

**AN ORDINANCE APPROVING THE PROPOSED REZONING FOR A SPECIAL USE PERMIT FOR CERTAIN PROPERTY IN THE CITY OF JACKSON, MISSOURI, DESCRIBED IN EXHIBIT A; SETTING FORTH THE AREA FOR SPECIAL USE AND THE CONDITIONS OF SPECIAL USE; ALL IN ACCORDANCE WITH THE CODE OF ORDINANCES OF THE CITY OF JACKSON, MISSOURI.**

WHEREAS, the City Board and the Planning and Zoning Commission have considered a proposed special use permit for property described as parcel number 15-101-00-02-004.01-0000 consisting of a 6.36 acre lot owned by Robert W. and Belinda Phillips, as set out in Exhibit A which is attached hereto and incorporated herein by reference; and,

WHEREAS, a public hearing was held on said special use permit in accordance with Chapter 65 of the Code of Ordinances of the City of Jackson, Missouri; and,

WHEREAS, a special use permit for a multi-family residential development with more than one building in an R-4 General Residential District on a 6.36 acre lot recorded with the Cape Girardeau County Recorder of Deeds in Document #2023-08426 may be granted by virtue of Chapter 65 of the Code of Ordinances of the City of Jackson, Missouri; and,

WHEREAS, after duly considering the recommendations of the City Planning and Zoning Commission and other input received at the required public hearing, the Board of Aldermen of the City of Jackson, Missouri, has decided it is in the best interests of the citizens of the City of Jackson, Missouri, to grant a special use for said property.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF JACKSON, MISSOURI, AS FOLLOWS:

Section 1. That an application for a special use permit, which said application is marked Exhibit A and attached hereto, is hereby approved, and a special use permit is hereby issued to Robert

and Belinda Phillips as the current owners of said property, and Wren Capital Investments as the proposed owner of said property, co-applicants for the special use permit request.

Section 2. That the property set forth in Exhibit A is hereby granted a special use permit for a multi-family residential development with more than one building in an R-4 General Residential District on a single 6.36 acre lot recorded with the Cape Girardeau County Recorder of Deeds in Document #2023-08426.

The aforesaid special use permit is subject to the following specific conditions:

1. Compliance with all ordinances of the City of Jackson.
2. The dedication to the City of the existing sanitary sewer easement as recorded with the Cape Girardeau County Recorder of Deeds in Document #2023-08426 to be completed prior to approval to begin work.
3. The dedication to the City of all necessary easements for any and all public utilities of at least 15 feet wide to include routes for access by maintenance vehicles all at no cost to the City.
4. All on-street parking shall be designed to maintain and allow for a fire lane of 18 feet wide.
5. Trash service shall be responsibility of the owners of said property.
6. The current and future owners of said property agree, hereby acknowledge, and are notified by the recording of this ordinance that the City does not accept nor is it responsible for the ownership, maintenance, or liability for the private roads of said property.

Section 3. That included in Exhibit A are the formal findings and conclusions of the Board of Aldermen.

Section 4. That the City Clerk of the City of Jackson, Missouri, shall and is hereby directed to indicate on the "Official Zoning District Map" of the City of Jackson, Missouri, the above special

use permit and the date of issuance thereof and to certify same and to keep said map on file in the office of the City Clerk and a copy displayed in City Hall, City of Jackson, Missouri; and that said City Clerk is further directed to indicate on said "Official Zoning District Map" the existence of special conditions on the use of the aforesaid property.

Section 5. Violation of the special conditions listed above may result in revocation of the special use permit, prosecution, or fine under the zoning ordinances.

Section 6. This special use permit is issued to the co-applicants who are current owners of the property, Robert W. and Belinda Phillips, and the proposed owner of the property, Wren Capital Investments, and shall not be assigned or otherwise transferred by said co-applicants. This special use permit runs with the co-applicants and not the land.

Section 7. If any section, subsection, sentence, clause, phrase or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.

Section 8. That this ordinance shall take effect and be in force from and after its passage and approval.

FIRST READING: April 7, 2025.

SECOND READING: April 7, 2025.

PASSED AND APPROVED this 7th day of April, 2025, by a vote of \_\_\_ ayes, \_\_\_ nays, \_\_\_ abstentions and \_\_\_ absent.

CITY OF JACKSON, MISSOURI

(SEAL)

BY: \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk