodesTownPlaza_Sub_20240213.pdf</a>	Rhodes Town Plaza Subdivision - Record Plat

BILL NO. 24-28

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING THE RECORD PLAT OF  
RHODES TOWN PLAZA SUBDIVISION

---

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. The record plat of Rhodes Town Plaza Subdivision, being part of Outlot 87, in U.S.P.S. 2199, Township 30 North, Range 13 East of the Fifth Principal Meridian in the City and County of Cape Girardeau, State of Missouri, submitted by Heritage C-Store Investments, LLC, a Missouri Limited Liability Company, bearing the certification of Matthew Darren DeJournett, a Registered Land Surveyor, dated the 13th day of February, 2024, including all exceptions and variances, is hereby approved.

ARTICLE 2. The City Clerk is hereby directed to sign the record plat with the date of Council approval and affix thereto the seal of the City of Cape Girardeau, Missouri.

ARTICLE 3. This ordinance shall be in full force and effect ten days after its passage and approval.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
Stacy Kinder, Mayor

ATTEST:

\_\_\_\_\_  
Bruce Taylor, Deputy City Clerk



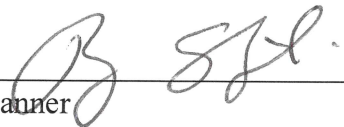
**CITY OF CAPE GIRARDEAU, MISSOURI**  
City Staff Review, Referral and Action - Subdivision Application

FILE: **Rhodes Town Plaza Subdivision**


LOCATION: 2146 & 2148 William Street

**STAFF REVIEW & COMMENTS:**

A record plat has been submitted to reconfigure two (2) lots at 2146 & 2148 William Street. SEE STAFF REPORT FOR MORE DETAILS.

  
\_\_\_\_\_  
City Planner

2/5/24  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
City Attorney

2/7/24  
\_\_\_\_\_  
Date

---

**CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:**

  
\_\_\_\_\_  
City Manager

2/8/24  
\_\_\_\_\_  
Date

---

***Planning & Zoning Commission***

**RECOMMENDED ACTION:**


	Favor	Oppose	Abstain
Trae Bertrand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Blank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Favor	Oppose	Abstain
Chris Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nick Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sommer McCauley-Perdue	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sid Whittington	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**VOTE COUNT:** 8 Favor      0 Oppose      0 Abstain

**COMMENTS:**

**CITIZENS COMMENTING AT MEETING:**

  
\_\_\_\_\_  
Chris Martin  
Planning & Zoning Commission Secretary

---

***City Council Action***

Ordinance 1<sup>st</sup> Reading \_\_\_\_\_ Ordinance 2<sup>nd</sup> & 3<sup>rd</sup> Reading: \_\_\_\_\_

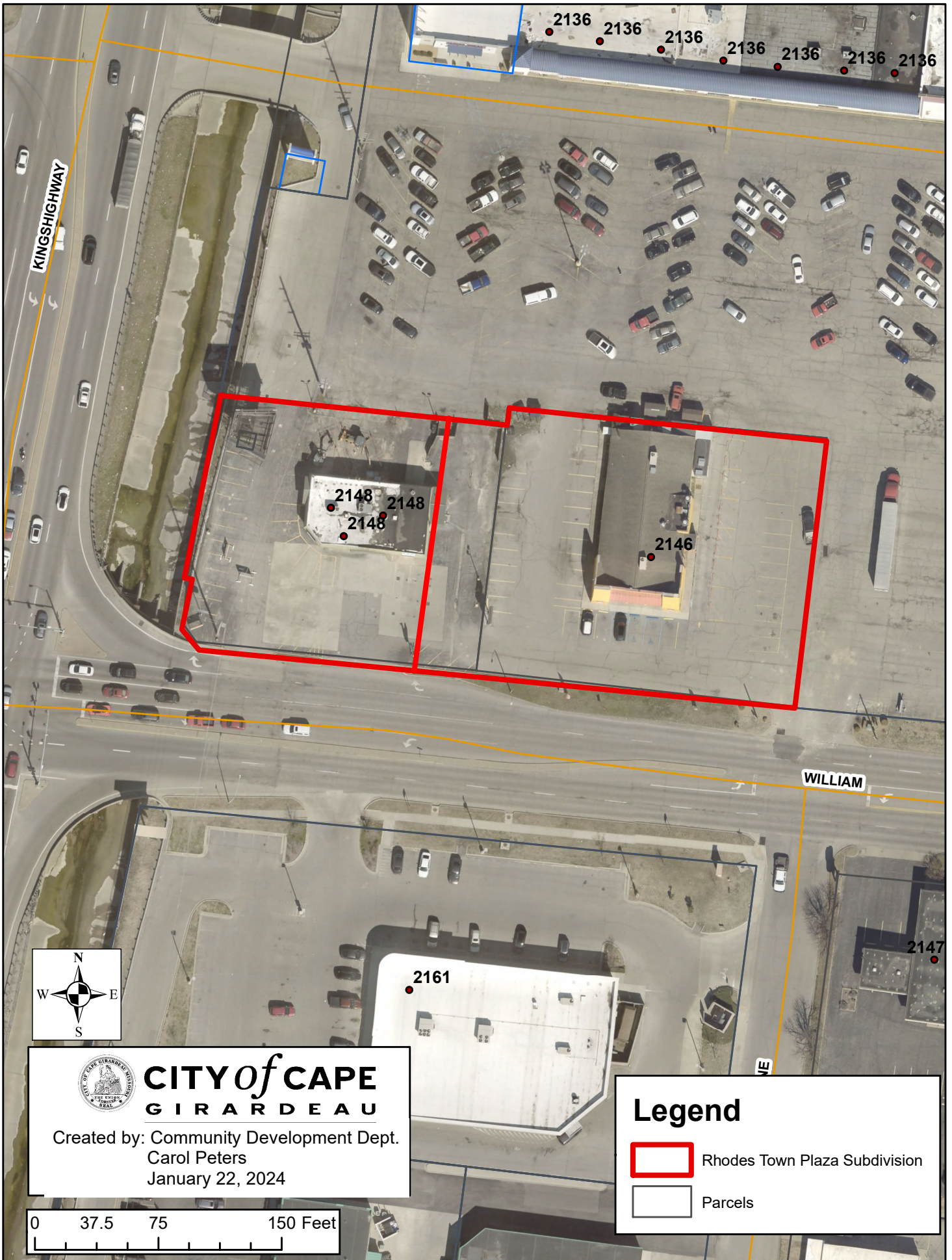
ORDINANCE # \_\_\_\_\_

Effective Date: \_\_\_\_\_

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# Rhodes Town Plaza Subdivision







# SUBDIVISION PLAT APPLICATION CITY of CAPE GIRARDEAU

COMMUNITY DEVELOPMENT DEPARTMENT, 44 NORTH LORIMIER STREET, CAPE GIRARDEAU, MO 63701 (573) 339-6327

<b>Name of Subdivision</b> Rhodes Town Plaza Subdivision		<b>Type of Plat</b> <input checked="" type="checkbox"/> Record <input type="checkbox"/> Preliminary <input type="checkbox"/> Boundary Adjustment	
<b>Applicant</b> Heritage C-Store Investments, LLC		<b>Property Owner of Record</b> <input type="checkbox"/> Same as Applicant Heritage C-Store Investments, LLC	
<b>Mailing Address</b> 1610 N Kingshighway Suite 310	<b>City, State, Zip</b> Cape Girardeau MO 63703	<b>Mailing Address</b> 1610 N Kingshighway Suite 310	<b>City, State, Zip</b> Cape Girardeau MO 63703
<b>Telephone</b> 573-339-1300	<b>Email</b> scottr@therhodesgroup.net	<b>Telephone</b> 573-339-1300	<b>Email</b> scottr@therhodesgroup.net
<b>Contact Person (If Applicant is a Business or Organization)</b> Scott Rhodes		<i>(Attach additional owners information, if necessary)</i>	
<b>Professional Engineer/Surveyor (if other than Applicant)</b> Matt DeJournett		<b>Developer (if other than Applicant)</b>	
<b>Mailing Address</b> 2401 State Highway PP	<b>City, State, Zip</b> Scott City, MO 63780	<b>Mailing Address</b>	<b>City, State, Zip</b>
<b>Telephone</b> 573-579-4524	<b>Email</b> mattdejournett@hotmail.com	<b>Telephone</b>	<b>Email</b>

## ADDITIONAL ITEMS REQUIRED

See Instructions for more  
information.

In addition to this completed application form, the following items must be submitted:

- ☒ Review Fee (payable to City of Cape Girardeau)
- ☒ \$20.00 per lot (~~\$200.00 minimum~~) 1210.00
- ☒ Recording Fee Deposit (payable to City of Cape Girardeau)
 

Sheet Size	Record Plat	Boundary Adjustment Plat
18" x 24"	\$46.00	\$26.00
24" x 36"	\$71.00	\$31.00

*(The City reserves the right to issue a partial refund or collect an additional fee if the actual recording cost differs from the deposit amount)*
- ☒ One (1) full size print of the plat
- ☒ Digital file of the plat in .pdf format (can be emailed to [cityplanning@cityofcape.org](mailto:cityplanning@cityofcape.org))
- ☒ Completed minimum requirements checklist

281.00

## CERTIFICATION

I hereby certify that I am the sole Property Owner of Record or an agent duly authorized by the Property Owner(s) of Record to file this application on their behalf. Furthermore, I hereby acknowledge that the plat submitted with this application must meet certain requirements in order to be approved including, but not limited to: a) successfully addressing all review comments, and b) any and all new public improvements for the subdivision being completed and/or covered under a performance guarantee agreement in accordance with the City's Code of Ordinances. If I am an agent, I hereby certify that I have notified the Property Owner(s) of Record and the developer of these requirements.

Scott Rhodes  
Applicant Signature and Printed Name

1/15/2024

Date

### OFFICE USE ONLY

Date Received & By 01-16-24 File # \_\_\_\_\_ MUNIS Application # 13162 MUNIS Permit # \_\_\_\_\_

Review Fee Received \$ 210 Recording Fee Received \$ 71 ☐ Check # 2611 ☐ Credit Card ☐ Cash

Preliminary and Record Plats:  
Planning & Zoning Commission Recommendation \_\_\_\_\_ Date \_\_\_\_\_ City Council Final Action \_\_\_\_\_ Date \_\_\_\_\_

**City of Cape Girardeau  
Subdivision Plat Requirements  
(Record Plats)**

**MINIMUM REQUIREMENTS FOR RECORD PLATS – COMPLETE CHECKLIST AND SUBMIT WITH APPLICATION**

*(First column of check boxes is for professional engineer/surveyor; second column is for City staff)*

NAME OF SUBDIVISION: \_\_\_\_\_

*RHODES TOWN PLAZA*

- ☐ ☒ Sheet size - 18" x 24" 24" x 24" or 24" x 36"
- ☐ ☒ White background with black text and graphics; greyscale allowed; no other colors
- ☐ ☒ Border - rectangular, solid line(s)
- ☐ ☒ Title block - include name, address, and phone number of consultant preparing the plat; include box for original issue date and at least 3 revision issue dates
- ☐ ☒ Sheet number, if plat consists of more than one sheet
- ☐ ☒ Plat title - located at the top of the sheet, preferably centered; begin with "RECORD PLAT"; name cannot be a duplicate of an existing subdivision in the county or include "RESUBDIVISION"
- ☐ ☒ Description beneath plat title - if existing platted lots are involved, begin with "ALL OF" or "PART OF" as applicable; include Block Number if applicable; include Book and Page or Document Number of existing plat; include vacated right-of-way/alley if applicable; end with "IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI"
- ☐ ☒ References - list all deeds, plats, separate easement instruments, etc. used in preparing the plat; include Book and Page or Document Number for each, if recorded
- ☐ ☒ North arrow with basis of bearings
- ☐ ☒ Graphic scale - 1:100 or less; must be a multiple of 10
- ☐ ☒ Vicinity map - lines only (no images); all nearby streets and major streets labeled; site labeled; include North arrow and "NTS" or "NOT TO SCALE"; use transparent background for labels
- ☐ ☒ Legend - list found monuments first, followed by set monuments, followed by: "SUBDIVISION BOUNDARY LINE", "LOT LINE TO BE ELIMINATED" and/or "NEW LOT LINE" as applicable, "EXISTING EASEMENT LINE" and/or "NEW EASEMENT LINE" as applicable, "BUILDING SETBACK LINE", "EXTERNAL PROPERTY LINE", "RIGHT-OF-WAY LINE", "CENTERLINE", other symbols as applicable
- ☐ ☒ Curve table and/or line table, if necessary - include unit symbols for distances/lengths
- ☐ ☒ Subdivision boundary and internal lines accurately drawn and labeled with bearing and distance or referenced to curve table/line table
- ☐ ☒ Section/township/range lines accurately drawn and labeled
- ☐ ☒ Adjacent parcel lines accurately drawn
- ☐ ☒ Subdivision boundary and each lot checked for closure
- ☐ ☒ Each proposed lot labeled with lot number and area expressed in square feet and acres
- ☐ ☒ All parcels within and adjacent to the subdivision boundary labeled with record owner name and Book and Page or Document Number for deed
- ☐ ☒ All existing platted lots within and adjacent to the subdivision boundary labeled with subdivision name and Book and Page or Document Number for plat
- ☐ ☒ All existing easements within the subdivision boundary labeled as existing; include type of easement (water, sewer, utility, drainage, access, etc.); include Book and Page or Document Number, if recorded
- ☐ ☒ All new easements within the subdivision boundary labeled as "NEW \_\_\_' UTILITY EASEMENT", "NEW \_\_\_' ACCESS EASEMENT", or other type of easement as applicable
- ☐ ☒ All building setback lines within the subdivision boundary labeled; include depth
- ☐ ☒ All rights-of-way within and adjacent to the subdivision boundary labeled with street name (or labeled as alley if applicable) and right-of-way width
- ☐ ☒ All private streets within and adjacent to the subdivision boundary labeled with street name followed by "(PRIVATE STREET)" along with existing access easement information, if applicable, or shown in a new 50 foot access easement
- ☐ ☒ Notes:
  - Zoning - include zoning district name, minimum lot area, minimum lot width, maximum density if applicable, and setbacks; if zoning district has different standards based on land use type, include all standards and state the proposed use type(s)
  - Lot - include total number of lots, largest lot area, smallest lot area, and total subdivision area; include proposed density (for residential subdivisions)

**MINIMUM REQUIREMENTS FOR RECORD PLATS (CONTINUED)**

- Variance, if applicable - begin with "A VARIANCE IS SHOWN FOR" followed by "A REDUCED LOT AREA FOR LOT \_", "A REDUCED LOT WIDTH FOR LOT \_", or "A REDUCED \_\_\_\_ YARD SETBACK ALONG THE \_\_\_\_ LOT LINE OF LOT \_", as applicable
- Exception, if applicable - begin with "AN EXCEPTION IS SHOWN FOR" followed by "THE OMISSION OF THE REQUIRED 10 FOOT UTILITY EASEMENT ALONG THE \_\_\_\_ LOT LINE OF LOT \_" or "A REDUCED UTILITY EASEMENT WIDTH ALONG THE \_\_\_\_ LOT LINE OF LOT \_", as applicable
- Floodplain - begin with "A PORTION OF THE PROPERTY FALLS WITHIN" or "NO PORTION OF THE PROPERTY FALLS WITHIN", as applicable; if referencing a zone designation, state what that designation means
- ☐ ☒ List each record owner name and Book and Page or Document Number for deed, name and address of party for whom the plat was prepared, name and address of consultant that performed the survey and prepared the plat
- ☐ ☒ Subdivision Dedication:
  - Begin with "THE UNDERSIGNED," followed by the owner name(s) as stated in the current deed(s); include "HUSBAND AND WIFE," if applicable; include "A [insert state name] LIMITED LIABILITY COMPANY," or "A [insert state name] CORPORATION," if applicable; followed by "OWNER OF" or "OWNERS OF" and a description matching the description beneath the plat title, followed by "CONTAINING \_\_\_\_ SQUARE FEET (\_\_\_\_ ACRES), MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:"; followed by a legal description of the total subdivision area; followed by "HEREBY SUBDIVIDE" or "HEREBY SUBDIVIDES"; followed by "SAID TRACT INTO \_\_\_\_ AS SHOWN HEREON, WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID SUBDIVISION, WHICH IS HEREBY NAMED \_\_\_\_."
  - New right-of-way and/or easements - use standard language
- ☐ ☒ Legal description checked against drawing for congruence
- ☐ ☒ Owner signature line(s) with notary block(s) - include title after signatory name if owner is not an individual; include "HUSBAND AND WIFE," if applicable; include "A [insert state name] LIMITED LIABILITY COMPANY," or "A [insert state name] CORPORATION," if applicable
- ☐ ☒ If plat shows existing public easement(s) to be released – use standard block for City Manager's release
- ☐ ☒ City Clerk's certificate - use standard block for record plats
- ☐ ☒ County Recorder of Deeds' certificate - use standard block
- ☐ ☒ Surveyor's certificate

RECORD PLAT OF: RHODES TOWN PLAZA SUBDIVISION

PART OF OUTLOT 87, IN U.S.P.S. 2199,  
TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN  
IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI

SUBDIVISION DEDICATION

WE, THE UNDERSIGNED, SCOTT M. RHODES AND JEFFREY J. MAURER, MANAGERS OF HERITAGE C-STORE INVESTMENTS, LLC, A MISSOURI LIMITED LIABILITY COMPANY, OWNER IN FEE OF A PART OF OUTLOT 87, U.S.P.S. 2199, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI CONTAINING 58,856.43 SQUARE FEET (1.35 ACRES)(MORE OR LESS), DESCRIBED AS FOLLOWS: COMMENCING at the southwest corner of Lot 2 of the Town Plaza Subdivision Number 3 as shown in Document Number 2018-08243; thence S 83°59'08" E along the South Line of said Lot 2, 8.81 feet for the POINT OF BEGINNING: thence S 83°59'32" E along the South Line of said Lot 2, 167.79 feet; thence N 05°49'05" E along the South Line of said Lot 2, 13.23 feet; thence S 84°00'13" E along the South Line of said Lot 2, 196.97 feet; thence S 06°03'40" W, 164.94 feet to a point in the North Right of Way Line of William Street; thence N 83°34'33" W along said North Right of Way Line, 196.28 feet; thence N 84°06'43" W along said North Right of Way Line, 169.98 feet; thence N 65°13'29" W, 15.38 feet to a point in the East Right of Way Line of Kingshighway and Walker Branch; thence along said East Right of Way Line the following: N 10°48'36" E, 30.19 feet; thence N 12°28'27" E, 16.23 feet; thence N 12°49'50" E, 75.52 feet; thence departing said East Right of Way Line S 79°01'06" E, 8.10 feet to the southwest corner of a parcel described in Document Number 2007-05889; thence S 77°10'10" E along the South Line of said parcel, 10.00 feet to the southeast corner of said parcel; thence N 12°49'50" E along the East Line of said parcel, 10.00 feet to the northeast corner of said parcel; thence N 77°10'10" W along the North Line of said parcel, 10.00 feet to the northwest corner of said parcel; thence S 12°49'50" W along the West Line of said parcel, 10.00 feet to the southwest corner of said parcel; thence N 79°01'06" W, 8.10 feet to a point in the East Right of Way Line of Kingshighway and Walker Branch; thence N 12°49'50" E along said East Right of Way Line, 24.63 feet to the POINT OF BEGINNING, hereby declare that we have caused these presents to be subdivided into two (2) lots as numbered and designated on the annexed plat, which is a true and correct representation of said subdivision, and we have named said subdivision "Rhodes Town Plaza Subdivision", subject to all existing easements, rights of way, restrictions and licenses which may exist thereon, either written or implied. The new utility easement shown hereon is hereby granted to the City of Cape Girardeau, Missouri in perpetuity for public purposes, including the installation, maintenance, repair, replacement, and expansion of City water and sewer systems, and as may be authorized by said City to be used by a public or private utility provider for purposes related to the installation, maintenance, repair, replacement, and expansion of such utility systems. A perpetual non-exclusive cross access easement is hereby established across the existing drive aisles as may from time to time be constructed and maintained for such use on Lots 1 and 2 for the use and benefit of the current and future owners of Lots 1 and 2 and their respective tenants and invitees, for the sole purpose of providing ingress and egress between Lots 1 and 2 and between said Lots and the adjacent access easement and street. The new 20-foot private storm sewer easement shown hereon is hereby established for the use and benefit of the current and future owners of said Lot 2 and their tenants.

IN WITNESS WHEREOF, we have hereunto set our hands this \_\_\_\_\_day of \_\_\_\_\_, 20\_\_\_\_.

Heritage C-Store Investments, LLC

By: \_\_\_\_\_  
Scott M. Rhodes, Manager

By: \_\_\_\_\_  
Jeffrey J. Maurer, Manager

STATE OF MISSOURI )  
COUNTY OF CAPE GIRARDEAU ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2024, before me, a Notary Public in and for said state, personally appeared Scott M. Rhodes and Jeffrey J. Maurer, who being duly sworn did say that they are the Managers of Heritage C-Store Investments, LLC, a Missouri limited liability company, known to me to be the persons who executed the within instrument in behalf of said limited liability company, and acknowledged to me that they executed the same as the free act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public

My commission expires:

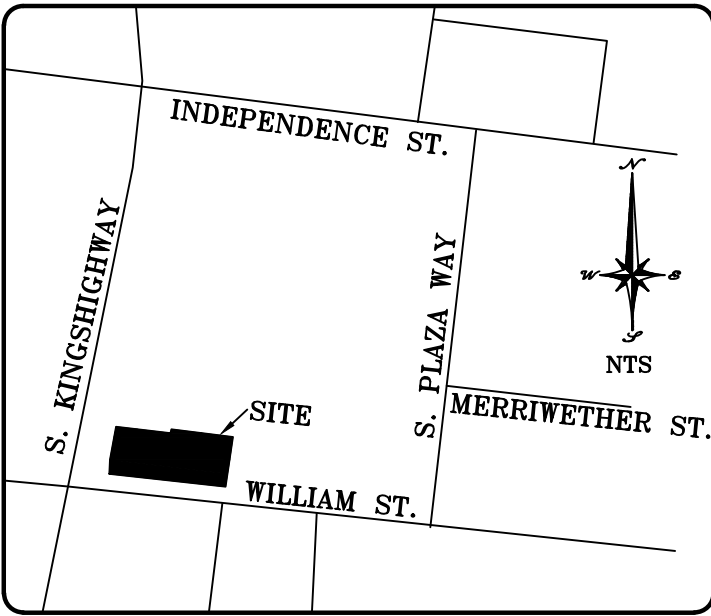
I, \_\_\_\_\_, City Clerk of the City of Cape Girardeau, Missouri hereby certify that this plat was approved by the City of Cape Girardeau, Missouri by Ordinance No. \_\_\_\_\_ passed and approved this \_\_\_\_\_day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_, CITY CLERK,  
CITY OF CAPE GIRARDEAU, MISSOURI

NORTH BASIS -  
GRID NORTH PER  
GPS OBSERVATION

1" = 30'  
GRAPHIC SCALE  
0 15 30 60

VICINITY MAP



SYMBOLS LEGEND

- = 1/2" IRON ROD (FND).
- = 1/2" IRON ROD (SET).
- ▲ = COTTON PICKER SPINDLE (SET).
- SUBDIVISION BOUNDARY LINE.
- NEW LOT LINE.
- PROPERTY LINE TO BE ELIMINATED.
- EXISTING EASEMENT LINE.
- E — E — E NEW EASEMENT LINE.
- ..... BUILDING SETBACK LINE.
- RIGHT-OF-WAY LINE.

REFERENCES

- NORTH BASIS = GRID NORTH PER GPS OBSERVATION.
- GLO PLAT AND NOTES.
- RECORD PLAT DOC. NO. 2018-08243
- PRIOR SURVEYS BY:  
KOEHLER ENGINEERING AND SURVEYING  
FOR: DRURY SOUTHWEST DATED: 12/11/2001  
BOWEN ENGINEERING AND SURVEYING  
FOR: ALTA/NSPS SURVEY FOR RHODES DEVELOPMENT COMPANY, LLC DATED: 12/29/2020  
FOR: ALTA/NSPS SURVEY FOR VERNON E. RHODES FAMILY PARTNER, LLLP DATED: 06/14/2022
- P.O.C. = POINT OF COMMENCEMENT.
- P.O.B. = POINT OF BEGINNING.
- N/F = NOW OR FORMERLY.
- (NTS) = NOT TO SCALE.

LINE	BEARING	DISTANCE
L1	N 65°13'29" W	15.38'
L2	N 10°48'36" E	30.19'
L3	N 12°28'27" E	16.23'
L4	N 12°49'50" E	24.63'
L5	S 79°01'06" E	8.10'
L6	S 77°10'10" E	10.00'
L7	N 12°49'50" E	10.00'
L8	N 77°10'10" W	10.00'
L9	S 12°49'50" W	10.00'
L14	S 06°29'04" W	11.16'
L15	S 60°45'06" E	8.70'

FLOOD PLAIN STATEMENT

THE ENTIRE TRACT OF THE PROPOSED SUBDIVISION IS SHOWN TO BE WITHIN ZONE "X" AS SET FORTH ON COMMUNITY PANEL NO. 29031C0266E WITH AN EFFECTIVE DATE OF 09/29/2011. ZONE "X" IS NOT WITHIN A FLOOD PRONE AREA.

TITLE REFERENCES

DOC. NO. 2024-00113 (SUB)  
DOC. NO. 2024-00114 (SUB)  
DOC. NO. 2024-00112 (REF)  
DOC. NO. 2023-10095 (REF)  
DOC. NO. 2022-07452 (REF)  
DOC. NO. 2021-00066 (REF)  
DOC. NO. 2007-05899 (ADJ)  
DOC. NO. 2012-07799 (ADJ)  
BOOK 628, PAGE 552 (EASE)  
BOOK 635, PAGE 489 (EASE)  
BOOK 321, PAGE 684 (EASE)  
BOOK 514, PAGE 850 (EASE)  
DOC. NO. 2023-09902 (AGREE)  
DOC. NO. 2008-13765 (SUB)

SUBDIVISION NOTES

ZONING  
C-2, HIGHWAY COMMERCIAL DISTRICT  
MINIMUM LOT AREA = NONE  
MINIMUM LOT WIDTH = NONE

SETBACKS  
FRONT YARD: 25 FEET  
REAR YARD: NONE, EXCEPT 20 FEET WHEN ADJACENT TO A RESIDENTIAL USE OR DISTRICT, OR TEN FEET WHEN ADJACENT TO AN AGRICULTURAL USE OR DISTRICT.  
SIDE YARD: NONE, EXCEPT 20 FEET WHEN ADJACENT TO A RESIDENTIAL USE OR DISTRICT, OR TEN FEET WHEN ADJACENT TO AN AGRICULTURAL USE OR DISTRICT.

LOT SIZES  
TOTAL SUBDIVISION AREA = 1.35 ACRES (58856.4 SQ. FEET)  
TOTAL NUMBER OF LOTS = 2  
LARGEST LOT = 0.88 ACRE (38271.8 SQ. FT.)  
SMALLEST LOT = 0.47 ACRE (20584.6 SQ. FT.)

EXCEPTION NOTE  
AN EXCEPTION IS SHOWN FOR THE OMISSION OF THE REQUIRED 10 FOOT UTILITY EASEMENT ALONG THE REAR (NORTH) LOT LINE OF LOT 1 AND ALONG THE FRONT (WEST) AND REAR (NORTH) LOT LINES OF LOT 2.

SUBDIVISION PLAT PREPARED FOR:  
THE RHODES GROUP  
PO BOX 779  
CAPE GIRARDEAU, MO 63702

SURVEY CERTIFICATION

THIS IS TO CERTIFY THAT I HAVE SURVEYED THE FOREGOING DESCRIBED PARCEL OF LAND AND HAVE PREPARED THE ANNEXED PLAT, WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY, TO THE BEST OF MY ABILITY AND THAT SAID PLAT AND SURVEY WERE DONE IN ACCORDANCE WITH THE CURRENT MISSOURI SURVEY STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

STATE OF MISSOURI )  
COUNTY OF CAPE GIRARDEAU ) ss.

Filed for record in the office of the county Recorder of Deeds of Cape Girardeau County, Missouri duly recorded under document number \_\_\_\_\_, at Jackson, Missouri, on this \_\_\_\_\_day of \_\_\_\_\_, 20\_\_\_\_ A.D.

ANDREW DAVID BLATTNER, RECORDER OF DEEDS  
CAPE GIRARDEAU COUNTY, MISSOURI

DEJOURNETT SURVEYING, LLC.  
PROFESSIONAL LAND SURVEYORS  
(LS-2015007724)  
2401 STATE HIGHWAY PP  
SCOTT CITY, MO 63780  
Ph: (573) 579-4524  
mattdejournett@hotmail.com

MATTHEW D. DEJOURNETT  
PROFESSIONAL LAND  
SURVEYOR 2015000226  
2401 STATE HIGHWAY PP  
SCOTT CITY, MO 63780

HERITAGE C-STORE  
INVESTMENTS, LLC  
2146 WILLIAM STREET &  
2148 WILLIAM STREET  
CAPE GIRARDEAU, MO  
CAPE GIRARDEAU COUNTY

DATE: 01/15/2024  
REVISED: 02/12/2024  
REVISED: 02/13/2024  
JOB #: 2022-088  
REVISED:  
DRAWN BY: MDD  
SURVEY CLASS: URBAN

DOWDY AND DEJOURNETT SURVEYING

LARRY D. DOWDY, PLS 1518

MATT DEJOURNETT, PLS 2015000226



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**Staff:** Ryan Shrimplin, AICP - City  
**Agenda:** Planner  
3/18/2024

**AGENDA REPORT**  
Cape Girardeau City Council

**24-045**

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**SUBJECT**

An Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by changing the zoning of property located at 298 North West End Boulevard, in the City and County of Cape Girardeau, Missouri, from C-1 to NC.

**EXECUTIVE SUMMARY**

The attached ordinance rezones the property at 298 North West End Boulevard. The applicant is requesting that the property be rezoned from C-1 (General Commercial District) to NC (Neighborhood Commercial District). The City Council's public hearing on the rezoning request was held on March 4, 2024.

**BACKGROUND/DISCUSSION**

A rezoning application has been submitted for the property at 298 North West End Boulevard. The applicant is requesting that the property be rezoned from C-1 (General Commercial District) to NC (Neighborhood Commercial District).

The adjacent properties are zoned C-1 (General Commercial District) to the north and northwest, and R-3 (High Density Single-Family Residential District) to the east, south, and southwest. This area is characterized by single-family and multifamily residential uses. The Cape Vision 2040 Future Land Use Map shows the subject property as Low Density Residential.

The attached ordinance rezones the property to NC. The City Council's public hearing on the rezoning request was held on March 4, 2024.

**SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS**

In considering a rezoning request, the Planning and Zoning Commission and the City Council must determine if the proposed zoning district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties. The subject property contains a former “corner store” building that originally housed a grocery store on the ground floor and apartments on the upper floor. The property has been zoned C-1 for many years. Residential uses are not permitted in the C-1 district. The apartments were a nonconforming use under the Zoning Code. However, the nonconforming status has expired because the apartments have not been in use for several years. The owner wishes to renovate the building, use the ground floor for a business office and resume using the apartments on the upper level. The NC district permits business offices and also permits residential uses, provided they are located above the first floor or behind nonresidential uses. At the time the Cape Vision 2040 Future Land Use Map was adopted, the building was vacant due to a fire. The future plans for the property were unknown. The Low Density Residential land use category was assigned to the property based on the assumption that it would be redeveloped for single-family dwellings, which did not occur. Given the owner’s plans to keep and renovate the former “corner store” building, the proposed NC district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties.

## STAFF RECOMMENDATION

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The staff report to the Planning and Zoning Commission recommended approval of the rezoning request.

## BOARD OR COMMISSION RECOMMENDATION

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The Planning and Zoning Commission held a public hearing at its February 14, 2024 meeting and recommended approval of the rezoning request by a vote of 8 in favor, 0 in opposition, and 0 abstaining.

## PUBLIC OUTREACH

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The City Council's public hearing was advertised in the Southeast Missourian on January 17, 2024. In addition, a sign containing the date, time, location, and subject of the Planning and Zoning Commission and City Council public hearings was posted on the property. Notices were also mailed to the adjacent property owners.

### **ATTACHMENTS:**

Name:	Description:
<a href="#">298_North_West_End_Rezone.doc</a>	Ordinance
<a href="#">Staff_Review-Referral-Action_Form.pdf</a>	298 North West End Boulevard - Staff RRA Form
<a href="#">Map_-_298_N_West_End_-_Zoning.pdf</a>	298 North West End Boulevard - Zoning Map
<a href="#">Map_-_298_N_West_End_-_FLU.pdf</a>	298 North West End Boulevard - FLU Map
<a href="#">Application_-_298_N_West_End_Rezoning.pdf</a>	298 North West End Boulevard - Application
<a href="#">Sec._30-66._-C-1_General_Commercial_District.pdf</a>	C-1 District Regulations
<a href="#">Sec._30-64._-NC_General_Commercial_District.pdf</a>	NC District Regulations

BILL NO. 24-29

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 30 OF THE CODE OF ORDINANCES OF THE CITY OF CAPE GIRARDEAU, MISSOURI, BY CHANGING THE ZONING OF PROPERTY LOCATED AT 298 NORTH WEST END BOULEVARD, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI, FROM C-1 TO NC

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WHEREAS, the City Planning and Zoning Commission has recommended rezoning all of the property described in Article 1 of this ordinance from C-1, General Commercial District, to NC, Neighborhood Commercial District; and

WHEREAS, Public Notice of such change was given as prescribed in Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, and a public hearing was held on Monday, March 4, 2024; and

WHEREAS, the City Council of the City of Cape Girardeau, Missouri has elected to rezone the property described in Article 1 of this ordinance from C-1, General Commercial District, to NC, Neighborhood Commercial District.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, is hereby amended to change the zoning from the present C-1, General Commercial District, to NC, Neighborhood Commercial District, for the following described property:

298 North West End Boulevard, Cape Girardeau, MO

All of Lot 1 of Al Noor Subdivision as recorded in Document Number 2021-16647 of the county land records, in the City and County of Cape Girardeau, State of Missouri.

ARTICLE 2. The City Council hereby finds and declares that the property described in Article 1 of this ordinance is at the present time particularly suitable for the purposes and uses of the NC, Neighborhood Commercial District, and that such changes authorized hereby are reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties.

ARTICLE 3. This ordinance shall be in full force and effect ten days after its passage and approval.



PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
Stacy Kinder, Mayor

ATTEST:

\_\_\_\_\_  
Bruce Taylor, Deputy City Clerk



**CITY OF CAPE GIRARDEAU, MISSOURI**

City Staff Review, Referral and Action on Rezoning/Special Use Permit Application

FILE NO. **1466**

LOCATION: 298 North West End Boulevard

**STAFF REVIEW & COMMENTS:**

Majeed Investment Group, LLC is requesting to rezone the above listed property from C-1 (General Commercial District) to NC (Neighborhood Commercial District). SEE STAFF REPORT FOR FURTHER INFORMATION

B 832 -  
City Planner

1/30/24  
Date

[Signature]  
City Attorney

1/30/24  
Date

**CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:**

[Signature]  
City Manager

1/31/24  
Date

***Planning & Zoning Commission***

Public Hearing Sign Posting Date: \_\_\_\_\_ Public Hearing Date: \_\_\_\_\_

**RECOMMENDED ACTION:**

	Favor	Oppose	Abstain
Trae Bertrand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Blank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Favor	Oppose	Abstain
Chris Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nick Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sommer McCauley-Perdue	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sid Whittington	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**VOTE COUNT:** 8 Favor 0 Oppose 0 Abstain

**COMMENTS:**

**CITIZENS COMMENTING AT MEETING:**

[Signature]

Chris Martin  
Planning & Zoning Commission Secretary

***City Council Action***

Posting Dates: Sign \_\_\_\_\_ Newspaper \_\_\_\_\_ Public Hearing Date: \_\_\_\_\_

Ordinance 1<sup>st</sup> Reading \_\_\_\_\_ Ordinance 2<sup>nd</sup> & 3<sup>rd</sup> Reading: \_\_\_\_\_

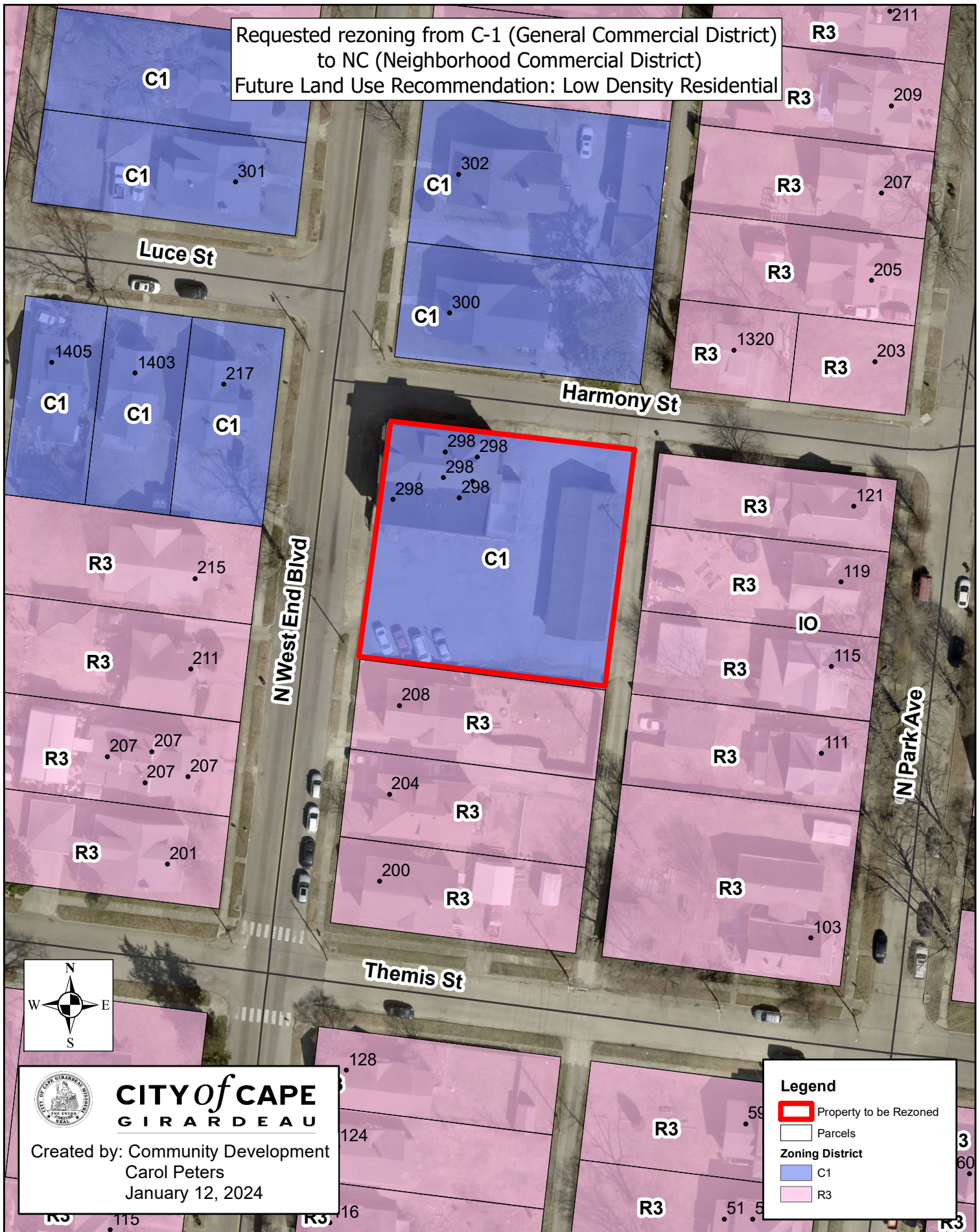
**VOTE COUNT:** \_\_\_\_\_ Favor \_\_\_\_\_ Oppose \_\_\_\_\_ Abstain

**ORDINANCE #** \_\_\_\_\_ **Effective Date:** \_\_\_\_\_

# Rezoning Request

## 298 North West End Boulevard

Requested rezoning from C-1 (General Commercial District)  
to NC (Neighborhood Commercial District)  
Future Land Use Recommendation: Low Density Residential



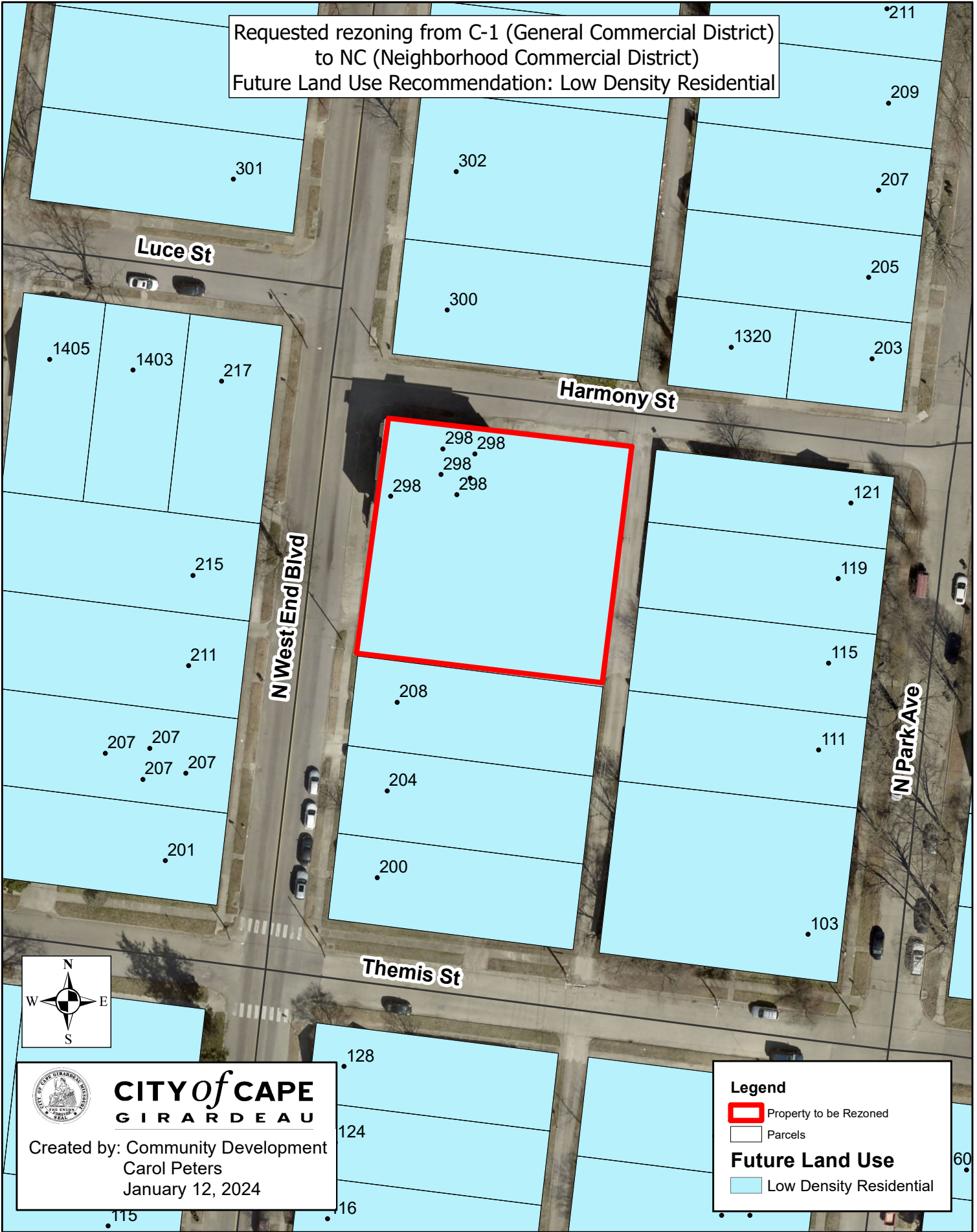
**CITY of CAPE**  
**GIRARDEAU**

Created by: Community Development  
Carol Peters  
January 12, 2024



**Rezoning Request**  
**298 North West End Boulevard**

Requested rezoning from C-1 (General Commercial District)  
to NC (Neighborhood Commercial District)  
Future Land Use Recommendation: Low Density Residential



**CITY of CAPE**  
**GIRARDEAU**

Created by: Community Development  
Carol Peters  
January 12, 2024

**Legend**

- Property to be Rezoned
- Parcels

**Future Land Use**

- Low Density Residential



REZONING / SPECIAL USE PERMIT APPLICATION  
**CITY of CAPE GIRARDEAU**

COMMUNITY DEVELOPMENT DEPARTMENT, 44 NORTH LORIMIER STREET, CAPE GIRARDEAU, MO 63701 (573) 339-6327

Property Address/Location

298 N. West End

Applicant

Majeed Investment Group LLC

Property Owner of Record

☒ Same as Applicant

Mailing Address

3305 Kage Rd

City, State, Zip

Cape Gir., Mo 63701

Mailing Address

City, State, Zip

Telephone

Steve → 573-450-4075

Email

tonimajeed@gmail.com

Telephone

Email

Contact Person

Asif Majeed Toni → (573) 450-1131

(Attach additional owners information, if necessary)

Type of Request

☒ Rezoning ☐ Special Use Permit ☐ Both

Proposed Special Use (Special Use Permit requests only)

Existing Zoning District

Choose a Zoning District C-1

Proposed Zoning District (Rezoning requests only)

Choose a Zoning District NC

Legal description of property to be rezoned and/or upon which the special use is to be conducted

Lot 1 A Inoor Subdivision

Describe the proposed use of the property.

Downstairs will be office space for Majeed Investment Group LLC.  
Upstairs existing apartments will be apartments.

Application continues on next page

OFFICE USE ONLY

Date Received & By 1/2/24 File # 1466 MUNIS Application # 14852 MUNIS Permit # \_\_\_\_\_

Application Fee Received \$ 168 ☒ Check # 2270 ☐ Credit Card ☐ Cash

Planning & Zoning Commission Recommendation \_\_\_\_\_ Date \_\_\_\_\_ City Council Final Action \_\_\_\_\_ Date \_\_\_\_\_

---

**Special Use Criteria (Special Use Permit requests only)**

Explain how the special use permit request meets the criteria below. Attach additional sheets, if necessary.

- 1) The proposed special use will not substantially increase traffic hazards or congestion.
- 2) The proposed special use will not substantially increase fire hazards.
- 3) The proposed special use will not adversely affect the character of the neighborhood.
- 4) The proposed special use will not adversely affect the general welfare of the community.
- 5) The proposed special use will not overtax public utilities.

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**ADDITIONAL ITEMS  
REQUIRED**

See Instructions for more  
information.

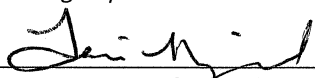
In addition to this completed application form, the following items must be submitted:

- \_\_\_ Base Application fee - \$141.00 payable to City of Cape Girardeau
  - \_\_\_ Planned Development rezoning only - Additional \$84 payable to City of Cape Girardeau
  - \_\_\_ List of adjacent property owners (*see Instructions for requirements*)
  - \_\_\_ One (1) set of mailing envelopes, stamped and addressed to adjacent property owners OR  
\$2.70 per adjacent property owner, if stamped envelopes are not submitted
  - \_\_\_ One (1) full size copy of a plat or survey of the property, if available
  - \_\_\_ One (1) full size set of plans, drawn to an appropriate scale, depicting existing features to be removed, existing features to remain, and all proposed features such as: buildings and structures, paved areas, curbing, driveways, parking stalls, trash enclosures, fences, retaining walls, light poles, detention basins, landscaping areas, freestanding signs, etc. (Planned Development rezonings and Special Use Permits only)
  - \_\_\_ One (1) set of Planned Development documents (Planned Development rezonings only)
- 

**CERTIFICATIONS**

The undersigned hereby certifies that:

- 1) They are the Property Owner(s) of Record for the property described in this application;
- 2) They acknowledge that the special use permit, if approved, will become null and void if the use for which the permit was granted does not commence within twelve (12) months of the approval date, unless an extension has been granted; and
- 3) They acknowledge that they are responsible for ensuring that all required licenses and permits are obtained prior to commencing any use or work on the property.

  
\_\_\_\_\_  
Property Owner of Record Signature and Printed Name

1-8-24  
\_\_\_\_\_  
Date

(Provide additional owners signatures and printed names in the space below, if applicable)

The undersigned hereby certifies that they are an agent duly authorized by the Property Owner(s) of Record to file this application on their behalf, and that the Property Owner(s) of Record hereby agree to the above certifications.

\_\_\_\_\_  
Applicant Signature and Printed Name

\_\_\_\_\_  
Date

### Adjacent properties

- 1) Compass Point Properties LLC  
300 N. West End Blvd  
Cape Girardeau, MO 63701-5310

**Mailing:** 2245 Providence Rd.  
Jackson, MO 63755-8748

- 2) Angela Cooper  
1320 Harmony St.  
Cape Girardeau, MO 63701-5463

**Mailing:** same as above

- 3) Khalid and Naghman Tahsin  
121 N Park Ave  
Cape Girardeau, MO 63701-5445

**Mailing:** 413 Lorraine Dr.  
Cape Girardeau, MO 63701-4949

- 4) Joshua Farrar  
119 N. Park Ave  
Cape Girardeau, MO 63701-0000

**Mailing:** same as above

- 5) David and Marilyn Hubbard  
115 N. Park Ave  
Cape Girardeau, MO 63701-0000

**Mailing:** same as above

- 6) Craig Fitzgerald and Michelle Pike  
111 N. Park Ave  
Cape Girardeau, MO 63701-0000

**Mailing:** same as above

- 7) Cape G Rentals LLC  
208 N. West End Blvd  
Cape Girardeau, MO 63701-5308

**Mailing:** 901 1<sup>st</sup> Capital Dr.  
St. Charles, MO 63301-5308

- 8) Jerry and Melba Keele  
217 N. West End Blvd  
Cape Girardeau, MO 63701-0000

**Mailing:** same as above

- 9) First Church of Christ Scientist  
215 N. West End Blvd  
Cape Girardeau, MO 63701-0000

**Mailing:** same as above

- 10) Dale Randolph  
211 N. West End Blvd  
Cape Girardeau, MO 63701-0000

**Mailing:** same as above



Sec. 30-66. - C-1, General Commercial District.

- (a) *Purpose.* The C-1 district is primarily intended for areas of the city located along minor thoroughfares and adjacent to residential districts. Appropriate uses for this district include commercial developments not requiring long-term outdoor display of merchandise, as well as certain governmental, institutional, and community service facilities. Other uses having the potential to significantly affect adjacent residential districts may be allowed with approval of a special use permit.
- (b) *Permitted principal uses.*
- (1) Art galleries or museums.
  - (2) Banks or other financial institutions.
  - (3) Bed and breakfasts.
  - (4) Commercial day cares.
  - (5) Commercial recreation facilities, excluding driving ranges or outdoor shooting or racing.
  - (6) Funeral homes or mortuaries.
  - (7) Governmental facilities.
  - (8) Health or fitness centers.
  - (9) Institutions of higher education, including business, career or technology schools.
  - (10) Instructional schools for art, dance, music, martial arts or other disciplines.
  - (11) Libraries.
  - (12) Medical marijuana dispensary facilities, as permitted in section 30-118.
  - (13) Microbreweries.
  - (14) Middle schools, secondary schools, or development centers for people with physical, mental or developmental disabilities.
  - (15) Nurseries or greenhouses.
  - (16) Nursing homes.
  - (17) Offices.
  - (18) Parks or playgrounds.
  - (19) Personal service establishments.
  - (20) Pet grooming facilities, excluding kennels.
  - (21) Police or fire stations.
  - (22) Residential treatment facilities.
  - (23) Restaurants or bars.
  - (24) Retail or rental establishments, excluding the sale or rental of outbuildings, vehicles, or large

agricultural or construction equipment.

(25) Television or radio studios, including any transmitting facilities.

(26) Transit terminals.

(27) Veterinary clinics or animal hospitals, excluding livestock.

(28) Wineries.

(c) *Permitted accessory uses.*

(1) Accessory structures and uses customarily incidental to the above uses, as permitted in section 30-106.

(2) Short-term use of shipping containers for accessory uses, as permitted in section 30-105.

(3) Solar energy systems, as permitted in section 30-113.

(d) *Special uses.*

(1) Banquet facilities.

(2) Hotels or motels.

(3) Kennels.

(4) Long-term use of shipping containers for accessory uses, as permitted in section 30-105.

(5) Meeting halls.

(6) Mini warehouses or self-storage units.

(7) Public utilities, except for buildings or accessory structures that are normal and customary in a zoning district which would allow other buildings or structures of the same nature as a use-by-right.

