



CITY OF CAPE GIRARDEAU, MISSOURI

City Council Agenda

Stacy Kinder, Mayor
Dan Presson, Ward 1
Tameka Randle, Ward 2
Nate Thomas, Ward 3
David J. Cantrell, Ward 4
Bryan Johnson, 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

June 16, 2025
5:00 PM

- City residents desiring to speak about items NOT on the agenda must register no later than noon, on Saturday, June 14, 2025, by using the form found at cityofcape.org/council, by emailing cityclerk@cityofcape.org, or by calling 573-339-6320.

Invocation

Pastor Timothy Lee of The Apostolic Promise Church in Cape Girardeau

Pledge of Allegiance

Study Session

Presentations

- Presentation regarding I-66 Project - City Administration

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

1. A Public Hearing to consider a request for a special use permit for the purposes of placing, using, and maintaining a shipping container at 24 South Minnesota Avenue. (Item No. 10; BILL NO. 25-69)

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.

2. Approval of the June 2, 2025, Regular Session City Council Minutes.
3. BILL NO. 25-61, 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 524 North Silver Springs Road, in the City and County of Cape Girardeau, Missouri, from R-4 to NC. Second and Third Readings.
4. BILL NO. 25-62, 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 215 North West End Boulevard, in the City and County of Cape Girardeau, Missouri, from R-3 to NC. Second and Third Readings.
5. BILL NO. 25-63, an Ordinance granting a special use permit to Elizabeth and Craig Thomas for the purposes of constructing, maintaining, and operating an art school and studio on property located at 215 North West End Boulevard, in the City of Cape Girardeau, Missouri. Second and Third Readings.
6. BILL NO. 25-64, an Ordinance accepting easements related to the Cape Lacroix Trail Repair Project. Second and Third Readings.
7. BILL NO. 25-65, an Ordinance adopting the annual operating budget for the City of Cape Girardeau, Missouri, for the fiscal year beginning July 1, 2025. Second and Third Readings.
8. BILL NO. 25-66, an Ordinance establishing utility rates for the City of Cape Girardeau, Missouri, by amending Chapter 29 relating to sewer and water rates. Second and Third Readings.
9. BILL NO. 25-68, a Resolution authorizing the City Manager to execute a Demolition Contract with Strack Excavating, L.L.C., for the demolition of a building located at 4221 John E. Godwin Jr. Memorial Drive, in the City of Cape Girardeau, Missouri. Reading and Passage.

Items Removed from Consent Agenda

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. 25-69, an Ordinance granting a special use permit to Big River Communications/Circle Fiber for the purposes of placing, using, and maintaining a shipping container on property located at 24 South Minnesota Avenue, in the City of Cape Girardeau, Missouri. First Reading. DEV - Ryan Shrimplin
11. BILL NO. 25-70, an Ordinance approving the record plat of Steven Roberts 2nd Subdivision. First Reading. DEV - Ryan Shrimplin
12. BILL NO. 25-71, an Ordinance authorizing the issuance of a Special Tax Bill for property located at 1226 South Ranney Avenue for the demolition of a dangerous building. First Reading. DEV - Ryan Shrimplin

13. BILL NO. 25-72, an Ordinance amending Sections of Chapter 2 of the Code of Ordinances of the City of Cape Girardeau, Missouri relating to the Convention and Visitors Bureau. First Reading, PARKS - Doug Gannon.

Appointments

14. Appointments to the Advisory Board of the Convention and Visitors Bureau
15. Appointments to the Public Library Board of Directors
16. Appointments to the Special Business District Advisory Commission

Other Business

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.

Future Appointments and Memos

- Silver Springs Community Improvement District Amended Budget for Fiscal Year Ending June 30, 2025 and Approved Budget for Fiscal Year Ending June 30, 2026.

Advisory Board Minutes

- Advisory Board Minutes

Staff:

Agenda: June 16, 2025

AGENDA REPORT Cape Girardeau City Council	
---	--

SUBJECT

EXECUTIVE SUMMARY

BACKGROUND/DISCUSSION

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
No Attachments Available	

Staff: Ryan Shrimplin, AICP - City Planner
Agenda: June 16, 2025

AGENDA REPORT Cape Girardeau City Council	
---	--

SUBJECT

A Public Hearing to consider a request for a special use permit for the purposes of placing, using, and maintaining a shipping container at 24 South Minnesota Avenue.

EXECUTIVE SUMMARY

A public hearing has been scheduled for June 16, 2025 to consider a request for a special use permit for the long-term use of a shipping container at 24 South Minnesota Avenue. An ordinance granting the special use permit is on this agenda as a separate item.

BACKGROUND/DISCUSSION

A special use permit application has been submitted for the property at 24 South Minnesota Avenue, zoned M-1 (Light Manufacturing/Industrial). The property contains an office building and equipment/materials storage yard for a telecommunications company. The applicant is requesting approval for the long-term use of a shipping container as an accessory use. A special use permit is required for the long-term (defined as more than 12 consecutive months) use of a shipping container in the M-1 district. Refer to the application for more information about the proposed use.

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

Section 30-68 - M-1, Light Manufacturing/Industrial District

Section 30-104 - Special Use Permits

Section 30-105 - Shipping Containers

A public hearing has been scheduled for June 16, 2025 to consider the special use permit request. An ordinance granting the special use permit is on this agenda as a separate item.

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

See the attached staff report for analysis.

STAFF RECOMMENDATION

The staff report to the Planning & Zoning Commission recommended approval of the special use permit request, subject to several conditions. See the attached staff report for more information.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission held a public hearing at its May 14, 2025 meeting and recommended approval of the special use permit request, subject to the conditions in the staff report, with a vote of 7 in favor, 0 in opposition, and 0 abstaining.

PUBLIC OUTREACH

The City Council's public hearing was advertised in the Southeast Missourian on May 31, 2025. 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:

File Name	Description
❏ Staff_Review-Referral-Action_Form.pdf	24 South Minnesota Avenue - Staff RRA Form
❏ Staff_Report_P_Z_SUP_24_South_Minnesota_Avenue.pdf	24 South Minnesota Avenue - Staff Report
❏ Map_-_24_South_Minnesota_SUP_-_Zoning.pdf	24 South Minnesota Avenue - Zoning Map
❏ Map_-_24_South_Minnesota_SUP_-_FLU.pdf	24 South Minnesota Avenue - FLU Map
❏ Application_-_24_S_Minnesota_SUP.pdf	24 South Minnesota Avenue - Application
❏ Sec._30-68._-_M-1__Light_Manufacturing_Industrial_District.pdf	Sec. 30-68 - M-1, Light Manufacturing/Industrial District
❏ Sec._30-104._-_Special_Use_Permits.pdf	Sec. 30-104 - Special Use Permits
❏ Sec._30-105._-_Shipping_Containers.pdf	Sec. 30-105 - Shipping Containers

CITY OF CAPE GIRARDEAU, MISSOURI

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

FILE NO. **1481**

LOCATION: 24 South Minnesota Avenue

STAFF REVIEW & COMMENTS:

Big River Communication/Circle Fiber is requesting a SUP for the long term use of a shipping container for storage purposes in the M-1 (Light Manufacturing/Industrial) zoning district at 24 South Minnesota Avenue. SEE STAFF REPORT FOR FURTHER INFORMATION.

City Planner

Date

City Attorney

Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:

City Manager

Date

Planning & Zoning Commission

Public Hearing Posting Date: 5-7-25 Public Hearing Date: 5-14-25

RECOMMENDED ACTION:

	Favor	Oppose	Abstain		Favor	Oppose	Abstain
Trae Bertrand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Blank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chris Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nick Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robbie Guard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Emily McElreath	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<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

City Council Action

Public Hearing Posting Date: _____ Public Hearing Date: _____

Ordinance 1st Reading: _____ Ordinance 2nd & 3rd Reading: _____

VOTE COUNT: _____ Favor _____ Oppose _____ Abstain

ORDINANCE # _____ Effective Date: _____

STAFF REPORT

TO: Planning and Zoning Commission

FROM: Ryan Shrimplin, City Planner

MEETING DATE: May 14, 2025

SUBJECT: Special Use Permit Request for Property at 24 South Minnesota Avenue

A special use permit application has been submitted for the property at 24 South Minnesota Avenue, zoned M-1 (Light Manufacturing/Industrial). The property contains an office building and equipment/materials storage yard for a telecommunications company. The applicant is requesting approval for the long-term use of a shipping container as an accessory use. A special use permit is required for the long-term (defined as more than 12 consecutive months) use of a shipping container in the M-1 district. Refer to the application for more information about the proposed use.

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: The shipping container will be used for the storage of telecommunications materials. It will be located within a fenced-in area that is already being used for storage. Thus, it will not substantially increase traffic hazards or congestion.

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

Finding: Shipping containers are inherently fire resistant. Research has found that when a fire occurs inside a closed container, it uses up all the oxygen and extinguishes itself. Therefore, the shipping container will not substantially 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 an industrial/commercial area where shipping containers are typically used. Thus, the shipping container will not adversely affect the character of the neighborhood.

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

Finding: As stated previously, the shipping container will be located within a fenced-in area that is already being used for storage. Therefore, it will not adversely affect the general welfare of the community.

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

Finding: The shipping container will not use any utilities.

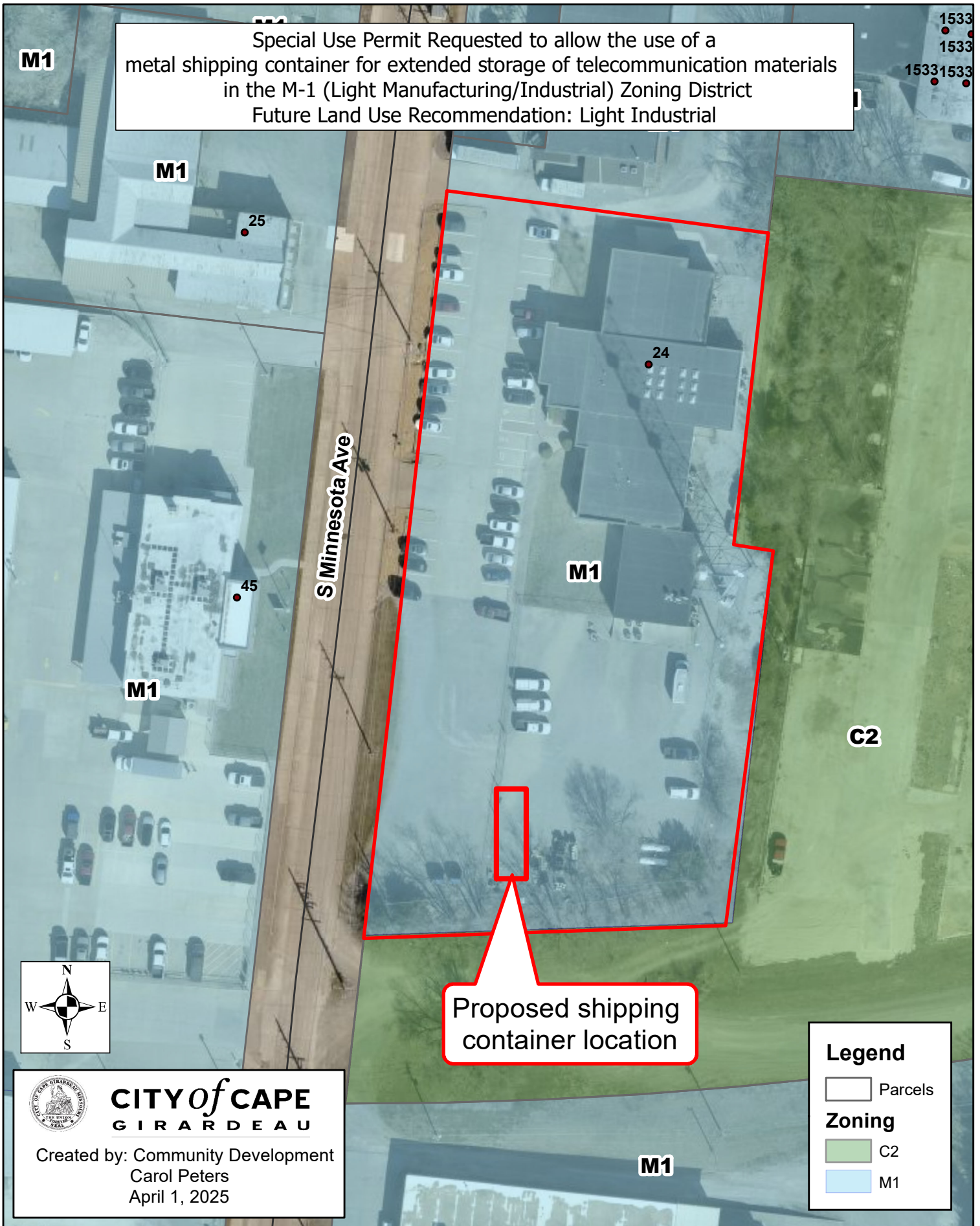
Based on the above findings, staff recommends approval of the special use permit request, subject to the following conditions:

1. The special use authorized by this permit shall comply with all applicable laws and regulations.
2. Major modifications to said special use (including, but not limited to, the site plan and/or the location of the shipping container) shall require the approval of the City Council.
3. This permit shall automatically expire twelve (12) months from the date of issuance if said special use has not commenced.
4. This permit is not transferable without the approval of the City Council.
5. The final design of the shipping container shall be subject to approval by the City staff. The exterior of the shipping container shall be maintained to prevent paint loss or other significant wear or damage to the finish.



24 South Minnesota Avenue Special Use Permit Request

Special Use Permit Requested to allow the use of a metal shipping container for extended storage of telecommunication materials in the M-1 (Light Manufacturing/Industrial) Zoning District
Future Land Use Recommendation: Light Industrial



CITY of CAPE
GIRARDEAU

Created by: Community Development
Carol Peters
April 1, 2025

24 South Minnesota Avenue Special Use Permit Request

Special Use Permit Requested to allow the use of a metal shipping container for extended storage of telecommunication materials in the M-1 (Light Manufacturing/Industrial) Zoning District
Future Land Use Recommendation: Light Industrial

S Minnesota Ave

25

24

45

1533
1533
15331533



CITY of CAPE
GIRARDEAU


Created by: Community Development
Carol Peters
April 1, 2025

Proposed shipping
container location

Legend

 Parcels

Future Land Use

 Light Industrial



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

24 S Minnesota Street Cape Girardeau, MO 63703

Applicant Big River Communcation/Circle Fiber		Property Owner of Record Big River Telephone Company, LLC <input type="checkbox"/> Same as Applicant	
Mailing Address 24 S Minnesota St	City, State, Zip Cape Girardeau, MO 63703	Mailing Address 24 S Minnesota	City, State, Zip Cape Girardeau, MO 63703
Telephone 309-670-3085	Email nick.miller@i3broadband.com	Telephone 309-670-3085	Email nick.miller@i3broadband.com
Contact Person Nick Miller		(Attach additional owners information, if necessary)	
Type of Request <input type="checkbox"/> Rezoning <input checked="" type="checkbox"/> Special Use Permit <input type="checkbox"/> Both		Proposed Special Use (Special Use Permit requests only) Sec 30-105, Accessory Use (Excluding Dwelling)	
Existing Zoning District M-1, Light Manufacturing/Industrial District		Proposed Zoning District (Rezoning requests only) Choose a Zoning District	

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

PT LOT 31 HENDERSON SUBD & PT OUTLOT 41

Describe the proposed use of the property.

Adding metal shipping container (Conex box) for storage of telecommunication materials. Shipping container will be located inside our fenced in storage lot. No electricity nor plumbing will be utilized with the Conex box.

Application continues on next page

OFFICE USE ONLY

Date Received & By 3-26-25 File # 1481 MUNIS Application # 16404 MUNIS Permit # _____
Application Fee Received \$ 159.40 ☐ 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.*
No increase in traffic related to the Conex box (shipping container)
- 2) *The proposed special use will not substantially increase fire hazards.*
No, Conex box will be metal. No hazardous nor flammable materials will be stored within.
- 3) *The proposed special use will not adversely affect the character of the neighborhood.*
No. Lot is already utilized for material storage purposes
- 4) *The proposed special use will not adversely affect the general welfare of the community.*
No. Area is already enclosed with a fence to ensure no unauthorized access.
- 5) *The proposed special use will not overtax public utilities.*
No impact on public utilities

**ADDITIONAL ITEMS
REQUIRED**

See Instructions for more
information.

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

- ☒ Base Application fee - \$148.00 payable to City of Cape Girardeau
 - ☐ Planned Development rezoning only - Additional \$88 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 \$2.85 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

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.

Nick Miller
Applicant Signature and Printed Name

3/26/25
Date

Director of Supply Chain



211050016006000000

Property Ownder Name	Property Address	Mailing Address	City	State	Zip code
Thorngate Holdings LLC	1507 Independence St	429 N Broadview St.	Cape Girardeau	MO	63701
Union Electric Co	45 S Minnesota St	PO Box 149	St. Louis	MO	63166
Union Electric Co	S Minnesota and Independence	PO Box 149	St. Louis	MO	63166
Meliora Holdings LLC	25 S Minnesota St	PO Box 525	Cape Girardeau	MO	63702
Wicks Properties LLC	1545 Independence St	1545 Independence St	Cape Girardeau	MO	63703

Sec. 30-68. - M-1, Light Manufacturing/Industrial District.

- (a) *Purpose.* The M-1 district is intended primarily for uses engaged in light manufacturing, assembly, fabrication, warehousing, wholesaling and retail trade, and service operations which conduct all activities within a building with no external impact or effect. This district is intended to serve as a transition between more intense industrial development and commercial, office, or multifamily residential development.
- (b) *Permitted principal uses.*
- (1) Light manufacturing facilities.
 - (2) Any establishment which provides supplies or services primarily to commercial and industrial customers, such as janitorial services, sign shops, packaging or shipping services, locksmiths, or printing, lithographing, engraving, photocopying, blueprinting, publishing, electrical, heating, plumbing and binding establishments.
 - (3) Health and fitness centers.
 - (4) Cemeteries.
 - (5) Commercial day cares.
 - (6) Funeral homes and mortuaries.
 - (7) Government buildings and uses, including police and fire stations.
 - (8) Heavy machinery and equipment sales, rental and service.
 - (9) Offices, administrative, business, finance and professional.
 - (10) Public and private parks, playgrounds, and golf courses, including miniature golf courses and driving ranges.
 - (11) Public service and public utility uses as follows:
 - a. Wireless facilities.
 - b. Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.
 - (12) Industrial schools and business schools.
 - (13) Mini warehouses or self-storage units.
 - (14) Residential treatment facilities.
 - (15) Television and radio studios including any transmitting facilities.
 - (16) Veterinary clinics, animal hospitals, and kennels.
 - (17) Warehouses, storage and distribution centers.
 - (18) Vehicle fueling stations, including service, repair, body and fender repair, and paint shops.
 - (19) Recycling centers.
 - (20) Marinas or docks.
 - (21) Transitional housing.
 - (22) Restaurants and bars.
 - (23) Retail, including vehicle sales.
 - (24) Comprehensive marijuana cultivation facilities, medical marijuana cultivation facilities, or microbusiness wholesale facilities, as permitted in [section 30-118](#).
 - (25) Comprehensive marijuana dispensary facilities, medical marijuana dispensary facilities, or microbusiness dispensary facilities, as permitted in [section 30-118](#).
 - (26) Comprehensive marijuana-infused products manufacturing facilities or medical marijuana-infused products manufacturing facilities, as permitted in [section 30-118](#).

(27) Marijuana testing facilities, as permitted in section 30-118.

(28) Marijuana transportation facilities, as permitted in section 30-118.

(c) *Permitted accessory uses.*

(1) Dwelling or lodging units, but only for watchman, caretakers, or other personnel whose residence is essential to the operation of a permitted or special use.

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

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

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

(d) *Special uses.*

(1) Emergency shelters, transitional service shelters for 50 or fewer residents.

(2) Manufactured business units, for office use only.

(3) Telecommunication tower, as permitted in section 30-107.

(4) Excursion gambling boat or floating gambling facility, as permitted in section 30-112.

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

(6) Billboards, as permitted in section 25-109.

(7) 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.

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

(9) 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) All storage shall be within a fully enclosed building or in an open yard so screened that the materials, products or equipment are not visible from the street or adjoining property. Any outdoor storage shall be at least 100 feet from any residential zoning district or use.

(3) No building shall be used for residential purposes, except for a night watchman or a caretaker employed on the premises.

(4) Utilitarian areas such as loading docks, mechanical equipment, storage areas, mechanical and electrical equipment, and dumpsters shall be located in the rear or side yard of the building.

(5) Lighting shall be designed to shine and reflect away from any adjacent residential areas and shall meet the requirements of chapter 25.

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

(1) Maximum height: 40 feet excluding silos, smokestacks, and dust collection systems.

(2) Minimum lot area: None.

(3) Minimum lot width: None.

(4) Minimum yard requirements:

a. Front yard: 25 feet.

b. Rear yard: 25 feet.

c. Side yard: None, except on a lot abutting a residential district there shall be a side yard of not less than ten feet on the side of the lot abutting the residential district.

(5) Maximum building coverage: None.

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

(1) A minimum of 15 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, R-3, R-4, R-5, RUMD and RMH 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.

(Code 1990, § 30-335; Ord. No. 5211, art. 6, 7-15-2019; Ord. No. art. 5, 2-6-2023)

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:
 - a. Substantially increase traffic hazards or congestion;
 - b. Substantially increase fire hazards;
 - c. Adversely affect the character of the neighborhood;
 - d. Adversely affect the general welfare of the community; and
 - e. 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)

Sec. 30-105. - Shipping containers.

Shipping containers shall be subject to the requirements in the following table:

<i>One or More Shipping Containers Used For</i>	<i>Short-term, 12 Consecutive Months or Less</i>	<i>Long-term, More Than 12 Consecutive Months</i>
Principal Use (Excluding Dwelling) ¹	Special Use Permit required in AG, AG-1, RE, NC, C-1, C-2, M-1, M-2, and A-1 districts; prohibited in all other districts	Special Use Permit required in NC, C-1, C-2, M-1, M-2, and A-1 districts; prohibited in all other districts
Accessory Use (Excluding Dwelling) ¹	Permitted by Right in all districts (per property) ²	Special Use Permit required in all districts
Accessory Use to a Construction Project	Permitted in accordance with <u>section 30-109(b)</u>	Permitted in accordance with <u>section 30-109(b)</u>
Dwelling	Prohibited in all districts	Prohibited in all districts

¹ As permitted in the zoning district in which the shipping containers are to be located.

² Once all shipping containers have been removed from a property, no shipping containers shall be placed back on such property for a period of six consecutive months unless a special use permit is first obtained.

(Code 1990, § 30-402; Ord. No. 5012, art. 7, 10-2-2017)

—

Staff: Gayle L. Conrad, MPCC/CMC,
Director of Citizen Services/City
Clerk
Agenda: June 16, 2025

AGENDA REPORT
Cape Girardeau City Council

SUBJECT

Approval of the June 2, 2025, Regular Session City Council Minutes.

EXECUTIVE SUMMARY

BACKGROUND/DISCUSSION

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
2025.06.02_Council_Minutes_DRAFT.pdf	Council Regular Session Minutes 06-02-2025

Proceedings of the City Council, City of Cape Girardeau, Mo.
Regular Session June 2, 2025 MM-169

STUDY SESSION – June 2, 2025

NO ACTION TAKEN DURING THE STUDY SESSION

The Cape Girardeau City Council held a study session at the Cape Girardeau City Hall on Monday, June 2, 2025, at 5:03 p.m. with Mayor Stacy Kinder presiding and Council Members Mark Bliss, David J. Cantrell, Bryan Johnson, Tameka Randle and Nate Thomas present. Dan Presson was absent.

REGULAR SESSION – June 2, 2025

CALL TO ORDER

The Cape Girardeau City Council convened in regular session at the Cape Girardeau City Hall on Monday, June 2, 2025, at 5:24 p.m. with Mayor Stacy Kinder presiding and Council Members Mark Bliss, David J. Cantrell, Bryan Johnson, Tameka Randle and Nate Thomas present. Dan Presson was absent.

ADOPTION OF THE AGENDA

A Motion was made by David J. Cantrell, Seconded by Nate Thomas, to approve and adopt the agenda.

Motion passed. 6-0. Ayes: Bliss, Cantrell, Johnson, Kinder, Randle, Thomas. Absent, Presson.

PUBLIC HEARINGS

A Public Hearing on the Annual Operating Budget for the fiscal year ending June 30, 2026.

Mayor Stacy Kinder opened the Public Hearing.

There being no appearances, the public hearing was closed.

A Public Hearing to consider a request to rezone property located at 524 North Silver Springs Road from R-4 (Medium Density Multifamily Residential District) to NC (Neighborhood Commercial District).

Mayor Stacy Kinder opened the Public Hearing.

Mr. Roger Tolliver, 590 Windwood Lake Drive, appeared and spoke in opposition to the rezoning request.

Mr. Armando Sanchez, 3401 Glenview Drive, appeared, with the assistance of an interpreter, and spoke in support of his rezoning request.

Ms. Ladonna Dalton, a realtor with Century, spoke in support of Mr. Sanchez's request.

Mr. Carlos Sanchez, owner of Sanchez Remodeling and son of Armando Sanchez, spoke in support of the request.

**Proceedings of the City Council, City of Cape Girardeau, Mo.
Regular Session June 2, 2025 MM-170**

Ms. Leslie Simmons, 2980 Shamrock Circle, appeared and spoke in opposition of the rezoning request.

Mr. Rhett Simmons, 2981 Shamrock Circle, lives adjacent to the lot to be rezoned and spoke in opposition to the request.

Mr. Louis Mandoza spoke in support of the character of Mr. Sanchez.

Mr. Gary Hill, a City resident, spoke regarding the reasonableness standards in considering the rezoning request.

There being no further appearances, the public hearing was closed.

A Public Hearing to consider a request to rezone property located at 215 North West End Boulevard from R-3 (High Density Single-Family Residential District) to NC (Neighborhood Commercial District) and to grant a special use permit for the purposes of constructing, maintaining, and operating an art school and studio on the same property.

Mayor Stacy Kinder opened the Public Hearing.
There being no appearances, the public hearing was closed.

CONSENT AGENDA

Approval of the May 19, 2025, Regular Session City Council Minutes and the May 28, 2025, Special Session City Council Minutes.

BILL NO. 25-60, an Ordinance accepting permanent access easements from various property owners for a road to service Dalhousie Sewer Lift Station #4. Second and Third Readings.

Accept five (5) streetlights along Silverthorne Trail.

A Motion was made by Mark Bliss, Seconded by Nate Thomas, to approve and adopt.
Motion passed. 6-0. Ayes: Bliss, Cantrell, Johnson, Kinder, Randle, Thomas. Absent, Presson.

BILL NO. 25-60 will be Ordinance NO. 5844.

ITEMS REMOVED FROM CONSENT AGENDA

Approve the Planning and Zoning Commission's recommendation to deny a request to rezone property located at 720 Bertling Street from R-1 (Single-Family Suburban Residential District) to R-4 (Medium Density Multifamily Residential District). Mayor Kinder called for public appearances regarding this issue.

Ms. Jerri Spence appeared on behalf of the residents of Sylvan Lane, Flint Hill Road and Scotts Lane in opposition to the rezoning request.

A Motion was made by Tameka Randle, Seconded by Nate Thomas, to approve the recommendation of the Commission to deny the rezoning request.
Motion passed. 6-0. Ayes: Bliss, Cantrell, Johnson, Kinder, Randle, Thomas. Absent, Presson.

Proceedings of the City Council, City of Cape Girardeau, Mo.
Regular Session June 2, 2025 MM-171

NEW ORDINANCES

BILL NO. 25-65, an Ordinance adopting the annual operating budget for the City of Cape Girardeau, Missouri, for the fiscal year beginning July 1, 2025. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

A Motion was made by Tameka Randle, Seconded by Mark Bliss, to approve.
Motion passed. 6-0. Ayes: Bliss, Cantrell, Johnson, Kinder, Randle, Thomas. Absent, Presson.

BILL NO. 25-66, an Ordinance establishing utility rates for the City of Cape Girardeau, Missouri, by amending Chapter 29 relating to sewer and water rates. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

A Motion was made by David J. Cantrell, Seconded by Mark Bliss, to approve.
Motion passed. 6-0. Ayes: Bliss, Cantrell, Johnson, Kinder, Randle, Thomas. Absent, Presson.

BILL NO. 25-61, 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 524 North Silver Springs Road, in the City and County of Cape Girardeau, Missouri, from R-4 to NC. First Reading. Mayor Kinder called for public appearances regarding this Bill.

Ms. Leslie Simmons and Mr. Gary Tolliver appeared in opposition.

Mr. Sanchez daughter appeared in support of the request.

Mr. Gary Hill appeared regarding the request.

Mr. Scott Blank and Mr. Chris Martin of the City's Planning and Zoning Commission discussed the Commission's recommendation to approve the rezoning request.

A Motion was made by Tameka Randle, Seconded by Nate Thomas, to approve.
Motion passed. 5-1. Ayes: Bliss, Cantrell, Kinder, Randle, Thomas. Nays, Johnson, Absent, Presson.

BILL NO. 25-62, 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 215 North West End Boulevard, in the City and County of Cape Girardeau, Missouri, from R-3 to NC. 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. 6-0. Ayes: Bliss, Cantrell, Johnson, Kinder, Randle, Thomas. Absent, Presson.

BILL NO. 25-63, an Ordinance granting a special use permit to Elizabeth and Craig Thomas for the purposes of constructing, maintaining, and operating an art school and studio on property located at 215 North West End Boulevard, 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 Nate Thomas, Seconded by David J. Cantrell, to approve.
Motion passed. 6-0. Ayes: Bliss, Cantrell, Johnson, Kinder, Randle, Thomas. Absent, Presson.

Proceedings of the City Council, City of Cape Girardeau, Mo.
Regular Session June 2, 2025 MM-172

BILL NO. 25-64, an Ordinance accepting easements related to the Cape Lacroix Trail Repair Project. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

A Motion was made by David J. Cantrell, Seconded by Nate Thomas, to approve.
Motion passed. 6-0. Ayes: Bliss, Cantrell, Johnson, Kinder, Randle, Thomas. Absent, Presson.

MEETING ADJOURNMENT

A Motion was made to adjourn by Mark Bliss, Seconded by Nate Thomas.
Motion passed. 6-0. Ayes: Bliss, Cantrell, Johnson, Kinder, Randle, Thomas. Absent, Presson.

The regular session ended at 6:43 p.m.

Stacy Kinder, Mayor

Gayle L. Conrad, City Clerk



Staff: Ryan Shrimplin, AICP - City Planner
Agenda: June 16, 2025

AGENDA REPORT Cape Girardeau City Council	
---	--

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 524 North Silver Springs Road, in the City and County of Cape Girardeau, Missouri, from R-4 to NC.

EXECUTIVE SUMMARY

The attached ordinance rezones the property at 524 North Silver Springs Road. The applicant is requesting that the property be rezoned from R-4 (Medium Density Multifamily Residential District) to NC (Neighborhood Commercial District). The City Council's public hearing on the rezoning request was held on June 2, 2025.

BACKGROUND/DISCUSSION

A rezoning application has been submitted for the property at 524 North Silver Springs Road. The applicant is requesting that the property be rezoned from R-4 (Medium Density Multifamily Residential District) to NC (Neighborhood Commercial District).

The immediately surrounding properties are zoned R-4 (Medium Density Multifamily Residential District) to the north, R-3 (High Density Single-Family Residential District) to the east, and C-2 (Highway Commercial District) to the south and west. This area is characterized by two-family residential, multifamily residential, and commercial uses. The Cape Vision 2040 Comprehensive Plan's Future Land Use Map shows the subject property as Suburban Mixed Use.

The attached ordinance rezones the property to NC. The City Council's public hearing on the rezoning request was held on June 2, 2025.

FINANCIAL IMPACT

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 is an undeveloped lot. The

owner would like to develop it for a commercial building (no apartments) with approximately four suites. The application includes a list of potential uses and a concept site plan to demonstrate the owner's intentions. All of the uses in the list are either permitted by right or a special use in the NC district. NC is the zoning equivalent of the Suburban Mixed Use future land use category in the Cape Vision 2040 Comprehensive Plan. NC can serve as a transitional district between commercial zoning and residential zoning, as would be the case here. For these reasons, the proposed NC district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties.

STAFF RECOMMENDATION

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

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission held a public hearing at its May 14, 2025 meeting and recommended approval of the rezoning request by a vote of 7 in favor, 0 in opposition, and 0 abstaining.

PUBLIC OUTREACH

The City Council's public hearing was advertised in the Southeast Missourian on May 17, 2025. 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:

File Name	Description
25-61_524__N_Silver_Springs_Rezone.doc	Ordinance
1484.pdf	524 North Silver Springs Road - Staff RRA Form
Map_-_524_North_Silver_Springs_Road_-_Zoning.pdf	524 North Silver Springs Road - Zoning Map
Map_-_524_North_Silver_Springs_Road_-_FLU.pdf	524 North Silver Springs Road - FLU Map
Application_-_524_North_Silver_Springs_Road_Rezoning.pdf	524 North Silver Springs Road - Application
Sec._30-60._-_R-4_Medium_Density_Multifamily_Residential_District.pdf	R-4 District Regulations
Sec._30-64._-_NC_General_Commercial_District.pdf	NC District Regulations

BILL NO. 25-61

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 524 NORTH SILVER SPRINGS ROAD, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI, FROM R-4 TO NC

WHEREAS, the City Planning and Zoning Commission has recommended rezoning all of the property described in Article 1 of this ordinance from R-4, Medium Density Multifamily Residential 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, June 2, 2025; 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 R-4, Medium Density Multifamily Residential 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 R-4, Medium Density Multifamily Residential District, to NC, Neighborhood Commercial District, for the following described property:

524 North Silver Springs Road

All of Lot Two (2) of Crites Tenth Addition as recorded in Plat Book 20 at Page 94 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 _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



CITY OF CAPE GIRARDEAU, MISSOURI

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

FILE NO. 1484

LOCATION: 524 N Silver Springs Rd

STAFF REVIEW & COMMENTS:

Armando Sanchez is requesting to rezone the above listed property from R-4 (Medium Density Multi-family Residential) to NC (Neighborhood Commercial). SEE STAFF REPORT FOR FURTHER INFORMATION

City Planner

Date

City Attorney

Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:

City Manager

Date

Planning & Zoning Commission

Public Hearing Sign Posting Date: 5-7-25 Public Hearing Date: 5-14-25

RECOMMENDED ACTION:

	Favor	Oppose	Abstain		Favor	Oppose	Abstain
Trae Bertrand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Blank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chris Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nick Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robbie Guard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Emily McElreath	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<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

City Council Action

Posting Dates: Sign _____ Newspaper _____ Public Hearing Date: _____

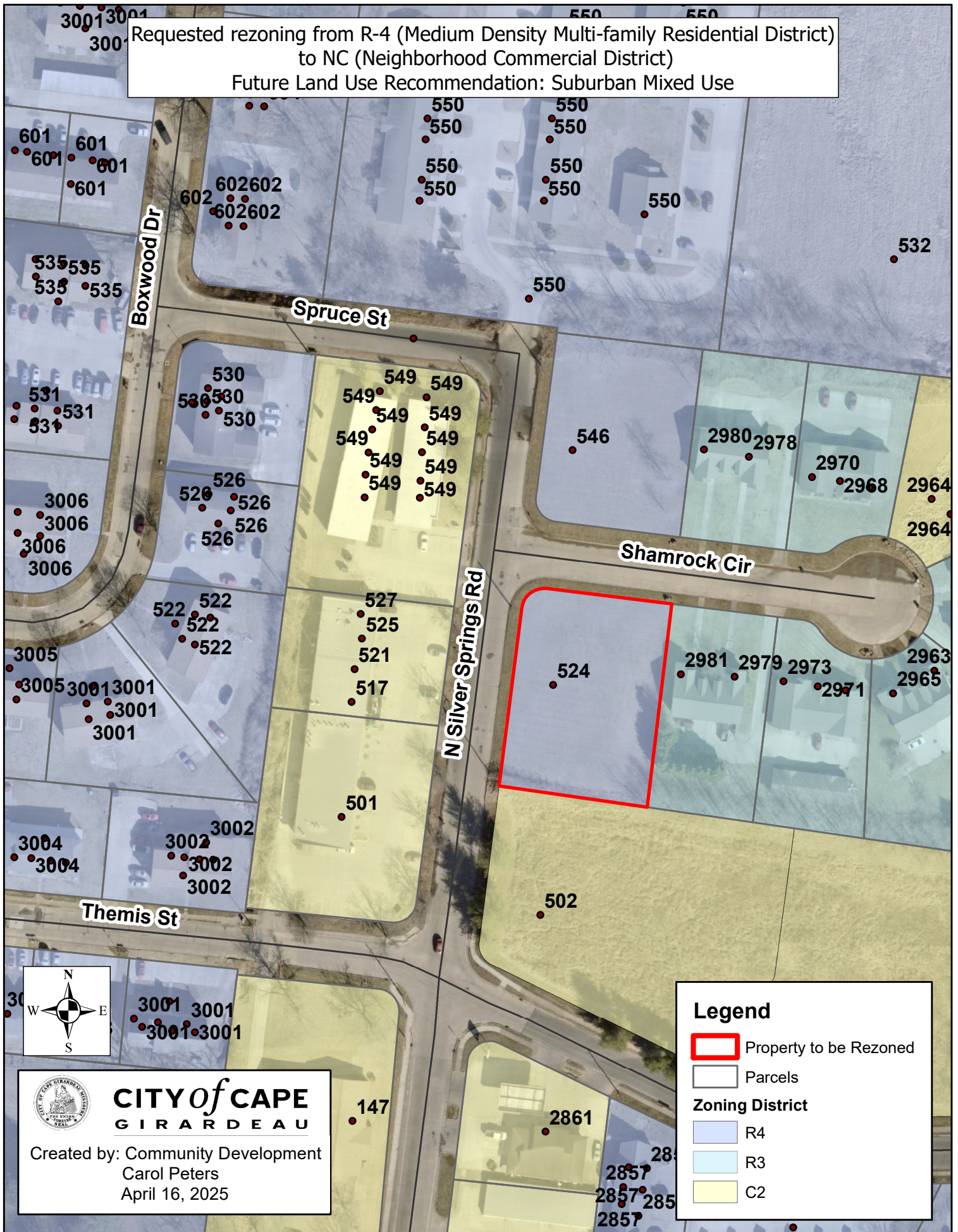
Ordinance 1st Reading _____ Ordinance 2nd & 3rd Reading: _____

VOTE COUNT: _____ Favor _____ Oppose _____ Abstain

ORDINANCE # _____ Effective Date: _____

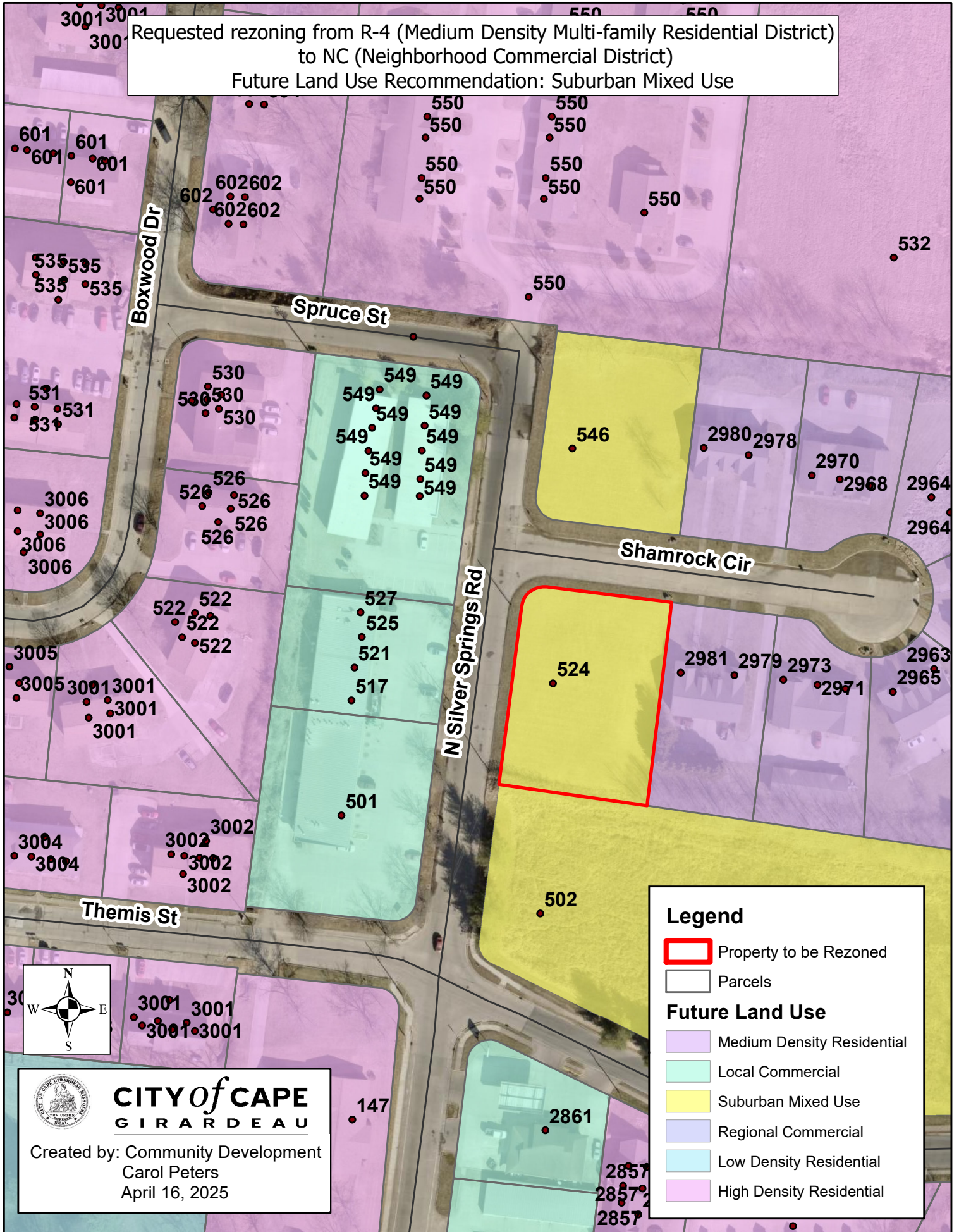
Rezoning Request - 524 North Silver Springs Road

Requested rezoning from R-4 (Medium Density Multi-family Residential District)
to NC (Neighborhood Commercial District)
Future Land Use Recommendation: Suburban Mixed Use



Rezoning Request - 524 North Silver Springs Road

Requested rezoning from R-4 (Medium Density Multi-family Residential District)
to NC (Neighborhood Commercial District)
Future Land Use Recommendation: Suburban Mixed Use





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

524 North Silver Springs Road

Applicant Armando Sanchez		Property Owner of Record Monarm, LLC <input type="checkbox"/> Same as Applicant	
Mailing Address 3401 Glenview Drive	City, State, Zip Cape Girardeau MO 63701	Mailing Address 3401 Glenview Drive	City, State, Zip Cape Girardeau MO 63701
Telephone (573) 576-2359	Email	Telephone (573) 576-2359	Email
Contact Person		<i>(Attach additional owners information, if necessary)</i>	
Type of Request <input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Special Use Permit <input type="checkbox"/> Both		Proposed Special Use (Special Use Permit requests only)	
Existing Zoning District R-4, Medium Density Multi-Family Residential District		Proposed Zoning District (Rezoning requests only) NC, Neighborhood Commercial District	

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

All of Lot 2 of Crites Tenth Addition as recorded in Plat Book 20 at Page 94 of the County land records, in the City and County of Cape Girardeau, State of Missouri

Describe the proposed use of the property.

Commercial building with approximately 4-5 suites. Concept site plan is attached. Uses may include: bakery, commercial day care, dance or fitness classes (such as Zumba), hair salon, small grocery store specializing in Mexican food, beverages, and other products.

Application continues on next page

OFFICE USE ONLY

Date Received & By 4-15-25 File # 1484 MUNIS Application # 16489 MUNIS Permit # _____
Application Fee Received \$ 148.00 ☐ Check # _____ ☐ Credit Card ☒ Cash
14.25 envelopes
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.

**ADDITIONAL ITEMS
REQUIRED**

See Instructions for more
information.

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

- ☒ Base Application fee - \$148.00 payable to City of Cape Girardeau
 - ☐ Planned Development rezoning only - Additional \$88 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
\$2.85 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.

Armando Sanchez
Property Owner of Record Signature and Printed Name

4-15-25
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.

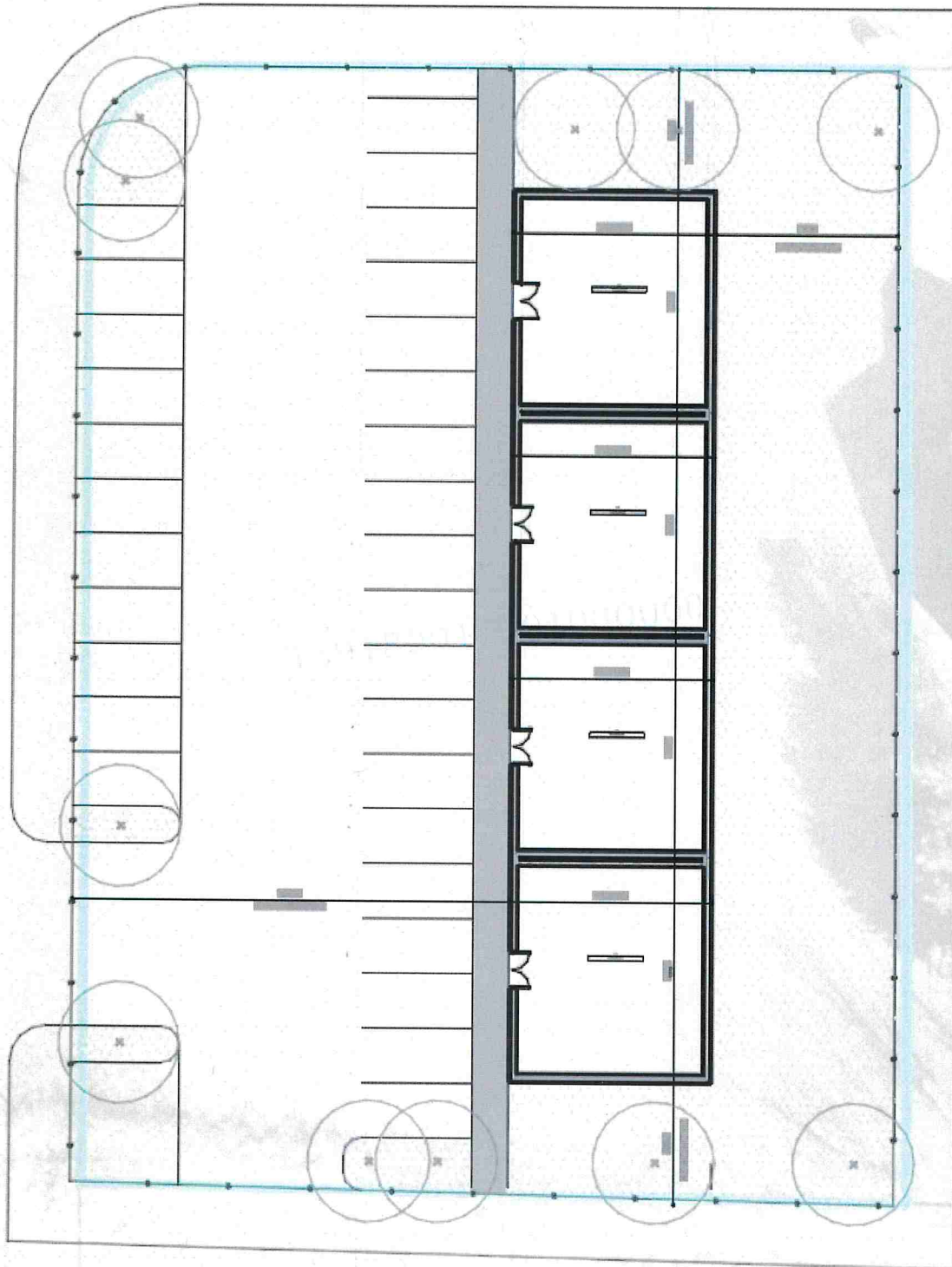
Applicant Signature and Printed Name

Date

N SILVER SPRINGS RD



SHAMROCK CIRCLE



524 North Silver Springs Road
ADJACENT PROPERTY OWNERS

LOCATION	PROPERTY OWNER	MAILING ADDRESS	CITY	ST	ZIP
2978 SHAMROCK CIR	LESLIE A SIMMONS	2128 WILLIAM ST PMB 11	CAPE GIRARDEAU	MO	63703
2979 SHAMROCK CIR	ROGER L & KAY S TOLLIVER TRUST	590 WINDWOOD LAKE DR	CAPE GIRARDEAU	MO	63701
502 N SILVER SPRINGS RD	G & RM PROPERTIES LLC	510 PHOENIX TRL	JACKSON	MO	63755
501 N SILVER SPRINGS RD	SPEEDWASH AMERICA LLC	81100 US HWY 62	CUNNINGHAM	KY	42035
549 N SILVER SPRINGS RD	BOEHME-HINNI APARTMENTS INC	402 S SILVER SPRINGS RD	CAPE GIRARDEAU	MO	63703

Sec. 30-60. - R-4, Medium Density Multifamily Residential District.

(a) *Purpose.* The R-4 district provides for multifamily dwellings and other residential uses with a maximum density of 18 units per one acre. Single-family detached and two-family (duplex) dwellings are permitted in order to accommodate existing R-4 zoned lots that either contain such uses or are not large enough to be developed for multifamily dwellings. It is not intended for new single-family detached or two-family subdivisions, which are prohibited.

(b) *Permitted principal uses.*

- (1) Single-family detached dwellings, with only one dwelling per lot, and excluding new single-family detached subdivisions.
- (2) Two-family (duplex) dwellings, excluding new two-family subdivisions.
- (3) Multifamily dwellings.
- (4) Townhouses.
- (5) Cluster subdivisions, as permitted elsewhere in the city Code.
- (6) Nursing homes, senior citizen housing and retirement homes.
- (7) Noncommercial, not-for-profit residential neighborhood facilities consisting of indoor and/or outdoor recreational facilities, offices of property owners' associations, and maintenance facilities operated by a neighborhood or community organization or a property owners' association.
- (8) Public parks, playgrounds, and recreational facilities.
- (9) Police and fire stations.
- (10) Elementary, middle and secondary schools, and development centers for elementary, middle and secondary school age children with physical, mental or developmental disabilities.
- (11) Commercial day cares.

(c) *Permitted accessory uses.*

- (1) Private garages, carports and accessory structures, as permitted in [section 30-106](#).
- (2) Home occupations, as permitted in [section 30-108](#).
- (3) Solar energy systems, as permitted in [section 30-113](#).
- (4) Short-term use of shipping containers for accessory uses, as permitted in [section 30-105](#).

(d) *Special uses.*

- (1) Bed and breakfasts.
- (2) Boutique hotels. The term "boutique hotel" shall mean an establishment containing a minimum of five and a maximum of 20 rooming units, which is used or advertised as a place where lodging accommodations are supplied for pay to guests for lodging occupancy with rooms having access to the outside through an interior hallway connected to the main lobby of the building, and which may provide additional services such as restaurants, meeting rooms, entertainment and recreational facilities.
- (3) Cemeteries, on a minimum of ten acres of land.
- (4) Long-term use of shipping containers for accessory uses, as permitted in [section 30-105](#).
- (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) Residential treatment facilities.
- (7) Transitional housing.
- (8) Wind energy conversion systems, as permitted in [section 30-113](#).

(e) *Height, area, bulk and setback regulations.*

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

(2) Minimum lot area:

a. Each townhouse must be on a separate platted lot consisting of at least 1,400 square feet.

b. All other uses: 3,750 square feet.

(3) Maximum density: 18 units per one acre. Higher densities may be approved with a cluster subdivision, as permitted elsewhere in the city Code.

(4) Minimum lot width:

a. Each townhouse: 20 feet.

b. All other uses: None.

(5) Minimum yard requirements:

a. Front yard:

1. Each townhouse: Ten feet.

2. All other uses: 25 feet.

b. Rear yard:

1. Each townhouse: 20 feet.

2. All other uses: 25 feet.

c. Side yard:

1. Each townhouse: None.

2. All other uses: Five feet.

(6) Maximum building coverage, including accessory buildings: 50 percent of the lot for all uses except townhouses.

(7) Open space requirements: For any multifamily residential uses or nonresidential uses, a minimum of 20 percent of the total lot area shall be devoted to open space, including required yards and bufferyards.

(f) *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. There shall be 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, § 30-325; Ord. No. 5012, art. 4, 10-2-2017; Ord. No. 5550, art. 1, 6-20-2022; Ord. No. 5635, art. 1, 4-17-2023)

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)

Staff: Ryan Shrimplin, AICP - City Planner
Agenda: June 16, 2025

AGENDA REPORT Cape Girardeau City Council	
---	--

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 215 North West End Boulevard, in the City and County of Cape Girardeau, Missouri, from R-3 to NC.

EXECUTIVE SUMMARY

The attached ordinance rezones the property at 215 North West End Boulevard. The applicant is requesting that the property be rezoned from R-3 (High Density Single-Family Residential District) to NC (Neighborhood Commercial District). The City Council's public hearing on the rezoning request was held on June 2, 2025.

BACKGROUND/DISCUSSION

A rezoning application has been submitted for the property at 215 North West End Boulevard. The applicant is requesting that the property be rezoned from R-3 (High Density Single-Family Residential District) to NC (Neighborhood Commercial District).

The immediately surrounding properties are zoned C-1 (General Commercial District) to the north, NC (Neighborhood Commercial District) to the east, and R-3 (High Density Single-Family Residential District) to the south and west. This area is characterized by residential uses intermingled with some commercial uses. The Cape Vision 2040 Comprehensive Plan's 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 June 2, 2025.

FINANCIAL IMPACT

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 building that was

last used as a Christian Science Reading Room. The property was recently purchased by the applicants, who have plans to use it for an art school and studio. The current R-3 zoning does not allow this type of use. The proposed NC district lists it as a special use. The applicants would need approval of both the rezoning and the special use permit in order to use the property for an art school and studio. According to the Zoning Code (Chapter 30 of the City's Code of Ordinances), 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." As noted previously, this area contains a mix of residential and commercial zoning and uses. The property is near an intersection, and it is suitable for a compact commercial use serving the adjacent residential areas. NC can serve as a transitional district between commercial zoning and residential zoning, as would be the case here. For these reasons, the proposed NC district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties.

STAFF RECOMMENDATION

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

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission held a public hearing at its May 14, 2025 meeting and recommended approval of the rezoning request by a vote of 7 in favor, 0 in opposition, and 0 abstaining.

PUBLIC OUTREACH

The City Council's public hearing was advertised in the Southeast Missourian on May 17, 2025. 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:

File Name	Description
❏ 25-62_215_N-West_End_Rezone.doc	Ordinance
❏ Staff_Review-Referral-Action_Form_-_Rezoning.pdf	215 North West End Boulevard - Staff RRA Form REZ
❏ Staff_Report_P_Z_Rezoning___SUP_215_North_West_End_Boulevard.pdf	215 North West End Boulevard - Staff Report
❏ Map_-_215_North_West_End_Boulevard_-_Zoning.pdf	215 North West End Boulevard - Zoning Map
❏ Map_-_215_North_West_End_Boulevard_-_FLU.pdf	215 North West End Boulevard - FLU Map
❏ Application.pdf	215 North West End Boulevard - Application
❏ Application_attachments.pdf	215 North West End Boulevard - Application Attachments
❏ Sec._30-59._-_R-3_High_Density_Single-Family_Residential_District.pdf	R-3 District Regulations
❏ Sec._30-64._-_NC_Neighborhood_Commercial_District.pdf	NC District Regulations

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 215 NORTH WEST END BOULEVARD, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI, FROM R-3 TO NC

WHEREAS, the City Planning and Zoning Commission has recommended rezoning all of the property described in Article 1 of this ordinance from R-3, High Density Single-Family Residential 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, June 2, 2025; 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 R-3, High Density Single-Family Residential 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 R-3, High Density Single-Family Residential District, to NC, Neighborhood Commercial District, for the following described property:

215 North West End Boulevard

Lot Three (3) in Block Three (3) of Lorimier Place, a subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 2 at Page 54.

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 _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



CITY OF CAPE GIRARDEAU, MISSOURI

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

FILE NO. **1482 - Rezoning**

LOCATION: 215 North West End Boulevard

STAFF REVIEW & COMMENTS:

Craig & Elizabeth Thomas are requesting to rezone the above listed property from R-3 (High Density Single-family Residential) to NC (Neighborhood Commercial). SEE STAFF REPORT FOR FURTHER INFORMATION


City Planner

5/6/25
Date


City Attorney

5/6/25
Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:


City Manager

5/5/25
Date

Planning & Zoning Commission

Public Hearing Sign Posting Date: 5-7-25 Public Hearing Date: 5-14-25

RECOMMENDED ACTION:

	Favor	Oppose	Abstain		Favor	Oppose	Abstain
Trae Bertrand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Blank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chris Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nick Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robbie Guard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Emily McElreath	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<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

City Council Action

Posting Dates: Sign _____ Newspaper _____ Public Hearing Date: _____

Ordinance 1st Reading _____ Ordinance 2nd & 3rd Reading: _____

VOTE COUNT: _____ Favor _____ Oppose _____ Abstain

ORDINANCE # _____ Effective Date: _____

STAFF REPORT

TO: Planning and Zoning Commission

FROM: Ryan Shrimplin, City Planner

MEETING DATE: May 14, 2025

SUBJECT: Rezoning & Special Use Permit Requests for Property at 215 North West End Boulevard

A rezoning and special use permit application has been submitted for the property at 215 North West End Boulevard. The applicant is requesting that the property be rezoned from R-3 (High Density Single-Family Residential District) to NC (Neighborhood Commercial District) and that a special use permit be granted for an art school and studio.

The immediately surrounding properties are zoned C-1 (General Commercial District) to the north, NC (Neighborhood Commercial District) to the east, and R-3 (High Density Single-Family Residential District) to the south and west. This area is characterized by residential uses intermingled with some commercial uses. The Cape Vision 2040 Comprehensive Plan's Future Land Use Map shows the subject property as Low Density Residential.

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 building that was last used as a Christian Science Reading Room. The property was recently purchased by the applicants, who have plans to use it for an art school and studio. The current R-3 zoning does not allow this type of use. The proposed NC district lists it as a special use. The applicants would need approval of both the rezoning and the special use permit in order to use the property for an art school and studio. According to the Zoning Code (Chapter 30 of the City's Code of Ordinances), 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." As noted previously, this area contains a mix of residential and commercial zoning and uses. The property is near an intersection, and it is suitable for a compact commercial use serving the adjacent residential areas. NC can serve as a transitional district between commercial zoning and residential zoning,



as would be the case here. For these reasons, the proposed NC district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties.

Based on the above findings, staff recommends approval of the rezoning request.

With regard to the special use permit request, 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: Currently, the property has no off-street parking facility. Based on the Development Code (Chapter 25 of the City's Code of Ordinances), staff has determined that eight off-street parking spaces are required for the proposed special use. There is room in the rear yard of the property to construct a parking lot with access from the alley. If this area is not large enough to provide all eight spaces, then the applicants could lease parking spaces on one of the neighboring commercial properties if such spaces are not needed to meet the parking requirement for the use(s) on that property. The proposed special use will not substantially increase traffic hazards or congestion as long as the required off-street parking spaces are provided.

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

Finding: The proposed special use does not involve any activities or storage of materials or equipment that will substantially increase fire hazards.

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

Finding: The main effect of the proposed special use on the character of the neighborhood is additional parking. However, it will not adversely affect the character if the parking requirement is met as described in the Criterion #1 finding.



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

Finding: The proposed special use does not involve any activities will adversely affect the general welfare of the community.

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

Finding: Utility demand for the proposed special use will be low. Thus, it will not overtax public utilities.

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.
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 twelve (12) months from the date of issuance if the building permit (and/or any other required permit) for said special use has not been issued. If the building permit (and/or any other required permit) is issued within this time frame and later expires due to lack of progress, then this permit shall automatically expire upon the expiration of said permit(s).
4. This permit is not transferable without the approval of the City Council.
5. A minimum of eight (8) off-street parking spaces shall be provided for said special use in accordance with the City's off-street parking regulations.
6. Any exterior building alterations or additions shall be reviewed by staff for compliance with the NC district regulations prior to issuance of any permits or approvals.



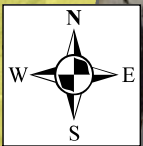
Rezoning Request - 215 North West End Boulevard

Requested rezoning from R-3 (High Density Single-family Suburban Residential District)
to NC (Neighborhood Commercial District)
and a Special Use Permit for an art school
Future Land Use Recommendation: Low Density Residential

Luce St

Harmony St


N West End Blvd



CITY of CAPE
GIRARDEAU

Created by: Community Development
Carol Peters
April 17, 2025

Legend

 Property to be Rezoned

 Parcels

Zoning District

 C1

 NC

 R3

Rezoning Request - 215 North West End Boulevard

1416

Requested rezoning from R-3 (High Density Single-family Suburban Residential District) to NC (Neighborhood Commercial District) and a Special Use Permit for an art school
Future Land Use Recommendation: Low Density Residential

302

Luce St

300

1417

1405

1403

217

Harmony St

298

298

298

298

298

298

215

N West End Blvd

211

207

207

207

207

208

204

201



CITY of CAPE
GIRARDEAU

Created by: Community Development
Carol Peters
April 17, 2025

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

215 N. West End Boulevard Cape Girardeau, MO 63701

Applicant Elizabeth and Craig Thomas		Property Owner of Record <input checked="" type="checkbox"/> Same as Applicant	
Mailing Address 124 S. Spanish St.	City, State, Zip Cape Girardeau, MO 63703	Mailing Address	City, State, Zip
Telephone 573 225-9215	Email artelizabeththomas@yahoo.com	Telephone	Email
Contact Person Elizabeth Thomas		(Attach additional owners information, if necessary)	
Type of Request <input type="checkbox"/> Rezoning <input type="checkbox"/> Special Use Permit <input checked="" type="checkbox"/> Both		Proposed Special Use (Special Use Permit requests only)	
Existing Zoning District Choose a Zoning District R3		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

See attached

Describe the proposed use of the property.

The space would be used for art classes of up to 15 people per class, no more than two classes at a time.

It would also be used for private art lessons and adult workshops

Application continues on next page

OFFICE USE ONLY

Date Received & By 4-16-25 File # 1482 MUNIS Application # 16500-REZ 1/2 SUP 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. *No, most people will be dropped off and picked up because most are underage for driving. Street parking*
- 2) The proposed special use will not substantially increase fire hazards. *No, No project would use anything flammable, No smoking facility.*
- 3) The proposed special use will not adversely affect the character of the neighborhood. *No, the art school will only help improve the character of the neighborhood by affecting people in a positive way.*
- 4) The proposed special use will not adversely affect the general welfare of the community. *No, this is an opportunity to educate local people and their children. It will make children more productive in a positive way.*
- 5) The proposed special use will not overtax public utilities. *No, a normal amount of utilities will be used.*

ADDITIONAL ITEMS REQUIRED

See Instructions for more
information.

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

- ☐ Base Application fee - \$148.00 payable to City of Cape Girardeau
- ☐ Planned Development rezoning only - Additional \$88 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 \$2.85 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

Date

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

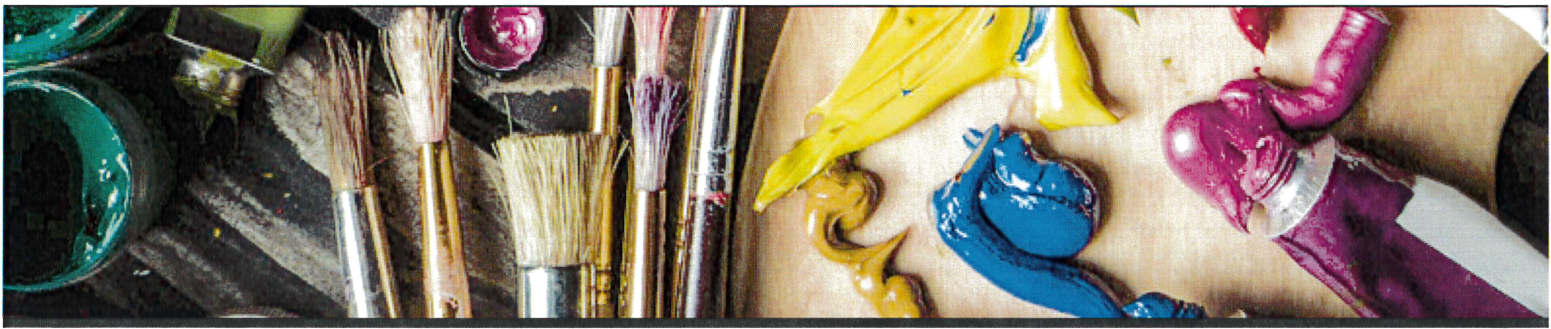
The undersigned hereby certifies that they are an agent duly authorized by the Property Owner(s) of Record to file this application on their behalf, and that the Property Owner(s) of Record hereby agree to the above certifications.

Elizabeth L. Thomas Elizabeth L. Thomas
Applicant Signature and Printed Name

04-16-2025
Date

215 North West End Boulevard
ADJACENT PROPERTY OWNERS

LOCATION	PROPERTY OWNER	MAILING ADDRESS	CITY	ST	ZIP
1417 LUCE	ROBERT M & LORI A SIEBERT	1417 LUCE	CAPE GIRARDEAU	MO	63701
1405 LUCE	ESSNER REAL ESTATE HOLDINGS LLC	389 CODY LN	CAPE GIRARDEAU	MO	63701
1403 LUCE	P3 LUNSK LLC	139 OTTO LN	CAPE GIRARDEAU	MO	63701
217 N WEST END BLVD	JERRY & MELBA KEELE	217 N WEST END BLVD	CAPE GIRARDEAU	MO	63701
298 N WEST END BLVD	MAJEED INVESTMENT GROUP LLC	3305 KAGE RD	CAPE GIRARDEAU	MO	63701
211 N WEST END BLVD	DALE A RANDOLPH	211 N WEST END BLVD	CAPE GIRARDEAU	MO	63701
1416 THEMIS ST	WILLIAM JOSEPH & DAWN L BOYLE	1416 THEMIS ST	CAPE GIRARDEAU	MO	63701



RED ROOF STUDIO

School of Art

215 North West End Blvd, Cape Girardeau, MO



Private Art Lessons

Day Long Workshops

6 week workshops

Workshops for Art Teachers

Create your own Workshop

-----Studio Time-----

All Ages

INSTRUCTORS: CRAIG AND ELIZABETH THOMAS

DM with questions



SUMMER ART CLASSES



Instructor: Elizabeth Thomas

Phone: 573 225-9215 email: thomase@scr1.org

Location: Red Roof Studio - School of Art
215 North West End Blvd.

Cape Girardeau, Mo

Week 1 June 23rd-27th

Morning Class 9:00 am to 12:00 am

Drawing and Painting:

Students will be drawing and painting a still life, portrait and landscape.

Afternoon Class 1:00 pm to 4:00 pm

Week 2 July 7th-11th

Morning Class 9:00 am to 12:00 am

Printmaking: Younger students will

do vegetable prints and collagraph prints.

Afternoon Class

1:00pm to 4:00 pm Older Students will make lino

prints, monoprints and Collagraph prints.

Week 3 July 14th-18th

Morning Class

9:00 am to 12:00 am **Fiber Art:** Students will be sewing

animals, felting, and weaving. Difficulty will change according to age level.

Afternoon 1:00pm to 4:00 pm

Week 4 July 21st-25th

Morning Class

9:00 am to 12:00 pm **Sculpture:** Students will be

making sculptures with paper mache, soft sculptures with fabric, wood, etc...

Afternoon 1:00pm to 4:00 pm

Fees: \$150.00, (Scott City Students \$100.00) per class

Limit of 15 students per class

Students must be picked up at designated time.



SUMMER ART CLASSES



Morning Classes - Kindergarten through 2nd Grade Afternoon Classes - 3rd through 6th Grade

Student Name _____

Age _____

Address _____

Zip _____

Parents Phone _____

Email _____

Emergency Contact _____

Phone _____

Health Conditions or Special Instructions _____

Select Class:

Week 2

June 23-27

Week 2

July 7-11

Week 3

July 14-18

Week 4

July 21-25

Drawing and Painting Morning _____

Printmaking Morning _____

Fibers Morning _____

Sculpture Morning _____

Drawing and Painting Afternoon _____

Printmaking Afternoon _____

Fibers Afternoon _____

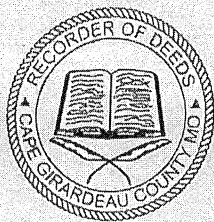
Sculpture Afternoon _____

Fee: \$150.00 per class

\$100.00 for Scott City Students per class

Total \$ _____

From: Craig Thomas craigthomas4@mac.com
Subject: Church lot description
Date: April 16, 2025 at 4:28 PM
To: Craig Thomas craigthomas4@mac.com



eRecorded
DOCUMENT #
2025-02116

ANDREW DAVID BLATTNER
RECORDER OF DEEDS
CAPE GIRARDEAU COUNTY, MO
eRECORDED ON
03/26/2025 08:43:10 AM
REC FEE: 27.00
PAGES: 2

014289

GENERAL WARRANTY DEED (CORPORATION)

This Indenture is made this 25th day of March, 2025, by and between First Church of Christ, Scientist, Cape Girardeau, MO, a Missouri Nonprofit Corporation, created and existing under Articles of Incorporation, being formerly known as, and as successor to, The First Church of Christ, Scientist, in Cape Girardeau, Missouri, a Missouri pro forma Benevolent Corporation, the last Trustees of said pro forma corporation all having died, resigned, else otherwise being all the Officers and Directors of the surviving Nonprofit Corporation ("Grantor"), of the County of Cape Girardeau, Missouri, and Craig R. Thomas and Elizabeth L. Thomas, husband and wife ("Grantee"), of the County of Cape Girardeau, Missouri, whose address in said County is:

124 S. Spanish, Cape Girardeau, MO 63701

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations paid to them by the Grantee, the receipt of which is hereby acknowledged, does by these present GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the Grantee and Grantee's heirs, successors and assigns, the following described Real Estate lying, being and situated in the County of Cape Girardeau, and State of Missouri, to wit:

Lot Three (3) in Block Three (3) of Lorimier Place, a subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 2 at Page 54.

Subject to terms, conditions, restrictions, reservations, and easements of record, if any.

TO HAVE AND TO HOLD the same, together with all and singular rights, privileges, and appurtenances thereto belonging or in anywise appertaining unto the Grantee and unto Grantee's heirs, successors and assigns forever. Grantor hereby covenants that Grantor is lawfully seized of an indefeasible Estate in Fee in the premises herein conveyed; that Grantor has good right to convey the same; that said premises are free and clear of any encumbrance done or suffered by Grantor or those under whom Grantor claims, and that Grantor will WARRANT AND DEFEND the title to the said premises unto the said Grantee and Grantee's heirs, successors and assigns forever against the lawful claims and demands of all persons whomsoever.

In WITNESS WHEREOF, the Grantor has caused these presents to be signed on its behalf by the below duly authorized agent of said Grantor on the day and year first above written.

Sec. 30-59. - R-3, High Density Single-Family Residential District.

- (a) *Purpose.* The R-3 district is intended to accommodate single-family, two-family and townhouse residential developments at maximum densities of up to nine units per acre. This district will serve as a transition between lower density and higher density residential districts. Certain other structures and uses necessary to serve the area are allowed as permitted uses or through the approval of a special use permit, subject to restrictions intended to preserve and protect the residential character of this district.
- (b) *Permitted principal uses.*
- (1) Single-family detached dwellings, with only one dwelling per lot.
 - (2) Duplexes, two-family dwelling units.
 - (3) Townhouses.
 - (4) Cluster subdivisions, as permitted in [chapter 25](#).
 - (5) Public parks, playgrounds, and recreational facilities.
 - (6) Police and fire stations.
 - (7) Elementary and middle schools, or development centers for elementary and middle school age children with handicaps or development disabilities, on a minimum of five acres of land.
 - (8) Noncommercial, not-for-profit residential neighborhood facilities consisting of indoor and outdoor recreational facilities, offices of property owners' associations, and maintenance facilities operated by a neighborhood or community organization or a property owners' association.
 - (9) Home for eight or fewer unrelated mentally or physically handicapped persons, including no more than two additional persons acting as house parents or guardians who need not be related to each other or to any of the handicapped persons residing in the home, provided that:
 - a. The exterior appearance of the home and property shall reasonably conform to the exterior appearance of other dwellings and property in the neighborhood; and
 - b. Such home shall not be located closer than 370 feet to any other such home.
 - (10) A private residence licensed by the state division of family services or state department of mental health to provide foster care to one or more, but less than seven, children who are unrelated to either foster parent by blood, marriage or adoption, provided that all applicable building and safety codes are met, and an occupancy permit issued therefor.
- (c) *Permitted accessory uses.*
- (1) Private garages, carports and accessory structures, as permitted in [section 30-106](#).
 - (2) Home occupations, as permitted in [section 30-108](#).
 - (3) Home day cares, with no more than four unrelated children in a 24-hour period as permitted in [section 30-111](#).
 - (4) In home elderly care, with a maximum of three persons as permitted in [section 30-114](#).
 - (5) Solar energy systems, as permitted in [section 30-113](#).
 - (6) Short-term use of shipping containers for accessory uses, as permitted in [section 30-105](#).
- (d) *Special uses.*
- (1) Home day cares, with five or more unrelated children, as permitted in [section 30-111](#).
 - (2) Bed and breakfasts.
 - (3) Cemeteries, on a minimum of ten acres of land.
 - (4) Transitional housing.

- (5) Wind energy conversion systems, as permitted in section 30-113.
- (6) 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.
- (7) Long-term use of shipping containers for accessory uses, as permitted in section 30-105.

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

- (1) Maximum height:
 - a. When side yards are less than 15 feet in width, 2½ stories not to exceed 35 feet.
 - b. When side yards are 15 feet in width or greater, three stories, not to exceed 45 feet.
- (2) Minimum lot area:
 - a. Each townhouse must be on a separate platted lot consisting of at least 1,400 square feet.
 - b. Duplexes: 3,750 square feet per unit.
 - c. Single-family: 5,000 square feet.
- (3) Maximum density: Nine units per one acre. Higher densities may be approved with a cluster subdivision as permitted in chapter 25.
- (4) Minimum lot width:
 - a. Townhouses and duplexes: 20 feet.
 - b. All other uses: 30 feet.
- (5) Minimum yard requirements:
 - a. Front yard:
 - 1. Each townhouse: Ten feet.
 - 2. All other uses: 20 feet.
 - b. Rear yard:
 - 1. Each townhouse: 20 feet.
 - 2. All other uses: 20 feet.
 - c. Side yard:
 - 1. Townhouses and duplexes: None.
 - 2. All other uses: Three feet.

(f) *Open space, landscaping and bufferyard requirements.* For any nonresidential uses:

- (1) A minimum of 20 percent of the total lot area shall be devoted to open space, including required yard and buffer yards.
- (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, or R-2 zoning districts. This bufferyard shall comply with the requirements of chapter 25.

(g) *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.

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)

Staff: Ryan Shrimplin, AICP - City Planner
Agenda: June 16, 2025

AGENDA REPORT Cape Girardeau City Council	
---	--

SUBJECT

An Ordinance granting a special use permit to Elizabeth and Craig Thomas for the purposes of constructing, maintaining, and operating an art school and studio on property located at 215 North West End Boulevard, in the City of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

The attached ordinance grants a special use permit for an art school and studio at 215 North West End Boulevard. A public hearing on the special use permit request was held on June 2, 2025. In order for the special use permit to be granted, the City Council must approve the rezoning of the property to NC (Neighborhood Commercial District), which is on this agenda as a separate item.

BACKGROUND/DISCUSSION

A special use permit application has been submitted for the property at 215 North West End Boulevard. The applicant is requesting that a special use permit be granted for an art school and studio.

The immediately surrounding properties are zoned C-1 (General Commercial District) to the north, NC (Neighborhood Commercial District) to the east, and R-3 (High Density Single-Family Residential District) to the south and west. This area is characterized by residential uses intermingled with some commercial uses. The Cape Vision 2040 Comprehensive Plan's Future Land Use Map shows the subject property as Low Density Residential.

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

Section 30-64 - NC, Neighborhood Commercial District

Section 30-104 - Special Use Permits

The attached ordinance grants the special use permit. A public hearing on the special use permit request was held on June 2, 2025. In order for the special use permit to be granted, the City Council must approve the rezoning of the property to NC (Neighborhood Commercial District), which is on this agenda as a separate item.

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

See the attached staff report for analysis.

STAFF RECOMMENDATION

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

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission held a public hearing at its May 14, 2025 meeting and recommended approval of the special use permit request by a vote of 7 in favor, 0 in opposition, and 0 abstaining. At the hearing, the applicants indicated that they would not be able to provide enough off-street parking spaces for two classes at the same time, as they had proposed on the special use permit application. They verbally amended their application to propose only one class at a time, with no more than 15 students and one teacher.

The Commission recommended approval of the special use permit request, as amended by the applicants, subject to the following conditions:

1. The special use authorized by this permit shall comply with all applicable laws and regulations.
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 twelve (12) months from the date of issuance if the building permit (and/or any other required permit) for said special use has not been issued. If the building permit (and/or any other required permit) is issued within this time frame and later expires due to lack of progress, then this permit shall automatically expire upon the expiration of said permit(s).
4. This permit is not transferable without the approval of the City Council.
5. A minimum of four (4) off-street parking spaces shall be provided for said special use in accordance with the City's off-street parking regulations.
6. Any exterior building alterations or additions shall be reviewed by staff for compliance with the NC district regulations prior to issuance of any permits or approvals.

PUBLIC OUTREACH

The City Council's public hearing was advertised in the Southeast Missourian on May 17, 2025. 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:

File Name	Description
25-63_SUP_Thomas-215_N_West_End.docx	Ordinance
Staff_Review-Referral-Action_Form_-_SUP.pdf	215 North West End Boulevard - Staff RRA Form SUP
Staff_Report_P_Z_Rezoning___SUP_215_North_West_End_Boulevard.pdf	215 North West End Boulevard - Staff Report
Map_-_215_North_West_End_Boulevard_-_Zoning.pdf	215 North West End Boulevard - Zoning Map
Map_-_215_North_West_End_Boulevard_-_FLU.pdf	215 North West End Boulevard - FLU Map
Application.pdf	215 North West End Boulevard - Application
Application_attachments.pdf	215 North West End Boulevard - Application Attachments
Sec._30-64._-_NC__Neighborhood_Commercial_District.pdf	NC District Regulations
Sec_30-104._-_Special_Use_Permits.pdf	Sec. 30-104 - Special Use Permits

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ELIZABETH AND CRAIG THOMAS FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, AND OPERATING AN ART SCHOOL AND STUDIO ON PROPERTY LOCATED AT 215 NORTH WEST END BOULEVARD, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

WHEREAS, Craig R. Thomas and Elizabeth L. Thomas, husband and wife, are the owners of certain property on which Elizabeth and Craig Thomas desire to construct, maintain, and operate an art school and studio for an indefinite period of time, said property being located at 215 North West End Boulevard, in the City of Cape Girardeau, Missouri; and

WHEREAS, said property is presently zoned NC, Neighborhood Commercial District; and

WHEREAS, a Special Use Permit is required for an art school and studio in the NC, Neighborhood 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 an art school and studio in the City of Cape Girardeau, Missouri, located on the following-described property:

215 North West End Boulevard

Lot Three (3) in Block Three (3) of Lorimier Place, a subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 2 at Page 54.

is hereby granted to Elizabeth and Craig Thomas, 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 _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle Conrad, City Clerk



SPECIAL USE PERMIT

Elizabeth and Craig Thomas are hereby granted a Special Use Permit for the purposes of constructing, maintaining, and operating an art school and studio at 215 North West End Boulevard, in the City of Cape Girardeau, Missouri, on the following-described property for an indefinite period of time:

Lot Three (3) in Block Three (3) of Lorimier Place, a subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 2 at Page 54.

This Special Use Permit is granted upon the condition that the grantees be bound by all City ordinances pertaining to the Special Use Permit and that the grantees 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 grantees 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.
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 twelve (12) months from the date of issuance if the building permit (and/or any other required permit) for said special use has not been issued. If the building permit (and/or any other required permit) is issued within this time frame and later expires due to lack of progress, then this permit shall automatically expire upon the expiration of said permit(s).
4. This permit is not transferable without the approval of the City Council.
5. A minimum of four (4) off-street parking spaces shall be provided for said special use in accordance with the

My Commission Expires:

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

Now on this _____ day of _____, 2025, the Cape Girardeau City Council considered the application for a Special Use Permit dated April 16, 2025 filed by Elizabeth and Craig Thomas for the property located at 215 North West End Boulevard, Cape Girardeau, Missouri, for the purposes of constructing, maintaining, and operating an art school and studio for an indefinite period of time.

In examining said application, the following factors were considered and findings were made, as follows:

City Council Findings:

The proposed Special Use, with the stated conditions, would:

	Yes	No	N/A
1. Substantially increase traffic hazards or congestion	_____	<u>X</u>	_____
2. Substantially increase fire hazards	_____	<u>X</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>X</u>	_____
4. Adversely affect the general welfare of the community	_____	<u>X</u>	_____
5. Overtax public utilities	_____	<u>X</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, and the testimony, exhibits and file contents, the City Council duly deliberated the facts pertaining to the proposed Special Use and issued the following conclusion:

THE APPLICATION IS:

_____ Approved
 _____ Denied
X _____ Approved subject to the conditions stated in the attached Special Use Permit

CITY OF CAPE GIRARDEAU, MISSOURI

 Stacy Kinder, Mayor

ATTEST:

 Gayle Conrad, City Clerk



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

Now on this _____ day of _____, 2025, the Cape Girardeau City Council considered the application for a Special Use Permit dated April 16, 2025 filed by Elizabeth and Craig Thomas for the property located at 215 North West End Boulevard, Cape Girardeau, Missouri, for the purposes of constructing, maintaining, and operating an art school and studio for an indefinite period of time.

In examining said application, the following factors were considered and findings were made, as follows:

City Council Findings:

The proposed Special Use, with the stated conditions, would:

	Yes	No	N/A
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, and the testimony, exhibits and file contents, the City Council duly deliberated the facts pertaining to the proposed Special Use and issued the following conclusion:

THE APPLICATION IS:

_____ Approved
_____ X Denied
_____ Approved subject to the conditions stated in the attached Special Use Permit

CITY OF CAPE GIRARDEAU, MISSOURI

Stacy Kinder, Mayor

ATTEST:

Gayle Conrad, City Clerk



CITY OF CAPE GIRARDEAU, MISSOURI

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

FILE NO. 1482 - SUP

LOCATION: 215 North West End Boulevard

STAFF REVIEW & COMMENTS:

Craig & Elizabeth Thomas are requesting approval of a special use permit to allow the operation of an art school. SEE STAFF REPORT FOR FURTHER INFORMATION

Bo SFL
City Planner

5/6/25
Date

[Signature]
City Attorney

5/6/25
Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:

[Signature]
City Manager

5/7/25
Date

Planning & Zoning Commission

Public Hearing Sign Posting Date: 5-7-25 Public Hearing Date: 5-14-25

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"/>
Robbie Guard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Favor	Oppose	Abstain
Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nick Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Emily McElreath	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VOTE COUNT: 7 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 1st Reading _____ Ordinance 2nd & 3rd Reading: _____

VOTE COUNT: _____ Favor _____ Oppose _____ Abstain

ORDINANCE # _____ Effective Date: _____

STAFF REPORT

TO: Planning and Zoning Commission

FROM: Ryan Shrimplin, City Planner

MEETING DATE: May 14, 2025

SUBJECT: Rezoning & Special Use Permit Requests for Property at 215 North West End Boulevard

A rezoning and special use permit application has been submitted for the property at 215 North West End Boulevard. The applicant is requesting that the property be rezoned from R-3 (High Density Single-Family Residential District) to NC (Neighborhood Commercial District) and that a special use permit be granted for an art school and studio.

The immediately surrounding properties are zoned C-1 (General Commercial District) to the north, NC (Neighborhood Commercial District) to the east, and R-3 (High Density Single-Family Residential District) to the south and west. This area is characterized by residential uses intermingled with some commercial uses. The Cape Vision 2040 Comprehensive Plan's Future Land Use Map shows the subject property as Low Density Residential.

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 building that was last used as a Christian Science Reading Room. The property was recently purchased by the applicants, who have plans to use it for an art school and studio. The current R-3 zoning does not allow this type of use. The proposed NC district lists it as a special use. The applicants would need approval of both the rezoning and the special use permit in order to use the property for an art school and studio. According to the Zoning Code (Chapter 30 of the City's Code of Ordinances), 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." As noted previously, this area contains a mix of residential and commercial zoning and uses. The property is near an intersection, and it is suitable for a compact commercial use serving the adjacent residential areas. NC can serve as a transitional district between commercial zoning and residential zoning,



as would be the case here. For these reasons, the proposed NC district is reasonable and in reasonable conformity with the existing uses and value of the immediately surrounding properties.

Based on the above findings, staff recommends approval of the rezoning request.

With regard to the special use permit request, 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: Currently, the property has no off-street parking facility. Based on the Development Code (Chapter 25 of the City's Code of Ordinances), staff has determined that eight off-street parking spaces are required for the proposed special use. There is room in the rear yard of the property to construct a parking lot with access from the alley. If this area is not large enough to provide all eight spaces, then the applicants could lease parking spaces on one of the neighboring commercial properties if such spaces are not needed to meet the parking requirement for the use(s) on that property. The proposed special use will not substantially increase traffic hazards or congestion as long as the required off-street parking spaces are provided.

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

Finding: The proposed special use does not involve any activities or storage of materials or equipment that will substantially increase fire hazards.

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

Finding: The main effect of the proposed special use on the character of the neighborhood is additional parking. However, it will not adversely affect the character if the parking requirement is met as described in the Criterion #1 finding.



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

Finding: The proposed special use does not involve any activities will adversely affect the general welfare of the community.

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

Finding: Utility demand for the proposed special use will be low. Thus, it will not overtax public utilities.

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.
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 twelve (12) months from the date of issuance if the building permit (and/or any other required permit) for said special use has not been issued. If the building permit (and/or any other required permit) is issued within this time frame and later expires due to lack of progress, then this permit shall automatically expire upon the expiration of said permit(s).
4. This permit is not transferable without the approval of the City Council.
5. A minimum of eight (8) off-street parking spaces shall be provided for said special use in accordance with the City's off-street parking regulations.
6. Any exterior building alterations or additions shall be reviewed by staff for compliance with the NC district regulations prior to issuance of any permits or approvals.



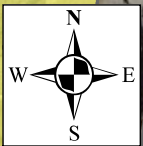
Rezoning Request - 215 North West End Boulevard

Requested rezoning from R-3 (High Density Single-family Suburban Residential District)
to NC (Neighborhood Commercial District)
and a Special Use Permit for an art school
Future Land Use Recommendation: Low Density Residential

Luce St

Harmony St


N West End Blvd



CITY of CAPE
GIRARDEAU

Created by: Community Development
Carol Peters
April 17, 2025

Legend


 Property to be Rezoned

 Parcels

Zoning District

 C1

 NC

 R3

Rezoning Request - 215 North West End Boulevard

1416

Requested rezoning from R-3 (High Density Single-family Suburban Residential District) to NC (Neighborhood Commercial District) and a Special Use Permit for an art school
Future Land Use Recommendation: Low Density Residential

302

Luce St

300

1417

1405

1403

217

Harmony St

298

298

298

298

298

298

215

N West End Blvd

211

208

207

207

207

207

204


201



CITY of CAPE
GIRARDEAU


Created by: Community Development
Carol Peters
April 17, 2025

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

215 N. West End Boulevard Cape Girardeau, MO 63701

Applicant Elizabeth and Craig Thomas		Property Owner of Record <input checked="" type="checkbox"/> Same as Applicant	
Mailing Address 124 S. Spanish St.	City, State, Zip Cape Girardeau, MO 63703	Mailing Address	City, State, Zip
Telephone 573 225-9215	Email artelizabeththomas@yahoo.com	Telephone	Email
Contact Person Elizabeth Thomas		(Attach additional owners information, if necessary)	
Type of Request <input type="checkbox"/> Rezoning <input type="checkbox"/> Special Use Permit <input checked="" type="checkbox"/> Both		Proposed Special Use (Special Use Permit requests only)	
Existing Zoning District Choose a Zoning District R3		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

See attached

Describe the proposed use of the property.

The space would be used for art classes of up to 15 people per class, no more than two classes at a time.

It would also be used for private art lessons and adult workshops

Application continues on next page

OFFICE USE ONLY

Date Received & By 4-16-25 File # 1482 MUNIS Application # 16500-REZ 1/2 SUP 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. *No, most people will be dropped off and picked up because most are underage for driving. Street parking*
- 2) The proposed special use will not substantially increase fire hazards. *No, No project would use anything flammable, No smoking facility.*
- 3) The proposed special use will not adversely affect the character of the neighborhood. *No, the art school will only help improve the character of the neighborhood by affecting people in a positive way.*
- 4) The proposed special use will not adversely affect the general welfare of the community. *No, this is an opportunity to educate local people and their children. It will make children more productive in a positive way.*
- 5) The proposed special use will not overtax public utilities. *No, a normal amount of utilities will be used.*

ADDITIONAL ITEMS REQUIRED

See Instructions for more
information.

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

- ☐ Base Application fee - \$148.00 payable to City of Cape Girardeau
- ☐ Planned Development rezoning only - Additional \$88 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 \$2.85 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

Date

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

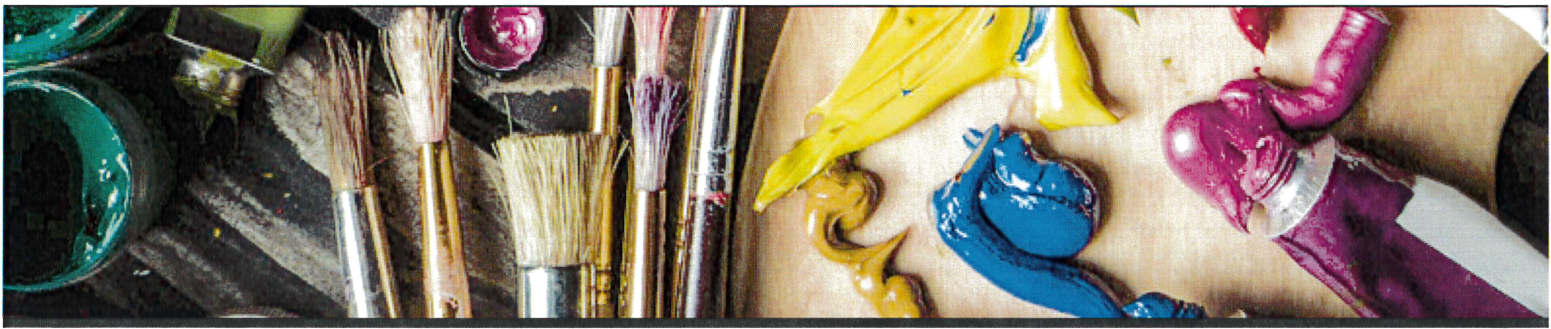
The undersigned hereby certifies that they are an agent duly authorized by the Property Owner(s) of Record to file this application on their behalf, and that the Property Owner(s) of Record hereby agree to the above certifications.

Elizabeth L. Thomas Elizabeth L. Thomas
Applicant Signature and Printed Name

04-16-2025
Date

215 North West End Boulevard
ADJACENT PROPERTY OWNERS

LOCATION	PROPERTY OWNER	MAILING ADDRESS	CITY	ST	ZIP
1417 LUCE	ROBERT M & LORI A SIEBERT	1417 LUCE	CAPE GIRARDEAU	MO	63701
1405 LUCE	ESSNER REAL ESTATE HOLDINGS LLC	389 CODY LN	CAPE GIRARDEAU	MO	63701
1403 LUCE	P3 LUNSK LLC	139 OTTO LN	CAPE GIRARDEAU	MO	63701
217 N WEST END BLVD	JERRY & MELBA KEELE	217 N WEST END BLVD	CAPE GIRARDEAU	MO	63701
298 N WEST END BLVD	MAJEED INVESTMENT GROUP LLC	3305 KAGE RD	CAPE GIRARDEAU	MO	63701
211 N WEST END BLVD	DALE A RANDOLPH	211 N WEST END BLVD	CAPE GIRARDEAU	MO	63701
1416 THEMIS ST	WILLIAM JOSEPH & DAWN L BOYLE	1416 THEMIS ST	CAPE GIRARDEAU	MO	63701



RED ROOF STUDIO

School of Art

215 North West End Blvd, Cape Girardeau, MO



Private Art Lessons

Day Long Workshops

6 week workshops

Workshops for Art Teachers

Create your own Workshop

-----Studio Time-----

All Ages

INSTRUCTORS: CRAIG AND ELIZABETH THOMAS

DM with questions



SUMMER ART CLASSES



Instructor: Elizabeth Thomas

Phone: 573 225-9215 email: thomase@scr1.org

Location: Red Roof Studio - School of Art
215 North West End Blvd.

Cape Girardeau, Mo

Week 1 June 23rd-27th

Morning Class 9:00 am to 12:00 am

Drawing and Painting:

Students will be drawing and painting a still life, portrait and landscape.

Afternoon Class 1:00 pm to 4:00 pm

Week 2 July 7th-11th

Morning Class 9:00 am to 12:00 am

Printmaking: Younger students will

do vegetable prints and collagraph prints.

Afternoon Class

1:00pm to 4:00 pm Older Students will make lino

prints, monoprints and Collagraph prints.

Week 3 July 14th-18th

Morning Class

9:00 am to 12:00 am **Fiber Art:** Students will be sewing

animals, felting, and weaving. Difficulty will change according to age level.

Afternoon

1:00pm to 4:00 pm

Week 4 July 21st-25th

Morning Class

9:00 am to 12:00 pm **Sculpture:** Students will be

making sculptures with paper mache, soft sculptures with fabric, wood, etc...

Afternoon

1:00pm to 4:00 pm

Fees: \$150.00, (Scott City Students \$100.00) per class

Limit of 15 students per class

Students must be picked up at designated time.



SUMMER ART CLASSES



Morning Classes - Kindergarten through 2nd Grade Afternoon Classes - 3rd through 6th Grade

Student Name _____

Age _____

Address _____

Zip _____

Parents Phone _____

Email _____

Emergency Contact _____

Phone _____

Health Conditions or Special Instructions _____

Select Class:

Week 2

June 23-27

Week 2

July 7-11

Week 3

July 14-18

Week 4

July 21-25

Drawing and Painting Morning _____

Printmaking Morning _____

Fibers Morning _____

Sculpture Morning _____

Drawing and Painting Afternoon _____

Printmaking Afternoon _____

Fibers Afternoon _____

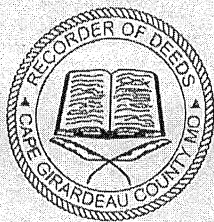
Sculpture Afternoon _____

Fee: \$150.00 per class

\$100.00 for Scott City Students per class

Total \$ _____

From: Craig Thomas craigthomas4@mac.com
Subject: Church lot description
Date: April 16, 2025 at 4:28 PM
To: Craig Thomas craigthomas4@mac.com



eRecorded
DOCUMENT #
2025-02116

ANDREW DAVID BLATTNER
RECORDER OF DEEDS
CAPE GIRARDEAU COUNTY, MO
eRECORDED ON
03/26/2025 08:43:10 AM
REC FEE: 27.00
PAGES: 2

014289

GENERAL WARRANTY DEED (CORPORATION)

This Indenture is made this 25th day of March, 2025, by and between First Church of Christ, Scientist, Cape Girardeau, MO, a Missouri Nonprofit Corporation, created and existing under Articles of Incorporation, being formerly known as, and as successor to, The First Church of Christ, Scientist, in Cape Girardeau, Missouri, a Missouri pro forma Benevolent Corporation, the last Trustees of said pro forma corporation all having died, resigned, else otherwise being all the Officers and Directors of the surviving Nonprofit Corporation ("Grantor"), of the County of Cape Girardeau, Missouri, and Craig R. Thomas and Elizabeth L. Thomas, husband and wife ("Grantee"), of the County of Cape Girardeau, Missouri, whose address in said County is:

124 S. Spanish, Cape Girardeau, MO 63701

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations paid to them by the Grantee, the receipt of which is hereby acknowledged, does by these present GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the Grantee and Grantee's heirs, successors and assigns, the following described Real Estate lying, being and situated in the County of Cape Girardeau, and State of Missouri, to wit:

Lot Three (3) in Block Three (3) of Lorimier Place, a subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 2 at Page 54.

Subject to terms, conditions, restrictions, reservations, and easements of record, if any.

TO HAVE AND TO HOLD the same, together with all and singular rights, privileges, and appurtenances thereto belonging or in anywise appertaining unto the Grantee and unto Grantee's heirs, successors and assigns forever. Grantor hereby covenants that Grantor is lawfully seized of an indefeasible Estate in Fee in the premises herein conveyed; that Grantor has good right to convey the same; that said premises are free and clear of any encumbrance done or suffered by Grantor or those under whom Grantor claims, and that Grantor will WARRANT AND DEFEND the title to the said premises unto the said Grantee and Grantee's heirs, successors and assigns forever against the lawful claims and demands of all persons whomsoever.

In WITNESS WHEREOF, the Grantor has caused these presents to be signed on its behalf by the below duly authorized agent of said Grantor on the day and year first above written.

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)

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:
 - a. Substantially increase traffic hazards or congestion;
 - b. Substantially increase fire hazards;
 - c. Adversely affect the character of the neighborhood;
 - d. Adversely affect the general welfare of the community; and
 - e. 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)

Staff: Jake Garrard, PE, City Engineer
Agenda: June 16, 2025

AGENDA REPORT Cape Girardeau City Council	
---	--

SUBJECT

An Ordinance accepting easements related to the Cape Lacroix Trail Repair Project.

EXECUTIVE SUMMARY

An Ordinance accepting a temporary construction easement and permanent trail maintenance and access easement from Ranney Park Development L.L.C needed for work to be completed for the Cape LaCroix Trail Repair Project.

BACKGROUND/DISCUSSION

Cape LaCroix Trail Repair is designed to bring improvements to the Cape LaCroix Trail between Bloomfield Road and Shawnee Sports Complex in the City of Cape Girardeau, MO. The trail is to be widened for improved pedestrian traffic flow. For this work to be completed, the City has requested and received a donation of a temporary construction easement and permanent trail maintenance and access easement from Ranney Park Development L.L.C.

FINANCIAL IMPACT

None. The easements were donated and the project is funded through the TAP 9900 (177) Grant.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

This project is designed to improve pedestrian traffic flow along the trail. These easements are necessary to enable the City, its agents, servants and assigns, to use said property to excavate, build, maintain, construct, operate, and repair trail 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

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
25-64-Easements__Trail_Repai_Project.doc	Ordinance
EXECUTED_PAE_Cape_Lacroix_Trail.pdf	EXECUTED PAE Cape LaCroix Trail
EXECUTED_TCE_Cape_Lacroix_Trail.pdf	EXCECUTED TCE Cape LaCroix Trail
EXHIBIT_Easement_Plans__20250424_STP-9900(177)_-__GOOD.pdf	EXHIBIT Easement Plans

BILL NO. 25-64

ORDINANCE NO. _____

AN ORDINANCE ACCEPTING EASEMENTS RELATED TO
THE CAPE LACROIX TRAIL REPAIR PROJECT

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 temporary construction easement
and a permanent trail maintenance and access easement for the
Cape LaCroix Trail Repair Project, from Ranney Park Development
L.L.C., described as follows:

PERMANENT TRAIL MAINTENANCE AND ACCESS EASEMENT

A Strip of Land 10.00 Feet Wide, Lying East of the
Following Described Line:

A Part of Outlot 54, U.S.P.S. No. 2199, Township 30
North, Range 13 East of the Fifth Principal
Meridian, City and County of Cape Girardeau,
State of Missouri Being More Particularly Described
as Follows:

Commencing at a 1/2" Rebar (found) at the Southwest
corner of Lot 6, Block No. 2, of Kenrick Subdivision
as recorded in Plat Book 8, Page No. 21 of the land
records of the County Recorder's Office; Thence S 06°
48' 17" W, 160.07 feet along the West line of said
Subdivision to the Northwest corner of a tract of land
recorded in Document No. 2017-12883; Thence along the
West line of said tract the following, S 14° 44' 56"
E, 666.80 feet; Thence S 14° 12' 59" E, 979.65 feet;
Thence S 28° 10' 21" E, 72.14 feet to the True Point
of Beginning; Thence continue along said West line, S
28° 10' 21" E, 50.00 feet to the North Right of Way
line of Missouri State Route 74 and there terminating.
The sideline of said easement being prolonged or
shortened to terminate at the North Right of Way line
of Missouri State Route 74.

TEMPORARY CONSTRUCTION EASEMENT

A Strip of Land 10.00 Feet Wide, Lying East of the
Following Described Line:

A Part of Outlot 55, U.S.P.S. No. 2199, Township 30 North, Range 13 East of the Fifth Principal Meridian, City and County of Cape Girardeau, State of Missouri Being More Particularly Described as Follow:

Commencing at a 1/2" Rebar (found) at the Southwest corner of Lot 6, Block No. 2, of Kenrick Subdivision as recorded in Plat Book 8, Page No. 21 of the land records of the County Recorder's Office; Thence S 06° 48' 17 W, 160.07 feet along the West line of said Subdivision to the Northwest corner of a tract of land recorded in Document No. 2017-12883; Thence S 14° 44' 56" E, 109.34 feet along said West line to the True Point of Beginning; Thence continue along said West line, S 14° 44' 56" E, 400.00 feet and there terminating.

ARTICLE 2. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



PERMANENT TRAIL MAINTENANCE & ACCESS EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS: **RANNEY PARK DEVELOPMENT, LLC, a Missouri Limited Liability Company**, of the County of Cape Girardeau in the State of Missouri, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt whereof is hereby acknowledged, does by these presents, grant, bargain, sell and convey to the **CITY OF CAPE GIRARDEAU**, Missouri, a Municipal Corporation of the State of Missouri, a permanent trail maintenance and access easement on, over and across the following described property, which is solely owned by the undersigned and located in the City and County of Cape Girardeau, State of Missouri, to wit:

A Strip of Land 10.00 Feet Wide, Lying East of the Following Described Line:

A Part of Outlot 54, U.S.P.S. No. 2199, Township 30 North, Range 13 East of the Fifth Principal Meridian, City and County of Cape Girardeau, State of Missouri Being More Particularly Described as Follows:

Commencing at a 1/2" Rebar (found) at the Southwest corner of Lot 6, Block No. 2, of Kenrick Subdivision as recorded in Plat Book 8, Page No. 21 of the land records of the County Recorder's Office; Thence S 06° 48' 17" W, 160.07 feet along the West line of said Subdivision to the Northwest corner of a tract of land recorded in Document No. 2017-12883; Thence along the West line of said tract the following, S 14° 44' 56" E, 666.80 feet; Thence S 14° 12' 59" E, 979.65 feet; Thence S 28° 10' 21" E, 72.14 feet to the True Point of Beginning;

Thence continue along said West line, S 28° 10' 21" E, 50.00 feet to the North Right of Way line of Missouri State Route 74 and there terminating.

The sideline of said easement being prolonged or shortened to terminate at the North Right of Way line of Missouri State Route 74.

Said right, privilege, permission and authority to enter in and upon said property above described is granted for the purpose of allowing access, excavation, construction, maintenance, repair, replacement, and operation of Trail Improvements on, over and across the above described property, and for the purpose of allowing the City of Cape Girardeau, its agents, servants or their assigns access to said property together with all of the useful, necessary, and proper adjuncts, appurtenances, and appliances in connection therewith.

