



CITY OF CAPE GIRARDEAU, MISSOURI

City Council Agenda

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

City Council Chambers
City Hall
44 N. Lorimier St

Agenda Documents, Videos
Minutes, and Other Information:
www.cityofcape.org/citycouncil

March 4, 2024
5:00 PM

- Individuals desiring to speak about items NOT on the agenda must register no later than 12:00 pm, on Monday, March 4, 2024, by using the form found at cityofcape.org/council, by emailing cityclerk@cityofcape.org, or by calling 573-339-6320.

Invocation

Pastor Phil Roop of Bethel Assembly of God in Cape Girardeau

Pledge of Allegiance

Study Session

No action will be taken during the study session

Presentations

Communications/Reports

Items for Discussion

- Appearances by Advisory Board Applicants
- Consent Agenda Review

Regular Session

Call to Order/Roll Call

Adoption of the Agenda

Public Hearings

1. A public hearing on the FY2024-2029 Capital Improvement Program.
2. A public hearing to consider a request to rezone property located at 298 North West End Boulevard from C-1 (General Commercial District) to NC (Neighborhood Commercial District). (Item No. 13; BILL NO. 24-29)
3. A public hearing to consider a request for a special use permit for the purposes of constructing, maintaining, and operating two billboards at 2567 and 2649 Veterans Memorial Drive. (Item No. 14; BILL NO. 24-30)

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.

4. Approval of the February 20, 2024, City Council Regular Session Minutes.
5. BILL NO. 24-22, an Ordinance accepting a Permanent Water Line Drainage Easement for property located at 4150 Thousand Oaks Lane, in the City of Cape Girardeau, Missouri. Second and Third Readings.
6. BILL NO. 24-23, an Ordinance approving the record plat of Wren Subdivision. Second and Third Readings.
7. BILL NO. 24-24, a Resolution authorizing the City Manager to execute an Agreement with Southeast Missouri State University for the 2024 Historic Resource Survey, in the City of Cape Girardeau, Missouri. Reading and Passage.
8. Accept Improvements and Authorize Final Payment to Nip Kelley Equipment Co, Inc for the replacement of Capaha Field Fence.

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.

9. BILL NO. 24-25, an Ordinance approving a Cooperation Agreement among the City of Cape Girardeau, Missouri, the RCC Community Improvement District, the RCC Transportation Development District and River City Centre, LLC. First Reading. DEV - Trevor Pulley
10. BILL NO. 24-26, an Ordinance authorizing the acquisition of Temporary Construction Easements and Permanent Drainage Easements from various property owners for the PRS2 Stormwater Projects, in the City of Cape Girardeau, Missouri. First Reading. PW - Brock Davis
11. BILL NO. 24-27, an Ordinance approving the record plat of The Meadows of Whispering Oaks - Fourth. First Reading. DEV - Ryan Shrimplin
12. BILL NO. 24-28, an Ordinance approving the record plat of Rhodes Town Plaza Subdivision. First Reading. DEV - Ryan Shrimplin
13. BILL NO. 24-29, an Ordinance amending Chapter 30 of the Code of Ordinances of the City of Cape Girardeau, Missouri, by changing the zoning of property located at 298 North West End Boulevard, in

the City and County of Cape Girardeau, Missouri, from C-1 to NC. First Reading. DEV - Ryan Shrimplin

14. BILL NO. 24-30, an Ordinance granting a special use permit to Midamerica Hotels Corporation for the purposes of constructing, maintaining, and operating two billboards at 2567 and 2649 Veterans Memorial Drive, in the City of Cape Girardeau, Missouri. First Reading. DEV - Ryan Shrimplin

Appointments

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

- Appointment to the Planning and Zoning Commission
- Appointments to the Tax Increment Financing Commission

Staff: Lisa Mills - Finance Director
Agenda: 3/4/2024

AGENDA REPORT
Cape Girardeau City Council

24-036

SUBJECT

Public Hearing on the FY2024-2029 Capital Improvement Program

EXECUTIVE SUMMARY

In accordance with the requirements of the City Charter, a Public Hearing regarding the 2024-2029 Capital Improvement Program has been set for Monday, March 4, 2024 at 5:00 P.M. Notice of the hearing was published in the *Southeast Missourian* on Saturday, February 17, 2024. Staff will prepare a Resolution for adoption of the proposed Capital Improvement Program, with any additional changes the Council wishes to make, for the March 18, 2024 City Council meeting. The City Charter requires the Capital Improvement Program be adopted on or before April 1, 2024.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

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

STAFF RECOMMENDATION

Staff recommends the City Council hold the Public Hearing to gather comments on the proposed Capital Improvement Program. The Resolution to adopt the Capital Improvement Program will be presented to the Council at the March 18, 2024 regular meeting.

PUBLIC OUTREACH

The City Council's Public Hearing was advertised in the *Southeast Missourian* on February 17, 2024.

ATTACHMENTS:

Name:	Description:
DRAFT - FY24-29 CIP (10 Year) - 01-30-24.pdf	DRAFT - FY24-29 CIP

DRAFT

**CAPITAL
IMPROVEMENT
PROGRAM**

**PROPOSED
FY 2024-2029**

**Cape Girardeau,
Missouri**

Public Hearing on March 4, 2024

FY 2024-2029 Capital Improvement Program
10 Year Projection

CIP SUMMARY
FY 2024-2029

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

ADMINISTRATIVE SERVICES
FY 2024-2029

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



CIP FY 2024-2029 Cape Girardeau Regional Airport



LEGEND

Numbers correspond to Map ID # on the CIP spreadsheet.

— Transportation Projects

● Transportation Projects

● Capital Assets

■ Capital Assets

▬ Cape City Limits

■ Ward 1 ■ Ward 4

■ Ward 2 ■ Ward 5

■ Ward 3 ■ Ward 6



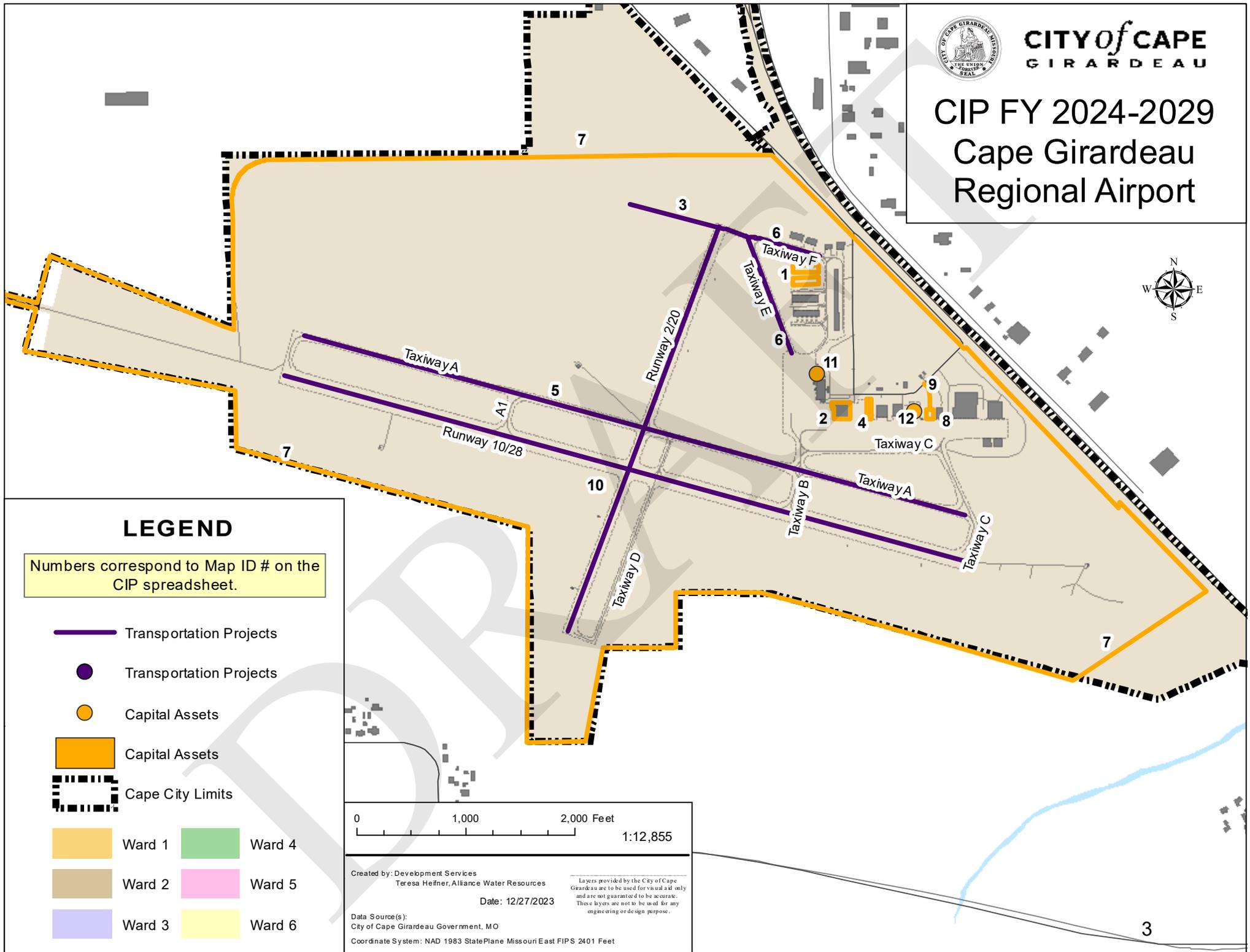
Created by: Development Services
Teresa Heffner, Alliance Water Resources

Date: 12/27/2023

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

Coordinate System: NAD 1983 StatePlane Missouri East FIPS 2401 Feet

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



CAPE GIRARDEAU REGIONAL AIRPORT
FY 2024-2029

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

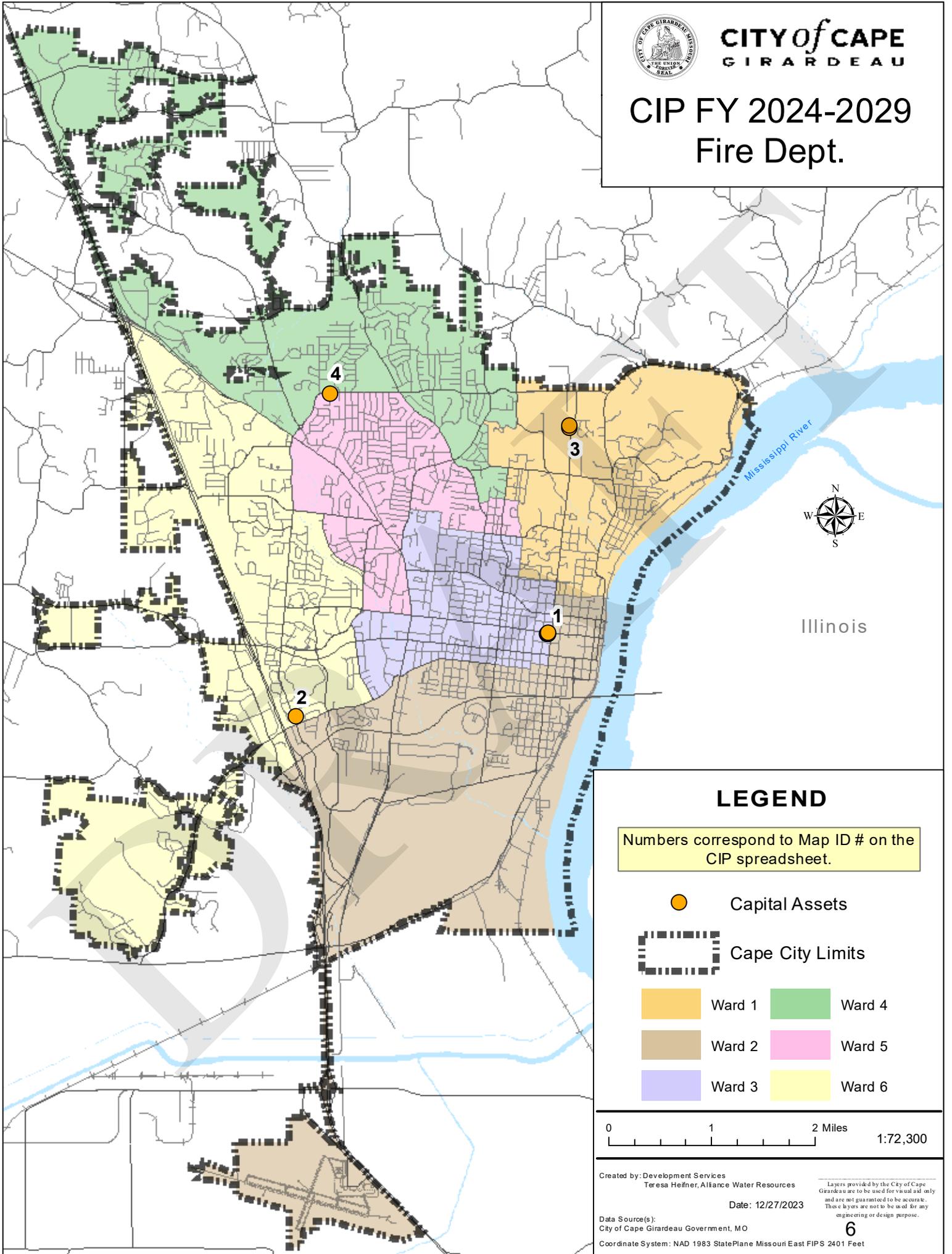
FY 2024-2029 Capital Improvement Program
10 Year Projection

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

DRAFT



CIP FY 2024-2029 Fire Dept.



Illinois

LEGEND

Numbers correspond to Map ID # on the CIP spreadsheet.



Capital Assets



Cape City Limits



Ward 1



Ward 4



Ward 2



Ward 5



Ward 3



Ward 6

0 1 2 Miles 1:72,300

Created by: Development Services
Teresa Heffner, Alliance Water Resources

Date: 12/27/2023

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

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Coordinate System: NAD 1983 StatePlane Missouri East FIPS 2401 Feet

FY 2024-2029 Capital Improvement Program
10 Year Projection

FIRE DEPARTMENT
FY 2024-2029

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

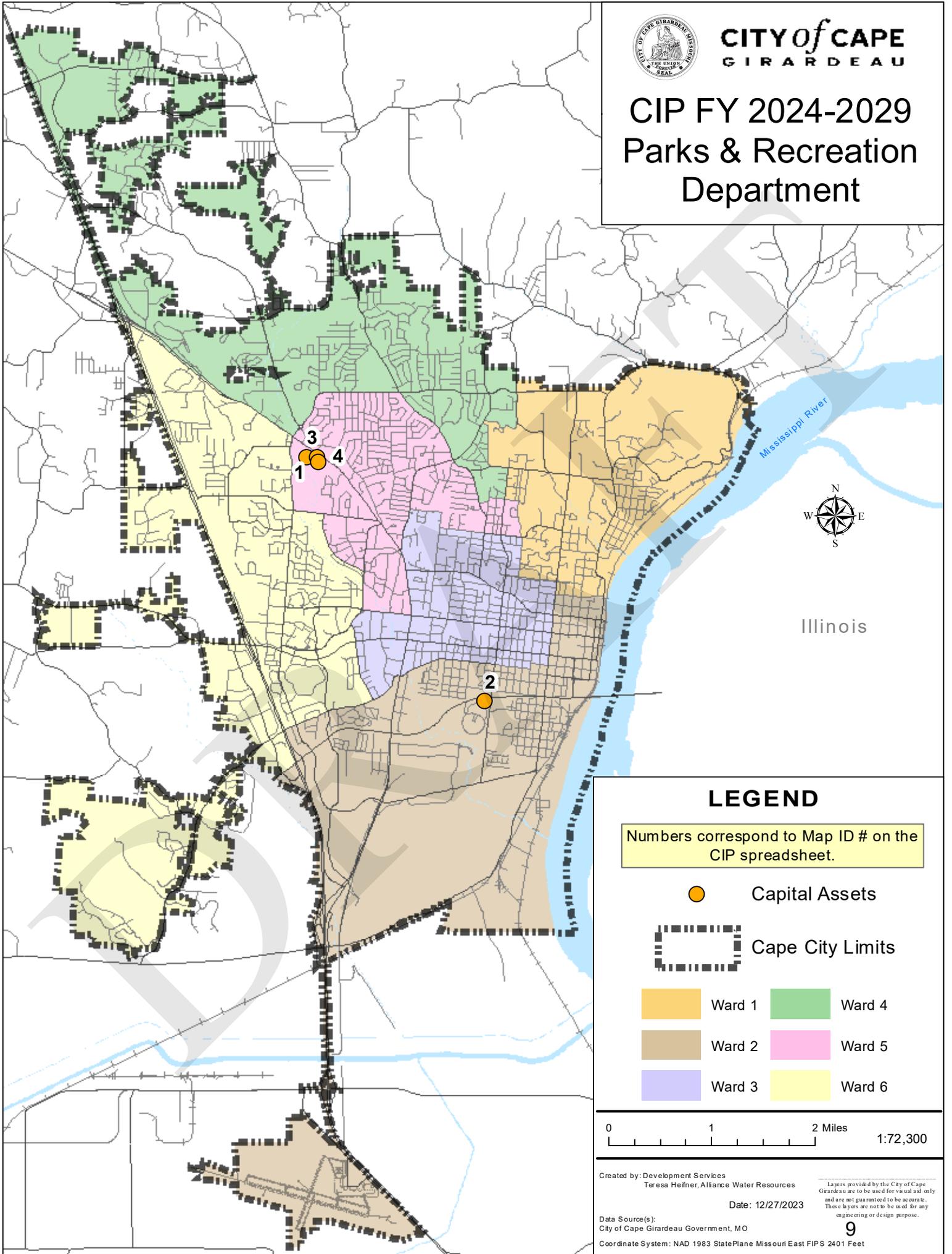
FY 2024-2029 Capital Improvement Program
10 Year Projection

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

DRAFT



CIP FY 2024-2029 Parks & Recreation Department



Illinois

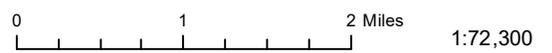
LEGEND

Numbers correspond to Map ID # on the CIP spreadsheet.

● Capital Assets

▭ Cape City Limits

- | | | | |
|---|--------|---|--------|
|  | Ward 1 |  | Ward 4 |
|  | Ward 2 |  | Ward 5 |
|  | Ward 3 |  | Ward 6 |



Created by: Development Services
Teresa Heffner, Alliance Water Resources

Date: 12/27/2023

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

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**FY 2024-2029 Capital Improvement Program
10 Year Projection**

**PARKS AND RECREATION
FY 2024-2029**

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

FY 2024-2029 Capital Improvement Program
10 Year Projection

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

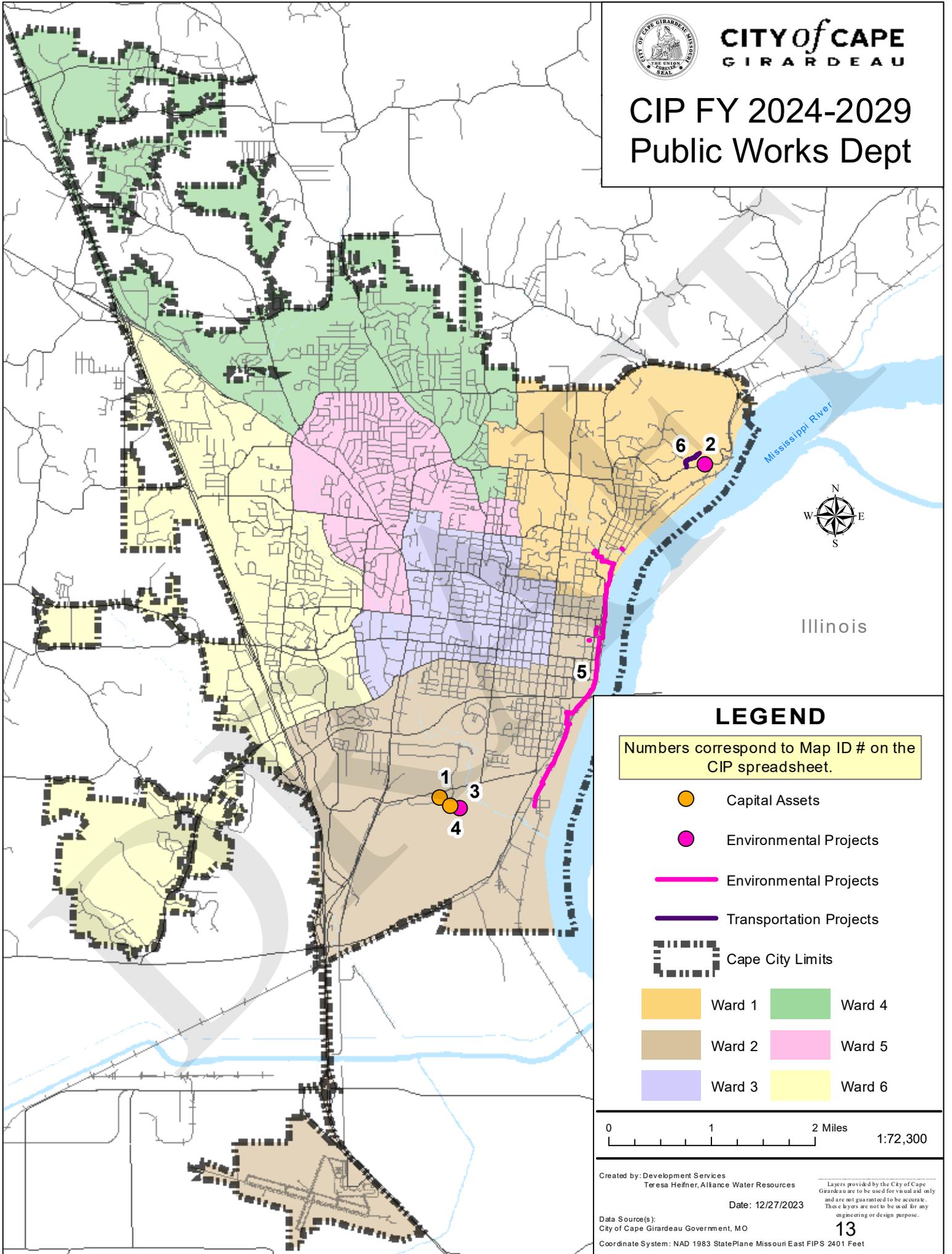
FY 2024-2029 Capital Improvement Program
10 Year Projection

POLICE DEPARTMENT
FY 2024-2029

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



CIP FY 2024-2029 Public Works Dept



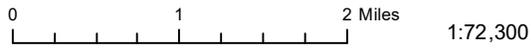
Illinois

LEGEND

Numbers correspond to Map ID # on the CIP spreadsheet.

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

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



Created by: Development Services
Teresa Heffner, Alliance Water Resources

Date: 12/27/2023

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

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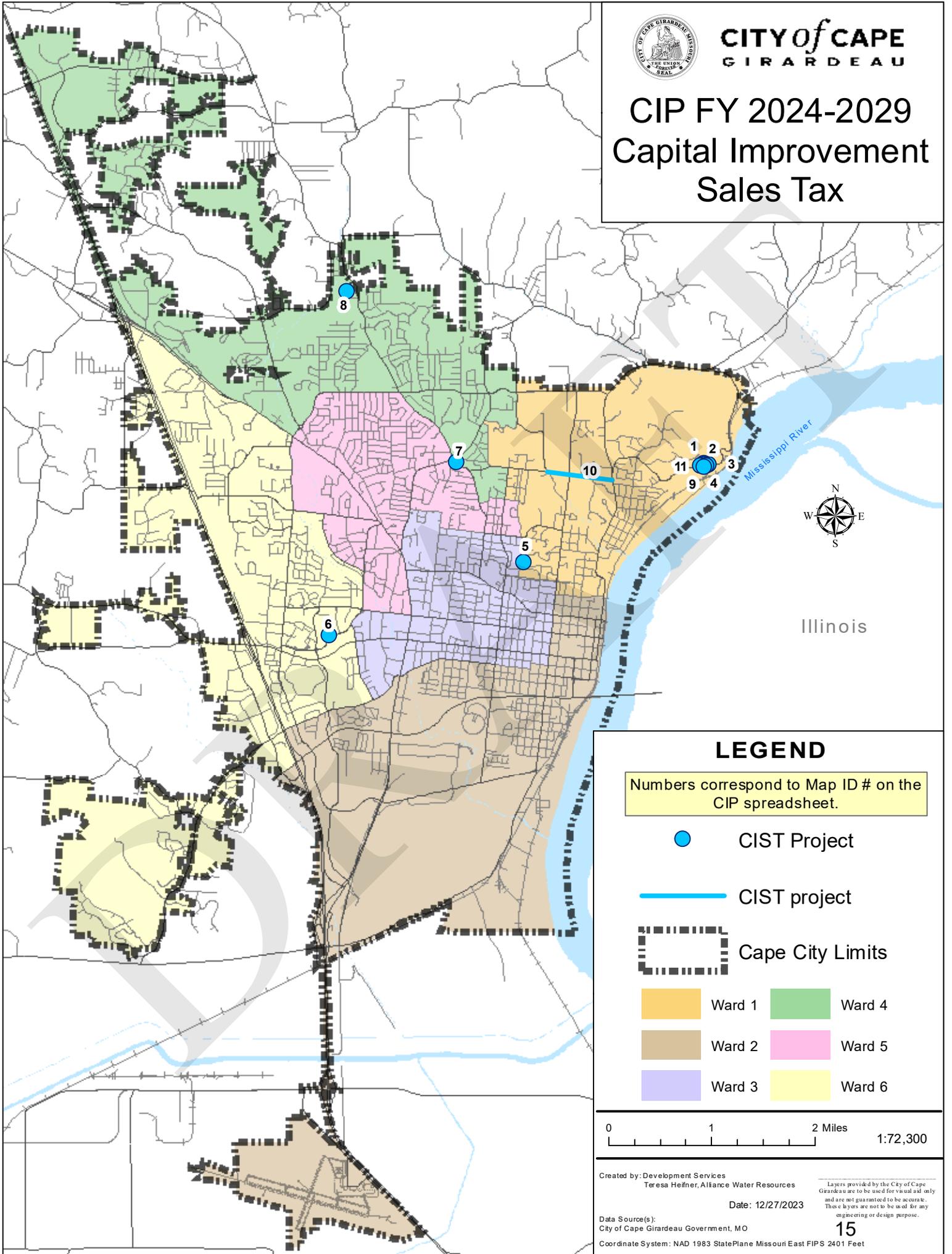
FY 2024-2029 Capital Improvement Program
10 Year Projection

PUBLIC WORKS
FY 2024-2029

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



CIP FY 2024-2029 Capital Improvement Sales Tax



LEGEND

Numbers correspond to Map ID # on the CIP spreadsheet.