(8) Short-term or long-term use of shipping containers for principal uses, as permitted in section 30-105.

(9) Telecommunication towers, as permitted in section 30-107.

(10) The allowance of additional height up to a total of 60 feet, not to exceed a total of five stories.

(11) Transitional housing.

(12) Uses involving the sale or rental of outbuildings, vehicles, or large agricultural or construction equipment.

(13) Vehicle fueling, service or repair facilities, excluding body or paint shops.

(14) Vehicle washing facilities, including automatic or hand wash.

(15) Wind energy conversion systems, as permitted in section 30-113.

(e) *Standards.*

(1) All storage of merchandise, materials, products or equipment shall be within a fully enclosed building or in an open yard so screened that the items being stored are not visible from the

street or any adjacent property.

- (2) Outdoor display of merchandise is prohibited, except as follows: Merchandise may be displayed outdoors as part of a temporary use, as permitted in section 30-109. Nursery stock, accessory landscaping decorations, and seasonal and holiday decorations may also be displayed outdoors during the appropriate season. Such displays are permitted in accordance with the following provisions:
  - a. Displays shall not be located in a right-of-way.
  - b. Displays shall not be located in parking spaces used to meet the minimum number of parking spaces as required elsewhere in the city Code. Displays that are part of a bazaar, craft sale, garage or yard sale, or similar temporary event are exempt from this requirement, as determined by the city manager.
  - c. Displays shall not impede vehicular or pedestrian access.
  - d. Displays shall not alter the structure of any building.
  - e. Displays shall not create a health or safety hazard.
  - f. Displays shall be well kept and orderly.
  - g. Signs may be displayed as permitted elsewhere in the city Code.
  - h. The display of seasonal items shall be limited to a time period that is customary for the season associated with the display, which shall be at the discretion of the city manager.
- (3) Outdoor service areas and equipment such as loading docks, mechanical equipment, storage areas or waste containers shall be located in the rear or side yard and screened as required elsewhere in the city Code.

(f) *Height, area, width, setback and open space requirements.*

- (1) Maximum height: 40 feet, not to exceed three stories.
- (2) Minimum lot area: None.
- (3) Minimum lot width: None.
- (4) Minimum setbacks:
  - a. Front yard: 25 feet.
  - b. Rear yard: None, except 20 feet when adjacent to a residential use or district, or ten feet when adjacent to an agricultural use or district.
  - c. Side yard: None, except 20 feet when adjacent to a residential use or district, or ten feet when adjacent to an agricultural use or district.
- (5) Minimum open space: 15 percent of the lot area.

(Code 1990, § 30-333; Ord. No. 5211, art. 4, 7-15-2019)

Sec. 30-64. - NC, Neighborhood Commercial District.

- (a) *Purpose.* The NC district is intended to provide small, convenient retail/commercial services and offices that provide convenience goods or personal service primarily to people residing in adjacent residential areas. This district is designed to accommodate compact, commercial uses in residential neighborhoods at intersections or along major streets, or to function as a transition between more intense commercial uses and neighborhoods. Additional requirements for light, air, building design, open space and landscaping are required to alleviate any adverse impact on surrounding neighborhoods.
- (b) *Permitted principal uses.*
  - (1) Commercial day care.
  - (2) Personal service establishments, including, but not limited to, beauty parlors, barber shops, dry cleaning and laundry pick-up, shoe repair, self-service laundromats, express or mailing offices, and hearing aid and eye glass shops.
  - (3) Police and fire stations.
  - (4) Public parks, playgrounds and recreational facilities.
  - (5) Residential uses, provided such uses are located above the first floor or behind nonresidential uses so as to promote continuous nonresidential uses on the first floor level along street frontages.
  - (6) Restaurants and bars, excluding drive-in, pick-up or drive-through facilities.
  - (7) Retail establishments which supply convenience and specialized goods and services, including, but not limited to, groceries, bakery, package liquor, books, candy, dairy products, drugs, flowers, gifts, jewelry, hobby materials, meat, fish and poultry, newsstands, wearing apparel, shoes, clothing, toys, pipe and tobacco and video rental.
  - (8) Pet grooming, with sales of pet grooming products allowed as an accessory use. The following uses are not accessory to this use and are prohibited: overnight pet stays, the sale or breeding of pets, kennels, veterinarian services, runs and outside facilities.
  - (9) Finance, insurance and real estate services, including, but not limited to, banks, insurance offices and security brokers. Banks and financial institutions may include automatic teller machines and drive-through facilities with a maximum of two teller stations or lanes.
- (c) *Permitted accessory uses.*
  - (1) Accessory structures and uses customarily incidental to the above uses, including, but not limited to, garages, and dumpster storage facilities as permitted in section 30-106.
  - (2) Solar energy systems, as permitted in section 30-113.
  - (3) Short-term use of shipping containers for accessory uses, as permitted in section 30-105.
- (d) *Special uses.*

- (1) School and studios for art, dancing, drama, music, photography, interior decorating or similar courses of study.
- (2) Vehicle fueling station, not including service and repair.
- (3) The allowance of additional height, not to exceed 35 feet, as long as additional height does not adversely affect the surrounding neighborhood.
- (4) Wind energy conversion systems, as permitted in section 30-113.
- (5) Public utilities, except for buildings and accessory structures that are normal and customary in a zoning district which would allow other buildings of the same nature as a use-by-right.
- (6) Short-term or long-term use of shipping containers for principal uses, as permitted in section 30-105.
- (7) Long-term use of shipping containers for accessory uses, as permitted in section 30-105.

(e) *Standards.*

- (1) A site plan, meeting the requirements of chapter 25 shall be submitted and approved.
- (2) Buildings shall be designed in individual or small groupings and shall not exceed 16,000 square feet per structure with a maximum footprint of 10,000 square feet, nor exceed two stories in height, except as provided with a special use permit. The commercial development shall be designed and sized in a manner which is architecturally, aesthetically and operationally harmonious with surrounding development.
- (3) No individual retail store, personal service establishment or other permitted use shall have a gross floor area greater than 5,000 square feet.
- (4) All activities and permitted uses except off-street parking and loading facilities, drive-through facilities, public parks and playgrounds, day care activities, outdoor eating and drinking facilities and outdoor music, shall be conducted entirely within a completely enclosed building.
- (5) Utilitarian areas such as loading docks, mechanical equipment, storage areas and dumpsters shall be located at the rear of the building and properly screened as required in chapter 25.
- (6) Streets through adjacent residential areas shall not be used to provide principal access for truck traffic to any nonresidential use in this district except on streets classified as arterials, or collectors.
- (7) All structures in a NC district shall be constructed using materials, surfaces, textures, and colors that are compatible with the surrounding development. Design review shall be performed as part of the site plan review required in chapter 25.
- (8) Lighting shall be designed to be directed away from any adjacent residential area and in accordance with chapter 25.

(f) *Height, area, bulk and setback requirements.*

- (1) Maximum height: Two stories not to exceed 25 feet.
- (2) Minimum lot area: None.
- (3) Maximum density: None.
- (4) Maximum floor area: 16,000 square feet.
- (5) Minimum lot width: None.
- (6) Minimum yard requirements:
  - a. Front yard: 25 feet.
  - b. Rear yard: 20 percent of the lot depth or ten feet, whichever is greater. No more than 25 feet shall be required.
  - c. Side yard: None, except where located adjacent to residential uses, then ten feet.
- (7) Maximum building coverage, including accessory buildings: 35 percent of the lot.

(g) *Open space, landscaping and bufferyard requirements.*

- (1) A minimum of 20 percent of the total lot area shall be devoted to open space, including required yard and bufferyards.
  - (2) Landscaping shall be provided as required in chapter 25.
  - (3) A 20-foot-wide bufferyard shall be required adjacent to any property in the AG, AG-1, RE, R-1, R-2 or R-3 zoning districts. This bufferyard shall comply with the requirements of chapter 25.
- (h) *Parking regulations.* Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in section 25-46. No parking, stopping, or standing of trucks or commercial motor vehicles licensed for a gross weight in excess of 24,000 pounds, except as provided in sections 26-147 and 26-298.

(Code 1990, § 30-331; Ord. No. 5012, art. 5, 10-2-2017)



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**Staff:** Ryan Shrimplin, AICP - City  
**Agenda:** Planner  
3/18/2024

**AGENDA REPORT**  
Cape Girardeau City Council

**24-046**

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**SUBJECT**

An Ordinance granting a special use permit to Midamerica Hotels Corporation for the purposes of constructing, maintaining, and operating two billboards at 2567 and 2649 Veterans Memorial Drive, in the City of Cape Girardeau, Missouri.

**EXECUTIVE SUMMARY**

The attached ordinance grants a special use permit for two billboards at 2567 and 2649 Veterans Memorial Drive. A public hearing on the special use permit request was held on March 4, 2024.

**BACKGROUND/DISCUSSION**

A special use permit application has been submitted for the property at 2567 and 2649 Veterans Memorial Drive, zoned C-2 (Highway Commercial). The property contains an existing brace-style static billboard, which is proposed to be removed. The applicant is requesting a special use permit in order to construct two pole-mounted static billboards. Each proposed billboard is dual-sided, with sign face dimensions of 16 feet high by 50 feet long (800 square feet per sign face, 1,600 square feet total). The overall height of each proposed billboard is 44 feet. The west edge of each sign face is proposed to be within two feet of the Interstate 55 right-of-way. The spacing between the proposed billboards is 1,450 feet. LED lighting (pointing up at the sign faces) is also proposed.

Section 25-109 of the Development Code (Chapter 25 of the City's Code of Ordinances) contains requirements specific to billboards. Because they are located along Interstate 55, the billboards are also subject to Missouri Department of Transportation (MoDOT) regulations, including the requirement to obtain an Outdoor Advertising Permit for each billboard. The applicant has obtained the permits from MoDOT. Refer to the application for more information about the proposed billboards.

Certified copies of the application, application file, and the following applicable sections of the City Code are attached:

Section 30-67 - C-2, Highway Commercial District

Section 30-104 - Special Use Permits

Section 25-109 - Billboards

The attached ordinance grants a special use permit for the two billboards. A public hearing on the special use permit request was held on March 4, 2024.

**SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS**

See the attached staff report for analysis.

## STAFF RECOMMENDATION

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The staff report to the Planning and Zoning Commission recommended approval of the special use permit request, subject to several conditions.

## BOARD OR COMMISSION RECOMMENDATION

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The Planning and Zoning Commission held a public hearing at its February 14, 2024 meeting and recommended approval of the special use permit request, subject to the staff-recommended conditions, with a vote of 7 in favor, 0 in opposition, and 1 abstaining.

## PUBLIC OUTREACH

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The City Council's public hearing was advertised in the Southeast Missourian on February 17, 2024. In addition, a sign containing the date, time, location, and subject of the Planning and Zoning Commission and City Council public hearings was posted on the property. Notices were also mailed to the adjacent property owners.

### **ATTACHMENTS:**

Name:	Description:
<a href="#">SUP_Jansco_Midamerica_Billboards_2567_2649_Veterans_Memdoc</a>	Ordinance
<a href="#">Staff_Review-Referral-Action_Formpdf</a>	2567 & 2649 Veterans Memorial Drive - Staff RRA Form
<a href="#">Agenda_Packet_-_Veteran_Memorial_Drive_Billboard_Request.pdf</a>	2567 & 2649 Veterans Memorial Drive - Staff Report, Maps & Application
<a href="#">Staff_Report_ADDENDUM_P_Z_SUP_2567_2649_Veterans_Memorial_Drive_(Billboards).pdf</a>	2567 & 2649 Veterans Memorial Drive - Staff Report Addendum
<a href="#">Sec. 30-67. - C-2_Highway_Commercial_District.pdf</a>	C-2 District Regulations
<a href="#">Sec. 30-104. - Special_Use_Permits.pdf</a>	Special Use Permit Regulations
<a href="#">Sec. 25-109. - Billboards.pdf</a>	Billboard Regulations

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO MIDAMERICA HOTELS CORPORATION FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, AND OPERATING TWO BILLBOARDS AT 2567 AND 2649 VETERANS MEMORIAL DRIVE, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI

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WHEREAS, Midamerica Hotels Corporation is the owner of certain property and desires to construct, maintain, and operate two billboards for an indefinite period of time on its property located at 2567 and 2649 Veterans Memorial Drive, in the City and County of Cape Girardeau, Missouri; and

WHEREAS, said property is presently zoned C-2, Highway Commercial District; and

WHEREAS, a Special Use Permit is required for said use in the C-2, Highway Commercial District.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. The City Council, having duly considered the application, finds that the granting of the Special Use Permit will not substantially increase traffic hazards, congestion, or fire hazards, nor will it adversely affect the general character of the neighborhood or the general welfare of the community, nor will it overtax public utilities or be in conflict with the comprehensive plan.

ARTICLE 2. A Special Use Permit for the purposes of constructing, maintaining, and operating two billboards in the City and County of Cape Girardeau, Missouri, located on the following described property:

2567 and 2649 Veterans Memorial Drive

All of Lot #4C of Midamerica Crossings Second Subdivision as recorded in Document Number 2019-06481 of the county land records, in the City and County of Cape Girardeau, State of Missouri.

is hereby granted to Midamerica Hotels Corporation, to be effective ten (10) days after the date of passage and approval of this ordinance. The special use shall comply with all regulations set forth in the Zoning Code for the district in which the use is located except those which have been specifically excepted under this permit, and all other applicable ordinances of the City of

Cape Girardeau, Missouri, and any special conditions contained in the Special Use Permit, a copy of which is attached hereto as Exhibit A and incorporated herein by reference. The City Manager is hereby authorized to execute the Special Use Permit for and on behalf of the City of Cape Girardeau, Missouri.

ARTICLE 3. Attached hereto as Exhibit B is the formal Findings and Conclusions of the City Council.

ARTICLE 4. This ordinance shall be in full force and effect ten (10) days after its passage and approval.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
Stacy Kinder, Mayor

ATTEST:

\_\_\_\_\_  
Bruce Taylor, Deputy City Clerk



## **SPECIAL USE PERMIT**

Midamerica Hotels Corporation is hereby granted a Special Use Permit for the purposes of constructing, maintaining, and operating two billboards at 2567 and 2649 Veterans Memorial Drive, in the City and County of Cape Girardeau, Missouri, on the following described property for an indefinite period of time:

All of Lot #4C of Midamerica Crossings Second Subdivision as recorded in Document Number 2019-06481 of the county land records, in the City and County of Cape Girardeau, State of Missouri.

This Special Use Permit is granted upon the condition that the grantee be bound by all City ordinances pertaining to the Special Use Permit and that the grantee be bound by the following special conditions that are imposed as a condition of issuance of this Special Use Permit. Upon the failure of the grantee to comply with these special conditions, the Special Use Permit shall automatically terminate and the City shall have the right to enter upon the land to abate such special use.

### **SPECIAL CONDITIONS:**

1. The special use authorized by this permit shall comply with all applicable laws and regulations except as provided for herein.
2. Major modifications to said special use (including, but not limited to, the site plan) shall require the approval of the City Council.
3. This permit shall automatically expire 12 months from the date of issuance if the building permit for said special use has not been issued.
4. This permit is not transferable without the approval of the City Council.
5. Jansco Outdoor Advertising may carry out the special use authorized by this permit.
6. An exception from Section 25-109(4) of the City Code is hereby granted as a part of this permit. No portion of the northernmost billboard shall be located within 10 feet of the Interstate 55 right-of-way. No portion of the southernmost billboard shall be located within 20 feet of the Interstate 55 right-of-way.

7. An exception from Section 25-109(8) of the City Code is hereby granted as a part of this permit. Each billboard sign face shall not exceed 16 feet in height or 50 feet in length. Each billboard shall be limited to a sign face area of 800 square feet per sign face and 1,600 square feet total.
8. An exception from Section 25-109(9) of the City Code is hereby granted as a part of this permit. The overall height of each billboard shall not exceed 44 feet.

IN WITNESS WHEREOF, the City Manager of the City of Cape Girardeau, Missouri, affixes his signature this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Dr. Kenneth Haskin, City Manager

ATTEST:

\_\_\_\_\_  
Bruce Taylor, Deputy City Clerk





**(IF APPROVED)**  
**CITY OF CAPE GIRARDEAU, MISSOURI**  
**CITY COUNCIL**  
**FINDINGS AND CONCLUSIONS**

Now on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Cape Girardeau City Council considered the application for a Special Use Permit dated January 17, 2024 filed by Midamerica Hotels Corporation for the property located at 2567 and 2649 Veterans Memorial Drive, Cape Girardeau, Missouri, for the purposes of constructing, maintaining, and operating two billboards for an indefinite period of time.

In examining this application, the following factors were considered and found as noted:

	Yes	No	N/A
<u><b>City Council Findings:</b></u>			
The Proposed Special Use, with the stated conditions, would:			
1. Substantially increase traffic hazards or congestion	<u>—</u>	<u>X</u>	<u>—</u>
2. Substantially increase fire hazards	<u>—</u>	<u>X</u>	<u>—</u>
3. Adversely affect the character of the neighborhood; or in respect to special use permits for dwelling purposes where required, be adversely affected by the character of the neighborhood.	<u>—</u>	<u>X</u>	<u>—</u>
4. Adversely affect the general welfare of the community	<u>—</u>	<u>X</u>	<u>—</u>
5. Overtax public utilities.	<u>—</u>	<u>X</u>	<u>—</u>

The comments, testimony, evidence, exhibits, and all other matters presented at the required public hearing are incorporated herein by reference.

Following consideration of the application, the requirements of Section 30-104 and other relevant provisions of the City Code, testimony, exhibits and file contents, the City Council duly deliberated the facts pertaining to the proposal and issued the following conclusion:

**THE APPLICATION IS:**

           Approved  
           Denied  
    X     Approved with conditions specified on the attached Special Use Permit

(SEAL)

CITY OF CAPE GIRARDEAU, MISSOURI

ATTEST: \_\_\_\_\_

\_\_\_\_\_  
 Stacy Kinder, Mayor

\_\_\_\_\_  
 Bruce Taylor, Deputy City Clerk

**(IF DENIED)**  
**CITY OF CAPE GIRARDEAU, MISSOURI**  
**CITY COUNCIL**  
**FINDINGS AND CONCLUSIONS**

Now on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the Cape Girardeau City Council considered the application for a Special Use Permit received January 17, 2024 filed by Midamerica Hotels Corporation for the property located at 2567 and 2649 Veterans Memorial Drive, Cape Girardeau, Missouri, for the purposes of constructing, maintaining, and operating two billboards for an indefinite period of time.

In examining this application, the following factors were considered and found as noted:

	Yes	No	N/A
<b><u>City Council Findings:</u></b>			
The Proposed Special Use, with the stated conditions, would:			
1. Substantially increase traffic hazards or congestion	_____	_____	_____
2. Substantially increase fire hazards	_____	_____	_____
3. Adversely affect the character of the neighborhood; or in respect to special use permits for dwelling purposes where required, be adversely affected by the character of the neighborhood.	_____	_____	_____
4. Adversely affect the general welfare of the community	_____	_____	_____
5. Overtax public utilities.	_____	_____	_____

The comments, testimony, evidence, exhibits, and all other matters presented at the required public hearing are incorporated herein by reference.

Following consideration of the application, the requirements of Section 30-104 and other relevant provisions of the City Code, testimony, exhibits and file contents, the City Council duly deliberated the facts pertaining to the proposal and issued the following conclusion:

**THE APPLICATION IS:**

\_\_\_\_\_ Approved  
\_\_\_\_\_ X Denied  
\_\_\_\_\_ Approved with conditions specified on the attached Special Use Permit

(SEAL)

CITY OF CAPE GIRARDEAU, MISSOURI

ATTEST:

\_\_\_\_\_  
Stacy Kinder, Mayor

\_\_\_\_\_  
Bruce Taylor, Deputy City Clerk

**CITY OF CAPE GIRARDEAU, MISSOURI**  
City Staff Review, Referral and Action on Special Use Permit Application

FILE NO. **1467**

LOCATION: 2567 & 2649 Veterans Memorial Drive

**STAFF REVIEW & COMMENTS:**

Jansco Outdoor is requesting a SUP for billboards on property in the C-2 (Highway Commercial) zoning district at 2567 & 2649 Veterans Memorial Drive. SEE STAFF REPORT FOR FURTHER INFORMATION.

  
City Planner

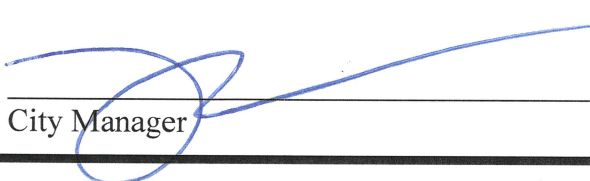
2/2/24  
Date

  
City Attorney

2/5/24  
Date

---

**CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:**

  
City Manager

2/6/24  
Date

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***Planning & Zoning Commission***

Public Hearing Posting Date: \_\_\_\_\_ Public Hearing Date: \_\_\_\_\_

**RECOMMENDED ACTION:**

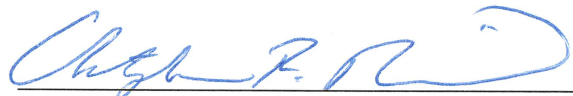
	Favor	Oppose	Abstain
Trae Bertrand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Blank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Derek Jackson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Favor	Oppose	Abstain
Chris Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nick Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sommer McCauley-Perdue	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sid Whittington	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**VOTE COUNT:** 7 Favor 0 Oppose 1 Abstain

**COMMENTS:**

**CITIZENS COMMENTING AT MEETING:**

  
Chris Martin  
Planning & Zoning Commission Secretary

---

***City Council Action***

Public Hearing Posting Date: \_\_\_\_\_ Public Hearing Date: \_\_\_\_\_

Ordinance 1<sup>st</sup> Reading: \_\_\_\_\_ Ordinance 2<sup>nd</sup> & 3<sup>rd</sup> Reading: \_\_\_\_\_

**VOTE COUNT:** \_\_\_\_\_ Favor \_\_\_\_\_ Oppose \_\_\_\_\_ Abstain

**ORDINANCE #** \_\_\_\_\_ **Effective Date:** \_\_\_\_\_

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## ***Planning & Zoning Commission***

<b>APPLICATION FOR:</b>	Special Use Permit
<b>ADDRESS OF PROPERTY:</b>	2567 & 2649 Veterans Memorial Drive
<b>APPLICANT:</b>	Jansco Outdoor
<b>PROPERTY OWNER:</b>	Midamerica Hotels Corporation
<b>REPRESENTATIVE:</b>	David Jansen Jansco Outdoor
<b>REQUESTED SPECIAL USE:</b>	Billboards

## STAFF REPORT

**TO:** Planning and Zoning Commission

**FROM:** Ryan Shrimplin, City Planner *RS*

**MEETING DATE:** February 14, 2024

**SUBJECT:** Special Use Permit Request for Property at 2567 and 2649 Veterans Memorial Drive

---

A special use permit application has been submitted for the property at 2567 and 2649 Veterans Memorial Drive, zoned C-2 (Highway Commercial). The property contains an existing brace-style static billboard, which is proposed to be removed. The applicant is requesting a special use permit in order to construct two pole-mounted static billboards. Each proposed billboard is dual-sided, with sign face dimensions of 16 feet high by 50 feet long (800 square feet per sign face, 1,600 square feet total). The overall height of each proposed billboard is 44 feet. The west edge of each sign face is proposed to be within two feet of the Interstate 55 right-of-way. The spacing between the proposed billboards is 1,450 feet. LED lighting (pointing up at the sign faces) is also proposed.

Section 25-109 of the Development Code (Chapter 25 of the City's Code of Ordinances) contains requirements specific to billboards. Because they are located along Interstate 55, the billboards are also subject to Missouri Department of Transportation (MoDOT) regulations, including the requirement to obtain an Outdoor Advertising Permit for each billboard. The applicant has obtained the permits from MoDOT. Refer to the application for more information about the proposed billboards.

The Zoning Code (Chapter 30 of the City's Code of Ordinances) authorizes the City Council to grant special use permits in accordance with Section 30-104. In order for a special use permit to be granted, the Planning and Zoning Commission and the City Council must consider and make findings of fact with regard to certain criteria. Staff has reviewed the application according to the criteria and made the following findings:

**Criterion #1:** The proposed special use will not substantially increase traffic hazards or congestion.

**Finding:** There are numerous billboards and other signs along Interstate 55, which have not been found to create traffic hazards. The requirements in Section 25-109 ensure that new billboards do not contain features that could





impair or confuse drivers. The proposed billboards do not contain any such features.

Criterion #2: The proposed special use will not substantially increase fire hazards.

Finding: The proposed billboards will be constructed in compliance with the City's construction codes and thus will not increase fire hazards.

Criterion #3: The proposed special use will not adversely affect the character of the neighborhood.

Finding: The subject property is located in a commercial district and is adjacent to an interstate, making it an appropriate location for billboards. There are no residential neighborhoods near the site.

Criterion #4: The proposed special use will not adversely affect the general welfare of the community.

Finding: If the special use permit contains all of the conditions stated at the end of this report, then the proposed billboards will not adversely affect the community.

Criterion #5: The proposed special use will not overtax public utilities.

Finding: The only utility needed for the proposed billboards is electric, which is available on the property.

In reviewing the application, staff determined that the proposed billboards do not meet the following requirements:

- Section 25-109(4) – No billboard shall be placed within 30 feet of a street right-of-way.
- Section 25-109(8) – The maximum area of a billboard sign face shall be 300 square feet. The maximum length of a billboard sign face shall be 30 feet. The maximum total sign face area of a billboard shall be 600 square feet.
- Section 25-109(9) – There shall be a minimum clearance of ten feet from grade of the street to which the billboard is oriented to the bottom of a billboard sign face. There shall be a maximum height of 30 feet from grade of the street to which the billboard is oriented to the top of a billboard sign face.



Staff supports exceptions from Section 25-109(8) and Section 25-109(9) because there are already numerous billboards along Interstate 55 in the city limits that are similar to the proposed billboards in terms of sign face area, sign face length, and overall height. However, staff does not support an exception from Section 25-109(4) because there is a 20-foot wide utility easement and a sanitary sewer main along the Interstate 55 right-of-way in the location of the proposed billboards.

Based on the above findings, staff recommends approval of the special use permit request, subject to the following conditions:

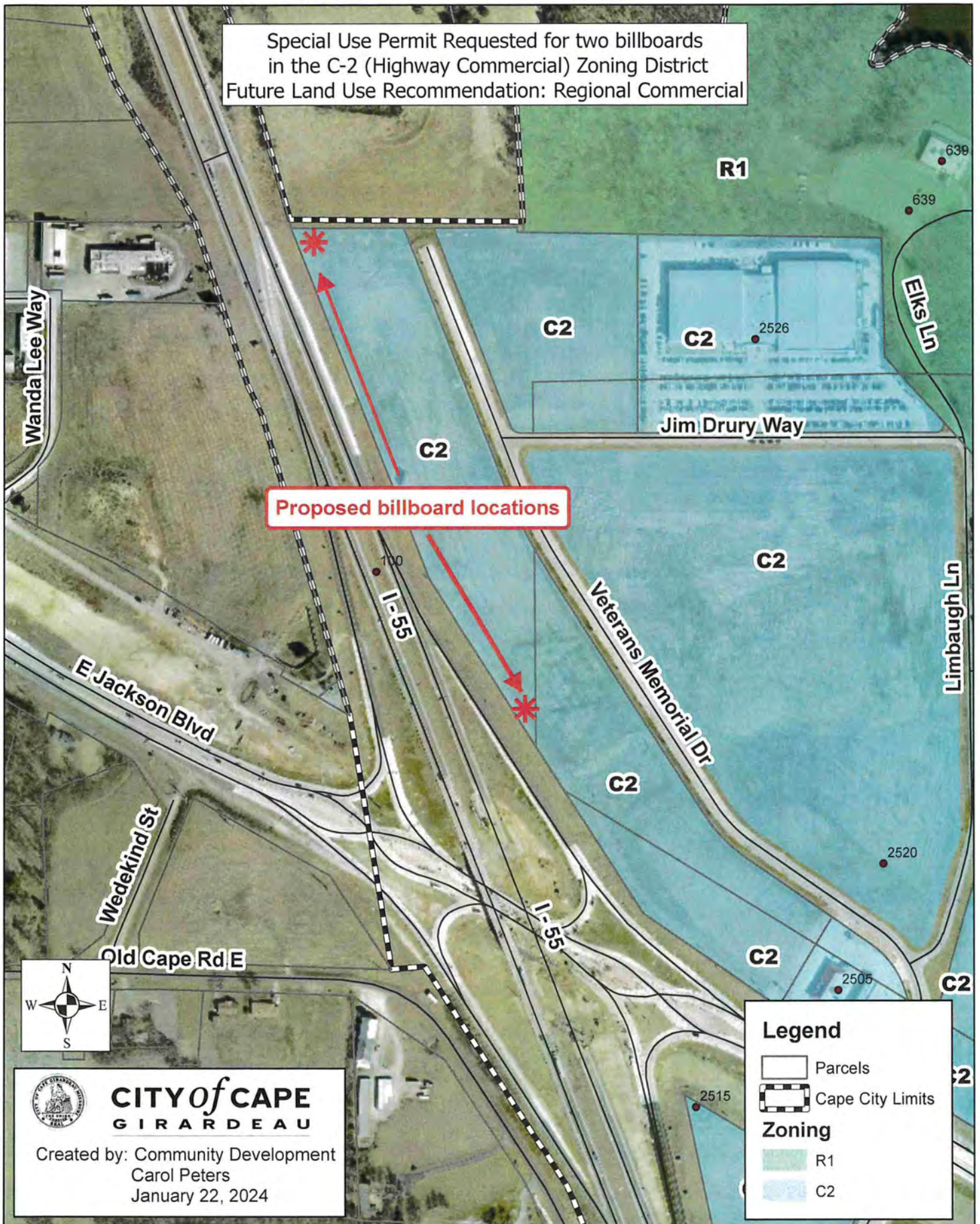
1. The special use authorized by this permit shall comply with all applicable laws and regulations except as provided for herein.
2. Major modifications to said special use (including, but not limited to, the site plan) shall require the approval of the City Council.
3. This permit shall automatically expire 12 months from the date of issuance if the building permit for said special use has not been issued.
4. This permit is not transferable without the approval of the City Council.
5. No portion of the billboards shall be located within 30 feet of the Interstate 55 right-of-way or any other right-of-way.
6. An exception from Section 25-109(8) of the City Code is hereby granted as a part of this permit. Each billboard sign face shall not exceed 16 feet in height or 50 feet in length. Each billboard shall be limited to a sign face area of 800 square feet per sign face and 1,600 square feet total.
7. An exception from Section 25-109(9) of the City Code is hereby granted as a part of this permit. The overall height of each billboard shall not exceed 44 feet.





# 2567 & 2649 Veterans Memorial Drive Special Use Permit Request

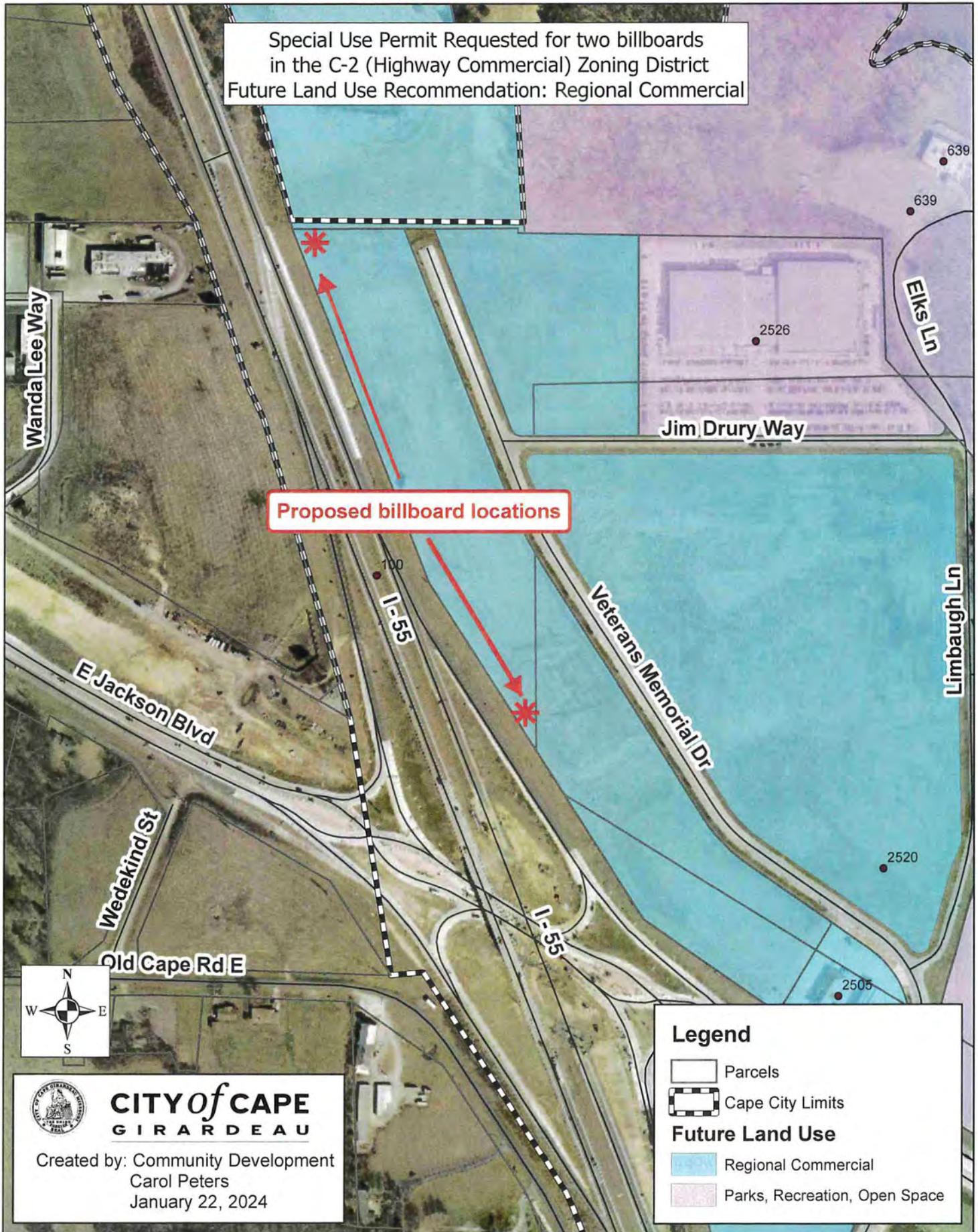
Special Use Permit Requested for two billboards  
in the C-2 (Highway Commercial) Zoning District  
Future Land Use Recommendation: Regional Commercial





# 2567 & 2649 Veterans Memorial Drive Special Use Permit Request

Special Use Permit Requested for two billboards  
in the C-2 (Highway Commercial) Zoning District  
Future Land Use Recommendation: Regional Commercial







REZONING / SPECIAL USE PERMIT APPLICATION  
**CITY of CAPE GIRARDEAU**

COMMUNITY DEVELOPMENT DEPARTMENT, 44 NORTH LORIMIER STREET, CAPE GIRARDEAU, MO 63701 (573) 339-6327

**Property Address/Location**

#1) 37.35429° N 89.60373° W #2) 37.35094° N 89.60192° W [same parcel]

<b>Applicant</b> Jansco Outdoor as agent for MidAmerica Hotels		<b>Property Owner of Record</b> <input type="checkbox"/> Same as Applicant MidAmerica Hotels Corp.	
Mailing Address P.O. Box 65		Mailing Address 4072 St. Hwy. K	
City, State, Zip Gordonville, MO 63752		City, State, Zip Cape Girardeau, MO 63701	
Telephone 573-225-4600	Email davidjansen1003@gmail.com	Telephone 573-334-0546	Email info@midamcorp.com
Contact Person David Jansen		(Attach additional owners information, if necessary)	
<b>Type of Request</b> <input type="checkbox"/> Rezoning <input checked="" type="checkbox"/> Special Use Permit <input type="checkbox"/> Both		<b>Proposed Special Use (Special Use Permit requests only)</b> Remove an outdated structure and replace with two new structures	
<b>Existing Zoning District</b> C-2, Highway Commercial District		<b>Proposed Zoning District (Rezoning requests only)</b> Choose a Zoning District	

**Legal description of property to be rezoned and/or upon which the special use is to be conducted**

All of Lot #4C of MidAmerica Crossings Second Subdivision (see attached platt)

**Describe the proposed use of the property.**

Currently we have a wood pole structure approximately 40 years old (see exhibit A) that we would like to upgrade and install 2 mono pole 16' x 50' billboards (see exhibit B) to promote local business. We are asking for the variance on billboard size to increase visibility from I-55. Current size limits (300 ft<sup>2</sup>) are more suited for in town slower moving traffic. Interstate speeds require shorter viewing times and larger advertising copy. MODOT has already approved the location and size of these two billboards with the agreement that we remove the existing wood pole structure (see attached MODOT permits).

*Application continues on next page*

**OFFICE USE ONLY**

Date Received & By 01-17-24 File # 1467 MUNIS Application # 14917 MUNIS Permit # \_\_\_\_\_  
Application Fee Received \$ \_\_\_\_\_ ☐ Check # \_\_\_\_\_ ☐ Credit Card ☐ Cash  
Planning & Zoning Commission Recommendation \_\_\_\_\_ Date \_\_\_\_\_ City Council Final Action \_\_\_\_\_ Date \_\_\_\_\_

### Special Use Criteria (Special Use Permit requests only)

Explain how the special use permit request meets the criteria below. Attach additional sheets, if necessary.

- 1) The proposed special use will not substantially increase traffic hazards or congestion.  
Billboards do not increase traffic hazards or congestion in any way.
- 2) The proposed special use will not substantially increase fire hazards.  
Billboards do not cause any fire hazards.
- 3) The proposed special use will not adversely affect the character of the neighborhood.  
It will improve the character of the neighborhood by replacing an old outdated structure with 2 brand new structures.
- 4) The proposed special use will not adversely affect the general welfare of the community.  
It will promote business in the community.
- 5) The proposed special use will not overtax public utilities.  
N/A

### ADDITIONAL ITEMS REQUIRED

See Instructions for more  
information.

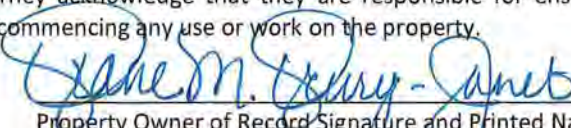
In addition to this completed application form, the following items must be submitted:

- \_\_\_ Base Application fee - \$141.00 payable to City of Cape Girardeau
- \_\_\_ Planned Development rezoning only - Additional \$84 payable to City of Cape Girardeau
- \_\_\_ List of adjacent property owners (see Instructions for requirements)
- \_\_\_ One (1) set of mailing envelopes, stamped and addressed to adjacent property owners OR  
\$2.70 per adjacent property owner, if stamped envelopes are not submitted
- \_\_\_ One (1) full size copy of a plat or survey of the property, if available
- \_\_\_ One (1) full size set of plans, drawn to an appropriate scale, depicting existing features to be removed, existing features to remain, and all proposed features such as: buildings and structures, paved areas, curbing, driveways, parking stalls, trash enclosures, fences, retaining walls, light poles, detention basins, landscaping areas, freestanding signs, etc. (Planned Development rezonings and Special Use Permits only)
- \_\_\_ One (1) set of Planned Development documents (Planned Development rezonings only)

### CERTIFICATIONS

The undersigned hereby certifies that:

- 1) They are the Property Owner(s) of Record for the property described in this application;
- 2) They acknowledge that the special use permit, if approved, will become null and void if the use for which the permit was granted does not commence within twelve (12) months of the approval date, unless an extension has been granted; and
- 3) They acknowledge that they are responsible for ensuring that all required licenses and permits are obtained prior to commencing any use or work on the property.

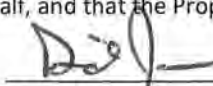
  
Property Owner of Record Signature and Printed Name

1-17-24  
Date

(Provide additional owners signatures and printed names in the space below, if applicable)

DIANE M. DEURY-JANET

The undersigned hereby certifies that they are an agent duly authorized by the Property Owner(s) of Record to file this application on their behalf, and that the Property Owner(s) of Record hereby agree to the above certifications.

  
Applicant Signature and Printed Name

1-17-2024  
Date

David Jansen



**Peters, Carol**

---

**From:** graphics@janscooutdoor.net  
**Sent:** Thursday, January 18, 2024 3:58 PM  
**To:** Shrimplin, Ryan  
**Cc:** Peters, Carol  
**Subject:** RE: Rezoning Special Use Application Jansco Outdoor/MidAmerica Crossings 2nd Subdivision  
**Attachments:** 1 - 16' x 50'.jpg; Property Owner Notification List.pdf  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Ryan,

Overhang of both billboard sign faces will be within 2 feet of I-55 right-of-way. We are requesting this adjustment due to ease of traveling motorists visibility to view and read the advertising messages... the further off the road the message, is the harder it is to read. Also, the further we install the sign pole away from the right-of-way the more apt it is to hinder other fixtures/development to the property.

The area of our standard billboard sign faces for Interstate advertisements is 16' x 50', which is 800 square feet per advertising face. Both faces are 1600 square feet Total on each billboard sign structure. Interstate speeds have shorter viewing times and larger ad copy allow greater viewing opportunity.

The height of the billboard will be 44 feet (see attached sign structure drawing and dimensions). The main reason we need the variance on the 30 feet height limitation from grade of street to top of sign structure is for the traveling public to be able to view what is in the development also.

The length of the billboard will be 50 feet. Again, Interstate advertisements require larger displays to be effective. Current 30 foot limitation length is well suited for in town highways.

On each billboard sign face we will install 3 – 120 watt LED Holophane light fixtures pointing up at the advertising sign face.

Also, the 3 property owners to be notified are listed on the attached Property Owner Notification List.

I will drop off photo pages of proposed billboard placement sights tomorrow morning along with a stamped addressed envelope for MidAmerica Hotels Corporation.

Let me know if you need any other information.

Thank you and have a great evening!



**David Jansen**  
**Jansco Outdoor Advertising**

**Cell:** (573) 225-4600  
**Email:** graphics@janscooutdoor.net

P.O. Box 65, Gordonville, MO 63752

The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.

**From:** Shrimplin, Ryan <rshrimplin@CityofCapeGirardeau.org>  
**Sent:** Thursday, January 18, 2024 9:31 AM  
**To:** graphics@janscooutdoor.net  
**Cc:** Peters, Carol <cpeters@CityofCapeGirardeau.org>  
**Subject:** RE: Rezoning Special Use Application Jansco Outdoor/MidAmerica Crossings 2nd Subdivision

David,

For each of these, we need an explanation as to why you are not able to meet the standard. There needs to be a justification for each. Special use permits have been granted for other billboards along I-55 that meet the standards, so you would need to have a good justification for deviating from each standard.

The edge of each billboard sign face would be 2 feet from the right-of-way line, is that correct?

Each billboard sign face would be 800 square feet, for a total of 1,600 square feet per billboard, is that correct?

The maximum height of 30 feet is from grade of the street to which the billboard is oriented to the top of a billboard sign face. Is the 44 feet the actual height of the billboard? We need the height from the grade of Interstate 55. If the site is higher or lower than the grade of the interstate, then this number needs to be adjusted accordingly.

What about the sign face length? The maximum is 30 feet.

Will the billboard sign faces be illuminated? If so, how?

Also, as we discussed, please provide in list form the names and mailing addresses of the adjacent property owners (including Midamerica Hotels Corporation).

Thank you,

**Ryan Shrimplin, AICP**  
City Planner  
**CITY of CAPE GIRARDEAU**  
44 North Lorimier Street  
Cape Girardeau, MO 63701  
(573) 339-6327 office (573) 339-6303 fax  
[rshrimplin@cityofcapegirardeau.org](mailto:rshrimplin@cityofcapegirardeau.org)

**From:** [graphics@janscooutdoor.net](mailto:graphics@janscooutdoor.net) <[graphics@janscooutdoor.net](mailto:graphics@janscooutdoor.net)>  
**Sent:** Thursday, January 18, 2024 8:17 AM  
**To:** City Planning <[cityplanning@CityofCapeGirardeau.org](mailto:cityplanning@CityofCapeGirardeau.org)>  
**Subject:** Rezoning Special Use Application Jansco Outdoor/MidAmerica Crossings 2nd Subdivision

Ryan, good morning! To follow up with our conversation yesterday afternoon, the items we are requesting to be adjusted are as follows:

- Section 25-109 Billboards #4: Overhang of billboard face will be within of 2 feet of I-55 right away



- Section 25-109 Billboards #8: The area of our billboard sign face is 800 square feet
- Section 25-109 Billboards #9: The height of the billboard will be 44 feet

Thank you for your time and attention to this matter.

Have a great day!

**David Jansen**



**Cell:** (573) 225.4600

**Graphics Email:**

[graphics@janscooutdoor.net](mailto:graphics@janscooutdoor.net)

Jansco Outdoor Advertising  
P.O. Box 65  
Gordonville, MO 63752



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CA  
GIRAR  
LOD  
NO

**NEW SIGN  
STRUCTURE**

2649



CRADER  
TIRE &  
RETREAD  
SERVICE  
INC

**CURRENT  
WOOD POLE  
SIGN**

CITY OF CAPE  
GIRARDEAU

Jim Drury Way

2599

**NEW SIGN  
STRUCTURE**



2567

Limbaugh Ln



old

Cape Co



GRAPHIC SCALE

( IN FEET )  
1 inch = 100 ft.

I, Daniel M. Drury, President of Victorian Inns, Inc. NKA Midamerica Hotels Corporation, a Missouri Corporation, owner in fee of all of Lot Number 4 of Midamerica Crossings as recorded in Document Number 2016-14200 of the County land records, in the City and County of Cape Girardeau, State of Missouri, do hereby subdivide said tract into lots as shown hereon, and do hereby name said subdivision, "Midamerica Crossings Second Subdivision"

Daniel M. Drury  
President of Victorian Inns Inc. NKA Midamerica Hotels Corporation

STATE OF MISSOURI  
COUNTY OF CAPE GIRARDEAU

On this 11 day of June, 2014, before me, a Notary Public for said County and State, appeared Daniel M. Drury, President of Victorian Inns, Inc. N/A Midamerica Hotels Corporation, a Missouri Corporation, to me known to be the person described herein, and who executed the foregoing instrument as the free act and deed of said Corporation.

IN WITNESS WHEREOF, I hereunto set my hand and affix my official seal this 11<sup>th</sup> day of June, A.D. 2011.

My commission expires June 09, 2024

Notary Public

Gayle L. Powell City Clerk of the City of Cape Girardeau, Missouri, hereby certify that this plot was approved by the City of Cape Girardeau, Missouri.

by Ordinance No. 5202 passed and approved

THIS 1<sup>st</sup> day of July, A.D. 2014

City Clerk, City of Cape Girardeau, Missouri

STATE OF MISSOURI  
COUNTY OF CAPE GIRARDEAU

Filed for record this 1<sup>st</sup> day of July A.D. 2019 in Document Number 2019-00418

Andrew David Blattner, Recorder of Deeds  
Cape Girardeau County, Missouri

LINE #	DIRECTION	LENGTH
L1	S58° 55' 05"E	75.17
L2	N80° 43' 57"E	70.55
L3	N11° 04' 02"E	14.00
L4	S12° 17' 16"E	56.39
L5	N05° 18' 47"W	17.82
L6	N31° 06' 26"E	215.90

CURVE #	LENGTH	RADIUS	CHORD DIRECTION	CHORD LENGTH
C1	98.78'	341.25'	S04° 10' 06"E	98.45'
C2	30.08'	260.00'	N08° 37' 40"W	30.07'
C3	196.60'	260.00'	N33° 36' 17"W	191.95'

THIS SURVEY OF A TRACT OF URBAN PROPERTY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS IN THE STATE OF MISSOURI AS MADE EFFECTIVE JUNE 30, 2017.

**LOT SIZES**  
TOTAL NUMBER OF LOTS: 3  
SMALLEST LOT SIZE: 15,509 SQ. FT. (0.35 ACRES)  
LARGEST LOT SIZE: 765,223 SQ. FT. (17.58 ACRES)  
**ZONING**

**C-2 (HIGHWAY COMMERCIAL DISTRICT)  
BUILDING SETBACKS  
FOR C-2 ZONING**

FRONT: 25 FEET  
REAR & SIDE: NONE, EXCEPT 20 FEET WHEN ADJACENT TO A RESIDENTIAL USE OR DISTRICT, OR 10 FEET WHEN ADJACENT TO AN AGRICULTURAL USE OR DISTRICT.

DISTRICT  
AREA AND BULK  
FOR C-2 ZONING

MINIMUM LOT AREA: None  
MINIMUM LOT WIDTH: None

**RECORD OWNER**  
MIDAMERICA HOTELS CORPORATION  
DEED BOOK 464 PAGE 554  
DEED BOOK 407 PAGE 271  
DOC. #2008-11929

DEVELOPER OF SUBDIVISION  
AND PLAT PREPARED FOR:

MIDAMERICA HOTELS CORPORATION  
105 SOUTH MOUNT AUBURN ROAD  
CAPE GIRARDEAU, MO 67303  
(314) 334-0540

PLAT PREPARED BY AND LAND  
SURVEYING SERVICES PROVIDED BY:

154 COKER LANE  
CAPE GIRARDEAU, MO 63701  
(573) 335-3026

Midamerica Crossings  
Doc. No. 2016-14260

[illegible]

NO PORTION OF THE PROPERTY FALLS WITHIN THE 100 YEAR FLOODPLAIN, AS INDICATED ON THE FLOOD INSURANCE RATE MAP NUMBER 29031C0251E WITH AN EFFECTIVE DATE OF SEPTEMBER 29, 2011

	FOUND 1/2" IRON ROD
	FOUND 5/8" IRON ROD
	SET 1/2" IRON ROD
	ROAD RIGHT-OF-WAY LINE
	ROAD CENTERLINE
	SUBDIVISION BOUNDARY LINE
	PROPOSED LOT LINE
	BUILDING SETBACK LINE
	EXISTING EASEMENT LINE
	EXISTING LOT LINE
	EASEMENT LINE

NOTE: 1/2" RODS SET AT ALL LOT CORNERS  
UNLESS OTHERWISE INDICATED

RECORD PLAT OF:  
MIDAMERICA CROSSINGS SECOND  
SUBDIVISION

AMERICA HOTELS CORPORATION - C/O MR DANIEL M. DURY, PRESIDENT  
105 SOUTH MOUNT AUBURN ROAD - CAPE GIRARDEAU, MO 63703

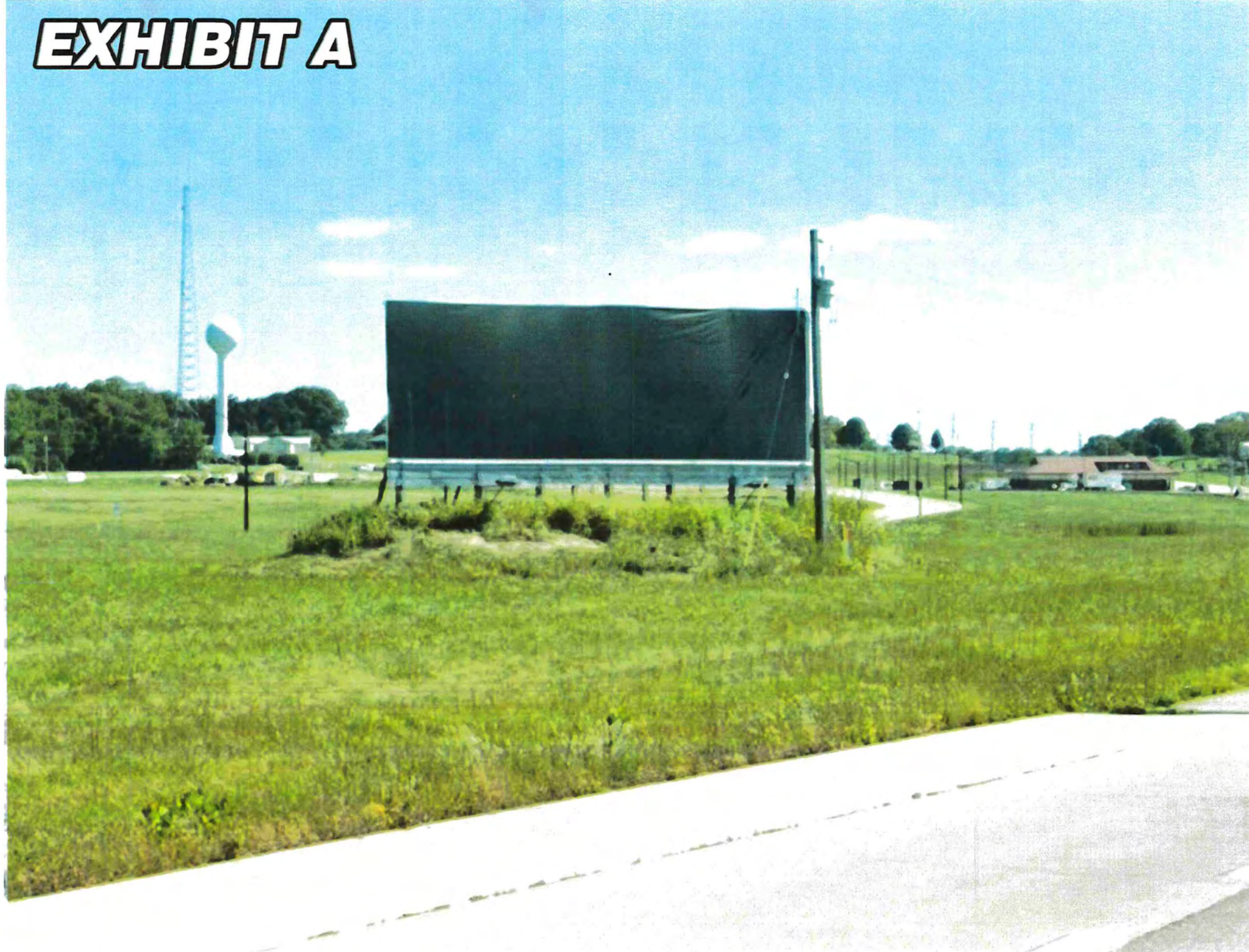


## RECORD PLAT

KELS PJCT NO	OWNER NO.
34470	
SURVEYED BY	
CR	
DRAWN BY	SHEET NO.
EB	
CHECKED BY	
CR	
DATE	
05-14-2019	



# ***EXHIBIT A***





**EXHIBIT B**





# North Sign





# South Sign







MISSOURI DEPARTMENT OF TRANSPORTATION

**OUTDOOR ADVERTISING PERMIT**

MoDOT Permit Number: 214007

Expiration Date: 4/7/2025

☒ Conforming Permit      ☐ Conforming Out of Standard      ☐ Nonconforming Permit

In accordance with Section 226.550 RSMo and 7 CSR 10-6.070, this BILLBOARD permit is being issued to MID-AMERICA HOTELS CORP, 105 S MT AUBURN RD, CAPE GIRARDEAU, MO 63703 for a CONFORMING sign in a(n) COMMERCIAL area located along IS 55 N at county log mile 8.374 on the RIGHT side of the road in CAPE GIRARDEAU County on property owned by MID-AMERICA HOTELS CORP, 105 S MT AUBURN RD , CAPE GIRARDEAU, MO 63703.

