Outlook

RE: Subdivision Development

From Shrimplin, Ryan <rshrimplin@CityofCapeGirardeau.org>
Date Fri 5/22/2026 11:43 AM
To Larry Miller <lmiller@cityofjacksonmo.gov>
Cc Matt Winters <mwinters@cityofjacksonmo.gov>

4 attachments (3 MB)

PGA - Deer Run Estates Phase 2 (Sidewalks & Streetlights) - 2026 - Fully Executed.pdf; Performance Guarantee Agreement_Hawthorne Place Subdivision (Sidewalks)_Fully Executed.pdf; PGA_Baldwin Farms Subdivision (Sidewalks & Permanent Turnaround) - 2026 (Partially Executed).pdf; Executed Partial Release of Escrow Agreement - Williamsburg Phase 3 (Sidewalks) - October 2018.pdf;

Hi Larry,

Not sure how much information you want, but here is a link to our ordinance: Sec. 25-360. - Improvements to be installed or guaranteed. The ordinance uses the term “escrow agreement” but today we call it a performance guarantee agreement. Attached are some examples.

We do partial releases, and I have included an attached example. To my knowledge, there are no specific criteria for partial releases except that we cannot release more than 95% of the amount unless all of the work is completed . Other than that, it’s at the discretion of the City Engineer. From my experience, we don’t do a release unless a significant portion of the work has been completed (say, 25% or more).

Most of our residential subdivision developers only do a performance guarantee agreement for sidewalks. Once a lot is sold and a building permit application is filed, the builder is responsible for constructing the sidewalk. This approach works well except in cases where a lot is purchased by an adjacent homeowner who did so in order to have a larger yard and not build on it. The City does not get notified when this happens.

We had a meeting with a developer several years ago because he wanted us to issue building permits in a single-family subdivision that had a performance guarantee agreement for all of the public improvements (streets, street lights, sidewalks, ADA ramps/crossings, water, sewer, etc.). I recall us acknowledging that some of these improvements are more critical than others when it comes to allowing a building permit to be issued. We must ensure that emergency services can access a structure, no matter what stage of construction. This means that there must be a drivable surface (including a turnaround) and a water connection, both meeting the needs of the Fire Department. Most of the City staff that were in that meeting have since retired or work elsewhere, so unfortunately I can’t provide any more details on what was said. The current City Engineer, Jake Garrard, just stopped by my office. I brought this issue up with him, and his position is that everything except sidewalks for buildable lots needs to be fully constructed before we issue any building permits. I think that is a wise best practice, especially when you’re dealing with developers who like to cut corners or don’t have a proven track record.

Hope this helps. Please let me know if you have other questions or need anything else.

Have a good weekend,

Ryan Shrimplin, AICP

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From: Larry Miller <lmiller@cityofjacksonmo.gov>
Sent: Thursday, May 21, 2026 11:53 AM
To: Shrimplin, Ryan <rshrimplin@CityofCapeGirardeau.org>
Cc: Matt Winters <mwinters@cityofjacksonmo.gov>
Subject: Subdivision Development

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Hi Ryan,

I'm trying to get a clearer understanding of Cape Girardeau's process and available options for developers when they begin developing a subdivision. I am interested in how your escrow process works during infrastructure construction.

A few points I need help clarifying:

- Whether escrow funds are released in stages as portions of the required infrastructure are completed
- What criteria does the City use to determine when a portion of escrow can be returned
- Whether contractors are allowed to pull building permits before all subdivision improvements are complete, and if so, what conditions must be met?

We're reviewing our own procedures and would appreciate any guidance, documentation, or examples of how Cape typically handles these situations. I tried reading into your City's code, but I thought it might be easier to ask you.

Thank you for your time,

JACKSON
MISSOURI 1814

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