- CIST Project
- CIST project
- Cape City Limits
- Ward 1
- Ward 4
- Ward 2
- Ward 5
- Ward 3
- Ward 6

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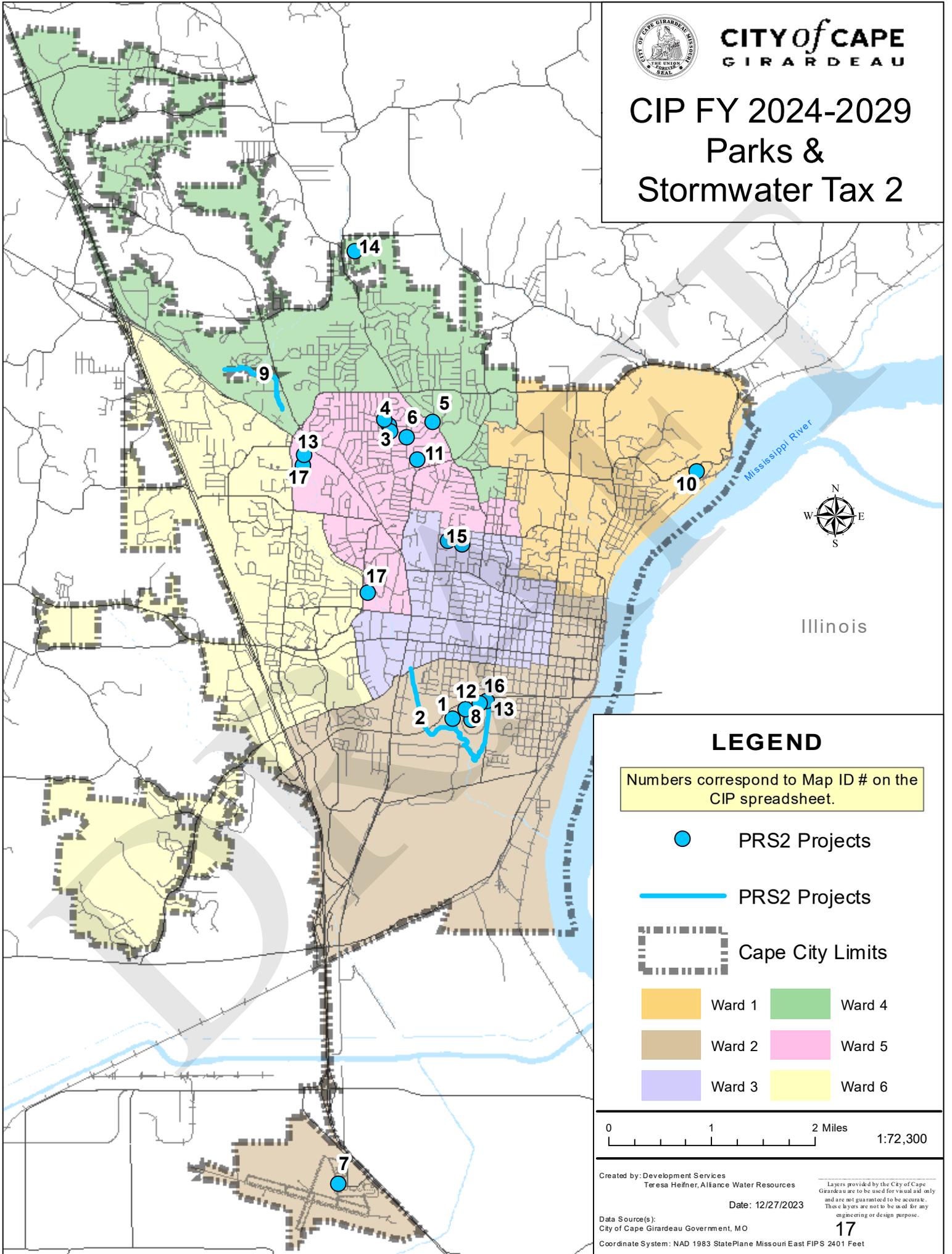
FY 2024-2029 Capital Improvement Program
10 Year Projection

CAPITAL IMPROVEMENT SALES TAX (CIST)
FY 2024-2029

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



CIP FY 2024-2029 Parks & Stormwater Tax 2



Illinois

LEGEND

Numbers correspond to Map ID # on the CIP spreadsheet.

PRS2 Projects

PRS2 Projects

Cape City Limits

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

0 1 2 Miles 1:72,300

Created by: Development Services
Teresa Heffner, Alliance Water Resources

Date: 12/27/2023

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

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Coordinate System: NAD 1983 StatePlane Missouri East FIPS 2401 Feet

FY 2024-2029 Capital Improvement Program
10 Year Projection

PARKS & STORMWATER TAX (PRS)
FY 2024-2029

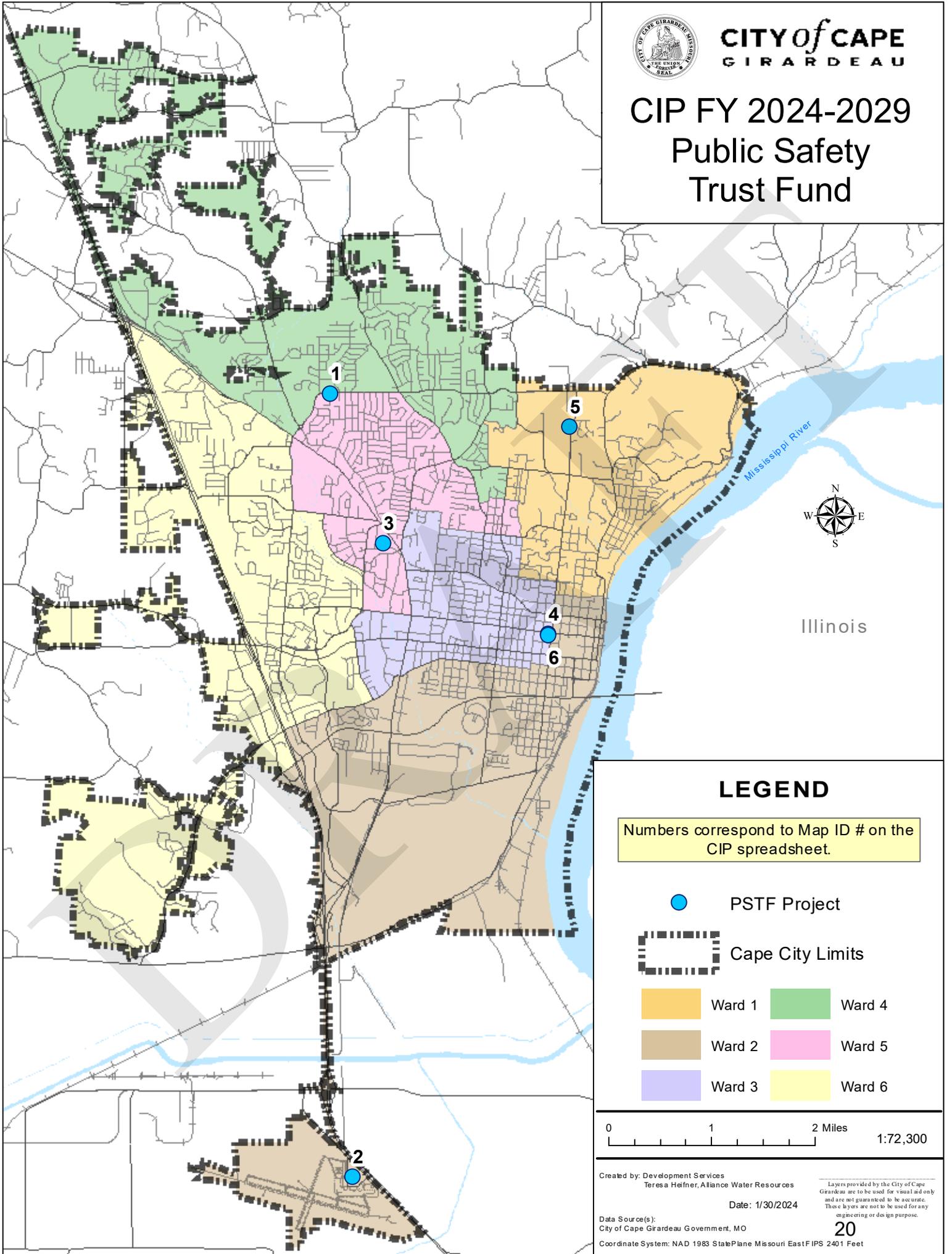
Map ID #	PRS2 Projects - Parks	Funding Source 1	Funding Source 2	Description	FY 24-25	FY 25-26	FY 26-27	FY 27-28	FY 28-29	FY 29-34	CNT	Total
1	Youth Sports Complex	PRS2 (4.5M)	Private (\$250,000) / PRF	A five (5) field Youth Sports Complex will be constructed to the West of the existing Shawnee Park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

**FY 2024-2029 Capital Improvement Program
10 Year Projection**

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



CIP FY 2024-2029 Public Safety Trust Fund



LEGEND

Numbers correspond to Map ID # on the CIP spreadsheet.

PSTF Project

Cape City Limits

- | | | | |
|--|--------|--|--------|
| | Ward 1 | | Ward 4 |
| | Ward 2 | | Ward 5 |
| | Ward 3 | | Ward 6 |

0 1 2 Miles 1:72,300

Created by: Development Services
Teresa Hefner, Alliance Water Resources

Date: 1/30/2024

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

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

20

Coordinate System: NAD 1983 StatePlane Missouri East FIPS 2401 Feet

FY 2024-2029 Capital Improvement Program
10 Year Projection

PUBLIC SAFETY TRUST FUND (PSTF)
FY 2024-2029

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

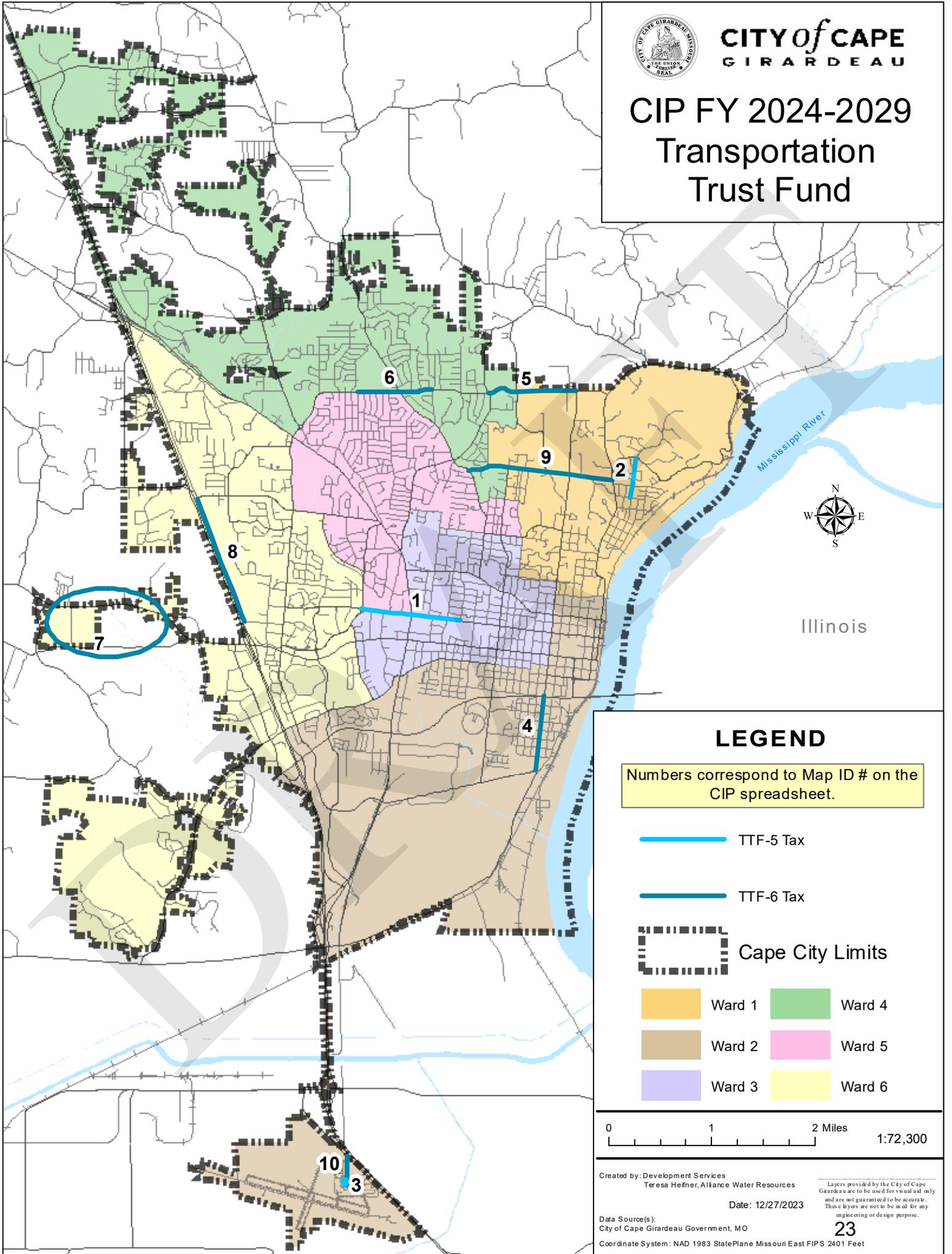
FY 2024-2029 Capital Improvement Program
10 Year Projection

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

DRAFT



CIP FY 2024-2029 Transportation Trust Fund



Illinois

LEGEND

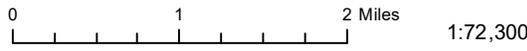
Numbers correspond to Map ID # on the CIP spreadsheet.

TTF-5 Tax

TTF-6 Tax

Cape City Limits

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



Created by: Development Services
Teresa Heffner, Alliance Water Resources

Date: 12/27/2023

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

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

Coordinate System: NAD 1983 StatePlane Missouri East FIPS 2401 Feet

FY 2024-2029 Capital Improvement Program
10 Year Projection

TRANSPORTATION TRUST FUND (TTF)
FY 2024-2029

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

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

COMPLETED PROJECTS
FY 2023-2024

Project Cost

Capital Assets - Facilities Projects	Funding Source 1	Funding Source 2	Description	FY 23-24
Training Site Security	General Fund		Fencing for training site at South Sprigg Street and La Cruz	\$ 50,000
A.C. Brase Arena - Exterior Painting	Casino Fund		Paint the exterior of the A.C. Brase Arena building	\$ 50,000
Training Site Improvements	General Fund		Stack and permanently secure the shipping containers used for firefighter training	\$ 50,000
City Hall Vault Shelving	General Fund	Local Records Preservation Grant (max. \$15,000)	Hi-density shelving for City Hall vault area. Project will include flooring track, single-sided end shelf, and three double-sided shelves.	\$ 16,800
Fire Station #2 - Renovations and Repair	General Fund	PSTF	Replace air conditioner	\$ 15,000
Fire Station Painting	Casino Fund		Materials to repaint both interior and exterior of Fire Stations #3 and #4	\$ 9,000
Capital Assets - Facilities Projects Completed				\$ 190,800
Capital Assets - Fleet Projects	Fleet #	VIN #	Description	FY 23-24
Replace Marine 3 Unit MWP	ARPA		Replace 1995 Jon Boat used for Mississippi River and tributary responses	\$ 90,000
Replace Brush 3 (1987 Ford F350) Unit 167	AFG		Replace 1987 Ford F350 brush firefighting vehicle with a new quad cab diesel 4x4 truck	\$ 90,000
Replace Technical Rescue Tool Trailer	General Fund		Replace the technical rescue tool trailer bought in the mid 1990s	\$ 30,000
Capital Assets - Fleet Projects Completed				\$ 210,000
Capital Assets - IT Projects	Funding Source 1	Funding Source 2	Description	FY 23-24
Nimble Storage Upgrade	General Fund		Replace storage array (5-yr upgrade schedule)	\$ 97,000
Upgrade Offsite VM server	General Fund		Disaster recovery (5-yr upgrade schedule)	\$ 40,000
Add Warning Siren Software	ARPA		Add an interoperability package to our existing and future sirens	\$ 30,000
Add EOC Video Wall	General Fund		Add a video wall to EOC for monitoring City security cameras, local news, and state emergency	\$ 25,000
Laserfishce Weblink Public Portal	General Fund	User Fees	Weblink Public Portal will allow public to access / research records. This would reduce the amopunt of time spent by staff on records request research.	\$ 9,895
Laserfische Server Move - SELF-HOSTED	General Fund		Current operating system / server is Windows 2008, is outdated, no longer supported or receives Windows updates, and is beyond life. Due to addition of PD, server is at 93% capacity (10% HR / CMO, 83% PD). Includes move / upgrade, installation and training.	\$ 5,140
Capital Assets - IT Projects Completed				\$ 207,035
Capital Assets - Non-fleet Projects	Funding Source 1	Funding Source 2	Description	FY 23-24
Body Worn Camera Project (Getac Video)	General Fund		Software maintenance, warranties, and cloud storage will need to be extended and old cameras will be replaced in 2024. This will cover the next two years through 2026.	\$ 138,764
Tornado Sirens	ARPA		Hopper Road / Dalhousie and Bloomfield / Whispering Oaks / Stone Crest	\$ 120,000
Axon (Taser) Replacement	General Fund		Current Axon (Taser) devices are wearing down and need to be replaced. Current devices are over ten years old.	\$ 75,309
Replace Vehicle Extrication Set	General Fund		Fund the replacement of a vehicle extrication set to our heavy rescue truck.	\$ 49,500
GPS Data Collector	General Fund		New data collector to be used by Engineering / Surveying Technician	\$ 35,000
Add EOC Communications Equipment	General Fund		Add communications equipment to work stations in the EOC	\$ 23,000
Stair Chair Replacement	Health Fund		Provide a stair chair for each fire apparatus.	\$ 15,000
Tornado Siren Batteries	General Fund		Replacement batteries for tornado sirens - 3-yr replacement schedule (x6 per siren)	\$ 12,500
Repair Diesel Exhaust Removal Systems	General Fund		Repair the Diesel Exhaust Removal Systems	\$ 10,000
Replace GPS Units	General Fund		Replacement of 12 GPS units for outdoor search and rescue.	\$ 6,000
Capital Assets - Non-fleet Projects Completed				\$ 485,073
CIST Projects	Funding Source 1	Funding Source 2	Description	FY 23-24
Replace Airport Terminal Building	CARES Act	CIST	Airport Terminal Replacement (20,100 Squ. Ft.)	\$ 12,016,053

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

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

Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
3/4/2024

AGENDA REPORT
Cape Girardeau City Council

24-037

SUBJECT

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

EXECUTIVE SUMMARY

A public hearing has been scheduled for March 4, 2024 to consider a request to rezone property located at 298 North West End Boulevard from C-1 (General Commercial District) to NC (Neighborhood Commercial District). An ordinance rezoning the property to NC is on this agenda as a separate item.

BACKGROUND/DISCUSSION

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

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

A public hearing has been scheduled for March 4, 2024 to consider the rezoning request. An ordinance rezoning the property to NC is on this agenda as a separate item.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

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

STAFF RECOMMENDATION

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 February 14, 2024 meeting and recommended approval of the rezoning request by a vote of 8 in favor, 0 in opposition, and 0 abstaining.

PUBLIC OUTREACH

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

ATTACHMENTS:	
Name:	Description:
☐ Staff_Review-Referral-Action_Form.pdf	298 North West End Boulevard - Staff RRA Form
☐ Map - 298 N West End - Zoning.pdf	298 North West End Boulevard - Zoning Map
☐ Map - 298 N West End - FLU.pdf	298 North West End Boulevard - FLU Map
☐ Application - 298 N West End Rezoning.pdf	298 North West End Boulevard - Application
☐ Sec. 30-66. - C-1 General Commercial District.pdf	C-1 District Regulations
☐ Sec. 30-64. - NC General Commercial District.pdf	NC District Regulations

CITY OF CAPE GIRARDEAU, MISSOURI

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

FILE NO. 1466

LOCATION: 298 North West End Boulevard

STAFF REVIEW & COMMENTS:

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

[Signature]
City Planner

1/30/24
Date

[Signature]
City Attorney

1/30/24
Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:

[Signature]
City Manager

1/31/24
Date

Planning & Zoning Commission

Public Hearing Sign Posting Date: _____ Public Hearing Date: _____

RECOMMENDED ACTION:

	Favor	Oppose	Abstain		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"/>	Sommer McCauley-Perdue	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sid Whittington	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

VOTE COUNT: 8 Favor 0 Oppose 0 Abstain

COMMENTS:

CITIZENS COMMENTING AT MEETING:

[Signature]
Chris Martin
Planning & Zoning Commission Secretary

City Council Action

Posting Dates: Sign _____ Newspaper _____ Public Hearing Date: _____
Ordinance 1st Reading _____ Ordinance 2nd & 3rd Reading: _____

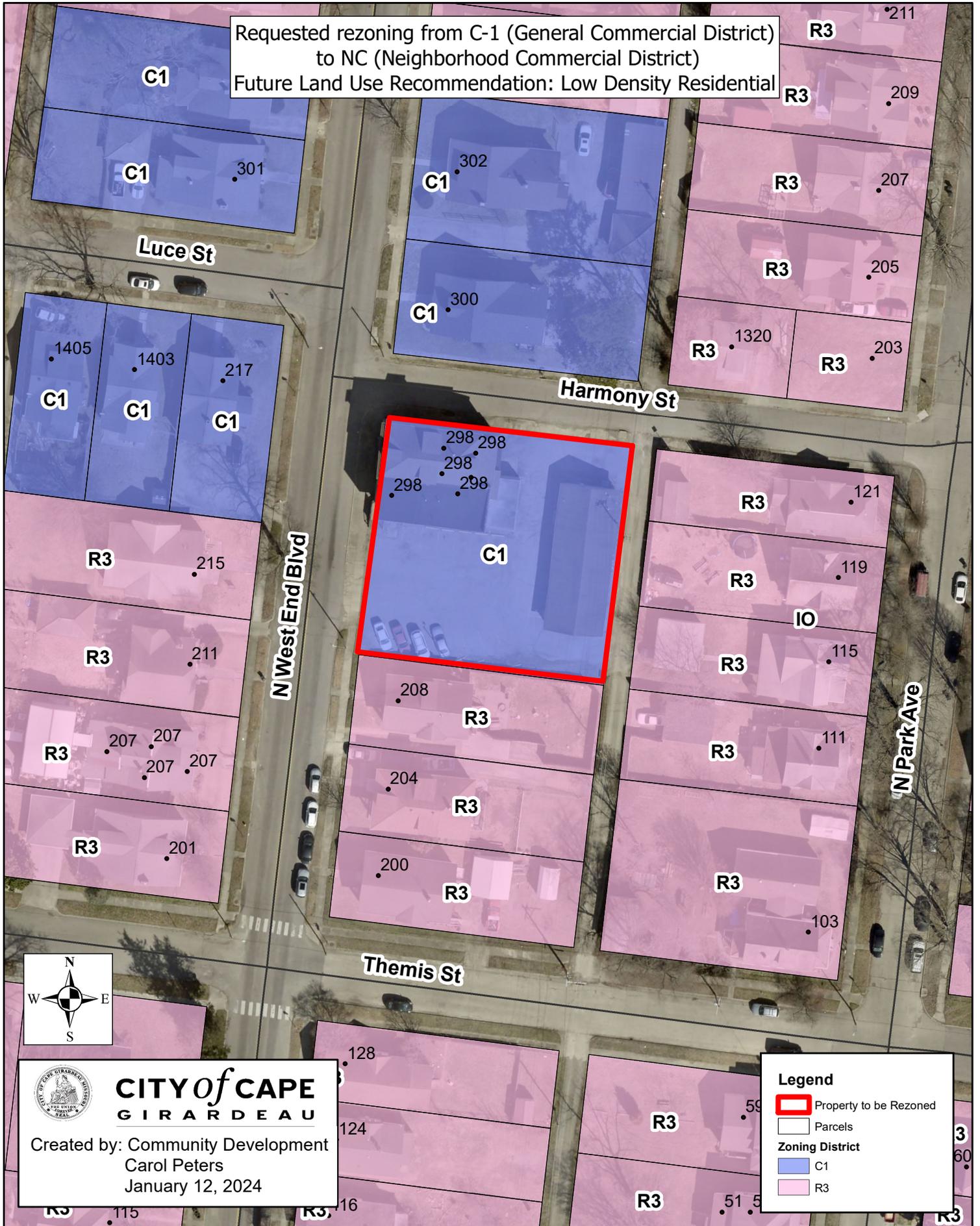
VOTE COUNT: _____ Favor _____ Oppose _____ Abstain

ORDINANCE # _____ **Effective Date:** _____

Rezoning Request

298 North West End Boulevard

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



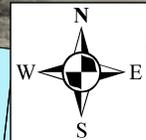
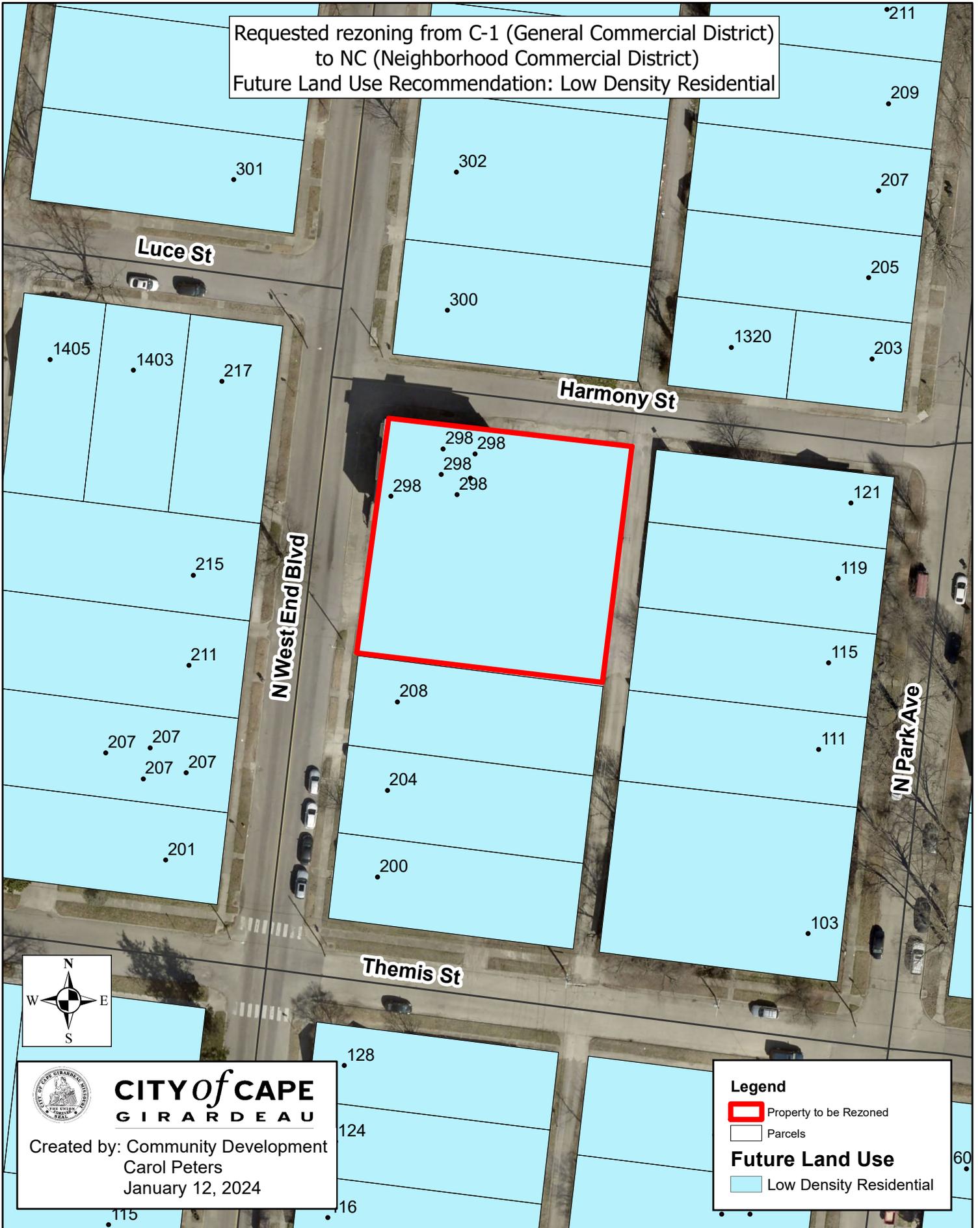
**CITY of CAPE GIRARDEAU**
Created by: Community Development
Carol Peters
January 12, 2024

Legend
 Property to be Rezoned
 Parcels
Zoning District
 C1
 R3

Rezoning Request

298 North West End Boulevard

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



**CITY of CAPE GIRARDEAU**
Created by: Community Development
Carol Peters
January 12, 2024

Legend
 Property to be Rezoned
 Parcels
Future Land Use
 Low Density Residential



REZONING / SPECIAL USE PERMIT APPLICATION
CITY of CAPE GIRARDEAU

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

Property Address/Location

298 N. West End

Steve
 ↳

Applicant Majeed Investment Group LLC		Property Owner of Record <input checked="" type="checkbox"/> Same as Applicant	
Mailing Address 3305 Kage Rd		City, State, Zip Cape Gir., Mo 63701	Mailing Address City, State, Zip
Telephone 573-450-4075	Email tonimajeed@gmail.com	Telephone	Email
Contact Person Asif Majeed Toni → (573) 450-1131		(Attach additional owners information, if necessary)	
Type of Request <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 Choose a Zoning District C-1		Proposed Zoning District (Rezoning requests only) Choose a Zoning District NC	

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

Lot 1 A Inoor Subdivision

Describe the proposed use of the property.