This permit is conditioned upon the accuracy and continued existence of the material facts as represented by the applicant in the "Missouri Department of Transportation Application for Permit to Erect and/or Maintain Outdoor Advertising" (**Permit Application**) and on the applicant's complete compliance with Sections 226.500 to 226.600 RSMo, as amended and 7 CSR 10-6, as amended. This Outdoor Advertising Permit incorporates by reference the Permit Application and any written amendments thereto, as if restated herein word for word. At any time after the permit is issued, the Missouri Highways and Transportation Commission reserves the right to remove the sign at the applicant's expense if it finds, in its sole determination, that the applicant misrepresented the facts in the Permit Application, the material facts represented in the Permit Application cease to exist, or the applicant failed to comply with the above referenced statutes and regulations. If at any time, this sign is completely destroyed, this permit becomes void and the sign cannot be rebuilt until a new permit is issued.

Ed Hassinger  
Chief Engineer

Date Printed: 4/7/2023

Additional forms and information available at [http://www.modot.org/business/Outdoor\\_Advertising](http://www.modot.org/business/Outdoor_Advertising)

*Our mission is to provide a world-class transportation system that is safe, innovative, reliable and dedicated to a prosperous Missouri.*



MISSOURI DEPARTMENT OF TRANSPORTATION

**OUTDOOR ADVERTISING PERMIT**

MoDOT Permit Number: 214008

Expiration Date: 4/7/2025

☒ Conforming Permit      ☐ Conforming Out of Standard      ☐ Nonconforming Permit

In accordance with Section 226.550 RSMo and 7 CSR 10-6.070, this BILLBOARD permit is being issued to MID-AMERICA HOTELS CORP, 105 S MT AUBURN RD, CAPE GIRARDEAU, MO 63703 for a CONFORMING sign in a(n) COMMERCIAL area located along IS 55 N at county log mile 8.093 on the RIGHT side of the road in CAPE GIRARDEAU County on property owned by MID-AMERICA HOTELS CORP, 105 S MT AUBURN RD, CAPE GIRARDEAU, MO 63703.

This permit is conditioned upon the accuracy and continued existence of the material facts as represented by the applicant in the "Missouri Department of Transportation Application for Permit to Erect and/or Maintain Outdoor Advertising" (**Permit Application**) and on the applicant's complete compliance with Sections 226.500 to 226.600 RSMo, as amended and 7 CSR 10-6, as amended. This Outdoor Advertising Permit incorporates by reference the Permit Application and any written amendments thereto, as if restated herein word for word. At any time after the permit is issued, the Missouri Highways and Transportation Commission reserves the right to remove the sign at the applicant's expense if it finds, in its sole determination, that the applicant misrepresented the facts in the Permit Application, the material facts represented in the Permit Application cease to exist, or the applicant failed to comply with the above referenced statutes and regulations. If at any time, this sign is completely destroyed, this permit becomes void and the sign cannot be rebuilt until a new permit is issued.

Ed Hassinger  
Chief Engineer

Date Printed: 4/7/2023

Additional forms and information available at [http://www.modot.org/business/Outdoor\\_Advertising](http://www.modot.org/business/Outdoor_Advertising)

*Our mission is to provide a world-class transportation system that is safe, innovative, reliable and dedicated to a prosperous Missouri.*

## **Property Owner Notification List:**

Bob Crader  
Crader Tire  
5218 Birk Lane  
Jackson, MO 63755

LR Roper  
167 Red Fox Lane  
Cape Girardeau, MO 63701

MidAmerica Hotels Corporation  
4072 State Highway K  
Cape Girardeau, MO 63701



## STAFF REPORT ADDENDUM

**TO:** Planning and Zoning Commission

**FROM:** Ryan Shrimplin, City Planner

**MEETING DATE:** February 14, 2024

**SUBJECT:** Special Use Permit Request for Property at 2567 and 2649 Veterans Memorial Drive

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After the staff report was issued, staff had a follow-up discussion with the applicant about the proposed placement of the billboards within 30 feet of the Interstate 55 right-of-way. Initially, staff did not support any encroachment on the 30-foot setback. Based on additional information obtained from the follow-up discussion, staff now recommends approval of the special use permit request, subject to the following conditions:

1. The special use authorized by this permit shall comply with all applicable laws and regulations except as provided for herein.
2. Major modifications to said special use (including, but not limited to, the site plan) shall require the approval of the City Council.
3. This permit shall automatically expire 12 months from the date of issuance if the building permit for said special use has not been issued.
4. This permit is not transferable without the approval of the City Council.
5. An exception from Section 25-109(4) of the City Code is hereby granted as a part of this permit. No portion of the northernmost billboard shall be located within 10 feet of the Interstate 55 right-of-way. No portion of the southernmost billboard shall be located within 20 feet of the Interstate 55 right-of-way.
6. An exception from Section 25-109(8) of the City Code is hereby granted as a part of this permit. Each billboard sign face shall not exceed 16 feet in height or 50 feet in length. Each billboard shall be limited to a sign face area of 800 square feet per sign face and 1,600 square feet total.
7. An exception from Section 25-109(9) of the City Code is hereby granted as a part of this permit. The overall height of each billboard shall not exceed 44 feet.



Sec. 30-67. - C-2, Highway Commercial District.

(a) *Purpose.* The C-2 district provides for commercial uses typically found along major thoroughfares, which are generally more intensive than uses permitted in the other commercial districts. As such, this district is primarily intended for areas of the city located in high-volume traffic corridors. In addition to uses permitted in the C-1 district, the C-2 district permits commercial developments requiring long-term outdoor display of merchandise. Other uses having the potential to significantly affect adjacent residential and commercial districts may be allowed with approval of a special use permit.

(b) *Permitted principal uses.*

- (1) Arenas or stadiums.
- (2) Art galleries or museums.
- (3) Auditoriums or theaters.
- (4) Banks or other financial institutions.
- (5) Banquet facilities.
- (6) Bed and breakfasts.
- (7) Commercial day cares.
- (8) Commercial recreation facilities.
- (9) Driving ranges.
- (10) Funeral homes or mortuaries.
- (11) Governmental facilities.
- (12) Health or fitness centers.
- (13) Helicopter landing pads, heliports or other landing areas in relationship with a hospital.
- (14) Hospitals.
- (15) Hotels or motels.
- (16) Institutions of higher education, including business, career or technology schools.
- (17) Instructional schools for art, dance, music, martial arts or other disciplines.
- (18) Kennels.
- (19) Libraries.
- (20) Medical marijuana dispensary facilities, as permitted in section 30-118.
- (21) Meeting halls.
- (22) Microbreweries.
- (23) Mini warehouses or self-storage units.
- (24) Nurseries or greenhouses.

- (25) Nursing homes.
- (26) Offices.
- (27) Outdoor storage facilities for recreational vehicles or watercraft.
- (28) Parks or playgrounds.
- (29) Personal service establishments.
- (30) Pet grooming facilities.
- (31) Police or fire stations.
- (32) Residential treatment facilities.
- (33) Restaurants or bars.
- (34) Retail or rental establishments.
- (35) Television or radio studios, including any transmitting facilities.
- (36) Transit terminals.
- (37) Transitional housing.
- (38) Vehicle fueling, service or repair facilities, excluding body or paint shops.
- (39) Vehicle washing facilities, automatic or hand wash.
- (40) Veterinary clinics or animal hospitals.
- (41) Warehouses or distribution centers.
- (42) Wineries.

(c) *Permitted accessory uses.*

- (1) Accessory structures and uses customarily incidental to the above uses, as permitted in section 30-106.
- (2) Short-term use of shipping containers for accessory uses, as permitted in section 30-105.
- (3) Solar energy systems, as permitted in section 30-113.

(d) *Special uses.*

- (1) Amusement parks.
- (2) Billboards, as permitted elsewhere in the city Code.
- (3) Campgrounds, travel trailer or recreational vehicle parks.
- (4) Long-term use of shipping containers for accessory uses, as permitted in section 30-105.
- (5) Manufactured business units, for office use only.
- (6) Public utilities, except for buildings or accessory structures that are normal and customary in a zoning district which would allow other buildings or structures of the same nature as a use-by-right.
- (7)

Short-term or long-term use of shipping containers for principal uses, as permitted in section 30-105.

(8) Telecommunication towers, as permitted in section 30-107.

(9) The allowance of additional height up to a total of 100 feet, not to exceed a total of eight stories.

(10) Vehicle body or paint shops.

(11) Wind energy conversion systems, as permitted in section 30-113.

(e) *Standards.*

(1) Outdoor display of merchandise is permitted in accordance with the following provisions:

a. Displays shall not be located in a right-of-way.

b. Displays shall not be located in parking spaces used to meet the minimum number of parking spaces as required elsewhere in the city Code. Vehicles for sale or rental and displays that are part of a bazaar, craft sale, garage or yard sale, or similar temporary event are exempt from this requirement, as determined by the city manager.

c. Displays shall not impede vehicular or pedestrian access.

d. Displays shall not alter the structure of any building.

e. Displays shall not create a health or safety hazard.

f. Displays shall be well kept and orderly.

g. Signs may be displayed as permitted elsewhere in the city Code.

h. The display of seasonal items shall be limited to a time period that is customary for the season associated with the display, which shall be at the discretion of the city manager.

(2) Outdoor service areas and equipment, storage areas, and waste containers shall be located in the rear or side yard and screened as required elsewhere in the city Code.

(f) *Height, area, width, setback and open space requirements.*

(1) Maximum height: 60 feet, not to exceed five stories.

(2) Minimum lot area: None.

(3) Minimum lot width: None.

(4) Minimum setbacks:

a. Front yard: 25 feet.

b. Rear yard: None, except 20 feet when adjacent to a residential use or district, or ten feet when adjacent to an agricultural use or district.

c. Side yard: None, except 20 feet when adjacent to a residential use or district, or ten feet when adjacent to an agricultural use or district.

(5) Minimum open space: 15 percent of the lot area.



Sec. 30-104. - Special use permits.

- (a) *Purpose.* Subject to the provisions of this section, the city council may, by ordinance on its own motion or on application, grant a special use permit for any special use specifically identified in the zoning district in which the special use is proposed. The city council may impose appropriate conditions and safeguards for the issuance of the special use permit, such as a limitation of the duration of the special use, a limitation of the parties who may carry out such use, and limitations upon or requirements for the size or design of buildings and other improvements on the property. In cases where a special use permit application is submitted for a property in the H district, the historic preservation commission shall make a recommendation to the city council in lieu of approving or denying a certificate of appropriateness for any work covered by the special use permit.
- (b) *Application for special use permit.* Application for a special use permit shall be submitted to the city manager using a form provided by the city and contain all necessary information as determined by the city manager. The special use permit fee shall be per the city's fee schedule. Such application shall be processed in the same manner as provided in section 30-32 relating to application for a zoning district change.
- (1) In reviewing an application for a special use permit, the city council shall determine whether or not the proposed special use will:
- Substantially increase traffic hazards or congestion;
  - Substantially increase fire hazards;
  - Adversely affect the character of the neighborhood;
  - Adversely affect the general welfare of the community; and
  - Overtax public utilities.
- (2) If the council's finding is negative as to all of the criteria in subsection (b)(1) of this section, the application may be granted; if affirmative as to any of the aforementioned criteria, then such special use permit shall be denied.
- (3) Any use for which a special use permit is granted shall otherwise comply with all of the regulations set forth in this chapter for the zoning district in which such use is located.

(Code 1990, § 30-401; Ord. No. 5012, art. 7, 10-2-2017)

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Sec. 25-109. - Billboards.

Billboards shall be erected only upon approval of a special use permit, as set out in section 30-104. In addition to the requirements of section 30-104, the following regulations apply to the erection of billboards:

- (1) Billboards shall be allowed only in the C-2, PD, M-1 and M-2 zoning districts.
- (2) Billboards shall be allowed only on parcels of land bordering the following streets:
  - a. Interstate 55.
  - b. William Street (Route K), west of Kingshighway.
  - c. Missouri Route 74, west of Kingshighway.
  - d. Kingshighway from Boulder Crest Drive south to Interstate 55.
- (3) No billboard shall be placed within 1,400 feet of another billboard. This section shall not apply to billboards which are located on opposite sides of the street to which the billboard is oriented.
- (4) No billboard shall be placed within 30 feet of a street right-of-way.
- (5) No billboard shall be placed within 100 feet of a property line of a property which is used for residential purposes.
- (6) For the purposes of placing billboards, a V-shaped billboard or a back-to-back type of billboard shall be considered one billboard. Sign faces of less than 150 square feet may be placed between billboard faces at the apex of the "V" or across the rear of the "V," but no such sign shall be oriented toward a street upon which billboards are not allowed. The angle of all sign faces shall be oriented so that they are between 75 degrees and 90 degrees to the street on which the billboard is permitted.
- (7) No billboard shall be located in such a manner as to obscure an official traffic sign, signal or device, or obstruct a driver's view of approaching or intersection traffic.
- (8) The maximum area of a billboard sign face shall be 300 square feet. The maximum length of a billboard sign face shall be 30 feet. The maximum total sign face area of a billboard shall be 600 square feet.
- (9) There shall be a minimum clearance of ten feet from grade of the street to which the billboard is oriented to the bottom of a billboard sign face. There shall be a maximum height of 30 feet from grade of the street to which the billboard is oriented to the top of a billboard sign face.
- (10) Audio speakers are prohibited in association with any billboard.
- (11) Electronic, video or digital billboard images or any portion thereof shall have a minimum duration of at least eight seconds and shall be a static display. No portion of the image may flash, scroll, twirl, change color, or in any manner imitate movement.

(12) Billboards may be illuminated, subject to the following instructions:

- a. No revolving or rotating beam or beacon of light shall be permitted as part of any billboard. Flashing devices shall not be permitted upon a billboard. However, changeable copy signs, such as those used for time and temperature displays, shall be permitted, but shall not be permitted to operate in a flashing or scrolling manner.
- b. External lighting, such as flood lights, thin line and gooseneck reflectors, are permitted, provided the light source is directed on the face of the billboard and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the street.
- c. The illumination of any billboard within 100 feet of a property line which is used for residential purposes shall be diffused or indirect in design to prevent direct rays of light from shining into adjoining residential districts.
- d. Electronic, video or digital billboard images shall be equipped with automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night. The maximum luminance produced by electronic, video or digital billboard images shall not exceed 0.3 footcandle greater than the ambient light level.

(13) The following billboards shall not be permitted to remain or to be erected:

- a. Billboards which have been erected without a building permit.
- b. Billboards that employ any stereopticon or motion picture projection, or any portion of which gives the illusion of motion. This includes any electronic graphic signs or video displays, but does not include signs that contain changeable copy, such as time and temperature.
- c. Billboards which are not clean, not in good repair, not structurally sound, or obsolete (billboards shall not be considered obsolete solely because they temporarily do not carry an advertising message).
- d. Billboards which appear to attempt to regulate, warn, or direct the movement of traffic or which interfere with, imitate, or resemble any official traffic sign, signal or device.
- e. Billboards which are erected or maintained upon trees or painted or drawn upon rocks or other natural features.
- f. Billboards which are nonconforming and damaged or destroyed to an extent of more than 60 percent of the replacement cost.
- g. Billboards that prevent ingress or egress from any doors, windows, or fire escapes.
- h. Billboards that are attached to a standpipe or fire escape.

(Code 1990, § 25-401; Ord. No. 4178, art. 1, 12-6-2010)

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**Staff:** Lisa Mills, Finance Director  
**Agenda:** 3/18/2024

**AGENDA REPORT**  
Cape Girardeau City Council

**24-047**

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**SUBJECT**

A Resolution adopting the 2024-2029 Capital Improvements Program, in the City of Cape Girardeau, Missouri.

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**EXECUTIVE SUMMARY**

In accordance with requirements of the City Charter, a Public Hearing regarding the 2024-2029 Capital Improvements Program was held Monday, March 4, 2024. Staff has prepared a Resolution for the adoption of the proposed Capital Improvements Program. The City Charter requires the Capital Improvements Program be adopted on or before April 1, 2024.

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**SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS**

The annual review of the capital needs of the community focuses attention on improving and constructing capital assets necessary for providing the services, facilities and infrastructure expected by residents and businesses. It allows our community to offer a sustainable, enhanced quality of life with the financial resources available and those approved by the voters.

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**STAFF RECOMMENDATION**

Staff recommends the City Council approve the attached Resolution to adopt the 2024-2029 Capital Improvements Program.

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**PUBLIC OUTREACH**

A Public Hearing was held on March 4, 2024 to provide community input on the proposed Capital Improvements Program.

**ATTACHMENTS:**

Name:	Description:
<input type="checkbox"/> <a href="#">Adopt_Capital_Improvements_Program_2024-2029.doc</a>	Resolution
<input type="checkbox"/> <a href="#">DRAFT - FY24-29_CIP_(10_Year)_- 01-30-24.pdf</a>	DRAFT - FY24-29 CIP

BILL NO. 24-31

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ADOPTING THE 2024-2029 CAPITAL  
IMPROVEMENTS PROGRAM, IN THE CITY OF CAPE  
GIRARDEAU, MISSOURI

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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CAPE  
GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. The City Council, for and on behalf of the City  
of Cape Girardeau, Missouri, hereby adopts the 2024-2029 Capital  
Improvements Program, in the City of Cape Girardeau. A copy of  
said Program is attached to this Resolution and made a part  
hereof.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
Stacy Kinder, Mayor

ATTEST:

\_\_\_\_\_  
Bruce Taylor, Deputy City Clerk



**DRAFT**

**CAPITAL  
IMPROVEMENT  
PROGRAM**

**PROPOSED  
FY 2024-2029**

**Cape Girardeau,  
Missouri**

**Public Hearing on March 4, 2024**

FY 2024-2029 Capital Improvement Program  
10 Year Projection

CIP SUMMARY  
FY 2024-2029

Recurring / Grant Revenue Projects	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-30	FY 30-31	FY 31-32	FY 32-33	FY 33-34	FY 29-34	CNT	Total
ADMINISTRATIVE SERVICES	\$ 197,000	\$ 248,000	\$ 137,000	\$ 137,000	\$ 137,000	\$ 137,000	\$ 218,000	\$ 137,000	\$ 77,000	\$ 174,000	\$ 743,000	\$ 40,000	\$ 1,639,000
CAPE GIRARDEAU REGIONAL AIRPORT	\$ 4,281,000	\$ 12,400,000	\$ 7,260,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 850,000	\$ 100,000	\$ 100,000	\$ 1,250,000	\$ 15,186,990	\$ 40,577,990
FIRE DEPARTMENT	\$ 2,388,000	\$ 718,500	\$ 21,000	\$ 515,000	\$ 3,712,500	\$ -	\$ -	\$ 12,500	\$ -	\$ -	\$ 12,500	\$ 1,113,000	\$ 8,480,500
PARKS & RECREATION	\$ 273,278	\$ -	\$ -	\$ 425,000	\$ 400,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 13,764,000	\$ 14,862,278
POLICE DEPARTMENT	\$ 75,309	\$ 607,273	\$ 291,809	\$ 291,809	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,266,201
PUBLIC WORKS	\$ 6,500,000	\$ 175,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,675,000
Department Total by Fiscal Year	\$ 13,714,587	\$ 14,148,773	\$ 10,709,809	\$ 4,468,809	\$ 7,349,500	\$ 237,000	\$ 318,000	\$ 999,500	\$ 177,000	\$ 274,000	\$ 2,005,500	\$ 30,103,990	\$ 82,500,969
Tax Initiative Projects	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-30	FY 30-31	FY 31-32	FY 32-33	FY 33-34	FY 29-34	CNT	Total
CAPITAL IMPROVEMENT SALES TAX	\$ 7,380,000	\$ 3,390,000	\$ 14,675,000	\$ 1,310,000	\$ 8,615,000	\$ 4,620,000	\$ 29,440,000	\$ 1,190,000	\$ 1,190,000	\$ 1,190,000	\$ 37,630,000	\$ 43,450,000	\$ 116,450,000
PARKS & STORMWATER TAX	\$ 5,126,000	\$ 3,580,000	\$ 1,695,358	\$ 2,080,000	\$ 1,450,000	\$ 2,300,000	\$ 3,385,987	\$ 300,000	\$ 300,000	\$ 300,000	\$ 6,585,987	\$ -	\$ 20,517,345
PUBLIC SAFETY TRUST FUND	\$ 170,000	\$ 1,998,000	\$ 2,428,000	\$ -	\$ -	\$ -	\$ 230,000	\$ -	\$ -	\$ -	\$ 230,000	\$ 7,375,000	\$ 12,201,000
TRANSPORTATION TRUST FUND	\$ 15,572,000	\$ 6,015,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 21,587,000
Tax Initiative Total by Fiscal Year	\$ 28,248,000	\$ 14,983,000	\$ 18,798,358	\$ 3,390,000	\$ 10,065,000	\$ 6,920,000	\$ 33,055,987	\$ 1,490,000	\$ 1,490,000	\$ 1,490,000	\$ 44,445,987	\$ 50,825,000	\$ 170,755,345
CIP Project Total by Fiscal Year	\$ 41,962,587	\$ 29,131,773	\$ 29,508,167	\$ 7,858,809	\$ 17,414,500	\$ 7,157,000	\$ 33,373,987	\$ 2,489,500	\$ 1,667,000	\$ 1,764,000	\$ 46,451,487	\$ 80,928,990	\$ 253,256,314



FY 2024-2029 Capital Improvement Program  
10 Year Projection

ADMINISTRATIVE SERVICES  
FY 2024-2029

Map ID #	Capital Assets - Facilities Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
	City Hall Basement Shelving	General Fund	Local Records Preservation Grant (max. \$20,000)	Hi-density shelving for City Hall basement storage area for Development records. Project will include flooring track, single-sided end shelf, and four double-sided shelves. Will apply for the 2024-25 Local Records Preservation Grant, with maximum grant award of \$20,000.	\$ 40,000					\$ -		\$ 40,000
Capital Assets - Facilities Projects' Totals by Fiscal Year					\$ 40,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 40,000
Map ID #	Capital Assets - IT Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
	Data backup storage	General Fund		Backup for server data (5-yr upgrade schedule)	\$ 70,000					\$ 70,000		\$ 140,000
	Storage Upgrade	General Fund		File server storage (5-yr upgrade schedule)	\$ 67,000					\$ 67,000		\$ 134,000
	Records Request Management Software	Grant	General Fund	Program will (1) reduce workload by automatically deflecting, merging duplicate requests, and utilizing trending topics with auto-follow; (2) Work faster by automating repetitive tasks using custom-configured, best practice templates and workflows for notifications, escalations, tracking and reporting; (3) Gain control with pst. email extraction/de-duplication, redaction oops protection, and a defensible audit trail.	\$ 20,000					\$ -		\$ 20,000
	Fiber Infrastructure	General Fund		Moving / running fiber to City facilities (5-yr upgrade schedule)		\$ 100,000				\$ 100,000		\$ 200,000
	Network Storage	General Fund		File storage / Nimble NAS (5-yr upgrade schedule)		\$ 95,000		\$ 40,000		\$ 135,000		\$ 270,000
	Agenda and Advisory Board Management Software System	General Fund		Current agenda management system, NovusAgenda, is no longer supported or will receive upgrades or enhancements.		\$ 30,000				\$ -		\$ 30,000
	Data Archiving	General Fund		Data backup (5-yr upgrade schedule)		\$ 23,000				\$ 23,000		\$ 46,000
	Exchanger Server Upgrade	General Fund		5-year upgrade schedule			\$ 100,000			\$ 100,000		\$ 200,000
	Network Switch Replacement	General Fund		Upgrade network infrastructure (5-yr upgrade schedule)			\$ 37,000			\$ 37,000		\$ 74,000
	CISCO Phone Upgrade	General Fund		5-year upgrade schedule				\$ 97,000		\$ 74,000		\$ 171,000
	Nimble Storage Upgrade	General Fund		Replace storage array (5-yr upgrade schedule)					\$ 97,000	\$ 97,000		\$ 194,000
	Upgrade Offsite VM server	General Fund		Disaster recovery (5-yr upgrade schedule)					\$ 40,000	\$ 40,000		\$ 80,000
	City Notification System	General Fund	ARPA Funds	Emergency alert / text alert / citizen notification system to be used for City-wide community notification.						\$ -	\$ 40,000	\$ 40,000
Capital Assets - IT Projects' Totals by Fiscal Year					\$ 157,000	\$ 248,000	\$ 137,000	\$ 137,000	\$ 137,000	\$ 743,000	\$ 40,000	\$ 1,599,000
					\$ 197,000	\$ 248,000	\$ 137,000	\$ 137,000	\$ 137,000	\$ 743,000	\$ 40,000	\$ 1,639,000



**CITY of CAPE  
GIRARDEAU**

# CIP FY 2024-2029 Cape Girardeau Regional Airport



## LEGEND

Numbers correspond to Map ID # on the CIP spreadsheet.

— Transportation Projects

● Transportation Projects

○ Capital Assets

■ Capital Assets

▬ Cape City Limits

Ward 1    Ward 4

Ward 2    Ward 5

Ward 3    Ward 6

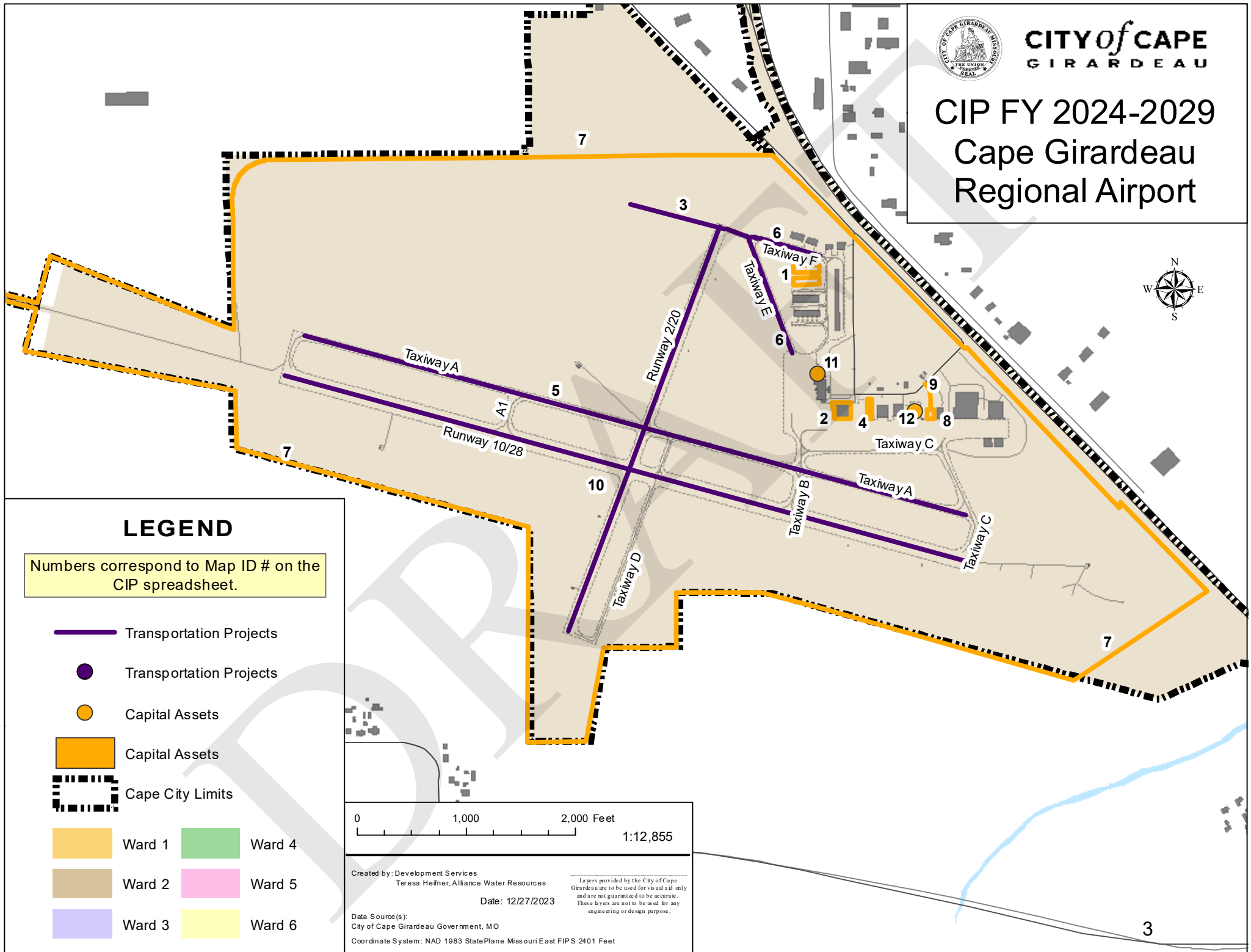
0    1,000    2,000 Feet  
1:12,855

Created by: Development Services  
Teresa Heffner, Alliance Water Resources

Date: 12/27/2023

Data Source(s):  
City of Cape Girardeau Government, MO  
Coordinate System: NAD 1983 StatePlane Missouri East FIPS 2401 Feet

Layers provided by the City of Cape Girardeau are to be used for visual aid only and are not guaranteed to be accurate. These layers are not to be used for any engineering or design purpose.



CAPE GIRARDEAU REGIONAL AIRPORT  
FY 2024-2029

Map ID #	Capital Assets - Facilities Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
1	T-Hangars Construction - Associated Taxi Lanes	CIST / BIL		Construct set of 20 additional t-hangars and adjoining pavement	\$ 2,900,000					\$ -		\$ 2,900,000
2	Cape Aviation - Exterior Painting & Roof Maintenance	General Fund		Exterior painting of facility - Cape Aviation was rehabilitated in 2007 which included interior renovations and painting of the exterior. The paint has faded substantially over 16 years and is in need of repainting. Additionally, the metal roof should be have maintenance performed as well. This facility handles the bulk of the airport's transient customers.	\$ 150,000					\$ -		\$ 150,000
1	T-Hangars Construction Consulting - Burns & McDonnell	CIST / BIL	Other Funding	Construction phase of 20 additional t-hangars	\$ 131,000					\$ -		\$ 131,000
4	Replace Airport Corporate Hangar	General Fund		Replace airport corporate hangar		\$ 500,000				\$ -		\$ 500,000
7	Airport Perimeter Fence	Eligible for AIP		Fencing around the entire perimeter			\$ 3,400,000			\$ -		\$ 3,400,000
8	ARFF / Snow Removal Equipment Storage Facility	Airport Improvement Program (AIP)	General Fund	New maintenance facility and building to store airport ARFF and snow removal equipment			\$ 2,500,000			\$ -		\$ 2,500,000
9	Aircraft Rescue Firefighting (ARFF) Access Road	MoDOT		Access road to airport ARFF facility			\$ 750,000			\$ -		\$ 750,000
11	Cape Girardeau Regional Airport - Replace Air Traffic Control Tower	TBD		Air Traffic Control Tower Replacement						\$ -	\$ 4,500,000	\$ 4,500,000
12	Fuel Farm	TBD		2x 20,000 gallon tanks for airport / Cape Aviation would increase capacity of both jet and 100LL fuel						\$ -	\$ 1,000,000	\$ 1,000,000
				Capital Assets - Facilities Projects' Totals by Fiscal Year	\$ 3,181,000	\$ 500,000	\$ 6,650,000	\$ -	\$ -	\$ -	\$ 5,500,000	\$ 15,831,000
	Capital Assets - Fleet	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
	Replace AP-2 Unit 242	FAA Grant	AIP	Replace ARFF truck at end of its 20-year life expectancy						\$ 750,000		\$ 750,000
	Green Ground Support Tractor	TBD		Currently using inadequate support for customers requesting Ground Tractors for their aircraft. Our fleet is out-dated and constantly have the same issues with engine start-up, whether or not gasoline or diesel, and sketchy brakes. They have been in PW repair on multiple occasions which seriously degrades our service capability. The Green tractor would require minor periodical maintenance, with no hazardous oils and fuels, while provide service at minimal cost.						\$ -	\$ 69,995	\$ 69,995
	Green Ground Support Power Unit	TBD		Currently using inadequate support for tenant customers requesting Ground Power Supply for their aircraft. Current system requires direct hookup with the hangar and cable stretched over the ramp to power up aircraft. When hooked up, it works but still gives false error codes on the aircraft avionics. This model is towable to the aircraft and supplies power via rechargeable battery power; not requiring diesel. It recharges using regular power supply.						\$ -	\$ 58,995	\$ 58,995
				Capital Assets - Fleet Requests' Totals by Fiscal Year	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 750,000	\$ 128,990	\$ 878,990
Map ID #	Transportation Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
	Air Service Marketing	MoDOT (90%)	General Fund (10%)	Air service marketing	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 500,000		\$ 1,000,000
3	Taxiway Access to NW Quadrant	AIP		Taxiway Access to NW Quadrant	\$ 1,000,000					\$ -		\$ 1,000,000
5	Taxiway Alpha Rehabilitation	AIP		Taxiway Alpha Rehabilitation		\$ 7,700,000				\$ -		\$ 7,700,000

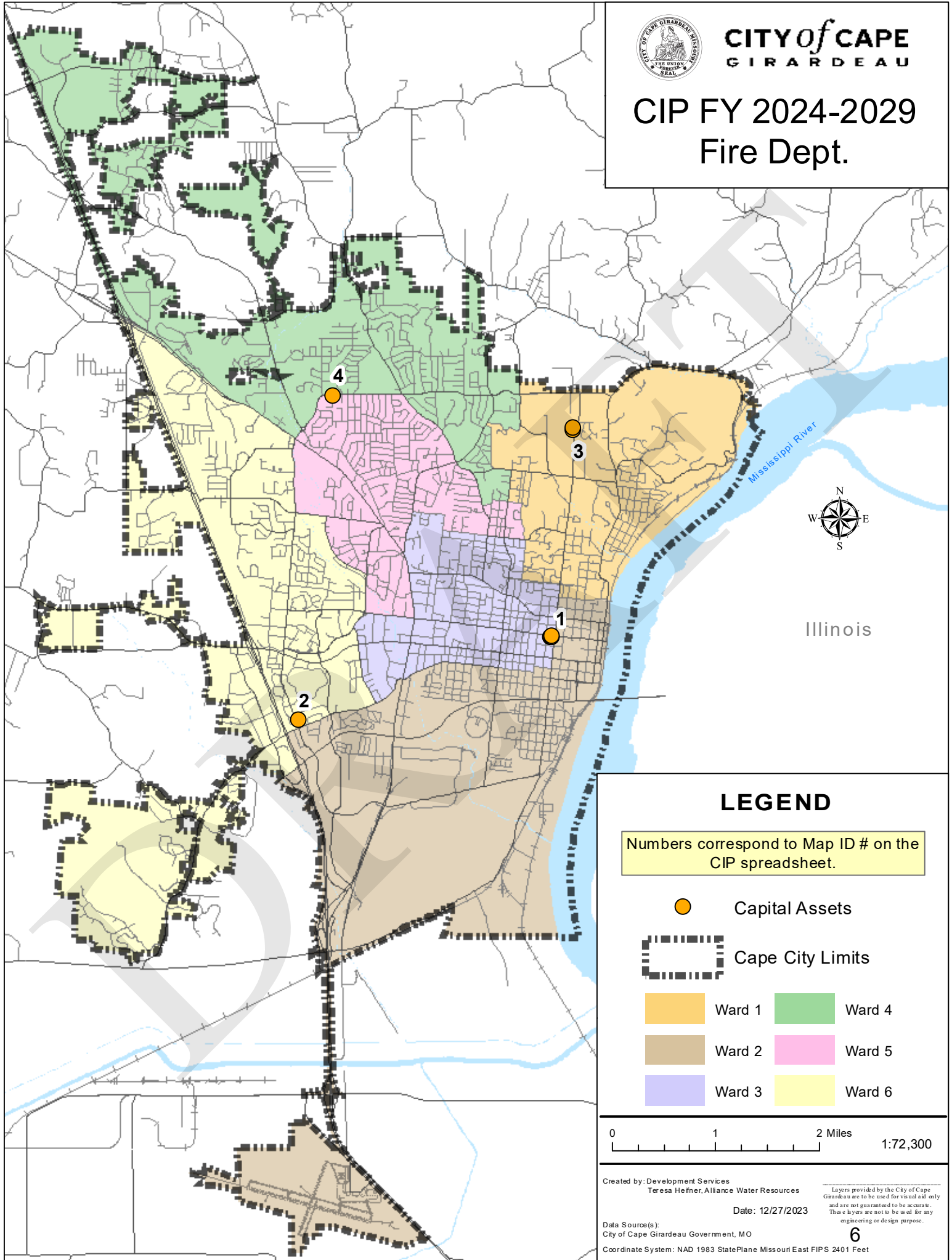
FY 2024-2029 Capital Improvement Program  
10 Year Projection

6	Taxiways Echo & Foxtrot Reconstruction and Lighting Upgrades	AIP / BIL		Taxiways Echo & Foxtrot reconstruction.		\$ 4,100,000				\$ -		\$ 4,100,000
10	Airfield Pavement Maintenance	AIP		Crack seal 75,000LF of airfield surfaces and general aviation ramp			\$ 510,000			\$ -		\$ 510,000
	Airport Road Extension to Rte M	MoDOT		Airport Road Extension to Rte M						\$ -	\$ 4,629,000	\$ 4,629,000
	Taxiway Delta Reconstruction	AIP / BIL		Reconstruct Taxiway D and replace associated lighting and signage.						\$ -	\$ 3,100,000	\$ 3,100,000
	Access Road and Taxilane for NW	State Funding	General Fund	Landside access road and airside taxilane for NW quad, parcels						\$ -	\$ 1,323,000	\$ 1,323,000
	Land Acquisition for Runway 10 Extension	MoDOT		Land Acquisition for Runway 10 Extension						\$ -	\$ 436,000	\$ 436,000
	Helicopter and Light Sport Aircraft Operations Area	MoDOT		Helicopter and Light Sport Aircraft Operations Area						\$ -	\$ 70,000	\$ 70,000
				Transportation Projects' Totals by Fiscal Year	\$ 1,100,000	\$ 11,900,000	\$ 610,000	\$ 100,000	\$ 100,000	\$ 500,000	\$ 9,558,000	\$ 23,868,000
					\$ 4,281,000	\$ 12,400,000	\$ 7,260,000	\$ 100,000	\$ 100,000	\$ 1,250,000	\$ 15,186,990	\$ 40,577,990





# CIP FY 2024-2029 Fire Dept.



Illinois

## LEGEND

Numbers correspond to Map ID # on the CIP spreadsheet.



Capital Assets



Cape City Limits



Ward 1



Ward 4



Ward 2



Ward 5



Ward 3



Ward 6

0 1 2 Miles

1:72,300

Created by: Development Services  
Teresa Heffner, Alliance Water Resources

Date: 12/27/2023

Data Source(s):  
City of Cape Girardeau Government, MO

Coordinate System: NAD 1983 StatePlane Missouri East FIPS 2401 Feet

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FY 2024-2029 Capital Improvement Program  
10 Year Projection

FIRE DEPARTMENT  
FY 2024-2029

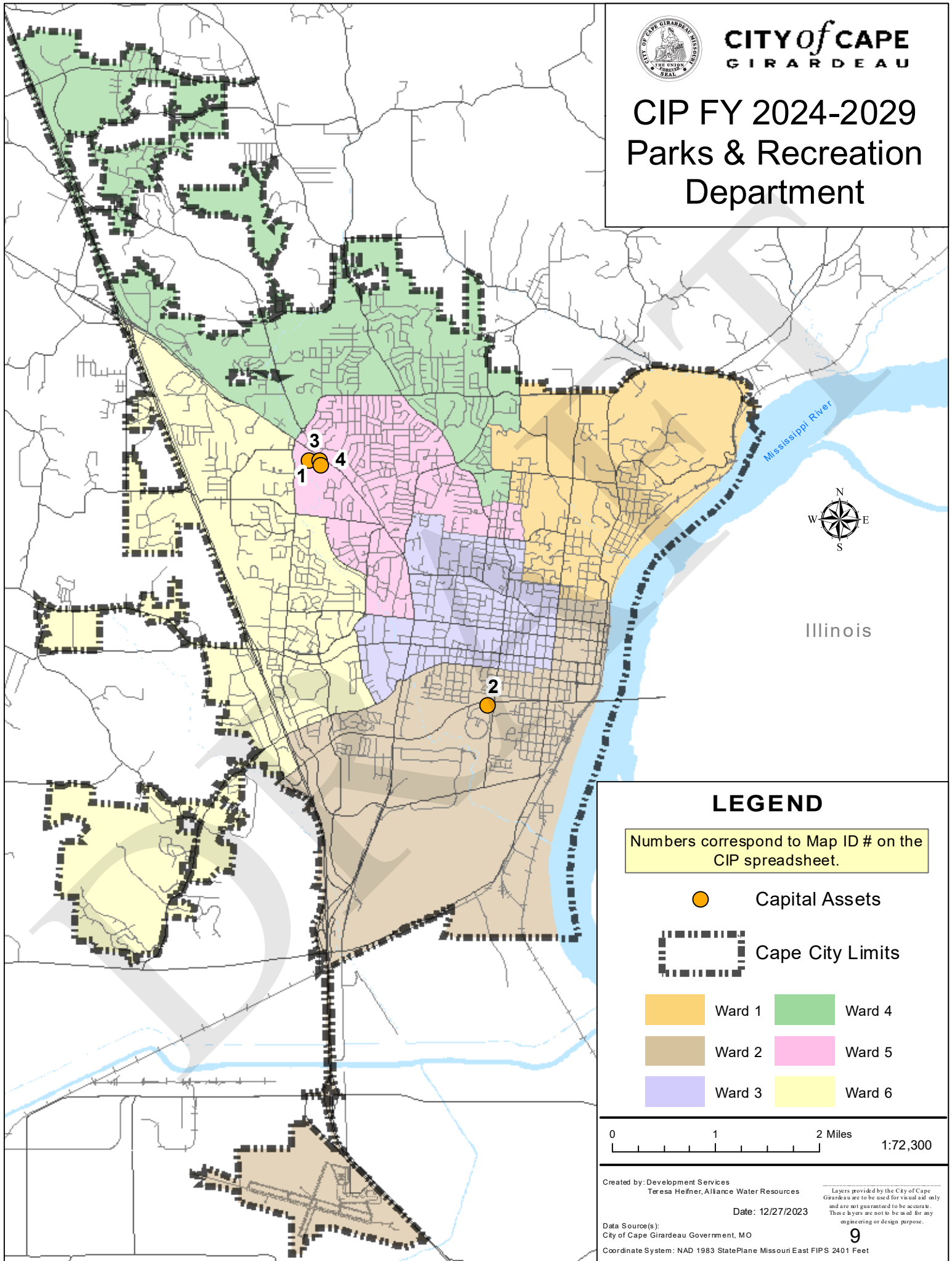
Map ID #	Capital Assets - Facilities Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
	Fire Station Security Cameras	General Fund		This request would fund the purchase of security cameras at all fire department facilities.	\$ 60,000					\$ -		\$ 60,000
1	Fire Station #1 - IP Speakers and Alert Lighting	TBD		Addition of red alert lighting in FS #1 bunk rooms and IP overhead speakers throughout the stations.	\$ 30,000					\$ -		\$ 30,000
1	Fire Station #1 - Pave Parking Lot	General Fund		Improve parking area at FS #1	\$ 25,000					\$ -		\$ 25,000
	Fire Station #1 - Training Room Improvements	TBD		This request would fund the purchase of a new computers, speakers, HD projector, TVs, chairs, carpet, acoustic panels, and work station. This would also fund the cost new interior paint.						\$ -	\$ 50,000	\$ 50,000
	Fire Station #1 - South Retaining Wall	General Fund		Retaining wall between the parking lot at FS #1 and the adjoining apartment building						\$ -	\$ 25,000	\$ 25,000
1	Fire Station #1 - Northwest Addition / Remodel / Renovations	TBD		Northwest addition, renovations and repairs to FS #1: remodel bunk room, repair upstairs bathroom, replace windows, update electrical		\$ 500,000		\$ 500,000	\$ 3,700,000	\$ -		\$ 4,700,000
	Fire Station Ramp Up Tones	General Fund		Fund a fire station alerting system feature that uses ramp up tones at all fire department facilities.		\$ 30,000				\$ -		\$ 30,000
2	Fire Station #2 - Renovations and Repair	General Fund		Renovations and repairs to FS #2: repair annex South wall, add annex floor drains, add annex building generator, annex parking area	\$ 100,000	\$ 60,000				\$ -		\$ 160,000
3	Fire Station #3 - Renovations and Repair	TBD		Renovations and repairs to FS #3: roof replacement, remodel bunk room	\$ 175,000					\$ -		\$ 175,000
3	Fire Station #3 - Add Security Entry System	General Fund		Add a swipe card entry system to FS #3 / EOC / Communications	\$ 100,000					\$ -		\$ 100,000
	Fire Station #3 - Radio Tower	General Fund		Replace temporary radio tower for Cape City Public Safety Communications						\$ -	\$ 1,000,000	\$ 1,000,000
	Vehicle Maintenance Lift	General Fund		Vehicle lift for maintenance and repairs to be performed on fire apparatus						\$ -	\$ 10,000	\$ 10,000
				Capital Assets - Facilities Projects' Totals by Fiscal Year	\$ 490,000	\$ 590,000	\$ -	\$ 500,000	\$ 3,700,000	\$ -	\$ 1,085,000	\$ 6,365,000
Map ID #	Capital Assets - Fleet	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
4	Replace Ladder 4 Unit 268	Grant	TBD (50%)	Replace the 2005 platform truck	\$ 1,800,000					\$ -		\$ 1,800,000
				Capital Assets - Fleet Requests' Totals by Fiscal Year	\$ 1,800,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,800,000
Map ID #	Capital Assets - IT Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
	Marine 1 Technology Upgrade	General Fund		Fund a technology upgrade to Marine 1		\$ 85,000				\$ -		\$ 85,000
				Capital Assets - IT Projects' Totals by Fiscal Year	\$ -	\$ 85,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 85,000
Map ID #	Capital Assets - Non-fleet Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
	Firefighter Bailout Kits	Fire Sales Tax		Addition of 66 bailout kits for all sworn personnel.	\$ 37,000					\$ -		\$ 37,000
	Gym Equipment	General Fund		Replacement of gym equipment at 3 of the 4 stations.		\$ 15,000	\$ 15,000	\$ 15,000		\$ -		\$ 45,000
	Tornado Siren Batteries	General Fund		Replacement batteries for tornado sirens - 3-yr replacement schedule (x6 per siren)		\$ 12,500			\$ 12,500	\$ 12,500		\$ 37,500
	CPAT Equipment	General Fund		Addition of Candidate Physical Ability Testing equipment.						\$ -	\$ 28,000	\$ 28,000
	Technical Rescue Equipment (includes the 2 lines below - \$39,000 total)	Fire Sales Tax / Health Fund	General Fund	Purchase upgraded technical rescue equipment for outdoor search, dive emergencies, and patient evacuation (includes the 2 lines below - \$39,000 total).						\$ -		\$ -
	Replace Inflatable Swift Water Rescue Boats	General Fund		This request would provide for the replacement of inflatable swift water rescue boats.	\$ 24,000					\$ -		\$ 24,000
	Dive Equipment	Fire Sales Tax		Replacement of dive equipment used by dive rescue team.	\$ 15,000					\$ -		\$ 15,000

FY 2024-2029 Capital Improvement Program  
10 Year Projection

	Medical Rescue Equipment (includes the 4 lines below - \$44,000 total)	Fire Sales Tax / Health Fund		New bulletproof vests, suction devices, intubation equipment, and extrication tool batteries (includes the 4 lines below - \$44,000 total).							\$ -	\$ -
	Replace Bulletproof Vests	Fire Sales Tax		Replacement of current bulletproof vest assigned to apparatus.	\$ 22,000						\$ -	\$ 22,000
	Automatic CPR Device Batteries	Health Fund		Replacement of 10 automatic CPR device batteries.		\$ 10,000					\$ -	\$ 10,000
	Medical Suction Units	Health Fund		Replacement of 5 medical suction units.		\$ 6,000					\$ -	\$ 6,000
	Vehicle Extraction Batteries	Fire Sales Tax		Replacement of 10 vehicle extraction tool batteries.			\$ 6,000				\$ -	\$ 6,000
				Capital Assets - Non-fleet Projects' Totals by Fiscal Year	\$ 98,000	\$ 43,500	\$ 21,000	\$ 15,000	\$ 12,500	\$ 12,500	\$ 28,000	\$ 230,500
					\$ 2,388,000	\$ 718,500	\$ 21,000	\$ 515,000	\$ 3,712,500	\$ 12,500	\$ 1,113,000	\$ 8,480,500



# CIP FY 2024-2029 Parks & Recreation Department



## LEGEND

Numbers correspond to Map ID # on the CIP spreadsheet.