Furthermore, said trail maintenance and access easement is perpetual and shall run with the land.

(Continued on following page)

The undersigned covenants that it is the owner in fee simple of the above described property and has the legal right to convey the same.

IN WITNESS WHEREOF, the undersigned has executed this easement on this 8th day of May, 2025.

RANNEY PARK DEVELOPMENT, LLC



Signature

Earl H. Norman, Manager

Printed Name and Title

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

On this 8th day of May, 2025, before me the undersigned notary public, personally appeared Earl H. Norman who did state they are the Manager for **RANNEY PARK DEVELOPMENT, LLC, a Missouri Limited Liability Company**, known by me to be the person described in and who executed the foregoing instrument, and acknowledged that they executed the same as the free act and deed of said Limited Liability Company for the purposes therein stated.

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

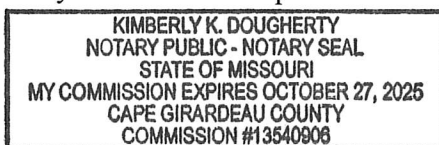


Signature of Notary Public

Kimberly K. Dougherty

Printed Name

My Commission Expires:



TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS: **RANNEY PARK DEVELOPMENT, LLC**, a Missouri Limited Liability Company, hereinafter referred to as "GRANTOR", and the **CITY OF CAPE GIRARDEAU, MISSOURI**, a Municipal Corporation of the County of Cape Girardeau, State of Missouri, herein referred to as GRANTEE:

WITNESSETH, that Grantors, in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, to be paid by Grantee, the receipt of which is hereby acknowledged, do by these presents, remise and convey unto Grantee the following **TEMPORARY CONSTRUCTION EASEMENT** on the property described as follows:

A Strip of Land 10.00 Feet Wide, Lying East of the Following Described Line:
A Part of Outlot 55, U.S.P.S. No. 2199, Township 30 North, Range 13 East of the Fifth Principal Meridian, City and County of Cape Girardeau, State of Missouri Being More Particularly Described as Follow:

Commencing at a 1/2" Rebar (found) at the Southwest corner of Lot 6, Block No. 2, of Kenrick Subdivision as recorded in Plat Book 8, Page No. 21 of the land records of the County Recorder's Office; Thence S 06° 48' 17 W, 160.07 feet along the West line of said Subdivision to the Northwest corner of a tract of land recorded in Document No. 2017-12883; Thence S 14° 44' 56" E, 109.34 feet along said West line to the True Point of Beginning;

Thence continue along said West line, S 14° 44' 56" E, 400.00 feet and there terminating.

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 to excavate, build, and construct certain Trail improvements, in, on, upon, or across said described property, together with all the useful, necessary and proper adjuncts, appurtenances, and appliances in connection therewith, as shown on the plans and specifications on file in the Office of the City Engineer. Said privilege is valid from the date this easement is accepted by the City Council through the date the improvements are accepted by the City Council or until December 31, 2028, whichever occurs first.

The undersigned covenants that it is the owner in fee simple of the above-described property and has the legal right to convey this easement.

Signature Page To Follow.

IN WITNESS WHEREOF, the undersigned has executed this easement this 8th day of May, 2025.


RANNEY PARK DEVELOPMENT, LLC

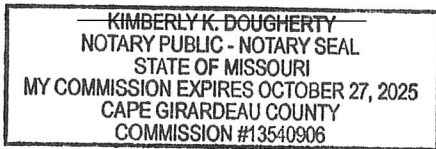
STATE OF MISSOURI)
) ss.
COUNTY OF CAPE GIRARDEAU)

BE IT REMEMBERED, that on this 8th day of May, 2025,
before me, the undersigned notary public, personally appeared
Earl H. Norman who did state that they are the
Manager for RANNEY PARK DEVELOPMENT, LLC, a
Missouri Limited Liability Company, who being by me duly sworn, did state that they are the owner
in fee of the above said property, has executed the within instrument as a free act and deed as
owner of said property and acknowledge that they have 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.

Kimberly K. Dougherty
Notary Public

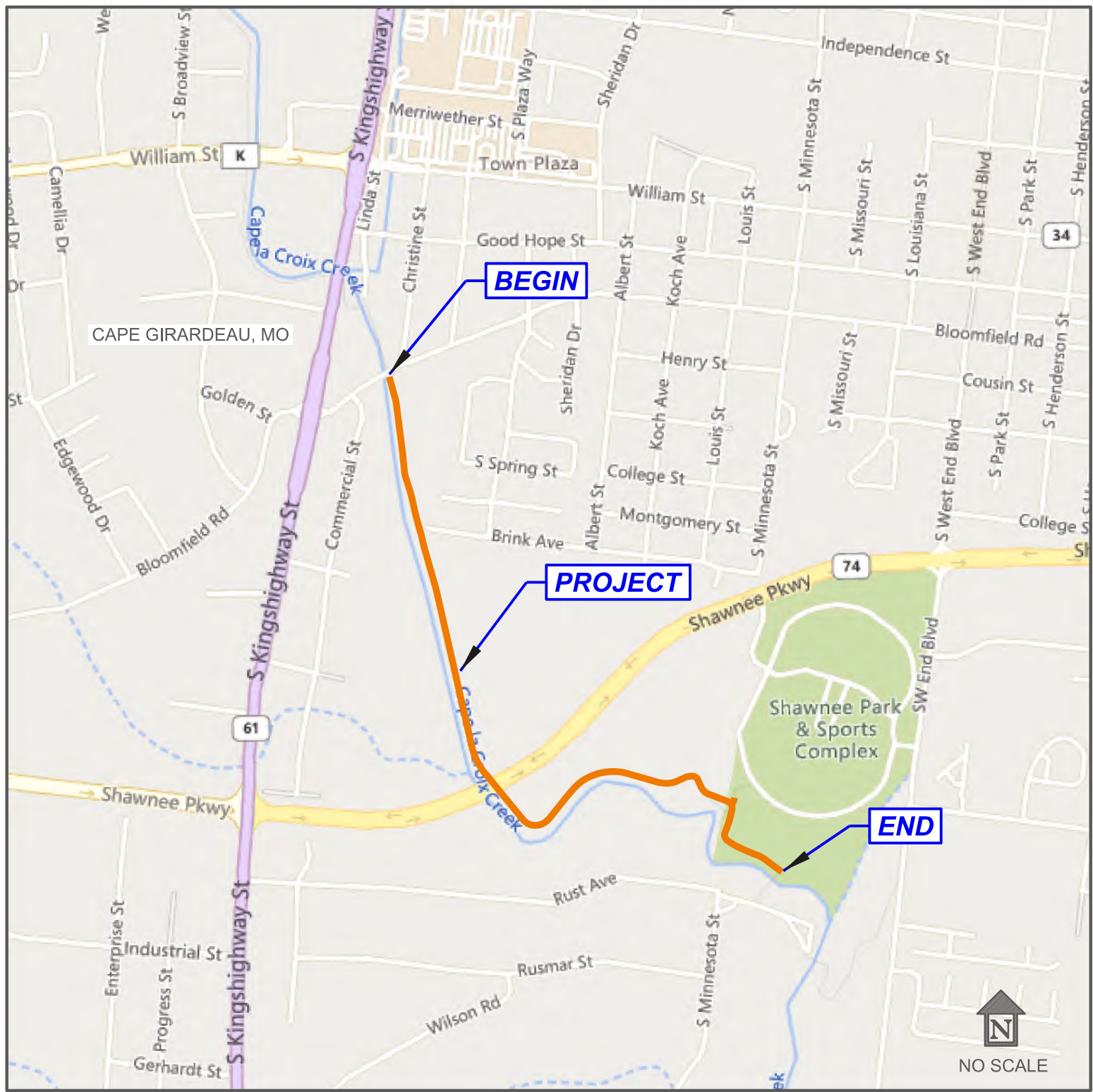
My Commission Expires:



EASEMENT PLANS FOR

CAPE LACROIX TRAIL ENHANCEMENTS

FROM BLOOMFIELD ROAD OVERPASS
TO SHAWNEE PARK SPORTS COMPLEX
FEDERAL PROJECT NO. TAP-9900(177)



LOCATION MAP

DESIGN DATA

- 1.) PROJECT LIMITS:
BEGIN RIGHT OF WAY PROJECT: 0+00.00
END RIGHT OF WAY PROJECT: 60+19.00
LENGTH OF TRAIL IMPROVEMENTS: 6,019 LIN. FT. (1.14 MILES)
- 2.) STANDARD REFERENCES:
A. MISSOURI STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, 2024 EDITION, EFFECTIVE DATE JANUARY 1, 2025 WITH APPLICABLE GENERAL PROVISIONS AND SUPPLEMENTAL SPECIFICATIONS, EXCEPT AS MODIFIED BY OR SUPERSEDED BY JOB SPECIAL PROVISIONS.
- B. 2024 MISSOURI STANDARD PLANS FOR HIGHWAY CONSTRUCTION, EFFECTIVE DATE JANUARY 1, 2025, EXCEPT AS MODIFIED BY OR SUPERSEDED BY JOB SPECIAL PROVISIONS.

PREPARED FOR:

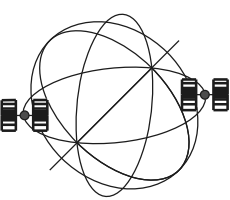
**CITY of CAPE
GIRARDEAU**

44 N. LORIMIER STREET
CAPE GIRARDEAU, MO 63701
(573) 339-6327

SHEET INDEX

SHEET NO.	SHEET TITLE
C1.1	OVERALL PROJECT MAP & GENERAL NOTES
C2.1	EASEMENT PLAN

PREPARED BY



Bowen
ENGINEERING & SURVEYING

2121 Megan Drive
Cape Girardeau, MO 63701
Ph 573 339 5900
Fax 573 339 1391
www.bowenengsurv.com

Consulting Engineers • Land Surveyors • Testing Laboratories

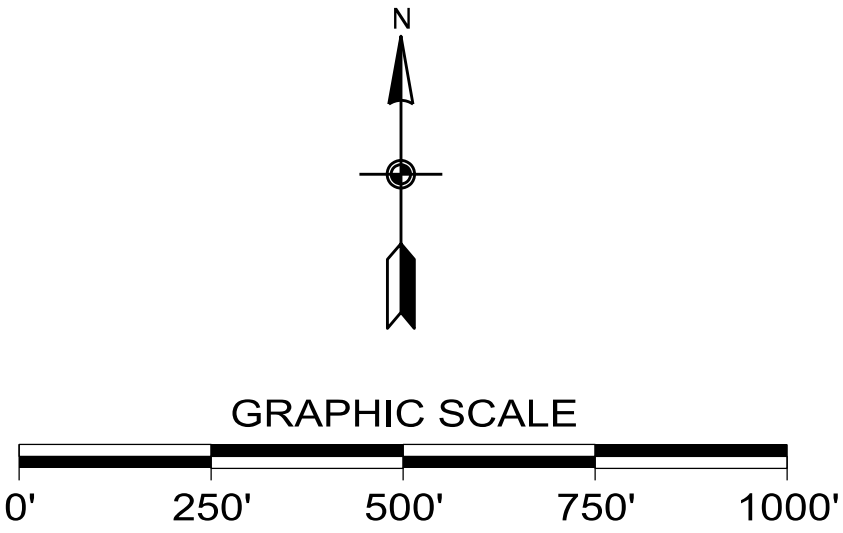
Bowen Engineering & Surveying, P.C.
Engineering Corporation - Missouri State Certificate of Authority #000383
Land Surveying Corporation - Missouri State Certificate of Authority #000166

APRIL 24, 2025

JOB NO.	E24-012
DATE	4/24/2025
FILE	E24012 - Easements.dgn
DWN BY	CMB



CHRISTOPHER M. BUERCK
PROFESSIONAL ENGINEER
MO PE-2002003142



CONTROL POINT INFORMATION

POINT	NORTHING	EASTING	ELEVATION	DESCRIPTION
CP1	531430.2703	1099017.6228	370.1624	SET 1/2" REBAR
CP2	531902.8191	1096434.1022	379.4710	SET 1/2" REBAR
CP3	534985.2058	1095923.8416	365.5708	SET 1/2" REBAR
CP4	532024.0531	1098380.8257	365.8401	SET 1/2" REBAR
CP5	532002.0854	1097968.2168	353.5450	SET 1/2" REBAR
CP6	532061.8558	1097577.8822	353.8422	SET 1/2" REBAR
CP7	531643.5485	1097113.8775	356.6348	SET 1/2" REBAR
CP8	532079.2254	1096708.3491	358.2406	SET 1/2" REBAR
CP9	533465.0645	1096384.6228	358.8936	SET 1/2" REBAR
CP10	534060.5917	1096194.7162	360.0712	SET 1/2" REBAR
CP11	534830.6260	1096093.6377	362.2780	SET 1/2" REBAR
TP1	531316.9181	1098911.0104	354.6655	SET 60D NAIL
TP2	531488.6136	1098681.8776	354.7631	SET 60D NAIL
TP3	531594.2040	1098532.4820	355.3333	SET 60D NAIL
TP4	531795.7398	1098564.8441	360.0588	SET 60D NAIL
TP6	532012.2910	1098274.4636	352.9151	SET 60D NAIL
TP7	531844.8583	1097307.2378	356.2179	SET 60D NAIL
TP8	531854.8737	1096921.4462	357.4625	SET 60D NAIL
TP10	532546.6068	1096575.4488	357.4560	SET 1/2" REBAR
TP11	532745.0018	1096531.8891	357.6907	SET 60D NAIL
TP12	533107.6622	1096449.5268	358.5389	SET 60D NAIL
TP13	534394.0363	1096134.5092	360.6022	SET 60D NAIL

FLOOD ZONE INFORMATION

BY GRAPHIC PLOTTING ONLY, PORTIONS OF THE PROJECT ARE LOCATED IN THE FOLLOWING SPECIAL FLOOD HAZARD AREAS:

ZONE AE - AREAS WITH BASE FLOOD ELEVATIONS DETERMINED.

ZONE AE (FLOODWAY) - AREAS WITH BASE FLOOD ELEVATIONS DETERMINED THAT ARE LOCATED WITHIN THE FLOODWAY OF A STREAM THAT MUST BE KEPT FREE OF ENCROACHMENT.

ZONE X - AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN ONE FOOT OR WITH DRAINAGE AREAS OF LESS THAN ONE SQUARE MILE.

THIS INFORMATION WAS OBTAINED FROM FLOOD INSURANCE RATE MAP NO. 29031C0266E, WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 29, 2011.

SURVEY NOTES

1.) HORIZONTAL PROJECT DATUM:
NORTH AMERICAN DATUM OF 1983 - NAD83(2011)

COORDINATE SYSTEM AND ZONE:
US STATE PLANE 1983, MISSOURI EAST (2401)

VERTICAL PROJECT DATUM:
NORTH AMERICAN VERTICAL DATUM OF 1988 - NAVD88 (GEOID18)

2.) THE HORIZONTAL AND VERTICAL DATUMS WERE ESTABLISHED WITH STATIC AND REAL TIME KINEMATIC GPS OBSERVATIONS.

2121 Megan Drive
Cape Girardeau, MO 63701
Phone: 573.339.1391
Fax: 573.339.1391
www.bowensurvey.com

Bowen
ENGINEERING & SURVEYING

Consulting Engineers • Land Surveyors • Testing Laboratories
Bowen Engineering & Surveying, P.C.
Engineering Corporation - Missouri State Certificate of Authority #003833
Land Surveying Corporation - Missouri State Certificate of Authority #00166

CAPE LACROIX TRAIL ENHANCEMENTS
FEDERAL PROJECT NO. TAP-9900(177)

PREPARED FOR:
CITY of CAPE GIRARDEAU
CITY OF CAPE GIRARDEAU
44 N. LORIMER STREET
CAPE GIRARDEAU, MO 63701

DESCRIPTION	DATE

This drawing and the details on it are the sole property of the Engineer and may be used for this specific project only. It shall not be loaned, copied or reproduced, in whole or in part, or for any other purpose or project without the written consent of the Engineer.

Copyright © 2025 by
Bowen Engineering & Surveying, P.C.

STATE OF MISSOURI
REGISTERED PROFESSIONAL ENGINEER
CHRISTOPHER M. BUERCK
NUMBER E-2002003142
04/24/25

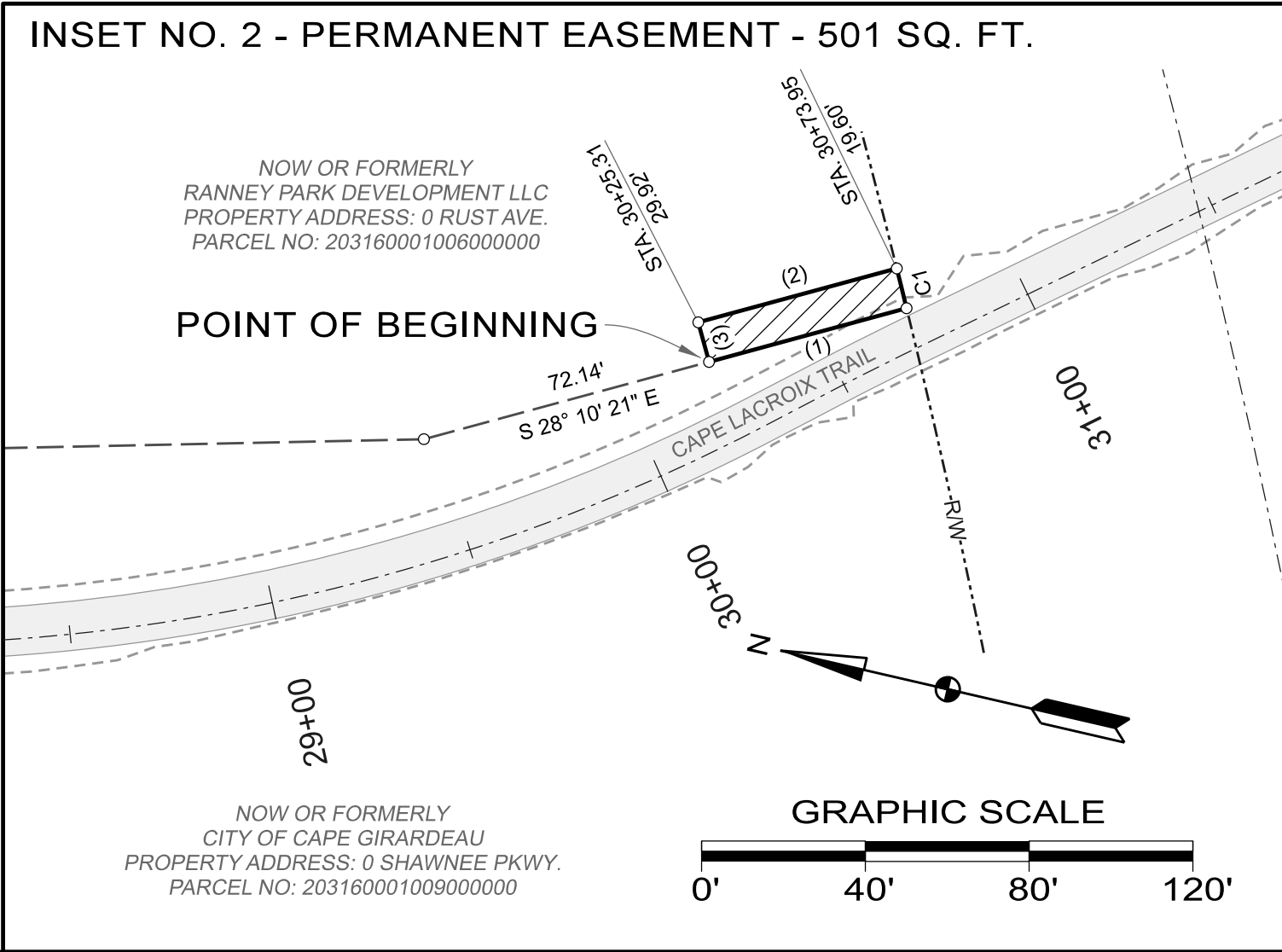
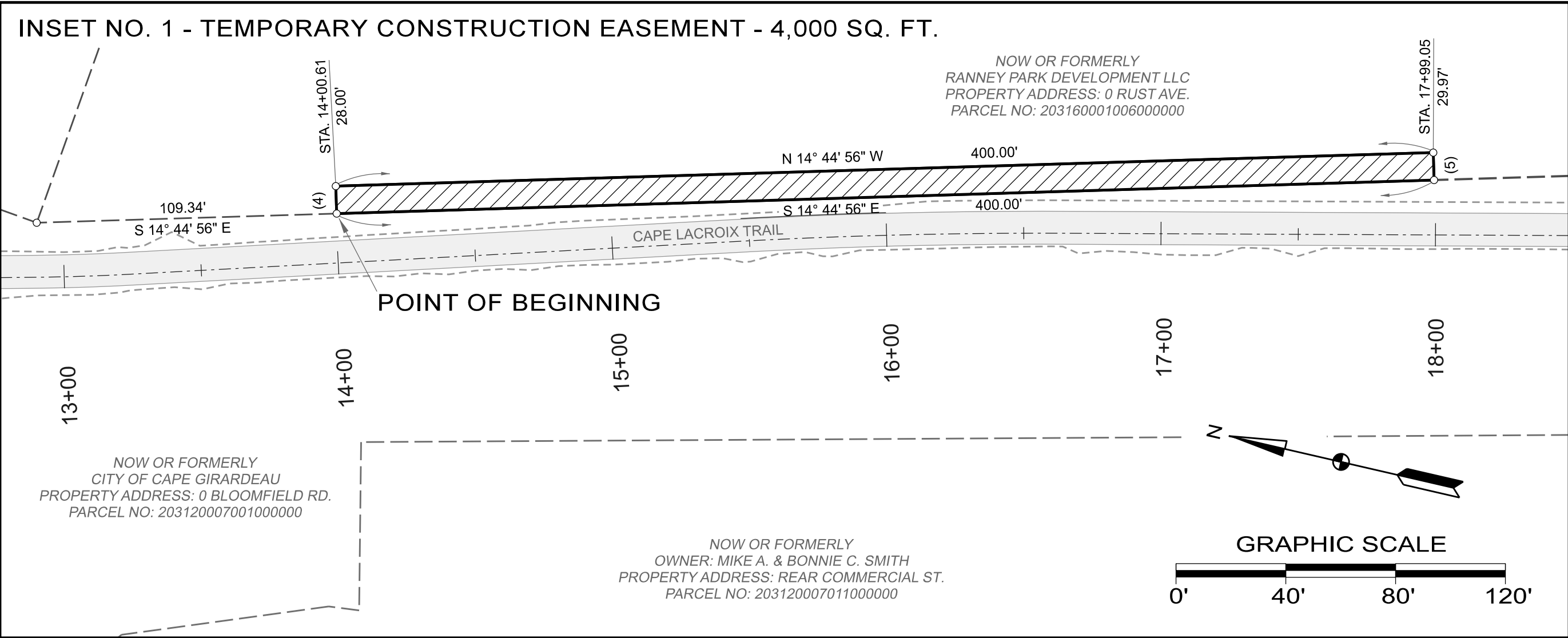
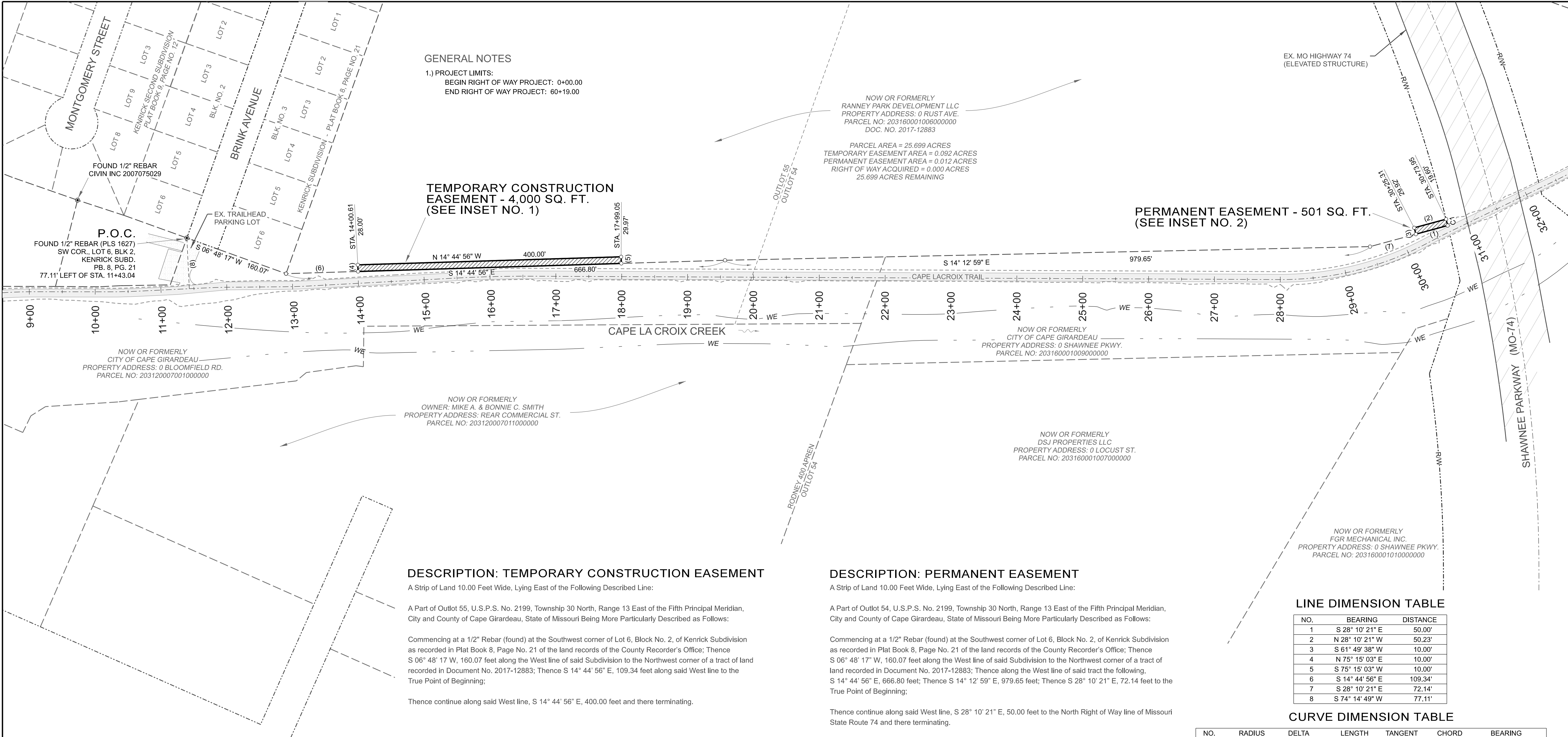
CHRISTOPHER M. BUERCK
PROFESSIONAL ENGINEER
MO PE-2002003142

The Professional Engineer's seal affixed to this sheet applies only to the material and items shown on this sheet. All drawings, instruments or other documents not exhibiting this seal shall not be considered prepared by this Engineer, and this Engineer expressly disclaims any and all responsibility for such plan, drawings or documents not exhibiting this seal.

JOB NO.	E24-012
DATE	4/24/2025
FILE	E24012...DGN
TBC	E24012
DWN BY	RWB
CKD BY	CMB
SCALE	1" = 250' (ANSI D)

OVERALL PROJECT
MAP &
GENERAL NOTES

SHEET NO.
C1.1



2121 Megan Drive
Cape Girardeau, MO 63701
Phone: 336.339.1391
Fax: 336.339.1391
www.bowensurvey.com

Bowen
ENGINEERING & SURVEYING

Consulting Engineers • Land Surveyors • Testing Laboratories

Bowen Engineering & Surveying, P.C.
Engineering Corporation - Missouri State Certificate of Authority #003033
Land Surveying Corporation - Missouri State Certificate of Authority #001066

CAPE LACROIX TRAIL ENHANCEMENTS
FEDERAL PROJECT NO. TAP-9900(177)

PREPARED FOR:
CITY of CAPE GIRARDEAU
CITY OF CAPE GIRARDEAU
44 N. LORIMER STREET
CAPE GIRARDEAU, MO 63701

DESCRIPTION	DATE

This drawing and the details on it are the sole property of the Engineer and may be used for this specific project only. It shall not be loaned, copied or reproduced, in whole or in part, or for any other purpose or project without the written consent of the Engineer.

Copyright © 2025 by
Bowen Engineering & Surveying, P.C.

STATE OF MISSOURI
REGISTERED PROFESSIONAL ENGINEER
CHRISTOPHER M. BUERCK
NUMBER
E-2002003142
04/24/25

CHRISTOPHER M. BUERCK
PROFESSIONAL ENGINEER
MO PE-2002003142

The Professional Engineer's seal affixed to this sheet applies only to the material and items shown on this sheet. All drawings, instruments or other documents not exhibiting this seal shall not be considered prepared by this Engineer, and this Engineer expressly disclaims any and all responsibility for such plan, drawings or documents not exhibiting this seal.

JOB NO.	E24-012
DATE	4/24/2025
FILE	E24012...DGN
TBC	E24012
DWN BY	RWB
CKD BY	CMB
SCALE	1" = 80'

EASEMENT
PLAN

SHEET NO.
C2.1

Staff: Lisa Mills, Finance Director
Agenda: June 16, 2025

AGENDA REPORT Cape Girardeau City Council	
---	--

SUBJECT

This ordinance adopts the operating budget for the fiscal year beginning July 1, 2025.

EXECUTIVE SUMMARY

The City Charter requires a public hearing regarding the proposed city budget be held each year before the budget is adopted. This hearing is scheduled for the June 2, 2025, City Council meeting.

BACKGROUND/DISCUSSION

All material items included in this proposed budget have previously been communicated. This budget proposes changes to the City's Fees as per the Fee Schedule included; details begin on page 275 of the budget.

This budget proposes increases to sewer, water and solid waste fees. A separate ordinance will be needed to approve these increases. The property tax levy will be adopted in August after a public hearing has been held.

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

Staff recommends approval of the ordinance to adopt the annual operating budget. Any desired changes to the budget should be specifically agreed to at this meeting or no later than the June 16, 2025 City Council meeting before the final readings of the budget ordinance.


BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

The 2025-2026 Proposed Operating Budget is on the City's web page at cityofcape.org/finance. It is

also available for review in the City Clerk's office.

ATTACHMENTS:

File Name	Description
 25-65_2025-2026_Operating_Budget.doc	Ordinance

BILL NO. 25-65

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE ANNUAL OPERATING
BUDGET FOR THE CITY OF CAPE GIRARDEAU,
MISSOURI, FOR THE FISCAL YEAR BEGINNING
JULY 1, 2025

WHEREAS, the City Manager has submitted a proposed budget to the City Council in accordance with Section 6.02 of the City Charter; and

WHEREAS, the proposed budget provides a complete financial plan of all City funds and activities for the fiscal year in accordance with Section 6.03 of the City Charter; and

WHEREAS, the City Council has held the required public hearing on the budget in accordance with Section 6.06 of the City Charter; and

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

ARTICLE 1. The City Council hereby adopts the annual operating budget for the fiscal year of July 1, 2025, to June 30, 2026. A copy of this document is on file in the office of the City Clerk.

ARTICLE 2. This ordinance shall be in full force and effect ten days after its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



Staff: Lisa Mills, Finance Director
Agenda: June 16, 2025

AGENDA REPORT Cape Girardeau City Council	
---	--

SUBJECT

An Ordinance establishing utility rates for the City of Cape Girardeau, Missouri, by amending Chapter 29 relating to sewer and water rates.

EXECUTIVE SUMMARY

This ordinance would approve water and sewer fee increases assumed in the proposed 2025-2026 City Budget.

BACKGROUND/DISCUSSION

The proposed 2025-2026 budget includes a 5% increase to the residential and commercial water rates effective for bills issued after July 1, 2025. Disconnect and reconnect fees charged by the City will increase to \$21.75 from \$20.75.

FINANCIAL IMPACT

The rate increases will allow the City to meet its rate covenants for bonds previously issued by the sewer and water funds and support the operating needs of the sewer and water funds.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS


STAFF RECOMMENDATION

Staff recommends approval of this ordinance.

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
 25-66_Utility_Rates2025-26_plus29-253.docx	Ordinance

BILL NO. 25-66

ORDINANCE NO. _____

AN ORDINANCE ESTABLISHING UTILITY RATES FOR
THE CITY OF CAPE GIRARDEAU, MISSOURI, BY
AMENDING CHAPTER 29 RELATING TO SEWER AND
WATER RATES

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

ARTICLE 1. Section 29-121 of the Code of Ordinances of the
City of Cape Girardeau, Missouri, reading as follows:

Sec. 29-121. - Sewer service charges.

(a) Levied. There is hereby levied on each sewage system user having any sewer connection with the sewage system of the city or otherwise discharging sewage, industrial waste, or other liquids, either directly or indirectly into the city's sewage system, a sewage service charge. Subject to the exceptions provided in this chapter, such charge shall be based upon the quantity of water used in or on the premises as the same is measured by a water or sewage meter or meters approved by the city. Additional charges for extra strength sewage, toxic pollutants, and wastewater monitoring will be levied where applicable.

(b) Basic sewer service charge. Each user of the sewage system of the city shall pay for the use of such system based on the following schedule of rates:

	User Charge Portion	Capital Charge Portion	Total
Service Charge:	\$3.95 monthly bill	\$10.53 monthly bill	\$14.48 monthly bill
Quantity Charge: All Volume	\$3.07/Ccf	\$0.49/Ccf	\$3.56/Ccf

(1) Quantity charges for residential users shall be based on the average monthly water usage during the immediate preceding months of January, February and March. When a residential user does not have a history of water usage for the immediate preceding January, February and March or when a residence is not properly metered, the quantity charge shall be computed on the basis of average water usage for the entire residential class. Charges for commercial and industrial users shall be based on one hundred (100) percent of the monthly metered water used except as otherwise provided in section 29-122.

(2) Beginning July 1, 2024, temporary construction users of the sewage system of the city shall pay for the use of such system based on the following schedule of rates:

	User Charge Portion	Capital Charge Portion	Total
Service Charge:	\$3.95 monthly bill	\$10.53 monthly bill	\$14.48 monthly bill

(c) Extra strength charge. Wastewater discharged to the sewage system from commercial or industrial users shall be subject to an extra strength charge when the BOD or suspended solids concentration exceeds three hundred (300) milligrams per liter (mg/l) by weight. All analyses shall be performed on composite samples collected at no less than hourly intervals over a twenty-four (24) hour period. Extra strength charges shall be calculated based on one hundred (100) percent of metered water use, except as otherwise provided in section 29-31, in accordance with the following formula:

$$S = V_s \times 0.00727 \times [\$0.132 \text{ (BOD - 300)} + \$0.107 \text{ (SS - 300)}]$$

Where:

S	=	Surcharge in dollars monthly.
Vs	=	Sewage volume in one hundred (100) cubic feet per month.
0.00727	=	Conversion factor for one hundred (100) cubic feet to million pounds.
\$0.126	=	Unit charge for BOD in dollars per pound; of which \$0.128 represents the user charge portion and \$0.004 represents capital charges.
BOD	=	BOD strength index in mg/l by weight.
300	=	Allowed BOD and suspended solids strengths in mg/l by weight.
\$0.107	=	Unit charge for suspended solids in dollars per pound; of which \$0.105 represents the user charge portion and \$0.002 represents capital charges.
SS	=	Suspended solids strength index in mg/l by weight.