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

Application continues on next page

OFFICE USE ONLY			
Date Received & By	1/2/24	File #	1466
MUNIS Application #	14852	MUNIS Permit #	
Application Fee Received \$	168 -	<input checked="" type="checkbox"/> Check #	2270 <input type="checkbox"/> Credit Card <input type="checkbox"/> Cash
Planning & Zoning Commission Recommendation		Date	
City Council Final Action		Date	

Special Use Criteria (Special Use Permit requests only)

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

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

**ADDITIONAL ITEMS
REQUIRED**

See Instructions for more
information.

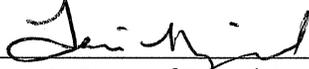
In addition to this completed application form, the following items must be submitted:

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

CERTIFICATIONS

The undersigned hereby certifies that:

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



Property Owner of Record Signature and Printed Name

1-8-24

Date

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

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

Applicant Signature and Printed Name

Date

Adjacent properties

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

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

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

Mailing: same as above

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

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

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

Mailing: same as above

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

Mailing: same as above

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

Mailing: same as above

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

Mailing: 901 1st Capital Dr.
St. Charles, MO 63301-5308

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

Mailing: same as above

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

Mailing: same as above

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

Mailing: same as above

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

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

agricultural or construction equipment.

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

(26) Transit terminals.

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

(28) Wineries.

(c) *Permitted accessory uses.*

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

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

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

(d) *Special uses.*

(1) Banquet facilities.

(2) Hotels or motels.

(3) Kennels.

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

(5) Meeting halls.

(6) Mini warehouses or self-storage units.

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

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

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

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

(11) Transitional housing.

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

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

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

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

(e) *Standards.*

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

street or any adjacent property.

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

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

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

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

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

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

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

(e) *Standards.*

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

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

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

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

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

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

Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
3/4/2024

AGENDA REPORT
Cape Girardeau City Council

24-038

SUBJECT

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

EXECUTIVE SUMMARY

A public hearing has been scheduled for March 4, 2024 to consider a request for a special use permit for two billboards at 2567 and 2649 Veterans Memorial Drive. 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 2567 and 2649 Veterans Memorial Drive, zoned C-2 (Highway Commercial). The property contains an existing brace-style static billboard, which is proposed to be removed. The applicant is requesting a special use permit in order to construct two pole-mounted static billboards. Each proposed billboard is dual-sided, with sign face dimensions of 16 feet high by 50 feet long (800 square feet per sign face, 1,600 square feet total). The overall height of each proposed billboard is 44 feet. The west edge of each sign face is proposed to be within two feet of the Interstate 55 right-of-way. The spacing between the proposed billboards is 1,450 feet. LED lighting (pointing up at the sign faces) is also proposed.

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

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

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

Section 30-104 - Special Use Permits

Section 25-109 - Billboards

A public hearing has been scheduled for March 4, 2024 to consider the special use permit request. An ordinance granting the special use permit is on this agenda as a separate item.

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.

BOARD OR COMMISSION RECOMMENDATION

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

PUBLIC OUTREACH

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

ATTACHMENTS:	
Name:	Description:
Staff_Review-Referral-Action_Form.pdf	2567 & 2649 Veterans Memorial Drive - Staff RRA Form
Agenda_Packet_-_Veteran_Memorial_Drive_Billboard_Request.pdf	2567 & 2649 Veterans Memorial Drive - Staff Report, Maps & Application
Staff_Report_ADDENDUM_P_Z_SUP_2567___2649_Veterans_Memorial_Drive_(Billboards).pdf	2567 & 2649 Veterans Memorial Drive - Staff Report Addendum
Sec._30-67._- C-2_Highway_Commercial_District.pdf	C-2 District Regulations
Sec._30-104._- Special_Use_Permits.pdf	Special Use Permit Regulations
Sec._25-109._- Billboards.pdf	Billboard Regulations

CITY OF CAPE GIRARDEAU, MISSOURI

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

FILE NO. 1467

LOCATION: 2567 & 2649 Veterans Memorial Drive

STAFF REVIEW & COMMENTS:

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



City Planner

2/2/24

Date

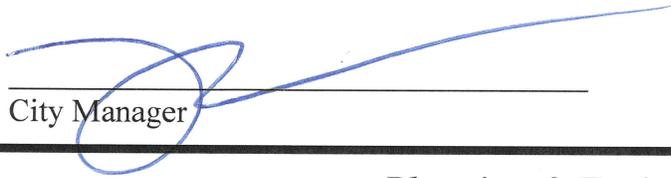


City Attorney

2/5/24

Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:



City Manager

2/16/24

Date

Planning & Zoning Commission

Public Hearing Posting Date: _____ Public Hearing Date: _____

RECOMMENDED ACTION:

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

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

VOTE COUNT: 7 Favor 0 Oppose 1 Abstain

COMMENTS:

CITIZENS COMMENTING AT MEETING:



Chris Martin
Planning & Zoning Commission Secretary

City Council Action

Public Hearing Posting Date: _____ Public Hearing Date: _____

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

VOTE COUNT: _____ Favor _____ Oppose _____ Abstain

ORDINANCE # _____ Effective Date: _____

Planning & Zoning Commission

APPLICATION FOR: Special Use Permit

ADDRESS OF PROPERTY: 2567 & 2649 Veterans Memorial Drive

APPLICANT: Jansco Outdoor

PROPERTY OWNER: Midamerica Hotels Corporation

REPRESENTATIVE: David Jansen
Jansco Outdoor

REQUESTED SPECIAL USE: Billboards

STAFF REPORT

TO: Planning and Zoning Commission

FROM: Ryan Shrimplin, City Planner *RS*

MEETING DATE: February 14, 2024

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

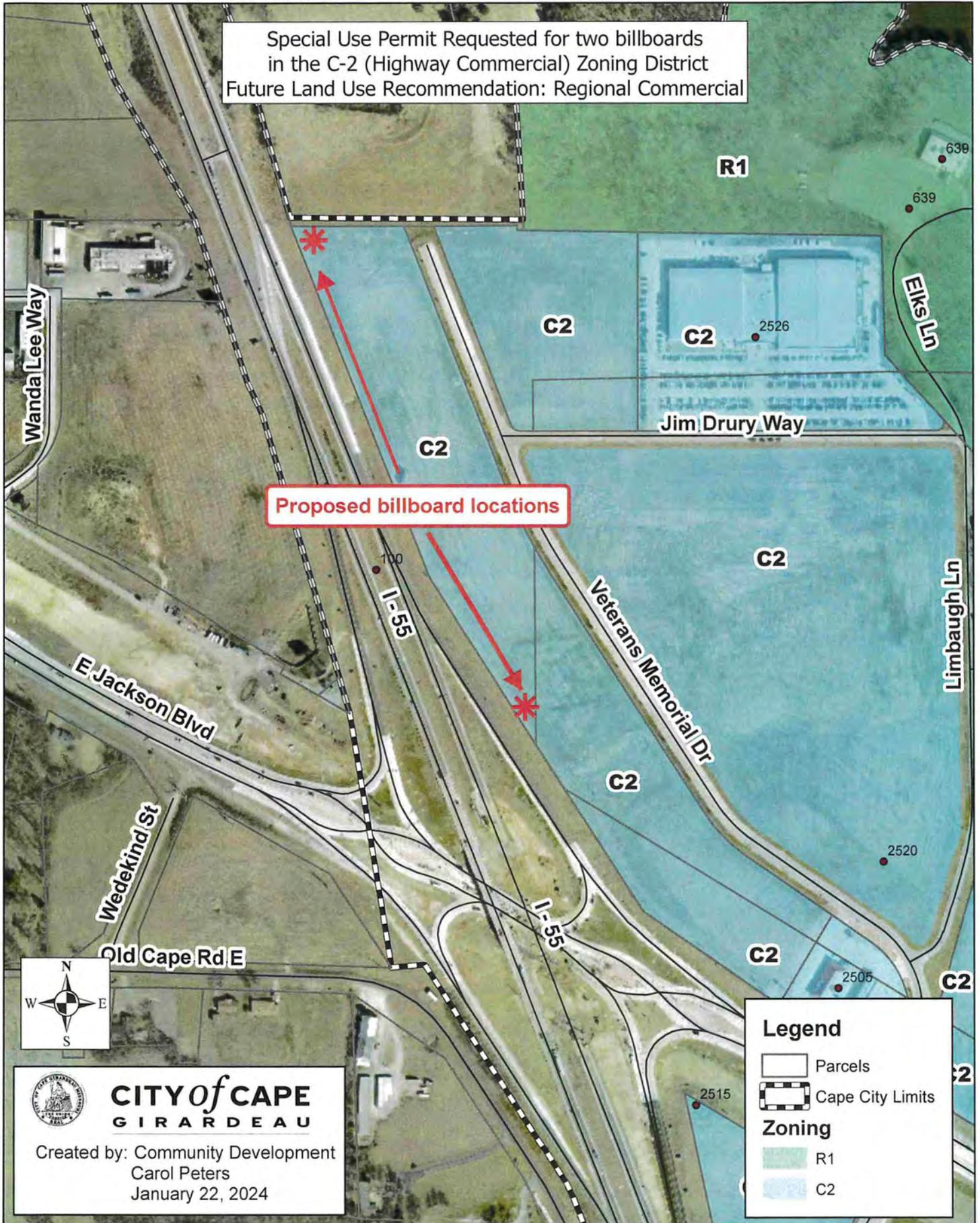
Based on the above findings, staff recommends approval of the special use permit request, subject to the following conditions:

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



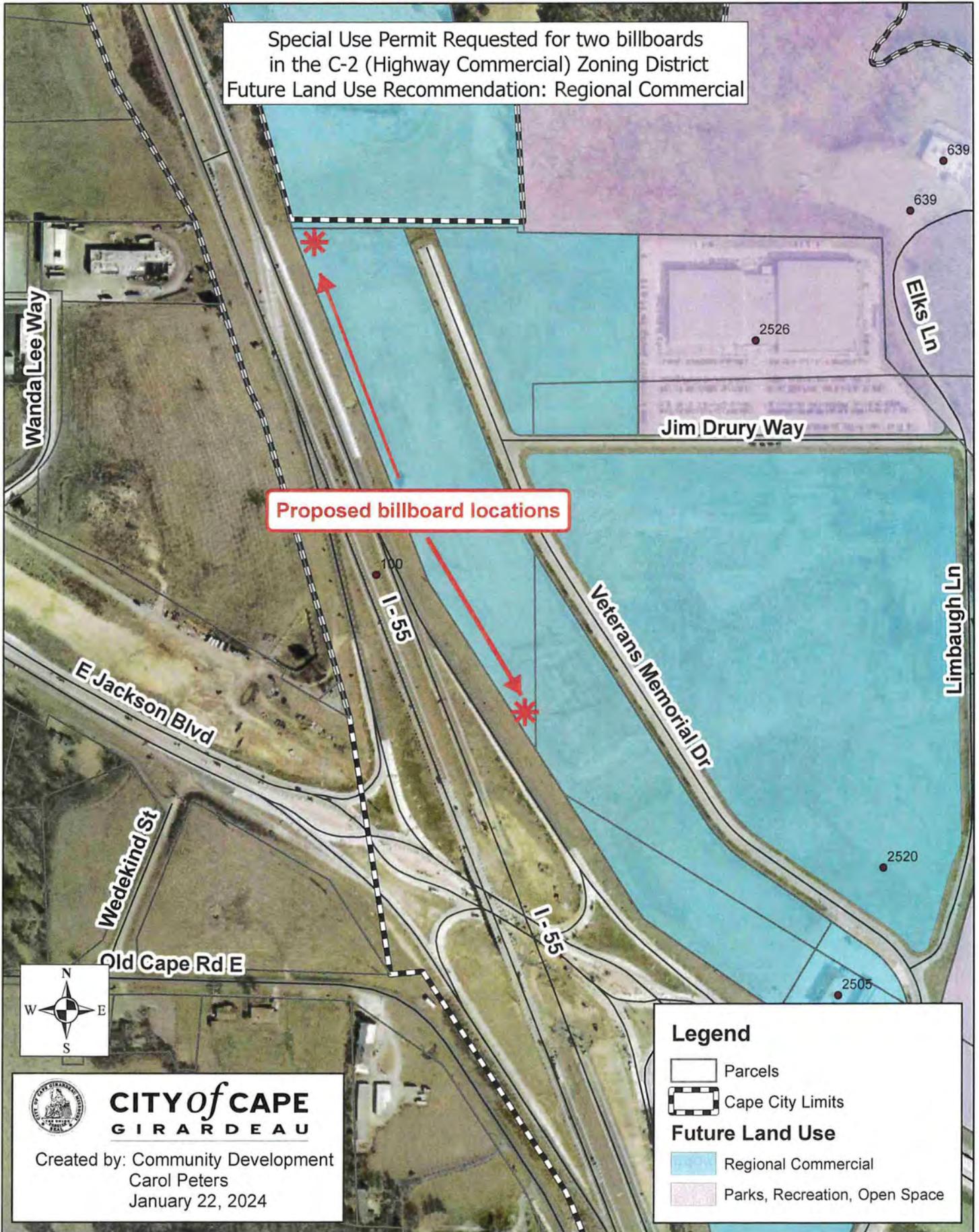
2567 & 2649 Veterans Memorial Drive Special Use Permit Request

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



2567 & 2649 Veterans Memorial Drive Special Use Permit Request

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



**CITY of CAPE
GIRARDEAU**

Created by: Community Development
Carol Peters
January 22, 2024



REZONING / SPECIAL USE PERMIT APPLICATION
CITY of CAPE GIRARDEAU

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

Property Address/Location

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

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

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

Describe the proposed use of the property.

Currently we have a wood pole structure approximately 40 years old (see exhibit A) that we would like to upgrade and install 2 mono pole 16' x 50' billboards (see exhibit B) to promote local business. We are asking for the variance on billboard size to increase visibility from I-55. Current size limits (300 ft²) are more suited for in town slower moving traffic. Interstate speeds require shorter viewing times and larger advertising copy. MODOT has already approved the location and size of these two billboards with the agreement that we remove the existing wood pole structure (see attached MODOT permits).

Application continues on next page

OFFICE USE ONLY			
Date Received & By	File #	MUNIS Application #	MUNIS Permit #
01-17-24	1467	14917	
Application Fee Received \$	<input type="checkbox"/> Check #	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Cash
Planning & Zoning Commission Recommendation	Date	City Council Final Action	Date

Peters, Carol

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

Ryan,

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

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

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

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

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

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

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

Let me know if you need any other information.

Thank you and have a great evening!



David Jansen
Jansco Outdoor Advertising

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

P.O. Box 65, Gordonville, MO 63752

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

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

David,

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

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

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

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

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

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

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

Thank you,

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

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

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

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

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

Thank you for your time and attention to this matter.

Have a great day!

David Jansen



Cell: (573) 225.4600

Graphics Email:
graphics@janscooutdoor.net

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



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**NEW SIGN
STRUCTURE**



2649

**CURRENT
WOOD POLE
SIGN**



2599

**NEW SIGN
STRUCTURE**



2567

CITY OF CAPE
GIRARDEAU

Jim Drury Way

Limbaugh Ln



Old

CRADER
TIRE &
RETREAD
SERVICE
INC

URY
IES L

EXHIBIT A

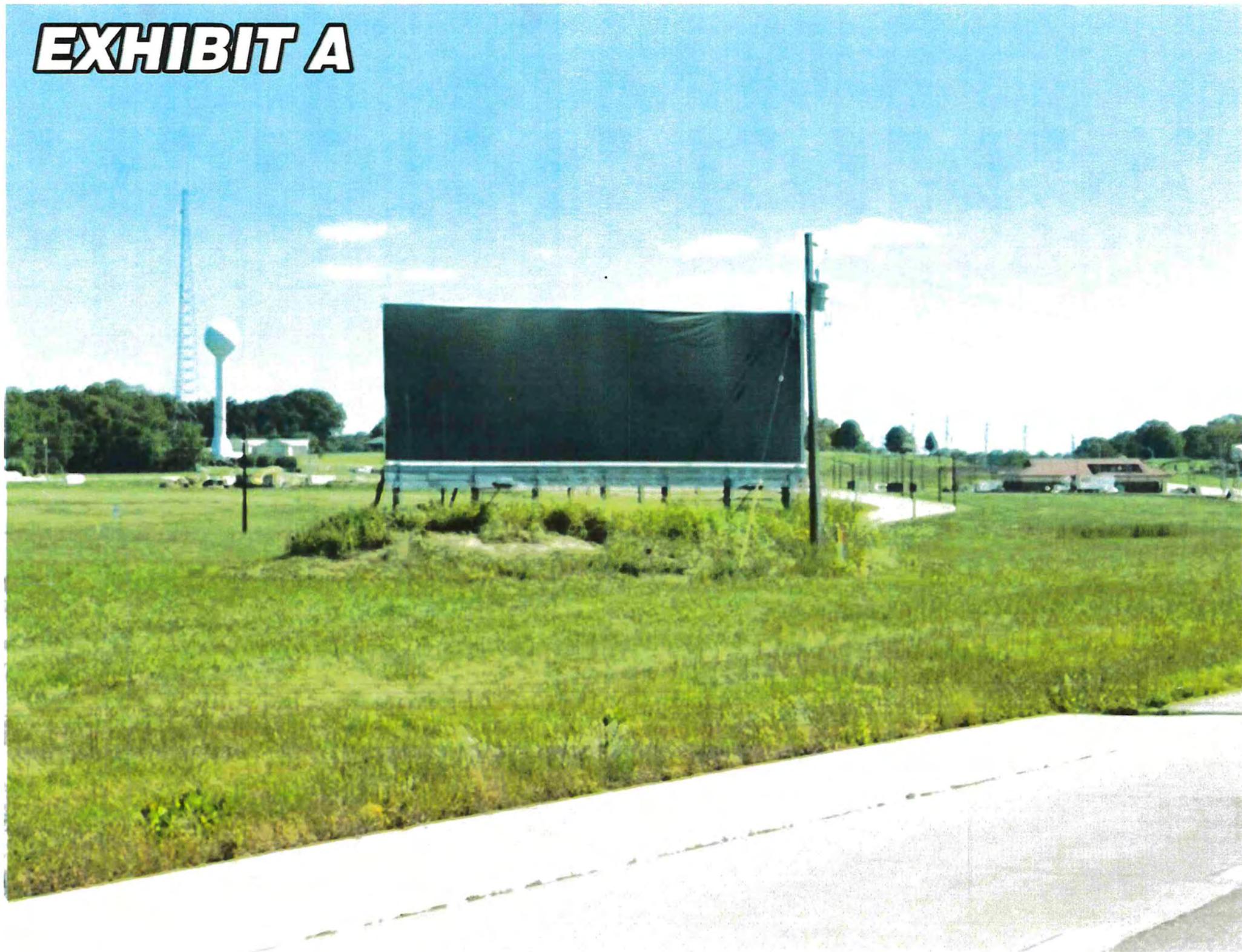


EXHIBIT B



North Sign



South Sign





MISSOURI DEPARTMENT OF TRANSPORTATION

OUTDOOR ADVERTISING PERMIT

MoDOT Permit Number: 214007

Expiration Date: 4/7/2025

Conforming Permit Conforming Out of Standard Nonconforming Permit

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

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

Ed Hassinger
Chief Engineer

Date Printed: 4/7/2023

Additional forms and information available at http://www.modot.org/business/Outdoor_Advertising

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



MISSOURI DEPARTMENT OF TRANSPORTATION

OUTDOOR ADVERTISING PERMIT

MoDOT Permit Number: 214008

Expiration Date: 4/7/2025

Conforming Permit Conforming Out of Standard Nonconforming Permit

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

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

Ed Hassinger
Chief Engineer

Date Printed: 4/7/2023

Additional forms and information available at http://www.modot.org/business/Outdoor_Advertising

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

Property Owner Notification List:

Bob Crader
Crader Tire
5218 Birk Lane
Jackson, MO 63755

LR Roper
167 Red Fox Lane
Cape Girardeau, MO 63701

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

STAFF REPORT ADDENDUM

TO: Planning and Zoning Commission

FROM: Ryan Shrimplin, City Planner

MEETING DATE: February 14, 2024

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

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

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



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

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

(b) *Permitted principal uses.*

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

- (25) Nursing homes.
 - (26) Offices.
 - (27) Outdoor storage facilities for recreational vehicles or watercraft.
 - (28) Parks or playgrounds.
 - (29) Personal service establishments.
 - (30) Pet grooming facilities.
 - (31) Police or fire stations.
 - (32) Residential treatment facilities.
 - (33) Restaurants or bars.
 - (34) Retail or rental establishments.
 - (35) Television or radio studios, including any transmitting facilities.
 - (36) Transit terminals.
 - (37) Transitional housing.
 - (38) Vehicle fueling, service or repair facilities, excluding body or paint shops.
 - (39) Vehicle washing facilities, automatic or hand wash.
 - (40) Veterinary clinics or animal hospitals.
 - (41) Warehouses or distribution centers.
 - (42) Wineries.
- (c) *Permitted accessory uses.*
- (1) Accessory structures and uses customarily incidental to the above uses, as permitted in section 30-106.
 - (2) Short-term use of shipping containers for accessory uses, as permitted in section 30-105.
 - (3) Solar energy systems, as permitted in section 30-113.
- (d) *Special uses.*
- (1) Amusement parks.
 - (2) Billboards, as permitted elsewhere in the city Code.
 - (3) Campgrounds, travel trailer or recreational vehicle parks.
 - (4) Long-term use of shipping containers for accessory uses, as permitted in section 30-105.
 - (5) Manufactured business units, for office use only.
 - (6) Public utilities, except for buildings or accessory structures that are normal and customary in a zoning district which would allow other buildings or structures of the same nature as a use-by-right.
 - (7)

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

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

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

(10) Vehicle body or paint shops.

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

(e) *Standards.*

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

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

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

c. Displays shall not impede vehicular or pedestrian access.

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

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

f. Displays shall be well kept and orderly.

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

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

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

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

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

(2) Minimum lot area: None.

(3) Minimum lot width: None.

(4) Minimum setbacks:

a. Front yard: 25 feet.

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

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

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

Sec. 30-104. - Special use permits.

- (a) *Purpose.* Subject to the provisions of this section, the city council may, by ordinance on its own motion or on application, grant a special use permit for any special use specifically identified in the zoning district in which the special use is proposed. The city council may impose appropriate conditions and safeguards for the issuance of the special use permit, such as a limitation of the duration of the special use, a limitation of the parties who may carry out such use, and limitations upon or requirements for the size or design of buildings and other improvements on the property. In cases where a special use permit application is submitted for a property in the H district, the historic preservation commission shall make a recommendation to the city council in lieu of approving or denying a certificate of appropriateness for any work covered by the special use permit.
- (b) *Application for special use permit.* Application for a special use permit shall be submitted to the city manager using a form provided by the city and contain all necessary information as determined by the city manager. The special use permit fee shall be per the city's fee schedule. Such application shall be processed in the same manner as provided in section 30-32 relating to application for a zoning district change.
- (1) In reviewing an application for a special use permit, the city council shall determine whether or not the proposed special use will:
- 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. 25-109. - Billboards.