Capital Assets



Cape City Limits



Ward 1



Ward 4



Ward 2



Ward 5



Ward 3



Ward 6

0 1 2 Miles

1:72,300

Created by: Development Services  
Teresa Heffner, Alliance Water Resources

Date: 12/27/2023

Data Source(s):  
City of Cape Girardeau Government, MO

Coordinate System: NAD 1983 StatePlane Missouri East FIPS 2401 Feet

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FY 2024-2029 Capital Improvement Program  
10 Year Projection

PARKS AND RECREATION  
FY 2024-2029

Map ID #	Capital Assets - Facilities Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
1	Cape Splash - Refurbish Mat Racer and Drop Slides	Cape Splash Improvement Fund		The slides at Cape Splash need re-coated with a new layer of Gel-Coat.	\$ 253,278					\$ -		\$ 253,278
3	Osage Centre - Replace gym floor with wood flooring	Restaurant Tax		Replace the original tile floor in the gym				\$ 425,000		\$ -		\$ 425,000
4	Refurbish Slides at Cape Splash	Cape Splash Improvement Fund		The original small and medium slides at Cape Splash will need to be refurbished and gel coat applied.					\$ 400,000	\$ -		\$ 400,000
	Expand the Sportsplex Facility to the Northwest	Restaurant Tax		Expansion of the Northwest side of the Sportsplex to include more playing fields/courts. This expansion will allow the facility to accomodate larger events and have a positive affect on the local economy.						\$ -	\$ 6,000,000	\$ 6,000,000
	Shawnee Park Center - Generator	TBD	Grant	Addition of a generator to the facility will provide access to City services during times of power outages and disaster						\$ -	\$ 420,000	\$ 420,000
	Sportsplex Fields - Replace Artificial Turf	Restaurant Tax		The artificial turf at the Sportsplex will need replaced as a facility maintenance issue due to it's age and wear and tear from heavy usage.						\$ -	\$ 310,000	\$ 310,000
	Jaycee Golf Course - Expansion and Renovation of the Pro Shop	TBD		The Golf Course Pro Shop is in need of a renovation and expanded office and concession area.						\$ -	\$ 300,000	\$ 300,000
	Washington Park - Phased Improvements	TBD	Grant	Phased improvements to Washington Park including ADA accessible shelter, walkways and playground						\$ -	\$ 200,000	\$ 200,000
	Shawnee Park Sports Complex - Extend Concession Patio	TBD		40' Extension off of West side of Concession Building A						\$ -	\$ 192,000	\$ 192,000
	Missouri Park - Phased Improvements	TBD	Grant	Phased improvements to Missouri Park						\$ -	\$ 105,000	\$ 105,000
	Shawnee Park Center - Exterior Paint and Maintenance	TBD		Paint the exterior of the Shawnee Park Center. The facility is aging and will soon require exterior maintenance.						\$ -	\$ 80,000	\$ 80,000
	Osage Centre - Upgrade the Digital Marquee Sign	TBD		Digital sign upgrade is needed on the digital display due to the age of the sign.						\$ -	\$ 70,000	\$ 70,000
	Osage Centre - Upgrade Sound System	TBD	P & R Foundation	Update sound system on main floor and meeting rooms						\$ -	\$ 62,000	\$ 62,000
	Osage Centre - Gym Curtain / Divider	TBD		Replace the two (2) original 50' curtains / dividers in the gym						\$ -	\$ 51,000	\$ 51,000
	Kiwanis Park Improvements	TBD	Grant	Internal sidewalk system						\$ -	\$ 50,000	\$ 50,000
	Cape Splash - Pirate Ship Play Area	TBD		Install soft surfacing and play features in the Pirate Ship play area. This will enhance the Pirate Ship play area at Cape Splash by adding play features and a soft surface testure.						\$ -	\$ 50,000	\$ 50,000
	Osage Park Improvements	TBD	P & R Foundation	Build sand volleyball courts at Osage Park						\$ -	\$ 50,000	\$ 50,000
				Capital Assets - Facilities Projects' Totals by Fiscal Year	\$ 253,278	\$ -	\$ -	\$ 425,000	\$ 400,000	\$ -	\$ 7,940,000	\$ 9,018,278
Map ID #	Capital Assets - Non-fleet Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
2	Shawnee Wellness Programing	ARPA Funds		Health / wellness programing for vulnerable populations	\$ 20,000					\$ -		\$ 20,000
				Capital Assets - Non-fleet Projects' Totals by Fiscal Year	\$ 20,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,000
Map ID #	Transportation Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
	Sportsplex - Parking Lot	TBD		Expand and overlay the parking lot at the Sportsplex.						\$ -	\$ 1,500,000	\$ 1,500,000
	Arena Park - Streets and Parking Lots	TBD		Overlay the internal streets and parking lots in Arena Park						\$ -	\$ 750,000	\$ 750,000

FY 2024-2029 Capital Improvement Program  
10 Year Projection

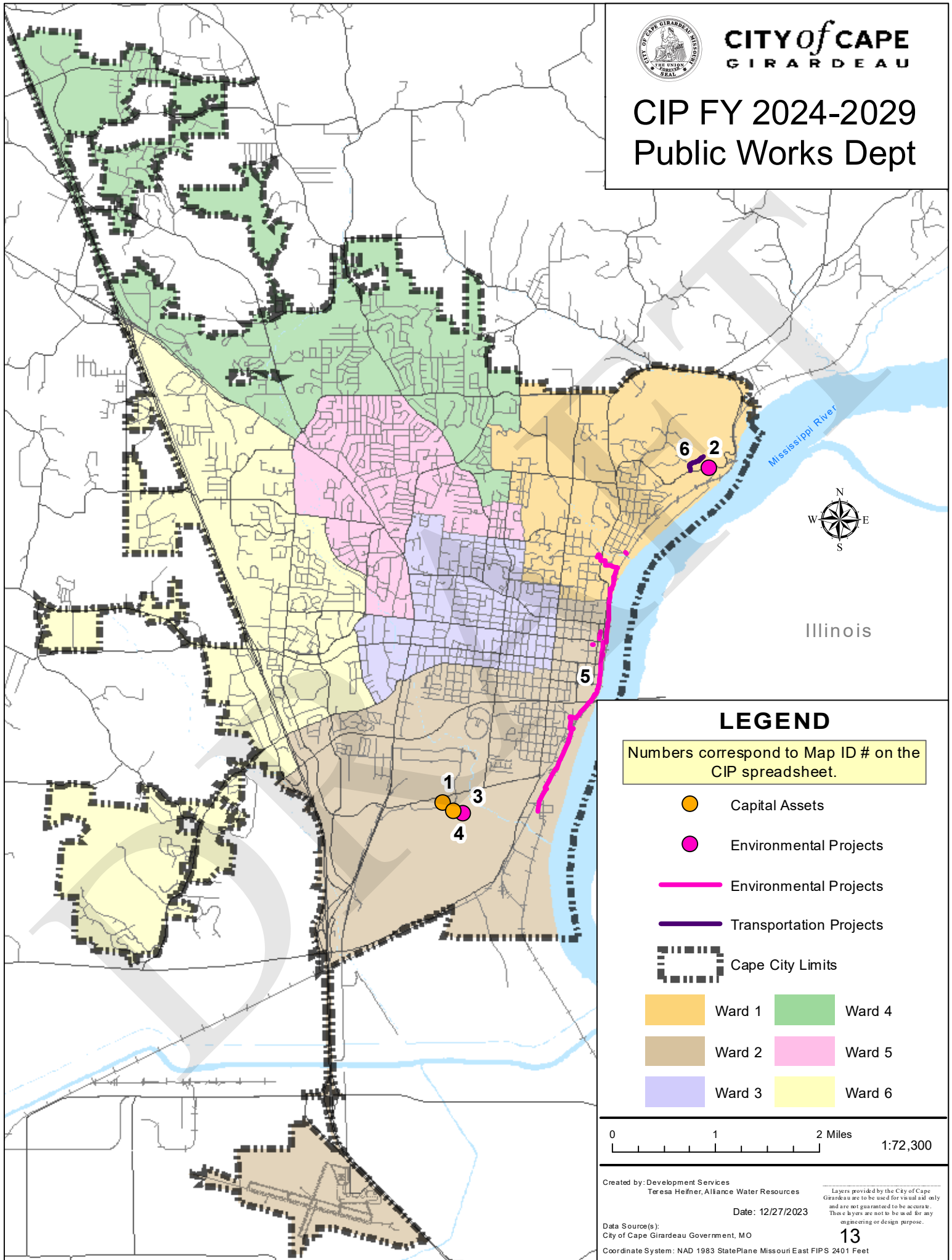
	Osage Park - Overflow Parking Lot	TBD		Overlay the parking lot south of the Osage Centre that serves as overflow for Cape Splash and the Community Centre						\$	-	\$	500,000	\$	500,000					
	Arena Park - Fields #9 - #10 Roadway	TBD		Overlay the road between fields #9 and #10 and improve the storm water drainage						\$	-	\$	450,000	\$	450,000					
	Shawnee Park - Soccer Field Parking	TBD		Overlay the parking lots at the lower and West End Blvd soccer fields.						\$	-	\$	400,000	\$	400,000					
	Arena Park - Pave Maintenance Building Parking Lots	TBD		Pave the Arena Park maintenance building parking lots that are currently gravel						\$	-	\$	250,000	\$	250,000					
	Capaha Park - Upper Parking Lot	TBD		Overlay upper parking lot by the Baseball Stadium in Capaha Park						\$	-	\$	230,000	\$	230,000					
	Jaycee Municipal Golf Course Overlay	TBD		Repair and overlay approx. 65,000 SF of parking areas and road						\$	-	\$	230,000	\$	230,000					
	Cape Splash - Parking Lot	TBD		Overlay the primary parking lot servicing Cape Splash in Osage Park.						\$	-	\$	200,000	\$	200,000					
	Shawnee Park Center - Parking Lot	TBD		Overlay parking lot servicing the Shawnee Park Center and upper Shawnee Park Sports Complex fields						\$	-	\$	200,000	\$	200,000					
	Capaha Park - Roadways	TBD		Overlay the roads in Capaha Park						\$	-	\$	200,000	\$	200,000					
	Dennis Scivally Park - Parking Lot and Road	TBD		Overlay parking lot and road in Dennis Scivally Park						\$	-	\$	200,000	\$	200,000					
	Kiwanis Park - Roadway	TBD		Pave the road leading to Shelter #4 in Kiwanis Park that is currently gravel						\$	-	\$	200,000	\$	200,000					
	Arena Park Fields #11 - #14 Parking Lot	TBD		Fields #11 - #14 new parking lot						\$	-	\$	180,000	\$	180,000					
	Bloomfield Trail Parking Lot	TBD		Parking Lot for Bloomfield Trail - Acquire Land						\$	-	\$	173,000	\$	173,000					
	Red House Parking Area	TBD		Improvement to parking area north of Red House						\$	-	\$	81,000	\$	81,000					
	Lorimier and Fairmount Cemeteries	TBD		Resurface approx. 6,000 SF of driveways						\$	-	\$	80,000	\$	80,000					
				Transportation Projects' Totals by Fiscal Year	\$	-	\$	-	\$	-	\$	-	\$	5,824,000	\$	5,824,000				
					\$	273,278	\$	-	\$	-	\$	425,000	\$	400,000	\$	-	\$	13,764,000	\$	14,862,278

FY 2024-2029 Capital Improvement Program  
10 Year Projection

POLICE DEPARTMENT FY 2024-2029												
Map ID #	Capital Assets - IT Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
	Mobile Data Terminals (Getac Tablets) for Patrol Vehicles	General Fund		Tablets for patrol vehicles were purchased approximately 2 years ago. We anticipate them becoming outdated or breaking down within the next 4 to 5 years.		\$ 176,700				\$ -		\$ 176,700
				Capital Assets - IT Projects' Totals by Fiscal Year	\$ -	\$ 176,700	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 176,700
Map ID #	Capital Assets - Non-fleet Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
	Axon (Taser) Replacement	General Fund		Current Axon (Taser) devices are wearing down and need to be replaced. Current devices are over ten years old.	\$ 75,309	\$ 75,309	\$ 75,309	\$ 75,309		\$ -		\$ 301,237
	Shot Spotter Renewal	General Fund		The Shot Spotter program was launched in April of 2022, and a three year subscription was paid for with ARPA funds. The program was expanded at the end of 2022 and was again paid with ARPA funding. After three years, the program fees will need to be renewed.		\$ 142,500	\$ 142,500	\$ 142,500		\$ -		\$ 427,500
	Body Worn Camera Project (Getac Video)	General Fund		Software maintenance, warranties, and cloud storage will need to be extended and old cameras will be replaced in 2024. This will cover the next two years through 2026.		\$ 138,764				\$ -		\$ 138,764
	Flock Automatic License Plate and Video Detection Technology	General Fund		Flock provides automatic license plate reader technology and will be implemented throughout the city. ARPA funding will provide the first three years of service, but the program will need to be funded after that.		\$ 74,000	\$ 74,000	\$ 74,000		\$ -		\$ 222,000
				Capital Assets - Non-fleet Projects' Totals by Fiscal Year	\$ 75,309	\$ 430,573	\$ 291,809	\$ 291,809	\$ -	\$ -	\$ -	\$ 1,089,501
					\$ 75,309	\$ 607,273	\$ 291,809	\$ 291,809	\$ -	\$ -	\$ -	\$ 1,266,201



# CIP FY 2024-2029 Public Works Dept



## LEGEND

Numbers correspond to Map ID # on the CIP spreadsheet.

- Capital Assets
- Environmental Projects
- Environmental Projects
- Transportation Projects
- ⬜ Cape City Limits

Ward 1	Ward 4
Ward 2	Ward 5
Ward 3	Ward 6

0 1 2 Miles  
1:72,300

Created by: Development Services  
Teresa Heffner, Alliance Water Resources

Date: 12/27/2023

Data Source(s):  
City of Cape Girardeau Government, MO

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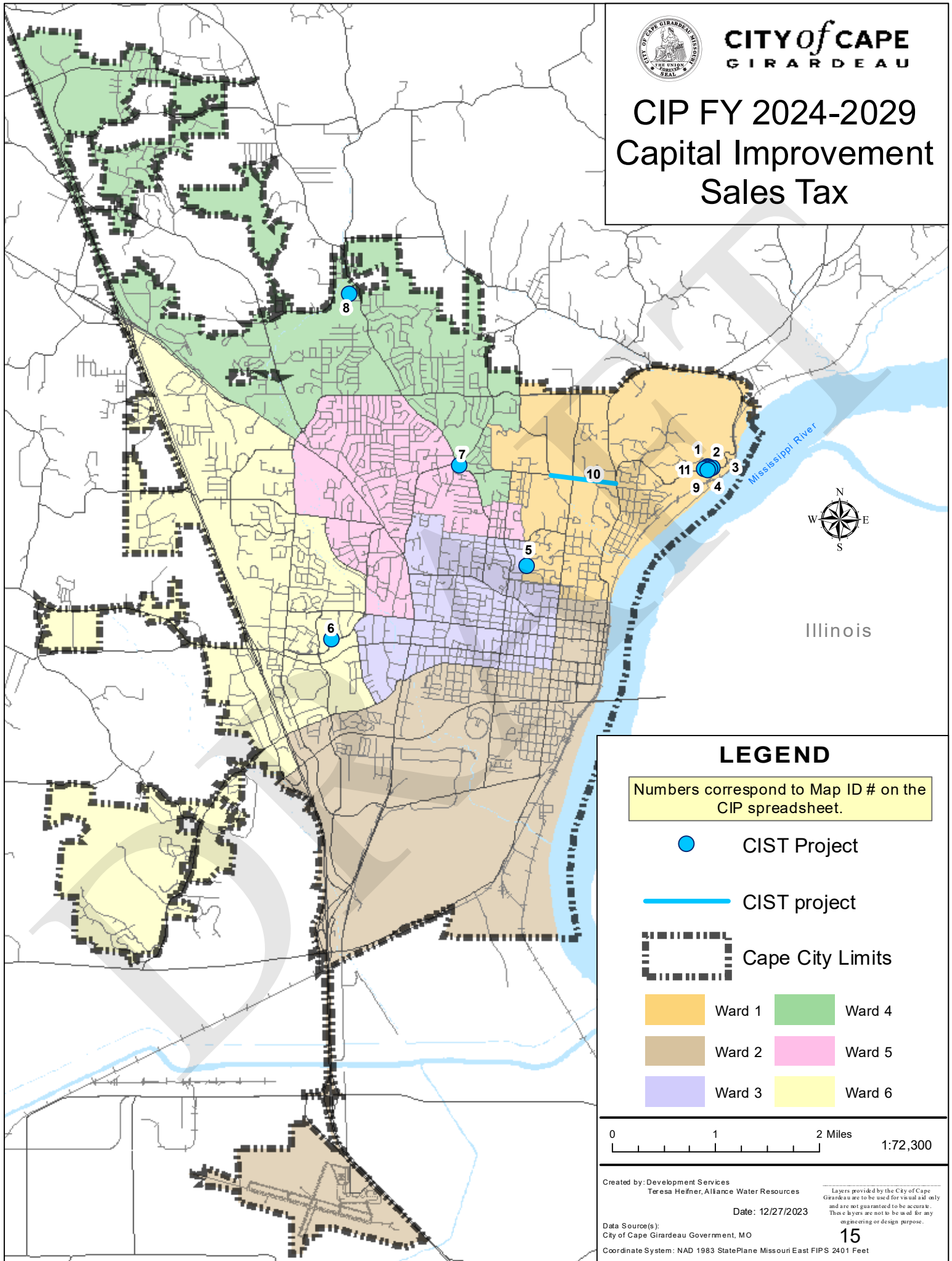
FY 2024-2029 Capital Improvement Program  
10 Year Projection

PUBLIC WORKS  
FY 2024-2029

Map ID #	Capital Assets - Facilities Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
1	Recycling Center / Solid Waste Shed Paving	Solid Waste Fund		Pave an area that is currently gravel. This area is used daily by the recycle center and the trash trucks.	\$ 200,000					\$ -		\$ 200,000
				Capital Assets - Facilities Projects' Totals by Fiscal Year	\$ 200,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 200,000
Map ID #	Environmental Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
2	Modifications to Filter Gallery Piping	Fund Balance		Cape Rock Water Treatment Facility	\$ 1,970,000					\$ -		\$ 1,970,000
3	WWTP IPS Automatic Screen - Phase 2	Fund Balance		Construction of Influent Pump Station automatic screening equipment and replacement of mixers	\$ 3,500,000					\$ -		\$ 3,500,000
4	SBR Blower Replacement	Sewer Fund		Replacement of 3 SBR Blowers. This equipment is under a service contract until April 2026. The manufacturer of our blowers was acquired by Atlas Copco shortly after we purchased them. Atlas Copco is reporting over 12 week lead times for parts to maintain functionality. Atlas Copco proposes giving us one of the blowers at no cost as consideration for purchasing before the end of our current service contract.	\$ 460,000					\$ -		\$ 460,000
5	Riverfront Forcemain Study	Sewer Fund		Utilize in-line pipe technology to study the Riverfront Forcemain to look for pipe wall defects and gas pockets.	\$ 150,000					\$ -		\$ 150,000
	I&I Program - Cured-In-Place-Pipe Repairs	Sewer Fund		Rehab of sewer system piping and manholes to reduce the rain water intrusion into the sewer system.			\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ -		\$ 9,000,000
				Environmental Projects' Totals by Fiscal Year	\$ 6,080,000	\$ -	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ -	\$ -	\$ 15,080,000
Map ID #	Transportation Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
6	Pave Access to Cape Rock Sanitary Sewer Lift Station	Sewer Fund		Pave the gravel drive to the Cape Rock sanitary sewer lift station off of E Cape Rock Drive	\$ 150,000					\$ -		\$ 150,000
	Traffic Signal Upgrades	Motor Fuel Tax	General Fund	Upgrade communication infrastructure and safety features on the City's 22 traffic signals.	\$ 70,000	\$ 175,000				\$ -		\$ 245,000
				Transportation Projects' Totals by Fiscal Year	\$ 220,000	\$ 175,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 395,000
					\$ 6,500,000	\$ 175,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ -	\$ -	\$ 15,675,000



# CIP FY 2024-2029 Capital Improvement Sales Tax



FY 2024-2029 Capital Improvement Program  
10 Year Projection

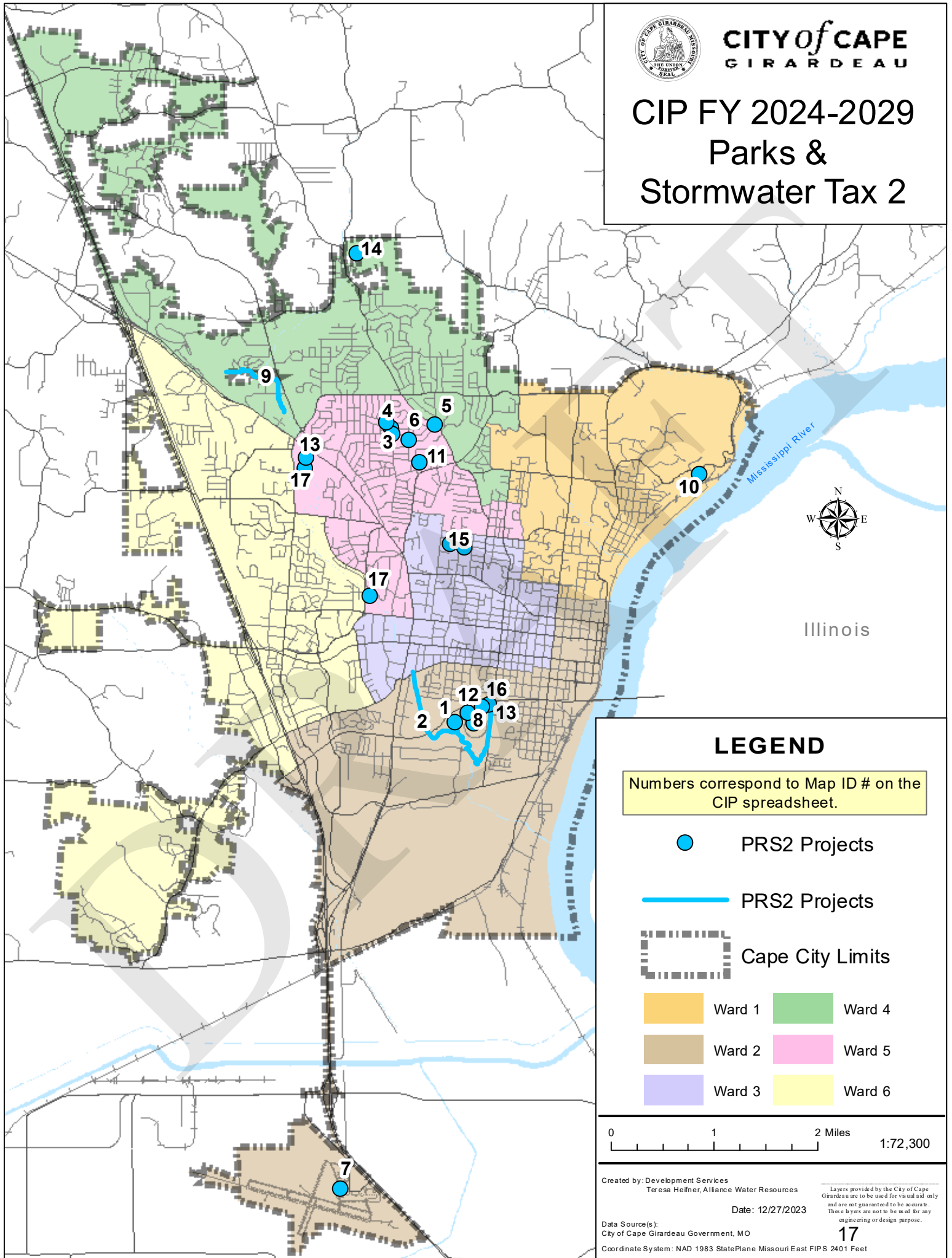
CAPITAL IMPROVEMENT SALES TAX (CIST)  
FY 2024-2029

Map ID #	CIST Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
	2" Line Replacement	CIST		Replace 2" lines with 6" water lines City-wide	\$ 130,000	\$ 130,000	\$ 130,000	\$ 130,000	\$ 130,000	\$ 650,000		\$ 1,300,000
	Lead Service Line Inventory	CIST		In December 2021, a final ruling from the EPA was made official requiring water systems conduct a comprehensive inventory of water service lines from the main to the house. The inventory must be made available to the public and be completed by October 16, 2024.	\$ 250,000					\$ -		\$ 250,000
	Water Tank Asset Management Program	CIST		Annual SUEZ water tank asset management program	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000	\$ 1,520,000		\$ 3,520,000
	Annual CIST Street Repair	CIST		Annual CIST street maintenance and repair program	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 500,000	\$ 2,500,000		\$ 5,000,000
1	1) Lime System Improvements	CIST		High-Density Lime/Cape Rock Water Treatment Facility	\$ 6,000,000					\$ -		\$ 6,000,000
3	2) Addition of Primary SCU-4 & Secondary SSB-4	CIST		Cape Rock Water Treatment Facility		\$ 1,350,000	\$ 7,500,000			\$ -		\$ 8,850,000
4	a. Booster Pump for Carbonic Acid	CIST		Cape Rock Water Treatment Facility			\$ 125,000			\$ -		\$ 125,000
4	b. Stabilization Tank Addition	CIST		Cape Rock Water Treatment Facility			\$ 560,000			\$ -		\$ 560,000
4	c. Aerator Bypass Improvements	CIST		Cape Rock Water Treatment Facility			\$ 610,000			\$ -		\$ 610,000
4	d. New Filter Influent 2nd Feed	CIST		Cape Rock Water Treatment Facility			\$ 1,970,000			\$ -		\$ 1,970,000
2	SCADA Improvements	CIST		Cape Rock Water Treatment Facility	\$ 100,000	\$ 730,000				\$ -		\$ 830,000
	Lead Service Line Replacement	Federal / State Grants	CIST	7% replacement from main to house every year		\$ 280,000	\$ 280,000	\$ 280,000	\$ 280,000	\$ 1,400,000		\$ 2,520,000
5	College Booster Pump Station	CIST		Replacement of existing			\$ 2,600,000			\$ -		\$ 2,600,000
6	Gordonville Tank Booster Pump Station	CIST		Improvements to existing					\$ 2,000,000	\$ -		\$ 2,000,000
7	Meadowbrook Standpipe Booster Pump Station	CIST		Improvements to existing					\$ 1,600,000	\$ -		\$ 1,600,000
8	LaSalle Standpipe Booster Pump Station	CIST		Improvements to existing					\$ 1,500,000	\$ -		\$ 1,500,000
9	Conversion to Sodium Hypochlorite	CIST		Cape Rock Water Treatment Facility					\$ 1,420,000	\$ -		\$ 1,420,000
10	Bertling Street 30" Water Main	CIST		3,250' of 30" ductile iron to provide a redundant transmission line leaving the plant					\$ 500,000	\$ 3,310,000		\$ 3,810,000
11	New Maintenance Shop	CIST		Replacement of existing					\$ 285,000	\$ -		\$ 285,000
	High Priority Watermain Improvements	CIST		City-wide, per the 2022 WSFP						\$ 28,250,000		\$ 28,250,000
	Medium Priority Watermain Improvements	CIST		City-wide, per the 2022 WSFP						\$ -	\$ 42,450,000	\$ 42,450,000
	Plant 1 Residuals	CIST		Solids handling improvements at Plant 1						\$ -	\$ 1,000,000	\$ 1,000,000
				CIST Projects' Totals by Fiscal Year	\$ 7,380,000	\$ 3,390,000	\$ 14,675,000	\$ 1,310,000	\$ 8,615,000	\$ 37,630,000	\$ 43,450,000	\$ 116,450,000
					\$ 7,380,000	\$ 3,390,000	\$ 14,675,000	\$ 1,310,000	\$ 8,615,000	\$ 37,630,000	\$ 43,450,000	\$ 116,450,000



**CITY of CAPE  
GIRARDEAU**

# CIP FY 2024-2029 Parks & Stormwater Tax 2



## LEGEND

Numbers correspond to Map ID # on the CIP spreadsheet.

● PRS2 Projects

— PRS2 Projects

▭ Cape City Limits

Ward 1	Ward 4
Ward 2	Ward 5
Ward 3	Ward 6

0 1 2 Miles 1:72,300

Created by: Development Services  
Teresa Heffner, Alliance Water Resources

Date: 12/27/2023

Data Source(s):  
City of Cape Girardeau Government, MO

Coordinate System: NAD 1983 StatePlane Missouri East FIPS 2401 Feet

Layers provided by the City of Cape Girardeau are to be used for visual aid only and are not guaranteed to be accurate. These layers are not to be used for any engineering or design purpose.



FY 2024-2029 Capital Improvement Program  
10 Year Projection

PARKS & STORMWATER TAX (PRS)  
FY 2024-2029

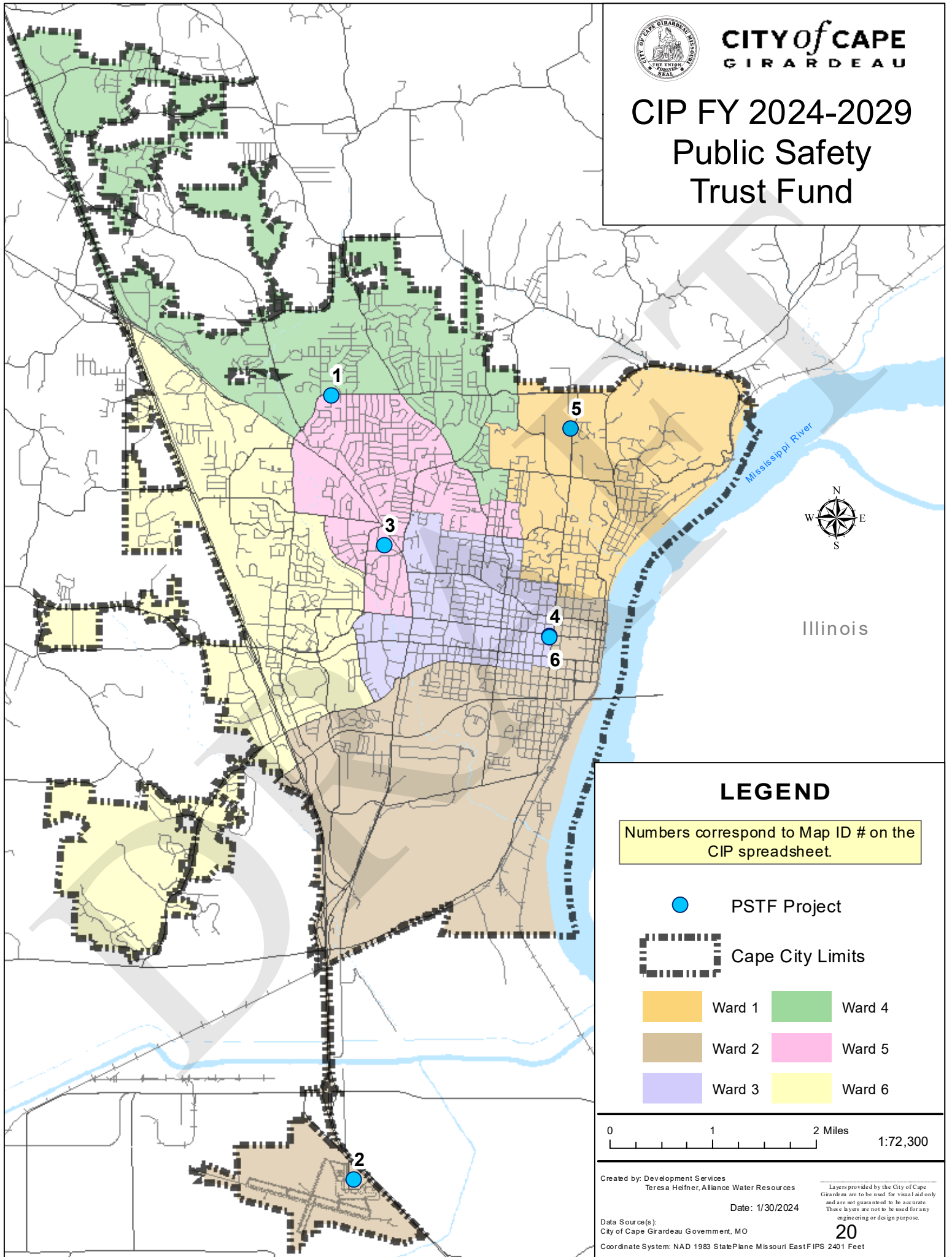
Map ID #	PRS2 Projects - Parks	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
1	Youth Sports Complex	PRS2 (4.5M)	Private (\$250,000) / PRF	A five (5) field Youth Sports Complex will be constructed to the West of the existing Shawnee Park Sports Complex.	\$ 2,000,000	\$ 2,500,000				\$ -		\$ 4,500,000
2	Cape LaCroix Recreation Trail Improvements and Widening	PRS2	Grant (\$481,000)	The Cape LaCroix Recreation Trail will be repaired, overlaid and widened from Bloomfield Road to Shawnee Park. The City of Cape Girardeau has procured a grant from the MO Dept of Transportation in the amount of \$481,000 for the project. The additional \$200,000 needed for the project will come from PRS funds.	\$ 681,000				\$ 600,000	\$ 475,000		\$ 1,756,000
8	Shawnee Park Sports Complex Facility and Field Improvements	PRS2	Grant (\$250,000)	Replace fencing fields #1 - #5, upgrade field lights to LED, install bleacher canopies on fields #2 - #8, maintenance building addition, installation of PA System		\$ 660,000	\$ 860,358			\$ -		\$ 1,520,358
10	Walker Park Development	PRS2	Grant	The newly acquired Walker Park will be developed with available PRS funds. The development may include a shelter, playground, off-street parking and a walking trail. We will be seeking grant opportunities for the project.			\$ 250,000			\$ -		\$ 250,000
11	Dennis Scivally Park Restroom	PRS2		A permanent restroom will be placed at Dennis Scivally Park. This will be a prefabricated unit.			\$ 160,000			\$ -		\$ 160,000
12	Shawnee Park Sports Complex - Maintenance Building	PRS2		Pave the parking lot at the Maintenance Building at Shawnee Park Sports Complex			\$ 125,000			\$ -		\$ 125,000
13	Asphalt Overlay of Osage Centre and Shawnee Park Sports Complex Parking Lots	PRS2		Overlay the main parking lots at the Osage Centre and the Shawnee Park Sports Complex				\$ 1,000,000		\$ -		\$ 1,000,000
14	Golf Course Enhancements	PRS2		The Cape Jaycee Golf Course scheduled replacement / renovation of the cart and maintenance shop.				\$ 350,000		\$ -		\$ 350,000
15	City Cemeteries	PRS2		Improvements to New Lorimier and Fairmount Cemeteries include construction of a maintenance building and overlay of roadways				\$ 250,000		\$ -		\$ 250,000
16	Shawnee Park Center Addition	PRS2		Expand Shawnee Park Center on the North East side of the facility.				\$ 100,000	\$ 550,000	\$ -		\$ 650,000
17	New Park Restrooms	PRS2		New restroom facilities at Osage Volleyball Courts / Arena Tennis Courts				\$ 80,000		\$ -		\$ 80,000
	Cape Splash - Phase 3	PRS2		Phase 3 of Cape Splash includes "Splash Reef" a new themed shallow water area, deck space, restroom / concession building and small stage area for parties / events movies						\$ 2,000,000		\$ 2,000,000
	Red Star Development	PRS2	Casino	The Red Star Neighborhood Park will be a phased new park adjacent and part of flood buyout property on the north side of the City adjacent to the Red Star Boat Ramp with connections to the River Flood Wall Trail. Improvements include walking trails, picnic/pavilion areas and playgrounds with the potential for an RV Campground adjacent to the Casino.						\$ 500,000		\$ 500,000
	Southside Neighborhood Park	PRS2		A neighborhood park will be constructed on the southside of Hwy 74						\$ 365,349		\$ 365,349
	Cape Rock Park Improvements	PRS2	Grant	Improve ADA accessibility to the park, improved parking, lighting and historic representation of the park property.						\$ 250,000		\$ 250,000

FY 2024-2029 Capital Improvement Program  
10 Year Projection

	Arena Park Master Plan	PRS2		The Arena Park Phased Master Plan will include an updated survey, ADA accessible event space, upgrades in electric, lighting, trails, a new SEMO Fair Barn / Offices and other park amenities and renovations.						\$ 1,495,638		\$ 1,495,638
	Shawnee Park Sports Complex - Restroom Facility at Soccer / Football Fields	TBD		A permanent restroom will be placed at the newly constructed football / soccer fields at Shawnee Park. This will be a prefabricated unit.						\$ -	\$ 150,000	\$ 150,000
				PRS2 Projects - Parks Totals by Fiscal Year	\$ 2,681,000	\$ 3,160,000	\$ 1,395,358	\$ 1,780,000	\$ 1,150,000	\$ 5,085,987	\$ 150,000	\$ 15,402,345
Map ID #	PRS2 Projects - Stormwater	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
	Sewer Manhole Rehab	PRS2		Repair and rehab of sanitary sewer manholes by contract	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 1,500,000		\$ 3,000,000
3	Lisa Branch Watershed Drainage Improvements - Phase 3	ARPA	PRS2	Upgrade street crossings on Glenridge and on Melrose near Randol	\$ 955,000					\$ -		\$ 955,000
4	Lisa Branch Watershed Drainage Improvements - Phase 4	ARPA	PRS2	Upgrade street crossing on Lisa near Randol	\$ 420,000					\$ -		\$ 420,000
5	Scivally Branch Watershed Drainage Improvements - Phase 1	ARPA	PRS2	Upgrade street crossing at Perryville near Sherwood	\$ 408,000					\$ -		\$ 408,000
6	Lisa Branch Watershed Drainage Improvements - Phase 2	ARPA	PRS2	Upgrade street crossing at Westwood near Sherwood	\$ 297,000					\$ -		\$ 297,000
7	Airport Stormwater Drainage Improvements	PRS2	MoDOT	Improvements to the stormwater drainage system	\$ 65,000					\$ -		\$ 65,000
9	Trail Creek Bank Improvements - Phase 2	PRS2		Stabilize Cape LaCroix Trail Creek Bank at Walden Park		\$ 120,000				\$ -		\$ 120,000
				PRS2 Projects - Stormwater Totals by Fiscal Year	\$ 2,445,000	\$ 420,000	\$ 300,000	\$ 300,000	\$ 300,000	\$ 1,500,000	\$ -	\$ 5,265,000
					\$ 5,126,000	\$ 3,580,000	\$ 1,695,358	\$ 2,080,000	\$ 1,450,000	\$ 6,585,987	\$ 150,000	\$ 20,667,345



# CIP FY 2024-2029 Public Safety Trust Fund



FY 2024-2029 Capital Improvement Program  
10 Year Projection

PUBLIC SAFETY TRUST FUND (PSTF)  
FY 2024-2029

Map ID #	PSTF Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
	Firefighting Foam Trailer	PSTF		This request would fund the purchase of a firefighting foam trailer with associated foam nozzles, fittings, and hose. This would also replace the foam with the non PFAS foam.	\$ 80,000					\$ -		\$ 80,000
	Replace Squad 2 Unit 147	PSTF	General Fund	Replace the 1999 Chevy 3500 diesel work truck with a crew cab diesel truck that would serve as a tow vehicle for technical rescue and hazardous materials responses	\$ 60,000					\$ -		\$ 60,000
	Replace Outboard Motors	PSTF		Replace the current obsolete outboard motors used in swift water rescues	\$ 15,000	\$ 15,000				\$ -		\$ 30,000
	Add Digital Vehicle Repeater System	PSTF	General Fund	Add a digital vehicle repeater system to the Battalion Chief vehicle	\$ 15,000					\$ -		\$ 15,000
1	Replace Engine 4 Unit 257	PSTF		Replace the 2017 pumper at the end of its life cycle for front line service		\$ 669,000				\$ -		\$ 669,000
	Replace Rescue 2 Unit 266	PSTF		Replace the 2017 pumper at the end of its life cycle for front line service		\$ 699,000				\$ -		\$ 699,000
	Replace Marine 1 Unit 952	PSTF		Replace the 2006 Boston Whaler fire boat used for fire suppression and rescue operations on the Mississippi River		\$ 320,000				\$ -		\$ 320,000
2	Add ARFF Command Vehicle	PSTF	AIP	Add ARFF Command Vehicle to be used for travel to and from the airport for flight standbys as well as a command post vehicle with specially equipped aircraft communications equipment		\$ 65,000				\$ -		\$ 65,000
4	Replace Engine 1 Unit 260	PSTF		Replace the 2017 pumper at the end of its life cycle for front line service			\$ 669,000			\$ -		\$ 669,000
5	Replace Engine 3 Unit 262	PSTF		Replace the 2017 pumper at the end of its life cycle for front line service			\$ 669,000			\$ -		\$ 669,000
6	Replace Ladder 1 Unit 243	PSTF		Replace the 2017 ladder truck at the end of its life cycle for front line service			\$ 1,090,000			\$ -		\$ 1,090,000
	Fire Station #4 - Renovations and Repair	General Fund	PSTF	Renovations and repairs to FS #4: enclose gear storage, remodel bunk room						\$ -	\$ 81,000	\$ 81,000
	Replace Squad 1 Unit 166	PSTF	General Fund	Replace the 2010 crew cab F-550 light rescue truck at the end of its life cycle						\$ -	\$ 85,000	\$ 85,000
	Training Site	PSTF		Water, electric, lighting, drainage, and doors, windows, and steps						\$ -	\$ 110,000	\$ 110,000
	Replace Front Line Cardiac Monitor / Defibrillators	PSTF	General Fund	Replace front line cardiac monitors / defibrillators at the end of their life cycle						\$ -	\$ 200,000	\$ 200,000
	Replace Front Line SCBA and Spare Bottles	PSTF	AFG Grant / General Fund	Replace front line self contained breathing apparatus (SCBA) and spare bottles						\$ -	\$ 500,000	\$ 500,000
	Replace Rescue 1 Unit 233	PSTF		Replace the 2017 heavy rescue truck at the end of its life cycle of 20 years						\$ -	\$ 750,000	\$ 750,000
	Regional Training Center	Future PSTF		Training tower and burn building						\$ -	\$ 1,339,000	\$ 1,339,000
	Fire Station #5	Future PSTF		New FS #5 in north or south Cape, dependent upon future growth trends						\$ -	\$ 4,000,000	\$ 4,000,000
				PSTF Projects - Fire Department Totals by Fiscal Year	\$ 170,000	\$ 1,768,000	\$ 2,428,000	\$ -	\$ -	\$ -	\$ 7,065,000	\$ 11,431,000
Map ID #	PSTF Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
3	Replace Tablets and Mobile Data Terminals	PSTF		Replace existing Police Department tablets (x 58) (5-yr replacement schedule)		\$ 230,000				\$ 230,000		\$ 460,000

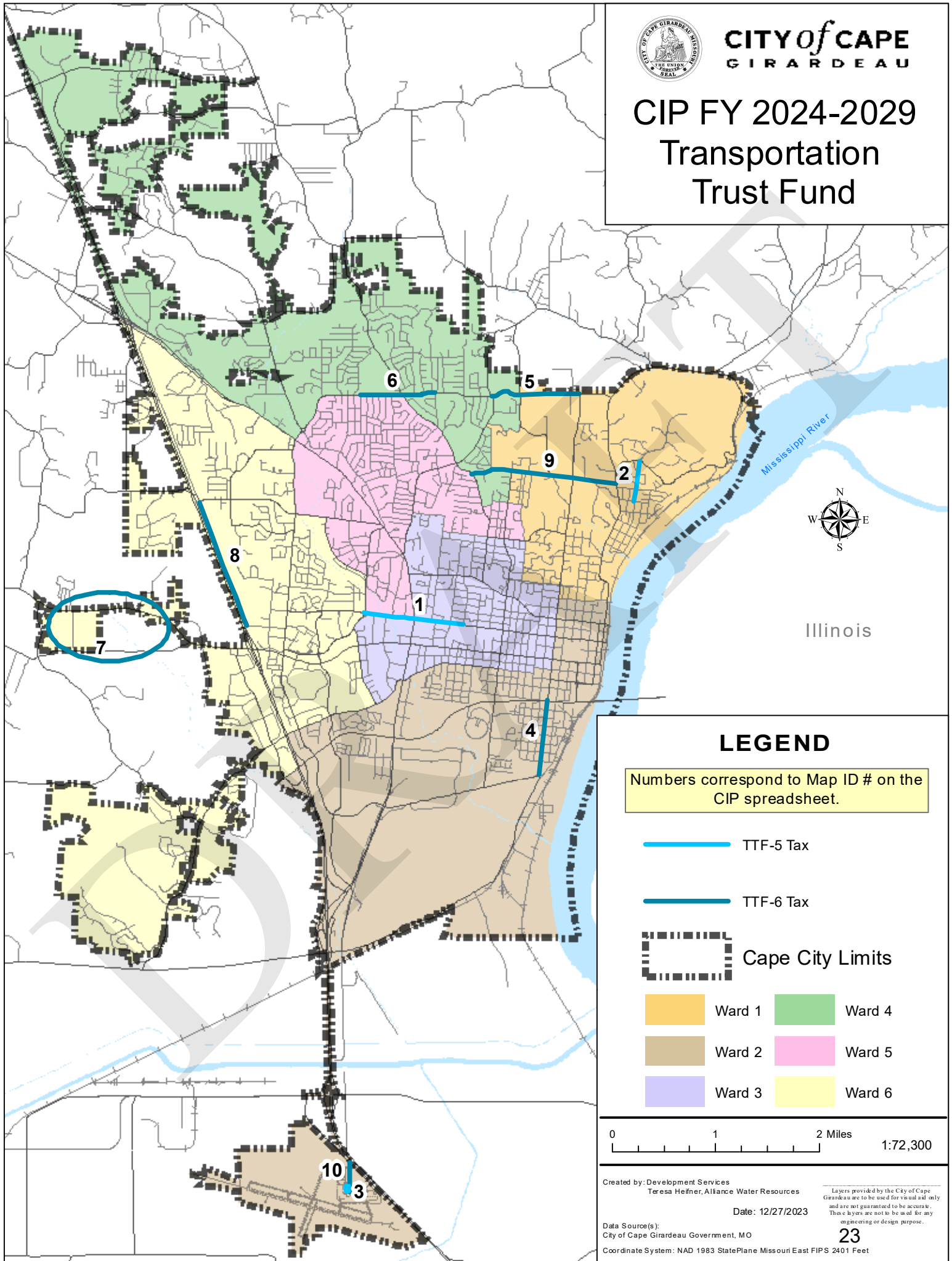


FY 2024-2029 Capital Improvement Program  
10 Year Projection

	Firearms Range	Grants / Donations	Future PSTF	To build a firearms range suitable for pistols and rifles. The range will be used for ongoing training, as well as required annual certification. The range can also be used by other regional law enforcement agencies.								
				PSTF Projects - Police Department Totals by Fiscal Year	\$ -	\$ 230,000	\$ -	\$ -	\$ -	\$ 230,000	\$ 310,000	\$ 770,000
					\$ 170,000	\$ 1,998,000	\$ 2,428,000	\$ -	\$ -	\$ 230,000	\$ 7,375,000	\$ 12,201,000



# CIP FY 2024-2029 Transportation Trust Fund



## LEGEND

Numbers correspond to Map ID # on the CIP spreadsheet.

— TTF-5 Tax

— TTF-6 Tax

— Cape City Limits

Ward 1	Ward 4
Ward 2	Ward 5
Ward 3	Ward 6

Created by: Development Services  
Teresa Heffner, Alliance Water Resources

Date: 12/27/2023

Data Source(s):  
City of Cape Girardeau Government, MO

Coordinate System: NAD 1983 StatePlane Missouri East FIPS 2401 Feet

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FY 2024-2029 Capital Improvement Program  
10 Year Projection

TRANSPORTATION TRUST FUND (TTF)  
FY 2024-2029

Map ID #	TTF5 Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
1	Independence - E Rodney to Caruthers	TTF5		Construct recommendations from traffic study to address congestion and traffic safety	\$ 4,780,000					\$ -		\$ 4,780,000
2	Main Street - Roberts to East Cape Rock	TTF5		Reconstruction, curb and gutter, sidewalks, and streetlights	\$ 1,700,000					\$ -		\$ 1,700,000
	Street Lights	TTF5		Maintenance, repair, and replacement of traditional bulbs to LEDs	\$ 200,000					\$ -		\$ 200,000
3	Terminal Parking Lot Crack Seal	TTF5 Extra		Crack Seal and seal coat of current terminal parking lot. The new terminal parking area and long term parking will be upgraded upon completion of the new facility. This does not include the parking areas directly in front of the current terminal and Cape Aviation. This area should be rehabilitated to extend the life of the parking lot while also extending the aesthetics of the new parking area across the entire parking lot.	\$ 200,000					\$ -		\$ 200,000
				TTF5 Projects' Totals by Fiscal Year	\$ 6,880,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,880,000
Map ID #	TTF6 Projects	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
4	Sprigg - Shawnee Parkway / Route 74 to Southern Expressway	TTF6		Remove and replace curb and gutter and sidewalks; mill and overlay	\$ 2,942,000					\$ -		\$ 2,942,000
	Concrete Street Repair	TTF6		Annual concrete street repair program	\$ 1,800,000	\$ 1,920,000				\$ -		\$ 3,720,000
5	Lexington - West Cape Rock to Sprigg	TTF6		Remove and replace concrete pavement sections, curb and gutter, and sidewalks; overlay	\$ 1,500,000					\$ -		\$ 1,500,000
6	Lexington - Carolina to Sherwood	TTF6		Remove and replace concrete pavement sections, curb and gutter, and sidewalks; overlay	\$ 1,000,000					\$ -		\$ 1,000,000
	Asphalt Overlay Program	TTF6		Annual asphalt overlay program	\$ 600,000	\$ 640,000				\$ -		\$ 1,240,000
7	Route K School Corridor Safety Improvements	TTF6		Intersection improvements, in cooperation with others, contribution toward total project cost	\$ 500,000					\$ -		\$ 500,000
	Sidewalk Repair Program	TTF6		Sidewalk point repair program	\$ 350,000					\$ -		\$ 350,000
8	Veterans Memorial Drive Phase 6 - Hopper to Vantage (Grading)	TTF6		Grading only		\$ 1,955,000				\$ -		\$ 1,955,000
9	Bertling - Perryville to Big Bend	TTF6		Concrete repair		\$ 1,000,000				\$ -		\$ 1,000,000
10	Asphalt Overlay of Rush Limbaugh Drive	TTF6		Asphalt overlay of Rush Limbaugh Drive, front entrance road of the Cape Girardeau Regional Airport		\$ 500,000				\$ -		\$ 500,000
				TTF6 Projects' Totals by Fiscal Year	\$ 8,692,000	\$ 6,015,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 14,707,000
					\$ 15,572,000	\$ 6,015,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 21,587,000

**FY 2023-2024 Capital Improvement Program**  
10 Year Projection  
Completed Projects

**COMPLETED PROJECTS**  
**FY 2023-2024**

				Project Cost
<b>Capital Assets - Facilities Projects</b>				
Funding Source 1	Funding Source 2	Description	FY 23-24	
General Fund		Fencing for training site at South Sprigg Street and La Cruz	\$ 50,000	
Casino Fund		Paint the exterior of the A.C. Brase Arena building	\$ 50,000	
General Fund		Stack and permanently secure the shipping containers used for firefighter training	\$ 50,000	
General Fund	Local Records Preservation Grant (max. \$15,000)	Hi-density shelving for City Hall vault area. Project will include flooring track, single-sided end shelf, and three double-sided shelves.	\$ 16,800	
General Fund	PSTF	Replace air conditioner	\$ 15,000	
Casino Fund		Materials to repaint both interior and exterior of Fire Stations #3 and #4	\$ 9,000	
<b>Capital Assets - Facilities Projects Completed</b>				\$ 190,800
<b>Capital Assets - Fleet Projects</b>				
Fleet #	VIN #	Description	FY 23-24	
ARPA		Replace 1995 Jon Boat used for Mississippi River and tributary responses	\$ 90,000	
AFG		Replace 1987 Ford F350 brush firefighting vehicle with a new quad cab diesel 4x4 truck	\$ 90,000	
General Fund		Replace the technical rescue tool trailer bought in the mid 1990s	\$ 30,000	
<b>Capital Assets - Fleet Projects Completed</b>				\$ 210,000
<b>Capital Assets - IT Projects</b>				
Funding Source 1	Funding Source 2	Description	FY 23-24	
General Fund		Replace storage array (5-yr upgrade schedule)	\$ 97,000	
General Fund		Disaster recovery (5-yr upgrade schedule)	\$ 40,000	
ARPA		Add an interoperability package to our existing and future sirens	\$ 30,000	
General Fund		Add a video wall to EOC for monitoring City security cameras, local news, and state emergency	\$ 25,000	
General Fund	User Fees	Weblink Public Portal will allow public to access / research records. This would reduce the amopunt of time spent by staff on records request research.	\$ 9,895	
General Fund		Current operating system / server is Windows 2008, is outdated, no longer supported or receives Windows updates, and is beyond life. Due to addition of PD, server is at 93% capacity (10% HR / CMO, 83% PD). Includes move / upgrade, installation and training.	\$ 5,140	
<b>Capital Assets - IT Projects Completed</b>				\$ 207,035
<b>Capital Assets - Non-fleet Projects</b>				
Funding Source 1	Funding Source 2	Description	FY 23-24	
General Fund		Software maintenance, warranties, and cloud storage will need to be extended and old cameras will be replaced in 2024. This will cover the next two years through 2026.	\$ 138,764	
ARPA		Hopper Road / Dalhousie and Bloomfield / Whispering Oaks / Stone Crest	\$ 120,000	
General Fund		Current Axon (Taser) devices are wearing down and need to be replaced. Current devices are over ten years old.	\$ 75,309	
General Fund		Fund the replacement of a vehicle extrication set to our heavy rescue truck.	\$ 49,500	
General Fund		New data collector to be used by Engineering / Surveying Technician	\$ 35,000	
General Fund		Add communications equipment to work stations in the EOC	\$ 23,000	
Health Fund		Provide a stair chair for each fire apparatus.	\$ 15,000	
General Fund		Replacement batteries for tornado sirens - 3-yr replacement schedule (x6 per siren)	\$ 12,500	
General Fund		Repair the Diesel Exhaust Removal Systems	\$ 10,000	
General Fund		Replacement of 12 GPS units for outdoor search and rescue.	\$ 6,000	
<b>Capital Assets - Non-fleet Projects Completed</b>				\$ 485,073
<b>CIST Projects</b>				
Funding Source 1	Funding Source 2	Description	FY 23-24	
CARES Act	CIST	Airport Terminal Replacement (20,100 Squ. Ft.)	\$ 12,016,053	



**FY 2023-2024 Capital Improvement Program**  
10 Year Projection  
Completed Projects

Annual CIST Street Repair	CIST		Annual CIST street maintenance and repair program	\$ 500,000
Water Tank Asset Management Program	CIST		Annual SUEZ water tank asset management program	\$ 400,000
Lead Service Line Inventory	CIST		In December 2021, a final ruling from the EPA was made official requiring water systems conduct a comprehensive inventory of water service lines from the main to the house. The inventory must be made available to the public and be completed by October 16, 2024.	\$ 250,000
T-Hangers Consulting - Burns & McDonnell	CIST / BIL		Design phase of 20 additional t-hangers	\$ 190,000
<b>CIST Projects Completed</b>				\$ 13,356,053
<b>Environmental Projects</b>	<b>Funding Source 1</b>	<b>Funding Source 2</b>	<b>Description</b>	<b>FY 23-24</b>
I&I Program - Cured-In-Place-Pipe Repairs	ARPA	Sewer Fund	Rehab of sewer system piping and manholes to reduce the rain water intrusion into the sewer system.	\$ 2,950,000
Riverfront Forcemain Railroad Crossing	Sewer Fund		Replace the sewer forcemain crossing the BNSF railroad at Elm and Fountain Streets.	\$ 300,000
WWTP Odor Control Media and Lift Station	Sewer Fund		Change out odor control media WWTP and one lift station to keep odors to a minimum. To be changed every three years.	\$ 175,000
<b>Environmental Projects Completed</b>				\$ 3,425,000
<b>PRS Projects</b>	<b>Funding Source 1</b>	<b>Funding Source 2</b>	<b>Description</b>	<b>FY 23-24</b>
Indoor Aquatic Facility	PRS2		Renovations to Central Municipal Pool Phase 1 will procure a design / build consultant with construction occurring in FY 23-24 / FY 24-25 - City Council / Cape Public School District Partnership Project	\$ 6,000,000
Lisa Branch Watershed Drainage Improvements - Phase 1	PRS2	ARPA	Upgrade street crossing on Brookwood at Masters, and on Sherwood at Westwood	\$ 675,000
Sewer Manhole Rehab	PRS2		Repair and rehab of sanitary sewer manholes by contract	\$ 300,000
Scivally Branch Watershed Drainage Improvements - Phase 2	PRS2		Upgrade street crossing at Lexington near Steven	\$ 215,000
<b>PRS Projects Completed</b>				\$ 7,190,000
<b>PSTF Projects</b>	<b>Funding Source 1</b>	<b>Funding Source 2</b>	<b>Description</b>	<b>FY 23-24</b>
AVL (Automatic Vehicle Location) Dispatching Software / Equipment / Tablets	PSTF		Purchase AVL dispatching software that integrates with our new computer aided dispatch (CAD) system implemented in March 2020. The project also included laptops/tablets for all front line apparatus and staff cars assigned to chief officers.	\$ 107,000
Add Digital Vehicle Repeater System	PSTF	General Fund	Add a digital vehicle repeater system to the heavy rescue vehicle	\$ 10,000
Add Vehicle Extrication Ram	PSTF	General Fund	Add vehicle extrication ram to the rescue truck	\$ 6,750
Replace Scene Lights	PSTF	General Fund	Replace scene lights on E13 and E12	\$ 5,900
<b>PSTF Projects Completed</b>				\$ 129,650
<b>Transportation Projects</b>	<b>Funding Source 1</b>	<b>Funding Source 2</b>	<b>Description</b>	<b>FY 23-24</b>
Air Service Marketing	MoDOT (90%)	General Fund (10%)	Air service marketing	\$ 100,000
<b>Transportation Projects Completed</b>				\$ 100,000
<b>TTF Projects</b>	<b>Funding Source 1</b>	<b>Funding Source 2</b>	<b>Description</b>	<b>FY 23-24</b>
Concrete Street Repair	TTF6		Annual concrete street repair program	\$ 1,500,000
Lexington - West Cape Rock to Sprigg	TTF6		Remove and replace concrete pavement sections, curb and gutter, and sidewalks; overlay	\$ 1,000,000
Lexington - Carolina to Sherwood	TTF6		Remove and replace concrete pavement sections, curb and gutter, and sidewalks; overlay	\$ 900,000
Asphalt Overlay Program	TTF6		Annual asphalt overlay program	\$ 500,000
Veterans Memorial Drive Phase 6 - Hopper to Vantage (Design & Acquisition)	TTF6		Design and acquisition complete	\$ 345,000
Safety Projects	TTF5	TAP	Pedestrian Improvements at US61 - Kingshighway & N Cape Rock - Maria Louise	\$ 350,000
Sidewalk Repair Program	TTF6		Sidewalk point repair program	\$ 200,000
Nash Road Railroad Tie Repair	TTF5	MFT	Repair degrading railroad ties for the railroad spur that services businesses along Nash Road	\$ 135,000
<b>TTF Projects Completed</b>				\$ 4,930,000
				\$ 30,223,611

---

**Staff:** Ryan Shrimplin, AICP - City  
**Agenda:** Planner  
3/18/2024

**AGENDA REPORT**  
Cape Girardeau City Council

**24-048**

---

**SUBJECT**

Approval of the Release of Escrow Agreement for Williamsburg Phase 3.