(d) Monitoring charge. When regulations as set forth by federal, state and city require monitoring of the waste from a commercial or industrial user whether for strength calculations or for national pollutant discharge elimination system compliance, that user shall pay a monitoring charge. The monitoring charge shall consist of all costs for personnel, material and equipment used to collect and analyze samples from the

user's sewage. The exact charge shall be based on actual costs and shall be determined by the city.

(e) Toxic pollutant charge. Any user which discharges any toxic pollutants which cause an increase in the cost of managing effluent or sludge from the city's treatment system shall pay for such increased costs.

is hereby repealed in its entirety, and a new Section 29-121 is hereby enacted in lieu thereof, in words and figures, to read as follows:

Sec. 29-121. - Sewer service charges.

(a) Levied. There is hereby levied on each sewage system user having any sewer connection with the sewage system of the city or otherwise discharging sewage, industrial waste, or other liquids, either directly or indirectly into the city's sewage system, a sewage service charge. Subject to the exceptions provided in this chapter, such charge shall be based upon the quantity of water used in or on the premises as the same is measured by a water or sewage meter or meters approved by the city. Additional charges for extra strength sewage, toxic pollutants, and wastewater monitoring will be levied where applicable.

(b) Basic sewer service charge. Each user of the sewage system of the city shall pay for the use of such system based on the following schedule of rates:

	User Charge Portion	Capital Charge Portion	Total
Service Charge:	\$4.15 monthly bill	\$11.06 monthly bill	\$15.21 monthly bill
Quantity Charge: All Volume	\$3.22/Ccf	\$0.51/Ccf	\$3.73/Ccf

(1) Quantity charges for residential users shall be based on the average monthly water usage during the immediate preceding months of January, February and March. When a residential user does not have a history of water usage for the immediate preceding January, February and March or when a residence is not properly metered, the quantity charge shall be computed on the basis of average water usage for the entire residential class. Charges for commercial and industrial users shall be based on one hundred (100) percent of the monthly metered water used except as otherwise provided in section 29-122.

(2) Beginning July 1, 2025, temporary construction users of the sewage system of the city shall pay for the use of such system based on the following schedule of rates:

	User Charge Portion	Capital Charge Portion	Total
Service Charge:	\$4.15 monthly bill	\$11.06 monthly bill	\$15.21 monthly bill

(c) Extra strength charge. Wastewater discharged to the sewage system from commercial or industrial users shall be subject to an extra strength charge when the BOD or suspended solids concentration exceeds three hundred (300) milligrams per liter (mg/l) by weight. All analyses shall be performed on composite samples collected at no less than hourly intervals over a twenty-four (24) hour period. Extra strength charges shall be calculated based on one hundred (100) percent of metered water use, except as otherwise provided in section 29-122, in accordance with the following formula:

$$S = V_s \times 0.00763 \times [\$0.138 (\text{BOD} - 300) + \$0.112 (\text{SS} - 300)]$$

Where:

S	=	Surcharge in dollars monthly.
Vs	=	Sewage volume in one hundred (100) cubic feet per month.
0.00763	=	Conversion factor for one hundred (100) cubic feet to million pounds.
\$0.138	=	Unit charge for BOD in dollars per pound; of which \$0.134 represents the user charge portion and \$0.004 represents capital charges.
BOD	=	BOD strength index in mg/l by weight.
300	=	Allowed BOD and suspended solids strengths in mg/l by weight.
\$0.112	=	Unit charge for suspended solids in dollars per pound; of which \$0.110 represents the user charge portion and \$0.002 represents capital charges.
SS	=	Suspended solids strength index in mg/l by weight.

(d) Monitoring charge. When regulations as set forth by federal, state and city require monitoring of the waste from a commercial or industrial user whether for strength calculations or for national pollutant discharge elimination system compliance, that user shall pay a monitoring charge. The monitoring charge shall consist of all costs for personnel, material and equipment used to collect and analyze samples from the

user's sewage. The exact charge shall be based on actual costs and shall be determined by the city.

(e) Toxic pollutant charge. Any user which discharges any toxic pollutants which cause an increase in the cost of managing effluent or sludge from the city's treatment system shall pay for such increased costs.

ARTICLE 2. Section 29-213 of the Code of Ordinances of the City of Cape Girardeau, Missouri, reading as follows:

Sec. 29-213. Rates.

(a) *General water service.*

Availability. This rate schedule is available to any metered customer adjacent to the city's water distribution mains, using standard water service.

Rate. The monthly rate for service delivered hereunder shall be the total of:

(1) A customer charge per month for each meter as follows:

Meter Size(s) (inches)	Monthly Customer Charge (per meter)
5/8	\$10.37
3/4	15.99
1	21.58
1 1/2	40.39
2	61.72
3	115.62
4	190.81
6	398.93

plus;

(2) A commodity charge of:

	Bills Rendered Before July 1, 2024
--	---------------------------------------

First 60 CCF used per month--\$3.001 per CCF.

All over 60 CCF used per month--\$2.312 per CCF.

	Bills Rendered After July 1, 2024
--	--------------------------------------

First 60 CCF used per month--\$3.151 per CCF.

All over 60 CCF used per month--\$2.428 per CCF.

(b) *Private fire protection service.*

Availability. This rate schedule is available to customers adjacent to adequate water distribution mains for private fire protection service.

Rate. Private fire protection service rates for all types of private fire protection systems are based on the size of connection of customer's private fire protection service to city's distribution main and shall be charged for as follows:

Size of Connection	Rate Per Connection Effective July 1, 2024
4 inch or smaller	\$13.20 per month
6 inch	\$26.44 per month
8 inch	\$39.71 per month

(c) *Industrial water service.*

Availability. This rate schedule is available for industrial use only, when separated from standard water service, to any customer adjacent to the department's water mains in The Greater Cape Girardeau Development Corporation Industrial Tract.

Rate. The monthly rate for service delivered hereunder shall be the total of:

- (1) A customer charge per month for each meter as follows:

Meter Size(s) (inches)	Monthly Customer Charge (per meter)
5/8 or $\frac{3}{4}$	\$ 10.05
1	\$ 20.96
1 $\frac{1}{2}$	\$ 39.23
2	\$ 61.11
3	\$112.32
4	\$185.20
6	\$387.31

plus;

- (2) A commodity charge of \$0.1944 per CCF for all water used during the billing month.

is hereby repealed in its entirety, and a new Section 29-213 is hereby enacted in lieu thereof, in words and figures, to read as follows:

Sec. 29-213. Rates.

(a) *General water service.*

Availability. This rate schedule is available to any metered customer adjacent to the city's water distribution mains, using standard water service.

Rate. The monthly rate for service delivered hereunder shall be the total of:

(1) A customer charge per month for each meter as follows:

Meter Size(s) (inches)	Monthly Customer Charge (per meter)
5/8	\$ 10.89
$\frac{3}{4}$	\$ 16.79
1	\$ 22.66
1 $\frac{1}{2}$	\$ 42.41
2	\$ 64.81
3	\$121.40
4	\$200.35
6	\$418.88

plus;

(2) A commodity charge of:

	Bills Rendered Before July 1, 2025
--	---------------------------------------

First 60 CCF used per month--\$3.151 per CCF.

All over 60 CCF used per month--\$2.428 per CCF.

	Bills Rendered After July 1, 2025
--	--------------------------------------

First 60 CCF used per month--\$3.309 per CCF.

All over 60 CCF used per month--\$2.549 per CCF.

(b) *Private fire protection service.*

Availability. This rate schedule is available to customers adjacent to adequate water distribution mains for private fire protection service.

Rate. Private fire protection service rates for all types of private fire protection systems are based on the size of connection of customer's private fire protection service to city's distribution main and shall be charged for as follows:

Size of Connection	Rate Per Connection Effective July 1, 2025
4 inch or smaller	\$ 13.86 per month
6 inch	\$ 27.76 per month
8 inch	\$ 41.70 per month

(c) *Industrial water service.*

Availability. This rate schedule is available for industrial use only, when separated from standard water service, to any customer adjacent to the department's water mains in The Greater Cape Girardeau Development Corporation Industrial Tract.

Rate. The monthly rate for service delivered hereunder shall be the total of:

(1) A customer charge per month for each meter as follows:

Meter Size(s) (inches)	Monthly Customer Charge (per meter)
5/8 or ¾	\$ 10.55
1	\$ 22.01
1 ½	\$ 41.19
2	\$ 64.17
3	\$117.94
4	\$194.46
6	\$406.68

plus;

- (2) A commodity charge of \$0.2041 per CCF for all water used during the billing month.

ARTICLE 3. Section 29-253(b), entitled "Use Charges" of the Code of Ordinances of the City of Cape Girardeau, Missouri, reading as follows:

(b) Use charges.

- (1) The charges for usage of water from hydrants shall be established in the city fee schedule established by city manager.

- (2) Following turn off of the fire hydrant and payment of all applicable charges, and upon inspection of the fire hydrant and meter, and finding them in good condition, remainder of deposit will be returned.

is hereby repealed in its entirety, and a new Section 29-253(b) is hereby enacted in lieu thereof, in words and figures, to read as follows:

(b) Use charges.

- (1) The charges for usage of water from hydrants shall be established in the city fee schedule established by city manager.

(2) Following turn off of the fire hydrant and payment of all applicable charges, and upon inspection of the fire hydrant, meter, and assembly and finding them in good working condition, remainder of deposit will be returned. The deposit or portion of the deposit shall be retained by the city to cover any cost of damages to the unit, or non-return of the unit.

ARTICLE 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

ARTICLE 5. It is the intention of the governing body and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Cape Girardeau, Missouri, and the sections of this Code may be renumbered to accomplish such intention.

ARTICLE 6. This ordinance shall be in full force and effect ten days after its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



Staff: Ryan Shrimplin, AICP - City Planner
Agenda: June 16, 2025

AGENDA REPORT Cape Girardeau City Council	
---	--

SUBJECT

A Resolution authorizing the City Manager to execute a Demolition Contract with Strack Excavating, L.L.C., for the demolition of a building located at 4221 John E. Godwin Jr. Memorial Drive, in the City of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

The attached resolution authorizes the City Manager to execute a contract for the demolition of an aircraft hangar at the Cape Girardeau Regional Airport.

BACKGROUND/DISCUSSION

The City recently solicited bids for the demolition of an aircraft hangar at the Cape Girardeau Regional Airport. Four bids were received, ranging from \$6,218.86 to \$19,450.00. SEMO Underbrushing was the lowest bidder. On May 5, 2025, the City Council passed a resolution authorizing the City Manager to execute a demolition contract with SEMO Underbrushing. SEMO Underbrushing has failed to meet the requirements specified in the contract. Therefore, a new contract has been prepared with the second lowest bidder, Strack Excavating, L.L.C. The demolition contract is attached, along with the bid tabulation.

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

Staff recommends approval of the resolution authorizing the City Manager to execute the demolition contract.

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
 25-68_Demolition_Contract_Strack_Airport_4221.doc	Resolution
Demolition_Contract_-  _4221_John_E_Godwin_Jr_Memorial_Dr_- _Strack_Excavating_LLC.pdf	Demolition Contract - 4221 John E. Godwin Jr. Memorial Drive
 Bid_Tabulation.pdf	Bid Tabulation

BILL NO. 25-68

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A DEMOLITION CONTRACT WITH STRACK EXCAVATING, L.L.C., FOR THE DEMOLITION OF A BUILDING LOCATED AT 4221 JOHN E. GODWIN JR. MEMORIAL DRIVE, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

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

ARTICLE 1. Resolution No. 3663 previously adopted on May 5, 2025, is hereby repealed and rescinded in its entirety inasmuch as the contractor, SEMO Underbrushing, was unable to comply with all of the terms of the Demolition Contract for which the City Manager was authorized to execute.

ARTICLE 2. The City Manager, for and on behalf of the City of Cape Girardeau, Missouri, is hereby authorized to execute a Demolition Contract with Strack Excavating, L.L.C., for the demolition of a building located at 4221 John E. Godwin Jr. Memorial Drive, in the City of Cape Girardeau, Missouri. The Contract shall be in substantially the form attached hereto, which document is hereby approved by the City Council, and incorporated herein by reference, with such changes or amendments as shall be approved by the officers of the City executing the same. The officers, agents, and employees of the City are hereby authorized to execute all documents and take steps as they deem necessary and advisable to carry out and perform the purpose of this Resolution.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



DEMOLITION CONTRACT

THIS DEMOLITION CONTRACT, hereinafter referred to as this "Contract", is entered into this ____ day of _____, 2025, by and between the CITY OF CAPE GIRARDEAU, MISSOURI, a municipal corporation and political subdivision organized and existing under the laws of the State of Missouri, hereinafter referred to as the "City", and STRACK EXCAVATING, L.L.C., a Missouri Limited Liability Company, having its principal office and place of business at 2907 Boutin Drive, Cape Girardeau, Missouri 63701, hereinafter referred to as the "Contractor". The City and the Contractor collectively are hereinafter referred to as the "Parties".

IN CONSIDERATION OF the mutual covenants contained herein and other good and valuable consideration, the Parties agree as follows:

1. The Contractor shall perform all of the below-described work on the following property, located in the City of Cape Girardeau, Scott County, Missouri, hereinafter referred to as the "Property":

4221 John E. Godwin Jr. Memorial Drive

Scope of Work:

1. Remove all asbestos-containing materials (ACMs) in accordance with Missouri Department of Natural Resources regulations.
 2. Completely demolish and remove one-story, three-part aircraft hangar, sheds, and electrical disconnect equipment and structure.
 3. Remove all foundations, footings, slabs, steps, and walkways within the building footprint.
 4. Remove, and properly and legally dispose of, all rubbish and debris from site.
 5. All work shall be in compliance with the requirements set forth in FAA Advisory Circular 150/5370-2, "Operational Safety on Airports During Construction."
2. The Contractor shall be responsible for ensuring that all utilities are properly disconnected prior to demolition. This includes demonstrating to the Inspection Services Division that any private sanitary sewer lines existing on the Property are not shared with/do not serve other properties. If shared lines or lines serving other properties are found, then the contractor must notify the Inspection Services Division right away and suspend work until authorized to proceed.
3. All rubbish and debris shall be removed from the Property and properly and legally disposed.
4. The Contractor shall be responsible for any damage to the sidewalks, alleys, or streets adjoining the Property. The Contractor shall take all necessary care to protect the nearby buildings, drives, motor vehicles, and all adjoining properties, and shall leave the same in a condition equal to that which now exists.
5. The Contractor shall provide all labor and materials, and furnish and direct, at its own expense, whatever equipment or work that may be necessary for the expeditious and proper execution of its duties under this Contract.
6. The Contractor shall secure, at its own expense, all permits, licenses, and consents required by law or necessary to perform the work and shall give all notices and pay all fees and otherwise comply with all applicable federal, state, and local laws, ordinances, rules, and regulations.
7. Prior to commencing the work, the Contractor shall furnish to the City a certified check or surety bond satisfactory to the City, in the amount of Fifteen Thousand One Hundred Ninety-Five Dollars (\$15,195.00), conditioned on the performance by the Contractor of all its duties hereunder.
8. Prior to commencing the work, the Contractor shall file with the City a certificate of insurance naming the City as coinsured and showing that the Contractor has in force, for a period equal to the entire term of this

Contract, a policy of comprehensive general and professional liability insurance insuring the Contractor against liability for personal injuries and property damage arising out of the work performed under this Contract, in a minimum amount of Five Hundred Seventeen Thousand Three Hundred Six Dollars (\$517,306.00) for injuries to any one (1) person, Three Million Four Hundred Forty-Eight Thousand Seven Hundred Ten Dollars (\$3,448,710.00) for injuries arising from any one (1) accident, and Three Million Four Hundred Forty-Eight Thousand Seven Hundred Ten Dollars (\$3,448,710.00) for property damage arising from any one (1) accident. If the State of Missouri raises the liability limits for municipalities, then the contractor shall increase its insurance to an amount equal to those increased liability limits. Furthermore, the Contractor shall provide and maintain, during the entire term of this Contract and until final acceptance of the work by the City, workers compensation insurance for all of its employees at the site of the work, in full compliance with federal and state requirements.

9. Prior to commencing the work, the Contractor shall participate in a pre-demolition meeting with the Inspection Services Division.
10. The Contractor shall complete the work herein described no later than forty-five (45) days after the date of this Contract. In the event that the work is not completed by the forty-five (45) day deadline, excepting extensions granted to the Contractor for delays caused by circumstances beyond their control, the Contractor shall pay to the City damages in the sum of Fifty Dollars (\$50.00) per day for each day over the forty-five (45) day deadline.
11. Upon satisfactory performance by the Contractor of its duties under this Contract, the submission of an invoice and lien waivers, and acceptance of the work by the City, the City shall pay the Contractor the sum of Fifteen Thousand One Hundred Ninety-Five Dollars (\$15,195.00).
12. Should the Contractor at any time refuse or neglect to supply adequate materials or equipment, or a sufficient number of properly skilled workers, or fail in any respect to prosecute the work with promptness and diligence, or fail to comply with the terms of this Contract, the City may, at its election, immediately terminate this Contract, giving notice to the Contractor in writing of such election, and enter upon the Property and take possession of the same for the purpose of completing the work covered under this Contract, and may employ any other person or persons to finish the work and to provide the materials therefor at the expense of the Contractor.
13. By executing this Contract, the Contractor hereby indemnifies the City from all claims, demands, suits, and actions of every name and description brought against the City for, or on account of, any injuries or damages received or sustained by any parties by, or as a result of, the acts or omissions of the Contractor, their servants or agents, in doing the work herein described, or by, or as a result of, any negligence in guarding the same, or on account of any improper equipment or materials utilized in performing the work.
14. By executing this Contract, the Contractor hereby certifies that it is in compliance with all applicable OSHA training requirements.
15. The Contractor shall not assign or sublet this Contract or any portion thereof without the prior written consent of the City, nor shall the Contractor allow any person who is not an employee of the Contractor to perform any of the work herein described.
16. Failure of the City to insist in any one (1) or more instances on a strict performance of all of the terms or conditions of this Contract, or to exercise any right herein contained, shall not be construed as a future waiver or relinquishment of the provisions or rights, but the same shall continue and remain in full force and effect. None of the terms or conditions of this Contract shall be altered, waived, modified, or abandoned in any manner except by written instrument executed by the Parties.

(Signatures on the following page)

IN WITNESS WHEREOF, the Parties have executed this Contract as of the above date.

CITY OF CAPE GIRARDEAU, MISSOURI

Dr. Kenneth Haskin, City Manager

ATTEST:

City Clerk

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

BE IT REMEMBERED, that on this _____ day of _____, 2025, before me, the undersigned notary public, personally appeared Dr. Kenneth Haskin, City Manager of the City of Cape Girardeau, Missouri, a municipal corporation and political subdivision organized and existing under the laws of the State of Missouri, to me known 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 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:

STRACK EXCAVATING, L.L.C.

Jo Wayne Strack a.k.a. J.W. Strack, Manager

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

BE IT REMEMBERED, that on this _____ day of _____, 2025, before me, the undersigned notary public, personally appeared Jo Wayne Strack a.k.a. J.W. Strack, Manager of Strack Excavating, L.L.C., a Missouri Limited Liability Company, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as the free act and deed of said Limited Liability Company.

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:

City of Cape Girardeau
Demolition Bid Opening – April 8, 2025
Tabulation of Bids

Contractor	4221 Godwin Drive Airport Hangar	1424 William Street
Strack Excavating, LLC	15,195.00	16,000.00
SEMO Underbrushing	6,218.86	--
Herzog Excavating & Demolition, LLC	19,450.00	20,200.00
JAC3 Contracting	17,500.00	19,500.00



Staff: Ryan Shrimplin, AICP - City Planner
Agenda: June 16, 2025

AGENDA REPORT Cape Girardeau City Council	
---	--

SUBJECT

An Ordinance granting a special use permit to Big River Communications/Circle Fiber for the purposes of placing, using, and maintaining a shipping container on property located at 24 South Minnesota Avenue, in the City of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

The attached ordinance grants a special use permit for the long-term use of a shipping container at 24 South Minnesota Avenue. A public hearing on the special use permit request was held on June 16, 2025.

BACKGROUND/DISCUSSION

A special use permit application has been submitted for the property at 24 South Minnesota Avenue, zoned M-1 (Light Manufacturing/Industrial). The property contains an office building and equipment/materials storage yard for a telecommunications company. The applicant is requesting approval for the long-term use of a shipping container as an accessory use. A special use permit is required for the long-term (defined as more than 12 consecutive months) use of a shipping container in the M-1 district. Refer to the application for more information about the proposed use.

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

Section 30-68 - M-1, Light Manufacturing/Industrial District

Section 30-104 - Special Use Permits

Section 30-105 - Shipping Containers

The attached ordinance grants a special use permit for the shipping container. A public hearing on the special use permit request was held on June 16, 2025.

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

See the attached staff report for analysis.

STAFF RECOMMENDATION

The staff report to the Planning & Zoning Commission recommended approval of the special use permit request, subject to several conditions. See the attached staff report for more information.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission held a public hearing at its May 14, 2025 meeting and recommended approval of the special use permit request, subject to the conditions in the staff report, with a vote of 7 in favor, 0 in opposition, and 0 abstaining.

PUBLIC OUTREACH

The City Council's public hearing was advertised in the Southeast Missourian on May 31, 2025. 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:

File Name	Description
❏ 25-69_SUP_24_S_Minnesota_Shipping_Container.doc	Ordinance
❏ Staff_Review-Referral-Action_Form.pdf	24 South Minnesota Avenue - Staff RRA Form
❏ Staff_Report_P_Z_SUP_24_South_Minnesota_Avenue.pdf	24 South Minnesota Avenue - Staff Report
❏ Map_-_24_South_Minnesota_SUP_-_Zoning.pdf	24 South Minnesota Avenue - Zoning Map
❏ Map_-_24_South_Minnesota_SUP_-_FLU.pdf	24 South Minnesota Avenue - FLU Map
❏ Application_-_24_S_Minnesota_SUP.pdf	24 South Minnesota Avenue - Application
❏ Sec._30-68._-_M-1_Light_Manufacturing_Industrial_District.pdf	Sec. 30-68 - M-1, Light Manufacturing/Industrial District
❏ Sec._30-104._-_Special_Use_Permits.pdf	Sec. 30-104 - Special Use Permits
❏ Sec._30-105._-_Shipping_Containers.pdf	Sec. 30-105 - Shipping Containers

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO
BIG RIVER COMMUNICATIONS/CIRCLE FIBER FOR THE
PURPOSES OF PLACING, USING, AND MAINTAINING A
SHIPPING CONTAINER ON PROPERTY LOCATED AT 24
SOUTH MINNESOTA AVENUE, IN THE CITY OF CAPE
GIRARDEAU, MISSOURI

WHEREAS, Big River Telephone Company, LLC is the owner of certain property on which Big River Communications/Circle Fiber desires to place, use, and maintain a shipping container for an indefinite period of time, said property being located at 24 South Minnesota Avenue in the City and County of Cape Girardeau, Missouri; and

WHEREAS, said property is presently zoned M-1, Light Manufacturing/Industrial; and

WHEREAS, a Special Use Permit is required for the long-term use of a shipping container in the M-1, Light Manufacturing/Industrial 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 placing, using, and maintaining a shipping container for an indefinite period of time at 24 South Minnesota Avenue, in the City and County of Cape Girardeau, Missouri, located on the following described property:

A PARCEL OF LAND BEING PART OF BLOCK NUMBERED EIGHT (8) OF WEST END PLACE ADDITION, A SUBDIVISION RECORDED IN PLAT BOOK #2, AT PAGE #8 OF THE COUNTY LAND RECORDS, AND PART OF LOT NUMBERED ONE (1) OF THORNGATE SUBDIVISION, A SUBDIVISION RECORDED IN PLAT BOOK #25, AT PAGE #35 OF THE COUNTY LAND RECORDS, ALL IN U.S.P. SURVEY #2199, TOWNSHIP 30 NORTH, RANGE 14 EAST OF THE

FIFTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF
CAPE GIRARDEAU, MISSOURI, SAID PARCEL BEING MORE
PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a Cut Cross at the Northwest Corner of
Document #2008-09058 of the Land Records of Cape
Girardeau County, Missouri; thence S 82° 19' 35" E, a
distance of 198.64 feet to a 1/2" Iron Rod; thence S
07° 33' 08" W, a distance of 373.00 feet to a 1/2"
Iron Rod; thence Southwesterly, along a Non-Tangential
Curve to the Right, having a Radius of 2,347.11 feet,
a Length of 196.22 feet (Chord bears S 88° 33' 43" W,
a distance of 196.16 feet) to a 1/2" Iron Rod on the
East Right-of-Way Line of South Minnesota Avenue;
thence N 06° 51' 33" E, along said Right-of-Way, a
distance of 404.10 feet to the POINT OF BEGINNING.
Containing 1.757 acres, more or less, in Cape
Girardeau, Missouri, dated February of 2025.

is hereby granted to Big River Communications/Circle Fiber, 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 _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



SPECIAL USE PERMIT

Big River Communications/Circle Fiber is hereby granted a Special Use Permit for the purposes of placing, using, and maintaining a shipping container at 24 South Minnesota Avenue in the City and County of Cape Girardeau, Missouri, on the following described property for an indefinite period of time:

A PARCEL OF LAND BEING PART OF BLOCK NUMBERED EIGHT (8) OF WEST END PLACE ADDITION, A SUBDIVISION RECORDED IN PLAT BOOK #2, AT PAGE #8 OF THE COUNTY LAND RECORDS, AND PART OF LOT NUMBERED ONE (1) OF THORNGATE SUBDIVISION, A SUBDIVISION RECORDED IN PLAT BOOK #25, AT PAGE #35 OF THE COUNTY LAND RECORDS, ALL IN U.S.P. SURVEY #2199, TOWNSHIP 30 NORTH, RANGE 14 EAST OF THE FIFTH PRINCIPAL MERIDIAN, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a Cut Cross at the Northwest Corner of Document #2008-09058 of the Land Records of Cape Girardeau County, Missouri; thence S 82° 19' 35" E, a distance of 198.64 feet to a 1/2" Iron Rod; thence S 07° 33' 08" W, a distance of 373.00 feet to a 1/2" Iron Rod; thence Southwesterly, along a Non-Tangential Curve to the Right, having a Radius of 2,347.11 feet, a Length of 196.22 feet (Chord bears S 88° 33' 43" W, a distance of 196.16 feet) to a 1/2" Iron Rod on the East Right-of-Way Line of South Minnesota Avenue; thence N 06° 51' 33" E, along said Right-of-Way, a distance of 404.10 feet to the POINT OF BEGINNING. Containing 1.757 acres, more or less, in Cape Girardeau, Missouri, dated February of 2025.

This Special Use Permit is granted upon the condition that the grantee be bound by all City ordinances which pertain to the Special Use Permit and that the grantee be bound by the following special conditions which 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.
2. Major modifications to said special use (including, but not limited to, the site plan and/or the location of the

shipping container) shall require the approval of the City Council.

3. This permit shall automatically expire twelve (12) months from the date of issuance if said special use has not commenced.
4. This permit is not transferable without the approval of the City Council.
5. The final design of the shipping container shall be subject to approval by the City staff. The exterior of the shipping container shall be maintained to prevent paint loss or other significant wear or damage to the finish.

NOW, THEREFORE, the City Manager of the City of Cape Girardeau, Missouri, affixes his signature this _____ day of _____, 2025.

Manager

ATTEST:



Dr. Kenneth Haskin, City

Gayle Conrad, City Clerk

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

BE IT REMEMBERED, that on this _____ day of _____, 2025, before me personally appeared Dr. Kenneth Haskin, who, being by me duly sworn, did state that he is the City Manager of the City of Cape Girardeau, Missouri, a municipal corporation organized and existing under the laws of the State of Missouri, that the seal affixed to the foregoing instrument is the seal of said City, that said instrument was signed and sealed on behalf of said City by authority of its City Council, and that he acknowledged said instrument to be the free act and deed of said City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in Cape Girardeau, Missouri, the day and year first above written.

Notary Public

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

Now on this _____ day of _____, 2025, the Cape Girardeau City Council considered the application for a Special Use Permit dated March 26, 2025 filed by Big River Communications/Circle Fiber for the property located at 24 South Minnesota Avenue, Cape Girardeau, Missouri, for the purposes of placing, using, and maintaining a shipping container for an indefinite period of time.

In examining said application, the following factors were considered and findings were made, as follows:

City Council Findings:

The proposed Special Use, with the stated conditions, would:

	Yes	No	N/A
1. Substantially increase traffic hazards or congestion	_____	<u> X </u>	_____
2. Substantially increase fire hazards	_____	<u> X </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> X </u>	_____
4. Adversely affect the general welfare of the community	_____	<u> X </u>	_____
5. Overtax public utilities	_____	<u> X </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, and the testimony, exhibits and file contents, the City Council duly deliberated the facts pertaining to the proposed Special Use and issued the following conclusion:

THE APPLICATION IS:

_____ Approved
 _____ Denied
 X Approved subject to the conditions stated in the attached Special Use Permit

CITY OF CAPE GIRARDEAU, MISSOURI

 Stacy Kinder, Mayor

ATTEST:

 Gayle Conrad, City Clerk



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

Now on this _____ day of _____, 2025, the Cape Girardeau City Council considered the application for a Special Use Permit dated March 26, 2025 filed by Big River Communications/Circle Fiber for the property located at 24 South Minnesota Avenue, Cape Girardeau, Missouri, for the purposes of placing, using, and maintaining a shipping container for an indefinite period of time.

In examining said application, the following factors were considered and findings were made, as follows:

City Council Findings:

The proposed Special Use, with the stated conditions, would:

	Yes	No	N/A
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, and the testimony, exhibits and file contents, the City Council duly deliberated the facts pertaining to the proposed Special Use and issued the following conclusion:

THE APPLICATION IS:

_____ Approved
_____ X Denied
_____ Approved subject to the conditions stated in the attached Special Use Permit

CITY OF CAPE GIRARDEAU, MISSOURI

Stacy Kinder, Mayor

ATTEST:

Gayle Conrad, City Clerk



CITY OF CAPE GIRARDEAU, MISSOURI

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

FILE NO. **1481**

LOCATION: 24 South Minnesota Avenue

STAFF REVIEW & COMMENTS:

Big River Communication/Circle Fiber is requesting a SUP for the long term use of a shipping container for storage purposes in the M-1 (Light Manufacturing/Industrial) zoning district at 24 South Minnesota Avenue. SEE STAFF REPORT FOR FURTHER INFORMATION.

City Planner

Date

City Attorney

Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:

City Manager

Date

Planning & Zoning Commission

Public Hearing Posting Date: 5-7-25 Public Hearing Date: 5-14-25

RECOMMENDED ACTION:

	Favor	Oppose	Abstain		Favor	Oppose	Abstain
Trae Bertrand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Blank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chris Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nick Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Robbie Guard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Emily McElreath	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<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

City Council Action

Public Hearing Posting Date: _____ Public Hearing Date: _____

Ordinance 1st Reading: _____ Ordinance 2nd & 3rd Reading: _____

VOTE COUNT: _____ Favor _____ Oppose _____ Abstain

ORDINANCE # _____ Effective Date: _____

STAFF REPORT

TO: Planning and Zoning Commission

FROM: Ryan Shrimplin, City Planner

MEETING DATE: May 14, 2025

SUBJECT: Special Use Permit Request for Property at 24 South Minnesota Avenue

A special use permit application has been submitted for the property at 24 South Minnesota Avenue, zoned M-1 (Light Manufacturing/Industrial). The property contains an office building and equipment/materials storage yard for a telecommunications company. The applicant is requesting approval for the long-term use of a shipping container as an accessory use. A special use permit is required for the long-term (defined as more than 12 consecutive months) use of a shipping container in the M-1 district. Refer to the application for more information about the proposed use.

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: The shipping container will be used for the storage of telecommunications materials. It will be located within a fenced-in area that is already being used for storage. Thus, it will not substantially increase traffic hazards or congestion.

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

Finding: Shipping containers are inherently fire resistant. Research has found that when a fire occurs inside a closed container, it uses up all the oxygen and extinguishes itself. Therefore, the shipping container will not substantially 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 an industrial/commercial area where shipping containers are typically used. Thus, the shipping container will not adversely affect the character of the neighborhood.

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

Finding: As stated previously, the shipping container will be located within a fenced-in area that is already being used for storage. Therefore, it will not adversely affect the general welfare of the community.

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

Finding: The shipping container will not use any utilities.