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

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

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

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

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

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

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

Staff: Bruce Taylor, Deputy City Clerk
Agenda: 3/4/2024

AGENDA REPORT
Cape Girardeau City Council

SUBJECT

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

ATTACHMENTS:	
Name:	Description:
DRAFT_Council.RegularSession_Minutes.02-20-2024.pdf	Regular Session minutes 02-20-2024

**Proceedings of the City Council, City of Cape Girardeau, Mo.
Regular Session February 20, 2024 MM-17**

STUDY SESSION – February 20, 2024

NO ACTION TAKEN DURING THE STUDY SESSION

The Cape Girardeau City Council held a study session at the Cape Girardeau City Hall on Tuesday, February 20, 2024, starting at 5:00 p.m. with Mayor Stacy Kinder presiding and Council Members Mark Bliss, Robbie Guard, Dan Presson, Tameka Randle, and Nate Thomas present. Shannon Truxel was absent.

REGULAR SESSION –February 20, 2024

CALL TO ORDER

The Cape Girardeau City Council convened in regular session at the Cape Girardeau City Hall on Tuesday, February 20, 2024, starting at 5:43 p.m. with Mayor Stacy Kinder presiding and Council Members Mark Bliss, Robbie Guard, Dan Presson, Tameka Randle, and Nate Thomas present. Shannon Truxel was absent.

ADOPTION OF THE AGENDA

A Motion was made by Dan Presson, Seconded by Nate Thomas, to approve and adopt the agenda.

Motion passed. 6-0. Ayes: Bliss, Guard, Kinder, Presson, Randle, Thomas. Absent: Truxel.

PUBLIC HEARINGS

A public hearing to consider a request to rezone property located at 555 North Spring Avenue from M-1 (Light Manufacturing/Industrial District) to RMH (Residential Manufactured Home District).

Mayor Stacy Kinder opened the public hearing.

Travis Statler, 107 S. Broadview, appeared on behalf of Kirn Investments, applicant for the rezoning request. He reviewed the history of the property, the application process taken by the property owner, and Planning and Zoning Commission proceedings.

Thomas Fry, 2215 Rear Broadway, appeared in opposition to the request.

Kim Higerson, manager at 2215B Broadway, appeared in opposition to the request.

A Representative from the Islamic Center of Cape Girardeau, 2307 Broadway, appeared and asked the neighbor to be nice and not cause harm.

There being no other appearances the public hearing was closed.

CONSENT AGENDA

Approval of the February 5, 2024, City Council Regular Session Minutes and the February 14, 2024, Closed Session Minutes.

**Proceedings of the City Council, City of Cape Girardeau, Mo.
Regular Session February 20, 2024 MM-18**

Bill No. 24-18, an Ordinance amending Chapter 17 of the Code of Ordinances of the City of Cape Girardeau, Missouri, regarding Urban Deer Hunting and the discharge of firearms. Second and Third Readings.

BILL NO. 24-19, 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 1507 Independence Street, in the City and County of Cape Girardeau, Missouri, from M-1 to C-2. Second and Third Readings.

BILL NO. 24-20, an Ordinance approving the record plat of Juenger Subdivision. Second and Third Readings.

BILL NO. 24-21, an Ordinance amending Schedule C of Section 26-132 of the City Code, by establishing a stop sign at the intersection of Dixie Boulevard and Magnolia Street, in the City of Cape Girardeau, Missouri. Second and Third Readings.

Acceptance of the Improvements and Authorize Final Payment to RailWorks Track Services, Inc. for the Nash Road Railroad Tie Repair for the City of Cape Girardeau, Missouri.

Acceptance of the Improvements and Authorize Final Payment to Fronabarger Concreters, Inc. for the Sherwood Dr./Hood Dr./Brookwood Dr. Drainage Improvements.

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

BILL NO. 24-18 will be Ordinance NO. 5732; BILL NO. 24-19 will be Ordinance NO. 5733; BILL NO. 24-20 will be Ordinance NO. 5734; and BILL NO. 24-21 will be Ordinance NO. 5735.

ITEMS REMOVED FROM CONSENT AGENDA

Approve the Planning and Zoning Commission's recommendation to deny a request to rezone property located at 555 North Spring Avenue from M-1 (Light Manufacturing/Industrial District) to RMH (Residential Manufactured Home District).

Mayor Kinder called for public appearances regarding this item. Travis Statler, appeared again and provided additional history of the property.

Mayor Kinder asked Planning and Zoning Chairperson, Scott Blank to summarize the Commission's recommendation. He noted the Commission was concerned about the density of residences that may be allowed by variance if the property were to be rezoned. Complaints and concerns from the property's neighbors were also considered.

A Motion was made by Mark Bliss, Seconded by Robbie Guard, to approve the Planning and Zoning Commission's recommendation to deny the request to rezone property located at 555 North Spring Avenue from M-1 to RMH.

Following Council discussion, the Motion passed. 4-2. Ayes: Bliss, Guard, Kinder, Thomas. Nay: Presson, Randle. Absent: Truxel.

**Proceedings of the City Council, City of Cape Girardeau, Mo.
Regular Session February 20, 2024 MM-19**

NEW ORDINANCES

BILL NO. 24-22, an Ordinance accepting a Permanent Water Line Drainage Easement for property located at 4150 Thousand Oaks Lane, in the City of Cape Girardeau, Missouri. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

A Motion was made by Dan Presson, Seconded by Robbie Guard, to approve.
Motion passed. 6-0. Ayes: Bliss, Guard, Kinder, Presson, Randle, Thomas. Absent: Truxel.

BILL NO. 24-23, an Ordinance approving the record plat of Wren Subdivision. First Reading. Mayor Kinder called for public appearances regarding this Bill. No one appeared.

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

MEETING ADJOURNMENT

A Motion was made by Robbie Guard, Seconded by Dan Presson, to adjourn.
Motion passed. 6-0. Ayes: Bliss, Guard, Kinder, Presson, Randle, Thomas. Absent: Truxel.
The regular session ended at 6:43 pm.

Stacy Kinder, Mayor

Gayle L. Conrad City Clerk



Proceedings of the City Council, City of Cape Girardeau, Mo.
Regular Session February 20, 2024 **MM-20**

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Staff: Jake Garrard, PE, City Engineer
Agenda: 3/4/2024

AGENDA REPORT
Cape Girardeau City Council

24-034

SUBJECT

An Ordinance accepting a Permanent Water Line Drainage Easement from The Revocable Trust Agreement of Jerad Busch and Heather Busch, dated January 19, 2017 for property located at 4150 Thousand Oaks Ln in the City of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

Due to the construction of a new home, a water release drain pipe is needed to get water from the LaSalle Water Tanks down to LaSalle Avenue through a neighboring property. This Permanent Water Line Drainage Easement will cover the City Infrastructure through that property.

BACKGROUND/DISCUSSION

The City of Cape Girardeau Water Department operates and maintains a Water Tank on the south side of LaSalle Ave, commonly referred to as the LaSalle Water Tank. It was determined that a Water Release Drain Pipe was needed to redirect the water from the tank flushers and overflow drain, that used to just spill out at the top of the hill, directly through a pipe down the hill into a storm water inlet along LaSalle Ave. This is due to the construction of a new house and shop on this property that previously didn't exist. This water discharge from the LaSalle Water Tank became a hindrance to the new property owners. The new drain line runs along the property line inside a wooded area of the property at 4150 Thousand Oaks down to a storm inlet located in the right of way of LaSalle Ave. It can then flow through the storm pipe under LaSalle Ave and run into the creek bed on the north side of LaSalle Ave. The property owners agreed to grant the easement and allow the buried drainage pipe to run through their property.

FINANCIAL IMPACT

The Easement was donated. The City of Cape will pay for the cost of recording the new Easement.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

This easement is necessary to enable the City, its agents, servants and assigns, to use said property to excavate, build, maintain, construct, operate and repair a water line drainage pipe from the LaSalle Ave Water Tank in, on, upon, under or across the property at 4150 Thousand Oaks, together with all the useful necessary and proper adjuncts, appurtenances, and appliances in connection therewith.

STAFF RECOMMENDATION

Staff recommends approval of the attached Ordinance accepting a Permanent Water Line Drainage Easement for property located at 4150 Thousand Oaks Ln in the City of Cape Girardeau, Missouri.

ATTACHMENTS:	
Name:	Description:
PWE_4150_Thousand_Oaks.doc	Ordinance
GOOD_EASEMENT_EXHIBIT_S22092-.pdf	Exhibit
GOOD_Legal_Description_of_EASEMENT.doc	Legal Description
PUE_4150_Thousand_Oaks_Ln_EXECUTED.pdf	Agreement

AN ORDINANCE ACCEPTING A PERMANENT WATER LINE DRAINAGE EASEMENT FOR PROPERTY LOCATED AT 4150 THOUSAND OAKS LANE, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

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

ARTICLE 1. The City of Cape Girardeau, Missouri, hereby accepts, and agrees to accept, a Permanent Water Line Drainage Easement from The Revocable Trust Agreement of Jerad Busch and Heather Busch, dated January 19, 2017, in the City of Cape Girardeau, Missouri, described as follows:

A PART OF FRACTIONAL SECTION 3, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A STONE (FOUND) AT THE NORTHWEST CORNER, FRACTIONAL SECTION 10; THENCE S 04° 53' 43" W, 70.00 FEET ALONG THE EAST LINE OF U.S.P.S. NO. 790 TO A 3/4" IRON ROD (FOUND) ON THE NORTH LINE OF A TRACT OF LAND RECORDED IN DOCUMENT NO. 2021-05757 OF THE LAND RECORDS OF THE COUNTY RECORDER'S OFFICE; THENCE S 88° 28' 27" E, 862.92 FEET ALONG SAID NORTH LINE TO A 1/2" IRON PIN (FOUND) AT THE SOUTHEAST CORNER OF A TRACT OF LAND RECORDED IN DOCUMENT NO. 2015-04873; THENCE N 01° 31' 47" E, 158.72 FEET ALONG THE EAST LINE OF SAID TRACT TO THE POINT OF BEGINNING:

THENCE CONTINUING ALONG SAID EAST LINE, N 01° 31' 47" E, 50.00 FEET TO A 1/2" IRON PIN (FOUND) AT THE SOUTHEAST CORNER OF A TRACT OF LAND RECORDED IN DOCUMENT NO. 2020-04746; THENCE N 01° 29' 30" E, 328.28 FEET ALONG THE EAST LINE OF SAID TRACT; THENCE LEAVING SAID EAST LINE, N 40° 48' 48" E, 69.85 FEET TO THE SOUTH RIGHT OF WAY LINE OF LASALLE AVENUE; THENCE S 71° 56' 13" E, 32.53 FEET ALONG SAID SOUTH RIGHT OF WAY LINE; THENCE S 40° 48' 48" W, 71.71 FEET; THENCE S 01° 29' 30" W, 317.57 FEET; THENCE S 01° 31' 47" W, 50.01 FEET; THENCE N 88° 28' 13" W, 30.00 FEET TO THE POINT OF BEGINNING CONTAINING 0.31 ACRES, MORE OR LESS.

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2023.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



SURVEY NOTES:

THIS SURVEY CREATES A NEW 0.30 ACRE EASEMENT TRACT FROM THE PARENT TRACT RECORDED IN DOCUMENT NO. 2018-10170

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°24'44.45833"	NORTH
LONGITUDE	089°39'00.22114"	WEST
ELLIPSOID HEIGHT	383.98	U.S. SURVEY FEET
NORTHING	575,956.0987	U.S. SURVEY FEET
EASTING	1,067,057.151	U.S. SURVEY FEET
ELEVATION	477.03	U.S. SURVEY FEET

AS PUBLISHED ON NATIONAL GEODETIC DATA SHEETS, RETRIEVAL DATE FEBRUARY 04, 2015 AND CONVERTED FROM METERS TO U.S. SURVEY FEET.

SURVEY CLASS - URBAN

REFERENCES:

RECORD PLAT OF ROCK GARDENS SUBDIVISION AS RECORDED IN PLAT DOCUMENT NO. 2017-02114

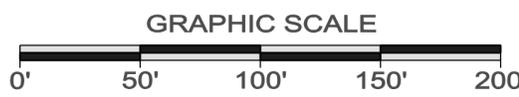
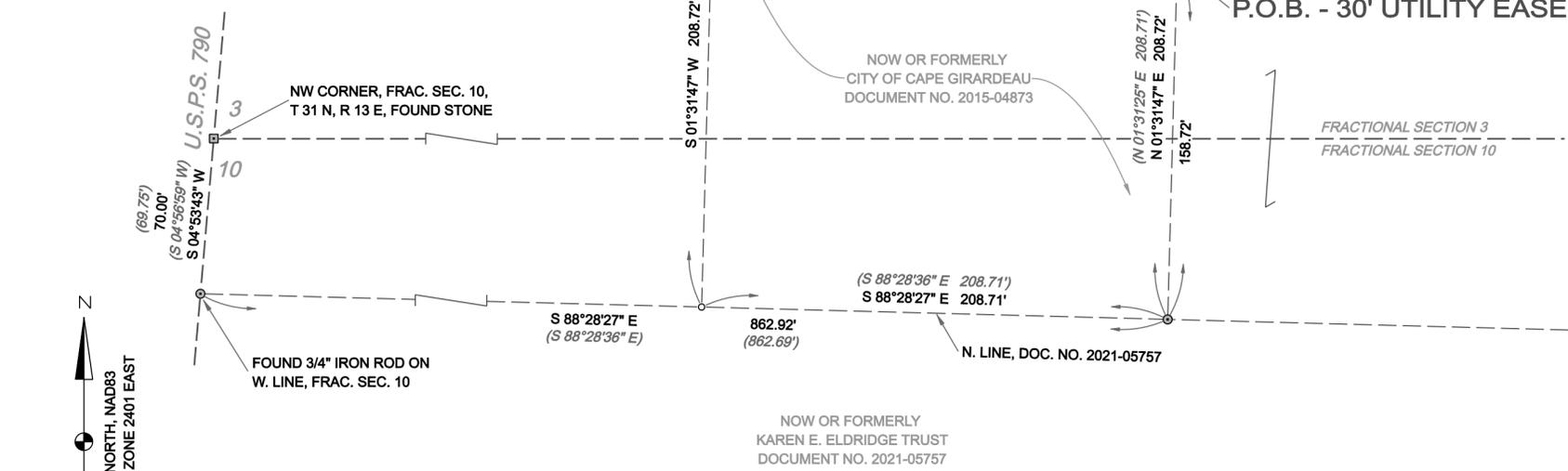
SURVEY OF 2 TRACTS FOR MEYR BY AMOS (PLS 2007000072) AS RECORDED IS SURVEY DOCUMENT NO. 2018-09315

GENERAL WARRANTY DEED, DOCUMENT NO. 2015-04873
 GENERAL WARRANTY DEED, DOCUMENT NO. 2018-10170
 GENERAL WARRANTY DEED, DOCUMENT NO. 2020-04746

ONLINE MAPPING RECORDS FOR CAPE GIRARDEAU COUNTY, [HTTPS://MAPS.CAMAVISION.COM/CAPEGIRARDEAUMO](https://maps.camavision.com/capegirardeau)

SURVEY MONUMENT NOTES:

- ⊙ - FOUND 1/2" IRON PIN, UNLESS OTHERWISE SHOWN
- ▣ - FOUND STONE
- ✚ - FOUND CUT CROSS
- - ANGLE POINT, NO CORNER SET



EASEMENT EXHIBIT

A PART OF DOCUMENT NO. 2018-10170
 A PART OF FRACTIONAL SW 1/4, SECTION 3,
 T 31 N, R 13 E, OF THE 5th P.M.
 CITY AND COUNTY OF CAPE GIRARDEAU,
 STATE OF MISSOURI

DESCRIPTION - 30' UTILITY EASEMENT

A PART OF FRACTIONAL SECTION 3, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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LINE DIMENSION TABLE

NO.	BEARING	DISTANCE
2	N 01°31'47" E	50.00'
3	S 71°56'13" E	46.18'
4	S 01°31'47" W	50.01'
5	N 88°28'13" W	30.00'
6	S 71°56'13" E	32.53'

2121 Meigs Drive
 Cape Girardeau, MO 65701
 Ph: 573.339.5900
 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 #000383
 Land Surveying Corporation - Missouri State Certificate of Authority #000166

CITY OF CAPE GIRARDEAU
 401 INDEPENDENCE ST.
 CAPE GIRARDEAU, MO

DESCRIPTION	DATE

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Easement Exhibit For
 4150 Thousand Oaks Lane
 Cape Girardeau, MO

JOB NO.	S22-092
DATE	FEB. 09, 2023
FILE	S22092.DGN
CAICE	S22092.ZIP
DWN BY	JAR
CKD BY	CCK
SCALE	1" = 50'

EASEMENT EXHIBIT

SHEET NO.
1 of 1



Bowen

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

ENGINEERING & SURVEYING

Incorporated

DESCRIPTION – 30' UTILITY EASEMENT

A PART OF FRACTIONAL SECTION 3, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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PERMANENT WATER LINE DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS: **The Revocable Trust Agreement of Jerad Busch and Heather Busch, dated January 19, 2017**, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey to the **CITY OF CAPE GIRARDEAU, MISSOURI**, a Municipal Corporation, hereinafter called the "City", the right, privilege, permission and authority to enter on and upon the following described property which is solely owned by the undersigned located in the City and County of Cape Girardeau, Missouri, to-wit:

A PART OF FRACTIONAL SECTION 3, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE FIFTH PRINCIPAL MERIDIAN, COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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Said right, privilege, permission and authority to enter in and upon said property above described is granted for the purpose of enabling the City, its agents, servants and assigns, to use said property for the management of a water line for tank drainage and for the purpose of enabling the City of Cape Girardeau, Missouri, its agents, servants and assigns to excavate, build, maintain, construct, operate, and repair said utilities from time to time,

Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
3/4/2024

AGENDA REPORT
Cape Girardeau City Council

24-035

SUBJECT

An Ordinance approving the record plat of Wren Subdivision.

EXECUTIVE SUMMARY

The attached ordinance approves a record plat for a one-lot subdivision at 241 and 251 Orange Bowl Drive.

BACKGROUND/DISCUSSION

A record plat has been submitted for Wren Subdivision, located at 241 and 251 Orange Bowl Drive and zoned R-1 (Single-Family Suburban Residential). The plat combines two lots to create one new lot. The plat shows a portion of an existing 20-foot public utility and sewer easement being released. Staff supports the release of this portion of the easement because there are no existing or proposed utilities in it.

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 January 10, 2024 meeting, recommended approval of the record plat with a vote of 7 in favor, 0 in opposition, and 0 abstaining.

ATTACHMENTS:

Name:	Description:
RP_Wren_Sub.doc	Ordinance
Staff_Review-Referral-Action_Form.pdf	Wren Subdivision - Staff RRA Form
Map_-_Wren_Subdivision.pdf	Wren Subdivision - Map
Application_-_Wren_Subdivision_Record_Plat.pdf	Wren Subdivision - Application
WREN_SUBDIVISION_PLAT_REVISION_1-10-24.pdf	Wren Subdivision - Record Plat

BILL NO. 24-23

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE RECORD
PLAT OF WREN SUBDIVISION

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

ARTICLE 1. The record plat Wren Subdivision, being all of Lots 40 and 41 of Touchdown Ridge 2 as recorded in Document No. 2021-06056 in the land records of Cape Girardeau County, Missouri, in the City and County of Cape Girardeau, State of Missouri, submitted by Steven Shawn Wren and Dana Lynn Wren, husband and wife, bearing the certification of Rodney W. Amos, a Registered Land Surveyor, dated the 12th day of December, 2023, is hereby approved.

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



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

FILE: **Wren Subdivision**

LOCATION: 241 & 251 Orange Bowl Drive

STAFF REVIEW & COMMENTS:

A record plat has been submitted to combine two (2) lots at 241 and 251 Orange Bowl Drive. SEE STAFF REPORT FOR MORE DETAILS.

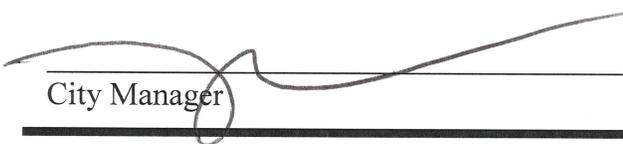
City Planner 

12/29/23
Date

City Attorney 

1/3/24
Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:

City Manager 

1/3/24
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 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"/>	Sommer McCauley-Perdue	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sid Whittington	<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:


Nick Martin
Planning & Zoning Commission Secretary

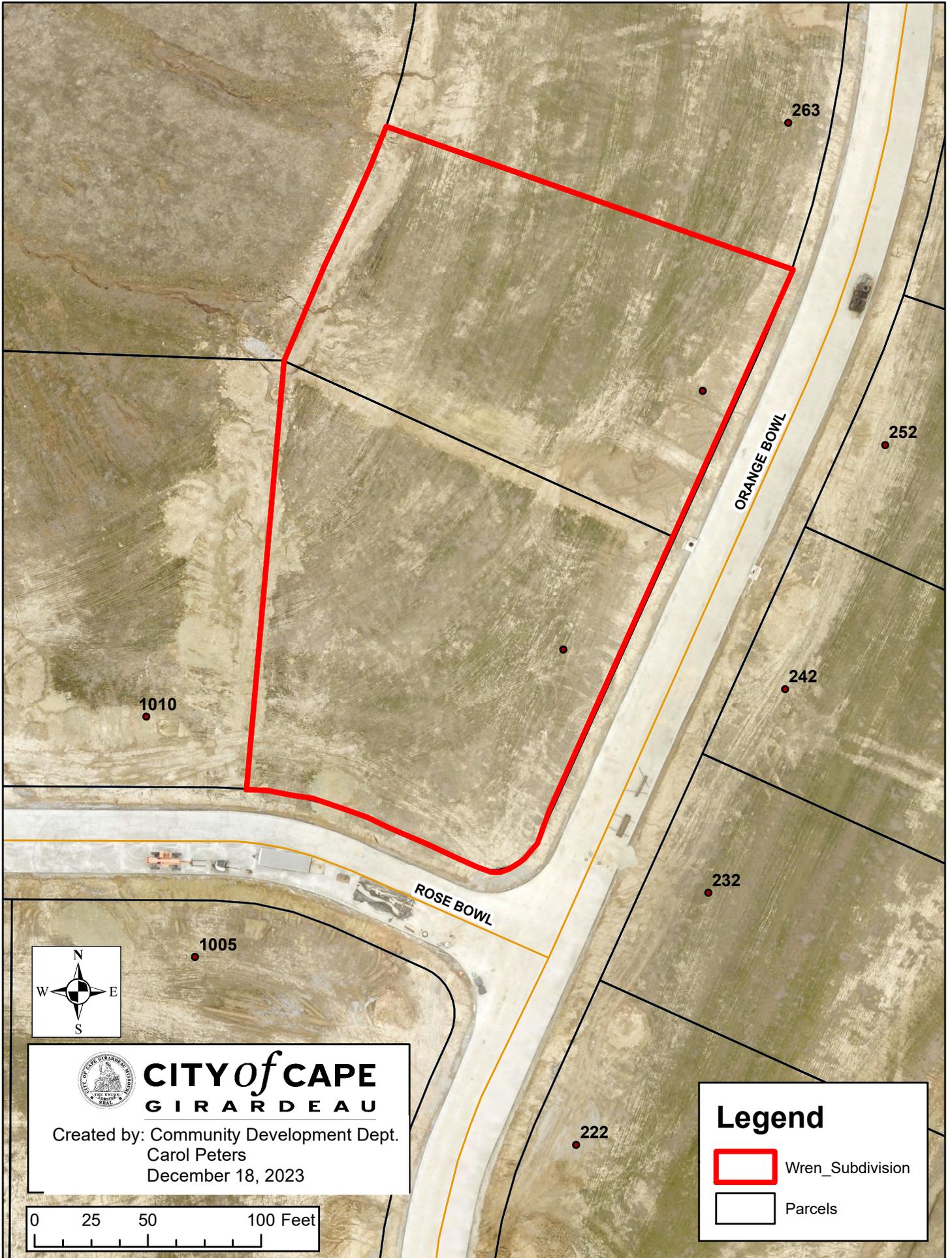
City Council Action

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

ORDINANCE # _____

Effective Date: _____

Wren Subdivision





SUBDIVISION PLAT APPLICATION
CITY of CAPE GIRARDEAU

DEVELOPMENT SERVICES DEPARTMENT, 401 INDEPENDENCE ST, CAPE GIRARDEAU, MO 63703 (573) 339-6327

Name of Subdivision WREN SUBDIVISION		Type of Plat <input type="checkbox"/> Boundary Adjustment <input type="checkbox"/> Preliminary <input checked="" type="checkbox"/> Record	
Applicant STEVEN SHAWN & DAN LYNN WREN		Property Owner of Record (if other than Applicant)	
Mailing Address 241 ORANGE BOWL DR.	City, State, Zip CAPE GIRARDEAU, MO 63701	Mailing Address	City, State, Zip
Telephone (573)275-3768	Email wrenhomes@gmail.com	Telephone	Email
Contact Person (If Applicant is a Business or Organization) SHAWN WREN		(Attach additional owners information, if necessary)	
Professional Engineer/Surveyor (if other than Applicant) RODNEY W. AMOS		Developer (if other than Applicant)	
Mailing Address 113 W. MAIN ST., SUITE 1	City, State, Zip JACKSON, MO 63755	Mailing Address	City, State, Zip
Telephone (573)243-4080	Email ramos@stricklandengineering.com	Telephone	Email

**ADDITIONAL ITEMS
REQUIRED**

See Instructions for more information.