---

**EXECUTIVE SUMMARY**

The attached document releases the escrow agreement for public sidewalk improvements in the Williamsburg Phase 3 subdivision. Staff recommends approval of the release document, by motion.

---

**BACKGROUND/DISCUSSION**

On November 2, 2016, the City entered into an escrow agreement with Brandon O. Williams Development, LLC (the developer) for public sidewalk improvements in the Williamsburg Phase 3 subdivision. All of the sidewalk improvements are now completed, so the agreement needs to be released. The release document is attached.

---

**STAFF RECOMMENDATION**

Staff recommends approval of the release document, by motion.

---

**ATTACHMENTS:**

Name:	Description:
<a href="#">Release of Escrow Agreement - Williamsburg Phase 3 (Sidewalks) - 2024.pdf</a>	Release of Escrow Agreement - Williamsburg Phase 3

**RELEASE OF ESCROW AGREEMENT**  
**WILLIAMSBURG PHASE 3**

This Release is made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by the CITY OF CAPE GIRARDEAU, MISSOURI, a Municipal Corporation organized and existing under the laws of the State of Missouri, hereinafter referred to as the “City”, to BRANDON O. WILLIAMS DEVELOPMENT, LLC, a Missouri Limited Liability Company, hereinafter referred to as the “Developer”.

**WITNESSETH:**

WHEREAS, on November 2, 2016, the City and the Developer entered into an Escrow Agreement for public sidewalk improvements in the Williamsburg Phase 3 subdivision, in the City of Cape Girardeau, Missouri; and

WHEREAS, the City Council of the City of Cape Girardeau, Missouri, has determined that all of the work covered by the Escrow Agreement for the public sidewalk improvements in said subdivision, as set out in the improvement plans and specifications therefore, has been satisfactorily completed.

NOW, THEREFORE, in consideration of the satisfactory completion of all of the public sidewalk improvements set forth in the plans and specifications for said subdivision, the City hereby authorizes the release of the full balance of the secured amount pursuant to the Escrow Agreement. Further, the Developer is hereby discharged from any further obligations to the City under the Escrow Agreement, which is hereby canceled and terminated.

IN WITNESS WHEREOF, this Release has been executed as of the above date.

CITY OF CAPE GIRARDEAU, MISSOURI

\_\_\_\_\_  
Dr. Kenneth Haskin, City Manager

ATTEST:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name and Title

*(Continued on following page)*

STATE OF MISSOURI )  
 ) SS.  
COUNTY OF CAPE GIRARDEAU )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me personally appeared Dr. Kenneth Haskin, City Manager of the City of Cape Girardeau, Missouri, a Municipal Corporation organized and existing under the laws of the State of Missouri, known by me to be the person described in and who executed the foregoing instrument, and acknowledged that the foregoing instrument was signed and sealed on behalf of said City by authority of its City Council, and acknowledged that he executed the same as the free act and deed of said City.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in said State and County, the date first above written.

Notary Public Signature

Notary Public Printed Name

My Commission Expires:



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**Staff:** Trevor Pulley Assistant City  
Manager/Community Development  
**Agenda:** Director  
3/18/2024

**AGENDA REPORT**  
Cape Girardeau City Council

**24-041**

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**SUBJECT**

This ordinance is the Cooperation Agreement among the City, the CID, the TDD and the Developer.

---

**EXECUTIVE SUMMARY**

The Cooperation Agreement is among the City, the CID, the TDD and the Developer. This agreement identifies the conditions under which the CID and the TDD may operate, including the following:

- Requires the CID and the TDD to each impose a 1% sales tax and for the CID to impose a special assessment. Because all CID/TDD revenues are applied to the repayment of the TIF, this ensures that the TIF ends as soon as possible.
- Prohibits the CID and the TDD from terminating or reducing the sales taxes/special assessment until the TIF Obligations are paid in full.
- Requires the CID and the TDD to designate the Finance Director as an authorized person to access all information regarding the CID and TDD sales taxes. This will help the Finance Director ensure that the TIF is collecting all revenue owed to it, so that the TIF can end as soon as possible.

---

**BACKGROUND/DISCUSSION**

This ordinance is a cooperation agreement that sets the terms of the CID and TDD and requires the CID district and TTD District and Developers to cooperate with the City of Cape Girardeau. This cooperation agreement is to ensure the CID and TDD are operating correctly. This also allows a Finance director to access all the information regarding the CID and TTD sales taxes.

---

**FINANCIAL IMPACT**

This ensures all CID/TDD revenues are applied to the repayment of the TIF, this ensures that the TIF ends as soon as possible.

This also prohibits the CID and the TDD from terminating or reducing the sales taxes/special assessment until the TIF Obligations are paid in full.

## STAFF RECOMMENDATION

---

Staff recommends the City Council adopt this Ordinance.

<b>ATTACHMENTS:</b>	
Name:	Description:
<input type="checkbox"/> <a href="#">TIF.CID-TDD.Cooperation.Agreement.Ordinance.docx</a>	Ordinance
<input type="checkbox"/> <a href="#">Cooperation_Agreement.pdf</a>	Cooperation Agreement

**AN ORDINANCE APPROVING A COOPERATION AGREEMENT AMONG THE CITY OF CAPE GIRARDEAU, MISSOURI, THE RCC COMMUNITY IMPROVEMENT DISTRICT, THE RCC TRANSPORTATION DEVELOPMENT DISTRICT AND RIVER CITY CENTRE, LLC.**

---

**WHEREAS**, on October 2, 2023, the City Council of the City of Cape Girardeau, Missouri (the “City”), adopted Ordinance No. 5685 approving the RCC Tax Increment Financing Redevelopment Plan, which contemplates the use of certain economic development incentives to support the redevelopment of the property located at 3049 William Street in the City, commonly known as the West Park Mall; and

**WHEREAS**, in furtherance thereof, the City (a) established the RCC Community Improvement District (the “CID”), (b) approved the joint establishment with the CID of the RCC Transportation Development District (the “TDD”) and (c) entered into a Redevelopment Agreement (the “Redevelopment Agreement”) with River City Centre, LLC (the “Developer”); and

**WHEREAS**, the City desires to enter into a cooperation agreement with the CID, the TDD and the Developer, as contemplated by the Redevelopment Agreement, to set forth each party’s respective rights and responsibilities regarding the construction and financing of projects by the CID and the TDD;

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE GIRARDEAU, MISSOURI, AS FOLLOWS:**

**Section 1.** The City Council hereby finds and determines that it is necessary and desirable to enter into a cooperation agreement with the CID, the TDD and the Developer in substantially the form of **Exhibit A** attached hereto (the “Cooperation Agreement”). The Mayor or City Manager is hereby authorized to execute the Cooperation Agreement on behalf of the City. The City Clerk is hereby authorized and directed to attest to the Cooperation Agreement and to affix the seal of the City thereto. The Cooperation Agreement shall be in substantially the form attached to this Ordinance, which Cooperation Agreement is hereby approved by the City Council with such changes therein or amendments thereto as shall be approved by the officers of the City executing the same.

**Section 2.** The officers, agents and employees of the City are hereby authorized and directed to execute all documents and take such steps as they deem necessary and advisable in order to carry out and perform the purposes of this Ordinance and the Cooperation Agreement.

**Section 3.** The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that: (a) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the City Council has or would have enacted the valid sections without the void one; and (b) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

**Section 4.** This Ordinance shall take effect and be in full force 10 days after its passage by the City Council.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

\_\_\_\_\_  
Stacy Kinder, Mayor

ATTEST:

\_\_\_\_\_  
Bruce Taylor, Deputy City Clerk





**EXHIBIT A**

**COOPERATION AGREEMENT**

[On file in the City Clerk's Office]

## COOPERATION AGREEMENT

**THIS COOPERATION AGREEMENT** (this “Agreement”) is made and entered into as of \_\_\_\_\_, 2024, by and among the **CITY OF CAPE GIRARDEAU, MISSOURI**, an incorporated political subdivision of the State of Missouri (the “City”), the **RCC COMMUNITY IMPROVEMENT DISTRICT**, a community improvement district and political subdivision of the State of Missouri (the “CID”), the **RCC TRANSPORTATION DEVELOPMENT DISTRICT**, a transportation development district and political subdivision of the State of Missouri (the “TDD”), and **RIVER CITY CENTRE, LLC**, a Missouri limited liability company (the “Developer” and, together with the City, the CID and the TDD, the “Parties”). All capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the hereinafter-defined Redevelopment Agreement.

### RECITALS:

1. The City and the Developer entered into a Redevelopment Agreement dated as of October 27, 2023 (the “Redevelopment Agreement”).
2. The Parties desire to enter into this Agreement, as contemplated by the Redevelopment Agreement, to set forth their respective rights and responsibilities regarding the construction and financing of projects by the CID and the TDD (the “CID Project” and the “TDD Project, respectively”).

### AGREEMENT:

**NOW, THEREFORE**, in consideration of the premises and the mutual covenants and agreements contained in this Agreement, the Parties agree as follows:

**Section 1. Authority of the City.** The City has full constitutional and lawful right, power and authority, under current applicable law, to execute and deliver and perform the terms and obligations of this Agreement, and this Agreement has been duly and validly authorized and approved by all necessary City proceedings, findings and actions. Accordingly, this Agreement constitutes the legal, valid and binding obligation of the City, enforceable in accordance with its terms.

**Section 2. Authority of the CID.** The CID has full constitutional and lawful right, power and authority, under current applicable law, to execute and deliver and perform the terms and obligations of this Agreement, and this Agreement has been duly and validly authorized and approved by all necessary CID proceedings, findings and actions. Accordingly, this Agreement constitutes the legal, valid and binding obligation of the CID, enforceable in accordance with its terms.

**Section 3. Authority of the TDD.** The TDD has full constitutional and lawful right, power and authority, under current applicable law, to execute and deliver and perform the terms and obligations of this Agreement, and this Agreement has been duly and validly authorized and approved by all necessary TDD proceedings, findings and actions. Accordingly, this Agreement constitutes the legal, valid and binding obligation of the TDD, enforceable in accordance with its terms.

**Section 4. Authority of the Developer.** The Developer has full corporate and lawful right, power and authority, under current applicable law, to execute and deliver and perform the terms and obligations of this Agreement, and this Agreement has been duly and validly authorized and approved by all necessary corporate proceedings, findings and actions. Accordingly, this Agreement constitutes the legal, valid and binding obligation of the Developer, enforceable in accordance with its terms.

## **Section 5. CID Sales Tax; TDD Sales Tax.**

(a) Promptly following the approval of this Agreement by the CID's Board of Directors (the "CID Board"), the CID shall adopt a resolution to impose a community improvement district sales and use tax (the "CID Sales Tax"). The Developer will promptly cause, through its representatives appointed to the CID Board and in its capacity as a qualified voter, the CID Sales Tax to be levied by the CID Board and approved by the qualified voters at the rate of one percent (1.0%). The CID Sales Tax shall be imposed as soon as possible pursuant to the terms of the CID Act and any other applicable laws, but in no event later than July 1, 2024, and shall not be terminated so long as any payment obligations with respect to Pay-As-You-Go Financing, Subordinate TIF Obligations or TIF Obligations remain outstanding.

(b) Promptly following the approval of this Agreement by the TDD's Board of Directors (the "TDD Board"), the TDD shall adopt a resolution to impose a transportation development district sales tax (the "TDD Sales Tax"). The Developer will promptly cause, through its representatives appointed to the TDD Board and in its capacity as a qualified voter, the TDD Sales Tax to be levied by the TDD Board and approved by the qualified voters at the rate of one percent (1.0%). The City, to the extent permitted by law, will promptly cause, through its representatives appointed to the TDD Board, the TDD Sales Tax to be levied by the TDD Board at the rate of one percent (1.0%). The TDD Sales Tax shall be imposed as soon as possible pursuant to the terms of the TDD Act and any other applicable laws, but in no event later than January 1, 2025, and shall not be terminated so long as any payment obligations with respect to Pay-As-You-Go Financing, Subordinate TIF Obligations or TIF Obligations remain outstanding.

**Section 6. CID Special Assessment.** Promptly following the approval of this Agreement by the CID Board, the CID shall adopt a resolution to impose a community improvement district special assessment (the "CID Special Assessment"). The Developer will promptly cause, through its representatives appointed to the CID Board and in its capacity as both an owner of more than 50% of the assessed value of the real property within the CID and an owner of more than 50% per capita of all of the real property within the CID, the CID Special Assessment to be levied by the CID Board and approved by petition of the owners at the rate of \$2.00 per square foot of the gross leasable area of each building within the boundaries of the CID. The CID Special Assessment shall be imposed as soon as possible pursuant to the terms of the CID Act and any other applicable laws, but in no event later than July 1, 2024, and shall not be terminated so long as any payment obligations with respect to Pay-As-You-Go Financing, Subordinate TIF Obligations or TIF Obligations remain outstanding.

## **Section 7. Continuing Existence of the CID and the TDD.**

(a) Neither the CID nor the Developer will take any action to dissolve the CID or reduce the rate of the CID Sales Tax or the CID Special Assessment until the funding and construction of the CID Project are completed, including the payment in full of all outstanding Pay-As-You-Go Financing obligations and the retirement of all outstanding Subordinate TIF Obligations and TIF Obligations. Upon the payment in full of all outstanding Pay-As-You-Go Financing obligations and the retirement of all outstanding Subordinate TIF Obligations and TIF Obligations, the CID will immediately take such steps as may be required to terminate the CID Sales Tax and the CID Special Assessment and dissolve the CID.

(b) None of the TDD, the City or the Developer will take any action to dissolve the TDD or reduce the rate of the TDD Sales Tax until the funding and construction of the TDD Project are completed, including the payment in full of all outstanding Pay-As-You-Go Financing obligations and the retirement of all outstanding Subordinate TIF Obligations and TIF Obligations. Upon the payment in full of all outstanding Pay-As-You-Go Financing obligations and the retirement of all outstanding Subordinate TIF Obligations and TIF Obligations, the TDD will immediately take such steps as may be required to terminate the TDD Sales Tax and dissolve the TDD.

## **Section 8. Governance of the CID.**

(a) The Parties acknowledge that the CID will be governed by a board of directors made up of five representatives of the owners of real property or businesses operating within the CID, who will be appointed by the Mayor with the consent of the City Council. *[\*notice of meetings to city attorney and city manager\*]*

(b) The CID shall employ or engage an administrator or legal counsel with experience managing special taxing districts to ensure that the CID complies with this Agreement and all applicable laws and regulations. If the CID (1) fails to comply with any reporting requirement contained in the CID Act or other applicable law for two consecutive years, including, without limitation, timely submittal of annual reports, financial statements and budgets, (2) admits to or is found by a court to have committed two or more violations of Chapter 610 of the Revised Statutes of Missouri, or (3) is unresponsive to any inquiry or audit initiated by the Missouri State Auditor's office, then the City may designate an administrator or legal counsel for the CID to engage, at the CID's cost, to ensure that the CID complies with this Agreement and all applicable laws and regulations.

(c) Except as expressly provided in Section 11, unless otherwise approved by the City in its sole and absolute discretion, the CID shall have no authorization to pay any costs, impose any tax, license fee or assessment other than the CID Sales Tax and the CID Special Assessment, or incur any obligations.

(d) The Developer and the CID shall allow the City and its employees, agents and representatives to inspect, within one business day after request therefor, all contracts, documents and records pertaining to the CID Project and the CID, including but not limited to the CID Sales Tax, the CID Special Assessment and the CID's financial statements. In addition, the CID agrees that, before the effective date of the CID Sales Tax, the CID will file Form 4379 with the Missouri Department of Revenue to designate the City Finance Director as an authorized person to access to all information regarding the CID Sales Tax under Sections 32.057 and 144.121 of the Revised Statutes of Missouri.

## **Section 9. Governance of the TDD.**

(a) The Parties acknowledge that the TDD will be governed by a board of directors comprised of the Mayor of the City, the Chairman of the CID, one person designated by the City Council and one person designated by the CID Board.

(b) The TDD shall employ or engage an administrator or legal counsel with experience managing special taxing districts to ensure that the TDD complies with this Agreement and all applicable laws and regulations. If the TDD (1) fails to comply with any reporting requirement contained in the TDD Act or other applicable law for two consecutive years, including, without limitation, timely submittal of annual reports, (2) admits to or is found by a court to have committed two or more violations of Chapter 610 of the Revised Statutes of Missouri, or (3) is unresponsive to any inquiry or audit initiated by the Missouri State Auditor's office, then the City may designate an administrator or legal counsel for the TDD to engage, at the TDD's cost, to ensure that the TDD complies with this Agreement and all applicable laws and regulations.

(c) Except as expressly provided in Section 11, unless otherwise approved by the City in its sole and absolute discretion, the TDD shall have no authorization to pay any costs, impose any tax, license fee or assessment other than the TDD Sales Tax, or incur any obligations.

(d) The Developer and the TDD shall allow the City and its employees, agents and representatives to inspect, within one business day after request therefor, all contracts, documents and records pertaining to the TDD Project and the TDD, including but not limited to the TDD Sales Tax and the TDD's financial statements. In addition, the TDD agrees that, before the effective date of the TDD Sales Tax, the TDD will file Form 4379 with the Missouri Department of Revenue to designate the City Finance Director as an authorized person to access to all information regarding the TDD Sales Tax under Sections 32.057 and 144.121 of the Revised Statutes of Missouri.

**Section 10. Financing of the CID and TDD Project Costs.** Pursuant to **Article IV** of the Redevelopment Agreement, the City will reimburse the Developer for Reimbursable Redevelopment Project Costs. The CID Sales Tax, the CID Special Assessment and the TDD Sales Tax will only be used for those activities that qualify as Reimbursable Redevelopment Project Costs.

**Section 11. Payment of Expenses; Obligation to Transfer Revenues.**

(a) The CID shall, subject to annual appropriation, (1) transfer, or cause to be transferred, 50% of the revenues attributable to the CID Sales Tax to the City for deposit into the EATS Account of the Special Allocation Fund and (2) transfer, or cause to be transferred, all other CID revenues (i.e., the portion of the CID Sales Tax revenues not required to be deposited into the Special Allocation Fund, plus the CID Special Assessment), net of the CID Annual Operating Costs, to the City for deposit into the CID Account. Such transfers shall be made on or before the 15th day of each month (or if the 15th is not a business day for City offices, the next day that City offices are open).

(b) The TDD shall, subject to annual appropriation, (1) transfer, or cause to be transferred, 50% of the revenues attributable to the TDD Sales Tax to the City for deposit into the EATS Account of the Special Allocation Fund and (2) transfer, or cause to be transferred, all other TDD revenues (i.e., the portion of the TDD Sales Tax revenues not required to be deposited into the Special Allocation Fund), net of the TDD Annual Operating Costs, to the City for deposit into the TDD Account. Such transfers shall be made on or before the 15th day of each month (or if the 15th is not a business day for City offices, the next day that City offices are open).

(c) The City will apply all moneys transferred to the City under this Section in accordance with the Redevelopment Agreement.

(d) The Developer agrees to advance the costs of operating the CID until the CID revenues equal the CID Annual Operating Costs. The amount of advances shall conform to the operating expenses set forth in a budget approved by the CID Board and the City. Any advances paid by the Developer for approved costs shall be eligible for reimbursement as Reimbursable Redevelopment Project Costs.

(e) The Developer agrees to advance the costs of operating the TDD until the TDD revenues equal the TDD Annual Operating Costs. The amount of advances shall conform to the operating expenses set forth in a budget approved by the TDD Board. Any advances paid by the Developer for approved costs shall be eligible for reimbursement as Reimbursable Redevelopment Project Costs.

**Section 12. Federal Work Authorization Program.** Simultaneously with the execution of this Agreement, the Developer shall provide the CID, the TDD and the City with an affidavit and documentation meeting the requirements of Section 285.530 of the Revised Statutes of Missouri.

**Section 13. Insurance.**



(a) The CID and the TDD will each maintain reasonable levels of insurance throughout its respective existence. Without limiting the generality of the foregoing, the CID and the TDD shall, simultaneously with the execution of this Agreement and annually thereafter through the term of this Agreement, each provide evidence of a directors and officers liability or similar policy (in form and substance reasonably acceptable to the City Attorney) that includes coverage for all suits, claims, costs of defense, damages, injuries, liabilities, costs and/or expenses, including court costs and attorneys' fees and expenses, resulting from, arising out of, or in any way connected with the proceedings of the CID Board or the TDD Board, as applicable, pursuant to the CID Act or the TDD Act, as applicable, and Chapter 610 of the Revised Statutes of Missouri.

(b) The policies of insurance required pursuant to clause (a) above shall be in form and content reasonably satisfactory to the City and shall be placed with financially sound and reputable insurers licensed to transact business in the State with a financial strength rating of not less than A- and a financial size category of not less than VIII as designated in the most currently available "A.M. Best's" insurance reports. The policies of insurance delivered pursuant to clause (a) above shall name the City as an additional insured, shall be primary and non-contributory with respect to any insurance maintained by the City, and shall contain an agreement of the insurer to give not less than 10 days' advance written notice to the City in the event of cancellation of such policy or change affecting the coverage thereunder. The CID and the TDD, as applicable, shall deliver or cause to be delivered to the City evidence, in the form of certificates of insurance, of all insurance to be maintained hereunder.

**Section 14. Hold Harmless.** Notwithstanding anything herein to the contrary, the City shall not be liable to the Developer, the CID or the TDD for damages or otherwise if all or any part of the CID, the TDD, the CID Project or the TDD Project or any ordinance or resolution of the City adopted in connection therewith is declared invalid or unconstitutional in whole or in part by any court of competent jurisdiction.

**Section 15. Successors and Assigns.** This Agreement may be assigned by the Developer in the same manner as allowed for the assignment of the Redevelopment Agreement in **Section 7.5** of the Redevelopment Agreement.

**Section 16. Severability.** If any term or provision of this Agreement is held to be unenforceable by a court of competent jurisdiction, the remainder shall continue in full force and effect, to the extent the remainder can be given effect without the invalid term or provision.

**Section 17. Waiver.** The City's failure at any time hereafter to require strict performance by the CID, the TDD or the Developer of any provision of this Agreement shall not waive, affect or diminish any right of the City thereafter to demand strict compliance and performance therewith.

**Section 18. Counterparts.** This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same agreement.

**Section 19. Anti-Discrimination Against Israel Act.** Pursuant to Section 34.600 of the Revised Statutes of Missouri, the Developer, the CID and the TDD each certifies it is not currently engaged in and shall not, for the duration of this Agreement, engage in a boycott of goods or services from the State of Israel; companies doing business in or with Israel or authorized by, licensed by, or organized under the laws of the State of Israel; or persons or entities doing business in the State of Israel.

*[Remainder of Page Intentionally Left Blank]*

**IN WITNESS WHEREOF**, the Parties hereto have caused this Agreement to be executed in their respective names and attested as of the date first above written.

**CITY OF CAPE GIRARDEAU, MISSOURI**

By: \_\_\_\_\_  
Kenneth Haskin, City Manager

[SEAL]


ATTEST:

\_\_\_\_\_  
Gayle Conrad, City Clerk

[Cooperation Agreement]



**RCC COMMUNITY IMPROVEMENT  
DISTRICT**

By:   
Name: John Nicholas Martin  
Title: Chairman

[SEAL]

ATTEST:



By: \_\_\_\_\_  
Name: Lucas Haley  
Title: Secretary

[Cooperation Agreement]

**RCC TRANSPORTATION  
DEVELOPMENT DISTRICT**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Chairman

[SEAL]

ATTEST:

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: Secretary

[Cooperation Agreement]

**RIVER CITY CENTRE, LLC**

A handwritten signature in black ink, appearing to read 'L. Haley', written over a horizontal line.

By: \_\_\_\_\_

Name: Lucas M. Haley

Title: Authorized Agent



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**Staff:** Ryan Shrimplin, AICP - City  
**Agenda:** Planner  
3/18/2024

**AGENDA REPORT**  
Cape Girardeau City Council

**24-049**

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**SUBJECT**

An Ordinance approving the record plat of Bailey Keller Subdivision.

**EXECUTIVE SUMMARY**

The attached ordinance approves a record plat for a one-lot subdivision at 600 and 608 West Highland Drive.

**BACKGROUND/DISCUSSION**

A record plat has been submitted for Bailey Keller Subdivision, located at 600 and 608 West Highland Drive and zoned R-1 (Single-Family Suburban Residential). The plat combines two lots to create one new lot.

**STAFF RECOMMENDATION**

The staff report to the Planning and Zoning Commission recommended approval of the record plat.

**BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission, at its March 13, 2024 meeting, recommended approval of the record plat with a vote of 7 in favor, 0 in opposition, and 0 abstaining.

**ATTACHMENTS:**

Name:	Description:
<a href="#">❏ RP_Bailey_Keller_Subdivision.doc</a>	Ordinance
<a href="#">❏ Staff_Review-Referral-Action_Form.pdf</a>	Bailey Keller Subdivision - Staff RRA Form
<a href="#">❏ Map - Bailey_Keller_Subdivision.pdf</a>	Bailey Keller Subdivision - Map
<a href="#">❏ Application - Bailey_Keller_Subdivision_Record_Plat.pdf</a>	Bailey Keller Subdivision - Application
<a href="#">❏ Bailey_Keller_20240306.pdf</a>	Bailey Keller Subdivision - Record Plat

BILL NO. 24-32

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING THE RECORD PLAT OF  
BAILEY KELLER SUBDIVISION

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE  
GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. The record plat of Bailey Keller Subdivision, being all of Lots 1 and 2 of Robert Davis Subdivision as shown in Document Number 2018-05744 in Fractional Section 35, Township 31 North, Range 13 East of the Fifth Principal Meridian, in the City and County of Cape Girardeau, Missouri, submitted by Bailey R. Keller, a single person, bearing the certification of Matthew Darren DeJournett, a Registered Land Surveyor, dated the 6th day of February, 2024, is hereby approved.

ARTICLE 2. The City Clerk is hereby directed to sign the record plat with the date of Council approval and affix thereto the seal of the City of Cape Girardeau, Missouri.

ARTICLE 3. This ordinance shall be in full force and effect ten days after its passage and approval.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
Stacy Kinder, Mayor

ATTEST:

\_\_\_\_\_  
Bruce Taylor, Deputy City Clerk




**CITY OF CAPE GIRARDEAU, MISSOURI**  
City Staff Review, Referral and Action - Subdivision Application

FILE: **Bailey Keller Subdivision**

LOCATION: 600 & 608 West Highland Drive

**STAFF REVIEW & COMMENTS:**

A record plat has been submitted to combine two (2) lots at 600 & 608 West Highland Drive. SEE STAFF REPORT FOR MORE DETAILS.

  
\_\_\_\_\_  
City Planner

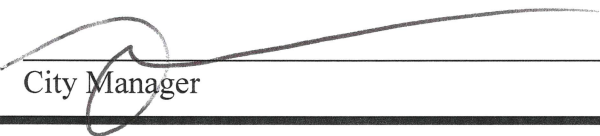
3/4/24  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
City Attorney

3/5/24  
\_\_\_\_\_  
Date

---

**CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:**

  
\_\_\_\_\_  
City Manager

3/5/24  
\_\_\_\_\_  
Date

---

***Planning & Zoning Commission***

**RECOMMENDED ACTION:**

	Favor	Oppose	Abstain
Trae Bertrand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Blank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Favor	Oppose	Abstain
Chris Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nick Martin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sommer McCauley-Perdue	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**VOTE COUNT:** 17 Favor 0 Oppose 0 Abstain

**COMMENTS:**

**CITIZENS COMMENTING AT MEETING:**

  
\_\_\_\_\_  
Chris Martin  
Planning & Zoning Commission Secretary

---

***City Council Action***

Ordinance 1<sup>st</sup> Reading \_\_\_\_\_ Ordinance 2<sup>nd</sup> & 3<sup>rd</sup> Reading: \_\_\_\_\_

ORDINANCE # \_\_\_\_\_ Effective Date: \_\_\_\_\_

---



# Bailey Keller Subdivision







# SUBDIVISION PLAT APPLICATION CITY of CAPE GIRARDEAU

COMMUNITY DEVELOPMENT DEPARTMENT, 44 NORTH LORIMIER STREET, CAPE GIRARDEAU, MO 63701 (573) 339-6327

<b>Name of Subdivision</b> Bailey Keller		<b>Type of Plat</b> <input checked="" type="checkbox"/> Record <input type="checkbox"/> Preliminary <input type="checkbox"/> Boundary Adjustment	
<b>Applicant</b> Bailey keller		<b>Property Owner of Record</b> <input checked="" type="checkbox"/> Same as Applicant Bailey Keller	
Mailing Address 608 w highland dr		City, State, Zip Cape girardeau MO	
Telephone 5738039970	Email baileykeller72@yahoo.com	Telephone	Email
Contact Person (if Applicant is a Business or Organization)		(Attach additional owners information, if necessary)	
<b>Professional Engineer/Surveyor (if other than Applicant)</b> Matt DeJournett		<b>Developer (if other than Applicant)</b>	
Mailing Address 2401 St. Hwy PP		City, State, Zip Scott City, MO 63780	
Telephone 573-579-4524	Email mattdeljournett@hotmail.com	Telephone	Email

## ADDITIONAL ITEMS REQUIRED

See Instructions for more  
information.

In addition to this completed application form, the following items must be submitted:

- ☒ Review Fee (payable to City of Cape Girardeau)  
\$21.00 per lot (**\$210.00 minimum**)
- ☒ Recording Fee Deposit (payable to City of Cape Girardeau)

Sheet Size	Record Plat	Boundary Adjustment Plat
18" x 24"	\$46.00	\$26.00
24" x 36"	\$71.00	\$31.00

(The City reserves the right to issue a partial refund or collect an additional fee if the actual recording cost differs from the deposit amount)
- ☒ One (1) full size print of the plat
- ☒ Digital file of the plat in .pdf format (can be emailed to [cityplanning@cityofcape.org](mailto:cityplanning@cityofcape.org))
- ☒ Completed minimum requirements checklist

## CERTIFICATION

I hereby certify that I am the sole Property Owner of Record or an agent duly authorized by the Property Owner(s) of Record to file this application on their behalf. Furthermore, I hereby acknowledge that the plat submitted with this application must meet certain requirements in order to be approved including, but not limited to: a) successfully addressing all review comments, and b) any and all new public improvements for the subdivision being completed and/or covered under a performance guarantee agreement in accordance with the City's Code of Ordinances. If I am an agent, I hereby certify that I have notified the Property Owner(s) of Record and the developer of these requirements.

Bailey Keller  
Applicant Signature and Printed Name

02-06-2024  
Date

### OFFICE USE ONLY

Date Received & By 2-12-24 File # \_\_\_\_\_ MUNIS Application # 15005 MUNIS Permit # \_\_\_\_\_  
Review Fee Received \$ 210.00 Recording Fee Received \$ 71. ☐ Check # 2624 ☐ Credit Card ☐ Cash  
Preliminary and Record Plats:  
Planning & Zoning Commission Recommendation \_\_\_\_\_ Date \_\_\_\_\_ City Council Final Action \_\_\_\_\_ Date \_\_\_\_\_



**City of Cape Girardeau**  
**Subdivision Plat Requirements**  
**(Record Plats)**

**MINIMUM REQUIREMENTS FOR RECORD PLATS – COMPLETE CHECKLIST AND SUBMIT WITH APPLICATION**

*(First column of check boxes is for professional engineer/surveyor; second column is for City staff)*

NAME OF SUBDIVISION: Bailey keller

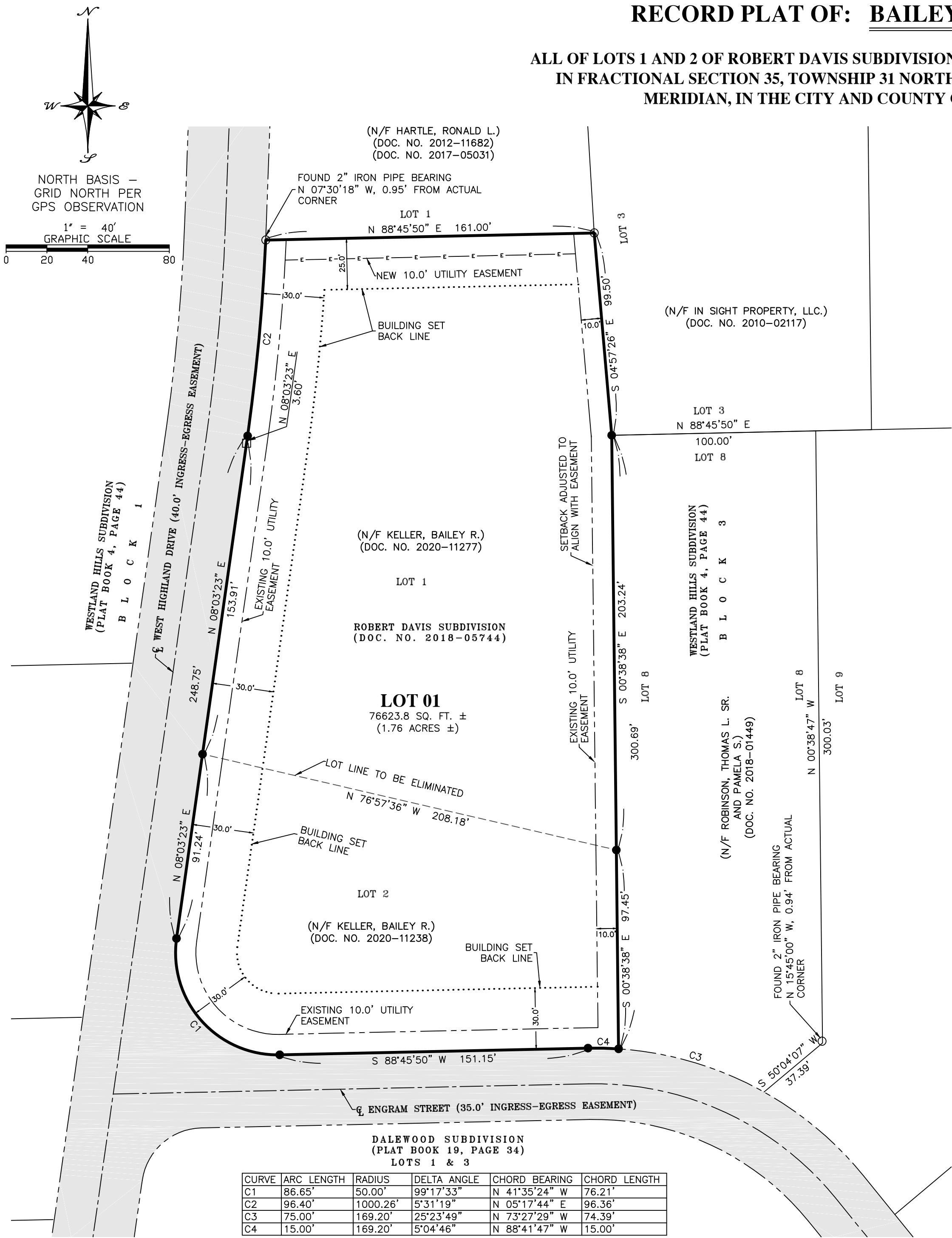
- |                          |                                     |   |
|--------------------------|-------------------------------------|---|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Sheet size - 18" x 24", 24" x 24", or 24" x 36"   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | White background with black text and graphics; greyscale allowed; no other colors   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Border - rectangular, solid line(s)   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Title block - include name, address, and phone number of consultant preparing the plat; include box for original issue date and at least 3 revision issue dates   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Sheet number, if plat consists of more than one sheet   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Plat title - located at the top of the sheet, preferably centered; begin with "RECORD PLAT"; name cannot be a duplicate of an existing subdivision in the county or include "RESUBDIVISION"   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Description beneath plat title - if existing platted lots are involved, begin with "ALL OF" or "PART OF" as applicable; include Block Number if applicable; include Book and Page or Document Number of existing plat; include vacated right-of-way/alley if applicable; end with "IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI"   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | References - list all deeds, plats, separate easement instruments, etc. used in preparing the plat; include Book and Page or Document Number for each, if recorded  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | North arrow with basis of bearings  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Graphic scale - 1:100 or less; must be a multiple of 10   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Vicinity map - lines only (no images); all nearby streets and major streets labeled; site labeled; include North arrow and "NTS" or "NOT TO SCALE"; use transparent background for labels   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Legend - list found monuments first, followed by set monuments, followed by: "SUBDIVISION BOUNDARY LINE", "LOT LINE TO BE ELIMINATED" and/or "NEW LOT LINE" as applicable, "EXISTING EASEMENT LINE" and/or "NEW EASEMENT LINE" as applicable, "BUILDING SETBACK LINE", "EXTERNAL PROPERTY LINE", "RIGHT-OF-WAY LINE", "CENTERLINE", other symbols as applicable   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Curve table and/or line table, if necessary - include unit symbols for distances/lengths  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Subdivision boundary and internal lines accurately drawn and labeled with bearing and distance or referenced to curve table/line table  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Section/township/range lines accurately drawn and labeled   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Adjacent parcel lines accurately drawn  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Subdivision boundary and each lot checked for closure   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Each proposed lot labeled with lot number and area expressed in square feet and acres   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | All parcels within and adjacent to the subdivision boundary labeled with record owner name and Book and Page or Document Number for deed  |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | All existing platted lots within and adjacent to the subdivision boundary labeled with subdivision name and Book and Page or Document Number for plat   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | All existing easements within the subdivision boundary labeled as existing; include type of easement (water, sewer, utility, drainage, access, etc.); include Book and Page or Document Number, if recorded   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | All new easements within the subdivision boundary labeled as "NEW ___ ' UTILITY EASEMENT", "NEW ___ ' ACCESS EASEMENT", or other type of easement as applicable   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | All building setback lines within the subdivision boundary labeled; include depth   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | All rights-of-way within and adjacent to the subdivision boundary labeled with street name (or labeled as alley if applicable) and right-of-way width   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | All private streets within and adjacent to the subdivision boundary labeled with street name followed by "(PRIVATE STREET)" along with existing access easement information, if applicable, or shown in a new 50 foot access easement   |
| <input type="checkbox"/> | <input type="checkbox"/>            | Notes:  |
|                          |                                     | <ul style="list-style-type: none"><li>• Zoning - include zoning district name, minimum lot area, minimum lot width, maximum density if applicable, and setbacks; if zoning district has different standards based on land use type, include all standards and state the proposed use type(s)</li><li>• Lot - include total number of lots, largest lot area, smallest lot area, and total subdivision area; include proposed density (for residential subdivisions)</li></ul> |

## **MINIMUM REQUIREMENTS FOR RECORD PLATS (CONTINUED)**

- Variance, if applicable - begin with "A VARIANCE IS SHOWN FOR" followed by "A REDUCED LOT AREA FOR LOT \_\_", "A REDUCED LOT WIDTH FOR LOT \_\_", or "A REDUCED \_\_\_\_ YARD SETBACK ALONG THE \_\_\_\_ LOT LINE OF LOT \_\_", as applicable
  - Exception, if applicable - begin with "AN EXCEPTION IS SHOWN FOR" followed by "THE OMISSION OF THE REQUIRED 10 FOOT UTILITY EASEMENT ALONG THE \_\_\_\_ LOT LINE OF LOT \_\_" or "A REDUCED UTILITY EASEMENT WIDTH ALONG THE \_\_\_\_ LOT LINE OF LOT \_\_", as applicable
  - Floodplain - begin with "A PORTION OF THE PROPERTY FALLS WITHIN" or "NO PORTION OF THE PROPERTY FALLS WITHIN", as applicable; if referencing a zone designation, state what that designation means
- ☐ ☒ List each record owner name and Book and Page or Document Number for deed, name and address of party for whom the plat was prepared, name and address of consultant that performed the survey and prepared the plat
- ☐ ☒ Subdivision Dedication:
- Begin with "THE UNDERSIGNED," followed by the owner name(s) as stated in the current deed(s); include "HUSBAND AND WIFE," if applicable; include "A [insert state name] LIMITED LIABILITY COMPANY," or "A [insert state name] CORPORATION," if applicable; followed by "OWNER OF" or "OWNERS OF" and a description matching the description beneath the plat title, followed by "CONTAINING \_\_\_\_ SQUARE FEET (\_\_\_\_ ACRES), MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:"; followed by a legal description of the total subdivision area; followed by "HEREBY SUBDIVIDE" or "HEREBY SUBDIVIDES"; followed by "SAID TRACT INTO \_\_\_\_ AS SHOWN HEREON, WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID SUBDIVISION, WHICH IS HEREBY NAMED \_\_\_\_."
  - New right-of-way and/or easements - use standard language
- ☐ ☒ Legal description checked against drawing for congruence
- ☐ ☒ Owner signature line(s) with notary block(s) - include title after signatory name if owner is not an individual; include "HUSBAND AND WIFE," if applicable; include "A [insert state name] LIMITED LIABILITY COMPANY," or "A [insert state name] CORPORATION," if applicable
- ☐ ☒ If plat shows existing public easement(s) to be released – use standard block for City Manager's release
- ☐ ☒ City Clerk's certificate - use standard block for record plats
- ☐ ☒ County Recorder of Deeds' certificate - use standard block
- ☐ ☒ Surveyor's certificate

RECORD PLAT OF: BAILEY KELLER SUBDIVISION

ALL OF LOTS 1 AND 2 OF ROBERT DAVIS SUBDIVISION AS SHOWN IN DOCUMENT NUMBER 2018-05744  
IN FRACTIONAL SECTION 35, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL  
MERIDIAN, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI



SUBDIVISION DEDICATION

THE UNDERSIGNED, BAILEY R. KELLER, A SINGLE PERSON, OWNER IN FEE OF ALL OF LOTS 1 AND 2 OF ROBERT DAVIS SUBDIVISION AS SHOWN IN DOCUMENT NUMBER 2018-05744 IN FRACTIONAL SECTION 35, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY OF CAPE GIRARDEAU IN CAPE GIRARDEAU COUNTY, MISSOURI CONTAINING 1.76 ACRES (MORE OR LESS), hereby declare that I have caused these presents to be subdivided into one (1) lot as numbered and designated on the annexed plat, which is a true and correct representation of said subdivision, and I have named said subdivision "Bailey Keller Subdivision", subject to all existing easements, rights of way, restrictions and licenses which may exist thereon, either written or implied. The new utility easement shown hereon is hereby granted to the City of Cape Girardeau, Missouri, in perpetuity for public purposes, including the installation, maintenance, repair, replacement, and expansion of City water and sewer systems, and as may be authorized by said City to be used by a public or private utility provider for purposes related to the installation, maintenance, repair, replacement, and expansion of such utility systems.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_day of \_\_\_\_\_, 20\_\_\_\_.

BAILEY R. KELLER

STATE OF MISSOURI )  
COUNTY OF CAPE GIRARDEAU )SS

On this \_\_\_\_day of \_\_\_\_\_, 20\_\_\_\_, before me, a notary public for the said State and County, personally appeared, BAILEY R. KELLER, a single person, to me personally known, who did state that he executed the foregoing instrument as his free act and deed.

In witness whereof, I have hereunto set my hand and affixed my official seal in the State and County aforesaid, the date first above written.

NOTARY PUBLIC

My commission expires\_\_\_\_\_

SUBDIVISION NOTES

ZONING  
ZONING R-1, SINGLE FAMILY SUBURBAN  
RESIDENTIAL DISTRICT

MAXIMUM HEIGHT 2 1/2 STORIES NOT  
TO EXCEED 35 FEET.  
MINIMUM LOT AREA: 10,000 SQ. FEET.  
MINIMUM LOT WIDTH: 80 FEET.  
MAXIMUM DENSITY: 4 UNITS PER 1 ACRE.

PROPOSED USE = SINGLE-FAMILY RESIDENTIAL

SETBACKS  
FRONT = 30 FEET  
REAR = 25 FEET  
SIDE = 6 FEET (UNLESS OTHERWISE NOTED)

LOT SIZES  
TOTAL SUBDIVISION AREA = 76,623.8 SQ. FEET  
(1.76 ACRES)  
TOTAL NUMBER OF LOTS = 1

SUBDIVISION PLAT PREPARED FOR:  
BAILEY R. KELLER  
608 WEST HIGHLAND DR.  
CAPE GIRARDEAU, MO 63701

SYMBOLS LEGEND

- = 1/2" IRON ROD (FND).
- = 2" IRON PIPE (FND).
- = FLAT IRON (FND).
- = SUBDIVISION BOUNDARY LINE.
- - - - - LOT LINE TO BE ELIMINATED.
- e — e — e — NEW UTILITY EASEMENT LINE.
- - - - - EXISTING EASEMENT LINE.
- ..... BUILDING SETBACK LINE.
- ..... EXTERNAL PROPERTY LINE.
- CENTERLINE.

REFERENCES

- NORTH BASIS = GRID NORTH PER GPS OBSERVATION.
- WESTLAND HILLS SUBDIVISION RECORD PLAT BOOK 4, PAGE 44.
- ROBERT DAVIS SUBDIVISION DOC. NO. 2018-05744
- N/F = NOW OR FORMERLY.
- (NTS) = NOT TO SCALE.