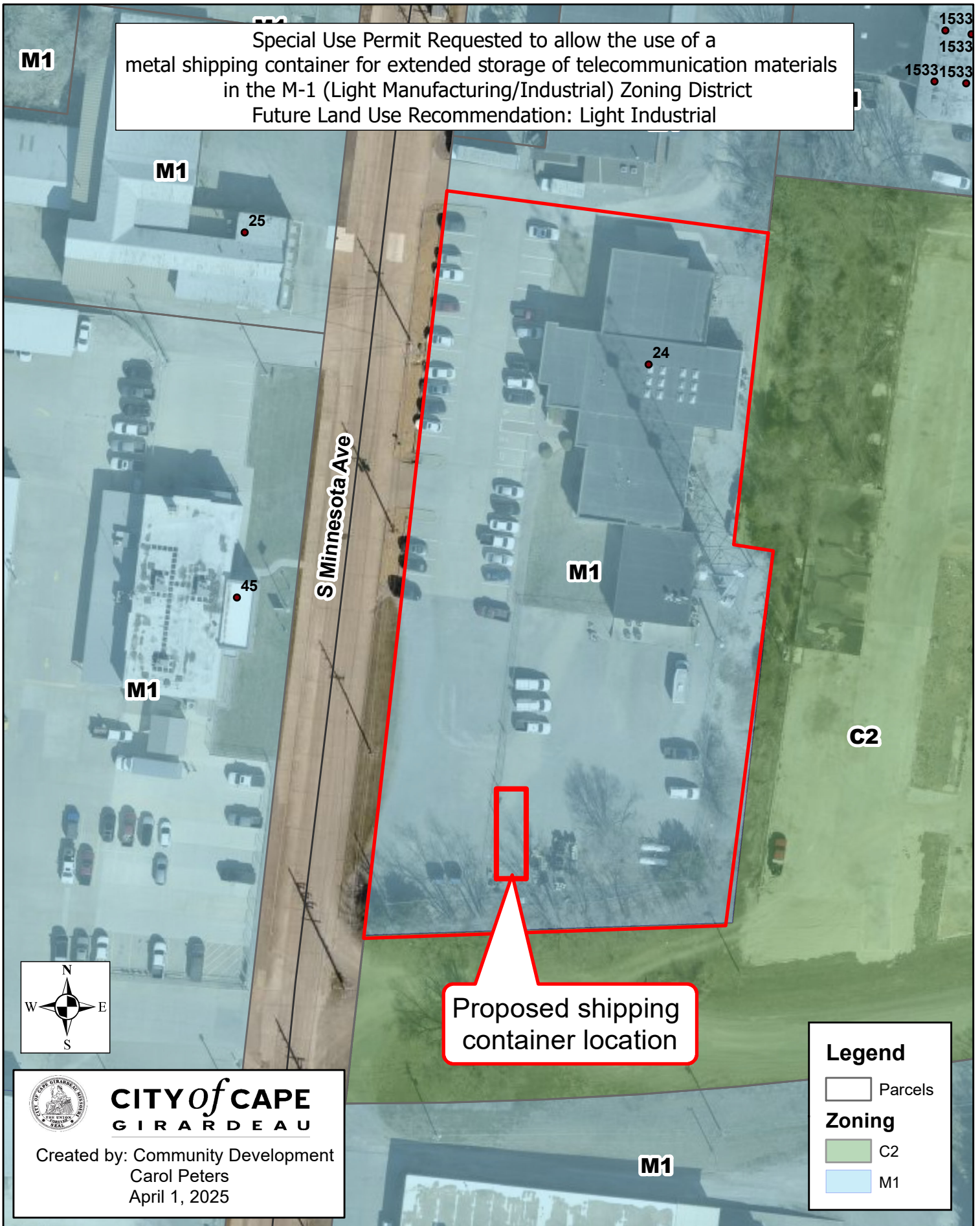
Based on the above findings, staff recommends approval of the special use permit request, subject to the following conditions:

1. The special use authorized by this permit shall comply with all applicable laws and regulations.
2. Major modifications to said special use (including, but not limited to, the site plan and/or the location of the shipping container) shall require the approval of the City Council.
3. This permit shall automatically expire twelve (12) months from the date of issuance if said special use has not commenced.
4. This permit is not transferable without the approval of the City Council.
5. The final design of the shipping container shall be subject to approval by the City staff. The exterior of the shipping container shall be maintained to prevent paint loss or other significant wear or damage to the finish.



24 South Minnesota Avenue Special Use Permit Request

Special Use Permit Requested to allow the use of a metal shipping container for extended storage of telecommunication materials in the M-1 (Light Manufacturing/Industrial) Zoning District
Future Land Use Recommendation: Light Industrial



CITY of CAPE
GIRARDEAU

Created by: Community Development
Carol Peters
April 1, 2025

24 South Minnesota Avenue Special Use Permit Request

Special Use Permit Requested to allow the use of a metal shipping container for extended storage of telecommunication materials in the M-1 (Light Manufacturing/Industrial) Zoning District
Future Land Use Recommendation: Light Industrial

S Minnesota Ave

25

24

45

1533
1533
15331533



CITY of CAPE
GIRARDEAU

Created by: Community Development
Carol Peters
April 1, 2025

Proposed shipping
container location

Legend

 Parcels

Future Land Use

 Light Industrial



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

24 S Minnesota Street Cape Girardeau, MO 63703

Applicant Big River Communcation/Circle Fiber		Property Owner of Record Big River Telephone Company, LLC <input type="checkbox"/> Same as Applicant	
Mailing Address 24 S Minnesota St	City, State, Zip Cape Girardeau, MO 63703	Mailing Address 24 S Minnesota	City, State, Zip Cape Girardeau, MO 63703
Telephone 309-670-3085	Email nick.miller@i3broadband.com	Telephone 309-670-3085	Email nick.miller@i3broadband.com
Contact Person Nick Miller		(Attach additional owners information, if necessary)	
Type of Request <input type="checkbox"/> Rezoning <input checked="" type="checkbox"/> Special Use Permit <input type="checkbox"/> Both		Proposed Special Use (Special Use Permit requests only) Sec 30-105, Accessory Use (Excluding Dwelling)	
Existing Zoning District M-1, Light Manufacturing/Industrial District		Proposed Zoning District (Rezoning requests only) Choose a Zoning District	

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

PT LOT 31 HENDERSON SUBD & PT OUTLOT 41

Describe the proposed use of the property.

Adding metal shipping container (Conex box) for storage of telecommunication materials. Shipping container will be located inside our fenced in storage lot. No electricity nor plumbing will be utilized with the Conex box.

Application continues on next page

OFFICE USE ONLY

Date Received & By 3-26-25 File # 1481 MUNIS Application # 16404 MUNIS Permit # _____
Application Fee Received \$ 159.40 ☐ 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.*
No increase in traffic related to the Conex box (shipping container)
- 2) *The proposed special use will not substantially increase fire hazards.*
No, Conex box will be metal. No hazardous nor flammable materials will be stored within.
- 3) *The proposed special use will not adversely affect the character of the neighborhood.*
No. Lot is already utilized for material storage purposes
- 4) *The proposed special use will not adversely affect the general welfare of the community.*
No. Area is already enclosed with a fence to ensure no unauthorized access.
- 5) *The proposed special use will not overtax public utilities.*
No impact on public utilities

**ADDITIONAL ITEMS
REQUIRED**

See Instructions for more
information.

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

- ☒ Base Application fee - \$148.00 payable to City of Cape Girardeau
 - ☐ Planned Development rezoning only - Additional \$88 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 \$2.85 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

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.

Nick Miller
Applicant Signature and Printed Name

3/26/25
Date

Director of Supply Chain



Property Ownder Name	Property Address	Mailing Address	City	State	Zip code
Thorngate Holdings LLC	1507 Independence St	429 N Broadview St.	Cape Girardeau	MO	63701
Union Electric Co	45 S Minnesota St	PO Box 149	St. Louis	MO	63166
Union Electric Co	S Minnesota and Independence	PO Box 149	St. Louis	MO	63166
Meliora Holdings LLC	25 S Minnesota St	PO Box 525	Cape Girardeau	MO	63702
Wicks Properties LLC	1545 Independence St	1545 Independence St	Cape Girardeau	MO	63703

Sec. 30-68. - M-1, Light Manufacturing/Industrial District.

- (a) *Purpose.* The M-1 district is intended primarily for uses engaged in light manufacturing, assembly, fabrication, warehousing, wholesaling and retail trade, and service operations which conduct all activities within a building with no external impact or effect. This district is intended to serve as a transition between more intense industrial development and commercial, office, or multifamily residential development.
- (b) *Permitted principal uses.*
 - (1) Light manufacturing facilities.
 - (2) Any establishment which provides supplies or services primarily to commercial and industrial customers, such as janitorial services, sign shops, packaging or shipping services, locksmiths, or printing, lithographing, engraving, photocopying, blueprinting, publishing, electrical, heating, plumbing and binding establishments.
 - (3) Health and fitness centers.
 - (4) Cemeteries.
 - (5) Commercial day cares.
 - (6) Funeral homes and mortuaries.
 - (7) Government buildings and uses, including police and fire stations.
 - (8) Heavy machinery and equipment sales, rental and service.
 - (9) Offices, administrative, business, finance and professional.
 - (10) Public and private parks, playgrounds, and golf courses, including miniature golf courses and driving ranges.
 - (11) Public service and public utility uses as follows:
 - a. Wireless facilities.
 - b. Water reservoirs, water standpipes, and elevated and ground-level water storage tanks.
 - (12) Industrial schools and business schools.
 - (13) Mini warehouses or self-storage units.
 - (14) Residential treatment facilities.
 - (15) Television and radio studios including any transmitting facilities.
 - (16) Veterinary clinics, animal hospitals, and kennels.
 - (17) Warehouses, storage and distribution centers.
 - (18) Vehicle fueling stations, including service, repair, body and fender repair, and paint shops.
 - (19) Recycling centers.
 - (20) Marinas or docks.
 - (21) Transitional housing.
 - (22) Restaurants and bars.
 - (23) Retail, including vehicle sales.
 - (24) Comprehensive marijuana cultivation facilities, medical marijuana cultivation facilities, or microbusiness wholesale facilities, as permitted in [section 30-118](#).
 - (25) Comprehensive marijuana dispensary facilities, medical marijuana dispensary facilities, or microbusiness dispensary facilities, as permitted in [section 30-118](#).
 - (26) Comprehensive marijuana-infused products manufacturing facilities or medical marijuana-infused products manufacturing facilities, as permitted in [section 30-118](#).

(27) Marijuana testing facilities, as permitted in section 30-118.

(28) Marijuana transportation facilities, as permitted in section 30-118.

(c) *Permitted accessory uses.*

(1) Dwelling or lodging units, but only for watchman, caretakers, or other personnel whose residence is essential to the operation of a permitted or special use.

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

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

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

(d) *Special uses.*

(1) Emergency shelters, transitional service shelters for 50 or fewer residents.

(2) Manufactured business units, for office use only.

(3) Telecommunication tower, as permitted in section 30-107.

(4) Excursion gambling boat or floating gambling facility, as permitted in section 30-112.

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

(6) Billboards, as permitted in section 25-109.

(7) 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.

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

(9) 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) All storage shall be within a fully enclosed building or in an open yard so screened that the materials, products or equipment are not visible from the street or adjoining property. Any outdoor storage shall be at least 100 feet from any residential zoning district or use.

(3) No building shall be used for residential purposes, except for a night watchman or a caretaker employed on the premises.

(4) Utilitarian areas such as loading docks, mechanical equipment, storage areas, mechanical and electrical equipment, and dumpsters shall be located in the rear or side yard of the building.

(5) Lighting shall be designed to shine and reflect away from any adjacent residential areas and shall meet the requirements of chapter 25.

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

(1) Maximum height: 40 feet excluding silos, smokestacks, and dust collection systems.

(2) Minimum lot area: None.

(3) Minimum lot width: None.

(4) Minimum yard requirements:

a. Front yard: 25 feet.

b. Rear yard: 25 feet.

c. Side yard: None, except on a lot abutting a residential district there shall be a side yard of not less than ten feet on the side of the lot abutting the residential district.

(5) Maximum building coverage: None.

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

(1) A minimum of 15 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, R-3, R-4, R-5, RUMD and RMH 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.

(Code 1990, § 30-335; Ord. No. 5211, art. 6, 7-15-2019; Ord. No. art. 5, 2-6-2023)

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:
 - a. Substantially increase traffic hazards or congestion;
 - b. Substantially increase fire hazards;
 - c. Adversely affect the character of the neighborhood;
 - d. Adversely affect the general welfare of the community; and
 - e. 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)

Sec. 30-105. - Shipping containers.

Shipping containers shall be subject to the requirements in the following table:

<i>One or More Shipping Containers Used For</i>	<i>Short-term, 12 Consecutive Months or Less</i>	<i>Long-term, More Than 12 Consecutive Months</i>
Principal Use (Excluding Dwelling) ¹	Special Use Permit required in AG, AG-1, RE, NC, C-1, C-2, M-1, M-2, and A-1 districts; prohibited in all other districts	Special Use Permit required in NC, C-1, C-2, M-1, M-2, and A-1 districts; prohibited in all other districts
Accessory Use (Excluding Dwelling) ¹	Permitted by Right in all districts (per property) ²	Special Use Permit required in all districts
Accessory Use to a Construction Project	Permitted in accordance with <u>section 30-109(b)</u>	Permitted in accordance with <u>section 30-109(b)</u>
Dwelling	Prohibited in all districts	Prohibited in all districts

¹ As permitted in the zoning district in which the shipping containers are to be located.

² Once all shipping containers have been removed from a property, no shipping containers shall be placed back on such property for a period of six consecutive months unless a special use permit is first obtained.

(Code 1990, § 30-402; Ord. No. 5012, art. 7, 10-2-2017)

—

Staff: Ryan Shrimplin, AICP - City Planner
Agenda: June 16, 2025

AGENDA REPORT Cape Girardeau City Council	
---	--

SUBJECT

An Ordinance approving the record plat of Steven Roberts 2nd Subdivision.

EXECUTIVE SUMMARY

The attached ordinance approves a record plat for a two-lot subdivision at 204 North Kingshighway.

BACKGROUND/DISCUSSION

A record plat has been submitted for Steven Roberts 2nd Subdivision, located at 204 North Kingshighway. The proposed subdivision is zoned C-2 (Highway Commercial District). The plat divides 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 lot line of Lot 1. Staff supports the exception because there are no existing or proposed utilities in the area where the easement is required.

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

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 May 14, 2025 meeting, recommended approval of the record plat with a vote of 7 in favor, 0 in opposition, and 0 abstaining.

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
 25-70-RP_MASH_Steven_Roberts_2nd_Sub.doc	Ordinance
 Staff_Review-Referral-Action_Form.pdf	Steven Roberts 2nd Subdivision - Staff RRA Form
 Map_-_Steven_Roberts_2nd_Subdivision.pdf	Steven Roberts 2nd Subdivision - Map
 Application_-_Steven_Roberts_2nd_Subd..pdf	Steven Roberts 2nd Subdivision - Application
 S25029-Subd.pdf	Steven Roberts 2nd Subdivision - Record Plat

BILL NO. 25-70

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE RECORD PLAT OF
STEVEN ROBERTS 2ND SUBDIVISION

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

ARTICLE 1. The record plat of Steven Roberts 2nd Subdivision, being a Resubdivision of Lot 1 of Steven Roberts Subdivision, as Recorded In Plat Book 23 at Page 63 of the Land Records of the County Recorder's Office and Being a Part of United States Private Survey No. 2199, Township 31 North, Range 13 East of the Fifth Principal Meridian, City and County of Cape Girardeau, State of Missouri, submitted by MASH Investments, L.L.C., bearing the certification of R. Christopher Bowen, a Registered Land Surveyor, dated the 12th day of May, 2025, 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 _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk




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

FILE: **Steven Roberts 2nd Subdivision**

LOCATION: 204 North Kingshighway

STAFF REVIEW & COMMENTS:

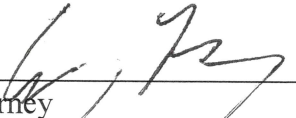
A record plat has been submitted to subdivide one lot into two new lots at 204 North Kingshighway. SEE STAFF REPORT FOR MORE DETAILS.



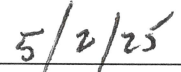
City Planner



Date

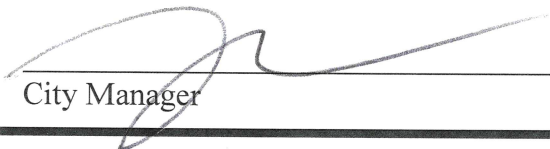


City Attorney



Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:



City Manager



Date

Planning & Zoning Commission


RECOMMENDED ACTION:

	Favor	Oppose	Abstain		Favor	Oppose	Abstain
Trae Bertrand	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Chris Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Blank	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Nick Martin	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kevin Greaser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Emily McElreath	<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"/>				

VOTE COUNT: 7 Favor 0 Oppose 0 Abstain

COMMENTS:

CITIZENS COMMENTING AT MEETING:



Chris Martin
Planning & Zoning Commission Secretary

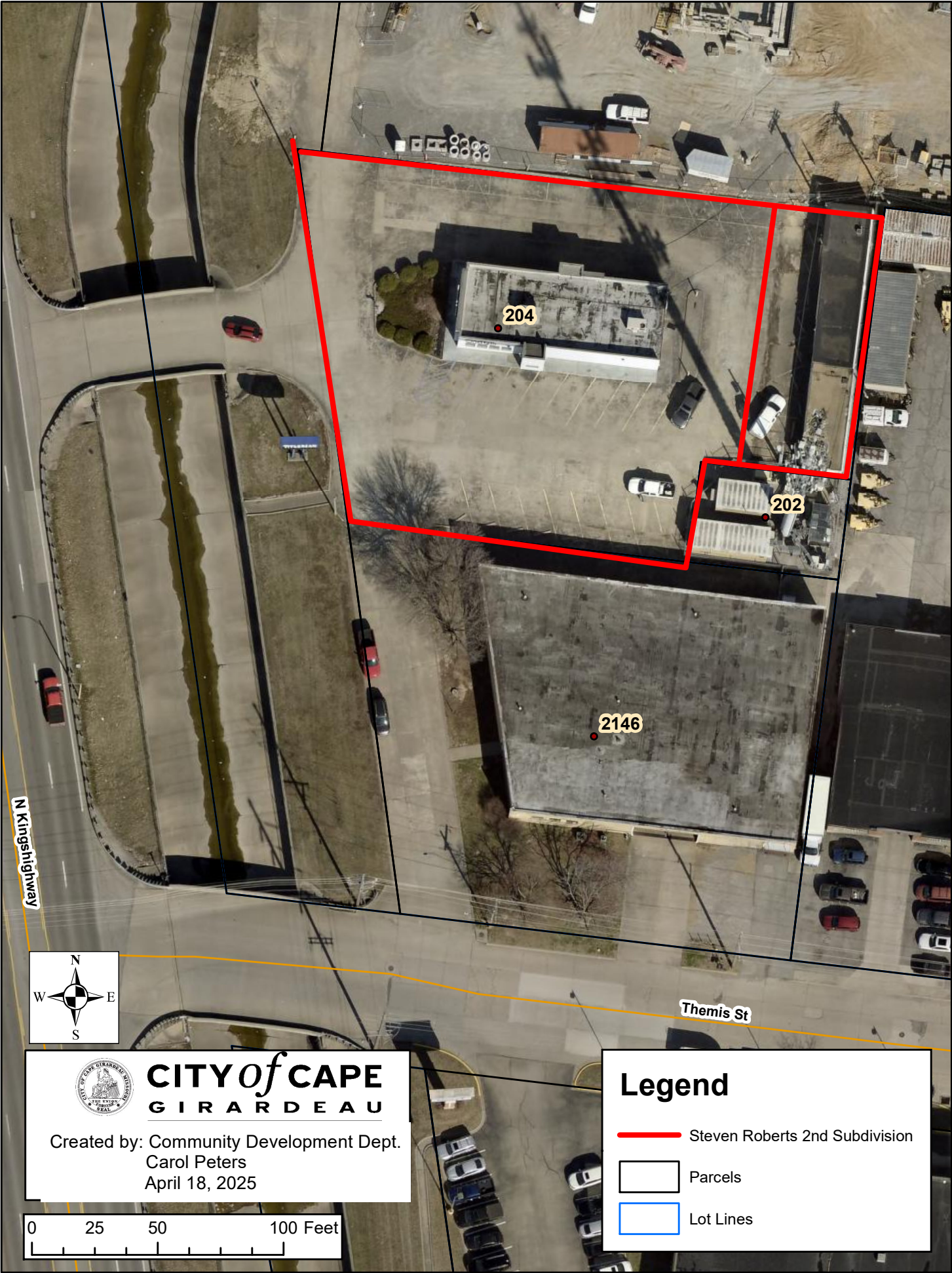
City Council Action

Ordinance 1st Reading _____ Ordinance 2nd & 3rd Reading: _____

ORDINANCE # _____

Effective Date: _____

Steven Roberts 2nd Subdivision



CITY of CAPE
GIRARDEAU

Created by: Community Development Dept.
Carol Peters
April 18, 2025

0 25 50 100 Feet

Legend

- Steven Roberts 2nd Subdivision
- Parcels
- Lot Lines



SUBDIVISION PLAT APPLICATION CITY of CAPE GIRARDEAU

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

Name of Subdivision STEVEN ROBERTS 2ND SUBDIVISION		Type of Plat <input checked="" type="checkbox"/> Record <input type="checkbox"/> Preliminary <input type="checkbox"/> Boundary Adjustment	
Applicant Mash Investments LLC		Property Owner of Record <input checked="" type="checkbox"/> Same as Applicant	
Mailing Address P.O. Box 639	City, State, Zip Dexter, MO 63841	Mailing Address	City, State, Zip
Telephone 573-421-3116	Email lauren@se-holdings.com	Telephone	Email
Contact Person (if Applicant is a Business or Organization) Lauren Mayer		<i>(Attach additional owners information, if necessary)</i>	
Professional Engineer/Surveyor (if other than Applicant) Bowen Engineering & Surveying		Developer (if other than Applicant)	
Mailing Address 2121 Megan Drive	City, State, Zip Cape Girardeau, MO 63701	Mailing Address	City, State, Zip
Telephone 573-339-5900	Email ryanbrase@bowenengsurv.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) \$22.00 per lot (\$220.00 minimum)
- ☒ Recording Fee Deposit (payable to City of Cape Girardeau)

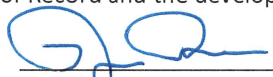
<u>Sheet Size</u>	<u>Record Plat</u>	<u>Boundary Adjustment Plat</u>
18" x 24"	\$46.00	\$26.00
24" x 36"	\$71.00	\$31.00

(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)
- ☒ 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.

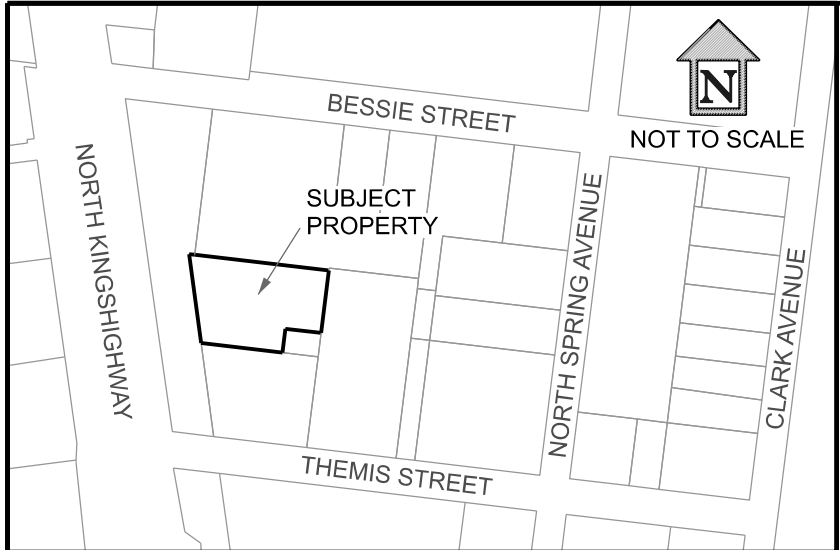
 **RYAN BRASE**
Applicant Signature and Printed Name

04/16/2025

Date

OFFICE USE ONLY

Date Received & By 4-16-25 File # _____ MUNIS Application # 16499 MUNIS Permit # _____
Review Fee Received \$ 220- Recording Fee Received \$ 46- ☒ Check # 32145 ☐ Credit Card ☐ Cash
Preliminary and Record Plats:
Planning & Zoning Commission Recommendation _____ Date _____ City Council Final Action _____ Date _____



SURVEY NOTES:

This Survey Creates A New 2 Lot Subdivision From The Parent Tract Recorded In Document No. 2009-03315

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' 44.45840"	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 1.

REFERENCES:

Record Plat of Steven Roberts Subdivision, Plat Book 23 - Page 63

General Warranty Deed, Document No. 2009-03315
General Warranty Deed, Document No. 2009-03869
General Warranty Deed, Document No. 2015-03498
Special Warranty Deed, Document No. 2023-05413
General Warranty Deed, Book 583 - Page 138
Quit Claim Deed, Book 570 - Page 522

Online Mapping Records For Cape Girardeau, County
<https://maps.camavision.com/capegirardeaummo>

LEGEND:

SUBDIVISION BOUNDARY LINE	
NEW LOT LINE	
EXTERNAL PROPERTY LINE	
RIGHT OF WAY LINE	
BUILDING SETBACK LINE	
NEW UTILITY EASEMENT LINE	
EXISTING INGRESS-EGRESS ESMT.	
NEW INGRESS-EGRESS ESMT.	

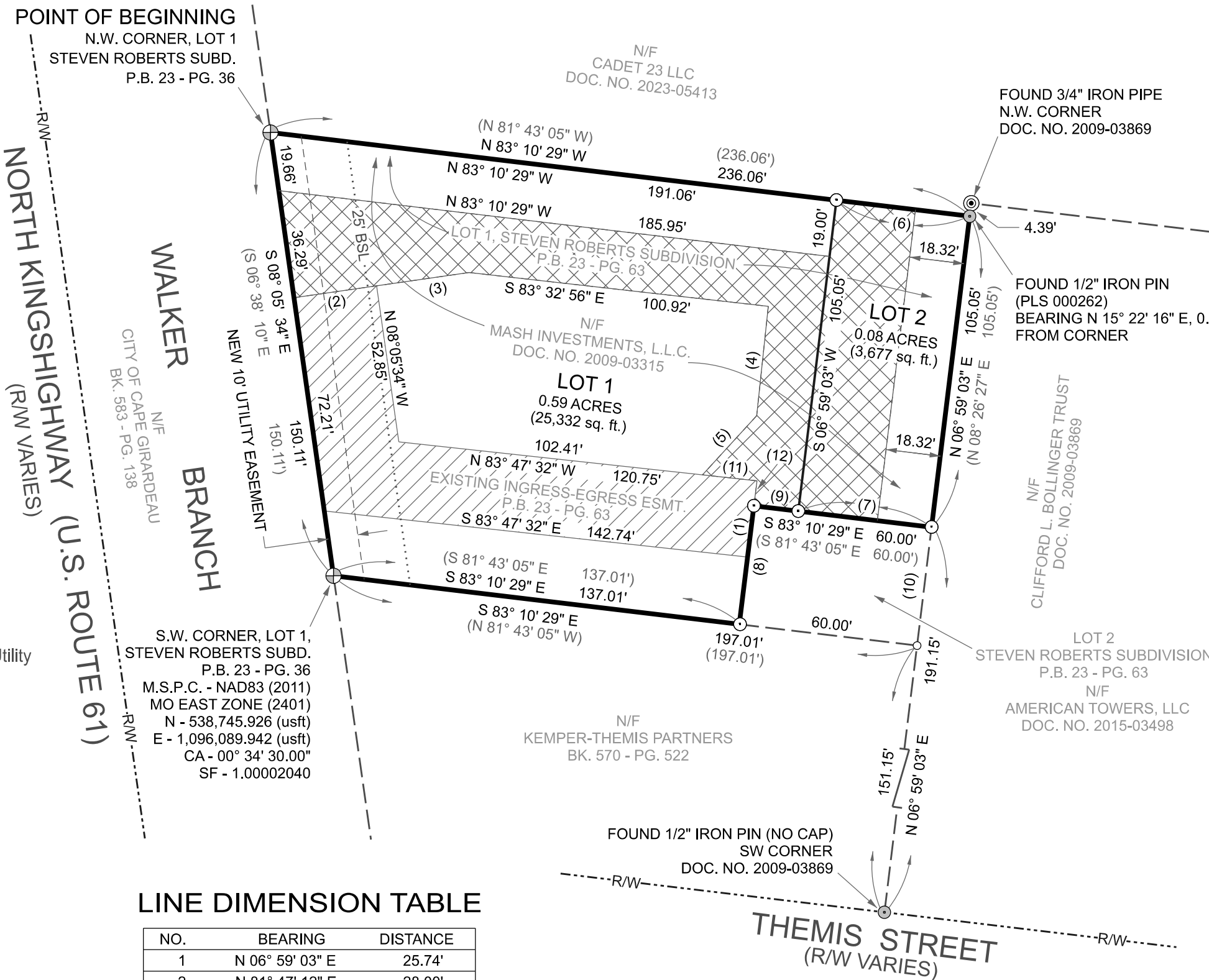


GRAPHIC SCALE

0' 40' 80' 120'

RECORD PLAT STEVEN ROBERTS 2ND SUBDIVISION

A Resubdivision of Lot 1 of Steven Roberts Subdivision, as Recorded In Plat Book 23 at Page 63 of the
Land Records of the County Recorder's Office and Being a Part of United States Private Survey No. 2199,
Township 31 North, Range 13 East of the Fifth Principal Meridian,
City and County of Cape Girardeau, State of Missouri



LINE DIMENSION TABLE

NO.	BEARING	DISTANCE
1	N 06° 59' 03" E	25.74'
2	N 81° 47' 12" E	28.00'
3	N 81° 47' 12" E	31.31'
4	S 06° 02' 39" W	36.91'
5	S 42° 27' 01" W	26.86'
6	N 83° 10' 29" W	45.00'
7	S 83° 10' 29" E	45.00'
8	N 06° 59' 03" E	40.00'
9	S 83° 10' 29" E	15.00'
10	N 06° 59' 03" E	40.00'
11	S 83° 47' 32" E	18.34'
12	S 06° 59' 03" W	8.48'

(N 08° 26' 27" E, 40.00')

(N 08° 26' 27" E, 40.00')

SURVEY MONUMENT NOTES:

- - FOUND 1/2" IRON PIN (AS NOTED)
- - SET 1/2" IRON PIN
- ⊙ - FOUND IRON PIPE
- ⊕ - SET 1-1/2" ALUMINUM MONUMENT
- - ANGLE POINT (NO CORNER SET)

FLOOD ZONE NOTE:

This Property Is in Zone X, An Area Outside The 100 Year Flood Zone
as Delineated On The Flood Insurance Rate Map, Community Panel
Number 29031C0266E, Which Bears an Effective Date of
September 29, 2011.

FILED FOR RECORD

State of Missouri)
County of Cape Girardeau) ss

Filed For Record This _____ Day of _____, 2025 A.D.
and Duly Recorded in Document No. _____

Andrew David Blattner, Cape Girardeau County Recorder of Deeds

SUBDIVISION DEDICATION:

The Undersigned, MASH Investments, L.L.C., a Missouri Limited Liability Company,
the Owner of All of Lot 1, Steven Roberts Subdivision, as Recorded in Plat Book 23,
at Page 63 in the Land Records of the Recorder's Office and Being a Part of United
States Private Survey No. 2199, Township 31 North, Range 13 East of the Fifth
Principal Meridian, City and County of Cape Girardeau, State of Missouri, Being More
Particularly Described as Follows:

Beginning at a 1-1/2" Aluminum Monument (Set) at the Northwest Corner of Lot 1 of
said Steven Roberts Subdivision; Thence S 08° 05' 34" E, 150.11 feet along the West
line thereof to a 1-1/2" Aluminum Monument (set) at the Southwest corner of said Lot 1;
Thence S 83° 10' 29" E, 137.01 feet along the South line to a 1/2" Iron pin (set) at the
Southwest corner of Lot 2 of said Steven Roberts Subdivision; Thence along the West
and North lines of said Lot 2, N 06° 59' 03" E, 40.00 feet to a 1/2" Iron pin (set); Thence
S 83° 10' 29" E, 60.00 feet to a 1/2" Iron pin (set) at the Northeast corner of said Lot 2,
said point also being the Southeasterly corner of Lot 1 of said Steven Roberts
Subdivision; Thence N 06° 59' 03" E, 105.05 feet to the Northeast corner said Lot 1;
Thence N 83° 10' 29" W, 236.06 feet along the North line thereof to the Point of
Beginning, containing 0.67 Acres more or less.

Hereby declare that we have caused said land to be subdivided into lots as shown
hereon, which is a true and correct representation of said subdivision, which is hereby
named "Steven Roberts 2nd 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. A new
private ingress-egress easement is hereby established as shown hereon, which shall
be for the 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 said
lots and North Kingshighway. Said ingress-egress easement is perpetual and
non-exclusive.

Matthew Mills, Manager
MASH Investments, L.L.C.

STATE OF MISSOURI COUNTY OF CAPE GIRARDEAU) ss

Before Me, a Notary Public for said State And County, Personally Appeared
Matthew Mills, Manager of MASH Investments, L.L.C., a Missouri Limited
Liability Company, Known to Me to Be The Person Described Herein, Who
Acknowledged That He Executed The Foregoing Instrument as The Free Act
And Deed of Said Limited Liability Company.

In Witness Whereof, I Hereunto Set My Hand and Affix My Official
Seal This _____ Day Of _____, 2025 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 _____, 2025 A.D.

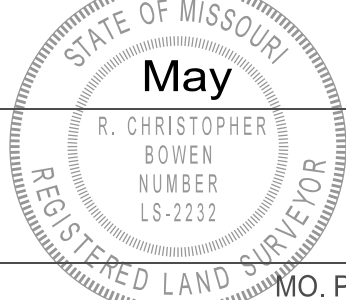
City Clerk of the City of Cape Girardeau, Missouri

SURVEYOR' S CERTIFICATION

This is to certify that at the request of MASH Investments, L.L.C. the tracts
shown hereon were 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 **12th** Day of **May**, 2025 A.D.

R. Christopher Bowen _____ MO. PLS #2232



2121 Mega Drive
Cape Girardeau, MO 63701
Ph 572.339.5900
Fax 572.339.1391
www.bowenengsurvey.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

MASH INVESTMENTS, LLC
PO BOX 639
DEXTER, MO

DESCRIPTION	DATE

Copyright © 2025 by
Bowen Engineering & Surveying, P.C.

JOB NO.	S25-029
DATE	MAY 12, 2025
FILE	S25029.DGN
CAICE	S25029.ZIP
DWN BY	RWB
CKD BY	CCK
SCALE	1" = 40'

RECORD
PLAT

SHEET NO.
1 of 1

Staff: Ryan Shrimplin, AICP - City Planner
Agenda: June 16, 2025

AGENDA REPORT Cape Girardeau City Council	
---	--

SUBJECT

An Ordinance authorizing the issuance of a Special Tax Bill for property located at 1226 South Ranney Avenue, in the City and County of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

The attached ordinance authorizes the issuance of a special tax bill to recover costs incurred by the City in demolishing a condemned building at 1226 South Ranney Avenue.

BACKGROUND/DISCUSSION

A certain building at 1226 South Ranney Avenue was condemned under Chapter 7, Article XIII of the City's Code of Ordinances. The City mailed a notice to the property owner, ordering them to repair or demolish the condemned building within 30 days. In addition, a sign was posted on the building giving notice of the condemnation. After the owner failed to comply by the deadline, the City held a hearing and the Building Supervisor issued an order to repair or demolish the building by a certain deadline. The owner again failed to comply by the deadline. As provided for in Chapter 7, Article XIII, the City hired a contractor to demolish the building. Prior to hiring the contractor, the City procured an asbestos survey/testing report for the building. Pursuant to an order issued by the Building Supervisor, a special tax bill has been prepared to recover these costs. The special tax bill, the order, and the invoices are attached.

FINANCIAL IMPACT

The amount for the special tax bill is \$6,250 (\$250 for the asbestos survey/testing report plus \$6,000 for the demolition). The special tax bill will bear an interest rate of eight percent (8%) annually on the outstanding balance until it is paid.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION




Staff recommends approval of the ordinance authorizing the issuance of the special tax bill for 1226

South Ranney Avenue.