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

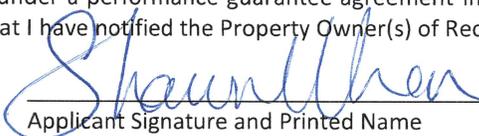
- Review Fee (payable to City of Cape Girardeau)
 - Single-Family or Two-Family Residential: \$20.00 per lot (\$100.00 minimum)
 - Multi-Family Residential: \$20.00 per dwelling unit (\$100.00 minimum)
 - Non-Residential : \$20.00 per acre (\$100.00 minimum)
- Recording Fee Deposit (payable to City of Cape Girardeau)

Sheet Size	Record Plat	Boundary Adjustment Plat
18" x 24"	\$44.00	\$24.00
24" x 36"	\$69.00	\$29.00

(The City reserves the right to issue a partial refund or collect an additional fee if the actual recording cost differs from the deposit amount)
- Two (2) full size prints of the plat
- Digital file of the plat in .pdf format (can be emailed to cityplanning@cityofcape.org)
- Completed minimum requirements checklist

CERTIFICATION

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


 Applicant Signature and Printed Name

12/14/23
 Date

OFFICE USE ONLY

Date Received & By 12-13-23 File # _____ MUNIS Application # 14805 MUNIS Permit # _____

Review Fee Received \$ _____ Recording Fee Received \$ _____ Check # _____ Credit Card Cash

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

City of Cape Girardeau Subdivision Plat Requirements

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

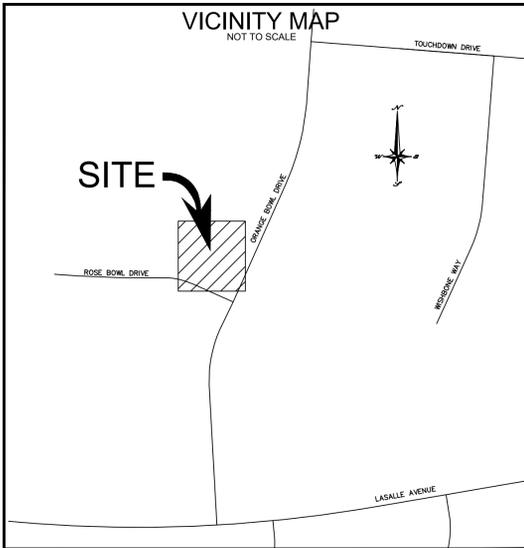
(First column of check boxes is for professional engineer/surveyor; second column is for City staff)

NAME OF SUBDIVISION: WREN SUBDIVISION

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

MINIMUM REQUIREMENTS FOR RECORD PLATS (CONTINUED)

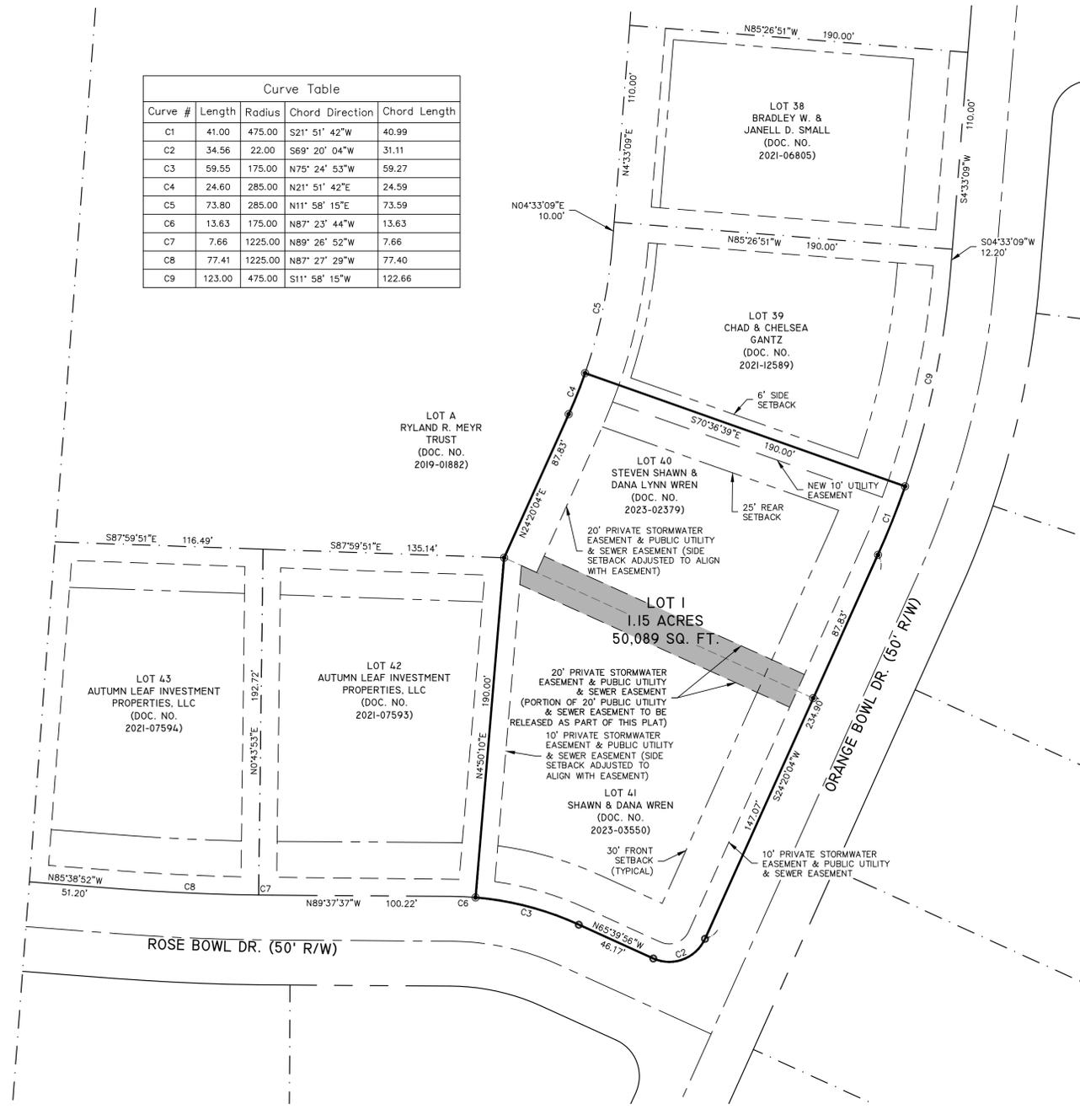
- Variance, if applicable - begin with "A VARIANCE IS SHOWN FOR" followed by "A REDUCED LOT AREA FOR LOT _", "A REDUCED LOT WIDTH FOR LOT _", or "A REDUCED _____ YARD SETBACK ALONG THE _____ LOT LINE OF LOT _", as applicable
 - Exception, if applicable - begin with "AN EXCEPTION IS SHOWN FOR" followed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



RECORD PLAT OF WREN SUBDIVISION

ALL OF LOTS 40 AND 41 OF TOUCHDOWN RIDGE 2 AS RECORDED IN DOCUMENT NO. 2021-06056 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI

Curve Table				
Curve #	Length	Radius	Chord Direction	Chord Length
C1	41.00	475.00	S21° 51' 42"W	40.99
C2	34.56	22.00	S69° 20' 04"W	31.11
C3	59.55	175.00	N75° 24' 53"W	59.27
C4	24.60	285.00	N21° 51' 42"E	24.59
C5	73.80	285.00	N11° 58' 15"E	73.59
C6	13.63	175.00	N87° 23' 44"W	13.63
C7	7.66	1225.00	N89° 26' 52"W	7.66
C8	77.41	1225.00	N87° 27' 29"W	77.40
C9	123.00	475.00	S11° 58' 15"W	122.66



SUBDIVISION DEDICATION

THE UNDERSIGNED, STEVEN SHAWN WREN A/K/A SHAWN WREN, AND DANA LYNN WREN A/K/A DANA WREN, HUSBAND AND WIFE, THE OWNERS OF ALL OF LOTS 40 AND 41 OF TOUCHDOWN RIDGE 2, AS RECORDED IN DOCUMENT NO. 2021-06056 IN THE LAND RECORDS OF CAPE GIRARDEAU COUNTY, MISSOURI, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, STATE OF MISSOURI, CONTAINING 50,089 SQUARE FEET (1.15 ACRES), MORE OR LESS, HEREBY DECLARE THAT WE HAVE CAUSED SAID LOTS TO BE RE-SUBDIVIDED INTO ONE LOT AS SHOWN ON THE ANNEXED PLAT, WHICH IS A TRUE AND CORRECT REPRESENTATION OF SAID SUBDIVISION, WHICH IS HEREBY NAMED WREN SUBDIVISION. THE PUBLIC UTILITY AND SEWER EASEMENTS SHOWN HEREON ARE HEREBY GRANTED TO THE CITY OF CAPE GIRARDEAU, MISSOURI IN PERPETUITY FOR PUBLIC PURPOSES, INCLUDING INSTALLATION, MAINTENANCE, REPAIR, REPLACEMENT, AND EXPANSION OF CITY WATER AND SEWER SYSTEMS, AND AS MAY BE AUTHORIZED BY THE CITY OF CAPE GIRARDEAU, MISSOURI TO BE USED BY A PUBLIC OR PRIVATE UTILITY PROVIDER FOR PURPOSES RELATED TO THE INSTALLATION, MAINTENANCE, REPAIR, REPLACEMENT, AND EXPANSION OF SUCH UTILITY SYSTEMS

IN WITNESS WHEREOF, WE HAVE CAUSED THESE PRESENTS TO BE SIGNED THIS ____ DAY OF _____, 20____

STEVEN SHAWN WREN A/K/A SHAWN WREN

DANA LYNN WREN A/K/A/ DANA WREN

STATE OF MISSOURI, COUNTY OF CAPE GIRARDEAU

ON THIS ____ DAY OF _____, 20____, BEFORE ME APPEARED STEVEN SHAWN WREN A/K/A SHAWN WREN, AND DANA LYNN WREN A/K/A DANA WREN, HUSBAND AND WIFE, TO ME PERSONALLY KNOWN, WHO DID ACKNOWLEDGE THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS THEIR FREE ACT AND DEED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL IN THE STATE AND COUNTY AFORESAID ON THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

THE CITY OF CAPE GIRARDEAU, MISSOURI HEREBY RELEASES THE EXISTING 20-FOOT PUBLIC UTILITY & SEWER EASEMENT AS SHOWN HEREON.

DR. KENNETH HASKIN, CITY MANAGER
CITY OF CAPE GIRARDEAU, MISSOURI

STATE OF MISSOURI, COUNTY OF CAPE GIRARDEAU

ON THIS ____ DAY OF _____, 20____, BEFORE ME APPEARED DR. KENNETH HASKIN, CITY MANAGER OF THE CITY OF CAPE GIRARDEAU, MISSOURI, A MUNICIPAL CORPORATION AND POLITICAL SUBDIVISION OF THE STATE OF MISSOURI, TO ME PERSONALLY KNOWN, WHO DID EXECUTE THE FOREGOING INSTRUMENT ON BEHALF OF SAID CITY AND DID ACKNOWLEDGE 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 NOTARIAL SEAL IN THE STATE AND COUNTY AFORESAID ON THE DAY AND YEAR ABOVE WRITTEN.

NOTARY PUBLIC

MY COMMISSION EXPIRES _____

I, _____, CITY CLERK OF THE CITY OF CAPE GIRARDEAU, MISSOURI HEREBY DECLARE THAT THIS PLAT WAS PRESENTED TO AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CAPE GIRARDEAU, MISSOURI ON

THE _____ DAY OF _____, 20____ BY ORDINANCE NO. _____

CITY CLERK, CITY OF CAPE GIRARDEAU, MISSOURI

STATE OF MISSOURI
COUNTY OF CAPE GIRARDEAU

FILED FOR RECORD THIS ____ DAY OF _____, 20____ AND DULY

RECORDED IN DOCUMENT NUMBER _____

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

REFERENCES

1. DOCUMENT NO. 2023-02379 (SUBJECT)
2. DOCUMENT NO. 2023-03550 (SUBJECT)
3. DOCUMENT NO. 2021-07594
4. DOCUMENT NO. 2021-07593
5. DOCUMENT NO. 2021-12589
6. DOCUMENT NO. 2021-06805
7. DOCUMENT NO. 2019-01882
8. TOUCHDOWN RIDGE 2, DOCUMENT NO. 2021-06056

ZONING CLASSIFICATION

"R-1" SINGLE-FAMILY SUBURBAN
RESIDENTIAL DISTRICT
MINIMUM LOT AREA : 10,000 Sq. Ft.
MINIMUM LOT WIDTH : 80 Ft.
MAXIMUM DENSITY : 4 UNITS / ACRE

WREN SUBDIVISION

No. of Lots = 1
TOTAL LOT AREA: 50,089 Sq. Ft. (1.15 ACRES)
PROPOSED DENSITY : 0.87 UNITS / ACRE

FLOODPLAIN NOTE

NO LOTS IN THE SUBDIVISION ARE LOCATED WITHIN A FLOOD HAZARD ZONE AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 290458 0003 B FOR THE CITY OF CAPE GIRARDEAU, MISSOURI.

BUILDING SETBACKS (FOR R-1 ZONING)

30' FRONT SETBACKS
25' REAR SETBACKS
6' SIDE SETBACKS
SETBACKS HAVE BEEN ADJUSTED TO ALIGN WITH EASEMENTS ON LOT 1

EASEMENT NOTE

ALL EASEMENTS SHOWN HEREON, UNLESS OTHERWISE NOTED, WERE ESTABLISHED BY THE RECORD PLAT OF TOUCHDOWN RIDGE 2 (DOCUMENT NO. 2021-06056).

ACCURACY STANDARD: TYPE URBAN

LEGEND

1. IRON ROD W/CAP (FOUND)
2. IRON ROD (FOUND)
3. SUBDIVISION BOUNDARY LINE
4. EXISTING LOT LINE TO BE ELIMINATED
5. EXTERNAL PROPERTY LINE
6. BUILDING SETBACK LINE
7. EXISTING EASEMENT LINE
8. NEW EASEMENT LINE
9. RIGHT OF WAY LINE
10. CENTER LINE
11. PORTION OF EASEMENT TO BE RELEASED

SURVEY CERTIFICATION

THIS IS TO CERTIFY THAT AT THE REQUEST OF SHAWN & DANA WREN, I HAVE SURVEYED LOTS 40 AND 41 OF TOUCHDOWN RIDGE 2 IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI, AND HAVE SUBDIVIDED IT AS SHOWN ON THIS PLAT IN ACCORDANCE WITH THE CURRENT STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS MADE EFFECTIVE JUNE 1, 2022.

IN WITNESS WHEREOF, I HAVE HERETO SET MY SEAL AND SIGNATURE THIS 12TH DAY OF DECEMBER, 2023.

RODNEY W. AMOS MO-PLS 2007000072
113 W. MAIN STREET
JACKSON, MISSOURI 63755

STRICKLAND ENGINEERING
113 WEST MAIN STREET
P.O. Box 159
JACKSON, MISSOURI 63755
TEL: 573-243-4080
FAX: 573-243-2191

REV	DESCRIPTION	DATE	CIVIL - MECHANICAL - ELECTRICAL ENGINEERING - LAND SURVEYING
1	ADDRESSED CITY COMMENTS	01-08-24	<p>WREN SUBDIVISION 241/251 ORANGE BOWL DR. CAPE GIRARDEAU MO</p>
2	ADDRESSED CITY COMMENTS	01-10-24	
			<p>SCALE: 1"=40'</p> <p>DATE: 12-12-2023</p> <p>DRAWN BY: RA</p> <p>CHECKED BY: DR</p> <p>PROJECT #: 23-238</p>

Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
3/4/2024

AGENDA REPORT
Cape Girardeau City Council

24-039

SUBJECT

A Resolution authorizing the City Manager to execute an Agreement with Southeast Missouri State University for the 2024 Historic Resource Survey, in the City of Cape Girardeau, Missouri.

EXECUTIVE SUMMARY

The attached resolution authorizes the City Manager to execute an agreement with Southeast Missouri State University for the 2024 Historic Resource Survey.

BACKGROUND/DISCUSSION

The City of Cape Girardeau has been a Certified Local Government (CLG) since 1991. The CLG program provides a number of benefits to the City, including access to grants for historic preservation planning and education, as well as technical assistance from the State Historic Preservation Office. CLG communities are required to maintain a system for survey and inventory of historic properties. To fulfill this requirement, the City of Cape Girardeau annually executes an agreement with Southeast Missouri State University to prepare a Historic Resource Survey. The survey is prepared by students in the Department of History under the direction of Dr. Steven J. Hoffman. The agreement and a map of the proposed survey area are attached. Per the agreement, total fees for the survey are not to exceed \$600.00.

FINANCIAL IMPACT

Funding for the Historic Resource Survey will come from the Historic Preservation Program budget.

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

In addition to meeting the CLG requirement, the Historic Resource Survey is a valuable resource for documentation on the City's historic properties. This information is often used in nominations for the National Register of Historic Places as well as Local Historic District and Local Historic Landmark designations.

STAFF RECOMMENDATION

Staff recommends approval of the resolution authorizing the execution of the agreement for the 2024 Historic Resource Survey.

BOARD OR COMMISSION RECOMMENDATION

The Historic Preservation Commission, at its February 21, 2024 meeting, approved a motion recommending execution of the agreement for the 2024 Historic Resource Survey, with a vote of 7 in favor, 0 in opposition, and 0 abstaining.

ATTACHMENTS:

Name:

Description:

▢ Agreement_SEMO_2024_Historic_Survey.doc	Resolution
▢ Historic_Preservation_Commission_LAtter_of_Agreement_Architectural_Survey_February_2024.pdf	2024 Historic Resource Survey Letter of Agreement
▢ 2024 - Area_selected_for_Historic_Resource_Survey.pdf	2024 Historic Resource Survey Map

BILL NO. 24-24

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH SOUTHEAST MISSOURI STATE UNIVERSITY FOR THE 2024 HISTORIC RESOURCE SURVEY, IN THE CITY OF CAPE GIRARDEAU, MISSOURI

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

ARTICLE 1. The City Manager, for and on behalf of the City of Cape Girardeau, Missouri, is hereby authorized to execute an Agreement with Southeast Missouri State University for the 2024 Historic Resource Survey, in the City of Cape Girardeau, Missouri. The Agreement 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.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



Letter of Agreement

This agreement is hereby entered into by Southeast Missouri State University and the City of Cape Girardeau through its Historic Preservation Commission, on this _____ day of _____, 2024.

Under the direction of Dr. Steven J. Hoffman, the Legal and Economic Principles of Historic Preservation class (HP 588) at Southeast Missouri State University will prepare an inventory of historic buildings using an architectural survey of several blocks located in the following delineated survey area:

Pacific on the East, Bloomfield on the South, West End Boulevard on the West, and Independence on the North. The actual extent of the survey area in any given year will depend upon the number of students enrolled in the course and the number of buildings on each block.

The project will include preparing a photographic record of the buildings and completing the Missouri Department of Natural Resources Historic Property Inventory Forms.

Work will begin on this project on January 31, 2024, with a target completion date of December 31, 2024. The City of Cape Girardeau will receive a complete copy of the project report, including copies of the individual property inventory forms. An additional copy of the report will be placed in the University Archives. The original materials will be held by Dr. Hoffman in the Department of History and Anthropology pending completion of the survey of the entire district, at which time they will be forwarded to the Historic Preservation Section of the Missouri Department of Natural Resources.

The City of Cape Girardeau, via its agent the Historic Preservation Commission, hereby agrees to pay Southeast Missouri State University \$600.00 upon completion of the project as outlined below. Mr. Ryan Shrimplin, City Planner, Planning Services, City Hall, will be the contact person for this project and Dr. Kenneth Haskin, Cape Girardeau City Manager, will be the signatory of this Agreement.

The total payment for services of providing a historic resource survey as described above will be \$600.00. This payment will help cover costs for photography, either digital or black & white prints, reproduction of survey reports, and various miscellaneous expenses associated with the project such as reproduction of notices and survey forms, maps, photographic equipment, and incidental supplies.

For Southeast Missouri
State University:

For the City of
Cape Girardeau:

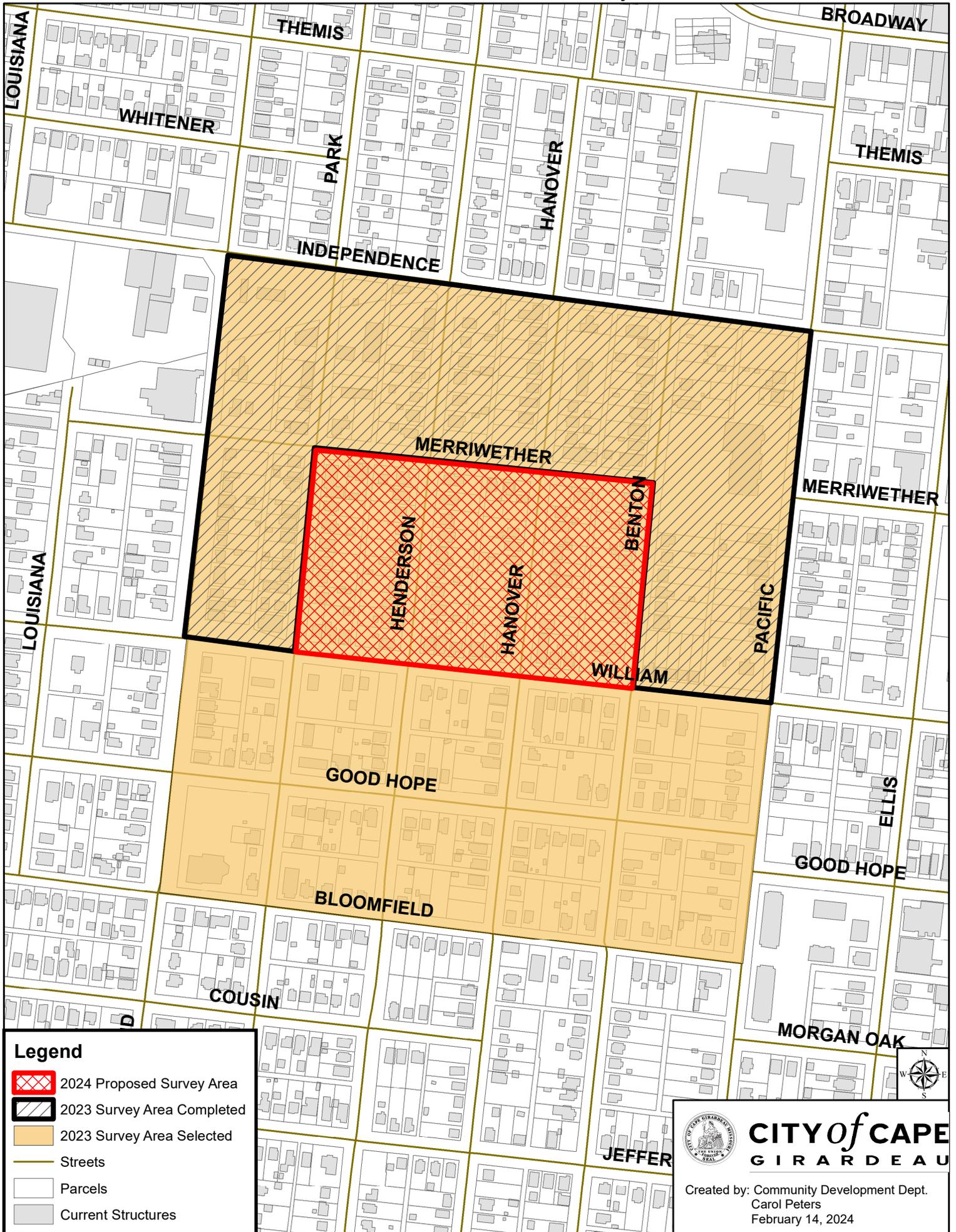

Dr. Brad Sheriff
Vice President for Finance
and Administration

2/7/2024
date

Mr. Kenneth Haskin
City Manager

date

2024 Historic Resource Survey Area



Staff: Doug Gannon, Parks and
Agenda: Recreation Director
3/4/2024

AGENDA REPORT
Cape Girardeau City Council

24-040

SUBJECT

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

EXECUTIVE SUMMARY

The work completed under this Contract was the construction of a new fence at Capaha Field. The new fence was constructed using composite lumber which should last for many years.

BACKGROUND/DISCUSSION

This project was needed to replace the existing fence at Capaha Field that had become weathered and was showing signs of deterioration. Capaha Field is used heavily from late February to early August by Southeast Missouri State University and the Cape Catfish.

The new fence was constructed of green composite lumber with a yellow cap. The durable composite material used on the fence should last for many years.

FINANCIAL IMPACT

Funding for this project came from the Parks Recreation Foundation (\$25,000), Southeast Missouri State University (\$30,000) and the Cape Catfish (\$5,000). The City of Cape Girardeau contributed \$6,748 in PRS2 Operational Funds to the project. The total cost of the fence replacement was \$66,748.

STAFF RECOMMENDATION

Staff recommends the Council, by motion, accept the improvements as presented and authorize Final Payment to Nip Kelley Equipment Co, Inc for the replacement of Capaha Field Fence.

ATTACHMENTS:

Name:	Description:
📄 Project_Summary.pdf	Project Final Report

CITY *of* CAPE GIRARDEAU

PARKS & RECREATION DEPARTMENT

February 26, 2024

Project Summary Report on Replacement of Capaha Field Outfield Fence

To The City Manager
Of the City of Cape Girardeau, Missouri

Dear Sir:

I hereby report the Capaha Field Fence Replacement located in Capaha Park, has been completed by Nip Kelley Equipment Company, Inc.

The project was publicly advertised and bids were received on November 20, 2023. Nip Kelley Equipment Company, Inc. was the sole bid. On January 10, 2024, the City of Cape Girardeau entered into an agreement with the contractor. The project consisted of replacement of existing wooden fence boards, with solid composite (mineral-added polyethylene) boards, and yellow painted composite (mineral-added polyethylene) top boards.

The contractor, Nip Kelley Equipment Company, Inc., completed the work in accordance with the plans, specifications and agreement documents with a cost of \$66,748.00.

I have computed the cost of said improvement as follows:

<u>No.</u>	<u>Item</u>	<u>Total Price</u>
1.	Fence Installation and Materials	\$66,748.00
TOTAL IMPROVEMENT COST		\$66,748.00
	PREVIOUS PAYMENT	\$36,144.04
	AMOUNT DUE THE CONTRACTOR	\$30,603.96

Funding for the Capaha Field Fence Replacement was provided by the following sources: \$25,000 by the Cape Girardeau Parks & Recreation Foundation, \$5,000 by the Cape Catfish (Prospect League, baseball team), \$30,000 by Southeast Missouri State University and \$6,748 by the Parks & Recreation Stormwater Tax (PRS2 Operational Funds).

