

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 33-2023**

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO AUTHORIZE AN INDEPENDENT LIVING FACILITY FOR SENIORS ON PROPERTY GENERALLY LOCATED ADJACENT TO MEMORIAL BOULEVARD (SH 27) AND BETWEEN ITS INTERSECTION WITH MEEKER ROAD AND LAUREL STREET; COMPRISING AN APPROXIMATE 0.53 ACRES AND MORE COMMONLY KNOWN AS 2916 MEMORIAL BOULEVARD; SAID PROPERTY IS LOCATED WITHIN A LIGHT COMMERCIAL ZONING DISTRICT (C-2); AND MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS

WHEREAS, the owner of the property depicted in the location map and site plan in **Exhibit A** (the "Property"), being attached hereto and made a part hereof for all purposes, is requesting approval of a Conditional Use Permit ("CUP") to allow the Property located within a Light Commercial Zoning District (C-2) to be used for an independent living facility for seniors; and

WHEREAS, an independent living facility for seniors requires the granting of a CUP where such use is proposed within a Light Commercial Zoning District (C-2); and

WHEREAS, the City Planning and Zoning Commission (the "Commission"), in compliance with state law and the Zoning Code of the City of Kerrville, Texas (Chapter 60, Code of Ordinances) ("Zoning Code"), and in particular, the procedures for obtaining a CUP; having given the requisite notices by United States mail, publication, and otherwise; and after holding a public hearing and affording a full and fair hearing to all property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, has recommended that City Council grant the CUP applied for and referenced herein, subject to the special conditions and restrictions set out hereinafter and applied to the Property; and

WHEREAS, City Council, in compliance with state law and the Zoning Code, and likewise having given the requisite notices and holding a public hearing on October 10, 2023, finds that the health, safety, and general welfare will be best served by the granting of the CUP as recommended by the Commission and referenced herein on the Property;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:

SECTION ONE. A Conditional Use Permit is granted to permit the Property described as follows, and located within a Light Commercial Zoning District (C-2), to

be developed and used for a living facility for seniors, and such use is subject to the provisions of this Resolution and other City ordinances and regulations:

Legal Description: Being property lying and being situated within the City of Kerrville, Kerr County, Texas, and being approximately 0.53 acres out of the Wallace Survey No. 112, Abstract No. 360; and being depicted on the location map and site plan at **Exhibit A**.

Address: 2916 Memorial Blvd. (State Hwy. 27), Kerrville, TX 78028.

SECTION TWO. In addition to the development and use regulations currently applicable to the Property, development and use of the Property is subject to the following additional conditions:

A. Site Plan: The development and use of the Property shall conform to the site plan attached as **Exhibit A**.

B. Parking: The Property shall comply with the multifamily parking standards found within Article XII of the Zoning Code.

SECTION THREE. This Resolution and CUP granted herein is subject to termination in accordance with the Zoning Code.

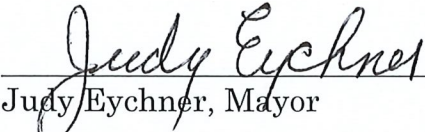
SECTION FOUR. City Council finds and determines that its adoption of this Resolution promotes the health, safety, and general welfare of the public and is a proper valid exercise of the City's police powers.

SECTION FIVE. If any section, subsection, sentence, clause, phrase, or portion of this Resolution 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 thereof.

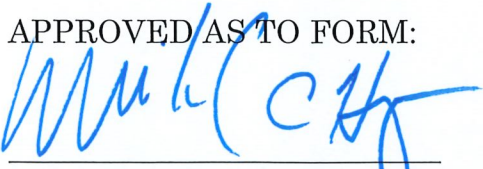
SECTION SIX. This Resolution is effective upon adoption.

SECTION SEVEN. Resolution No. 82-2022, as adopted by City Council on December 13, 2022, has previously terminated pursuant to Section 60-90 of the Zoning Code and the failure to commence use.


PASSED AND APPROVED ON this the 10 day of OCTOBER, A.D., 2023.


Judy Eychner, Mayor

APPROVED AS TO FORM:

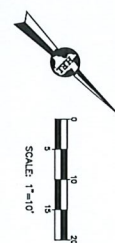

Michael C. Hayes, City Attorney

ATTEST:


Shelley McElhannon, City Secretary

0 50 100 200
Scale In Feet

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only approximate relative locations.



07/12/2023