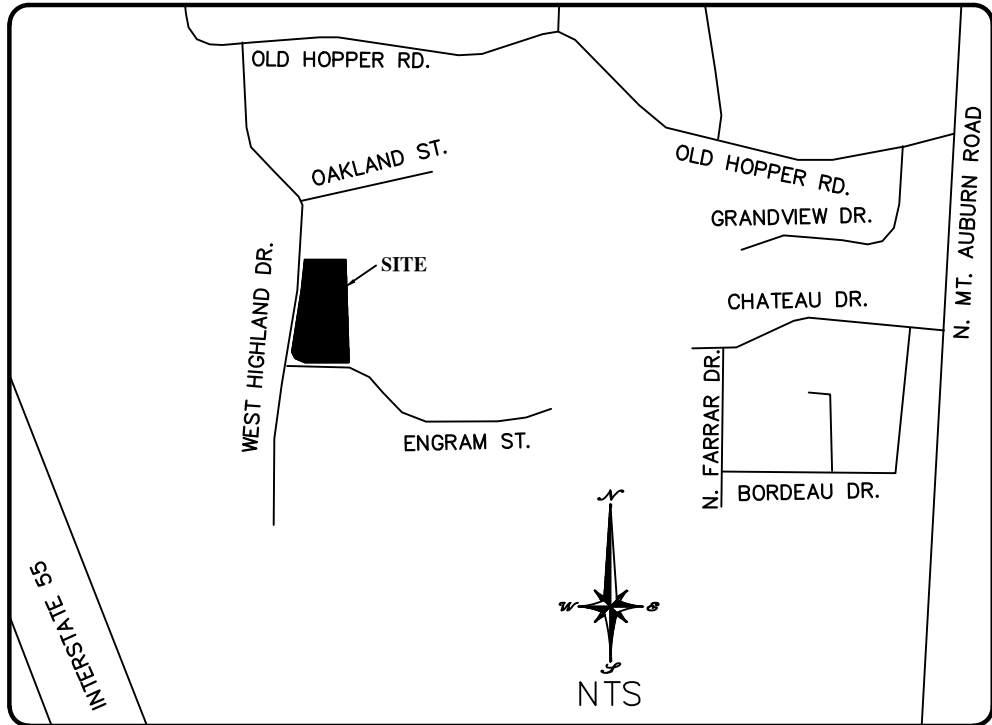
TITLE REFERENCES

DOC. NO. 2020-11277 (SUB)  
DOC. NO. 2020-11238 (SUB)  
DOC. NO. 2012-11682 (ADJ)  
DOC. NO. 2010-02117 (ADJ)  
DOC. NO. 2018-01449 (ADJ)  
DOC. NO. 2017-05031 (ADJ)

I, \_\_\_\_\_, City Clerk of the City of Cape Girardeau, Missouri  
hereby certify that this plat was approved by the City of Cape  
Girardeau, Missouri by Ordinance No. \_\_\_\_\_ passed and  
approved this \_\_\_\_\_day  
of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_, CITY CLERK,  
CITY OF CAPE GIRARDEAU, MISSOURI

VICINITY MAP



SURVEY CERTIFICATION

THIS IS TO CERTIFY THAT I HAVE SURVEYED THE  
FOREGOING DESCRIBED PARCEL OF LAND AND HAVE  
PREPARED THE ANNEXED PLAT, WHICH IS A TRUE AND  
CORRECT REPRESENTATION OF SAID SURVEY, TO THE BEST  
OF MY ABILITY AND THAT SAID PLAT AND SURVEY WERE  
DONE IN ACCORDANCE WITH THE CURRENT MISSOURI  
SURVEY STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

**SURVEY LIMITATION:** THIS SURVEY IS BASED ON  
CONVEYANCES SHOWN ON THIS PLAT (SEE TITLE  
REFERENCES) AND DOES NOT CONSTITUTE A TITLE SEARCH  
BY THE SURVEYOR. NO INVESTIGATION OR SEARCH FOR  
EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE  
COVENANTS, OWNERSHIP TITLE EVIDENCE OR OTHER FACTS  
THAT A CURRENT TITLE SEARCH MAY DISCLOSE HAS BEEN  
MADE. THE UNDERSIGNED LICENSED LAND SURVEYOR DOES  
NOT WARRANT THAT ALL RELEVANT CONVEYANCES OR  
DOCUMENTS HAVE BEEN DISCOVERED OR ARE KNOWN.

THIS LIMITATION MAY BE REMOVED UPON PRESENTATION OF  
A CERTIFIED RECORD SEARCH OF THE LAND DESCRIBED IN  
THIS SURVEY PRESENTATION.

DOWDY AND DEJOURNETT SURVEYING

LARRY D. DOWDY, PLS 1518

MATT DEJOURNETT, PLS 2015000226

DEJOURNETT SURVEYING, LLC.  
PROFESSIONAL LAND SURVEYORS  
(LS-2015007724)  
2401 STATE HIGHWAY PP  
SCOTT CITY, MO 63780  
Ph: (573) 579-4524  
mattdejournett@hotmail.com

MATTHEW D. DEJOURNETT  
PROFESSIONAL LAND  
SURVEYOR 2015000226  
2401 STATE HIGHWAY PP  
SCOTT CITY, MO 63780

BAILEY KELLER

608 W. HIGHLAND DRIVE  
CAPE GIRARDEAU, MO  
CAPE GIRARDEAU COUNTY

DATE: 02/06/2024

REVISED:

REVISED:

JOB #: 2024-012

REVISED:

DRAWN BY:

MDD

SURVEY CLASS:

URBAN

---

**Staff:** Ryan Shrimplin, AICP - City  
**Agenda:** Planner  
3/18/2024

**AGENDA REPORT**  
Cape Girardeau City Council

**24-050**

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**SUBJECT**

An Ordinance approving the record plat of Midamerica Crossings Third Subdivision.

**EXECUTIVE SUMMARY**

The attached ordinance approves a record plat for a two-lot subdivision at 2567 and 2649 Veterans Memorial Drive.

**BACKGROUND/DISCUSSION**

A record plat has been submitted for Midamerica Crossings Third Subdivision, located at 2567 and 2649 Veterans Memorial Drive and zoned C-2 (Highway Commercial). The plat subdivides a lot to create two new lots.

**STAFF RECOMMENDATION**

The staff report to the Planning and Zoning Commission recommended approval of the record plat.

**BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission, at its March 13, 2024 meeting, recommended approval of the record plat with a vote of 7 in favor, 0 in opposition, and 0 abstaining.

**ATTACHMENTS:**

Name:	Description:
<a href="#">❏ RP_MidAmerica_Crossings_Third_Sub.doc</a>	Ordinance
<a href="#">❏ Staff_Review-Referral-Action_Form.pdf</a>	Midamerica Crossings Third Subdivision - Staff RRA Form
<a href="#">❏ Map - Midamerica_Crossings_Third_Subdivision.pdf</a>	Midamerica Crossings Third Subdivision - Map
<a href="#">❏ Application - Midamerica_Crossings_Third_Subdivision.pdf</a>	Midamerica Crossings Third Subdivision - Application
<a href="#">❏ 39215_MidAmerica_Crossings_Third_Plat_(Reduced_File_Size).pdf</a>	Midamerica Crossings Third Subdivision - Record Plat

BILL NO. 24-33

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING THE RECORD PLAT OF  
MIDAMERICA CROSSINGS THIRD SUBDIVISION

---

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE  
GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. The record plat of Midamerica Crossings Third Subdivision, being all of Lot Four C (4C) of Midamerica Crossings Second Subdivision as recorded in Document No. 2019-06481 in the County Land Records, in the City and County of Cape Girardeau, State of Missouri, submitted by Victorian Inns Inc., NKA Midamerica Hotels Corporation, bearing the certification of Travis J. Steffens, a Registered Land Surveyor, dated the 11th day of March, 2024, is hereby approved.

ARTICLE 2. The City Clerk is hereby directed to sign the record plat with the date of Council approval and affix thereto the seal of the City of Cape Girardeau, Missouri.

ARTICLE 3. This ordinance shall be in full force and effect ten days after its passage and approval.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
Stacy Kinder, Mayor

ATTEST:

\_\_\_\_\_  
Bruce Taylor, Deputy City Clerk





**CITY OF CAPE GIRARDEAU, MISSOURI**  
City Staff Review, Referral and Action - Subdivision Application

FILE: **Midamerica Crossings Third Subdivision**

LOCATION: Veterans Memorial Drive

**STAFF REVIEW & COMMENTS:**

A record plat has been submitted to subdivide a parcel into two (2) lots along Veterans Memorial Drive. SEE STAFF REPORT FOR MORE DETAILS.

City Planner 

03/01/24  
Date

City Attorney 

3/1/24  
Date

---

**CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:**

City Manager 

3/4/24  
Date

---

***Planning & Zoning Commission***

**RECOMMENDED ACTION:**

	Favor	Oppose	Abstain
Trae Bertrand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Blank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Favor	Oppose	Abstain
Chris Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nick Martin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sommer McCauley-Perdue	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**VOTE COUNT:** 7 Favor 0 Oppose 0 Abstain

**COMMENTS:**

**CITIZENS COMMENTING AT MEETING:**

  
Chris Martin  
Planning & Zoning Commission Secretary

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***City Council Action***

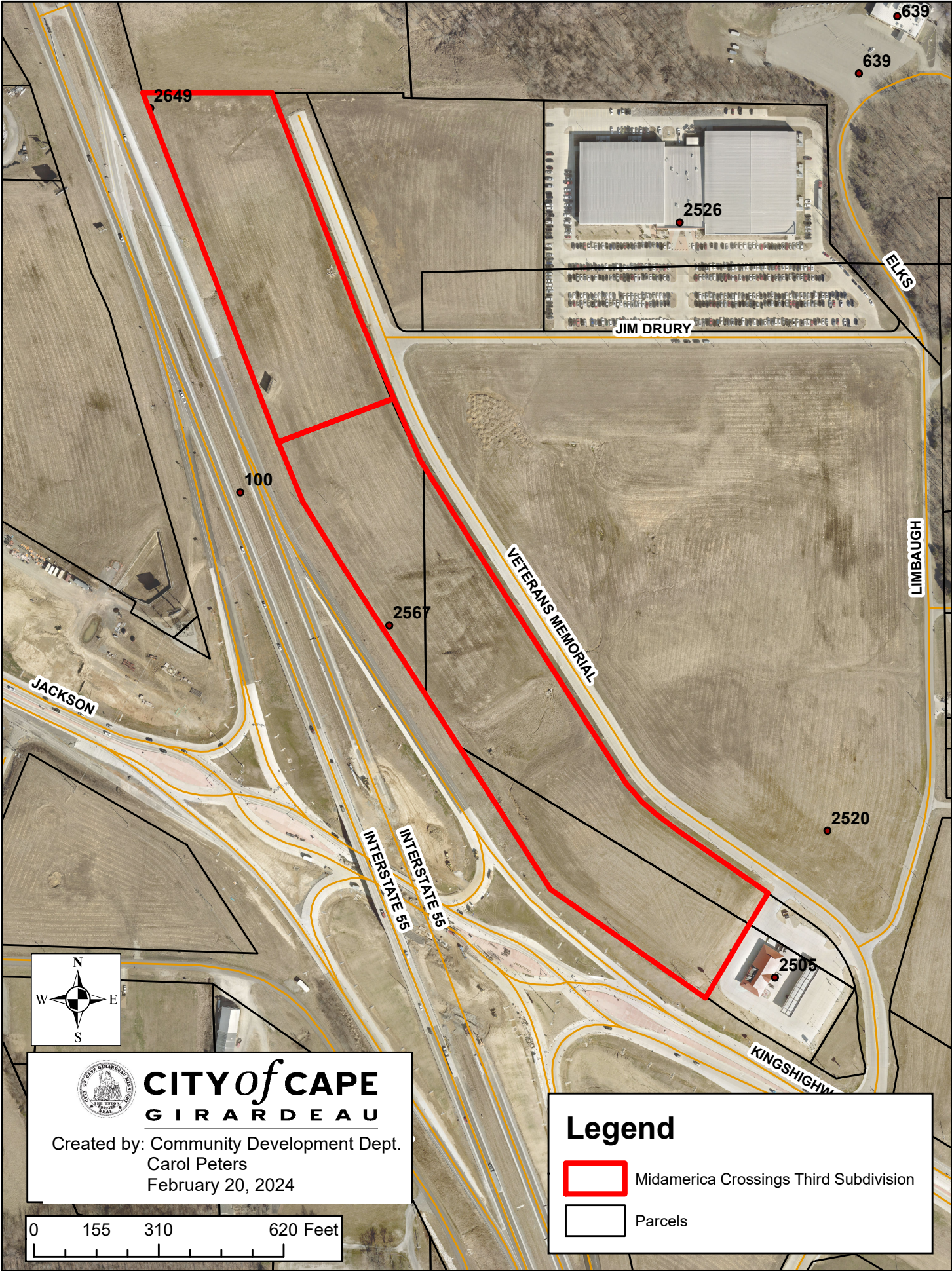
Ordinance 1<sup>st</sup> Reading \_\_\_\_\_ Ordinance 2<sup>nd</sup> & 3<sup>rd</sup> Reading: \_\_\_\_\_

ORDINANCE # \_\_\_\_\_ Effective Date: \_\_\_\_\_

---



# Midamerica Crossings Third Subdivision







# SUBDIVISION PLAT APPLICATION CITY of CAPE GIRARDEAU

COMMUNITY DEVELOPMENT DEPARTMENT, 44 NORTH LORIMIER STREET, CAPE GIRARDEAU, MO 63701 (573) 339-6327

<b>Name of Subdivision</b> MidAmerica Crossings Third Subdivision		<b>Type of Plat</b> <input checked="" type="checkbox"/> Record <input type="checkbox"/> Preliminary <input type="checkbox"/> Boundary Adjustment	
<b>Applicant</b> MidAmerica Hotels Corporation		<b>Property Owner of Record</b> <input type="checkbox"/> Same as Applicant	
<b>Mailing Address</b> 4072 State Hwy K	<b>City, State, Zip</b> Cape Gir., MO 63701	<b>Mailing Address</b>	<b>City, State, Zip</b>
<b>Telephone</b> 573.334.0546	<b>Email</b> mcantrell@midamcorp.com	<b>Telephone</b>	<b>Email</b>
<b>Contact Person (if Applicant is a Business or Organization)</b> Melanie Cantrell		<i>(Attach additional owners information, if necessary)</i>	
<b>Professional Engineer/Surveyor (if other than Applicant)</b> Koehler Engineering and Land Surveying		<b>Developer (if other than Applicant)</b>	
<b>Mailing Address</b> 194 Coker Lane	<b>City, State, Zip</b> Cape Gir., MO 63701	<b>Mailing Address</b>	<b>City, State, Zip</b>
<b>Telephone</b> 573.335.3026	<b>Email</b> ckoeher@koehlerengineering.com	<b>Telephone</b>	<b>Email</b>

## ADDITIONAL ITEMS REQUIRED

See Instructions for more  
information.

In addition to this completed application form, the following items must be submitted:

- ✓ Review Fee (payable to City of Cape Girardeau)  
\$21.00 per lot (\$210.00 minimum) \$ 210.00
  - ✓ Recording Fee Deposit (payable to City of Cape Girardeau) \$ 71.00

Sheet Size	Record Plat	Boundary Adjustment Plat
18" x 24"	\$46.00	\$26.00
24" x 36"	\$71.00	\$31.00

\$ 281.00
- (The City reserves the right to issue a partial refund or collect an additional fee if the actual recording cost differs from the deposit amount)*
- ✓ One (1) full size print of the plat
  - ✓ Digital file of the plat in .pdf format (can be emailed to [cityplanning@cityofcape.org](mailto:cityplanning@cityofcape.org))
  - ✓ Completed minimum requirements checklist

## CERTIFICATION

I hereby certify that I am the sole Property Owner of Record or an agent duly authorized by the Property Owner(s) of Record to file this application on their behalf. Furthermore, I hereby acknowledge that the plat submitted with this application must meet certain requirements in order to be approved including, but not limited to: a) successfully addressing all review comments, and b) any and all new public improvements for the subdivision being completed and/or covered under a performance guarantee agreement in accordance with the City's Code of Ordinances. If I am an agent, I hereby certify that I have notified the Property Owner(s) of Record and the developer of these requirements.

Susan Dadds  
Applicant Signature and Printed Name

2/6/2024  
Date

### OFFICE USE ONLY

Date Received & By 2-6-24 File # \_\_\_\_\_ MUNIS Application # 15012 MUNIS Permit # \_\_\_\_\_

Review Fee Received \$ 210- Recording Fee Received \$ 71- ☐ Check # 72727 ☐ Credit Card ☐ Cash

Preliminary and Record Plats:  
Planning & Zoning Commission Recommendation \_\_\_\_\_ Date \_\_\_\_\_ City Council Final Action \_\_\_\_\_ Date \_\_\_\_\_

**City of Cape Girardeau**  
**Subdivision Plat Requirements**  
**(Record Plats)**

**MINIMUM REQUIREMENTS FOR RECORD PLATS – COMPLETE CHECKLIST AND SUBMIT WITH APPLICATION**

*(First column of check boxes is for professional engineer/surveyor; second column is for City staff)*

NAME OF SUBDIVISION: MidAmerica Crossings Third Subdivision

- |                                     |                          |   |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Sheet size - 18" x 24", 24" x 24", or 24" x 36"   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | White background with black text and graphics; greyscale allowed; no other colors   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Border - rectangular, solid line(s)   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Title block - include name, address, and phone number of consultant preparing the plat; include box for original issue date and at least 3 revision issue dates   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Sheet number, if plat consists of more than one sheet   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Plat title - located at the top of the sheet, preferably centered; begin with "RECORD PLAT"; name cannot be a duplicate of an existing subdivision in the county or include "RESUBDIVISION"   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Description beneath plat title - if existing platted lots are involved, begin with "ALL OF" or "PART OF" as applicable; include Block Number if applicable; include Book and Page or Document Number of existing plat; include vacated right-of-way/alley if applicable; end with "IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI"                 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | References - list all deeds, plats, separate easement instruments, etc. used in preparing the plat; include Book and Page or Document Number for each, if recorded  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | North arrow with basis of bearings  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Graphic scale - 1:100 or less; must be a multiple of 10   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Vicinity map - lines only (no images); all nearby streets and major streets labeled; site labeled; include North arrow and "NTS" or "NOT TO SCALE"; use transparent background for labels   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Legend - list found monuments first, followed by set monuments, followed by: "SUBDIVISION BOUNDARY LINE", "LOT LINE TO BE ELIMINATED" and/or "NEW LOT LINE" as applicable, "EXISTING EASEMENT LINE" and/or "NEW EASEMENT LINE" as applicable, "BUILDING SETBACK LINE", "EXTERNAL PROPERTY LINE", "RIGHT-OF-WAY LINE", "CENTERLINE", other symbols as applicable |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Curve table and/or line table, if necessary - include unit symbols for distances/lengths  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Subdivision boundary and internal lines accurately drawn and labeled with bearing and distance or referenced to curve table/line table  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Section/township/range lines accurately drawn and labeled   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Adjacent parcel lines accurately drawn  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Subdivision boundary and each lot checked for closure   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Each proposed lot labeled with lot number and area expressed in square feet and acres   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All parcels within and adjacent to the subdivision boundary labeled with record owner name and Book and Page or Document Number for deed  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All existing platted lots within and adjacent to the subdivision boundary labeled with subdivision name and Book and Page or Document Number for plat   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All existing easements within the subdivision boundary labeled as existing; include type of easement (water, sewer, utility, drainage, access, etc.); include Book and Page or Document Number, if recorded   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All new easements within the subdivision boundary labeled as "NEW ___' UTILITY EASEMENT", "NEW ___' ACCESS EASEMENT", or other type of easement as applicable   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All building setback lines within the subdivision boundary labeled; include depth   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All rights-of-way within and adjacent to the subdivision boundary labeled with street name (or labeled as alley if applicable) and right-of-way width   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All private streets within and adjacent to the subdivision boundary labeled with street name followed by "(PRIVATE STREET)" along with existing access easement information, if applicable, or shown in a new 50 foot access easement   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Notes:  |
|                                     | <input type="checkbox"/> | • Zoning - include zoning district name, minimum lot area, minimum lot width, maximum density if applicable, and setbacks; if zoning district has different standards based on land use type, include all standards and state the proposed use type(s)  |
|                                     | <input type="checkbox"/> | • Lot - include total number of lots, largest lot area, smallest lot area, and total subdivision area; include proposed density (for residential subdivisions)  |

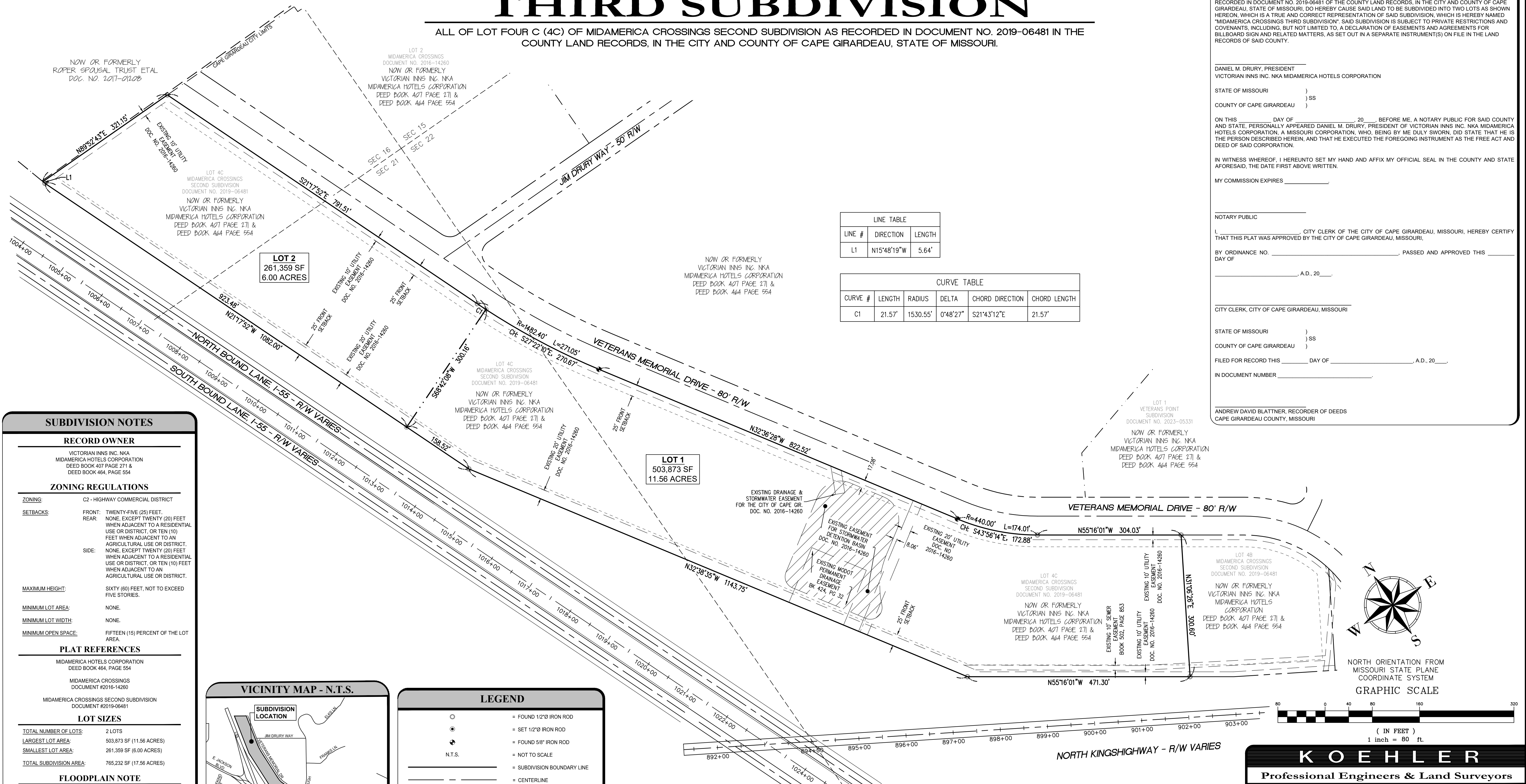
## **MINIMUM REQUIREMENTS FOR RECORD PLATS (CONTINUED)**

- Variance, if applicable - begin with "A VARIANCE IS SHOWN FOR" followed by "A REDUCED LOT AREA FOR LOT \_", "A REDUCED LOT WIDTH FOR LOT \_", or "A REDUCED \_\_\_\_ YARD SETBACK ALONG THE \_\_\_\_ LOT LINE OF LOT \_", as applicable
- Exception, if applicable - begin with "AN EXCEPTION IS SHOWN FOR" followed by "THE OMISSION OF THE REQUIRED 10 FOOT UTILITY EASEMENT ALONG THE \_\_\_\_ LOT LINE OF LOT \_" or "A REDUCED UTILITY EASEMENT WIDTH ALONG THE \_\_\_\_ LOT LINE OF LOT \_", as applicable
- Floodplain - begin with "A PORTION OF THE PROPERTY FALLS WITHIN" or "NO PORTION OF THE PROPERTY FALLS WITHIN", as applicable; if referencing a zone designation, state what that designation means
- ☒ ☐ List each record owner name and Book and Page or Document Number for deed, name and address of party for whom the plat was prepared, name and address of consultant that performed the survey and prepared the plat
- ☒ ☐ Subdivision Dedication:
  - Begin with "THE UNDERSIGNED," followed by the owner name(s) as stated in the current deed(s); include "HUSBAND AND WIFE," if applicable; include "A [insert state name] LIMITED LIABILITY COMPANY," or "A [insert state name] CORPORATION," if applicable; followed by "OWNER OF" or "OWNERS OF" and a description matching the description beneath the plat title, followed by "CONTAINING \_\_\_\_ SQUARE FEET (\_\_\_\_ ACRES), MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:"; followed by a legal description of the total subdivision area; followed by "HEREBY SUBDIVIDE" or "HEREBY SUBDIVIDES"; followed by "SAID TRACT INTO \_\_\_\_ AS SHOWN HEREON, WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID SUBDIVISION, WHICH IS HEREBY NAMED \_\_\_\_."
  - New right-of-way and/or easements - use standard language
- ☒ ☐ Legal description checked against drawing for congruence
- ☒ ☐ Owner signature line(s) with notary block(s) - include title after signatory name if owner is not an individual; include "HUSBAND AND WIFE," if applicable; include "A [insert state name] LIMITED LIABILITY COMPANY," or "A [insert state name] CORPORATION," if applicable
- ☒ ☐ If plat shows existing public easement(s) to be released – use standard block for City Manager's release
- ☒ ☐ City Clerk's certificate - use standard block for record plats
- ☒ ☐ County Recorder of Deeds' certificate - use standard block
- ☒ ☐ Surveyor's certificate



# RECORD PLAT FOR MIDAMERICA CROSSINGS THIRD SUBDIVISION

ALL OF LOT FOUR C (4C) OF MIDAMERICA CROSSINGS SECOND SUBDIVISION AS RECORDED IN DOCUMENT NO. 2019-06481 IN THE COUNTY LAND RECORDS, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI.



## SUBDIVISION NOTES

### RECORD OWNER

VICTORIAN INNS INC. NKA  
MIDAMERICA HOTELS CORPORATION  
DEED BOOK 407 PAGE 271 &  
DEED BOOK 464, PAGE 554

### ZONING REGULATIONS

**ZONING:** C2 - HIGHWAY COMMERCIAL DISTRICT

**SETBACKS:** FRONT: TWENTY-FIVE (25) FEET.  
REAR: NONE, EXCEPT TWENTY (20) FEET  
WHEN ADJACENT TO A RESIDENTIAL  
USE OR DISTRICT, OR TEN (10)  
FEET WHEN ADJACENT TO AN  
AGRICULTURAL USE OR DISTRICT.  
SIDE: NONE, EXCEPT TWENTY (20) FEET  
WHEN ADJACENT TO A RESIDENTIAL  
USE OR DISTRICT, OR TEN (10) FEET  
WHEN ADJACENT TO AN  
AGRICULTURAL USE OR DISTRICT.

**MAXIMUM HEIGHT:** SIXTY (60) FEET, NOT TO EXCEED  
FIVE STORIES.

**MINIMUM LOT AREA:** NONE.

**MINIMUM LOT WIDTH:** NONE.

**MINIMUM OPEN SPACE:** FIFTEEN (15) PERCENT OF THE LOT  
AREA.

### PLAT REFERENCES

MIDAMERICA HOTELS CORPORATION  
DEED BOOK 464, PAGE 554

MIDAMERICA CROSSINGS  
DOCUMENT #2016-14260

MIDAMERICA CROSSINGS SECOND SUBDIVISION  
DOCUMENT #2019-06481

### LOT SIZES

**TOTAL NUMBER OF LOTS:** 2 LOTS

**LARGEST LOT AREA:** 503,873 SF (11.56 ACRES)

**SMALLEST LOT AREA:** 261,359 SF (6.00 ACRES)

**TOTAL SUBDIVISION AREA:** 765,232 SF (17.56 ACRES)

### FLOODPLAIN NOTE

NO PORTION OF THE SUBJECT PROPERTY FALLS WITHIN THE 100  
YEAR FLOODPLAIN, AS INDICATED ON THE FLOOD INSURANCE  
RATE MAP NUMBER 29031C0251E WITH AN EFFECTIVE DATE OF  
SEPTEMBER 29, 2011.

### PLAT PREPARED BY & SURVEYING SERVICES PROVIDED BY:

KOEHLER ENGINEERING AND LAND SURVEYING, INC.  
194 COKER LANE, CAPE GIRARDEAU, MO 63701  
(573) 335-3026

## SUBDIVISION DEDICATION

I, DANIEL M. DRURY, PRESIDENT OF VICTORIAN INNS INC. NKA MIDAMERICA HOTELS CORPORATION, A MISSOURI CORPORATION, OWNER IN FEE OF ALL OF LOT FOUR C (4C) OF MIDAMERICA CROSSINGS SECOND SUBDIVISION AS RECORDED IN DOCUMENT NO. 2019-06481 OF THE COUNTY LAND RECORDS, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, DO HEREBY CAUSE SAID LAND TO BE SUBDIVIDED INTO TWO LOTS AS SHOWN HEREON, WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID SUBDIVISION, WHICH IS HEREBY NAMED "MIDAMERICA CROSSINGS THIRD SUBDIVISION", SAID SUBDIVISION IS SUBJECT TO PRIVATE RESTRICTIONS AND COVENANTS, INCLUDING, BUT NOT LIMITED TO, A DECLARATION OF EASEMENTS AND AGREEMENTS FOR BILLBOARD SIGN AND RELATED MATTERS, AS SET OUT IN A SEPARATE INSTRUMENT(S) ON FILE IN THE LAND RECORDS OF SAID COUNTY.

DANIEL M. DRURY, PRESIDENT  
VICTORIAN INNS INC. NKA MIDAMERICA HOTELS CORPORATION

STATE OF MISSOURI )  
COUNTY OF CAPE GIRARDEAU ) SS

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, A NOTARY PUBLIC FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DANIEL M. DRURY, PRESIDENT OF VICTORIAN INNS INC. NKA MIDAMERICA HOTELS CORPORATION, A MISSOURI CORPORATION, WHO, BEING BY ME DULY SWORN, DID STATE THAT HE IS THE PERSON DESCRIBED HEREIN, AND THAT HE EXECUTED THE FOREGOING INSTRUMENT AS THE FREE ACT AND DEED OF SAID CORPORATION.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND AFFIX MY OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID, THE DATE FIRST ABOVE WRITTEN.

MY COMMISSION EXPIRES \_\_\_\_\_.

NOTARY PUBLIC

I, \_\_\_\_\_, CITY CLERK OF THE CITY OF CAPE GIRARDEAU, MISSOURI, HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE CITY OF CAPE GIRARDEAU, MISSOURI.

BY ORDINANCE NO. \_\_\_\_\_, PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

CITY CLERK, CITY OF CAPE GIRARDEAU, MISSOURI

STATE OF MISSOURI )  
COUNTY OF CAPE GIRARDEAU ) SS

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

IN DOCUMENT NUMBER \_\_\_\_\_.

ANDREW DAVID BLATTNER, RECORDER OF DEEDS  
CAPE GIRARDEAU COUNTY, MISSOURI

**KOEHLER**

Professional Engineers & Land Surveyors

194 Coker Lane  
Cape Girardeau, Missouri 63701  
Ph: (573) 335 - 3026 Fax: (573) 335 - 3049  
MO PLS Corp. Certificate #000262

DRAWN BY:	SUSAN DODDS	REV DATE	DESCRIPTION	INITIALS
CHECKED BY:	TRAVIS STEFFENS	03/04/24	ADDRESS CITY REVIEW COMMENTS	SD
SURVEY DATE:	OCTOBER 2022	03/08/24	ADDRESS CITY REVIEW COMMENTS	SD
DRAWING DATE:	FEBRUARY 2, 2024	03/11/24	ADDRESS CITY REVIEW COMMENTS	SD
DRAWING NO:	39215			

THIS SURVEY OF A TRACT OF URBAN PROPERTY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS IN THE STATE OF MISSOURI AS MADE EFFECTIVE JULY 31, 2022

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**Staff:** Ryan Shrimplin, AICP - City  
**Agenda:** Planner  
3/18/2024

**AGENDA REPORT**  
Cape Girardeau City Council

**24-051**

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**SUBJECT**

An Ordinance approving the record plat of Themis Street Subdivision.

**EXECUTIVE SUMMARY**

The attached ordinance approves a record plat for a two-lot subdivision at 502 North Silver Springs Road.

**BACKGROUND/DISCUSSION**

A record plat has been submitted for Themis Street Subdivision, located at 502 North Silver Springs Road and zoned C-2 (Highway Commercial). The plat subdivides a lot to create two new lots. The plat shows an exception for the omission of the required 10-foot utility easement along the rear (east) lot line of Lot 1. Staff supports the exception because there are no existing or proposed utilities in the location where the easement is required.

**STAFF RECOMMENDATION**

The staff report to the Planning and Zoning Commission recommended approval of the record plat.

**BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission, at its March 13, 2024 meeting, recommended approval of the record plat with a vote of 7 in favor, 0 in opposition, and 0 abstaining.

**ATTACHMENTS:**

Name:	Description:
<a href="#">❏ RP_Themis_Street_Sub.doc</a>	Ordinance
<a href="#">❏ Staff_Review-Referral-Action_Form.pdf</a>	Themis Street Subdivision - Staff RRA Form
<a href="#">❏ Map_-_Themis_Street_Subdivision.pdf</a>	Themis Street Subdivision - Map
<a href="#">❏ Application_-_Themis_Street_Subdivision_Record_Plat.pdf</a>	Themis Street Subdivision - Application
<a href="#">❏ Themis_Street_Subdivision-Review2.pdf</a>	Themis Street Subdivision - Record Plat

BILL NO. 24-34

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE APPROVING THE RECORD PLAT OF  
THEMIS STREET SUBDIVISION

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE  
GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. The record plat of Themis Street Subdivision, being that part of Out Lot No. 82 in U.S.P.S. No. 2199, Township 31 North, Range 13 East of the Fifth Principal Meridian, in the City and County of Cape Girardeau, State of Missouri, submitted by G & RM Properties, LLC, a Missouri Limited Liability Company, bearing the certification of Rodney W. Amos, a Registered Land Surveyor, dated the 12th day of March, 2024, including all exceptions and variances, is hereby approved.

ARTICLE 2. The City Clerk is hereby directed to sign the record plat with the date of Council approval and affix thereto the seal of the City of Cape Girardeau, Missouri.

ARTICLE 3. This ordinance shall be in full force and effect ten days after its passage and approval.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
Stacy Kinder, Mayor

ATTEST:

\_\_\_\_\_  
Bruce Taylor, Deputy City Clerk



**CITY OF CAPE GIRARDEAU, MISSOURI**  
City Staff Review, Referral and Action - Subdivision Application

FILE: **Themis Street Subdivision**

LOCATION: 502 North Silver Springs Road

**STAFF REVIEW & COMMENTS:**

A record plat has been submitted to subdivide a parcel into two (2) lots at 502 North Silver Springs Road. SEE STAFF REPORT FOR MORE DETAILS.

  
\_\_\_\_\_  
City Planner

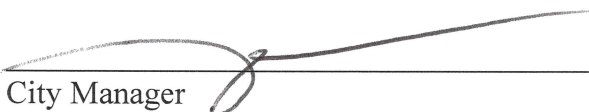
3/5/24  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
City Attorney

3/5/24  
\_\_\_\_\_  
Date

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**CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:**

  
\_\_\_\_\_  
City Manager

3/5/24  
\_\_\_\_\_  
Date

---

***Planning & Zoning Commission***

**RECOMMENDED ACTION:**

	Favor	Oppose	Abstain
Trae Bertrand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Blank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Favor	Oppose	Abstain
Chris Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nick Martin	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sommer McCauley-Perdue	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**VOTE COUNT:** 7 Favor 0 Oppose 0 Abstain

**COMMENTS:**

**CITIZENS COMMENTING AT MEETING:**

  
\_\_\_\_\_  
Chris Martin

Planning & Zoning Commission Secretary

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***City Council Action***

Ordinance 1<sup>st</sup> Reading \_\_\_\_\_ Ordinance 2<sup>nd</sup> & 3<sup>rd</sup> Reading: \_\_\_\_\_

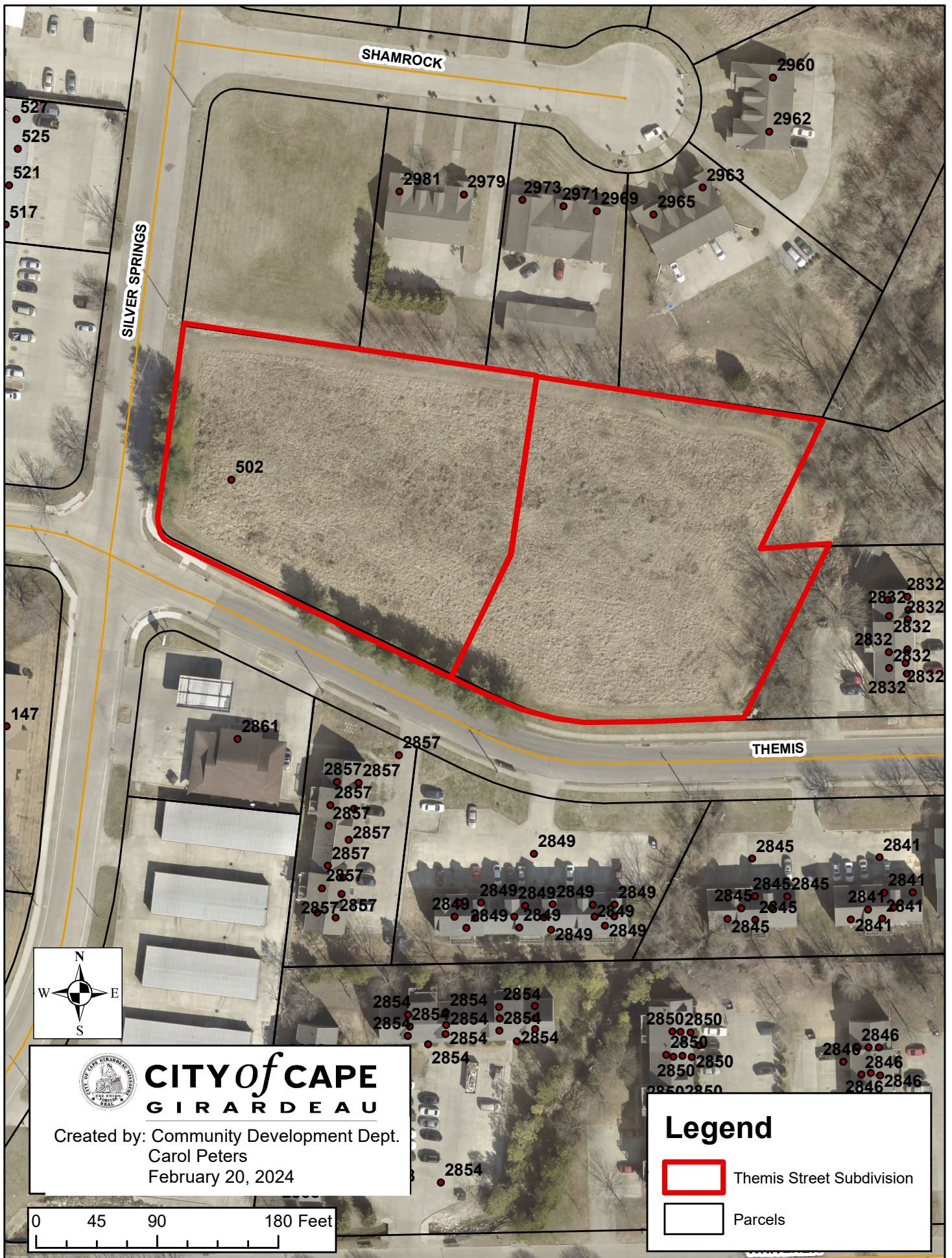
ORDINANCE # \_\_\_\_\_

Effective Date: \_\_\_\_\_

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# Themis Street Subdivision







# SUBDIVISION PLAT APPLICATION CITY of CAPE GIRARDEAU

COMMUNITY DEVELOPMENT, 44 N LORIMIER ST, CAPE GIRARDEAU, MO 63701 (573) 339-6327

<b>Name of Subdivision</b> Themis Street Subdivision		<b>Type of Plat</b> <input checked="" type="checkbox"/> Record <input type="checkbox"/> Preliminary <input type="checkbox"/> Boundary Adjustment	
<b>Applicant</b> G & RM Properties LLC		<b>Property Owner of Record (if other than Applicant)</b>	
<b>Mailing Address</b> 510 Phoenix Trail	<b>City, State, Zip</b> Jackson, MO 63755	<b>Mailing Address</b>	<b>City, State, Zip</b>
<b>Telephone</b> 573-382-1711	<b>Email</b> gene@capemoenterprises.com	<b>Telephone</b>	<b>Email</b>
<b>Contact Person (If Applicant is a Business or Organization)</b> Gene Magnus		<i>(Attach additional owners information, if necessary)</i>	
<b>Professional Engineer/Surveyor (if other than Applicant)</b> Rodney Amos		<b>Developer (if other than Applicant)</b>	
<b>Mailing Address</b> 113 West Main Street, Suite 1	<b>City, State, Zip</b> Jackson, MO 63755	<b>Mailing Address</b>	<b>City, State, Zip</b>
<b>Telephone</b> 573-243-4080	<b>Email</b> ramos@stricklandengineering.com	<b>Telephone</b>	<b>Email</b>

## ADDITIONAL ITEMS REQUIRED

See Instructions for more  
information.

In addition to this completed application form, the following items must be submitted:

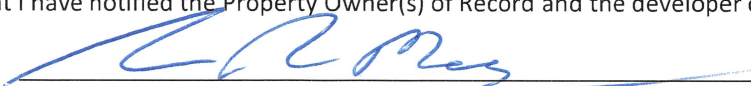
- ✓ Review Fee (payable to City of Cape Girardeau)
  - Single-Family or Two-Family Residential: \$20.00 per lot (\$100.00 minimum)
  - Multi-Family Residential: \$20.00 per dwelling unit (\$100.00 minimum)
  - Non-Residential : \$20.00 per acre (\$100.00 minimum)
- ✓ Recording Fee Deposit (payable to City of Cape Girardeau)

Sheet Size	Record Plat	Boundary Adjustment Plat
18" x 24"	\$44.00	\$24.00
24" x 36"	\$69.00	\$29.00

*(The City reserves the right to issue a partial refund or collect an additional fee if the actual recording cost differs from the deposit amount)*
- ✓ Two (2) full size prints of the plat
- ✓ Digital file of the plat in .pdf format (can be emailed to [cityplanning@cityofcape.org](mailto:cityplanning@cityofcape.org))
- ✓ Completed minimum requirements checklist

## CERTIFICATION

I hereby certify that I am the sole Property Owner of Record or an agent duly authorized by the Property Owner(s) of Record to file this application on their behalf. Furthermore, I hereby acknowledge that the plat submitted with this application must meet certain requirements in order to be approved including, but not limited to: a) successfully addressing all review comments, and b) any and all new public improvements for the subdivision being completely installed and ready for acceptance by the City and/or covered under a performance guarantee agreement in accordance with the City's Code of Ordinances. If I am an agent, I hereby certify that I have notified the Property Owner(s) of Record and the developer of these requirements.

  
Applicant Signature and Printed Name

2-14-2024  
Date

### OFFICE USE ONLY

Date Received & By 2-14-24 File # \_\_\_\_\_ MUNIS Application # 14991 MUNIS Permit # \_\_\_\_\_

Review Fee Received \$ 210- Recording Fee Received \$ 71- ☐ Check # 3511 ☐ Credit Card ☐ Cash

Preliminary and Record Plats:

Planning & Zoning Commission Recommendation \_\_\_\_\_ Date \_\_\_\_\_ City Council Final Action \_\_\_\_\_ Date \_\_\_\_\_

**City of Cape Girardeau**  
**Subdivision Plat Requirements**  
**(Record Plats)**

**MINIMUM REQUIREMENTS FOR RECORD PLATS – COMPLETE CHECKLIST AND SUBMIT WITH APPLICATION**

*(First column of check boxes is for professional engineer/surveyor; second column is for City staff)*

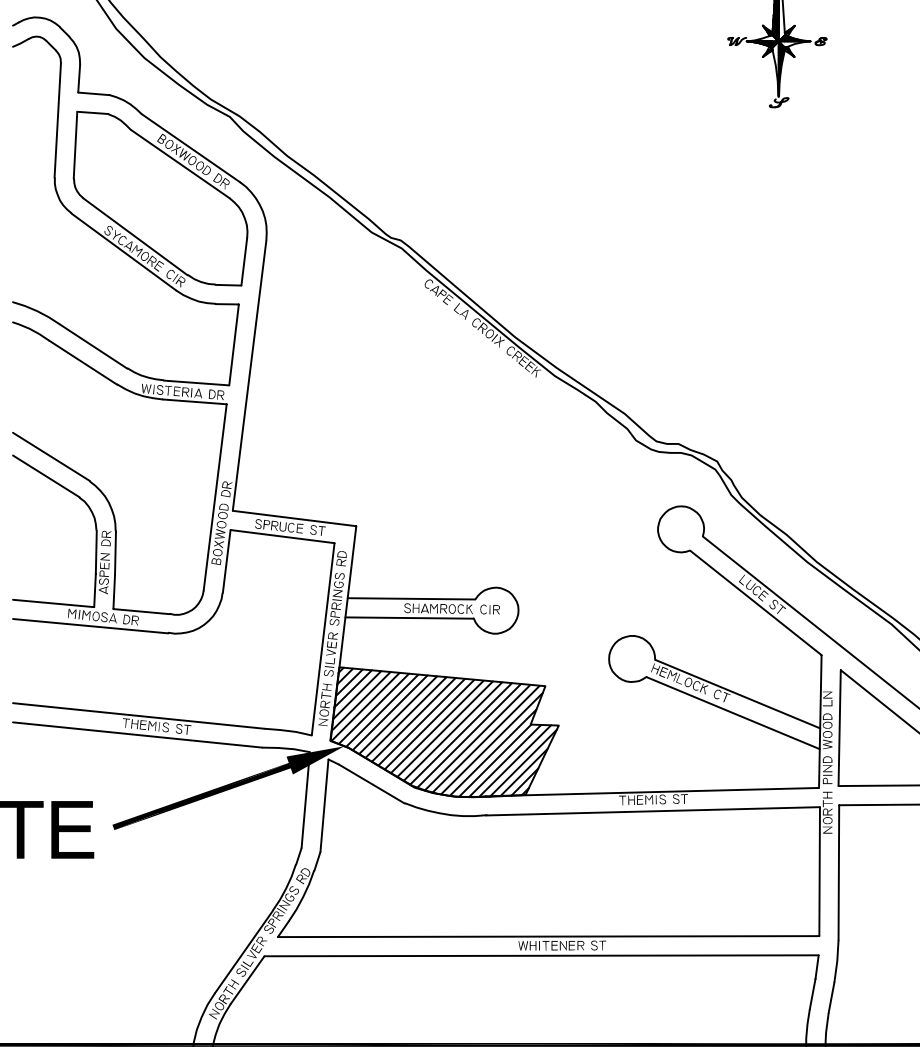
NAME OF SUBDIVISION: THOMAS STREET SUBDIVISION

- |                                     |                          |  |
|-------------------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Sheet size - 18" x 24", 24" x 24", or 24" x 36"  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | White background with black text and graphics; greyscale allowed; no other colors  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Border - rectangular, solid line(s)  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Title block - include name, address, and phone number of consultant preparing the plat; include box for original issue date and at least 3 revision issue dates  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Sheet number, if plat consists of more than one sheet  |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Description beneath plat title - if existing platted lots are involved, begin with "ALL OF" or "PART OF" as applicable; include Block Number if applicable; include Book and Page or Document Number of existing plat; include vacated right-of-way/alley if applicable; end with "IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI"   |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Graphic scale - 1:100 or less; must be a multiple of 10  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Vicinity map - lines only (no images); all nearby streets and major streets labeled; site labeled; include North arrow and "NTS" or "NOT TO SCALE"; use transparent background for labels  |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Subdivision boundary and internal lines accurately drawn and labeled with bearing and distance or referenced to curve table/line table   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Section/township/range lines accurately drawn and labeled  |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Subdivision boundary and internal lots checked for closure   |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Each proposed lot labeled with lot number and area expressed in square feet and acres  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All parcels within and adjacent to the subdivision boundary labeled with record owner name and Book and Page or Document Number for deed   |
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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All new easements within the subdivision boundary labeled as "NEW ___' UTILITY EASEMENT", "NEW ___' ACCESS EASEMENT", or other type of easement as applicable  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All building setback lines within the subdivision boundary labeled; include depth  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All rights-of-way within and adjacent to the subdivision boundary labeled with street name (or labeled as alley if applicable) and right-of-way width  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | All private streets within and adjacent to the subdivision boundary labeled with street name followed by "(PRIVATE STREET)" along with existing access easement information, if applicable, or shown in a new 50 foot access easement  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Notes: <ul style="list-style-type: none"><li>• Zoning - include zoning district name, minimum lot area, minimum lot width, maximum density if applicable, and setbacks; if zoning district has different standards based on land use type, include all standards and state the proposed use type(s)</li><li>• Lot - include total number of lots, largest lot area, smallest lot area, and total subdivision area; include proposed density (for residential subdivisions)</li></ul> |

## **MINIMUM REQUIREMENTS FOR RECORD PLATS (CONTINUED)**

- Variance, if applicable - begin with "A VARIANCE IS SHOWN FOR" followed by "A REDUCED LOT AREA FOR LOT \_\_", "A REDUCED LOT WIDTH FOR LOT \_\_", or "A REDUCED \_\_\_\_ YARD SETBACK ALONG THE \_\_\_\_ LOT LINE OF LOT \_\_", as applicable
- Exception, if applicable - begin with "AN EXCEPTION IS SHOWN FOR" followed by "THE OMISSION OF THE REQUIRED 10 FOOT UTILITY EASEMENT ALONG THE \_\_\_\_ LOT LINE OF LOT \_\_" or "A REDUCED UTILITY EASEMENT WIDTH ALONG THE \_\_\_\_ LOT LINE OF LOT \_\_", as applicable
- Floodplain - begin with "A PORTION OF THE PROPERTY FALLS WITHIN" or "NO PORTION OF THE PROPERTY FALLS WITHIN", as applicable; if referencing a zone designation, state what that designation means
- ☒ ☐ List each record owner name and Book and Page or Document Number for deed, name and address of party for whom the plat was prepared, name and address of consultant that performed the survey and prepared the plat
- ☒ ☐ Subdivision Dedication:
  - Begin with "THE UNDERSIGNED," followed by the owner name(s) as stated in the current deed(s); include "HUSBAND AND WIFE," if applicable; include "A [insert state name] LIMITED LIABILITY COMPANY," or "A [insert state name] CORPORATION," if applicable; followed by "OWNER OF" or "OWNERS OF" and a description matching the description beneath the plat title, followed by "CONTAINING \_\_\_\_ SQUARE FEET (\_\_\_\_ ACRES), MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:"; followed by a legal description of the total subdivision area; followed by "HEREBY SUBDIVIDE" or "HEREBY SUBDIVIDES"; followed by "SAID TRACT INTO \_\_\_\_ AS SHOWN HEREON, WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID SUBDIVISION, WHICH IS HEREBY NAMED \_\_\_\_\_."
  - New right-of-way and/or easements - use standard language
- ☒ ☐ Legal description checked against drawing for congruence
- ☒ ☐ Owner signature line(s) with notary block(s) - include title after signatory name if owner is not an individual; include "HUSBAND AND WIFE," if applicable; include "A [insert state name] LIMITED LIABILITY COMPANY," or "A [insert state name] CORPORATION," if applicable
- ☒ ☐ If plat shows existing easement(s) to be released – use standard block for City Manager's release
- ☒ ☐ City Clerk's certificate - use standard block for record plats
- ☒ ☐ County Recorder of Deeds' certificate - use standard block
- ☒ ☐ Surveyor's certificate

VICINITY MAP  
NOT TO SCALE



SITE



NORTH BASIS  
MISSOURI STATE PLANE  
COORDINATE SYSTEM 1983  
EAST ZONE  
MODOT VRS NAD83(2011)

REFERENCES

1. DOCUMENT NO. 2010-04753 (SUBJECT)
2. DOCUMENT NO. 2022-01906
3. DOCUMENT NO. 2012-16513
4. DOCUMENT NO. 2007-11191
5. DOCUMENT NO. 2015-12230
6. DOCUMENT NO. 2020-04880
7. DOCUMENT NO. 2003-23489
8. DOCUMENT NO. 2004-10453
9. CRITES 10TH ADDITION PLAT BOOK 20, PAGE 94
10. CRITES 11TH ADDITION AMENDED PLAT BOOK 21, PAGE 01
11. PINDWOOD PLACE SUBDIVISION AMENDED PLAT BOOK 19, PAGE 23
12. CRITES 6TH ADDITION PLAT BOOK 13, PAGE 42

ZONING CLASSIFICATION

"C-2" HIGHWAY COMMERCIAL DISTRICT  
MINIMUM LOT AREA : NONE  
MINIMUM LOT WIDTH : NONE  
MAXIMUM DENSITY : NONE

THEMIS STREET SUBDIVISION

NO. OF LOTS = 2  
TOTAL LOT AREA : 102,876 SQ. FT.  
(2.36 ACRES)

FLOODPLAIN NOTE

A PORTION OF THE SUBDIVISION IS LOCATED  
WITHIN A FLOOD HAZARD ZONE AS SHOWN ON  
THE FLOOD INSURANCE RATE MAP, COMMUNITY  
PANEL 29031C0262E WITH AN EFFECTIVE DATE  
OF 9-29-11 FOR THE CITY OF CAPE  
GIRARDEAU, MISSOURI.