Sincerely,

A handwritten signature in black ink, appearing to read "Doug Gannon". The signature is fluid and cursive, with a large initial "D" and "G".

Doug Gannon
Parks & Recreation Director

Capaha Field Fence Replacement
Project Account Code: 300-7050-71120-P2405
Purchase Order No. 241447

Staff: Trevor Pulley Assistant City
Manager/Community Development
Agenda: Director
3/4/2024

AGENDA REPORT
Cape Girardeau City Council

24-041

SUBJECT

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

EXECUTIVE SUMMARY

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

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

BACKGROUND/DISCUSSION

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

FINANCIAL IMPACT

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

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

STAFF RECOMMENDATION

Staff recommends the City Council adopt this Ordinance.

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

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

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

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

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

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

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

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

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



EXHIBIT A

COOPERATION AGREEMENT

[On file in the City Clerk's Office]

COOPERATION AGREEMENT

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

RECITALS:

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

AGREEMENT:

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

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

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

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

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

Section 5. CID Sales Tax; TDD Sales Tax.

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

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

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

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

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

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

Section 8. Governance of the CID.

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

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

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

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

Section 9. Governance of the TDD.

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

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

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

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

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

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

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

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

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

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

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

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

Section 13. Insurance.

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

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

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

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

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

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

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

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

[Remainder of Page Intentionally Left Blank]

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

CITY OF CAPE GIRARDEAU, MISSOURI

By: _____
Kenneth Haskin, City Manager

[SEAL]

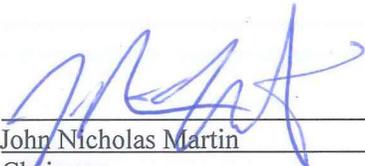
ATTEST:

Gayle Conrad, City Clerk

[Cooperation Agreement]



**RCC COMMUNITY IMPROVEMENT
DISTRICT**

By: 
Name: John Nicholas Martin
Title: Chairman

[SEAL]

ATTEST:



By: _____
Name: Lucas Haley
Title: Secretary

[Cooperation Agreement]

**RCC TRANSPORTATION
DEVELOPMENT DISTRICT**

By: _____
Name: _____
Title: Chairman

[SEAL]

ATTEST:

By: _____
Name: _____
Title: Secretary

[Cooperation Agreement]

RIVER CITY CENTRE, LLC



By: _____

Name: Lucas M. Haley

Title: Authorized Agent

Staff: Casey Brunke, P.E., Public Works
Agenda: Director
3/4/2024

AGENDA REPORT
Cape Girardeau City Council

24-042

SUBJECT

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

EXECUTIVE SUMMARY

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

BACKGROUND/DISCUSSION

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

Westwood Drive, between Glenridge Drive and Sherwood Drives;

Glenridge Drive, west of Westwood Drive;

Melrose Avenue, between Margaret Street and Randol Drive;

Lisa Drive, west of Randol Drive; and

Perryville Road, between Sherwood Drive and Rotary Drive.

FINANCIAL IMPACT

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

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

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

STAFF RECOMMENDATION

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

ATTACHMENTS:

Name:	Description:
Prop_Acquisition_TCE_PDE_PRS2_Stormwater_proj.doc	Ordinance
PRS2_Stormwater - List of Parcels.pdf	Exhibit A
Map_Lisa_Branch.pdf	Map - Lisa Branch
Map_Scivally_Branch.pdf	Map - Scivally Branch

BILL NO. 24-26

ORDINANCE NO. _____

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

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

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

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



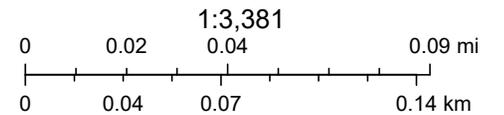
PRS2 Stormwater Projects List of Parcels

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

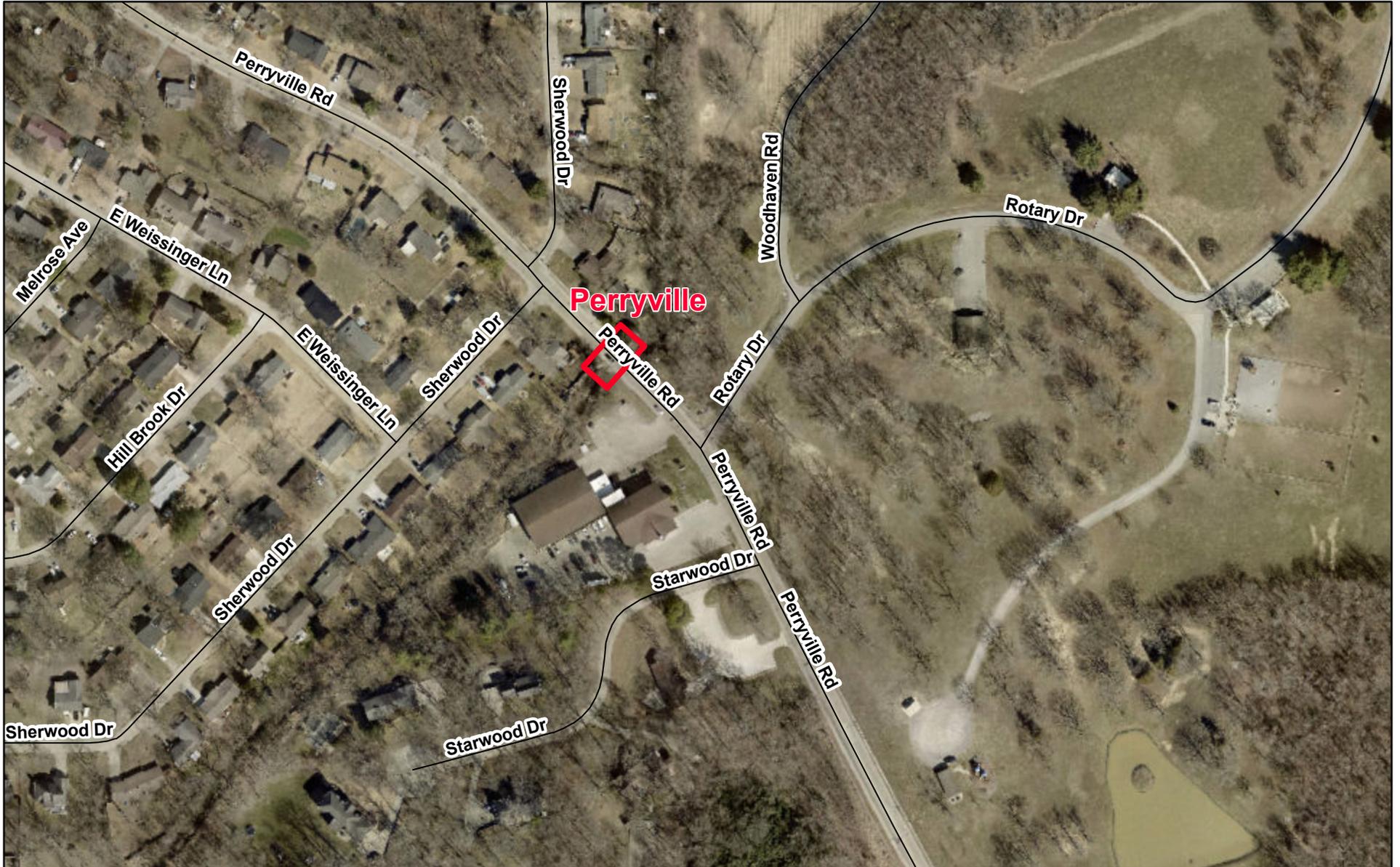
PRS2 Stormwater Projects



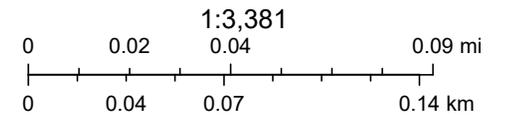
2/16/2024



PRS2 Stormwater Projects



2/16/2024



Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
3/4/2024

AGENDA REPORT
Cape Girardeau City Council

24-043

SUBJECT

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

EXECUTIVE SUMMARY

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

BACKGROUND/DISCUSSION

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

STAFF RECOMMENDATION

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

BOARD OR COMMISSION RECOMMENDATION

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

ATTACHMENTS:

Name:	Description:
□ RP_Whispering_Oaks_Fourth.doc	Ordinance
□ Staff_Review-Referral-Action_Form.pdf	The Meadows of Whispering Oaks - Fourth - Staff RRA Form
□ Map - Meadows of Whispering Oaks - Fourth.pdf	The Meadows of Whispering Oaks - Fourth - Map
□ Application - Meadows of Whispering Oaks - Fourth Subdivision.pdf	The Meadows of Whispering Oaks - Fourth - Application
□ s23127_record_plat_revised.pdf	The Meadows of Whispering Oaks - Fourth - Record Plat

BILL NO. 24-27

ORDINANCE NO. _____

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

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

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

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



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

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

LOCATION: 130 Frogs Leap

STAFF REVIEW & COMMENTS:

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



 City Planner

_____ 2/1/24
 Date



 City Attorney

_____ 2/1/24
 Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:



 City Manager

_____ 2/2/24
 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"/>	Sommer McCauley-Perdue	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sid Whittington	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

VOTE COUNT: 8 Favor 0 Oppose 0 Abstain

COMMENTS:

CITIZENS COMMENTING AT MEETING:



 Chris Martin
 Planning & Zoning Commission Secretary

City Council Action

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

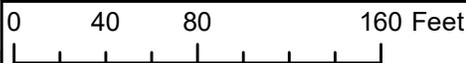
ORDINANCE # _____ **Effective Date:** _____

The Meadows of Whispering Oaks - Fourth Subdivision



CITY of CAPE
GIRARDEAU

Created by: Community Development Dept.
Carol Peters
January 11, 2024



Legend

-  Meadows of Whispering Oaks - Fourth
-  Parcels



SUBDIVISION PLAT APPLICATION
CITY of CAPE GIRARDEAU

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

Name of Subdivision THE MEADOWS OF WHISPERING OAKS FOURTH		Type of Plat <input checked="" type="checkbox"/> Record <input type="checkbox"/> Preliminary <input type="checkbox"/> Boundary Adjustment	
Applicant Taylor H. Williams		Property Owner of Record <input checked="" type="checkbox"/> Same as Applicant	
Mailing Address 130 Frogs Leap	City, State, Zip Cape Girardeau, MO 63701	Mailing Address	City, State, Zip
Telephone	Email	Telephone	Email
Contact Person (if Applicant is a Business or Organization) Taylor H. Williams		<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 chrisbowen@bowenengsurv.com	Telephone	Email

**ADDITIONAL ITEMS
REQUIRED**

See Instructions for more information.

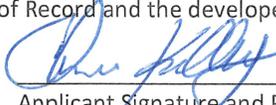
- In addition to this completed application form, the following items must be submitted:
- Review Fee (payable to City of Cape Girardeau)
\$21.00 per lot (**\$210.00 minimum**)
 - Recording Fee Deposit (payable to City of Cape Girardeau)

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

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

CERTIFICATION

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

 CHRIS KELLEY
 Applicant Signature and Printed Name

1/9/2024
 Date

OFFICE USE ONLY			
Date Received & By	<u>01-09-24</u>	File #	MUNIS Application # <u>14886</u> MUNIS Permit #
Review Fee Received \$	<u>210-</u>	Recording Fee Received \$	<u>71-</u> <input type="checkbox"/> Check # <u>30877</u> <input type="checkbox"/> Credit Card <input type="checkbox"/> Cash
Preliminary and Record Plats: Planning & Zoning Commission Recommendation _____ Date _____ City Council Final Action _____ Date _____			

City of Cape Girardeau
Subdivision Plat Requirements
(Record Plats)

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

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

NAME OF SUBDIVISION: The Meadows of Whispering Oaks 4TH

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

MINIMUM REQUIREMENTS FOR RECORD PLATS (CONTINUED)

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

RECORD PLAT

THE MEADOWS OF WHISPERING OAKS - FOURTH

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



VICINITY MAP

LINE DIMENSION TABLE

NO.	BEARING	DISTANCE
1	S 35°11'58" E	18.80' (S 35°03'07" E) (18.80')
2	S 06°40'28" E	28.34' (S 06°41'37" E) (28.34')
3	S 39°50'56" W	17.67' (S 39°49'47" W) (17.67')
4	S 42°29'03" E	32.18' (S 42°30'12" E) (32.18')

CURVE DIMENSION TABLE

NO.	RADIUS	DELTA	LENGTH	TANGENT	CHORD	BEARING
1	100.00' (100.00')	55°49'03" (57.40')	97.42' (97.40')	52.97'	93.61'	N 06°35'39" E
2	300.00' (300.00')	32°30'56" (170.28')	170.25'	87.49'	167.97'	S 84°56'31" W
3	200.00' (200.00')	11°57'02" (41.72')	41.72'	20.93'	41.64'	N 72°49'35" W
4	723.69' (723.69')	01°30'53" (19.13')	19.13'	9.57'	19.13'	N 67°36'30" W
5	723.69' (723.69')	09°49'11" (124.03')	124.03'	62.17'	123.88'	N 74°59'16" W

SURVEY NOTES

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

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

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

Latitude 37° 24' 44.45840" 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
No. 1

REFERENCES

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

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

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

ZONING INFORMATION

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

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

SURVEY MONUMENT NOTES

⊙ - FOUND 1/2" IRON PIN
○ - SET 1/2" IRON PIN
○ - ANGLE POINT, NO CORNER SET
NOTE: NO CAPS WERE SET ON 1/2" IRON PINS
SET IN THE CONCRETE PAVEMENT ON CLOVERDALE
RANCH ROAD AND FROGS LEAP.

LEGEND

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

NOW OR FORMERLY
MGM INVESTMENTS, LLC
DOCUMENT NO. 2019-04298
LOT 115
THE MEADOWS OF WHISPERING OAKS - AMENDED
PLAT BOOK NO. 23 - PAGE NO. 62

NOW OR FORMERLY
MADRA MEYSTEDT JONES TRUST
DOCUMENT NO. 2019-04297
LOT 114
THE MEADOWS OF WHISPERING OAKS - AMENDED
PLAT BOOK NO. 23 - PAGE NO. 62

NOW OR FORMERLY
FATIMA J. PAIS
DOCUMENT NO. 2021-04508
LOT 113
THE MEADOWS OF WHISPERING OAKS - AMENDED
PLAT BOOK NO. 23 - PAGE NO. 62

NOW OR FORMERLY
TAYLOR H. & CASEY B. WILLIAMS
DOCUMENT NO. 2023-03982
LOT NO. 1, THE MEADOWS OF
WHISPERING OAKS - THIRD
DOC. 2023 - 01542

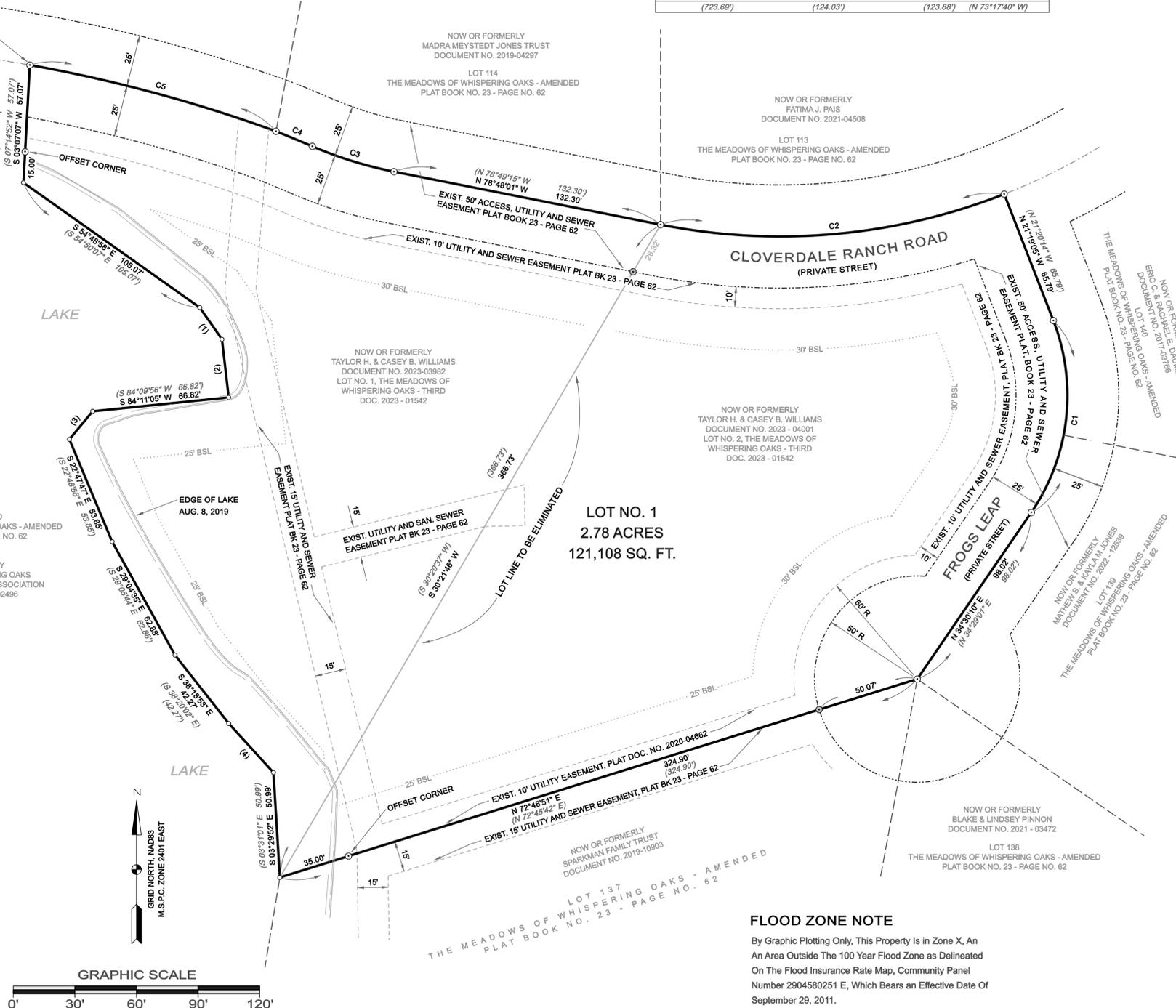
NOW OR FORMERLY
TAYLOR H. & CASEY B. WILLIAMS
DOCUMENT NO. 2023 - 04001
LOT NO. 2, THE MEADOWS OF
WHISPERING OAKS - THIRD
DOC. 2023 - 01542

COMMON GROUND
THE MEADOWS OF WHISPERING OAKS - AMENDED
PLAT BOOK NO. 23 - PAGE NO. 62

NOW OR FORMERLY
MEADOWS OF WHISPERING OAKS
PROPERTY HOMEOWNERS ASSOCIATION
DOCUMENT NO. 2008-02466

NOW OR FORMERLY
BLAKE & LINDSEY PINNON
DOCUMENT NO. 2021 - 03472
LOT 138
THE MEADOWS OF WHISPERING OAKS - AMENDED
PLAT BOOK NO. 23 - PAGE NO. 62

NOW OR FORMERLY
SPARKMAN FAMILY TRUST
DOCUMENT NO. 2019-10903
LOT 137
THE MEADOWS OF WHISPERING OAKS - AMENDED
PLAT BOOK NO. 23 - PAGE NO. 62



FLOOD ZONE NOTE

By Graphic Plotting Only, 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 2904580251 E, Which Bears an Effective Date Of
September 29, 2011.

SUBDIVISION DEDICATION

The Undersigned, Taylor H. Williams and Casey B. Williams, Husband
and Wife, Owners of A Part of The Southwest Quarter, Section 10,
Township 31 North, Range 13 East of The Fifth Principal Meridian,
City And County of Cape Girardeau, Missouri, Being More Particularly
Described as Follows:

All of Lots Numbered 1 And 2 of "The Meadows of Whispering Oaks -
Third" Subdivision, as Recorded in the Land Records of The County
Recorder's Office in Document No. 2023 - 01542;

Hereby Declare That They Have Caused Said Lots to Be Combined
Into One Lot as Shown Hereon, and Do Hereby Name Said Subdivision
"The Meadows of Whispering Oaks - Fourth". Said Subdivision Is
Subject to Private Restrictions and Covenants as set out in a
Separate Instrument on File in the Land Records of Said County.

Taylor H. Williams Casey B. Williams

STATE OF MISSOURI)
COUNTY OF CAPE GIRARDEAU) ss

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

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

Notary Public My Term Expires _____

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

City Clerk of The City of Cape Girardeau, Missouri

SURVEYOR'S CERTIFICATION

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

This _____ Day Of _____, 2024 A.D.

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

STATE OF MISSOURI)
COUNTY OF CAPE GIRARDEAU) ss

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

Andrew David Blattner, Cape Girardeau County Recorder of Deeds

2121 Megan Drive
Cape Girardeau, MO 63703
Tel: 572.339.5900
Fax: 572.339.1391
www.boweneng.com

Bowen
ENGINEERING & SURVEYING

Consulting Engineers • Land Surveyors • Testing Laboratories
Bowen Engineering & Surveying, P.C.
Engineering Corporation - Missouri State Certificate of Authority #000883
Land Surveying Corporation - Missouri State Certificate of Authority #001016

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

DESCRIPTION	DATE

Copyright © 2023 by
Bowen Engineering & Surveying, P.C.

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

RECORD
PLAT

SHEET NO.
1 of 1

Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
3/4/2024

AGENDA REPORT
Cape Girardeau City Council

24-044

SUBJECT

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

EXECUTIVE SUMMARY

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

BACKGROUND/DISCUSSION

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

STAFF RECOMMENDATION

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

BOARD OR COMMISSION RECOMMENDATION

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

ATTACHMENTS:

Name:	Description:
Rhodes_Town_Plaza_Subdivision.doc	Ordinance
Staff_Review-Referral-Action_Form.pdf	Rhodes Town Plaza Subdivision - Staff RRA Form
Map_-_Rhodes_Town_Plaza_Subdivision.pdf	Rhodes Town Plaza Subdivision - Map
Application_-_Rhodes_Town_Plaza_Subdivision.pdf	Rhodes Town Plaza Subdivision - Application
RhodesTownPlaza_Sub_20240213.pdf	Rhodes Town Plaza Subdivision - Record Plat

BILL NO. 24-28

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE RECORD PLAT OF
RHODES TOWN PLAZA SUBDIVISION

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

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

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



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

FILE: **Rhodes Town Plaza Subdivision**

LOCATION: 2146 & 2148 William Street

STAFF REVIEW & COMMENTS:

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



City Planner

2/5/24

Date



City Attorney

2/7/24

Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:



City Manager

2/8/24

Date

Planning & Zoning Commission

RECOMMENDED ACTION:

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

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

VOTE COUNT: 8 Favor 0 Oppose 0 Abstain

COMMENTS:

CITIZENS COMMENTING AT MEETING:



Chris Martin
Planning & Zoning Commission Secretary

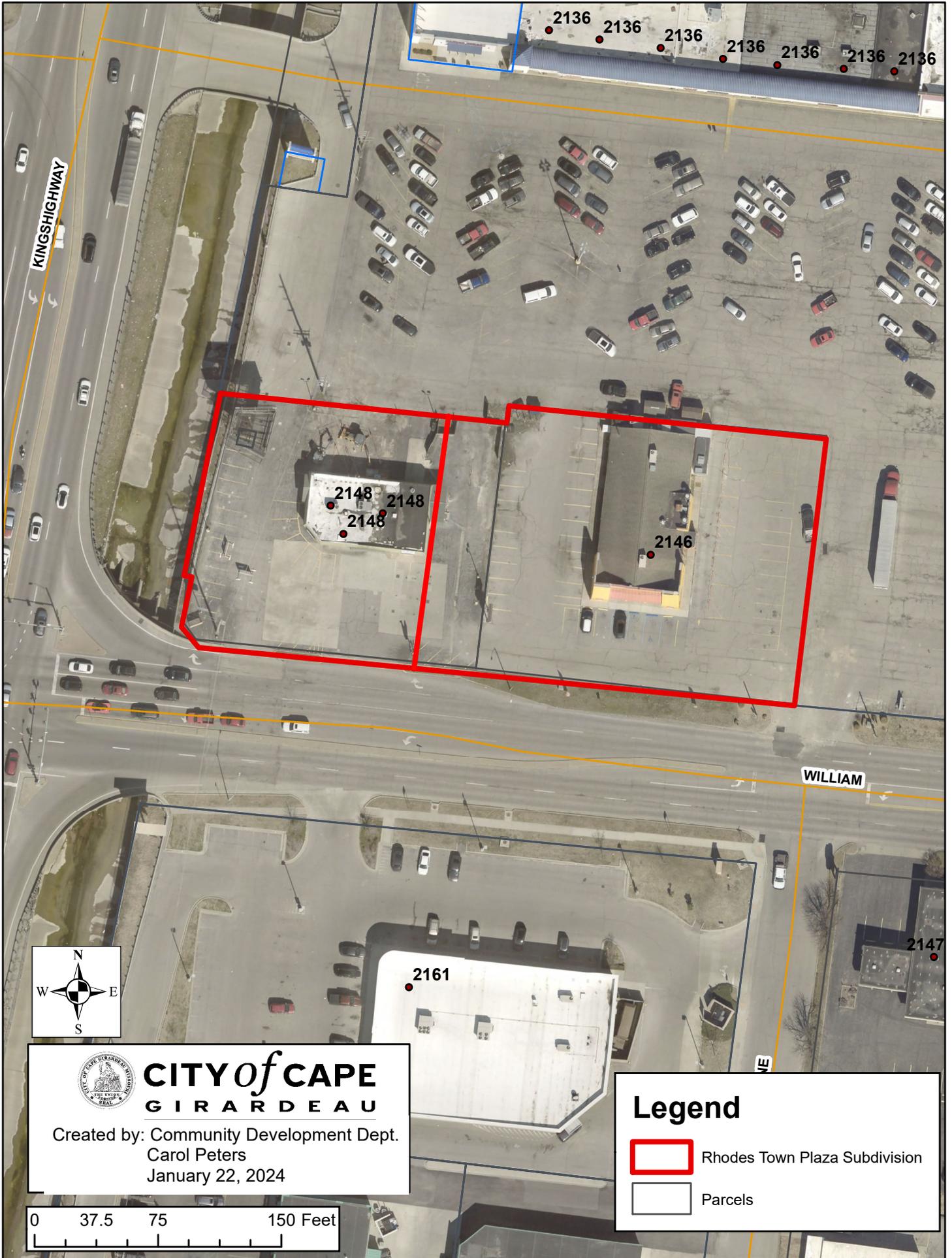
City Council Action

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

ORDINANCE # _____

Effective Date: _____

Rhodes Town Plaza Subdivision





SUBDIVISION PLAT APPLICATION
CITY of CAPE GIRARDEAU

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

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

ADDITIONAL ITEMS REQUIRED

See Instructions for more information.

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

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

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

281.00

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

DocuSigned by:

 Applicant Signature and Printed Name

1/15/2024
 Date

OFFICE USE ONLY			
Date Received & By	File #	MUNIS Application #	MUNIS Permit #
01-16-24		13162	
Review Fee Received \$	Recording Fee Received \$	<input type="checkbox"/> Check #	<input type="checkbox"/> Credit Card <input type="checkbox"/> Cash
210-	71-	2611	
Preliminary and Record Plats:			
Planning & Zoning Commission Recommendation	Date	City Council Final Action	Date

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

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

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

NAME OF SUBDIVISION: _____

RHODES TOWN PLAZA

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

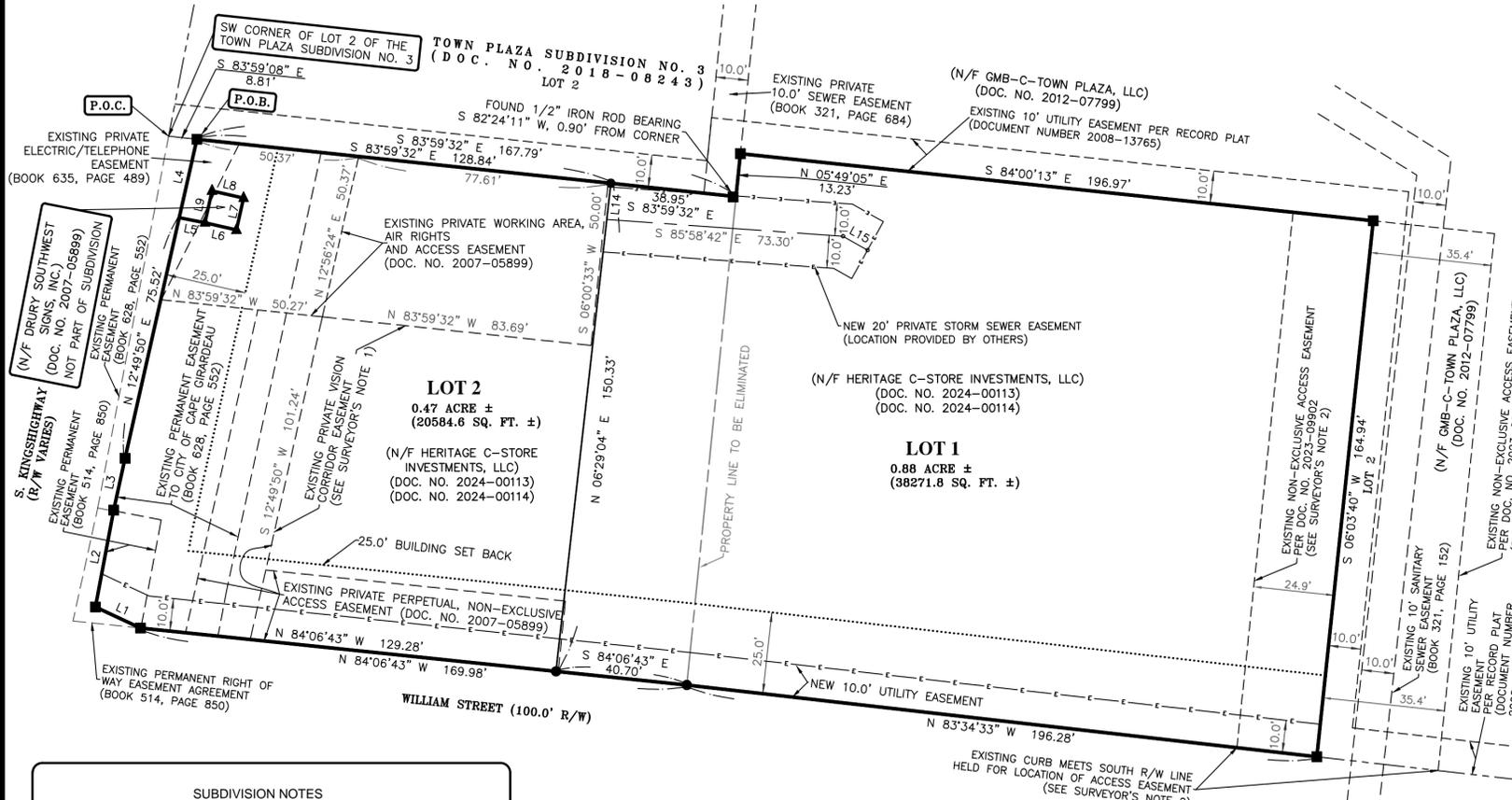
MINIMUM REQUIREMENTS FOR RECORD PLATS (CONTINUED)

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

RECORD PLAT OF: RHODES TOWN PLAZA SUBDIVISION

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

SUBDIVISION DEDICATION



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

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 20____.

Heritage C-Store Investments, LLC
By: _____
Scott M. Rhodes, Manager

By: _____
Jeffrey J. Maurer, Manager

STATE OF MISSOURI)
COUNTY OF CAPE GIRARDEAU) ss.

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

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

Notary Public
My commission expires: _____

I, _____, City Clerk of the City of Cape Girardeau, Missouri hereby certify that this plat was approved by the City of Cape Girardeau, Missouri by Ordinance No. _____ passed and approved this _____ day of _____, 20____.

CITY CLERK,
CITY OF CAPE GIRARDEAU, MISSOURI

SUBDIVISION NOTES

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

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

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

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

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

SURVEY CERTIFICATION

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

STATE OF MISSOURI)
COUNTY OF CAPE GIRARDEAU) ss

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

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

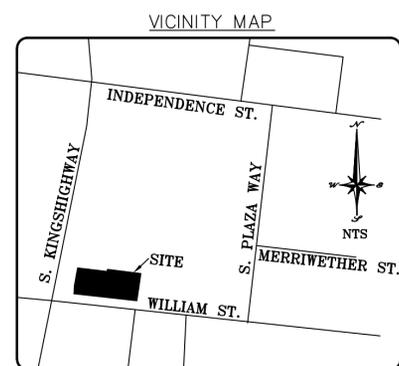
LINE	BEARING	DISTANCE
L1	N 65°13'29" W	15.38'
L2	N 10°48'36" E	30.19'
L3	N 12°28'27" E	16.23'
L4	N 12°49'50" E	24.63'
L5	S 79°01'06" E	8.10'
L6	S 77°10'10" E	10.00'
L7	N 12°49'50" E	10.00'
L8	N 77°10'10" W	10.00'
L9	S 12°49'50" W	10.00'
L14	S 06°29'04" W	11.16'
L15	S 60°45'06" E	8.70'

FLOOD PLAIN STATEMENT

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

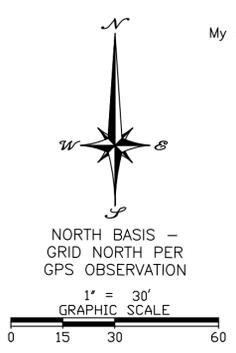
TITLE REFERENCES

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



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

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



SURVEYOR'S NOTES

- THE LEGAL DESCRIPTION FOR THE EXISTING PRIVATE VISION CORRIDOR EASEMENT DESCRIBED IN DOC. NO. 2007-05899 IS MISSING CALLS AND DOES NOT MATHEMATICALLY CLOSE. THIS SURVEY USES THE LOCATION AND DESCRIPTION OF THE EASEMENT AS DESCRIBED IN A PREVIOUS MEMORANDUM OF LEASE RECORDED IN BOOK 1224, PAGE 754. THIS LOCATION IS CONGRUENT WITH THE DESCRIPTION AND LOCATIONS SHOWN ON A SURVEY FOR DRURY SOUTHWEST COMPLETED BY KOEHLER ENGINEERING AND SURVEYING ON 12/11/2001 AND RECORDED IN PLAT BOOK 14, PAGE 662. ADDITIONALLY, THE DESCRIPTION CONTAINED IN DOC. NO. 2007-05899 VARIES FROM THE KOEHLER SURVEY ALONG THE SOUTHWEST CORNER OF THE EASEMENT WHERE THE RIGHT OF WAYS OF WILLIAM STREET AND SOUTH KINGSHIGHWAY MEET.
- THE AMENDMENT TO RECIPROCAL PARKING AGREEMENT AND TERMINATION OF ACCESS EASEMENT RECORDED IN DOC. NO. 2023-09902 DELETES PARAGRAPHS 1 AND 6, AND VACATES AND TERMINATES AN EASEMENT DESCRIBED IN PARAGRAPH 2 OF THE AGREEMENT IN BOOK 303, PAGE 180-181. THE AGREEMENT ALSO CREATES TWO NEW EASEMENTS DESCRIBED AS BEING THE "WEST" HALF OF THE ENTRANCE AND THE "EAST" HALF OF THE ENTRANCE. THE AGREEMENT DOES NOT SPECIFICALLY DEFINE THE LOCATIONS OR DIMENSIONS OF THE EASEMENTS NOR DOES IT DEFINE WHAT CONSTITUTES THE "ENTRANCE". THIS DESCRIPTION COULD LEAD TO DISCREPANCIES IN THE DETERMINATION OF THE LOCATION OF SAID EASEMENT. FOR THE PURPOSE OF THIS SURVEY, THE LOCATION WHERE THE EXISTING CURB OF THE CURRENT PAVEMENT MEETS THE EXISTING NORTH RIGHT OF WAY LINE OF WILLIAM STREET WAS USED TO ESTABLISH THE BEGINNING LOCATIONS OF THE EASEMENTS. THE WESTERLY AND EASTERLY LINES OF THE EASEMENTS ARE THEN RUN FROM PREVIOUSLY STATED POINTS, NORTH PARALLEL WITH THE EAST PROPERTY LINE OF THE PARCEL DESCRIBED IN DOC. NO. 2024-00113 TO INTERSECT THE NORTH PROPERTY LINE AND THE NORTH PROPERTY LINE EXTENDED OF SAID PARCEL. ADDITIONALLY, THE EAST PROPERTY LINE OF SAID PARCEL IS NOT LOCATED IN THE CENTER OF THE EXISTING PAVEMENT WHICH CAUSES ONE EASEMENT TO BE 24.9 FEET WIDE AND THE OTHER TO BE 35.4 FEET WIDE. THE NEW PARAGRAPH 2 IN SAID AGREEMENT STATES THAT IT IS THE INTENTION OF THE PARTIES THAT THE ENTRANCE FROM WILLIAM STREET BE SHARED BY BOTH PARTIES.

DOWDY AND DEJOURNETT SURVEYING

LARRY D. DOWDY, PLS 1518
MATT DEJOURNETT, PLS 2015000226

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

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

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

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

Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
3/4/2024

AGENDA REPORT
Cape Girardeau City Council

24-045

SUBJECT

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

EXECUTIVE SUMMARY

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

BACKGROUND/DISCUSSION

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

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

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

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

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

STAFF RECOMMENDATION

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 February 14, 2024 meeting and recommended approval of the rezoning request by a vote of 8 in favor, 0 in opposition, and 0 abstaining.

PUBLIC OUTREACH

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

ATTACHMENTS:

Name:	Description:
298_North_West_End_Rezone.doc	Ordinance
Staff_Review-Referral-Action_Form.pdf	298 North West End Boulevard - Staff RRA Form
Map_-_298_N_West_End_-_Zoning.pdf	298 North West End Boulevard - Zoning Map
Map_-_298_N_West_End_-_FLU.pdf	298 North West End Boulevard - FLU Map
Application_-_298_N_West_End_Rezoning.pdf	298 North West End Boulevard - Application
Sec._30-66._-C-1_General_Commercial_District.pdf	C-1 District Regulations
Sec._30-64._-NC_General_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 298 NORTH WEST END BOULEVARD, IN THE CITY AND COUNTY OF CAPE GIRARDEAU, MISSOURI, FROM C-1 TO NC

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

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

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

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

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

298 North West End Boulevard, Cape Girardeau, MO

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

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



CITY OF CAPE GIRARDEAU, MISSOURI

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

FILE NO. 1466

LOCATION: 298 North West End Boulevard

STAFF REVIEW & COMMENTS:

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

[Signature]
City Planner

1/30/24
Date

[Signature]
City Attorney

1/30/24
Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:

[Signature]
City Manager

1/31/24
Date

Planning & Zoning Commission

Public Hearing Sign Posting Date: _____ Public Hearing Date: _____

RECOMMENDED ACTION:

	Favor	Oppose	Abstain		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"/>	Sommer McCauley-Perdue	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Derek Jackson	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sid Whittington	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gerry Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				

VOTE COUNT: 8 Favor 0 Oppose 0 Abstain

COMMENTS:

CITIZENS COMMENTING AT MEETING:

[Signature]
Chris Martin
Planning & Zoning Commission Secretary

City Council Action

Posting Dates: Sign _____ Newspaper _____ Public Hearing Date: _____
Ordinance 1st Reading _____ Ordinance 2nd & 3rd Reading: _____

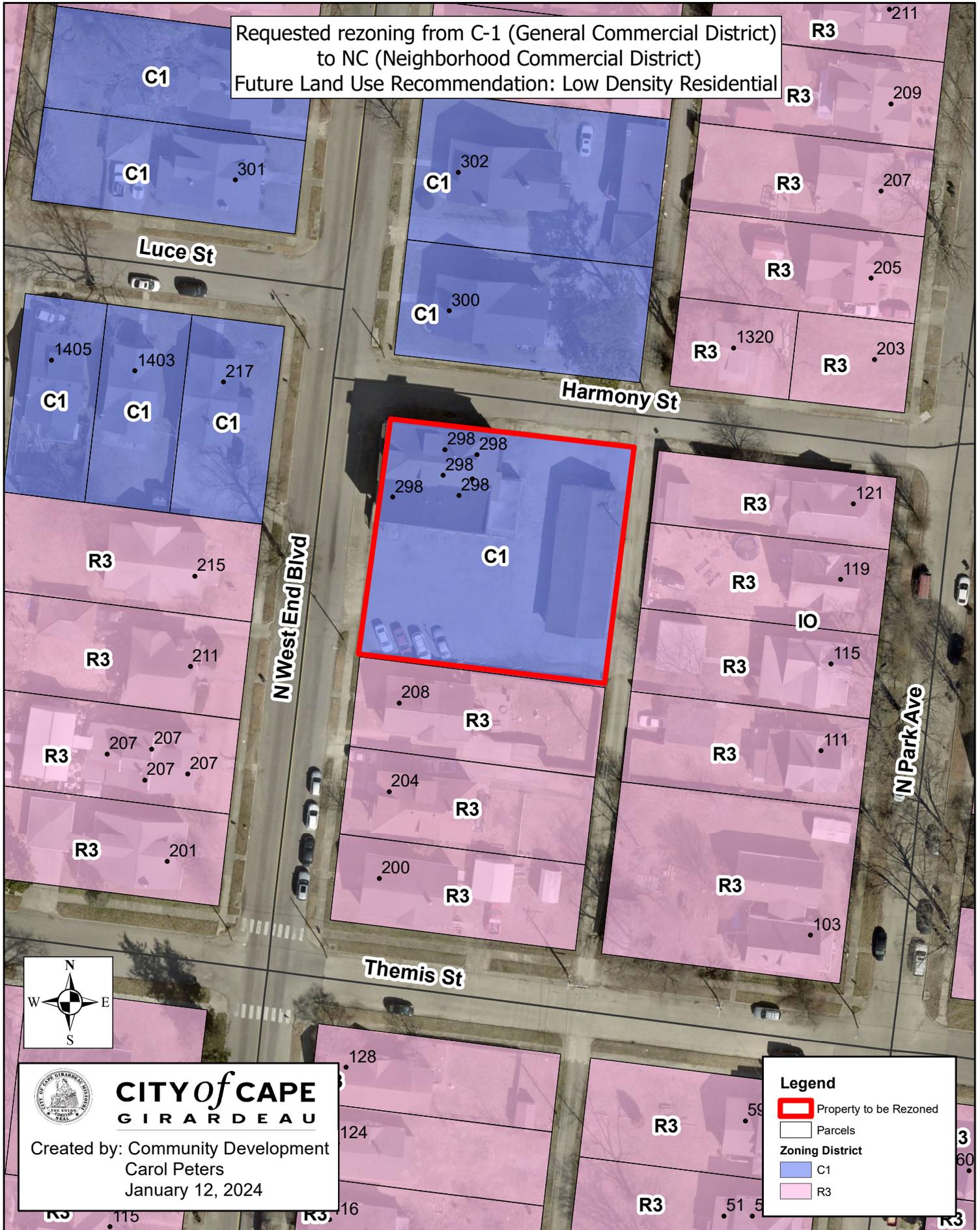
VOTE COUNT: _____ Favor _____ Oppose _____ Abstain

ORDINANCE # _____ **Effective Date:** _____

Rezoning Request

298 North West End Boulevard

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



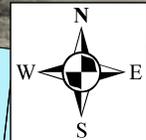
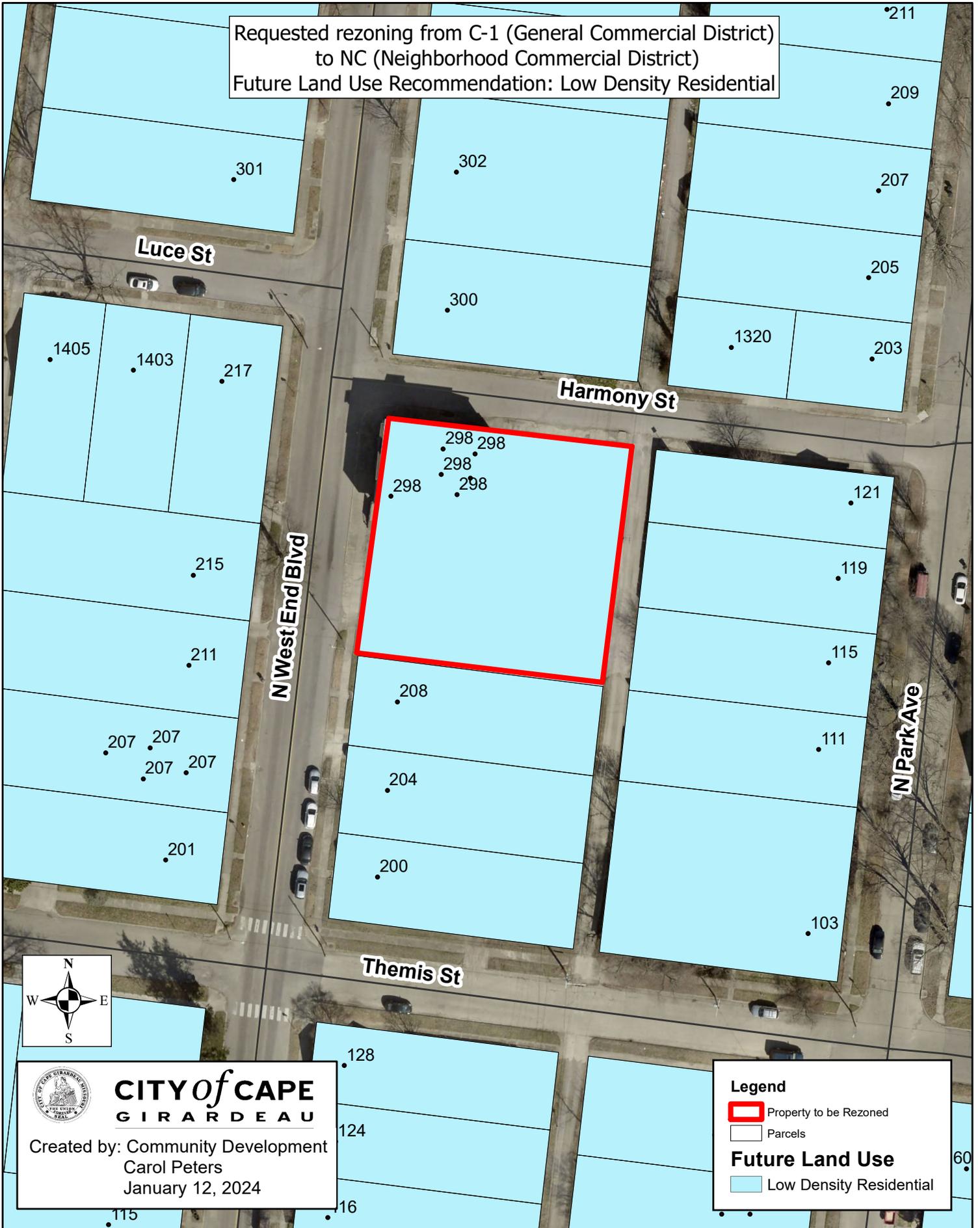
**CITY of CAPE GIRARDEAU**
Created by: Community Development
Carol Peters
January 12, 2024

Legend
 Property to be Rezoned
 Parcels
Zoning District
 C1
 R3

Rezoning Request

298 North West End Boulevard

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



CITY of CAPE
GIRARDEAU

Created by: Community Development
Carol Peters
January 12, 2024

Legend

 Property to be Rezoned

 Parcels

Future Land Use

 Low Density Residential



REZONING / SPECIAL USE PERMIT APPLICATION
CITY of CAPE GIRARDEAU

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

Property Address/Location

298 N. West End

Steve
 ↳

Applicant Majeed Investment Group LLC		Property Owner of Record <input checked="" type="checkbox"/> Same as Applicant	
Mailing Address 3305 Kage Rd		City, State, Zip Cape Gir., Mo 63701	Mailing Address City, State, Zip
Telephone 573-450-4075	Email tonimajeed@gmail.com	Telephone	Email
Contact Person Asif Majeed Toni → (573) 450-1131		(Attach additional owners information, if necessary)	
Type of Request <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 Choose a Zoning District C-1		Proposed Zoning District (Rezoning requests only) Choose a Zoning District NC	

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

Lot 1 A Inoor Subdivision

Describe the proposed use of the property.

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

Application continues on next page

OFFICE USE ONLY			
Date Received & By	1/2/24	File #	1466
MUNIS Application #	14852	MUNIS Permit #	
Application Fee Received \$	168 -	<input checked="" type="checkbox"/> Check #	2270 <input type="checkbox"/> Credit Card <input type="checkbox"/> Cash
Planning & Zoning Commission Recommendation		Date	
City Council Final Action		Date	

Special Use Criteria (Special Use Permit requests only)

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

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

**ADDITIONAL ITEMS
REQUIRED**

See Instructions for more
information.

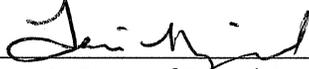
In addition to this completed application form, the following items must be submitted:

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

CERTIFICATIONS

The undersigned hereby certifies that:

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



Property Owner of Record Signature and Printed Name

1-8-24

Date

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

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

Applicant Signature and Printed Name

Date

Adjacent properties

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

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

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

Mailing: same as above

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

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

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

Mailing: same as above

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

Mailing: same as above

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

Mailing: same as above

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

Mailing: 901 1st Capital Dr.
St. Charles, MO 63301-5308

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

Mailing: same as above

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

Mailing: same as above

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

Mailing: same as above

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

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

agricultural or construction equipment.

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

(26) Transit terminals.

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

(28) Wineries.

(c) *Permitted accessory uses.*

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

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

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

(d) *Special uses.*

(1) Banquet facilities.

(2) Hotels or motels.

(3) Kennels.

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

(5) Meeting halls.

(6) Mini warehouses or self-storage units.

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

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

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

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

(11) Transitional housing.

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

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

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

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

(e) *Standards.*

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

street or any adjacent property.

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

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

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

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

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

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

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

(e) *Standards.*

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

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

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

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

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

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

Staff: Ryan Shrimplin, AICP - City
Agenda: Planner
3/4/2024

AGENDA REPORT
Cape Girardeau City Council

24-046

SUBJECT

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

EXECUTIVE SUMMARY

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

BACKGROUND/DISCUSSION

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

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

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

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

Section 30-104 - Special Use Permits

Section 25-109 - Billboards

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

SUSTAINABILITY: ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACTS

See the attached staff report for analysis.

STAFF RECOMMENDATION

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

BOARD OR COMMISSION RECOMMENDATION

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

PUBLIC OUTREACH

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

ATTACHMENTS:

Name:	Description:
SUP_Jansco_Midamerica_Billboards_2567_2649_Veterans_Mem.doc	Ordinance
Staff_Review-Referral-Action_Form.pdf	2567 & 2649 Veterans Memorial Drive - Staff RRA Form
Agenda_Packet_-_Veteran_Memorial_Drive_Billboard_Request.pdf	2567 & 2649 Veterans Memorial Drive - Staff Report, Maps & Application
Staff_Report_ADDENDUM_P_Z_SUP_2567_2649_Veterans_Memorial_Drive_(Billboards).pdf	2567 & 2649 Veterans Memorial Drive - Staff Report Addendum
Sec. 30-67. - C-2_Highway_Commercial_District.pdf	C-2 District Regulations
Sec. 30-104. - Special_Use_Permits.pdf	Special Use Permit Regulations
Sec. 25-109. - Billboards.pdf	Billboard Regulations

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

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

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

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

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

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

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

2567 and 2649 Veterans Memorial Drive

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

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

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

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

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

PASSED AND APPROVED THIS _____ DAY OF _____, 2024.

Stacy Kinder, Mayor

ATTEST:

Bruce Taylor, Deputy City Clerk



SPECIAL USE PERMIT

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

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

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

SPECIAL CONDITIONS:

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

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

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

Dr. Kenneth Haskin, City Manager

ATTEST:

Bruce Taylor, Deputy City Clerk

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

On this _____ day of _____, 2024, before me appeared Dr. Kenneth Haskin, to me personally known, who, being by me duly sworn, did say that he is the City Manager of the City of Cape Girardeau, Missouri, a Municipal Corporation of the State of Missouri, and that the seal affixed to the foregoing instrument is the seal of said City and that said instrument was signed and sealed on behalf of said City by authority of its City Council, and acknowledged said instrument to be the free act and deed of said City.