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
 25-71_Ord_Special_Tax_Bill_1226_S_Ranney.doc	Ordinance
 Tax_Bill_Demolition_-_1226_S_Ranney.doc	Special Tax Bill
 Order_Causing_Tax_Bills_to_be_Issued_with_asbestos_survey-testing_report_charges_-_Signed.pdf	Special Tax Bill Order and Invoices - 1226 South Ranney Avenue

BILL NO. 25-71

ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A
SPECIAL TAX BILL FOR PROPERTY LOCATED AT 1226
SOUTH RANNEY AVENUE FOR THE DEMOLITION OF A
DANGEROUS BUILDING

WHEREAS, the Building Supervisor of the City of Cape Girardeau, Missouri, issued an Order causing a certain dangerous building located at 1226 South Ranney Avenue to be demolished; and

WHEREAS, the City of Cape Girardeau did cause said building to be demolished in accordance with the Order, thereby incurring certain expenses; and

WHEREAS, the Building Supervisor authorized the issuance of a Special Tax Bill for said expenses; and

WHEREAS, Chapter 7 of the Code of Ordinances of the City of Cape Girardeau, Missouri, authorizes the issuance of a Special Tax Bill to recover said expenses.

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

ARTICLE 1. There is hereby levied, and the City Clerk is hereby authorized and ordered to place on file, the following Special Tax Bill issued in accordance with the Order of the Building Supervisor, which shall be a lien against the following described property in accordance with law, in the following amount, until paid or collected by the City of Cape Girardeau, Missouri:

1226 South Ranney Avenue - \$6,250.00

Lots 7, 8, & 9 in Block 5 of Giboney-Houck's Fifth Subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 3 at Page 11. Less & except those lands conveyed in Warranty Deed recorded as Document #2019-11435.

ARTICLE 2. Said Special Tax Bill shall bear an interest rate of eight per cent (8%) per annum.

ARTICLE 3. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent

provision and such holding shall not affect the validity of the remaining portions hereof.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



**SPECIAL TAX BILL FOR
DEMOLITION OF A DANGEROUS BUILDING**

To the City of Cape Girardeau, Missouri:

For work done and costs and expenses incurred in abating a nuisance by demolition of a dangerous building under the provisions of Chapter 7 of the Code of Ordinances of the City of Cape Girardeau, Missouri, and chargeable against:

**STINNETT RENTAL PROPERTIES, INC.
721 SOUTH SPRIGG STREET
CAPE GIRARDEAU, MO 63703**

for the following property:

1226 South Ranney Avenue, Cape Girardeau, MO

Lots 7, 8, & 9 in Block 5 of Giboney-Houck's Fifth Subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 3 at Page 11. Less & except those lands conveyed in Warranty Deed recorded as Document #2019-11435.

Parcel No. 211150008007000000

in the City of Cape Girardeau, Missouri; said building has been demolished in accordance with the Order of the Building Supervisor dated June 10, 2024, and the cost incurred for said demolition was Six Thousand, Two Hundred, Fifty dollars (\$6,250.00).

I, Gayle L. Conrad, City Clerk of the City of Cape Girardeau, Missouri, do hereby certify that the demolition work was done as reported to the City Building Supervisor under the provisions of Chapter 7-353(6), said report dated May 7, 2025.

I also certify that the costs and expenses incurred by the City for said demolition were Six Thousand, Two Hundred, Fifty dollars (\$6,250.00), which amount the City Council has ordered assessed as a special tax against the following described property, to-wit:

1226 South Ranney Avenue, Cape Girardeau, MO

Lots 7, 8, & 9 in Block 5 of Giboney-Houck's Fifth Subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 3 at Page

ORDER OF BUILDING SUPERVISOR

CAUSING TAX BILLS TO BE ISSUED AGAINST PROPERTY

COMES now the Building Supervisor of the City of Cape Girardeau, Missouri, this 7th day of May, 2025, and hereby finds the following:

1. That the building on the property described as follows:

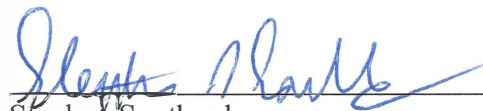
1226 South Ranney Avenue, Cape Girardeau, MO

Lots 7, 8, & 9 in block 5 of Giboney-Houck's Fifth subdivision in the City and County of Cape Girardeau, Missouri, as shown by plat recorded in Plat Book 3 at Page 11.

has been demolished in accordance with the Order of the Building Supervisor dated the 10th day of June, 2024.

2. That the costs incurred for an asbestos survey/testing report and demolition of this building were six thousand two-hundred and fifty dollars (\$6,250.00), a true and accurate copy of which are attached hereto and marked "Exhibit A".

WHEREFORE, the Building Supervisor enters an order directing the City Clerk of the City of Cape Girardeau, Missouri, to issue tax bills against the heretofore described property in the amount of six thousand two-hundred and fifty dollars (\$6,250.00), for the costs incurred in said asbestos survey/testing report and demolition.



Stephen Southard
Building Supervisor



INVOICE #
100

JAC3 EXCAVATING | 18 Carlyle Dr | Scott City, MO 63780 | Phone: 573.225.0737 |
jac3contracting@gmail.com

Midwest Environmental Studies
P.O.Box 737
Cape Girardeau, MO 63702

Phone 5732704029

EXHIBIT A
Invoice

Date	Invoice #
12/6/2024	5329

Bill To
City of Cape Girardeau 1 44 N. Lorimier Cape Girardeau, MO 63701

P.O. No.
251380

Item	Description	Qty	Rate	Amount
inspection	Asbestos inspection and lab analysis at 27 S. Benton in Cape Girardeau		250.00	250.00
inspection	32 N. Ellis		275.00	275.00
inspection	107 S. Hanover		250.00	250.00
inspection	301 Mill St.		250.00	250.00
inspection	915 Hickory		275.00	275.00
inspection	1226 Ranney		250.00	250.00
inspection	1231 S. Pacific		225.00	225.00
			Total	\$1,775.00
			Balance Due	\$1,775.00

Staff: Doug Gannon, Parks and
Recreation Director
Agenda: June 16, 2025

AGENDA REPORT Cape Girardeau City Council	
---	--

SUBJECT

An Ordinance amending and adopting Chapter 2, Article VIII of the Code of Ordinances of the City of Cape Girardeau, Missouri, relating to the Convention and Visitors Bureau increasing the board to ten (10) members with the addition of one (1) owner or operator of a restaurant within the city limits.

EXECUTIVE SUMMARY

The approval of the attached Ordinance will increase the Advisory Board of the Convention and Visitors Bureau from nine (9) to ten (10) members and add one (1) additional position on the board for an owner or operator of a restaurant within the city limits. The amendment will provide equal representation on the board for both hotel / motel and restaurant owners or operators.

BACKGROUND/DISCUSSION

The Convention and Visitors Bureau Advisory Board is currently comprised of nine (9) members including two (2) owners or operators of hotels or motels with the city limits; one (1) representative from the Chamber of Commerce; one (1) representative from Old Town Cape; four (4) members that have demonstrated by past activities an interest in the entertainment, hospitality, convention or tourism business; and one (1) owner or operator of a restaurant within the city limits. Approval of this Ordinance will provide equal representation from both the hotel / motel and restaurant industries.

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS


STAFF RECOMMENDATION

Staff recommends the amended Ordinance providing for the addition of one (1) owner or operator of a restaurant within the city limits to the Convention and Visitors Bureau Advisory Board be approved.

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
 25-72_Amend_Ch.2_CVB_Board.doc	Ordinance

AN ORDINANCE AMENDING SECTIONS OF CHAPTER 2
OF THE CODE OF ORDINANCES OF THE CITY OF
CAPE GIRARDEAU, MISSOURI, RELATING TO THE
CONVENTION AND VISITORS BUREAU

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

ARTICLE 1. Section 2-301, entitled "Advisory Board of the
Convention and Visitors Bureau.", of Article VIII of Chapter 2
of the City Code, reading as follows:

Sec. 2-301. Advisory Board of the Convention and Visitors Bureau.

- (a) There is hereby established an advisory board of the city and shall be known and designated as the Advisory Board of the Cape Girardeau Convention and Visitors Bureau. The Advisory Board shall consist of nine (9) members comprised of the following: two (2) members shall be owners or operators of hotels or motels within the city limits, one (1) member shall be from the Cape Girardeau Area Chamber of Commerce, one (1) member shall be from Old Town Cape, one (1) member shall be an owner or operator of a restaurant within the city limits, and four (4) members shall have demonstrated by past activities an interest in the entertainment, hospitality, convention or tourism business. Advisory Board members shall be appointed by the City Council and serve three year terms; provided, however, the City Council may, by initial appointment, stagger the terms of the board members as it may deem appropriate.
- (b) The City Council shall designate one of its members to serve as an ex officio member of the Advisory Board and shall maintain liaison with the City Council but shall not have a vote in the decisions of the Advisory Board.
- (c) The Park and Recreation Advisory Board shall designate one of its members to serve as an ex officio member of the Advisory Board and shall maintain liaison with the Park and Recreation Advisory Board but shall not have a vote in the decisions of the Advisory Board.

is hereby repealed in its entirety and a new Section 2-301, entitled "Advisory Board of the Convention and Visitors Bureau.", of Article VIII of Chapter 2 of the City Code, is hereby enacted in lieu thereof, in words and figures, to read as follows, to-wit:

Sec. 2-301. Advisory Board of the Convention and Visitors Bureau.

- (a) There is hereby established an advisory board of the city and shall be known and designated as the Advisory Board of the Cape Girardeau Convention and Visitors Bureau. The Advisory Board shall consist of ten (10) members comprised of the following: two (2) members shall be owners or operators of hotels or motels within the city limits, one (1) member shall be from the Cape Girardeau Area Chamber of Commerce, one (1) member shall be from Old Town Cape, two (2) members shall be owners or operators of restaurants within the city limits, and four (4) members shall have demonstrated by past activities an interest in the entertainment, hospitality, convention or tourism business. Advisory Board members shall be appointed by the City Council and serve three year terms; provided, however, the City Council may, by initial appointment, stagger the terms of the board members as it may deem appropriate.
- (b) The City Council shall designate one of its members to serve as an ex officio member of the Advisory Board and shall maintain liaison with the City Council but shall not have a vote in the decisions of the Advisory Board.
- (c) The Park and Recreation Advisory Board shall designate one of its members to serve as an ex officio member of the Advisory Board and shall maintain liaison with the Park and Recreation Advisory Board but shall not have a vote in the decisions of the Advisory Board.

ARTICLE 2. Section 2-302, entitled "Powers and duties of the advisory board of the convention and visitors bureau.", of Article VIII of Chapter 2 of the City Code, reading as follows:

Sec. 2-302. Powers and duties of the advisory board of the convention and visitors bureau.

The advisory board of the Cape Girardeau Convention and Visitors Bureau shall have the following duties:

- (a) Act in an advisory capacity to the convention and visitors bureau, including providing recommendations on the methods of promoting tourism, conventions, meetings and other activities and events.
- (b) Recommend a long-term strategic plan for operations of the convention and visitors bureau, including use of the marketing investment fund.

- (c) Provide recommendations to the convention and visitors bureau on goals, plans, policies and proposed projects for the convention and visitors bureau.
- (d) Require a quorum of six members and the affirmative vote of five of its members to make any recommendations.
- (e) Conduct regular meetings at least once every month and hold special meetings when called by the chairperson or five members.
- (f) Shall have the power to appoint subcommittees of citizens who are not members of the advisory board for set periods of time to work on specific projects. Such subcommittees will report their findings and recommendations to the advisory board. Each subcommittee will disband when work on its assigned project is completed.

is hereby repealed in its entirety and a new Section 2-302, entitled "Powers and duties of the advisory board of the convention and visitors bureau.", is hereby enacted in lieu thereof, in words and figures, to read as follows, to-wit:

Sec. 2-302. Powers and duties of the advisory board of the convention and visitors bureau.

The advisory board of the Cape Girardeau Convention and Visitors Bureau shall have the following duties:

- (a) Act in an advisory capacity to the convention and visitors bureau, including providing recommendations on the methods of promoting tourism, conventions, meetings and other activities and events.
- (b) Recommend a long-term strategic plan for operations of the convention and visitors bureau, including use of the marketing investment fund.
- (c) Provide recommendations to the convention and visitors bureau on goals, plans, policies and proposed projects for the convention and visitors bureau.
- (d) Require a quorum of six members and the affirmative vote of six of its members to make any recommendations.
- (e) Conduct regular meetings and hold special meetings when called by the chairperson or six members.
- (f) Shall have the power to appoint subcommittees of citizens who are not members of the advisory board for set periods of time to work on specific projects. Such subcommittees will report their findings and recommendations to the advisory board. Each subcommittee will disband when work on its assigned project is completed.

ARTICLE 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent

jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

ARTICLE 4. It is the intention of the governing body and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Cape Girardeau, Missouri, and the sections of this Code may be renumbered to accomplish such intention.

ARTICLE 5. This ordinance shall be in full force and effect ten days after its passage and approval.

PASSED AND APPROVED THIS _____ DAY OF _____, 2025.

Stacy Kinder, Mayor

ATTEST:

Gayle L. Conrad, City Clerk



Staff: Gayle L. Conrad, MPCC/CMC,
Director of Citizen Services/City
Clerk

Agenda: June 16, 2025

AGENDA REPORT
Cape Girardeau City Council

SUBJECT

Appointments to the Advisory Board of the Convention and Visitors Bureau

EXECUTIVE SUMMARY

Since July 1, 2024, the City of Cape Girardeau has taken over the administration of the Convention and Visitors Bureau. By ordinance, the City Council has established an Advisory Board to support and guide the Bureau's operations.

The Board has the following duties:

1. Act in an advisory capacity to the Convention and Visitors Bureau, including providing recommendations on the methods of promoting tourism, conventions, meetings and other activities and events.
2. Recommend a long-term strategic plan for operations of the Convention and Visitors Bureau, including use of the Marketing Investment Fund.
3. Provide recommendations to the Convention and Visitors Bureau on goals, plans, policies and proposed projects for the convention and visitors bureau.
4. Require a quorum of six (6) members and the affirmative vote of five (5) of its members to make any recommendations.
5. Conduct regular meetings at least once every month and hold special meetings when called by the chairperson or five members.
6. Shall have the power to appoint subcommittees of citizens who are not members of the Advisory Board for set periods of time to work on specific projects. Such subcommittees will report their findings and recommendations to the Advisory Board. Each subcommittee will disband when work on its assigned project is completed.

BACKGROUND/DISCUSSION

Three terms on the Board are set to expire June 30, 2025. These positions are held by Lyle Randolph, Carl Ritter Jr., and Nate Saverino, and all three have expressed interest in being reappointed. As outlined in the requirements below, these three member appointments shall have demonstrated by past activities an interest in the entertainment, hospitality, convention or tourism business. Members serve three year terms.

The Advisory Board of the Convention and Visitors bureau shall consist of nine (9) members comprised of the following: two (2) members shall be owners or operators of hotels or motels within the city limits, one (1) member shall be from the Cape Girardeau Area Chamber of Commerce, one (1) member shall be from Old Town Cape, one (1) member shall be an owner or operator of a restaurant within the city limits, and four (4) members shall have demonstrated by past activities an interest in the entertainment,

hospitality, convention or tourism business.

The following individuals have expressed an interest in serving on the board, and their advisory board applications are attached.

Applicant	Organization
Lindsay Parker	Heritage Hospitality Management/Hotel
DeWayne Schaaf	Celebrations, Ebb & Flow/Restaurant
Daniel Dowling	John Sinclair Nissan
Brock Freeman	PORCH
Michelle Latham	Business owner/agent
Joy Livesay	Resident
Holly Godwin	Red Letter Communications
Lyle Randolph **	Century Casino
Carl Ritter, Jr. **	NSSC Volleyball
Christy Mershon	Resident/Semo University
Nate Saverino **	SEMO
Jay Wolz	Marketing/Communications

** Incumbent

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

It is recommended that the City Council make three appointments to the Advisory Board of the Convention and Visitors Bureau for terms expiring June 30, 2028.

BOARD OR COMMISSION RECOMMENDATION

The Advisory Board of the Convention and Visitors Bureau recommends that Lyle Randolph, Carl Ritter Jr., and Nate Saverino be reappointed to the board.

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
 CVB_Roster.pdf	CVB Roster
 CVB_Attendance.pdf	CVB Attendance Roster

CONVENTION & VISITORS BUREAU ADVISORY BOARD

5/5/2025 ROSTER

NAME	FIELD	TERM #	APPOINTED	TERM EXPIRES
Echimovich, John	Mid-America Hotels	1	6/17/2024	6/30/2027
Gilligan, Rob	Chamber of Commerce	1	6/17/2024	6/30/2027
Haynes, Liz	Old Town Cape	1	6/17/2024	6/30/2027
Kluge, Randy	Drury Southwest	P	6/17/2024	6/30/2026
Noto, Dr. Quantella	SEMO	P	6/17/2024	6/30/2026
Patel, Anissa	Local Restaurants	P	6/17/2024	6/30/2026
Randolph, Lyle	Century Casino	P	6/17/2024	6/30/2025
Ritter Jr., Carl	NSSC Volleyball	P	6/17/2024	6/30/2025
Saverino, Nate	SEMO	P	6/17/2024	6/30/2025

P = Partial Term

DESCRIPTION: Act in an advisory capacity to the Convention and Visitors Bureau, including providing recommendations on the methods of promoting tourism, conventions, meetings and other activities and events. Recommend a long-term strategic plan for operations of the Convention and Visitors Bureau, including use of the Marketing Investment Fund. Provide recommendations to the Convention and Visitors Bureau on goals, plans, policies and proposed projects for the convention and visitors bureau. Shall consist of nine (9) members comprised of the following: two (2) members shall be owners or operators of hotels or motels within the city limits, one (1) member shall be from the Cape Girardeau Area Chamber of Commerce, one (1) member shall be from Old Town Cape, one (1) member shall be an owner or operator of a restaurant within the city limits, and four (4) members shall have demonstrated by past activities an interest in the entertainment, hospitality, convention or tourism business.

NUMBER OF MEMBERS: 9

MEETING TIME: Bi-Monthly (odd months), First Monday at noon at the Osage Centre

TERM LIMIT: 2 Full Term Limits (3-Year Terms)

RESIDENCY: The City Council may, by initial appointment, waive the residency requirement in Article V, Section 2-124, for members appointed on June 17, 2024, until completion of two consecutive full terms on the board.

STAFF LIAISON: Doug Gannon, Parks Director (Coordinator: Dana (Emily) Beck)

COUNCIL LIAISON:

CONVENTION & VISITORS BUREAU ADVISORY BOARD - ATTENDANCE RECORDS

Meeting Time: Bi-Monthly (odd months), First Monday at noon at the Osage Centre

Ordinance Effective: 04/13/2000

2025	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Warning Letters			Termination Letter
	6	3	3	7	5	2	7	4	?	6	3	1				
Echimovich, John	NM	P	P	NM	P											
Gilligan, Rob	NM	P	P	NM	P											
Haynes, Liz	NM	P	P	NM	P											
Kluge, Randy	NM	P	P	NM	P											
Noto, Dr. Quantella	NM	A	P	NM	P											
Patel, Anissa	NM	A	P	NM	P											
Randolph, Lyle	NM	P	A	NM	P											
Ritter Jr., Carl	NM	P	P	NM	P											
Saverino, Nate	NM	A	P	NM	P											
AGENDA RCVD	NM	x	x	NM	x											
MINUTES RCVD	NM	x	x	NM												

2024	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Warning Letters			Termination Letter
								9	3	7	4	2				
Echimovich, John								SMa	SMp	RETREAT	P	A				
Gilligan, Rob								SMa	SMp		P	A	12/11/2024			
Haynes, Liz								SMp	SMp		A	A	12/11/2024			
Kluge, Randy								SMp	SMp		P	P				
Noto, Dr. Quantella								SMp	SMp		P	P				
Patel, Anissa								SMp	SMp		P	P				
Randolph, Lyle								SMp	SMp		P	A				
Ritter Jr., Carl								SMp	SMp		P	P				
Saverino, Nate								SMa	SMp		P	P				
AGENDA RCVD								x	x	R	x	x				
MINUTES RCVD								x	x	R	x	x				

P = Present

A = Absent

NM = No Meeting or Meeting Cancelled

SMp = Special Meeting Present

SMa = Special Meeting Absent

Staff: Gayle L. Conrad, MPCC/CMC,
Director of Citizen Services/City
Clerk
Agenda: June 16, 2025

AGENDA REPORT
Cape Girardeau City Council

SUBJECT

Three appointments to the Public Library Board of Directors for terms set to expire June 30, 2028.

EXECUTIVE SUMMARY

David Diveley, Ed Thompson and Lauren Clark Hill have terms on the Public Library Board of Trustees expiring June 30, 2025. Lauren Clark Hill has expressed interest in reappointment. Due to term limits, Mr. Diveley is no longer eligible to serve on the board, and Mr. Thompson is not seeking reappointment. A copy of the board roster is attached for your review.

BACKGROUND/DISCUSSION

Appointments to the Public Library Board are made by the Mayor and approved by the City Council. The following individuals are eligible and have expressed an interest in serving on the board. Their board applications are attached.

Applicant	Ward	Citizen Academy Graduate
Holly Godwin	5	No
Amanda Heslinga	5	No
Lauren Clark Hill	5	No
Michelle Latham	4	Yes
Jerry McGuire	4	No
Cindy Maher	3	No
Christy Mershon	3	No
Jamie Phillips	5	No
Taylor Raines	5	No

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

It is recommended that three appointments be made to the Public Library Board of Directors for terms expiring June 30, 2028.

BOARD OR COMMISSION RECOMMENDATION

The Library Board made a recommendation to reappoint Lauren Clark Hill and to appoint Amanda Heslinga and Taylor Raines for terms expiring June 30, 2028.

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
 Library_Board_Roster.pdf	Library Board Roster

Public Library Board of Trustees

5/19/2025 ROSTER

NAME	TERM #	APPOINTED	TERM EXPIRES
Criblez, Adam	1	6/20/2023	6/30/2026
Diveley, David	3	6/20/2022	6/30/2025
	2	6/17/2019	6/30/2022
	1	7/5/2016	6/30/2019
	P	12/7/2015	6/30/2016
Gasser, Alix	P	6/17/2024	6/30/2026
Hill, Jessica	1	6/17/2024	6/30/2027
	P	1/10/2022	
Hill, Lauren Clark	P	9/5/2023	6/30/2025
Matukewicz, Lenna	1	6/17/2024	6/30/2027
	P	6/15/2025	
Redinger, Eric	3	6/17/2024	6/30/2027
	2	6/21/2021	6/30/2024
	1	6/18/2018	6/30/2021
Thompson, Ed	P	1/23/2023	6/30/2025
Wolz, Kathy	1	6/20/2023	6/30/2026

DESCRIPTION: Policy making board and governing body of the Cape Girardeau Public Library. Council member may serve as liaison.

TYPE OF BOARD: Administrative

MEETING TIME: Meetings held fourth Thursday at 7:00 a.m. at the Cape Girardeau Public Library

TERM LIMIT: 3 Full Term Limits (3-Year Terms) Members can only serve three consecutive terms (Mo State Statute) and shall not be eligible for further appointment to the board until two (2) years after the expiration of the third term.

STAFF LIAISON: Katie Earnhart, Library Director

Staff: Gayle L. Conrad, MPCC/CMC,
Director of Citizen Services/City
Clerk

Agenda: June 16, 2025

AGENDA REPORT
Cape Girardeau City Council

SUBJECT

Appointment of two members to the Special Business District Advisory Commission for terms expiring June 30, 2028.

EXECUTIVE SUMMARY

Two positions on the Special Business District Advisory Commission are set to expire June 30, 2025. These positions are held by Kent Zickfield and David Hutson, and both have expressed interest in continuing to serve.

The composition and duties of the the Special Business District Advisory Commission are set out in Section 2-145 of the City Code, and a copy is attached for your reference. The purpose of the commission is to recommend how the revenue of the district shall be used.

The Commission is made up of five members who are required to own property or operate a municipally licensed business within the boundaries of the district. A copy of the roster is attached for your review. Board members hold three year terms.

BACKGROUND/DISCUSSION

Four individuals have submitted an application expressing interest in serving on the Commission. However, none of the applicants meet the requirements to serve on the commission.

Section 2-125 of the City Code states that no member may serve more than two consecutive full terms. This term limitation shall not apply if the city council makes a finding that special expertise is required and there are no other qualified applicants.

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION


It is recommended that two appointments be made to the Special Business District Advisory Commission for terms expiring June 30, 2028.

BOARD OR COMMISSION RECOMMENDATION

While the Commission has not recently met, Mr. Hutson and Mr. Zickfield have expressed interest in continuing to serve.

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
 Special_Business_District_Roster.pdf	SBD Commission Roster
 Ordinance.powers.20221.docx	SBD Commission Ordinance

SPECIAL BUSINESS DISTRICT ADVISORY COMMISSION

5/19/2025 ROSTER

NAME	TERM #	APPOINTED	TERM EXPIRES
Buelow, Emily	1	6/20/2023	6/30/2026
	P	8/1/2022	6/30/2023
Cain, Dennis "Doc"	1	6/20/2023	6/30/2026
	P	4/19/2021	6/30/2023
Hutson, David	4	6/20/2022	6/30/2025
	3	4/19/2021	6/30/2022
	2	7/7/2014	6/30/2017
	1	6/20/2011	6/30/2014
	P	6/16/2008	6/30/2011
	P	7/23/2007	6/30/2008
Maevers, Jim	1	6/20/2023	6/30/2026
	P	4/19/2021	6/30/2023
Zickfield, Kent	9	6/20/2022	6/30/2025
	8	4/19/2021	6/30/2022
	7	7/7/2014	6/30/2017
	6	7/18/2011	6/30/2014
	5	6/16/2008	6/30/2011
	4	6/20/2005	6/30/2008
	3	6/17/2002	6/30/2005
	2	6/21/1999	x
	1	1/1/1987	x

P = Partial Term

DESCRIPTION: Develops plans for the improvement of Special Business District #2 (the downtown Main St. area), in conjunction with the downtown redevelopment corporation. They then administer implementation of the plan again in conjunction with the Downtown Redevelopment Corporation with property tax revenues generated within the district. Recommends changes in the plan for the improvement of Special Business District #2.

NUMBER OF MEMBERS: 5

MEETING TIME: Required to meet one time per year

TERM LIMIT: 2 Full Term Limits (3-Year Terms)

RESIDENCY: City of Cape Girardeau

STAFF LIAISON: Trevor Pulley, Assistant City Manager

COUNCIL LIAISON:

Sec. 2-145. - Special Business District Advisory Commission.

- (a) *Establishment.* The city council shall have sole discretion as to how the revenues of special business district number 2 shall be used within the scope of City Ordinances. To assist in exercising this discretion, a Special Business District Advisory Commission is hereby created.
- (b) *Membership.* The advisory commission shall consist of five (5) members, chosen from individuals who own property or operate a municipally licensed business within the boundaries of the district, with reference to their fitness for such offices. No member of the municipal government shall be a member of the advisory commission. However, the city manager shall be designated an ex officio member of said commission, and he shall be permitted to designate other city staff to serve in an ex officio capacity from time to time.
- (c) *Term of office.* Except as otherwise provided by section 2-98 of the City Code, the city council shall appoint members of said advisory commission for terms of three (3) years beginning on the first day of July. All members' terms shall be staggered so that two (2) members' terms shall expire each year, but every third year only one (1) member's term shall expire.

(Ord. No. 2701, art. 5, 4-3-00)

Sec. 2-146. - Duties of advisory commission.

The advisory commission has the responsibility of performing the primary administrative functions of the district. These functions include, but are not limited to, the following:

- (1) *Officers and committees.* The advisory commission shall meet annually during the month of July to elect one (1) of their number as chairman, another as vice chairman, and yet another as secretary-treasurer, and by the election of such other officers as they may deem necessary. The chairman, vice chairman and secretary-treasurer of the advisory commission shall function as an executive committee, and the members of the advisory commission may create such other committees as they deem necessary.
- (2) *By-laws.* The advisory commission shall make and adopt such by-laws, rules and regulations for their own guidance and for the administration of the district as may be appropriate, but not inconsistent with the ordinances of the city or the statutes of the State of Missouri.
- (3) *Development plan.* The advisory commission shall be responsible for the development and maintenance of an overall plan of action for the district. This plan will be construed to be the major policy instrument of the district, and all expenditures and activities are to be reviewed in light of the plan. This plan shall be consistent with the comprehensive development plan of the city. The advisory commission shall be required to hold at least one (1) meeting a year, to which all individuals owning property and/or operating a municipally licensed business within the boundaries of the district are actively encouraged to attend with the expressed purpose of reviewing and updating the plan.
- (4) *Budget.* The advisory commission shall be required to create and maintain a line-item budget for any existing revenue and the anticipated revenue of the district for the year following the date of the last-published budget. Said budget must be published annually and submitted to the city council for approval by the first of February. Prior to the submittal of the budget to the city council, the advisory commission shall be required to hold at least one (1) meeting to which all individuals owning property and/or operating a municipally licensed business within the boundaries of the district are actively encouraged to attend with the expressed purpose of reviewing the proposed budget. The advisory commission may make recommendations for the modification or elaboration of the budget to the city council at any time.
- (5) *Annual report.* The advisory commission shall be required to submit an annual report of its activities to the city council by the first of April of each year. This report should inventory the projects undertaken by the district in the preceding year and their status, minutes of all meetings

held by the advisory commission and any of its committees, relevant correspondence, a copy of the latest plan adopted for the district, a financial report of the district, a statement by the executive committee on the status of the effectiveness of the district, and such other items as may be deemed relevant by the advisory commission. Upon receipt of the annual report, the city council shall place the same on file with the city manager and note that it is available for public inspection.

(Ord. No. 2701, art. 5, 4-3-00)

Staff: Gayle L. Conrad, CMC/MPCC,
Director of Citizen Services/City
Clerk
Agenda: June 16, 2025

AGENDA REPORT
Cape Girardeau City Council

SUBJECT

Silver Springs Community Improvement District Amended Budget for Fiscal Year Ending June 30, 2025 and Approved Budget for Fiscal Year Ending June 30, 2026.

EXECUTIVE SUMMARY

As required under Missouri State Statute, the attached Silver Springs Community Improvement District Amended Budget for Fiscal Year Ending June 30, 2025 and Approved Budget for Fiscal Year Ending June 30, 2026, is submitted to the City for its official records.

BACKGROUND/DISCUSSION

FINANCIAL IMPACT

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name

Description

Resolution__No._25-

002_Amending_FYE_June_30_2025_and_approving_2026_Budgets_SIGNED.pdf Budgets FYE 2025 and 2026

RESOLUTION NO. 25-002

A RESOLUTION OF THE SILVER SPRINGS COMMUNITY IMPROVEMENT DISTRICT AMENDING THE BUDGET OF THE DISTRICT FOR THE FISCAL YEAR ENDING JUNE 30, 2025; APPROVING THE PROPOSED BUDGET OF THE DISTRICT FOR THE FISCAL YEAR ENDING JUNE 30, 2026, 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 Silver Springs 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 shall submit the proposed annual budget prior to the beginning of each fiscal year to the City Council of the City of Cape Girardeau, Missouri (the “*City*”).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SILVER SPRINGS COMMUNITY IMPROVEMENT DISTRICT, AS FOLLOWS:

Section 1. Amendment of Budget for Fiscal Year 2025. The budget of the District for the fiscal year ending June 30, 2025, 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 2026. The proposed budget of the District for the fiscal year ending June 30, 2026, 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 Clerk, with a copy to the City Attorney, for the City’s review and comment. 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.

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 Board of Directors of the District.

Passed this 4th day of April, 2025.

I, the undersigned, Chair of the Silver Springs 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 April 7, 2024.



**SILVER SPRINGS COMMUNITY
IMPROVEMENT DISTRICT**


Chair, Board of Directors

WITNESS my hand and official seal this 7th day of April, 2024.

ATTEST:


Assistant Secretary, Board of Directors

EXHIBIT A
SILVER SPRINGS
COMMUNITY IMPROVEMENT DISTRICT

AMENDED BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2025

AND

PROPOSED BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2026

Chair/Director Matt Hopkins		Vice Chair Grayson Erlbacher
Secretary/Treasurer/Director Marla Mills		
Director [Vacant]		Director [Vacant]
Assistant Secretary Robert Klahr		

BUDGET MESSAGE BY ASSISTANT SECRETARY ROBERT KLAHR

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 Silver Springs Community Improvement District (the “**District**”) was established by Ordinance No. 5535, effective on May 12, 2022, adopted by the City Council of the City of Cape Girardeau, Missouri (the “**Ordinance**”). The District is a political subdivision of the State of Missouri.

The Ordinance provided that the District be established for the sole purpose of funding various public improvements within the District boundaries (the “**Project**”), which public improvements are to be made in connection with the development, operation and maintenance of a new commercial retail development within the District.

On May 25, 2022, pursuant to Section 67.1545 of the CID Act, the District’s Board of Directors approved Resolution No. 22-003, authorizing the District to impose a community improvement district sales and use tax on all taxable sales within the District in accordance with Section 67.1545 of the CID Act (the “**CID Sales Tax**”), which CID Sales Tax became effective following approval of the CID Sales Tax by the qualified voters of the District at an election held in accordance with the CID Act.

On May 25, 2022, the Board of Directors of the District adopted Resolution No. 22-007 approving and authorizing the execution of a Reimbursement Agreement (the “**Reimbursement Agreement**”) by and between the District and AJM, LLC CAPE GIRARDEAU MO (the “**Developer**”), pursuant to which the Developer agreed to advance the costs of the Project and certain operating costs of the District, and the District agreed to reimburse the Developer as set forth therein.

During the fiscal year ending June 30, 2022, the District received \$0 in CID Sales Tax revenues and had \$0 in expenditures.

During the fiscal year ending June 30, 2023, the District received \$18,696 in CID Sales Tax revenue, \$24 in interest income and \$500 of Developer contribution. The District had total expenditures of \$19 in miscellaneous banking fees.

On November 14, 2023, the Board of Directors of the District adopted Resolution No. 23-003, approving a certificate of Reimbursable CID Project Costs, as defined in the Reimbursement Agreement, in the amount of \$2,174,816.

On April 24, 2024, the Board of Directors of the District adopted Resolution No. 24-001, approving a Certificate of Reimbursable CID Operating Costs, as defined in the Reimbursement Agreement, in the amount of \$41,184.61.

During the fiscal year ending June 30, 2024, the District received \$141,306 in CID Sales Tax revenues and \$1,893 in interest income. The District had total expenditures of \$146,065 consisting of \$70 in miscellaneous banking fees, \$9,999 in legal and administration fees, \$0 for insurance, and \$135,996 in reimbursement to the Developer (consisting of \$41,185 of Reimbursable CID Operating Costs and \$94,812 of Reimbursable CID Project Costs). At the end of the fiscal year ending June 30, 2024, the District had fully paid the Developer’s Reimbursable CID Operating Costs and there was a Certificate of Reimbursable CID Project Costs outstanding in the amount of \$2,080,004.

During the fiscal year ending June 30, 2025, the District anticipates approximately \$155,689 in CID Sales Tax revenues. The District anticipates total expenditures of approximately \$140,784 consisting

of approximately \$70 in miscellaneous banking fees, approximately \$15,409 in legal and administration fees, approximately \$3,000 for insurance, and approximately \$122,305 in reimbursement to the Developer. At the end of the fiscal year ending June 30, 2025, the District anticipates that there will be a Certificate of Reimbursable CID Project Costs outstanding in the amount of \$1,957,699.

During the fiscal year ending June 30, 2026, the District anticipates approximately \$150,000 in CID Sales Tax revenues. The District anticipates total expenditures of approximately \$153,700 consisting of approximately \$200 in miscellaneous banking fees, approximately \$15,500 in legal and administration fees, approximately \$3,000 for insurance, and approximately \$135,000 in reimbursement to the Developer. At the end of the fiscal year ending June 30, 2025, the District anticipates that there will be a Certificate of Reimbursable CID Project Costs outstanding in the amount of \$1,822,699.

SILVER SPRINGS COMMUNITY IMPROVEMENT DISTRICT
PROPOSED BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2026
AMENDED BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2025

	Budget FYE 6/30/2026	Amended Budget FYE 6/30/2025	Initial Budget FYE 6/30/2025	Actual FYE 6/30/2024	Budget FYE 6/30/2024
Beginning Balance:	\$ 32,744	\$ 16,335	\$ 12,316	\$ 19,201	\$ 19,201
Revenues:					
CID Sales Tax	\$ 150,000	\$ 155,689	\$ 150,000	\$ 141,306	\$ 146,750
Developer Contribution				\$ -	\$ -
Interest/Investment Income	\$ 1,500	\$ 1,504	\$ -	\$ 1,893	\$ 1,500
TOTAL REVENUES	\$ 151,500	\$ 157,193	\$ 150,000	\$ 143,199	\$ 148,250
Expenditures:					
Misc. Bank Fees/Returned Checks	\$ 200	\$ 70	\$ 200	\$ 70	\$ 70
Administration Expenses:					
Legal/Administration	\$ 15,500	\$ 15,409	\$ 15,500	\$ 9,999	\$ 15,285
Insurance	\$ 3,000	\$ 3,000	\$ 3,000	\$ -	\$ 3,000
CID Project Costs Advanced by Developer	\$ 135,000	\$ 122,305	\$ 135,000	\$ 135,996	\$ 136,780
TOTAL EXPENDITURES	\$ 153,700	\$ 140,784	\$ 153,700	\$ 146,065	\$ 155,135
REVENUES OVER (UNDER) EXPENDITURES	\$ (2,200)	\$ 16,409	\$ (3,700)	\$ (2,866)	\$ (6,885)
Other Financing Sources (Uses):					
Operating Transfers In	\$ -	\$ -	\$ -	\$ -	\$ 500
Operating Transfers Out	\$ -	\$ -	\$ -	\$ -	\$ (500)
TOTAL OTHER FINANCING SOURCES (USES)	\$ -	\$ -	\$ -	\$ -	\$ -
NET CHANGE IN FUND BALANCES	\$ (2,200)	\$ 16,409	\$ (3,700)	\$ (2,866)	\$ (6,885)
Beginning Cash on Hand:	\$ 32,744	\$ 16,335	\$ 12,316	\$ 19,201	\$ 19,201
Ending Balance:	\$ 30,544	\$ 32,744	\$ 8,616	\$ 16,335	\$ 12,316

Staff:

Agenda: June 16, 2025

AGENDA REPORT Cape Girardeau City Council	
---	--

SUBJECT

Advisory Board Minutes

- Airport Advisory Board - 5/13/2025
- Board of Adjustment - No May Meeting
- Board of Appeals - 05/08/2025
- Convention & Visitors Bureau Advisory Board - 05/05/2025
- Golf Course Advisory Board - No May Meeting
- Historic Preservation Commission - No May Meeting
- Liquor License Review Board - No March Meeting
- Parks & Recreation Advisory Board - 05/12/2025
- Planning and Zoning Commission - 05/14/2025
- Special Business District Advisory Commission - No May Meeting
- Tree Board - No May Meeting

EXECUTIVE SUMMARY

BACKGROUND/DISCUSSION

FINANCIAL IMPACT






SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

PUBLIC OUTREACH

ATTACHMENTS:

File Name	Description
 AirportBoard-Minutes-5.13.2025002.pdf	Airport Board 05-13-2025
 Board_of_Appeals_Meeting_5-8-25.DRAFT.pdf	Board of Appeal 05-08-25.draft
 CVB.5.5.25_Board_Meeting_Minutes_-_DRAFT.pdf	CVB Minutes 05-05-2025 draft
 Park.5.12.25_Advisory_Board_Meeting_Muniutes_draft.pdf	Park Board 05-12-2025 draft
 Planning_and_Zoning_Commission_Minutes_05-14-25_-_Draft_(1).pdf	Planning & Zoning 05-14-2025 draft



**Cape Girardeau Regional Airport Advisory Board Meeting - Minutes
May, 13 2025**

The Cape Girardeau Regional Airport Advisory Board held its monthly meeting on May 13, 2025, at 11:30 am at the Airport Terminal Conference Room.

Board Members Present:

Keith Boeller, Chair
Bev Cleair, Vice Chair
Kent Ward, Board Member (via phone)
John Russell, Board Member
Shawn Wasson, Board Member
Bruce Loy, Board Member
Nancy Kopp, Board Member
Mark Mehner, Board Member

Staff Present:

JoJo Stuart, Airport Manager
Audrey Lorch, Airport Support Spec.
Mark Bliss, City Council Liaison

Appearances – Nathan Gladden, Southeast Missourian, Jody Underwood, Potential Board Member

Absent: NA

Call to Order/Approval of Minutes—Mr. Boeller called the meeting to order at 11:30 a.m. Ms. Cleair approved the April 2025 minutes. Ms. Kopp seconded. All were in favor, and the motion passed with a unanimous vote.

I. Old Business -

- **Airport Activity Report**—Mr. Stuart presented the April 2025 activity report. Enplanements have been steady, and peak vacation/leisure travel will increase in the next few months. YTD enplanements are up.
- **Cape Aviation Report** – Mr. Stuart provided the fuel reports for April 2025, Jet A fuel sales are up 23%, YTD. Growth and fuel sales continue to increase each year; US Aviation fuel sales are up 16% YTD, due to added aircraft and students.
- **Airport Projects Update -**
 - Mr. Stuart reports Airport **T-Hangar Demolition**—Mr. Stuart reported that the T-Hangar demolition was awarded this past week, and the teardown will begin shortly.

II. New Business –

- **EAS Proposal & Process** – Mr. Stuart has requested a closed session for discussions.
- **Board Member Recommendation** – The current Board Members have reviewed member applications, and there will be a recommendation at the June 10, 2025 meeting.

III. Non–Agenda Items – Motion to close the session by Mr. Wasson first, Mr. Mehner second, all in favor.

I. Adjournment

There being no other business, Mr. Boeller moved to adjourn the meeting, Ms. Kopp first, Mr. Mehner, second. All were in favor. The meeting adjourned at 1:30 pm.

Minutes prepared by:

Audrey Lorch, Airport Support Specialist

MINUTES
BOARD OF APPEALS
City of Cape Girardeau
44 N. Lorimier Street
Cape Girardeau, MO 63701
May 8, 2025

DRAFT

The Board of Appeals met on Thursday, May 8, 2025 at 7:00 p.m. in the Council Chambers at City Hall.

Members Present: Mark Strickland, Melanie Cantrell, Craig Milde, Robert Blasiney, and Derrick Geringer

Members Absent: Willie Sandin

The meeting was called to order at 7:00 p.m. by Chairman Mark Strickland and the roll was called.

A motion was made to accept minutes from BOA meeting held on November 16, 2021 by Mark Strickland. Melanie Cantrell seconded the motion and was approved with all in favor.

Purpose of Meeting:

A motion was made by Mark Strickland to review new applications for vacant member openings. Robert Blasiney seconded the motion, and it was approved with all in favor. Applications were reviewed and discussed among members of the board.

After discussing the applications and qualifications of the applicants, a motion was made by Mark Strickland to recommend to the City Council to place Alayna Nordstrom Structural Engineer in the vacant member opening, Kristen Uhrhan in the first alternate member opening, and Bruce Baker in the second alternate member opening as well as re-appointing member Craig Milde and continue as Secretary. The motion was seconded by Melanie Cantrell and all were in favor.

Other Business:

1. A discussion was held regarding changing BOA meeting time from the second Thursday of the month at 7:00 p.m. to 5:30 p.m. Times were discussed and decision was made to keep the meeting on the same date and time - second Thursday of the month at 7:00 p.m.
2. Discussion was held regarding future meetings to be held to discuss the adoption of new building codes. Mark Strickland asked that Doug Weisbrod

address the dates for when the meetings will be held when he is ready for them to take place.

A motion was made to adjourn meeting by Mark Strickland seconded by Robert Blasiney and all were in favor. The meeting adjourned at 7:35 p.m.

Minutes taken by:
Rebecca Holter
Inspection Services Division

Visit Cape - Advisory Board Meeting Minutes – *DRAFT* Monday May 5, 2025

Board Members Present:

Liz Haynes, Chairperson
Quantella Noto, Vice-Chairperson
Carl Ritter
Randy Kluge
John Echimovich
Rob Gilligan
Nate Saverino
Anissa Patel
Lyle Randolph

Board Members Absent:

Percy Huston, Parks & Recreation Advisory Board
Liaison

Parks and Recreation Department Staff Present:

Doug Gannon, Parks and Recreation Director
Brenda Newbern, Visit Cape Manager
Scott Williams, Recreation Division Manager
Penny Williams, Recreation Division Manager
Moriah Lincoln, Administrative Coordinator
Joshua Robison,
Emily Beck, Administrative Coordinator

Welcome/Introductions

- Liz Haynes called the meeting to order at 12:05pm, on Monday May 5, 2025 at the Osage Centre meeting room 1A.
- Liz Haynes introduced Emily Beck as the new Administrative Coordinator for Visit Cape.

Old Business

- **Approval of Minutes: March 3, 2025** – Chair Liz Haynes asked for a motion to approve the minutes. Rob Gilligan motioned to approve the minutes, Randy Kluge seconded. Minutes approved.

New Business

- **Appointments Renewal Recommendation for Visit Cape Board Members**
A motion was made by Quantella Noto and seconded by Rob Gilligan to reappoint Nate Saverino, Carl Ritter, and Lyle Randolph for three-year terms to the Visit Cape Advisory Board. The Visit Cape Advisory Board unanimously approved the recommendations. The recommendation will be forwarded to the City Council for final approval.
- **Visit Cape-Hotel/Motel Receipt Report**
Brenda Newbern covered the Hotel/Motel Receipt Report (HMR) handout. The March numbers were very strong.
- **Simple View/Lost Events**
Joshua Robison covered the handout of upcoming events as well as events that Visit Cape bid on but was not chosen.
- **Upcoming Events**
Several board members advised of local events that have taken place as well as those that are upcoming.
- **Southeast Missouri State Athletics Event update**
Nate Saverino covered the OVC Track and Field coming May 14-17, 2025 as well as the start of fall season events at Southeast Missouri State University.

Sub Committee Meeting Reports

- **Strategic Planning, Budget and Allocations**
Sub-committee Chair Lyle Randolph reported the meeting discussions focused on future funding

opportunities.

- **Marketing and Promotions**

Sub-committee Chair Nate Saverino reported the meeting discussions focused on marketing Cape Girardeau and the Visit Cape brand.

- **Events and Program Development**

Sub-committee Chair Carl Ritter reported the meeting discussions focused on development of a survey to look for opportunities for future growth.

Open Discussion

- There were no topics introduced for open discussion.

Other Business

- The next full Board meeting July 7, 2025
- Future Subcommittee meetings
 - Strategic Planning Budget and Allocations June 2, 2025 at 1:00 pm
 - Marketing and Promotions June 2, 2025 at 12:00 pm
 - Events and Program Development June 11, 2025 at 1:00 pm

Adjournment

- Chair Liz Haynes adjourned the meeting at 1:17pm.

Transcribed by: Emily Beck, Administrative Coordinator

The Convention and Visitors Bureau Advisory Board of the City of Cape Girardeau, Missouri, may, as a part of the regular or special Convention and Visitors Bureau 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..

PARKS AND RECREATION ADVISORY BOARD

Minutes - DRAFT

Monday, May 12, 2025 - 5:30 p.m.

Osage Centre • Meeting Room 1A

Present:

Percy Huston, Chairman
Beverly Evans, Secretary
Tamara Buck, Board Member
Darrin Bruenderman, Board Member
Jerry Dement, Board Member
Thomas Drummond, Board Member
Lewis Jackson Hill, Board Member
Mary-Ann Maloney, Board Member
Mark Moore, Board Member
John Spear, Board Member

Absent:

David Cantrell, City Council Liaison
Phillip Moore, Vice-Chairman

Parks and Recreation Staff Present:

Doug Gannon, Parks & Recreation Director
Kaed Horrell, Parks Division Manager
Scott Williams, Recreation Div. Manager
Penny Williams, Recreation Div. Manager
Brenda Newbern, Visit Cape Manager
Moriah Lincoln, P&R Admin. Coordinator

Welcome/Introductions

- Percy Huston called the meeting to order at 5:32pm on Monday April 14, 2025 at the Osage Centre.

Old Business

- **Approval of Minutes: April 14, 2025** – Chairman Huston asked for everyone to review the minutes. Tamara Buck motioned to approve the minutes, Lewis Jackson Hill seconded. Minutes approved.
- **Friends of the Parks Day Summary** - we had about 300 volunteers participate on April 26, 2025 to help clean and plant flowers throughout several of our parks.
- **Grant Application for Facility Way Finding Update** - Brenda advised the application is submitted waiting on the State's Budget approval to receive funding. BOLD Marketing will be designing the signs for the Osage Centre/Cape Splash/Visit Cape, and SPSC fields.

New Business

- **Summer Aquatic Facility Hours**
 - Penny Williams advised the board that Monday through Thursday Cape Splash will open to the public at noon. This will allow an extra hour for River Walking as that program has grown. Jefferson Pool will be open on the weekends and Cape Aquatic Center will be open during the week. Private events are available when facilities are closed.
- **June 9, 2025 Parks and Facilities Tour**
 - Doug Gannon let the board know next month's meeting will be the annual Parks and Facilities Tour. The meeting will begin at 5pm with a light dinner and depart at 5:30 pm for a tour of some of our Parks and Facilities.
- **Osage Marquee Sign**
 - Penny Williams let the board know that the new sign is up and running. The Administrative staff and Marketing/Social Media Specialist will work on the video board updates. The new sign includes the Osage Centre, Cape Splash and Visit Cape logos.
- **Cape Splash Staff and Board Night, May 22, 2025**
 - Penny Williams invited the Board Members to the annual Staff and Board Night, this is a special

night before Cape Splash opens to the public to allow lifeguard and concession training.

Reports/Project Updates

- **Parks and Recreation Project Updates**
 - **Sportsplex Parking Lot**
 - Kaed Horrell gave an update that the parking lot is open and ready for usage. We are still waiting on several parking blocks that should be delivered in the next couple of weeks. No Parking signage will also be placed in the next week.
 - **Youth Outdoor Sports Complex**
 - Doug Gannon's update – the site is cleared of all brush. The existing lights on the Youth Football Fields will be moved and relocated until the new football/soccer fields are complete. The next step of the project will be to install the drain pipe in the water way that runs through the project site.
 - **Shawnee Parks Sports Complex Improvements**
 - Doug Gannon's update – Parks and Recreation received a \$246,000 matching grant for improvements. Components of the project will be bid in July 2025 including bleacher shade structures, a complex wide PA system, new fencing on fields 1-5 and bleachers.
 - **Cape LaCroix Recreation Trail.**
 - Kaed Horrell gave an update that the final plans for the trail improvements were submitted to MODOT May 2nd. The project will go out to bid early summer.
 - **Chris Hudson Wheel Park Memorial Sign**
 - The sign recognizing Chris Hudson for his contributions to the Wheel Park is complete. The Parks Maintenance team is constructing the sign holder. Upon completion of the sign frame, a ceremony will be held to unveil the new memorial sign.
- **Golf Course Advisory Board**
 - Tim Kelley and Jared Handley were recommended to the City Council for appointment to the Board
- **Visit Cape Report**
 - Brenda Newbern distributed the March HMR report. The numbers were strong with increases in both Hotel/Motel and Restaurant receipts.
 - Brenda meet with USS LST325 representatives. The Navy boat will be docking in September.
- **Tree Advisory Board**
 - No Report
- **Red House Interpretive Center Committee**
 - Kaed Horrell reported that the Heritage Days will be May 17. Kaed is working on getting bids for the roof and parking lot at the Red House.
 - The Red House is now open on Saturdays and for private tour groups until October.
- **Parks and Recreation Foundation**
 - Scott Williams gave an update on the annual membership drive. The goal is 100 family memberships and retention of all the members from years past.
 - Movement Day is June 4. Everyone is welcome to join us at the Osage Trail Head for an evening of moving. This is a family event for everyone to run, walk or bike the trail.
- **City Council Report**
 - David Cantrell asked Percy to give an update on the bids for the Airlines being considered at the Regional Airport. The bids include companies that provide flights to Chicago and Dallas. More

to come in the next month.

- **Monthly Staff Report/Calendar Updates**

- Penny Williams encouraged the board to read through the Staff Briefs as they highlight upcoming department events and league start dates.

Other Business

- Recreation Supervisor positions – Scott Williams gave an update that interviews have started and the goal is to have both positions filled by early June.
- Scott is talking to a local company about a small vendor lease at the SportsPlex
- Jackson Hill asked out the ball field maintenance and when we should see them playable with all the weather we are getting. Scott Williams advised that crews are working to get the fields in playable condition. The weather has been a challenge this year
- Next Board Meeting – Monday June 9, 2025 at the Osage Centre at 5pm.

Adjournment

- Motion to adjourn at 6:12pm made by Mary-Ann Maloney, seconded by Tamara Buck.

Transcribed by: Moriah Lincoln, Administrative Coordinator

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..

Draft

PLANNING & ZONING COMMISSION

MEETING MINUTES

May 14, 2025

City Hall – Council Chambers
44 North Lorimier Street

Commission Members Present: Scott Blank, Kevin Greaser, Derek Jackson, Gerry Jones, Chris Martin, Nick Martin, Emily McElreath

Commission Members Absent: Trae Bertrand, Robbie Guard

Staff Present: Carol Peters, Trevor Pulley, Ryan Shrimplin

Call to Order

Chairman Blank called the meeting to order at 5:30 p.m.

Approval of Minutes

A motion was made by Mr. Greaser and seconded by Mr. Jackson to approve the minutes of the April 9, 2025 meeting as submitted. The motion passed by a unanimous vote.

Amendment of Agenda

A motion was made by Mr. Chris Martin and seconded by Mr. Nick Martin to amend the agenda by changing the order of the agenda items. The motion passed by a unanimous vote.

REZONINGS, SPECIAL USE PERMITS, AND EXCEPTIONS

1. A public hearing was held on the request of Elizabeth and Craig Thomas to rezone property located at 215 North West End Boulevard from R-3 (High Density Single-Family Residential District) to NC (Neighborhood Commercial District). Ms. Elizabeth Thomas presented the request. She explained that she and her husband, Craig, recently purchased the property with the intention of using it for an art school and studio. When they submitted the application, they were proposing to hold two classes at a time, with no more than 15 students and one teacher per class. However, after being told by the City Planner that they would have to provide eight off-street parking spaces, they have decided to amend their application to only propose one class at a time, with no more than 15 students and one teacher. Mr. Shrimplin explained that an art school and studio is a special use in the NC district, so the applicants would need approval of both the rezoning and the special use permit in order to conduct the use. He clarified that this hearing is only for the rezoning.

Chairman Blank opened the public hearing. Mr. Terry McDowell, representing First Church of Christ, Scientist, spoke in favor of the request. He explained that the Church sold the property to the applicants. He stated that there could be no better use for the building and that the applicants would do a great job taking care of the property. He noted that the property across the street was used for commercial for many years.

Mr. Greaser asked what the hours of operation would be. Ms. Thomas stated that there would be a morning class from 9:00 a.m. to noon and an afternoon class from 1:00 p.m. to 4:00 p.m. She noted that there would be no evening classes.

Seeing no other appearances to speak, Chairman Blank closed the public hearing. A staff report was submitted to the Commission, which recommended approval of the rezoning request. A motion was made by Mr. Jackson and seconded by Mr. Greaser to recommend approval of the rezoning request. The motion passed by a roll call vote of 7 in favor, 0 in opposition, and 0 abstaining (*Aye: Blank, Greaser, Jackson, Jones, C. Martin, N. Martin, McElreath*).

2. A public hearing was held on the request of Elizabeth and Craig Thomas for a special use permit for an art school and studio on property located at 215 North West End Boulevard. Mr. Shrimplin reiterated that the property would have to be rezoned to NC in order for the special use permit to be granted.

Chairman Blank opened the public hearing. Seeing no appearances to speak, he closed the public hearing. A staff report was submitted to the Commission, which recommended 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.
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 twelve (12) months from the date of issuance if the building permit (and/or any other required permit) for said special use has not been issued. If the building permit (and/or any other required permit) is issued within this time frame and later expires due to lack of progress, then this permit shall automatically expire upon the expiration of said permit(s).
4. This permit is not transferable without the approval of the City Council.
5. A minimum of eight (8) off-street parking spaces shall be provided for said special use in accordance with the City's off-street parking regulations.
6. Any exterior building alterations or additions shall be reviewed by staff for compliance with the NC district regulations prior to issuance of any permits or approvals.

Mr. Shrimplin stated that, because the applicants verbally amended their application to only propose one class at a time, with no more than 15 students and one teacher, the minimum number of off-street parking spaces can be reduced from eight to four.

A motion was made by Mr. Greaser and seconded by Mr. Nick Martin to recommend 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.

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 twelve (12) months from the date of issuance if the building permit (and/or any other required permit) for said special use has not been issued. If the building permit (and/or any other required permit) is issued within this time frame and later expires due to lack of progress, then this permit shall automatically expire upon the expiration of said permit(s).
4. This permit is not transferable without the approval of the City Council.
5. A minimum of four (4) off-street parking spaces shall be provided for said special use in accordance with the City's off-street parking regulations.
6. Any exterior building alterations or additions shall be reviewed by staff for compliance with the NC district regulations prior to issuance of any permits or approvals.

The motion passed by a roll call vote of 7 in favor, 0 in opposition, and 0 abstaining (Aye: Blank, Greaser, Jackson, Jones, C. Martin, N. Martin, McElreath).

3. A public hearing was held on the request of Big River Communications/Circle Fiber for a special use permit for the long-term use of a shipping container on property located at 24 South Minnesota Avenue, in the M-1, Light Manufacturing/Industrial District. Mr. Nick Miller, Big River Communications/Circle Fiber, presented the request. He explained that the company is undertaking a large fiber installation project that is expected to take a few years. The shipping container would be used for secure storage of materials for the project. Mr. Jackson asked if the shipping container would be removed upon completion of the project. Mr. Miller stated that the container could probably be removed at that time, but no decisions have been made.

Chairman Blank opened the public hearing. Seeing no appearances to speak, he closed the public hearing. A staff report was submitted to the Commission, which recommended 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.
2. Major modifications to said special use (including, but not limited to, the site plan and/or the location of the shipping container) shall require the approval of the City Council.
3. This permit shall automatically expire twelve (12) months from the date of issuance if said special use has not commenced.
4. This permit is not transferable without the approval of the City Council.
5. The final design of the shipping container shall be subject to approval by the City staff. The exterior of the shipping container shall be maintained to prevent paint loss or other significant wear or damage to the finish.

A motion was made by Mr. Jackson and seconded by Mr. Chris Martin to recommend approval of the special use permit request, subject to conditions in the staff report. The motion passed by a roll call vote of 7 in favor, 0 in opposition, and 0 abstaining (*Aye: Blank, Greaser, Jackson, Jones, C. Martin, N. Martin, McElreath*).

4. A public hearing was held on the request of Armando Sanchez to rezone property located at 524 North Silver Springs Road from R-4 (Medium Density Multifamily Residential District) to NC (Neighborhood Commercial District). Mr. Armando Sanchez presented the request. He explained that he would like to develop the property for a commercial building with approximately four to five units. He stated that some of the potential uses include a bakery, a commercial daycare, a studio for dance or fitness classes (such as Zumba), a hair salon, and a small grocery store specializing in Mexican food, beverages, and other products.

Mr. Greaser noted that the City Council previously denied a rezoning request by Mr. Sanchez for property that included this lot. He asked for clarification of the differences between the previous request and the current request. Mr. Chris Martin stated that, if he recalled correctly, the previous request was for two lots (524 and 546 North Silver Springs Road) and Mr. Sanchez wanted to develop each lot with a building containing commercial uses on the ground floor and residential uses above and/or behind the commercial uses. The current request is only for one of the lots, and there is no residential component this time. At the request of the Commission, Mr. Sanchez confirmed that his plans for the lot no longer included any residential uses.

Chairman Blank opened the public hearing.

Ms. Leslie Simmons, 2980 Shamrock Circle, spoke in opposition to the request. She stated that the neighborhood already has issues with crime due to existing commercial development, and it would not be fair to the Police Department to allow more of it. She also stated that the portion of North Silver Springs Road in front of the property always floods. She expressed concerns about delivery trucks using the Shamrock Circle cul-de-sac. She indicated that she didn't want a daycare there either. She noted that Mr. Sanchez's previous request was denied by the City Council in April, so she did not understand why the same request was being reviewed again. She stated that she strongly opposes any commercial uses on the lot, and that there would be nothing wrong with developing it for a duplex or triplex. She reiterated that, out of respect for the Police Department, there should be no more commercial uses in the area.

Chairman Blank stated that, unfortunately, the Commission cannot do anything about crime and flooding issues. He noted that, if the rezoning request were to be approved, Mr. Sanchez would be required to follow City Codes in developing the property. Ms. Simmons stated that the flooding issues are due to the City allowing the MACO property to be developed without adequate drainage.

Mr. Chris Martin asked if Shamrock Circle was a public street, to which Mr. Shrimplin responded affirmatively. Mr. Chris Martin stated that, because it is a public street, delivery trucks are allowed to drive on Shamrock Circle. He also noted that one of the lots at the end of Shamrock Circle was zoned C-2 (Highway Commercial).

Mr. Nick Martin asked what would happen if the Commission recommended approval of this request to the City Council and it was subsequently denied, as was the case with the previous request. Mr. Shrimplin stated that Mr. Sanchez could develop and use the property under the current R-4 zoning, or file an application to rezone the property to a different district.

Seeing no other appearances to speak, Chairman Blank closed the public hearing. A staff report was submitted to the Commission, which recommended approval of the rezoning request. A motion was made by Mr. Nick Martin and seconded by Mr. Greaser to recommend approval of the rezoning request. The motion passed by a roll call vote of 7 in favor, 0 in opposition, and 0 abstaining (*Aye: Blank, Greaser, Jackson, Jones, C. Martin, N. Martin, McElreath*).

5. A public hearing was held on the request of Pastor Zackery Strong of Christ Church of the Heartland, Inc. to rezone property located at 720 Bertling Street from R-1 (Single-Family Suburban Residential District) to R-4 (Medium Density Multifamily Residential District). Mr. Chris Martin recused himself from the discussion and vote due to his employment with an adjacent property owner. Each of the Commission members disclosed that they had been contacted by one or more of the neighbors regarding the rezoning request. Several of the members indicated that they declined to discuss the matter until the meeting. Chairman Blank disclosed that he had met with some of the neighbors, at their request, to explain the rezoning process. Mr. Shrimplin disclosed that he had attended a different meeting to explain zoning to the neighbors prior to the rezoning application being filed. The meeting was hosted by Pastor Strong along with realtors Bill and Sandy Tegel.

Pastor Zackery Strong presented the request. He explained that the church has been at this location for over 40 years. Over the years, there have been several changes made to the property. The congregation was much larger several years ago; it was at that time that a major building expansion project was initiated. Additions were constructed on the sides and rear of the original church building. Plans to expand the building further were cancelled due to changes in the congregation and the large amount of debt that had already been incurred. Recently, the church leaders made a decision to list the property for sale. The property is between six and seven acres and the building is between 46,000 and 47,000 square feet. Pastor Strong continued by explaining that there has been no interest by other churches; larger churches are not interested in buying an existing building and smaller churches cannot afford a building of this size. The R-1 zoning is very limiting and makes the property difficult to sell. He would like to get the property rezoned so it can be sold and the church can move on.

Chairman Blank opened the public hearing.

Ms. Sandy Tegel, realtor representing Christ Church of the Heartland, stated that the financial future of the church is dependent on selling the property. She explained that Teen Challenge had expressed interest in buying the property and converting the building to a residential treatment facility for women. Teen Challenge ultimately found another property and is no longer interested. If the church is unable to find a buyer, then the property may experience long-term vacancy, making it vulnerable to trespass, vandalism, and other adverse conditions.

Ms. Jeri Spence, 1820 Scotts Lane, explained that the properties along Scotts Lane, Flint Hill, and Sylvan Lane are commonly referred to as the River Hills District. She stated that the

residents of River Hills District are opposed to rezoning the property in general due to safety and property value concerns.

Mr. Justin Scheper, 446 Bertling Street, stated that there are five multi-family developments within a one-mile radius of the property. Police records show that there have been 34 criminal incidents among these developments since last November. During this same period, there have been five criminal incidents in the River Hills District, all of which were related to vehicle break-ins and theft. He stated that there is a clear correlation between multi-family developments and higher crime rates. He mentioned that he and his husband had previously approached the church about buying some of the property, but the church was not interested.

Ms. Spence added that the property owners of the River Hills District have well-maintained lawns and landscaping, and they would like to keep it that way. They are not in favor of any zoning change. The need to sell the church property should not be a compelling reason to compromise the safety of other property owners.

A gentleman stated that his name is Mark and that he lives on Sylvan Lane. He expressed opposition to the rezoning request and urged the Commission to recommend denial.

Mr. Donald Jung, 1537 Sylvan Lane, stated that he lives across the street from the subject property. He explained that at the time the church announced its expansion plans in June 2006, a major benefactor pledged to financially support the project. The benefactor later withdrew his support. Now the church is looking to the neighbors to help bail them out. He asked if benefiting the church should outweigh the many property owners that would be affected. He asked the Commission to please keep this gem of a residential area as residential.

Dr. Terry Spence, 1820 Scotts Lane, explained that although there is already a multi-family development (Cape Trails Apartments) near the single-family homes, it is separated from them by a street that acts as a barrier. There is no such barrier between the church property and the homes. He expressed concerns about rezoning a property without a plan in place for how it would be used. He felt it was like putting the cart before the horse. He suggested that the church come up with a plan for the property and then contact the homeowners to see if something could be worked out.

Seeing no other appearances to speak, Chairman Blank closed the public hearing.

Mr. Jackson noted that with housing prices going up, the Commission may see more requests to rezone land to allow multi-family developments near single-family subdivisions.

Chairman Blank stated that rezoning such a large property to R-4 without a specific plan for it would be problematic.

Mr. Nick Martin asked Ms. Spence how she would like to see the property used. Ms. Spence stated that she and her husband would be amenable to discussing ideas and problem solving with the church.

Chairman Blank asked Mr. Shrimplin to explain the PD, Planned Development District. Mr. Shrimplin stated that, unlike the other zoning districts, the regulations for PD are not pre-

established. Instead, they are proposed by the property owner. These regulations typically include permitted and special uses, lot standards (area, width), density (for residential uses), building height and setbacks, open space, and other requirements. The PD process involves the submission of a preliminary development plan that gets approved at the time the property is rezoned to PD, followed by a final development plan for each phase (or for the entire development if there will be no phases). Like a rezoning to a standard district, a rezoning to PD goes to the Planning & Zoning Commission for a recommendation and then on to the City Council, with each holding a public hearing. The minimum district size for a PD is three acres.

Mr. Jones expressed his appreciation to those who shared their comments. He stated that the church property is a significant piece of real estate that will most likely need to be redeveloped.

Mr. Greaser stated that rezoning the property to R-4 would have a dramatic impact on the neighborhood due to its size and the potential to develop it for a large number of apartments.

A motion was made by Mr. Greaser and seconded by Mr. Jackson to recommend approval of the rezoning request. The motion failed by a roll call vote of 0 in favor, 6 in opposition, and 1 abstaining (*Nay: Blank, Greaser, Jackson, Jones, N. Martin, McElreath; Abstain: C. Martin*).

SUBDIVISION PLATS

6. The record plat of Steven Roberts 2nd Subdivision was reviewed by the Commission. Mr. Ryan Brase, Bowen Engineering & Surveying, was available for questions from the Commission. A staff report was submitted to the Commission, which recommended approval of the record plat. A motion was made by Mr. Nick Martin and seconded by Ms. McElreath to recommend approval of the record plat. The motion passed by a roll call vote of 7 in favor, 0 in opposition, and 0 abstaining (*Aye: Blank, Greaser, Jackson, Jones, C. Martin, N. Martin, McElreath*).

OTHER ITEMS AND COMMUNICATION

Commission Communication

Mr. Nick Martin asked for clarification of the City's policy regarding rezoning requests that are denied. Mr. Shrimplin read aloud Section 30-32(e) of the Zoning Code (Chapter 30 of the City's Code of Ordinances), as follows: "The city council may reject an application without referring it to the planning and zoning commission and without publishing a notice of hearing if the application is made within two years of the city council's rejection of a previous application seeking an amendment for the same or a larger or smaller included tract." He explained that in the case of the rezoning request for 524 North Silver Springs Road, he asked the City Manager if the City Council would allow Mr. Sanchez to re-file, to which the City Manager responded affirmatively.

Staff Communication

Mr. Shrimplin gave the following updates:

1. Update on items from previous Commission meetings going on to City Council

Draft

The City Council approved the following on April 21, 2025:

- 1918 North Kingshighway Rezoning – 2nd & 3rd Readings
- Chapter 30 Amendment Regarding CBD, Central Business District – 1st Reading
- Zoning of property at 126 Dogwood Street upon annexation – 1st Reading

The City Council approved the following on May 5, 2025:

- Chapter 30 Amendment Regarding CBD, Central Business District – 2nd & 3rd Readings
- Zoning of property at 126 Dogwood Street upon annexation – 2nd & 3rd Readings
- 212 South West End Boulevard Rezoning – 1st Reading
- 3100 and 3130 Ragan Street Rezoning – 1st Reading

Adjournment

There being no further business, the Commission voted unanimously to adjourn the meeting at 6:40 p.m. upon a motion made by Mr. Greaser and seconded by Ms. McElreath.

Respectfully submitted,

Chris Martin, Secretary