BUILDING SETBACKS (FOR C-2 ZONING)

25' FRONT SETBACKS

REAR SETBACKS: NONE, EXCEPT 20 FEET WHEN ADJACENT  
TO A RESIDENTIAL USE OR DISTRICT, OR TEN FEET WHEN  
ADJACENT TO AN AGRICULTURAL USE OR DISTRICT

SIDE SETBACKS: NONE, EXCEPT 20 FEET WHEN ADJACENT  
TO A RESIDENTIAL USE OR DISTRICT, OR TEN FEET WHEN  
ADJACENT TO AN AGRICULTURAL USE OR DISTRICT

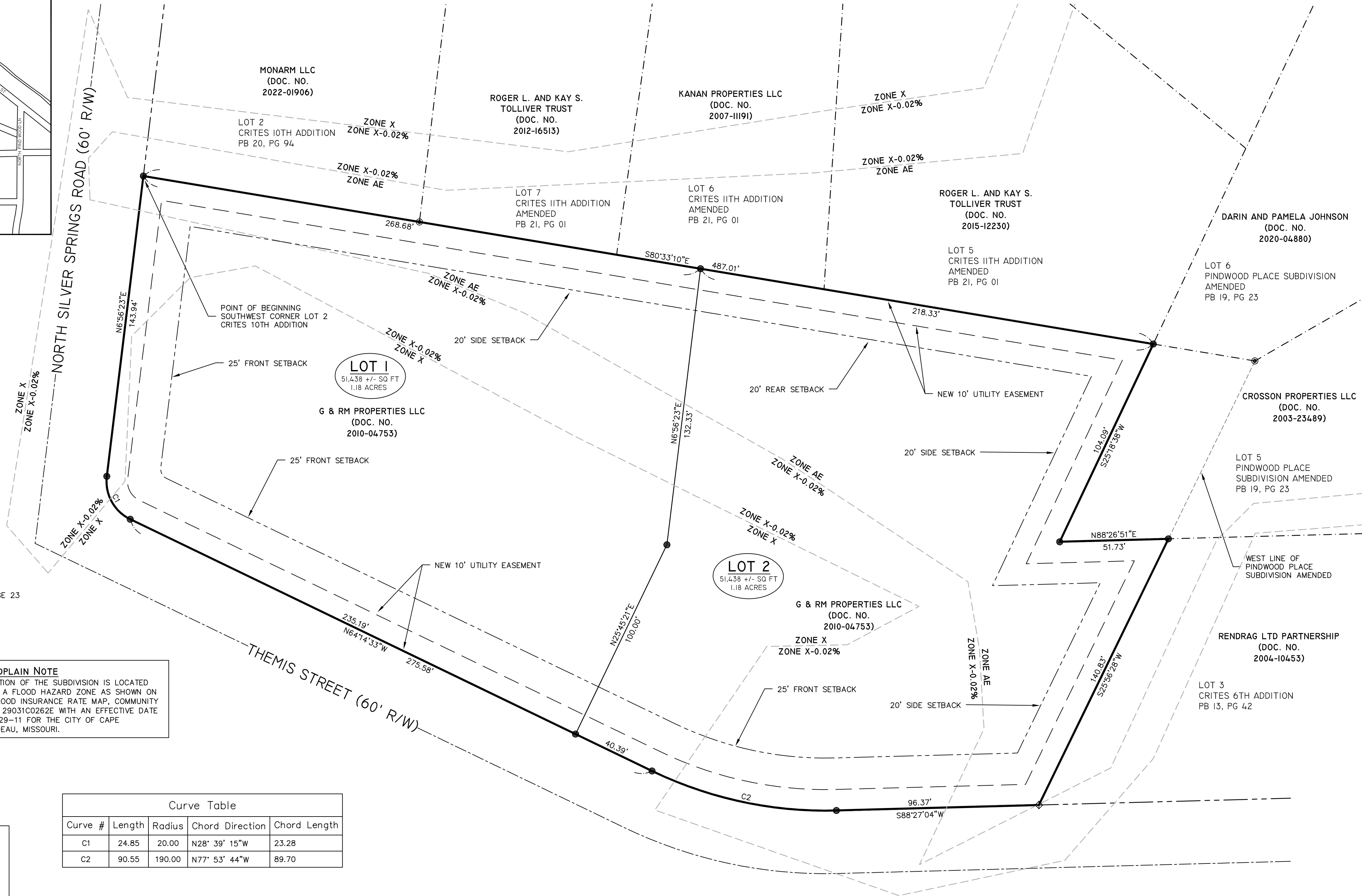
ACCURACY STANDARD: TYPE URBAN

LEGEND

1. IRON ROD W/CAP (FOUND)
2. IRON ROD W/CAP (SET)
3. CHISELED CROSS (SET)
4. SUBDIVISION BOUNDARY LINE
5. NEW LOT LINE
6. EXTERNAL PROPERTY LINE
7. RIGHT-OF-WAY LINE
8. CENTERLINE
9. BUILDING SETBACK LINE
10. EASEMENT LINE
11. FLOODPLAIN LIMITS LINE

# RECORD PLAT OF THEMIS STREET SUBDIVISION

THAT PART OF OUT LOT NO. 82 IN U.S.P.S. NO. 2199, TOWNSHIP 31  
NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE  
CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI



Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C1	24.85	20.00	N28° 39' 15"W	23.28
C2	90.55	190.00	N77° 53' 44"W	89.70

AN EXCEPTION IS SHOWN FOR THE OMISSION  
OF THE REQUIRED 10-FOOT UTILITY EASEMENT  
ALONG THE REAR (EAST) LOT LINE OF LOT 1

SURVEY CERTIFICATION

THIS IS TO CERTIFY THAT AT THE REQUEST OF GENE MAGNUS, MANAGER OF G & RM PROPERTIES LLC, I  
HAVE SURVEYED PART OF OUT LOT 82 IN U.S.P.S. NO. 2199, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE  
FIFTH PRINCIPAL MERIDIAN IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI, AND HAVE SUBDIVIDED  
IT AS SHOWN ON THIS PLAT IN ACCORDANCE WITH THE CURRENT STANDARDS FOR PROPERTY BOUNDARY  
SURVEYS AS MADE EFFECTIVE JUNE 1, 2022.

IN WITNESS WHEREOF, I HAVE HERETO SET MY SEAL AND SIGNATURE THIS 11TH DAY OF MARCH, 2024.

RODNEY W. AMOS MO-PLS 2007000072  
113 W. MAIN STREET  
JACKSON, MISSOURI 63755

SUBDIVISION DEDICATION

THE UNDERSIGNED, EUGENE R. MAGNUS, MEMBER OF G & RM PROPERTIES, LLC, A MISSOURI LIMITED LIABILITY  
COMPANY, THE OWNER OF THAT PART OF OUT LOT NO. 82 IN U.S.P.S. NO. 2199, TOWNSHIP 31 NORTH, RANGE 13  
EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI,  
CONTAINING 2.36 ACRES, MORE OR LESS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF LOT 2 OF CRITES 10TH ADDITION AS RECORDED IN PLAT BOOK 20, PAGE 94  
IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY MISSOURI; THENCE ALONG THE SOUTH LINE OF SAID LOT 2  
AND SOUTH LINE OF CRITES 11TH ADDITION, SOUTH 80°33'10" EAST 487.01 FEET TO THE MOST SOUTHEAST CORNER  
OF LOT 5 OF SAID CRITES 11TH ADDITION; THENCE LEAVING SAID SOUTH LINE, SOUTH 25°18'38" WEST 104.09 FEET;  
THENCE NORTH 88°26'51" EAST 51.73 FEET TO THE NORTHWEST CORNER OF LOT 3 OF CRITES 6TH ADDITION;  
THENCE ALONG THE WEST LINE OF SAID LOT 3, SOUTH 25°56'28" WEST 140.83 FEET TO THE SOUTHWEST CORNER OF  
SAID LOT 3, ALSO BEING A POINT ON THE NORTH RIGHT OF WAY LINE OF THEMIS STREET; THENCE ALONG SAID  
NORTH RIGHT OF WAY LINE, THE FOLLOWING COURSES, SOUTH 88°27'04" WEST 96.37 FEET; THENCE ALONG A CURVE  
TO THE RIGHT HAVING A RADIUS OF 190.00 FEET, CHORD BEARING NORTH 77°53'44" WEST 89.70 FEET, FOR AN ARC  
LENGTH OF 90.55 FEET; THENCE NORTH 64°14'33" WEST 275.58 FEET; THENCE LEAVING SAID NORTH LINE, ALONG A  
CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET, CHORD BEARING NORTH 28°39'15" WEST 23.28 FEET, FOR  
AN ARC LENGTH OF 24.85 FEET TO THE EAST RIGHT OF WAY LINE OF NORTH SILVERSPRINGS ROAD; THENCE  
CONTINUE ALONG SAID EAST RIGHT OF WAY LINE, NORTH 08°56'23" EAST 143.94 FEET TO THE POINT OF BEGINNING.

THE HEREIN DESCRIBED TRACT IS SUBJECT TO ALL EASEMENTS, RIGHTS OF WAY, RESTRICTIONS AND LICENSES  
AFFECTING THE SAME, EITHER WRITTEN OR IMPLIED.

I HEREBY DECLARE THAT I HAVE CAUSED THE FOREGOING DESCRIBED TRACT OF LAND TO BE SUBDIVIDED INTO LOTS  
AS SHOWN ON THE ANNEXED PLAT, WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID SUBDIVISION, WHICH  
IS HEREBY NAMED THEMIS STREET SUBDIVISION. THE NEW UTILITY EASEMENTS SHOWN HEREON ARE HEREBY GRANTED  
TO THE CITY OF CAPE GIRARDEAU, MISSOURI, IN PERPETUITY FOR PUBLIC PURPOSES, INCLUDING THE INSTALLATION,  
MAINTENANCE, REPAIR, REPLACEMENT, AND EXPANSION OF CITY WATER AND SEWER SYSTEMS, AND AS MAY BE  
AUTHORIZED BY SAID CITY TO BE USED BY A PUBLIC OR PRIVATE UTILITY PROVIDER FOR PURPOSES RELATED TO  
THE INSTALLATION, MAINTENANCE, REPAIR, REPLACEMENT, AND EXPANSION OF SUCH UTILITY SYSTEMS.

IN WITNESS WHEREOF, I HAVE CAUSED THESE PRESENTS TO BE SIGNED THIS \_\_\_\_ DAY OF \_\_\_\_\_  
20\_\_

EUGENE R. MAGNUS, MEMBER  
G & RM PROPERTIES, LLC

STATE OF MISSOURI, COUNTY OF CAPE GIRARDEAU

ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, BEFORE ME APPEARED EUGENE R. MAGNUS, MEMBER OF G &  
RM PROPERTIES LLC, A MISSOURI LIMITED LIABILITY COMPANY, TO ME PERSONALLY KNOWN, WHO DID ACKNOWLEDGE  
THAT HE EXECUTED THE FOREGOING INSTRUMENT AS THE FREE ACT AND DEED OF SAID LIMITED LIABILITY COMPANY.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL IN THE STATE AND  
COUNTY AFORESAID ON THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES \_\_\_\_\_

I, \_\_\_\_\_, CITY CLERK OF THE CITY OF CAPE GIRARDEAU, MISSOURI HEREBY CERTIFY  
THAT THIS PLAT WAS PRESENTED TO AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CAPE GIRARDEAU,  
MISSOURI ON \_\_\_\_\_

THE \_\_\_\_\_  
DAY OF \_\_\_\_\_, 20\_\_ BY ORDINANCE NO. \_\_\_\_\_

CITY CLERK, CITY OF CAPE GIRARDEAU, MISSOURI

STATE OF MISSOURI  
COUNTY OF CAPE GIRARDEAU

FILED FOR RECORD THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_, AND DULY

RECORDED IN DOCUMENT NUMBER \_\_\_\_\_

ANDREW DAVID BLATTNER  
RECORDER OF DEEDS, CAPE GIRARDEAU COUNTY, MISSOURI

STRICKLAND  
ENGINEERING

113 WEST MAIN STREET  
P.O. Box 159  
JACKSON, MISSOURI 63755  
TEL: 573-243-4080  
FAX: 573-243-2191

REV	DESCRIPTION	DATE	CIVIL - MECHANICAL - ELECTRICAL ENGINEERING - LAND SURVEYING
1	ADDRESSED CITY COMMENTS	3/5/24	THEMIS STREET SUBDIVISION
2	ADDRESSED CITY COMMENTS	3/11/24	
			THEMIS STREET CAPE GIRARDEAU, MO
			SCALE 1"=30'
			DATE 3-11-24
			DRAWN BY DR
			CHECKED BY RA
			PROJECT # 24-007

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**Staff:** Jake Garrard, PE, City Engineer  
**Agenda:** 3/18/2024

**AGENDA REPORT**  
Cape Girardeau City Council

**24-052**

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**SUBJECT**

An Ordinance accepting a Permanent Utility Easement from Cape Retirement Community, Inc., d/b/a Chateau Girardeau, for property located at Ramsay's Run Retirement Community, off Bloomfield Road, in the City of Cape Girardeau, Missouri.

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**EXECUTIVE SUMMARY**

An Ordinance accepting a Utility Easement from Cape Retirement Community, Inc., d/b/a Chateau Girardeau for Ramsay's Run retirement community.

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**BACKGROUND/DISCUSSION**

As an extension of Chateau Girardeau, The Chateau at Ramsay's Run is a new retirement community built by Cape Retirement Community Inc. There is no subdivision plat; therefore, easements have to be granted per specific use and location. These easements must be granted along all private street right of ways for public utility infrastructure.

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**FINANCIAL IMPACT**

The easement was donated. The property owners will pay for the cost of recording the new easement.

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**SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS**

The easement is necessary to enable the City, its agents, servants and assigns, to use said property to excavate, build, maintain, construct, operate, and repair Utility Infrastructure in, on, upon, under or across said property, together with all the useful, necessary and proper adjuncts, appurtenances, and appliances in connection therewith.

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**STAFF RECOMMENDATION**

Staff recommends approval of the attached Ordinance accepting a Utility Easement from Cape Retirement Community, Inc., d/b/a Chateau Girardeau for Ramsay's Run retirement community.

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**ATTACHMENTS:**



Name:	Description:
<a href="#">PUE_Chateau_Ramsays_Run_Bloomfield.doc</a>	Ordinance
<a href="#">GOOD_Ramsays_Run_Easement_EXHIBIT_03_07_2024.pdf</a>	Exhibit
<a href="#">GOOD_Legal_Description_Ramsays_Run_Easement_03_06_2024_.docx</a>	Legal Description
<a href="#">SIGNED_Permanent_Utility_Easement_Ramsay_s_Run.pdf</a>	Easement Agreement

BILL NO. 24-35

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ACCEPTING A PERMANENT UTILITY  
EASEMENT FROM CAPE RETIREMENT COMMUNITY,  
INC., D/B/A CHATEAU GIRARDEAU, FOR PROPERTY  
LOCATED AT RAMSAY'S RUN, IN THE CITY OF CAPE  
GIRARDEAU, MISSOURI

---

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE  
GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. The City of Cape Girardeau, Missouri, hereby  
accepts, and agrees to accept, a Permanent Utility Easement from  
Cape Retirement Community, Inc., d/b/a Chateau Girardeau, for  
property located at Ramsay's Run, in the City of Cape Girardeau,  
Missouri, described as follows:

Ramsay's Run - Phase 1 Easement

THAT PART OF UNITED STATES PRIVATE SURVEY #317, TOWNSHIP 30  
NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN  
THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI,  
CONTAINING 3.30 ACRES, MORE OR LESS, AND BEING MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND ½" DIA. IRON ROD MARKING THE COMMON  
CORNER OF UNITED STATES PRIVATE SURVEY NUMBERS 193, 194,  
317, AND 787, THENCE SOUTH 84°08'09" EAST, WITH THE NORTH  
LINE OF SAID USPS #317, 1135.44 FEET; THENCE LEAVING SAID  
NORTH LINE, SOUTH 06°38'11" WEST, 443.72 FEET; THENCE SOUTH  
45°17'56" EAST, 299.38 FEET; THENCE SOUTH 60°02'34" WEST,  
49.76 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 29°57'26" EAST, 114.51 FEET; THENCE ALONG THE  
ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET  
AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS  
SOUTH 74°57'26" EAST, 16.97 FEET); THENCE NORTH 60°02'34"  
EAST, 8.86 FEET; THENCE ALONG THE ARC OF A CURVE TO THE  
RIGHT HAVING A RADIUS OF 135.00 FEET AND A LENGTH OF 88.43  
FEET (THE CHORD OF SAID CURVE BEARS NORTH 78°48'26" EAST,  
86.85 FEET); THENCE SOUTH 82°25'41" EAST, 314.09 FEET;  
THENCE SOUTH 07°34'19" WEST, 70.00 FEET; THENCE NORTH  
82°25'41" WEST, 36.41 FEET; THENCE ALONG THE ARC OF A CURVE  
TO THE LEFT HAVING A RADIUS OF 11.00 FEET AND A LENGTH OF  
9.23 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 73°31'44"  
WEST, 8.96 FEET); THENCE SOUTH 10°05'46" WEST, 183.04 FEET;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 11.51 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 52°32'17" EAST, 11.07 FEET); THENCE SOUTH 80°00'31" EAST, 77.86 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS NORTH 54°59'29" EAST, 16.97 FEET); THENCE SOUTH 09°53'57" WEST, 111.86 FEET; THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.71 FEET (THE CHORD OF SAID CURVE BEARS NORTH 35°20'46" WEST, 16.87 FEET); THENCE NORTH 80°00'31" WEST, 76.71 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 12.15 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 70°58'31" WEST, 11.64 FEET); THENCE SOUTH 09°24'35" WEST, 146.98 FEET; THENCE SOUTH 81°21'33" EAST, 100.00 FEET; THENCE SOUTH 08°38'27" WEST, 25.00 FEET; THENCE NORTH 81°21'33" WEST, 110.00 FEET; THENCE NORTH 70°54'01" WEST, 98.16 FEET; THENCE NORTH 81°21'33" WEST, 86.25 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 119.03 FEET AND A LENGTH OF 161.66 FEET (THE CHORD OF SAID CURVE BEARS NORTH 47°44'02" WEST, 149.52 FEET); THENCE NORTH 14°06'30" WEST, 21.36 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 119.33 FEET AND A LENGTH OF 154.00 FEET (THE CHORD OF SAID CURVE BEARS NORTH 18°00'20" EAST, 143.53 FEET); THENCE NORTH 50°07'10" EAST, 0.15 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 16.77 FEET (THE CHORD OF SAID CURVE BEARS NORTH 10°04'52" EAST, 15.44 FEET); THENCE NORTH 29°57'26" WEST, 113.06 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS NORTH 74°57'26" WEST, 16.97 FEET); THENCE NORTH 29°57'26" WEST, 70.00 FEET; THENCE ALONG THE ARC OF A CURVE CONCAVE TOWARDS THE NORTHWEST HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS NORTH 15°02'34" EAST, 16.97 FEET); THENCE NORTH 29°57'26" WEST, 114.51 FEET; THENCE NORTH 60°02'34" EAST, 80.00 FEET TO THE POINT OF BEGINNING.

(EXCEPTION 1)

AND ALSO EXCEPTING THAT PART OF UNITED STATES PRIVATE SURVEY #317, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF CAPE

GIRARDEAU, STATE OF MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND  $\frac{1}{2}$ " DIA. IRON ROD MARKING THE COMMON CORNER OF UNITED STATES PRIVATE SURVEY NUMBERS 193, 194, 317, AND 787, THENCE SOUTH  $84^{\circ}08'09''$  EAST, WITH THE NORTH LINE OF SAID USPS #317, 1135.44 FEET; THENCE LEAVING SAID NORTH LINE, SOUTH  $06^{\circ}38'11''$  WEST, 443.72 FEET; THENCE SOUTH  $45^{\circ}17'56''$  EAST, 299.38 FEET; THENCE SOUTH  $60^{\circ}02'34''$  WEST, 49.76 FEET; THENCE SOUTH  $29^{\circ}57'26''$  EAST, 114.51 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS SOUTH  $74^{\circ}57'26''$  EAST, 16.97 FEET); THENCE NORTH  $60^{\circ}02'34''$  EAST, 8.86 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 135.00 FEET AND A LENGTH OF 88.43 FEET (THE CHORD OF SAID CURVE BEARS NORTH  $78^{\circ}48'26''$  EAST, 86.85 FEET); THENCE SOUTH  $82^{\circ}25'41''$  EAST, 314.09 FEET; THENCE SOUTH  $07^{\circ}34'19''$  WEST, 70.00 FEET; THENCE NORTH  $82^{\circ}25'41''$  WEST, 36.41 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 11.00 FEET AND A LENGTH OF 9.23 FEET (THE CHORD OF SAID CURVE BEARS SOUTH  $73^{\circ}31'44''$  WEST, 8.96 FEET); THENCE SOUTH  $10^{\circ}05'46''$  WEST, 183.04 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 11.51 FEET (THE CHORD OF SAID CURVE BEARS SOUTH  $52^{\circ}32'17''$  EAST, 11.07 FEET); THENCE SOUTH  $80^{\circ}00'31''$  EAST, 77.86 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS NORTH  $54^{\circ}59'29''$  EAST, 16.97 FEET); THENCE SOUTH  $09^{\circ}53'57''$  WEST, 111.86 FEET; THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.71 FEET (THE CHORD OF SAID CURVE BEARS NORTH  $35^{\circ}20'46''$  WEST, 16.87 FEET); THENCE NORTH  $80^{\circ}00'31''$  WEST, 76.71 FEET; THENCE NORTH  $77^{\circ}34'30''$  WEST, 94.21 FEET TO THE POINT OF BEGINNING;

THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.57 FEET (THE CHORD OF SAID CURVE BEARS SOUTH  $35^{\circ}41'02''$  EAST, 16.77 FEET); THENCE SOUTH  $08^{\circ}38'27''$  WEST, 71.77 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS SOUTH  $53^{\circ}38'27''$  WEST, 16.97 FEET); THENCE NORTH  $81^{\circ}21'33''$  WEST, 110.78 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 65.00 FEET AND A

LENGTH OF 76.29 FEET (THE CHORD OF SAID CURVE BEARS NORTH 47°44'02" WEST, 71.99 FEET); THENCE NORTH 14°06'30" WEST, 21.36 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 65.00 FEET AND A LENGTH OF 72.86 FEET (THE CHORD OF SAID CURVE BEARS NORTH 18°00'20" EAST, 69.11 FEET); THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 16.60 FEET (THE CHORD OF SAID CURVE BEARS NORTH 89°44'41" EAST, 15.31 FEET); THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 240.00 FEET AND A LENGTH OF 123.06 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 65°19'09" EAST, 121.72 FEET); THENCE SOUTH 80°00'31" EAST, 35.81 FEET TO THE POINT OF BEGINNING

(EXCEPTION 2)

AND ALSO EXCEPTING THAT PART OF UNITED STATES PRIVATE SURVEY #317, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND ½" DIA. IRON ROD MARKING THE COMMON CORNER OF UNITED STATES PRIVATE SURVEY NUMBERS 193, 194, 317, AND 787, THENCE SOUTH 84°08'09" EAST, WITH THE NORTH LINE OF SAID USPS #317, 1135.44 FEET; THENCE LEAVING SAID NORTH LINE, SOUTH 06°38'11" WEST, 443.72 FEET; THENCE SOUTH 45°17'56" EAST, 299.38 FEET; THENCE SOUTH 60°02'34" WEST, 49.76 FEET; THENCE SOUTH 29°57'26" EAST, 114.51 FEET; THENCE CONTINUING SOUTH 29°57'26" EAST, 94.00 FEET TO THE POINT OF BEGINNING;

THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS NORTH 15°02'34" EAST, 16.97 FEET); THENCE NORTH 60°02'34" EAST, 8.86 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 65.00 FEET AND A LENGTH OF 42.58 FEET (THE CHORD OF SAID CURVE BEARS NORTH 78°48'26" EAST, 41.82 FEET); THENCE SOUTH 82°25'41" EAST, 175.63 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.57 FEET AND A LENGTH OF 33.18 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 36°13'06" EAST, 29.70 FEET); THENCE SOUTH 09°59'29" WEST, 159.29 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET



(THE CHORD OF SAID CURVE BEARS SOUTH 54°59'29" WEST, 16.97 FEET); THENCE NORTH 80°00'31" WEST, 34.60 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 160.00 FEET AND A LENGTH OF 139.77 FEET (THE CHORD OF SAID CURVE BEARS NORTH 54°58'58" WEST, 135.37 FEET); THENCE NORTH 29°57'26" WEST, 116.69 FEET TO THE POINT OF BEGINNING.

ARTICLE 2. This ordinance shall be in full force and effect ten days after its passage and approval.

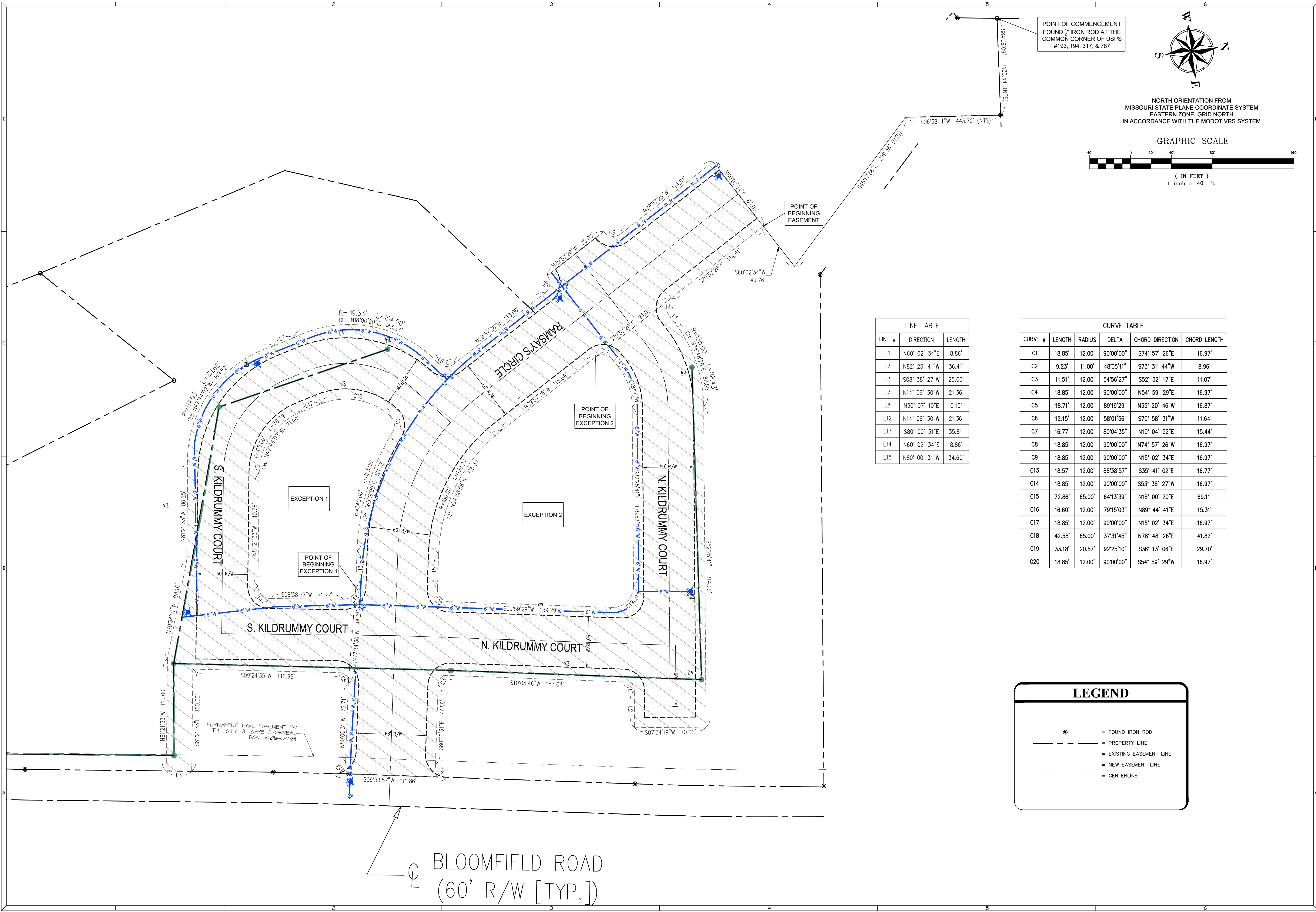
PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
Stacy Kinder, Mayor

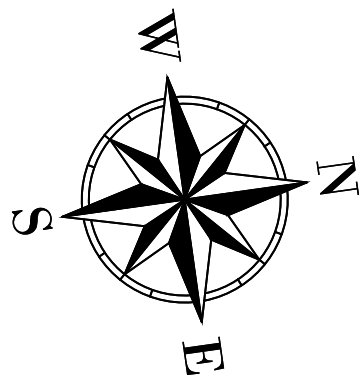
ATTEST:

\_\_\_\_\_  
Bruce Taylor, Deputy City Clerk



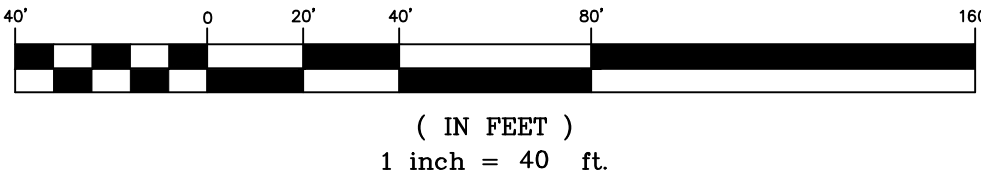


POINT OF COMMENCEMENT  
FOUND 3/4" IRON ROD AT THE  
COMMON CORNER OF USPS  
#193, 194, 317, & 787



NORTH ORIENTATION FROM  
MISSOURI STATE PLANE COORDINATE SYSTEM  
EASTERN ZONE, GRID NORTH  
IN ACCORDANCE WITH THE MODOT VRS SYSTEM

GRAPHIC SCALE



LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N60° 02' 34"E	8.86'
L2	N82° 25' 41"W	36.41'
L3	S08° 38' 27"W	25.00'
L7	N14° 06' 30"W	21.36'
L8	N50° 07' 10"E	0.15'
L12	N14° 06' 30"W	21.36'
L13	S80° 00' 31"E	35.81'
L14	N60° 02' 34"E	8.86'
L15	N80° 00' 31"W	34.60'

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	18.85'	12.00'	90°00'00"	S74° 57' 26"E	16.97'
C2	9.23'	11.00'	48°05'11"	S73° 31' 44"W	8.96'
C3	11.51'	12.00'	54°56'27"	S52° 32' 17"E	11.07'
C4	18.85'	12.00'	90°00'00"	N54° 59' 29"E	16.97'
C5	18.71'	12.00'	89°19'29"	N35° 20' 46"W	16.87'
C6	12.15'	12.00'	58°01'56"	S70° 58' 31"W	11.64'
C7	16.77'	12.00'	80°04'35"	N10° 04' 52"E	15.44'
C8	18.85'	12.00'	90°00'00"	N74° 57' 26"W	16.97'
C9	18.85'	12.00'	90°00'00"	N15° 02' 34"E	16.97'
C13	18.57'	12.00'	88°38'57"	S35° 41' 02"E	16.77'
C14	18.85'	12.00'	90°00'00"	S53° 38' 27"W	16.97'
C15	72.86'	65.00'	64°13'39"	N18° 00' 20"E	69.11'
C16	16.60'	12.00'	79°15'03"	N89° 44' 41"E	15.31'
C17	18.85'	12.00'	90°00'00"	N15° 02' 34"E	16.97'
C18	42.58'	65.00'	37°31'45"	N78° 48' 26"E	41.82'
C19	33.18'	20.57'	92°25'10"	S36° 13' 06"E	29.70'
C20	18.85'	12.00'	90°00'00"	S54° 59' 29"W	16.97'

### LEGEND

- = FOUND IRON ROD
- = PROPERTY LINE
- - - = EXISTING EASEMENT LINE
- - - = NEW EASEMENT LINE
- = CENTERLINE



**ENGINEERING AND LAND SURVEYING, INC.**

Civil Engineering and Surveying Services  
194 Oak Creek - Cape Girardeau, MO 63701  
Phone: 573.335.3026 - Fax: 573.335.3049  
www.koeHLerengineering.com



EASEMENT EXHIBIT FOR  
**RAMSAY'S RUN - PHASE 1**  
BLOOMFIELD ROAD

CHATEAU GIRARDEAU  
3120 E. BLOOMFIELD STREET  
CAPE GIRARDEAU, MO 63701



SEAL



THIS DRAWING IS NOT TO BE REPRODUCED  
WITHOUT THE PERMISSION OF KOEHLER  
ENGINEERING, NOT VALID FOR PROFESSIONAL  
PURPOSES UNLESS SIGNED AND SEALED.

REV	DATE	DESCRIPTION
1	10/22/22	ADDRESSED CITY COMMENTS
2	03/05/24	REVISED FOR AS-BUILT PLANS
3	03/07/24	ADDRESSED CITY COMMENTS

EASEMENT EXHIBIT

KELS PJCT NO.  
37328

OWNR PJCT NO.

DESIGNED BY  
CK

SHEET NO.

DRAWN BY  
AG

CHECKED BY  
CK

DATE  
09/09/2022

1 OF 2





Ramsay's Run - Phase 1

EASEMENT DESCRIPTION:

THAT PART OF UNITED STATES PRIVATE SURVEY #317, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, CONTAINING 3.30 ACRES, MORE OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND  $\frac{1}{2}$ " DIA. IRON ROD MARKING THE COMMON CORNER OF UNITED STATES PRIVATE SURVEY NUMBERS 193, 194, 317, AND 787, THENCE SOUTH  $84^{\circ}08'09''$  EAST, WITH THE NORTH LINE OF SAID USPS #317, 1135.44 FEET; THENCE LEAVING SAID NORTH LINE, SOUTH  $06^{\circ}38'11''$  WEST, 443.72 FEET; THENCE SOUTH  $45^{\circ}17'56''$  EAST, 299.38 FEET; THENCE SOUTH  $60^{\circ}02'34''$  WEST, 49.76 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH  $29^{\circ}57'26''$  EAST, 114.51 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS SOUTH  $74^{\circ}57'26''$  EAST, 16.97 FEET); THENCE NORTH  $60^{\circ}02'34''$  EAST, 8.86 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 135.00 FEET AND A LENGTH OF 88.43 FEET (THE CHORD OF SAID CURVE BEARS NORTH  $78^{\circ}48'26''$  EAST, 86.85 FEET); THENCE SOUTH  $82^{\circ}25'41''$  EAST, 314.09 FEET; THENCE SOUTH  $07^{\circ}34'19''$  WEST, 70.00 FEET; THENCE NORTH  $82^{\circ}25'41''$  WEST, 36.41 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 11.00 FEET AND A LENGTH OF 9.23 FEET (THE CHORD OF SAID CURVE BEARS SOUTH  $73^{\circ}31'44''$  WEST, 8.96 FEET); THENCE SOUTH  $10^{\circ}05'46''$  WEST, 183.04 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 11.51 FEET (THE CHORD OF SAID CURVE BEARS SOUTH  $52^{\circ}32'17''$  EAST, 11.07 FEET); THENCE SOUTH  $80^{\circ}00'31''$  EAST, 77.86 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS NORTH  $54^{\circ}59'29''$  EAST, 16.97 FEET); THENCE SOUTH  $09^{\circ}53'57''$  WEST, 111.86 FEET; THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.71 FEET (THE CHORD OF SAID CURVE BEARS NORTH  $35^{\circ}20'46''$  WEST, 16.87 FEET); THENCE NORTH  $80^{\circ}00'31''$  WEST, 76.71 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 12.15 FEET (THE CHORD OF SAID CURVE BEARS SOUTH  $70^{\circ}58'31''$  WEST, 11.64 FEET); THENCE SOUTH  $09^{\circ}24'35''$  WEST, 146.98 FEET; THENCE SOUTH  $81^{\circ}21'33''$  EAST, 100.00 FEET; THENCE SOUTH  $08^{\circ}38'27''$  WEST, 25.00 FEET; THENCE NORTH  $81^{\circ}21'33''$  WEST, 110.00 FEET; THENCE NORTH  $70^{\circ}54'01''$  WEST, 98.16 FEET; THENCE NORTH  $81^{\circ}21'33''$  WEST, 86.25 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 119.03 FEET AND A LENGTH OF 161.66 FEET (THE CHORD OF SAID CURVE BEARS NORTH

47°44'02" WEST, 149.52 FEET); THENCE NORTH 14°06'30" WEST, 21.36 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 119.33 FEET AND A LENGTH OF 154.00 FEET (THE CHORD OF SAID CURVE BEARS NORTH 18°00'20" EAST, 143.53 FEET); THENCE NORTH 50°07'10" EAST, 0.15 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 16.77 FEET (THE CHORD OF SAID CURVE BEARS NORTH 10°04'52" EAST, 15.44 FEET); THENCE NORTH 29°57'26" WEST, 113.06 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS NORTH 74°57'26" WEST, 16.97 FEET); THENCE NORTH 29°57'26" WEST, 70.00 FEET; THENCE ALONG THE ARC OF A CURVE CONCAVE TOWARDS THE NORTHWEST HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS NORTH 15°02'34" EAST, 16.97 FEET); THENCE NORTH 29°57'26" WEST, 114.51 FEET; THENCE NORTH 60°02'34" EAST, 80.00 FEET TO THE POINT OF BEGINNING.

(EXCEPTION 1)

AND ALSO EXCEPTING THAT PART OF UNITED STATES PRIVATE SURVEY #317, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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SOUTH 09°53'57" WEST, 111.86 FEET; THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.71 FEET (THE CHORD OF SAID CURVE BEARS NORTH 35°20'46" WEST, 16.87 FEET); THENCE NORTH 80°00'31" WEST, 76.71 FEET; THENCE NORTH 77°34'30" WEST, 94.21 FEET TO THE POINT OF BEGINNING;

THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.57 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 35°41'02" EAST, 16.77 FEET); THENCE SOUTH 08°38'27" WEST, 71.77 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 53°38'27" WEST, 16.97 FEET); THENCE NORTH 81°21'33" WEST, 110.78 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 65.00 FEET AND A LENGTH OF 76.29 FEET (THE CHORD OF SAID CURVE BEARS NORTH 47°44'02" WEST, 71.99 FEET); THENCE NORTH 14°06'30" WEST, 21.36 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 65.00 FEET AND A LENGTH OF 72.86 FEET (THE CHORD OF SAID CURVE BEARS NORTH 18°00'20" EAST, 69.11 FEET); THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 16.60 FEET (THE CHORD OF SAID CURVE BEARS NORTH 89°44'41" EAST, 15.31 FEET); THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 240.00 FEET AND A LENGTH OF 123.06 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 65°19'09" EAST, 121.72 FEET); THENCE SOUTH 80°00'31" EAST, 35.81 FEET TO THE POINT OF BEGINNING

(EXCEPTION 2)

AND ALSO EXCEPTING THAT PART OF UNITED STATES PRIVATE SURVEY #317, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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## PERMANENT UTILITY EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS: **Cape Retirement Community, Inc., d/b/a Chateau Girardeau**, a Missouri corporation, of the County of Cape Girardeau, in the State of Missouri, **GRANTOR**, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey to the **CITY OF CAPE GIRARDEAU, MISSOURI**, a Municipal Corporation, organized and existing under the laws of the State of Missouri, of the County of Cape Girardeau in the State of Missouri, **GRANTEE** (hereinafter, the "**City**"), the right, privilege, permission and authority to enter on and upon the following described property which is solely owned by the undersigned located in the City and County of Cape Girardeau, Missouri, to-wit:

### EASEMENT DESCRIPTION:

THAT PART OF UNITED STATES PRIVATE SURVEY #317, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, CONTAINING 3.30 ACRES, MORE OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE SOUTH 29°57'26" EAST, 114.51 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 74°57'26" EAST, 16.97 FEET); THENCE NORTH 60°02'34" EAST, 8.86 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 135.00 FEET AND A LENGTH OF 88.43 FEET (THE CHORD OF SAID CURVE BEARS NORTH 78°48'26" EAST, 86.85 FEET); THENCE SOUTH 82°25'41" EAST, 314.09 FEET; THENCE SOUTH 07°34'19" WEST, 70.00 FEET; THENCE NORTH 82°25'41" WEST, 36.41 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 11.00 FEET AND A LENGTH OF 9.23 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 73°31'44" WEST, 8.96 FEET); THENCE SOUTH 10°05'46" WEST, 183.04 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 11.51 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 52°32'17" EAST, 11.07 FEET); THENCE SOUTH 80°00'31" EAST, 77.86 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE



BEARS NORTH 54°59'29" EAST, 16.97 FEET); THENCE SOUTH 09°53'57" WEST, 111.86 FEET; THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.71 FEET (THE CHORD OF SAID CURVE BEARS NORTH 35°20'46" WEST, 16.87 FEET); THENCE NORTH 80°00'31" WEST, 76.71 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 12.15 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 70°58'31" WEST, 11.64 FEET); THENCE SOUTH 09°24'35" WEST, 146.98 FEET; THENCE SOUTH 81°21'33" EAST, 100.00 FEET; THENCE SOUTH 08°38'27" WEST, 25.00 FEET; THENCE NORTH 81°21'33" WEST, 110.00 FEET; THENCE NORTH 70°54'01" WEST, 98.16 FEET; THENCE NORTH 81°21'33" WEST, 86.25 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 119.03 FEET AND A LENGTH OF 161.66 FEET (THE CHORD OF SAID CURVE BEARS NORTH 47°44'02" WEST, 149.52 FEET); THENCE NORTH 14°06'30" WEST, 21.36 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 119.33 FEET AND A LENGTH OF 154.00 FEET (THE CHORD OF SAID CURVE BEARS NORTH 18°00'20" EAST, 143.53 FEET); THENCE NORTH 50°07'10" EAST, 0.15 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 16.77 FEET (THE CHORD OF SAID CURVE BEARS NORTH 10°04'52" EAST, 15.44 FEET); THENCE NORTH 29°57'26" WEST, 113.06 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS NORTH 74°57'26" WEST, 16.97 FEET); THENCE NORTH 29°57'26" WEST, 70.00 FEET; THENCE ALONG THE ARC OF A CURVE CONCAVE TOWARDS THE NORTHWEST HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS NORTH 15°02'34" EAST, 16.97 FEET); THENCE NORTH 29°57'26" WEST, 114.51 FEET; THENCE NORTH 60°02'34" EAST, 80.00 FEET TO THE POINT OF BEGINNING.

(EXCEPTION AREA 1)

EXCEPTING THAT PART OF UNITED STATES PRIVATE SURVEY #317, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND ½" DIA. IRON ROD MARKING THE COMMON CORNER OF UNITED STATES PRIVATE SURVEY NUMBERS 193, 194, 317, AND 787, THENCE SOUTH 84°08'09" EAST, WITH THE NORTH LINE OF SAID USPS #317, 1135.44 FEET; THENCE LEAVING SAID NORTH LINE, SOUTH 06°38'11" WEST, 443.72 FEET; THENCE SOUTH 45°17'56" EAST, 299.38 FEET; THENCE SOUTH 60°02'34" WEST, 49.76 FEET; THENCE SOUTH 29°57'26" EAST, 114.51 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 74°57'26" EAST, 16.97 FEET);

THENCE NORTH 60°02'34" EAST, 8.86 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 135.00 FEET AND A LENGTH OF 88.43 FEET (THE CHORD OF SAID CURVE BEARS NORTH 78°48'26" EAST, 86.85 FEET); THENCE SOUTH 82°25'41" EAST, 314.09 FEET; THENCE SOUTH 07°34'19" WEST, 70.00 FEET; THENCE NORTH 82°25'41" WEST, 36.41 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 11.00 FEET AND A LENGTH OF 9.23 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 73°31'44" WEST, 8.96 FEET); THENCE SOUTH 10°05'46" WEST, 183.04 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 11.51 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 52°32'17" EAST, 11.07 FEET); THENCE SOUTH 80°00'31" EAST, 77.86 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS NORTH 54°59'29" EAST, 16.97 FEET); THENCE SOUTH 09°53'57" WEST, 111.86 FEET; THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.71 FEET (THE CHORD OF SAID CURVE BEARS NORTH 35°20'46" WEST, 16.87 FEET); THENCE NORTH 80°00'31" WEST, 76.71 FEET; THENCE NORTH 77°34'30" WEST, 94.21 FEET TO THE POINT OF BEGINNING;

THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.57 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 35°41'02" EAST, 16.77 FEET); THENCE SOUTH 08°38'27" WEST, 71.77 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 53°38'27" WEST, 16.97 FEET); THENCE NORTH 81°21'33" WEST, 110.78 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 65.00 FEET AND A LENGTH OF 76.29 FEET (THE CHORD OF SAID CURVE BEARS NORTH 47°44'02" WEST, 71.99 FEET); THENCE NORTH 14°06'30" WEST, 21.36 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 65.00 FEET AND A LENGTH OF 72.86 FEET (THE CHORD OF SAID CURVE BEARS NORTH 18°00'20" EAST, 69.11 FEET); THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 16.60 FEET (THE CHORD OF SAID CURVE BEARS NORTH 89°44'41" EAST, 15.31 FEET); THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 240.00 FEET AND A LENGTH OF 123.06 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 65°19'09" EAST, 121.72 FEET); THENCE SOUTH 80°00'31" EAST, 35.81 FEET TO THE POINT OF BEGINNING.

(EXCEPTION AREA 2)

AND ALSO EXCEPTING THAT PART OF UNITED STATES PRIVATE SURVEY #317, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH



PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND ½" DIA. IRON ROD MARKING THE COMMON CORNER OF UNITED STATES PRIVATE SURVEY NUMBERS 193, 194, 317, AND 787, THENCE SOUTH 84°08'09" EAST, WITH THE NORTH LINE OF SAID USPS #317, 1135.44 FEET; THENCE LEAVING SAID NORTH LINE, SOUTH 06°38'11" WEST, 443.72 FEET; THENCE SOUTH 45°17'56" EAST, 299.38 FEET; THENCE SOUTH 60°02'34" WEST, 49.76 FEET; THENCE SOUTH 29°57'26" EAST, 114.51 FEET; THENCE CONTINUING SOUTH 29°57'26" EAST, 94.00 FEET TO THE POINT OF BEGINNING;

THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS NORTH 15°02'34" EAST, 16.97 FEET); THENCE NORTH 60°02'34" EAST, 8.86 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 65.00 FEET AND A LENGTH OF 42.58 FEET (THE CHORD OF SAID CURVE BEARS NORTH 78°48'26" EAST, 41.82 FEET); THENCE SOUTH 82°25'41" EAST, 175.63 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 20.57 FEET AND A LENGTH OF 33.18 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 36°13'06" EAST, 29.70 FEET); THENCE SOUTH 09°59'29" WEST, 159.29 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 12.00 FEET AND A LENGTH OF 18.85 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 54°59'29" WEST, 16.97 FEET); THENCE NORTH 80°00'31" WEST, 34.60 FEET; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 160.00 FEET AND A LENGTH OF 139.77 FEET (THE CHORD OF SAID CURVE BEARS NORTH 54°58'58" WEST, 135.37 FEET); THENCE NORTH 29°57'26" WEST, 116.69 FEET TO THE POINT OF BEGINNING.

Said right, privilege, permission, and authority to enter on and upon the above described property is granted for the purpose of enabling the City as well as its agents, servants, and assigns to use said property to excavate, build, and construct certain utility improvements in, on, upon, or across said property, together with all of the useful, necessary, and proper adjuncts, appurtenances, and appliances in connection therewith.

This easement and the right, privilege, permission, and authority herein granted are perpetual and shall run with the land.

The undersigned covenant that it is the owner in fee simple of the above-described property and has the legal right to convey same.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand by its authorized representative on this 7<sup>th</sup> day of MARCH, 2024.

Cape Retirement Community, Inc., d/b/a Chateau Girardeau

By: James R. Wilferth  
James R. Wilferth,  
President and CEO

STATE OF MISSOURI                     )  
  ) ss.  
COUNTY OF CAPE GIRARDEAU    )

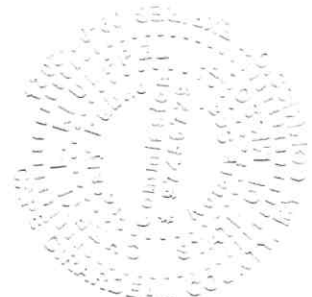
BE IT REMEMBERED, that on this 7<sup>th</sup> day of MARCH, 2024, before me, the undersigned a Notary Public in and for the County and State aforesaid, came **James R. Wilferth** to me personally known, who, being by me duly sworn, did state that he is the **President and CEO** of **Cape Retirement Community, Inc., d/b/a Chateau Girardeau**, a Missouri corporation, and that said instrument was signed on behalf of said corporation and acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

Cheryl L. Klueppel  
Notary Public

My Commission expires:

09-07-2024



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**Staff:** Jake Garrard, PE, City Engineer  
**Agenda:** 3/18/2024

**AGENDA REPORT**  
Cape Girardeau City Council

**24-053**

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## **SUBJECT**

An Ordinance accepting a Permanent Water Line Easement from Midamerica Hotels Corporation for property located at 2520 Veterans Memorial Dr in the City of Cape Girardeau, Missouri.

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## **EXECUTIVE SUMMARY**

An Ordinance accepting a Permanent Water Line Easement from Midamerica Hotels Corporation for property located at 2520 Veterans Memorial Dr in the City of Cape Girardeau, Missouri.

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## **BACKGROUND/DISCUSSION**

Midamerica Hotels Corporation is building a new hotel near the intersection of N Kingshighway and Veterans Memorial Dr called TRU Hotel. They have constructed a water main extension through their property so that the fire hydrant can be nearer to the building. This water main will be turned over to the City as part of City infrastructure. For the City to maintain this line, we have come to an agreeance on a water line easement to allow the City access without issue.

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## **FINANCIAL IMPACT**

The Easement was donated.

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## **SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS**

This easement is necessary to enable the City, its agents, servants and assigns, to use said property to excavate, build, maintain, construct, operate and repair a water line for the TRU Hotel property in, on, upon, under or across their property at 2520 Veterans Memorial Dr, together with all the useful necessary and proper adjuncts, appurtenances, and appliances in connection therewith.

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## **STAFF RECOMMENDATION**

Staff recommends approval of the attached Ordinance accepting a Permanent Water Line Easement for property located at 2520 Veterans Memorial Dr in the City of Cape Girardeau, Missouri.

**ATTACHMENTS:**

Name:	Description:
<input type="checkbox"/> <a href="#">PWE 2520 Veterans Mem Dr.doc</a>	Ordinance
<input type="checkbox"/> <a href="#">GOOD Water Line Esmt EXHIBIT TRU Hotel.pdf</a>	Exhibit
<input type="checkbox"/> <a href="#">GOOD TRU Hotel Water Main Easement Legal Description.docx</a>	Legal Description
<input type="checkbox"/> <a href="#">Water Line Easement TRU Hotel EXECUTED.pdf</a>	Agreement

BILL NO. 24-36

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ACCEPTING A PERMANENT WATER  
LINE EASEMENT FROM MIDAMERICA HOTELS  
CORPORATION FOR PROPERTY LOCATED AT 2520  
VETERANS MEMORIAL DRIVE, IN THE CITY OF CAPE  
GIRARDEAU, MISSOURI

---

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE  
GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. The City of Cape Girardeau, Missouri, hereby  
accepts, and agrees to accept, a Permanent Water Line Easement  
from Midamerica Hotels Corporation for property located at 2520  
Veterans Memorial Drive, in the City of Cape Girardeau,  
Missouri, described as follows:

ALL OF THAT PART OF LOT ONE (1) OF VETERANS POINT  
SUBDIVISION AS RECORDED IN DOCUMENT NO. 2023-05331 IN THE  
COUNTY LAND RECORDS, LOCATED IN SECTION 22, TOWNSHIP 31  
NORTH, RANGE 13 EAST, IN THE CITY AND COUNTY OF CAPE  
GIRARDEAU, STATE OF MISSOURI, AND MORE PARTICULARLY  
DESCRIBED AS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 1 OF THE VETERANS  
POINT SUBDIVISION AS RECORDED IN DOCUMENT NO. 2023-05331 IN  
THE COUNTY LAND RECORDS, THENCE WITH THE SOUTHWEST LINE OF  
SAID LOT 1, SOUTH 55°16'01" EAST, 190.75 FEET; THENCE  
LEAVING SAID SW LINE NORTH 38°08'24" EAST, 9.98 FEET TO THE  
POINT OF BEGINNING; THENCE NORTH 55°23'58" WEST, 4.35 FEET;  
THENCE NORTH 30°07'29" EAST, 45.59 FEET; THENCE NORTH  
14°57'06" WEST, 11.91 FEET; THENCE NORTH 75°02'54" EAST,  
10.00 FEET; THENCE SOUTH 57°16'40" EAST, 21.40 FEET; THENCE  
SOUTH 30°10'59" WEST, 61.67 FEET; THENCE NORTH 55°23'58"  
WEST, 15.65 FEET TO THE POINT OF BEGINNING.