IN TESTIMONY 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

My Commission Expires:

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

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

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

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

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

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

THE APPLICATION IS:

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

(SEAL)

CITY OF CAPE GIRARDEAU, MISSOURI

ATTEST: _____

Stacy Kinder, Mayor

Bruce Taylor, Deputy City Clerk

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

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

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

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

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

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

THE APPLICATION IS:

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

(SEAL)

CITY OF CAPE GIRARDEAU, MISSOURI

ATTEST:

 Stacy Kinder, Mayor

 Bruce Taylor, Deputy City Clerk

CITY OF CAPE GIRARDEAU, MISSOURI

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

FILE NO. 1467

LOCATION: 2567 & 2649 Veterans Memorial Drive

STAFF REVIEW & COMMENTS:

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



City Planner

2/2/24

Date

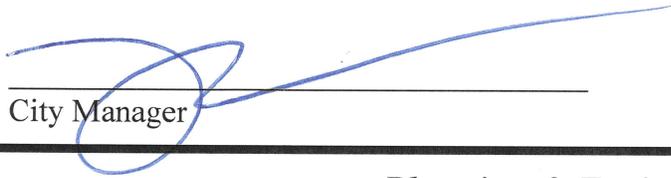


City Attorney

2/5/24

Date

CITY MANAGER REFERRAL TO THE PLANNING AND ZONING COMMISSION:



City Manager

2/16/24

Date

Planning & Zoning Commission

Public Hearing Posting Date: _____ Public Hearing Date: _____

RECOMMENDED ACTION:

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

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

VOTE COUNT: 7 Favor 0 Oppose 1 Abstain

COMMENTS:

CITIZENS COMMENTING AT MEETING:



Chris Martin
Planning & Zoning Commission Secretary

City Council Action

Public Hearing Posting Date: _____ Public Hearing Date: _____

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

VOTE COUNT: _____ Favor _____ Oppose _____ Abstain

ORDINANCE # _____ Effective Date: _____

Planning & Zoning Commission

APPLICATION FOR: Special Use Permit

ADDRESS OF PROPERTY: 2567 & 2649 Veterans Memorial Drive

APPLICANT: Jansco Outdoor

PROPERTY OWNER: Midamerica Hotels Corporation

REPRESENTATIVE: David Jansen
Jansco Outdoor

REQUESTED SPECIAL USE: Billboards

STAFF REPORT

TO: Planning and Zoning Commission

FROM: Ryan Shrimplin, City Planner *RS*

MEETING DATE: February 14, 2024

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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



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

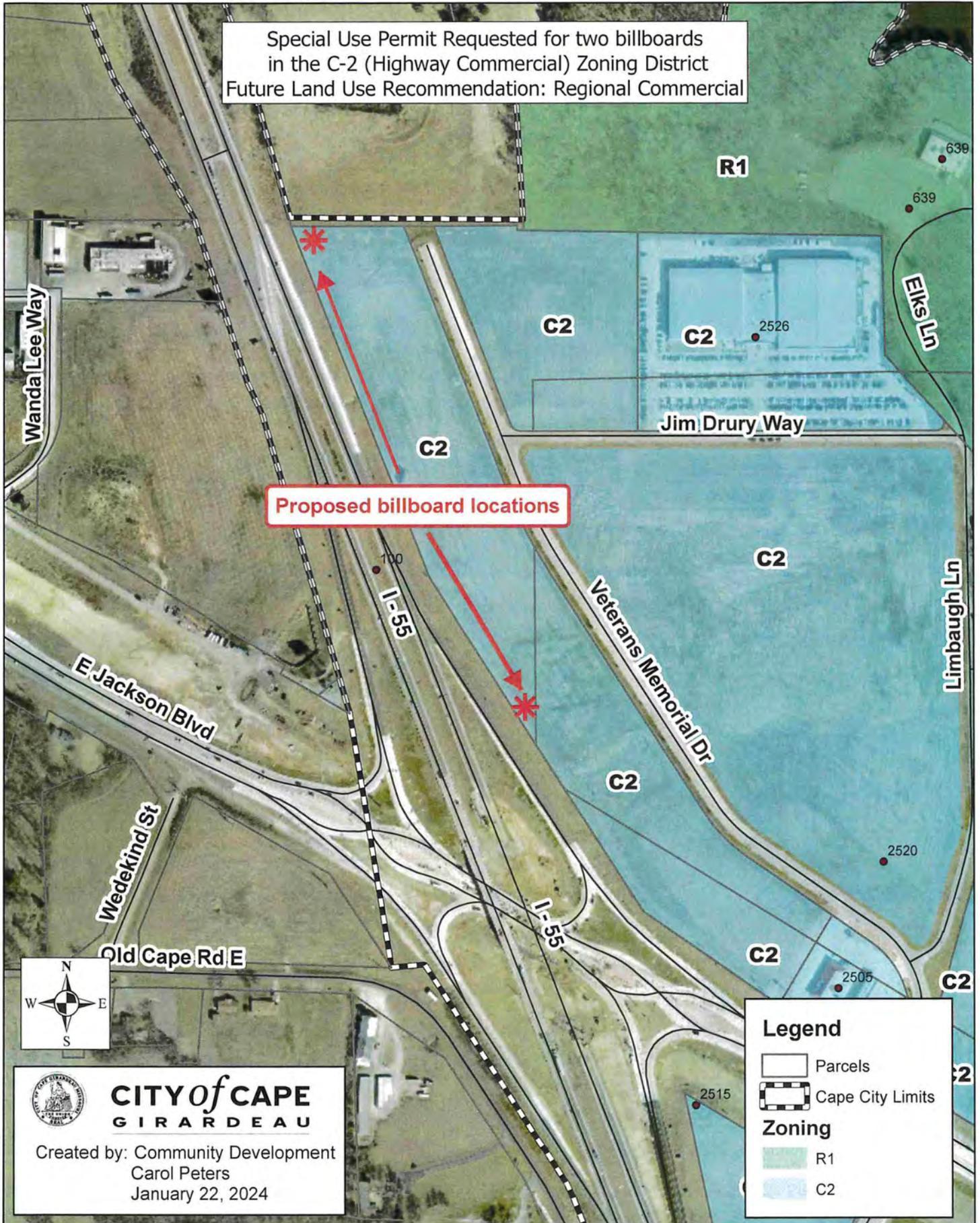
Based on the above findings, staff recommends approval of the special use permit request, subject to the following conditions:

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



2567 & 2649 Veterans Memorial Drive Special Use Permit Request

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



**CITY of CAPE
GIRARDEAU**

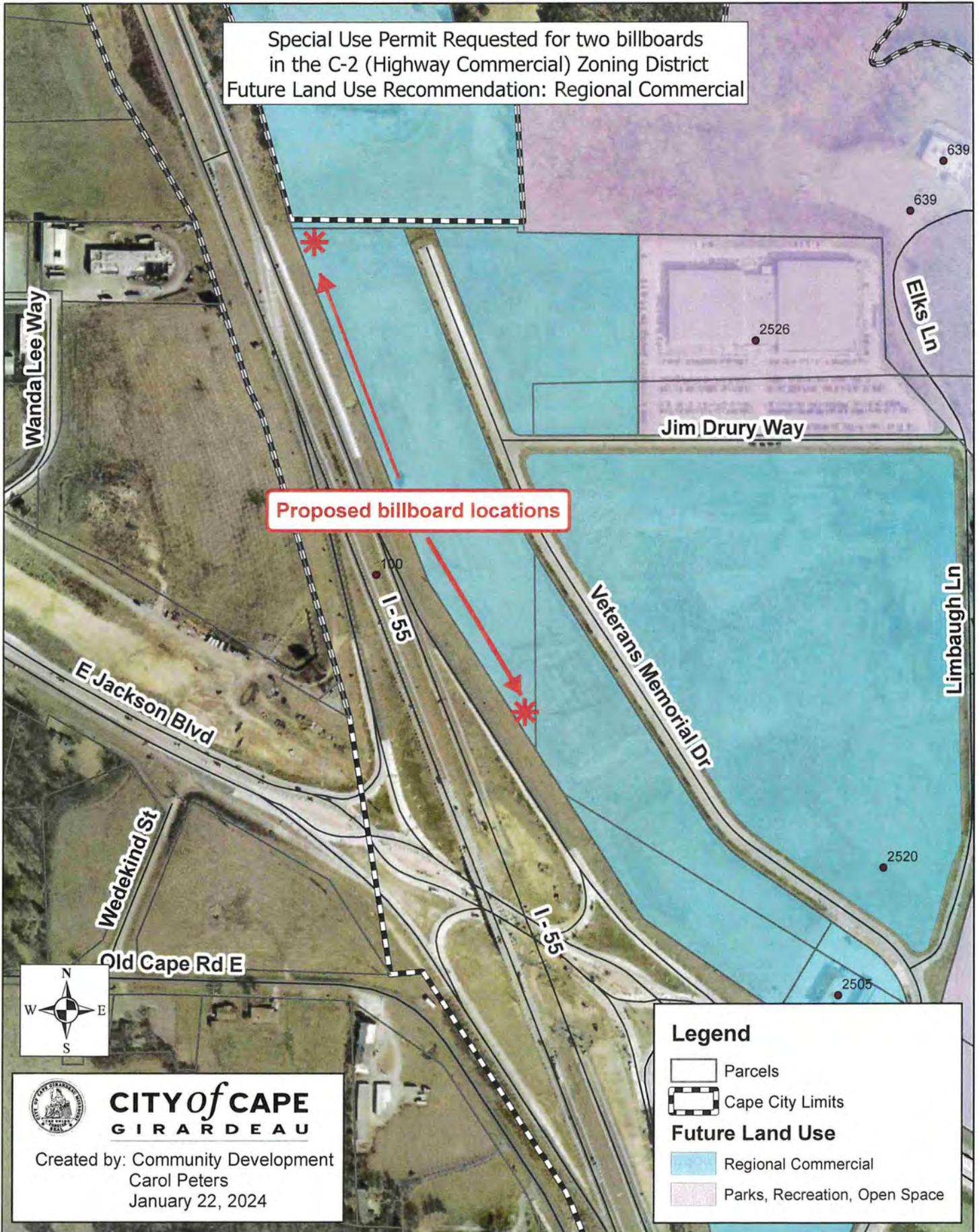
Created by: Community Development
Carol Peters
January 22, 2024

Legend

- Parcels
- Cape City Limits
- Zoning**
- R1
- C2

2567 & 2649 Veterans Memorial Drive Special Use Permit Request

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



Legend

- Parcels
- Cape City Limits
- Future Land Use**
- Regional Commercial
- Parks, Recreation, Open Space

**CITY of CAPE GIRARDEAU**
Created by: Community Development
Carol Peters
January 22, 2024



REZONING / SPECIAL USE PERMIT APPLICATION
CITY of CAPE GIRARDEAU

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

Property Address/Location

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

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

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

Describe the proposed use of the property.

Currently we have a wood pole structure approximately 40 years old (see exhibit A) that we would like to upgrade and install 2 mono pole 16' x 50' billboards (see exhibit B) to promote local business. We are asking for the variance on billboard size to increase visibility from I-55. Current size limits (300 ft²) are more suited for in town slower moving traffic. Interstate speeds require shorter viewing times and larger advertising copy. MODOT has already approved the location and size of these two billboards with the agreement that we remove the existing wood pole structure (see attached MODOT permits).

Application continues on next page

OFFICE USE ONLY			
Date Received & By	File #	MUNIS Application #	MUNIS Permit #
01-17-24	1467	14917	
Application Fee Received \$	<input type="checkbox"/> Check #	<input type="checkbox"/> Credit Card	<input type="checkbox"/> Cash
Planning & Zoning Commission Recommendation	Date	City Council Final Action	Date

Peters, Carol

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

Ryan,

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

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

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

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

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

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

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

Let me know if you need any other information.

Thank you and have a great evening!



David Jansen
Jansco Outdoor Advertising

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

P.O. Box 65, Gordonville, MO 63752

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

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

David,

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

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

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

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

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

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

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

Thank you,

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

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

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

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

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

Thank you for your time and attention to this matter.

Have a great day!

David Jansen



Cell: (573) 225.4600

Graphics Email:
graphics@janscooutdoor.net

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



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**NEW SIGN
STRUCTURE**



2649

**CURRENT
WOOD POLE
SIGN**



2599

**NEW SIGN
STRUCTURE**



2567

CITY OF CAPE
GIRARDEAU

Jim Drury Way

Limbaugh Ln



Old

CRADER
TIRE &
RETREAD
SERVICE
INC

URY
IES L

EXHIBIT A

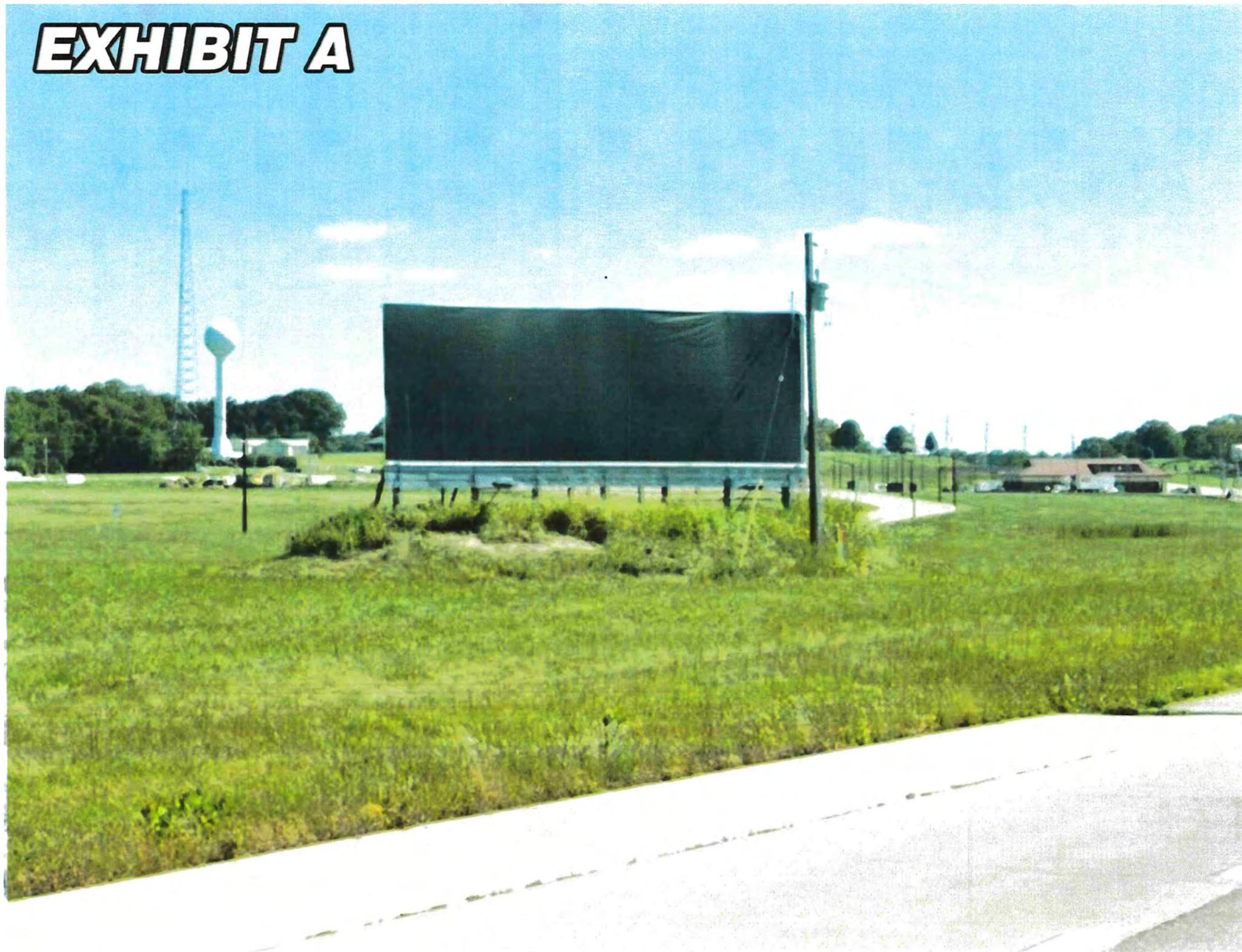


EXHIBIT B



North Sign



South Sign





MISSOURI DEPARTMENT OF TRANSPORTATION

OUTDOOR ADVERTISING PERMIT

MoDOT Permit Number: 214007

Expiration Date: 4/7/2025

Conforming Permit Conforming Out of Standard Nonconforming Permit

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

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

Ed Hassinger
Chief Engineer

Date Printed: 4/7/2023

Additional forms and information available at http://www.modot.org/business/Outdoor_Advertising

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



MISSOURI DEPARTMENT OF TRANSPORTATION

OUTDOOR ADVERTISING PERMIT

MoDOT Permit Number: 214008

Expiration Date: 4/7/2025

Conforming Permit Conforming Out of Standard Nonconforming Permit

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

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

Ed Hassinger
Chief Engineer

Date Printed: 4/7/2023

Additional forms and information available at http://www.modot.org/business/Outdoor_Advertising

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

Property Owner Notification List:

Bob Crader
Crader Tire
5218 Birk Lane
Jackson, MO 63755

LR Roper
167 Red Fox Lane
Cape Girardeau, MO 63701

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

STAFF REPORT ADDENDUM

TO: Planning and Zoning Commission

FROM: Ryan Shrimplin, City Planner

MEETING DATE: February 14, 2024

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

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

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



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

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

(b) *Permitted principal uses.*

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

- (25) Nursing homes.
 - (26) Offices.
 - (27) Outdoor storage facilities for recreational vehicles or watercraft.
 - (28) Parks or playgrounds.
 - (29) Personal service establishments.
 - (30) Pet grooming facilities.
 - (31) Police or fire stations.
 - (32) Residential treatment facilities.
 - (33) Restaurants or bars.
 - (34) Retail or rental establishments.
 - (35) Television or radio studios, including any transmitting facilities.
 - (36) Transit terminals.
 - (37) Transitional housing.
 - (38) Vehicle fueling, service or repair facilities, excluding body or paint shops.
 - (39) Vehicle washing facilities, automatic or hand wash.
 - (40) Veterinary clinics or animal hospitals.
 - (41) Warehouses or distribution centers.
 - (42) Wineries.
- (c) *Permitted accessory uses.*
- (1) Accessory structures and uses customarily incidental to the above uses, as permitted in section 30-106.
 - (2) Short-term use of shipping containers for accessory uses, as permitted in section 30-105.
 - (3) Solar energy systems, as permitted in section 30-113.
- (d) *Special uses.*
- (1) Amusement parks.
 - (2) Billboards, as permitted elsewhere in the city Code.
 - (3) Campgrounds, travel trailer or recreational vehicle parks.
 - (4) Long-term use of shipping containers for accessory uses, as permitted in section 30-105.
 - (5) Manufactured business units, for office use only.
 - (6) Public utilities, except for buildings or accessory structures that are normal and customary in a zoning district which would allow other buildings or structures of the same nature as a use-by-right.
 - (7)

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

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

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

(10) Vehicle body or paint shops.

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

(e) *Standards.*

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

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

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

c. Displays shall not impede vehicular or pedestrian access.

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

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

f. Displays shall be well kept and orderly.

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

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

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

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

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

(2) Minimum lot area: None.

(3) Minimum lot width: None.

(4) Minimum setbacks:

a. Front yard: 25 feet.

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

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

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

(Code 1990, § 30-334; Ord. No. 5211, art. 5, 7-15-2019; Ord. No. 5551, art. 1, 6-20-2022)

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. 25-109. - Billboards.

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

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

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

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

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

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

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

Staff: Gayle L. Conrad, CMC/MRCC,
Director of Citizen Services/City
Agenda: Clerk
3/4/2024

MEMORANDUM
Cape Girardeau City Council

24-007

SUBJECT

Appointment of one member to the Planning and Zoning Commission for a term expiring November 1, 2024.

EXECUTIVE SUMMARY

Sid Whittington had a term on the Planning and Zoning Commission set to expire November 1, 2024. Mr. Whittington submitted his resignation to the board effective February 15, 2024.

The following have expressed interest in serving on the board, and their applications are attached for your review.

Applicant	Ward	Citizen Academy Graduate
Diane Bauman	1	No
Greg Griffith	2	Yes
Rick Groh	1	Yes
Adrienne Henry	3	No
Michelle Latham	4	Yes
Jeremiah Nichols	6	No
Andrew Ostrowski	3	Yes
Shelly Ritter	1	No
Rhonda Weaks	1	No

BACKGROUND/DISCUSSION

The commission may make reports and recommendations relating to the plan and development of the city to public officials and agencies, public utility companies, civic, educational, professional and other organizations and citizens. It may recommend to the executive or legislative officials of the municipality programs for public improvements and the financing thereof. All public officials shall, upon request, furnish to the commission within a reasonable time, all available information it requires for its work. The commission, its members and employees, in the performance of its functions, may enter upon any land to make examinations and surveys. In general, the commission shall have the power necessary to enable it to perform its functions and promote municipal planning. The commission shall consist of nine (9) citizen members appointed and approved by the city council. Members of the planning and zoning commission shall serve for terms of four years, beginning on the second

day of November.

A copy of the board roster and attendance roster are attached for your reference.

GENERAL DIRECTION

Unless directed otherwise, one appointment to the Planning and Zoning Commission will appear on a future agenda for consideration.

ATTACHMENTS:	
Name:	Description:
roster_attendance.p_zpdf	Planning and Zoning Attendance Roster
Bauman_Diane.08-01-2023.pdf	Bauman, Diane
Griffith_Greg.08-02-2023.pdf	Griffith, Greg
Groh_Rick.09-23-2022.pdf	Groh, Rick
Henry_Adrienne.11-09-2022.pdf	Henry, Adrienne
Latham_Michelle.10-18-2023.pdf	Latham, Michelle
Nichols_Jeremiah.08-02-2023.pdf	Nichols, Jeremiah
Ostrowski_Andrew.02-14-2024.pdf	Ostrowski, Andrew
Ritter_Shelly.08-01-2023.pdf	Ritter, Shelly
Weeks_Rhonda.08-01-2023.pdf	Weeks, Rhonda
Planning_and_Zoning_Roster.pdf	Planning and Zoning Roster

CITY OF CAPE GIRARDEAU, MISSOURI
Roster of Advisory Boards and Committees
September 5, 2023

All members of Advisory boards must be residents of the City of Cape Girardeau unless otherwise noted. Members may serve for only two consecutive full terms on the same board or commission.

Planning and Zoning Commission

	<u>Date Appointed</u>	<u>Date Reappointed</u>	<u>Term Expires</u>
Nick Martin	March 15, 2021	---	November 1, 2023
Deborah Young	September 21, 2020	---	November 1, 2023
Scott Blank	November 2, 2020	---	November 1, 2024
Sid Whittington	January 4, 2021	---	November 1, 2024
Gerald w. Jones II	August 21, 2023	---	November 1, 2025
Kevin Greaser	September 19, 2016	10/17/16;11/02/20;10/18/21	November 1, 2025
Derek Jackson	November 19, 2018	10/17/22	November 1, 2026
Chris Martin	October 17, 2022	---	November 1, 2026
Sommer McCauley-Perdue	October 17, 2022	---	November 1, 2026

Serve four-year terms, two full term limit, appointed by Council. Meetings held second Wednesday at 7:00 p.m. in Council Chambers. Commission reviews and recommends actions on zoning changes and land subdivision and plans for the city. Board considers requests for variances from the Development Code provisions. Staff contact – Ryan Shrimplin, City Planner, 339-6327.

Staff: Gayle L. Conrad, MPCC/CMC,
Director of Citizen Services/City
Agenda: Clerk
3/4/2024

MEMORANDUM
Cape Girardeau City Council

24-008

SUBJECT

Appointment of two members to the Tax Increment Financing Commission to terms expiring April 1, 2028.

EXECUTIVE SUMMARY

The appointments to the TIF Commission are made by the Mayor with the consent of a majority of the City Council. The terms of Marla Mills and Jay Knudtson are set to expire April 1, 2024. Marla Mills has been a member on the TIF Commission since 2020 and Jay Knudtson since 2012.

BACKGROUND/DISCUSSION

In April of 2002, the City Council appointed an 11 member TIF Commission to review and make recommendations with respect to proposed Tax Increment Financing Projects. Six members of the commission were appointed by the city, two by the school district, two by the county, and one by the outside taxing district that was within the project area. Commission members appointed by the City serve for a four year term. The City positions on the commission are dedicated positions, while the remaining positions are project specific and are appointed at the time of the creation of a TIF project.

GENERAL DIRECTION

Unless directed otherwise, two appointments to the TIF Commission to terms expiring April 1, 2028, will appear on a future agenda for consideration

ATTACHMENTS:

Name:	Description:
TIF Commission (9).pdf	Tiff Commission Roster

OF CAPE GIRARDEAU, MISSOURI
Roster of Advisory Boards and Committees
February 20, 2024

All members of Advisory boards must be residents of the City of Cape Girardeau unless otherwise noted.
Members may serve for only two consecutive full terms on the same board or commission.

TIF Commission

	<u>Date Appointed</u>	<u>Date Reappointed</u>	<u>Term Expires</u>
Matt Welker (school district)	April 2020	April 2023	to end of project
Neil Glass (school district)	November 2018	April 2023	to end of project
Katie Earnhart (other districts)	April 2023		to end of project
Charles Herbst (county)	July 2015	April 2020, April 2023	to end of project
Roger Hudson (county)	July 2015	April 2020, April 2023	to end of project
Marla Mills (city)	April 20, 2020	---	April 1, 2024
Jay Knudtson (city)	April 2, 2012	4/4/16; 4/20/20	April 1, 2024
Danny Essner (city)	April 1, 2002	4/5/05; 4/6/09; 03/18/13; 4/3/17; 4/5/21	April 1, 2025
Albert M. Spradling III (city)	April 1, 2002	4/5/05; 4/6/09; 03/18/13; 4/3/17; 4/5/21	April 1, 2025
Rob Gilligan (city)	April 3, 2023	---	April 1, 2026
Adrienne Henry (city)	August 3, 2015	04/02/18; 4/4/22	April 1, 2026

Members appointed by city serve four year term, appointed by Mayor with consent of City Council. Two members appointed by school district, one member appointed by other taxing districts, two members appointed by County, term ending upon final approval of the redevelopment project. RSMo. 99.820. Meetings called by Chairman as needed. Staff contact – City Planner, 339-6326. Meetings called by Chairman as needed. Staff contact – Trevor Pulley, 573-339-6320.