ARTICLE 2. This ordinance shall be in full force and  
effect ten days after its passage and approval.

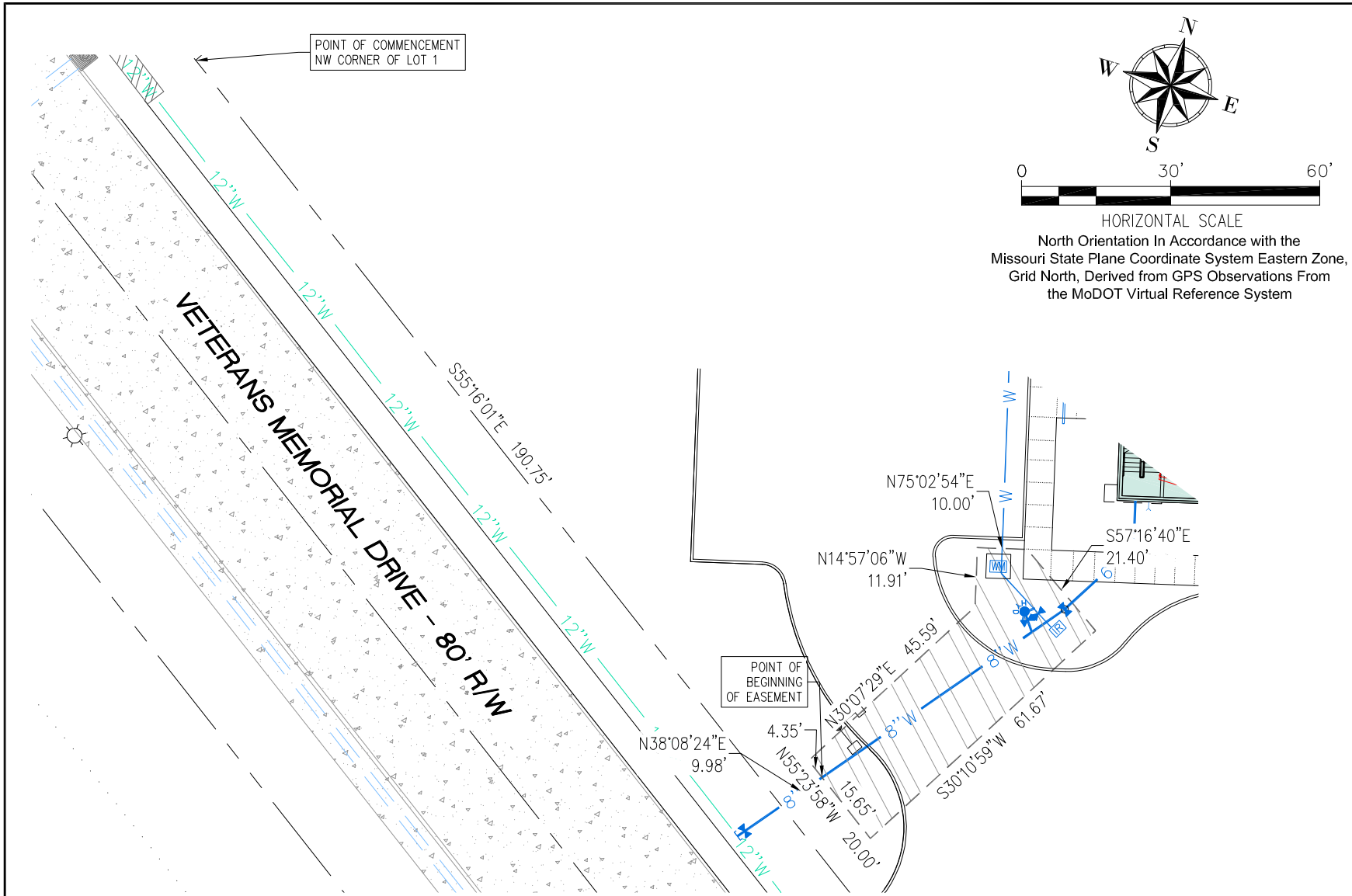
PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

ATTEST:


\_\_\_\_\_  
Bruce Taylor, Deputy City Clerk








**LEGEND**



= BOUNDARY LINE



= PROPOSED WATER MAIN EASEMENT

Description of Water Main Easement

ALL OF THAT PART OF LOT ONE (1) OF VETERANS POINT SUBDIVISION AS RECORDED IN DOCUMENT NO. 2023-05331 IN THE COUNTY LAND RECORDS, LOCATED IN SECTION 22, TOWNSHIP 31 NORTH, RANGE 13 EAST, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, AND MORE PARTICULARLY DESCRIBED AS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 1 OF THE VETERANS POINT SUBDIVISION AS RECORDED IN DOCUMENT NO. 2023-05331 IN THE COUNTY LAND RECORDS, THENCE WITH THE SOUTHWEST LINE OF SAID LOT 1, SOUTH 55°16'01" EAST, 190.75 FEET; THENCE LEAVING SAID SW LINE NORTH 38°08'24" EAST, 9.98 FEET TO THE POINT OF BEGINNING; THENCE NORTH 55°23'58" WEST, 4.35 FEET; THENCE NORTH 30°07'29" EAST, 45.59 FEET; THENCE NORTH 14°57'06" WEST, 11.91 FEET; THENCE NORTH 75°02'54" EAST, 10.00 FEET; THENCE SOUTH 57°16'40" EAST, 21.40 FEET; THENCE SOUTH 30°10'59" WEST, 61.67 FEET; THENCE NORTH 55°23'58" WEST, 15.65 FEET TO THE POINT OF BEGINNING.

DATE: 02/20/2024

DRAWING  
1 of 1

EASEMENT EXHIBIT FOR  
TRU HOTEL

2520 VETERANS MEMORIAL DR.  
CAPE GIRARDEAU, MO 63701

**KE KOEHLER**  
ENGINEERING AND LAND SURVEYING, INC.

Civil Engineering and Surveying Services  
194 Coker Lane - Cape Girardeau, MO 63701  
Phone: 572.335.3026  
www.koehlerengineering.com

ALL OF THAT PART OF LOT ONE (1) OF VETERANS POINT SUBDIVISION AS RECORDED IN DOCUMENT NO. 2023-05331 IN THE COUNTY LAND RECORDS, LOCATED IN SECTION 22, TOWNSHIP 31 NORTH, RANGE 13 EAST, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, AND MORE PARTICULARLY DESCRIBED AS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 1 OF THE VETERANS POINT SUBDIVISION AS RECORDED IN DOCUMENT NO. 2023-05331 IN THE COUNTY LAND RECORDS, THENCE WITH THE SOUTHWEST LINE OF SAID LOT 1, SOUTH 55°16'01" EAST, 190.75 FEET; THENCE LEAVING SAID SW LINE NORTH 38°08'24" EAST, 9.98 FEET TO THE POINT OF BEGINNING; THENCE NORTH 55°23'58" WEST, 4.35 FEET; THENCE NORTH 30°07'29" EAST, 45.59 FEET; THENCE NORTH 14°57'06" WEST, 11.91 FEET; THENCE NORTH 75°02'54" EAST, 10.00 FEET; THENCE SOUTH 57°16'40" EAST, 21.40 FEET; THENCE SOUTH 30°10'59" WEST, 61.67 FEET; THENCE NORTH 55°23'58" WEST, 15.65 FEET TO THE POINT OF BEGINNING.

## PERMANENT WATER LINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS: **MIDAMERICA HOTELS CORPORATION**, hereinafter referred to as GRANTOR, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey to the **CITY OF CAPE GIRARDEAU, MISSOURI**, a Municipal Corporation, hereinafter called the "City", the right, privilege, permission and authority to enter on and upon the following described property which is solely owned by the undersigned located in the City and County of Cape Girardeau, Missouri, to-wit:

ALL OF THAT PART OF LOT ONE (1) OF VETERANS POINT SUBDIVISION AS RECORDED IN DOCUMENT NO. 2023-05331 IN THE COUNTY LAND RECORDS, LOCATED IN SECTION 22, TOWNSHIP 31 NORTH, RANGE 13 EAST, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, AND MORE PARTICULARLY DESCRIBED AS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 1 OF THE VETERANS POINT SUBDIVISION AS RECORDED IN DOCUMENT NO. 2023-05331 IN THE COUNTY LAND RECORDS, THENCE WITH THE SOUTHWEST LINE OF SAID LOT 1, SOUTH 55°16'01" EAST, 190.75 FEET; THENCE LEAVING SAID SW LINE NORTH 38°08'24" EAST, 9.98 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 55°23'58" WEST, 4.35 FEET; THENCE NORTH 30°07'29" EAST, 45.59 FEET; THENCE NORTH 14°57'06" WEST, 11.91 FEET; THENCE NORTH 75°02'54" EAST, 10.00 FEET; THENCE SOUTH 57°16'40" EAST, 21.40 FEET; THENCE SOUTH 30°10'59" WEST, 61.67 FEET; THENCE NORTH 55°23'58" WEST, 15.65 FEET TO THE POINT OF BEGINNING.

Said right, privilege, permission and authority to enter in and upon said property above described is granted for the purpose of enabling the City, its agents, servants and assigns, to use said property for the management of water infrastructure for the purpose of enabling the City of Cape Girardeau, Missouri, its agents, servants and assigns to excavate, build, maintain, construct, operate, and repair said water utilities from time to time, in, on, upon, or across said described property, together with all the useful, necessary and proper adjuncts, appurtenances, manholes, and appliances in connection therewith.

This easement and the right, privilege, permission and authority herein granted is perpetual and shall run with the land and be binding upon the successors, heirs and assigns of the respective parties.

The undersigned covenant that he/she is the owner in fee simple of the above described property and has the legal right to convey same.

IN WITNESS WHEREOF, the undersigned has executed this easement this 26<sup>th</sup> day of February, 2024.

**MIDAMERICA HOTELS CORPORATION**



Signature

DANIEL M. DENEV PRESIDENT

Printed Name and Title

STATE OF MISSOURI )

) ss.

COUNTY OF CAPE GIRARDEAU )

BE IT REMEMBERED, that on this 26<sup>th</sup> day of February, 2024 before me, the undersigned notary public, personally appeared Daniel M. Denev, who being by me duly sworn, did state that he/she is the authorized representative for MIDAMERICA HOTELS CORPORATION, and that the within instrument was executed on behalf of said Corporation, and acknowledged that he/she has executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date last above written.

Melanie R. Cantrell

Notary Public

Melanie R. Cantrell

Notary Printed Name

My Commission expires:

June 9, 2024



MELANIE R. CANTRELL  
My Commission Expires  
June 9, 2024  
Cape Girardeau County  
Commission #12573011

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**Staff:** Jake Garrard, PE, City Engineer  
**Agenda:** 3/18/2024

**AGENDA REPORT**  
Cape Girardeau City Council

**24-054**

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## **SUBJECT**

An Ordinance accepting a Permanent Water Line Easement from SIMX Holdings, Inc. for property located at 4269 Nash Rd in Scott County, Missouri.

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## **EXECUTIVE SUMMARY**

For the construction of a new water main crossing from the north side to the south side of Nash Rd and for the installation of a new fire hydrant, a water line easement is required over the property at 4269 Nash Rd where the new water main and hydrant will be located.

---

## **BACKGROUND/DISCUSSION**

Clark and Sons, original owners of this property on the south side of Nash Rd, began development of a building in this location in 2019. The Water System along Nash Road is owned by the City of Cape Girardeau. In order to be able to use the potable water supply, Clark and Sons signed the Annexation and Petition Agreements which means they must build to City Specs. This required a new Fire Hydrant to be installed on the south side of Nash Rd to serve the new building and future buildings. The new Fire Hydrant requires a water main extension. Even though it has been several years, they are now moving forward with constructing additional buildings in this area and therefore the new main extension and fire hydrant need to be installed. Clark and Sons sold one of their original lots to SIMX Holdings, Inc. It is the SIMX Holdings, Inc. lot where the new water main and hydrant are plan to be located. SIMX Holdings, Inc., in conjunction with Clark and Sons, has agreed to the water main & hydrant location on their property and are granting the City of Cape the needed Water Line Easement.

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## **FINANCIAL IMPACT**

The Easement was donated. The property owners will pay for the cost of recording the new easement.

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## **SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS**

The easement is necessary to enable the City, its agents, servants and assigns, to use said property to excavate, build, maintain, construct, operate, and repair Water System Infrastructure in, on, upon, under or across said property, together with all the useful, necessary and proper adjuncts, appurtenances, and appliances in connection therewith.



## STAFF RECOMMENDATION

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Staff recommends approval of the attached Ordinance accepting the Water Line Easement for property located at 4269 Nash Rd in Scott County, Missouri.

<b><u>ATTACHMENTS:</u></b>	
Name:	Description:
<a href="#">PWE_SIMX_4269_Nash_Rd.doc</a>	Ordinance
<a href="#">Esmt_EXHIBIT_for_4269_Nash_Rd_color_copy_GOOD.pdf</a>	Exhibit
<a href="#">Legal_Description_Water_Line_Esmt_GOOD.doc</a>	Legal Description
<a href="#">Permanent_Water_Line_Easement_4269_Nash_Rd_EXECUTED.pdf</a>	Agreement

BILL NO. 24-37

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE ACCEPTING A PERMANENT WATER  
LINE EASEMENT FROM SIMX HOLDINGS, INC., FOR  
PROPERTY LOCATED AT 4269 NASH ROAD IN SCOTT  
COUNTY, MISSOURI

---

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAPE  
GIRARDEAU, MISSOURI, AS FOLLOWS:

ARTICLE 1. The City of Cape Girardeau, Missouri, hereby  
accepts, and agrees to accept, a Permanent Water Line Easement  
from SIMX HOLDINGS, INC., for property located at 4269 Nash Road  
in Scott County, Missouri, described as follows:

A PART OF THE NORTHWEST QUARTER, SOUTHWEST QUARTER, SECTION  
26, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL  
MERIDIAN, COUNTY OF SCOTT, STATE OF MISSOURI, BEING MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON PIN (SET) AT THE NORTHWEST CORNER  
OF A TRACT OF LAND RECORDED IN DOCUMENT NUMBER 20201214 IN  
THE LAND RECORDS OF SCOTT COUNTY; THENCE S 00° 45' 35" E,  
60.00 FEET; THENCE N 89° 49' 42" E, 191.95 FEET; THENCE N  
00° 45' 35" W, 60.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF  
MISSOURI STATE ROUTE "AB"; THENCE S 89° 49' 42" W, 191.95  
FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO THE POINT OF  
BEGINNING, CONTAINING 0.26 ACRES, MORE OR LESS.

ARTICLE 2. This ordinance shall be in full force and effect  
ten days after its passage and approval.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

\_\_\_\_\_  
Stacy Kinder, Mayor

ATTEST:

\_\_\_\_\_  
Bruce Taylor, Deputy City Clerk





**CITY of CAPE**  
**GIRARDEAU**

# Water Line Easement 4269 Nash Rd

**Nash Rd**

**POB**

**S 89° 49' 42" W 191.95 FT**

**S 00° 45' 35" E  
60.0 FT**

**N 00° 45' 35" W  
60.0 FT**

**N 89° 49' 42" E 191.95 FT**

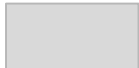
**4339**

**4269**

**4239**



**New Easement**



**Existing Easements**



**Parcel**



## LEGEND

0 50 100 Feet

1:808

**Date: 2/15/2024**

Created by: Development Services  
Teresa Helfner, Alliance Water Resources

Data Source(s):  
City of Cape Girardeau Government, MO

**CITY of CAPE GIRARDEAU**

Layers provided by the City of Cape Girardeau are to be used for visual aid only and are not guaranteed to be accurate. These layers are not to be used for any engineering or design purpose.



# Bowen

## ENGINEERING & SURVEYING

Incorporated

2121 Megan Drive  
Cape Girardeau, MO 63701  
Ph 573 339 5900  
Fax 573 339 1391  
[www.bowenengsurv.com](http://www.bowenengsurv.com)

### DESCRIPTION – 0.26 Acre Tract    WATER LINE EASEMENT

A PART OF THE NORTHWEST QUARTER, SOUTHWEST QUARTER, SECTION 26,  
TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL  
MERIDIAN, COUNTY OF SCOTT, STATE OF MISSOURI, BEING MORE  
PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON PIN (SET) AT THE NORTHWEST CORNER OF  
A TRACT OF LAND RECORDED IN DOCUMENT NUMBER 20201214 IN THE LAND  
RECORDS OF SCOTT COUNTY; THENCE S 00° 45' 35" E,  
60.00 FEET; THENCE N 89° 49' 42" E, 191.95 FEET; THENCE  
N 00° 45' 35" W, 60.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF  
MISSOURI STATE ROUTE "AB"; THENCE S 89° 49' 42" W, 191.95 FEET  
ALONG SAID SOUTH RIGHT OF WAY LINE TO THE POINT OF BEGINNING,  
CONTAINING 0.26 ACRES, MORE OR LESS.

## PERMANENT WATER LINE EASEMENT

KNOW ALL MEN BY THESE PRESENTS: **SIMX HOLDINGS, INC., an Illinois Corporation**, hereinafter referred to as GRANTOR, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey to the **CITY OF CAPE GIRARDEAU, MISSOURI**, a Municipal Corporation, hereinafter called the "City", the right, privilege, permission and authority to enter on and upon the following described property which is solely owned by the undersigned located in the County of Scott, State of Missouri, to-wit:

A PART OF THE NORTHWEST QUARTER, SOUTHWEST QUARTER, SECTION 26, TOWNSHIP 30 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, COUNTY OF SCOTT, STATE OF MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 1/2" IRON PIN (SET) AT THE NORTHWEST CORNER OF A TRACT OF LAND RECORDED IN DOCUMENT NUMBER 20201214 IN THE LAND RECORDS OF SCOTT COUNTY; THENCE S 00° 45' 35" E, 60.00 FEET; THENCE N 89° 49' 42" E, 191.95 FEET; THENCE N 00° 45' 35" W, 60.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF MISSOURI STATE ROUTE "AB"; THENCE S 89° 49' 42" W, 191.95 FEET ALONG SAID SOUTH RIGHT OF WAY LINE TO THE POINT OF BEGINNING, CONTAINING 0.26 ACRES, MORE OR LESS.

Said right, privilege, permission and authority to enter in and upon said property above described is granted for the purpose of enabling the City, its agents, servants and assigns, to use said property for the management of water infrastructure for the purpose of enabling the City of Cape Girardeau, Missouri, its agents, servants and assigns to excavate, build, maintain, construct, operate, and repair said water infrastructure from time to time, in, on, upon, or across said described property, together with all the useful, necessary and proper adjuncts, appurtenances, manholes, and appliances in connection therewith.

This easement and the right, privilege, permission and authority herein granted is perpetual and shall run with the land and be binding upon the successors, heirs and assigns of the respective parties.

*Signature page to follow*



The undersigned covenant that he/she is the owner in fee simple of the above described property and has the legal right to convey same.

IN WITNESS WHEREOF, the undersigned has executed this easement this 14 day of February, 20 24.

**SIMX HOLDINGS, INC.**

[Signature]

**Signature**

President

**Title**

STATE OF Illinois )  
COUNTY OF Perry ) ss.

BE IT REMEMBERED, that on this 14 day of February, 20 24 before me, the undersigned notary public, personally appeared MARK Arbater, who being by me duly sworn, did state that he/she is the authorized representative for SIMX HOLDINGS, INC, an Illinois Corporation, and that the within instrument was executed on behalf of said corporation, and acknowledged that he/she has executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date last above written.

[Signature]  
Notary Public

Terry D. Oetjen  
Notary Printed Name

My Commission expires:

10-4-2027

Notary Public State of Illinois Official Seal Terry D Oetjen Comm. # 423453 My Commission Expires 10/4/2027
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**Staff:** Bruce Taylor, Deputy City Clerk  
**Agenda:** 3/18/2024

**AGENDA REPORT**  
Cape Girardeau City Council

**24-055**

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**SUBJECT**

Discuss and set a special City Council meeting to declare the results of the April 25, 2024, election.

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**EXECUTIVE SUMMARY**

A general City election will be held on April 2, 2024. The ballot includes the election of the three Council Members and a tax levy rate question.

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**BACKGROUND/DISCUSSION**

Per City Charter, the City Council must declare the results of all elections within seven days of the election.

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**STAFF RECOMMENDATION**

It is recommended the City Council set a special city council meeting no later than April 9, 2024, to declare the results of the April 2, 2024, City election. **It is suggested the meeting be held on Tuesday, April 9, at noon via Zoom.**

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**ATTACHMENTS:**

Name:	Description:
No Attachments Available	

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**Staff:** Bruce Taylor, Deputy City Clerk  
**Agenda:** 3/18/2024

**MEMORANDUM**  
Cape Girardeau City Council

**24-009**

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**SUBJECT**

Appointment of three members to the Historic Preservation Commission for terms expiring April 16, 2024.

**EXECUTIVE SUMMARY**

The terms of Brian Balsman, Phyllis Sides and Kirstin Glaser are set to expire April 16, 2024. Brian Balsman has been serving on the Historic Preservation Commission since 2022, Phyllis Sides since 2020 and Kirstin Glaser since 2022.

Mr. Balsman, Ms. Sides and Ms. Glaser have all expressed interest in reappointment.

**BACKGROUND/DISCUSSION**

Regarding membership on the Commission, Section 30-117 of the City Code states, “...*the members to be residents of the city, all of whom shall be appointed by and approved by the city council. The council shall make every effort to appoint persons with a demonstrated interest in the historical preservation of the city. To the extent available, the preservation commission shall include professional members representing such disciplines as architecture, law, real estate, history and or any other field related to historic preservation.*” Members on the commission serve three-year terms.

A copy of the roster is attached for your information. The following individuals have expressed interest in on the Historic Preservation Commission, and their board applications are attached for your review.

Applicant	Ward	Citizen Academy Graduate
Brian Balsmann	4	No
C. Donald Harris	5	No
Nancy Kopp	6	No
Jeremiah Nichols	6	No
Andrew Ostrowski	3	Yes
Shelly Ritter	1	No
Rhonda Weaks	1	No

**GENERAL DIRECTION**

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Unless directed otherwise, three appointments to the Historic Preservation Commission will appear on a future agenda for your consideration.

**ATTACHMENTS:**

Name:	Description:
<a href="#">CITY_OF_CAPE_GIRARDEAU.pdf</a>	Historic Preservation Commission Roster
<a href="#">roster_attendance.hpc.pdf</a>	Historic Preservation Commission Attendance Roster
<a href="#">Balsmann.Brian.03-25-22.pdf</a>	Balsmann, Brian
<a href="#">Harris_C_Donald.02-22-2024.pdf</a>	Harris, C. Donald
<a href="#">Kopp_Nancy.02-07-2024.pdf</a>	Kopp, Nancy
<a href="#">Nichols_Jeremiah.08-02-2023.pdf</a>	Nichols, Jeremiah
<a href="#">Ostrowski_Andrew.02-14-2024.pdf</a>	Ostrowski, Andrew
<a href="#">Ritter_Shelly.08-01-2023.pdf</a>	Ritter, Shelly

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**Staff:** Gayle L. Conrad, CMC/MPCC,  
Director of Citizen Services/City  
**Agenda:** Clerk  
3/18/2024

**MEMORANDUM**  
Cape Girardeau City Council

**24-011**

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**SUBJECT**

Town Plaza Community Improvement District Adopted Budget for FYE June 30, 2025, and Amended Budget for FYE June 30, 2024.

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**EXECUTIVE SUMMARY**

On February 29, 2024, the Directors of the Town Plaza Community Improvement District approved by Resolution the attached Budget for FYE June 30, 2025, and Amended Budget for FYE June 30, 2024.

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**BACKGROUND/DISCUSSION**


Section 67.1471 of the CID Act requires that the District submit its proposed annual budget to the City Council, the Missouri Department Revenue, and the Office of Missouri State Auditors. If the District does not receive written comments from the City Council on or before the date that is the later of (a) 60 days prior to the first day of the fiscal year ending June 30, 2025, or (b) 30 days after submission of the budget to the City, the proposed budget shall become the final budget.

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**GENERAL DIRECTION**

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**ATTACHMENTS:**

Name:	Description:
 <a href="#">Budget_FYE_June_30_2025_budget_and_amending_2024.pdf</a>	Town Plaza CID Budget FYE 06-30-2025



## RESOLUTION NO. 24-003

**A RESOLUTION OF THE TOWN PLAZA COMMUNITY IMPROVEMENT DISTRICT AMENDING THE BUDGET OF THE DISTRICT FOR THE FISCAL YEAR ENDING JUNE 30, 2024; APPROVING THE PROPOSED BUDGET OF THE DISTRICT FOR THE FISCAL YEAR ENDING JUNE 30, 2025, WITH INSTRUCTIONS TO FORWARD SAME TO THE CITY OF CAPE GIRARDEAU, MISSOURI, IN COMPLIANCE WITH THE COMMUNITY IMPROVEMENT DISTRICT ACT; AND AUTHORIZING CERTAIN ACTIONS IN CONNECTION THEREWITH**

**WHEREAS**, the Town Plaza Community Improvement District (the “*District*”) is a community improvement district and a political subdivision of the State of Missouri organized under the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the “*CID Act*”); and

**WHEREAS**, Section 67.010 of the Revised Statutes of Missouri, as amended, requires each political subdivision of the State of Missouri to prepare an annual budget prior to the beginning of the ensuing fiscal year; and

**WHEREAS**, Section 67.030 of the Revised Statutes of Missouri, as amended, allows each political subdivision to revise, alter, increase or decrease the items contained in the budget; provided, that in no event shall the total authorized expenditures from any fund exceed the estimated revenues to be received plus any unencumbered balance or less any deficit estimated for the beginning of the budget year; and

**WHEREAS**, Section 67.1471 of the CID Act requires that the District submit its proposed annual budget to the City of Cape Girardeau, Missouri’s (the “*City*”) City Council, the Missouri Department of Revenue, and the Office of Missouri State Auditor.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE TOWN PLAZA COMMUNITY IMPROVEMENT DISTRICT, AS FOLLOWS:**

**Section 1. Amendment of Budget for Fiscal Year 2024.** The budget of the District for the fiscal year ending June 30, 2024, is hereby amended as set forth on **Exhibit A**, attached hereto and incorporated herein by reference.

**Section 2. Approval of Proposed Budget for Fiscal Year 2025.** The proposed budget of the District for the fiscal year ending June 30, 2025, is hereby approved as set forth on **Exhibit A**, attached hereto and incorporated herein by reference.

**Section 3. Secretary or Assistant Secretary to Forward Proposed Budget to the City.** The District’s Secretary or Assistant Secretary or his or her designee shall submit a copy of the proposed budget referenced in Section 2 of this Resolution to the City Manager of the City. If the District does not receive written comments from the City Council of the City on or before the date that is the later of (a) 60 days prior to the first day of the fiscal year ending June 30, 2025, or (b) 30 days after submission of the budget to the City, the proposed budget shall become the final budget.

**Section 4. District Officers to Execute Resolution.** The Chair or Vice Chair of the Board of Directors of the District is hereby authorized and directed to execute this Resolution for and on behalf of and as the act and deed of the District and the Secretary or Assistant Secretary of the District is hereby authorized and directed to attest to this Resolution.

**Section 5. Further Authority.** All actions heretofore taken by the authorized officials, officers, representatives, agents and employees of the District in connection with the transactions contemplated by this Resolution are hereby confirmed and approved, and the District shall, and the officials, officers, representatives, agents and employees of the District are hereby authorized and directed to, take such further action, and execute and deliver such other documents and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

**Section 6. Severability.** The sections, paragraphs, sentences, clauses and phrases of this Resolution shall be severable. In the event that any such section, paragraph, sentence, clause or phrase of this Resolution is found by a court of competent jurisdiction to be invalid, the remaining portions of this Resolution are valid, unless the court finds the valid portions of this Resolution are so essential to and inseparably connected with and dependent upon the void portion that it cannot be presumed that the District has enacted the valid portions without the void ones, or unless the court finds that the valid portions, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

**Section 7. Governing Law.** This Resolution shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

**Section 8. Effective Date.** This Resolution shall take effect and be in full force upon its passage by the District's Board of Directors.

Passed this 29<sup>th</sup> day of February, 2024.

I, the undersigned, Chair of the Town Plaza Community Improvement District, hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the District at a meeting held, after proper notice, on February 29, 2024.



**TOWN PLAZA COMMUNITY IMPROVEMENT  
DISTRICT**

  
Chair, Board of Directors

WITNESS my hand and official seal this 29<sup>th</sup> day of February, 2024.

ATTEST:



Assistant Secretary, Board of Directors

**EXHIBIT A**

**TOWN PLAZA COMMUNITY IMPROVEMENT DISTRICT**

**AMENDED BUDGET FOR FISCAL YEAR 2024**

**AND**

**BUDGET FOR FISCAL YEAR 2025**

Paul B. “Scott” Campbell  
Chair/Executive Director/Director

R. Scott Blank  
Vice Chair/Director

Jack Ford  
Director

Lindell Runnels  
Director

Jeffery Campbell  
Secretary/Treasurer/Director

Linda AuBuchon  
Assistant Secretary

## BUDGET MESSAGE BY CHAIR PAUL B. “SCOTT” CAMPBELL

Pursuant to the Community Improvement District Act, Sections 67.1401 to 67.1571 of the Revised Statutes of Missouri, as amended (the “**CID Act**”), the Town Plaza Community Improvement District (the “**District**”) was formed by Ordinance No. 3804 (the “**Ordinance**”) adopted on April 2, 2007 by the City Council of the City of Cape Girardeau, Missouri (the “**City**”).

The Ordinance established the District in accordance with the CID Act for the purpose of undertaking various public improvements identified in the Ordinance (the “**CID Project**”) and financing the CID Project by providing revenues to repay any obligations issued in relation to the CID Project.

On November 20, 2007, in accordance with the CID Act and the Ordinance, the Board of Directors of the District adopted Resolution No. 07-003 imposing a community improvement district sales and use tax at the rate of one percent (1%) (the “**CID Sales Tax**”), which CID Sales Tax became effective on July 1, 2008, following its approval by the qualified voters of the District at an election held in accordance with the CID Act. The CID Sales Tax applies to all receipts from the sale at retail of all tangible personal property or taxable services at retail within the District, if such property and services are subject to taxation by the State of Missouri pursuant to the provisions of Sections 144.010 to 144.525 of the Revised Statutes of Missouri, as amended, except such CID Sales Tax shall not apply to the sale or use of motor vehicles, trailers, boats or outboard motors, nor to public utilities.

Pursuant to Section 67.1545.4 of the CID Act, the director of the Missouri Department of Revenue collects and distributes the CID Sales Tax revenues, less 1% of such revenues to pay its reasonable and actual costs of collection.

Pursuant to the Development Agreement dated August 13, 2007, as amended by the First Amendment to Development Agreement dated as of December 4, 2008 (collectively, the “**Development Agreement**”), by and among the City, the County of Cape Girardeau, Missouri (the “**County**”), the District and Greater Missouri Builders, Inc. (the “**Developer**”), the Developer agreed to undertake the CID Project, the District agreed to pledge, subject to annual appropriation, its CID Revenues (as defined in the Development Agreement) to repayment of the Obligations (as defined in the Development Agreement) issued in connection with the financing of the CID Project and the City and County agreed to pledge, subject to annual appropriation, certain municipal revenues generated within the District to repayment of the Obligations issued by the District in connection with the financing of the CID Project.

On January 13, 2009, the District adopted Resolution No. 09-003, approving and authorizing the issuance of its Taxable Community Improvement Revenue Note, Series 2009, in the aggregate principal amount of not to exceed \$3,600,000 (exclusive of District administrative costs, issuance costs and accrued interest, if any) (the “**Original Notes**”). The Original Notes were secured by a Trust Indenture dated as of December 1, 2009 by and between the District and UMB Bank, N.A., as trustee.

On November 18, 2013, the City Council of the City adopted Ordinance No. 4515, which approved a Petition to Add Real Property to the Town Plaza Community Improvement District and to Amend the Petition for the Creation of a Community Improvement District”, which (a) adjusted the boundaries of the District to add certain real property (the “**Additional CID Project Area**”), (b) authorized the District to finance additional projects (the “**Additional CID Project**”) within the Additional CID Project Area; and (c) extended the duration of the District and its sales and use tax to provide additional revenues to finance the CID Project and the Additional CID Project.

Pursuant to an Amended and Restated Development Agreement dated as of January 2, 2014 (the “**Amended and Restated Development Agreement**”), by and among the City, the County, the District,

Clila, L.P. (“**Clila**”) and the Developer, Clila agreed to undertake the Additional CID Project within the Additional CID Project Area and the District agreed to pledge, subject to annual appropriation, a portion of its CID Revenues (as defined in the Amended and Restated Development Agreement) from the Additional CID Project Area to repayment of the obligations issued in connection with the financing of the Additional CID Project.

On December 16, 2015, in accordance with the CID Act, the District adopted Resolution No. 15-009, whereby the District approved the extension of the term of the CID Sales Tax until no later than September 30, 2033, unless such CID Sales Tax is terminated earlier by the District, and expanded the general purpose of the CID Sales Tax so that it can be applied to both the CID Project and the Additional CID Project.

The qualified voters of the District at a mail-in election held in accordance with the CID Act voted to extend the term of the CID Sales Tax until no later than September 30, 2033, and to allow the CID Sales Tax to be applied to both the CID Project and the Additional CID Project.

On August 27, 2015, the District’s Board of Directors adopted Resolution No. 15-006, approving and authorizing the issuance of the District’s Not to Exceed \$4,884,900 (plus Issuance Costs and Reimbursable Administrative Costs, each as defined in the herein defined First Amended and Restated Trust Indenture) Taxable Community Improvement Revenue Notes, Series A and B, which reissued the Original Notes (as reissued, the “**Series A Notes**”) and provided additional CID Revenues (as defined in the herein defined First Amended and Restated Trust Indenture) as security for the Series A Notes, and issued an additional Taxable Community Improvement Revenue Note, Series B (“**Series B Notes**”, and together with the Series A Notes, the “**Notes**”) in an aggregate principal amount of not to exceed \$1,284,900 for the purpose of (a) financing certain costs associated with Clila’s construction of the CID Project, and (b) paying the District’s administrative costs, including without limitation the costs of issuance of the Notes, which Notes are secured by a Trust Indenture dated as of June 1, 2016 (the “**First Amended and Restated Trust Indenture**”) by and between the District and UMB Bank, N.A., as trustee.

On May 11, 2021, the District’s Board of Directors adopted Resolution No. 21-003, approving and authorizing the execution of a First Supplemental Trust Indenture dated as of January 1, 2022, to supplement and amend certain provisions of the First Amended and Restated Trust Indenture; specifically, to reissue the Series B Note due to a clerical error (the “**First Supplemental Trust Indenture**”, together with the First Amended and Restated Trust Indenture, the “**Trust Indenture**”).

During the fiscal year ending June 30, 2023, the District received revenues of \$358,308, consisting of CID Sales Tax revenues of \$240,708, municipal revenues of \$112,993 and interest income of \$4,607. The District had total expenditures of \$347,638, consisting of banking fees of \$120, costs of collection of the CID Sales Tax of \$0, audit fees of \$2,950, insurance expenses of \$1,009, legal and administrative fees and expenses of \$15,994, trustee fees of \$3,721, interest payments of \$299,367 on the Series A Notes, interest payments of \$24,477 on the Series B Notes and \$0 of principal payments on the Notes. The District pledged all CID Revenues (as defined in the herein defined Trust Indenture) and municipal revenues to make debt service payments on the Notes in accordance with the Amended and Restated Development Agreement and the Trust Indenture.

During the fiscal year ending June 30, 2024, the District anticipates revenues of approximately \$344,362, consisting of CID Sales Tax revenues of approximately \$250,590, municipal revenues of approximately \$90,907, and interest income of approximately \$2,865. The District has budgeted total expenditures of approximately \$404,676, consisting of banking fees of approximately \$130, costs of collection of the CID Sales Tax of approximately \$0, audit fees of approximately \$2,950, insurance expenses of approximately \$1,081, legal and administrative fees and expenses of approximately \$16,000, trustee fees of approximately \$4,000, interest payments of approximately \$321,875 on the Series A Notes, interest payments



of approximately \$58,640 on the Series B Notes and approximately \$0 of principal payments on the Notes. The District hereby pledges all CID Revenues (as defined in the herein defined Trust Indenture) and municipal revenues to make debt service payments on the Notes in accordance with the Amended and Restated Development Agreement and the Trust Indenture.

During the fiscal year ending June 30, 2025, the District anticipates revenues of approximately \$320,600, consisting of CID Sales Tax revenues of approximately \$255,000, municipal revenues of approximately \$65,000, and interest income of approximately \$600. The District has budgeted total expenditures of approximately \$378,530, consisting of banking fees of approximately \$130, costs of collection of the CID Sales Tax of approximately \$0, audit fees of approximately \$3,600, insurance expenses of approximately \$1,400, legal and administrative fees and expenses of approximately \$15,000, trustee fees of approximately \$4,000, interest payments of approximately \$330,000 on the Series A Notes, interest payments of approximately \$24,400 on the Series B Notes and approximately \$0 of principal payments on the Notes. The District hereby pledges all CID Revenues (as defined in the herein defined Trust Indenture) and municipal revenues to make debt service payments on the Notes in accordance with the Amended and Restated Development Agreement and the Trust Indenture.

**Town Plaza Community Improvement District  
Budget  
For the Fiscal Year Ending June 30, 2025**

**June 30, 2025**

	Special Trust Fund	Muni Contribution Revenue Fund 144732.7	Revenue Fund Series A 144732.5	Additional Project Area Revenue Fund Series B 144732.6	Debt Service Fund 144732.1 & Redemption 144732.2 Series A	Debt Service 144732.3 & Redemption Fund 144732.4 for Additional Project Area Series B	Operating Fund 144732.10	Excess Muni Contribution 144732.8	Series A Rental Revenue 144732.9	Total
<b>Beginning Balance</b>	\$20,817	\$20,029	\$20,161	\$4,998	\$136	\$25	\$669	\$81,774	\$0	\$148,610
<b>Summary of Receipts</b>										
CID Sales Tax Revenue	\$240,000	\$0								\$240,000
CID Use Tax Revenue	\$15,000	\$0								\$15,000
County Revenue	\$0	\$28,000								\$28,000
Municipal Revenue	\$0	\$37,000								\$37,000
Interest Earnings			\$0		\$0		\$0	\$600		\$600
Note Proceeds										\$0
<b>Total Receipts</b>	<b>\$255,000</b>	<b>\$65,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$600</b>	<b>\$0</b>	<b>\$320,600</b>
<b>Summary of Disbursements</b>										
Bank Fees	\$130									\$130
DOR Reports	\$0									\$0
Operating Fund:										
Accounting Fees							\$0			\$0
Insurance Expenses							\$1,400			\$1,400
Legal/Admin. Fees and Expenses							\$15,000			\$15,000
Audit Fee							\$3,600			\$3,600
Revenue Fund: Trustee Expenses			\$4,000							\$4,000
Project Fund:										
Project Account										\$0
Debt Service Fund:										
Redemption Account (Principal)					\$0	\$0				\$0
Bond Payment Account (Interest)					\$330,000	\$24,400				\$354,400
Capital Project Expenditure										\$0
<b>Total Disbursements</b>	<b>\$130</b>	<b>\$0</b>	<b>\$4,000</b>	<b>\$0</b>	<b>\$330,000</b>	<b>\$24,400</b>	<b>\$20,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$378,530</b>
Transfer into Fund	\$0	\$0	\$229,383	\$25,487	\$330,000	\$24,400	\$20,000	\$5,000	\$0	\$634,270
Transfers out of Fund	(\$254,870)	(\$65,000)	(\$225,000)	(\$24,400)	\$0	\$0	\$0	(\$65,000)	\$0	(\$634,270)
<b>Ending Balance</b>	<b>\$20,817</b>	<b>\$20,029</b>	<b>\$20,544</b>	<b>\$6,085</b>	<b>\$136</b>	<b>\$25</b>	<b>\$669</b>	<b>\$22,374</b>	<b>\$0</b>	<b>\$90,680</b>

Town Plaza Community Improvement District  
Amended Budget  
For the Fiscal Year Ending June 30, 2024

June 30, 2024

	Special Trust Fund		Muni Contribution Revenue Fund 144732.7		Revenue Fund Series A 144732.5		Additional Project Area Revenue Fund Series B 144732.6		Debt Service Fund 144732.1 & Redemption Fund 144732.4 for Additional Project Area Series B		Operating Fund 144732.10		Excess Muni Contribution 144732.8		Series A Rental Revenue 144732.9		Total	
	Amended Budget	Initial Budget	Amended Budget	Initial Budget	Amended Budget	Initial Budget	Amended Budget	Initial Budget	Amended Budget	Initial Budget	Amended Budget	Initial Budget	Amended Budget	Initial Budget	Amended Budget	Initial Budget	Amended Budget	Initial Budget
Beginning Balance	\$78,893	\$26,256	\$21,754	\$28,010	\$20,271	\$76,700	\$4,260	\$8,391	\$214	\$26	\$17	\$1	\$570	\$476	\$85,144	\$92,978	\$0	\$222,838
Summary of Receipts																		
CID Sales Tax Revenue	\$231,000	\$240,000		\$0											\$231,000		\$240,000	
CID Use Tax Revenue	\$19,590	\$10,000		\$0											\$19,590		\$10,000	
County Revenue		\$0	\$22,727	\$28,000											\$22,727		\$28,000	
Municipal Revenue		\$0	\$68,180	\$37,000											\$68,180		\$37,000	
Interest Earnings			\$1,000		\$1,200	\$0	\$200		\$295	\$0	\$40		\$130	\$0	\$2,865	\$600	\$600	
Note Proceeds															\$0		\$0	
Total Receipts	\$250,590.00	\$250,000	\$91,907	\$65,000	\$1,200	\$0	\$200	\$0	\$295	\$0	\$40	\$0	\$130	\$0	\$344,362	\$600	\$315,600	
Summary of Disbursements																		
Bank Fees	\$130	\$130													\$130		\$130	
DOR Reports		\$0													\$0		\$0	
Operating Fund:																		
Accounting Fees												\$0			\$0		\$0	
Insurance Expenses												\$1,081			\$1,081		\$1,400	
Legal/Admin. Fees and Expenses												\$16,000			\$16,000		\$16,000	
Audit Fee						\$4,000	\$4,000		\$2,950	\$3,000		\$2,950			\$2,950		\$3,000	
Revenue Fund: Trustee Expenses															\$4,000		\$4,000	
Project Fund:																		
Project Account															\$0		\$0	
Debt Service Fund:																		
Redemption Account (Principal)										\$0		\$24,400			\$380,515		\$335,286	
Bond Payment Account (Interest)										\$310,886	\$58,640	\$24,400			\$0		\$0	
Capital Project Expenditure										\$310,886	\$58,640	\$24,400			\$0		\$0	
Total Disbursements	\$130	\$130	\$0	\$0	\$4,000	\$4,000	\$0	\$0	\$321,875	\$310,886	\$58,640	\$24,400	\$20,031	\$20,400	\$0	\$404,676	\$359,816	
Transfer into Fund	\$0	\$0	\$0	\$0	\$249,190	\$224,883	\$59,146	\$24,987	\$321,502	\$310,883	\$58,608	\$24,400	\$20,000	\$20,000	\$0	\$752,076	\$610,153	
Transfers out of Fund	(\$308,336)	(\$249,870)	(\$93,632)	(\$65,000)	(\$246,500)	(\$270,853)	(\$58,608)	(\$24,400)	\$0	\$0	\$0	\$0	\$0	\$0	(\$752,076)	(\$610,153)		
Ending Balance	\$20,817	\$26,256	\$20,029	\$28,010	\$20,161	\$26,700	\$4,998	\$9,978	\$136	\$23	\$25	\$1	\$669	\$76	\$81,774	\$98,578	\$0	\$178,622

**Town Plaza Community Improvement District**  
Statement of Revenues Collected and Expenditures Paid -  
Total All Funds - Budget and Actual - Cash Basis  
For the Year Ended June 30, 2023

	<b>Budgeted Amount</b>			<b>Variance - Favorable (Unfavorable)</b>
	<b>Original</b>	<b>Final</b>	<b>Actual</b>	
<b>Revenues:</b>				
Sales tax revenues	\$ 235,000	\$ 239,413	\$ 230,751	\$ (8,662)
Use tax revenues	10,000	9,717	9,957	240
Municipal revenues	37,000	68,106	97,561	29,455
County revenues	28,000	51,380	15,432	(35,948)
Interest income	3	2,144	4,607	2,463
<b>Total Revenues</b>	<u>\$ 310,003</u>	<u>\$ 370,760</u>	<u>\$ 358,308</u>	<u>\$ (12,452)</u>
<b>Expenditures:</b>				
Bank fees	\$ 130	\$ 120	\$ 120	\$ -
Insurance expense	1,200	1,400	1,009	391
Interest expense	285,786	322,277	323,844	(1,567)
Audit fees	3,000	2,950	2,950	-
Legal fees	16,000	15,870	15,994	(324)
Trustee fees	4,000	3,758	3,721	37
<b>Total Expenditures</b>	<u>\$ 310,116</u>	<u>\$ 346,175</u>	<u>\$ 347,638</u>	<u>\$ (1,463)</u>
<b>Other Financing Sources (Uses):</b>				
Transfer in	\$ 285,786	\$ 321,954	\$ 323,526	\$ 1,572
Transfer out	(285,786)	(321,954)	(323,526)	(1,572)
<b>Total Other Financing Sources (Uses)</b>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
<b>Net Change in Fund Balance</b>	<u>\$ (113)</u>	<u>\$ 24,585</u>	<u>\$ 10,670</u>	<u>\$ (13,915)</u>
<b>Fund Balances - at beginning of the year</b>		<u>198,251</u>	<u>198,251</u>	
<b>Fund Balances - at end of the year</b>		<u>\$ 222,836</u>	<u>\$ 208,921</u>	

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**Staff:**  
**Agenda:** 3/18/2024

<b>AGENDA REPORT</b> Cape Girardeau City Council	
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**ATTACHMENTS:**

Name:	Description:
 <a href="#">02.12.2024_Advisory_Board_Meeting_Minutes_-_Draft.pdf</a>	Parks and Recreation Advisory Board Minutes



## Parks and Recreation Department Advisory Board Meeting Minutes - Draft Tuesday, February 12, 2024

### Board Members Present:

Percy Huston, Chairperson  
Mark Stone, Vice Chairperson  
Dr. Beverly Evans, Secretary  
Darrin Bruenderman  
Tamara Buck  
Anne Dohogne  
Lewis Jackson Hill  
Mary Ann Maloney  
Philip Moore  
Nathan Thomas, Council Liaison

### Absent

Jerry Dement

### Parks and Recreation Department Staff Present

Doug Gannon, Director of Parks & Recreation  
Scott Williams, Recreation Division Manager  
Penny Williams, Recreation Division Manager  
Kaed Horrell – Parks Division Manager  
Kim Butler, Administrative Coordinator



Chairperson Percy Huston called the meeting to order at 5:30pm.

Chairperson Huston asked if everyone had a chance to look at the minutes from the January 9, 2024 meeting and if there were any changes to be made. No changes were introduced and the minutes were approved without opposition.

David Cantrell submitted his resignation from the board. The board will begin reviewing current and new applications to fill the vacant position.

Scott Williams reported on the Youth Ballfield Complex RFP. Scott said this project was pushed back a year due to moving the Cape LaCroix Trail project up on the time line. A request for proposal will go out in April and Doug will create a committee to review bids and make suggestions. This committee could possibly include one Parks and Recreation Advisory Board member and one Foundation Board member along with Parks and Recreation Staff. The project is tentatively scheduled to begin fall of 2024 and conclude in summer 2025.

The Cape Aquatic Center Renovation (formerly Central Pool) and the Youth Ballfield Complex were top on the list of PRS2 projects. The Youth Ballfield Complex project will receive \$4.5 mil from PRS. The Parks and Recreation Foundation and other private sources will be asked for donations to help with the project budget.

Doug Gannon presented a PowerPoint slideshow of Cape Aquatic Center and Ranney Park projects. Cape Aquatic Center concrete pool deck is scheduled to be poured this week. Ranney Park restroom is scheduled to be delivered and installed February 14. Weather permitting Ranney Park could be completed by the end of February.

Scott Williams presented the Hotel/Restaurant Tax Receipts Report, this is a report that shows the amount of tax dollars that come into the city.

Doug Gannon told the board the staff has been working hard on the FY '25 Budget. A preliminary budget has been submitted to City Hall. The new minimum wage of \$12.30 for PT employees has been included as well as equipment maintenance and repair. Fees will increase at some facilities and for some programs. Mark Stone suggested charging parking fees at SportsPlex for tournaments.

Friends of the Park Day is scheduled for April 20<sup>th</sup>. Volunteers from around the city will help plant flowers, prune shrubs, install mulch, and general cleanup of many parks. If you would like to volunteer, please contact Kaed.

Bowen Engineering was awarded the bid to survey the boundary lines of Walker Park. The Cape Girardeau Fire Department will conduct two training classes in the houses on the property. The white house on the property will be burned as a training exercise by the Fire Department. The green house will be removed by Park Maintenance staff.

Since we were awarded a TAP Grant for the Cape LaCroix Trail renovations, the timeline has changed. Bowen Engineering continues to work on the plans/proposal. Renovations should begin spring 2025.

Kaed Horrell anticipates Capaha Field restroom construction to begin in March and should be finished by Cape Catfish's Opening Day. Fence replacement will be completed in time for Redhawk's Baseball first home game.

Golf Course Advisory Board scheduled to meet February 22<sup>nd</sup>.

Jackson Hill said the Tree Advisory Board will be evaluating several trees along Broadway that may need removal due to roots encroaching under sidewalks and roadway. The board will be planting trees for Arbor Day which is April 26<sup>th</sup>.

Parks & Recreation Foundation – Scott Williams

The Celebration of Youth Sports Awards Banquet was held January 19, 2024 and was a successful night according to Scott Williams.

Scott Williams will be scheduling a meeting with the Foundation Membership sub-committee to finalize details and goals for the 2024 Membership program. Board members can choose to hand deliver, email, or US Mail renewal forms.

Scott Williams announced the PORCH Initiative and the Parks and Recreation Foundation will host a meet and greet with Missouri Valley Conference Hall of Fame Class of 2024, Curtis Granderson. This fundraiser will be held April 27, 2024 at the SportsPlex. VIP Tickets are \$250 per person. General admission tickets are \$40 for adults and \$20 for kids ages 18 and younger. Proceeds will benefit the PORCH Initiative and the Parks and Recreation Foundation.

The Cardinal Caravan was held January 15, 2024. Bad weather may have kept numbers a little lower but the event was still very successful.

Nate Thomas, City Council Liaison, reported the City Council plans to expand the Managed Deer Hunt Program. City Council would like to appoint a new member for the Board of Adjustment (5-year term). The April election ballot will have a tax initiative to raise property taxes. This tax would be used to fund public safety salaries. Public Safety salaries currently come from the General Fund.

Jackson Hill thanked the Parks and Recreation Department for the redesign of the disc golf course at Capaha Park stating that usage has increased substantially.

Monthly Staff Report / Calendar Update – Handout

Program and Event Update - Staff

Friends of the Parks Day will be April 20, 2024– Kaed Horrell

Next Board Meeting will be held – Monday, March 11, 2024

Meeting was adjourned at 6:45

*The Park and Recreation Advisory Board of the City of Cape Girardeau, Missouri, may, as a part of the regular or special Park and Recreation Advisory Board meeting, hold a closed session to discuss legal action, causes of legal action of litigation, leasing, purchasing or sale of real estate, hiring, firing, disciplining, promotion of personnel or employee labor relations, or confidential or privileged communications with its attorneys.. Specifically, the Park and Recreation Advisory Board will hold a closed session to discuss legal actions and litigation, confidential communications with legal counsel, property acquisition and personnel matters, pursuant to RSMo. Sections 610.021(2) and 610.021(3).*