

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 07-2022**

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO AUTHORIZE A CONVENIENCE STORE WITH FUEL SALES ON THE PROPERTY CONSISTING OF LOTS 6, 7, 8, 9, 11, 12, 13, 14, AND 15, BLOCK 2, OF THE G STREET SOUTH ADDITION; AND MORE COMMONLY KNOWN AS 1001 SIDNEY BAKER STREET S.; SAID PROPERTY IS LOCATED WITHIN A MIXED USE ZONING DISTRICT (MU); AND MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS

WHEREAS, the owner of the property depicted in the location map 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 Mixed Use Zoning District (MU) to be used for a convenience store with fuel sales; 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 January 11, 2022, 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 Mixed Use Zoning District (MU), to be developed and used for a convenience store with fuel sales as that term is defined in and pursuant to the City's Zoning Code (Chapter 60, Article XI), 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 Lots 6, 7, 8, 9, 11, 12, 13, 14, and 15, Block 2, of the G Street South Addition, a subdivision of Kerr County and the city of Kerrville, Texas; and being depicted on the location map at **Exhibit A**.

General Description: 1001 Sidney Baker Street S., 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 shall be consistent with the proposed site plan for the new convenience store and fuel sales, such site plan attached as **Exhibit B**.
- B. Other Zoning Regulations:** The regulations set forth in this Resolution are in addition to those set forth in the Zoning Code, as may be amended or superseded. In the event of any irreconcilable conflict between this Resolution and the regulations set forth in the Zoning Code, the provisions of this Resolution will prevail.

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.

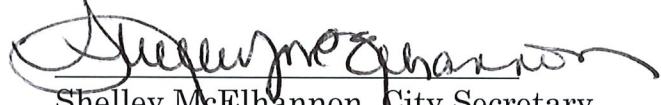
PASSED AND APPROVED ON this the 11 day of January, A.D.,
~~2021~~ 2022

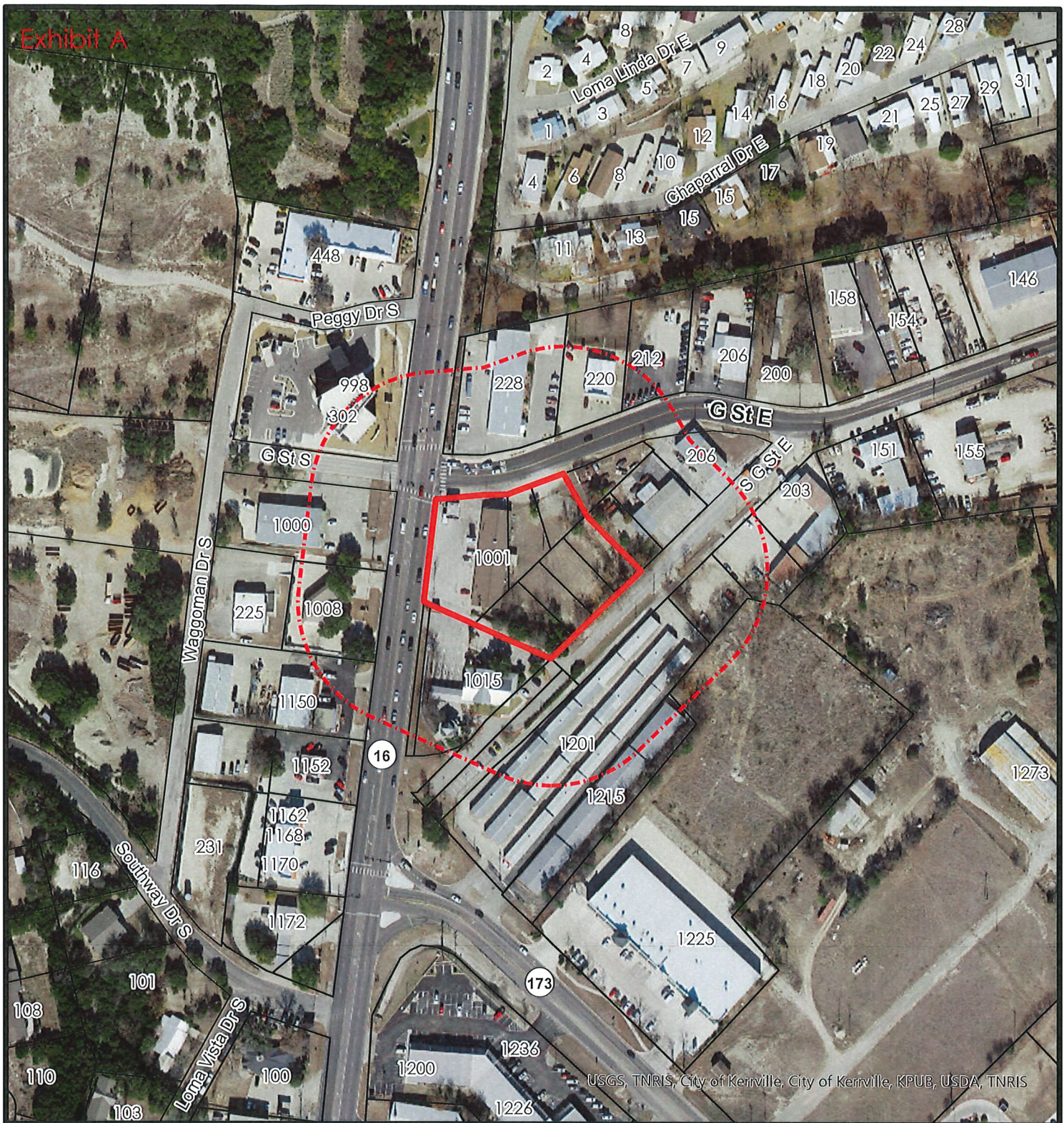

Bill Blackburn, Mayor

APPROVED AS TO FORM:


Michael C. Hayes, City Attorney

ATTEST:


Shelley McElhannon, City Secretary



Location Map

Case # PZ-2021-33

Location:

G Street South Addition

Block 2

Lots 6, 7, 8, 9, 11, 12, 13, 14, and 15

Legend

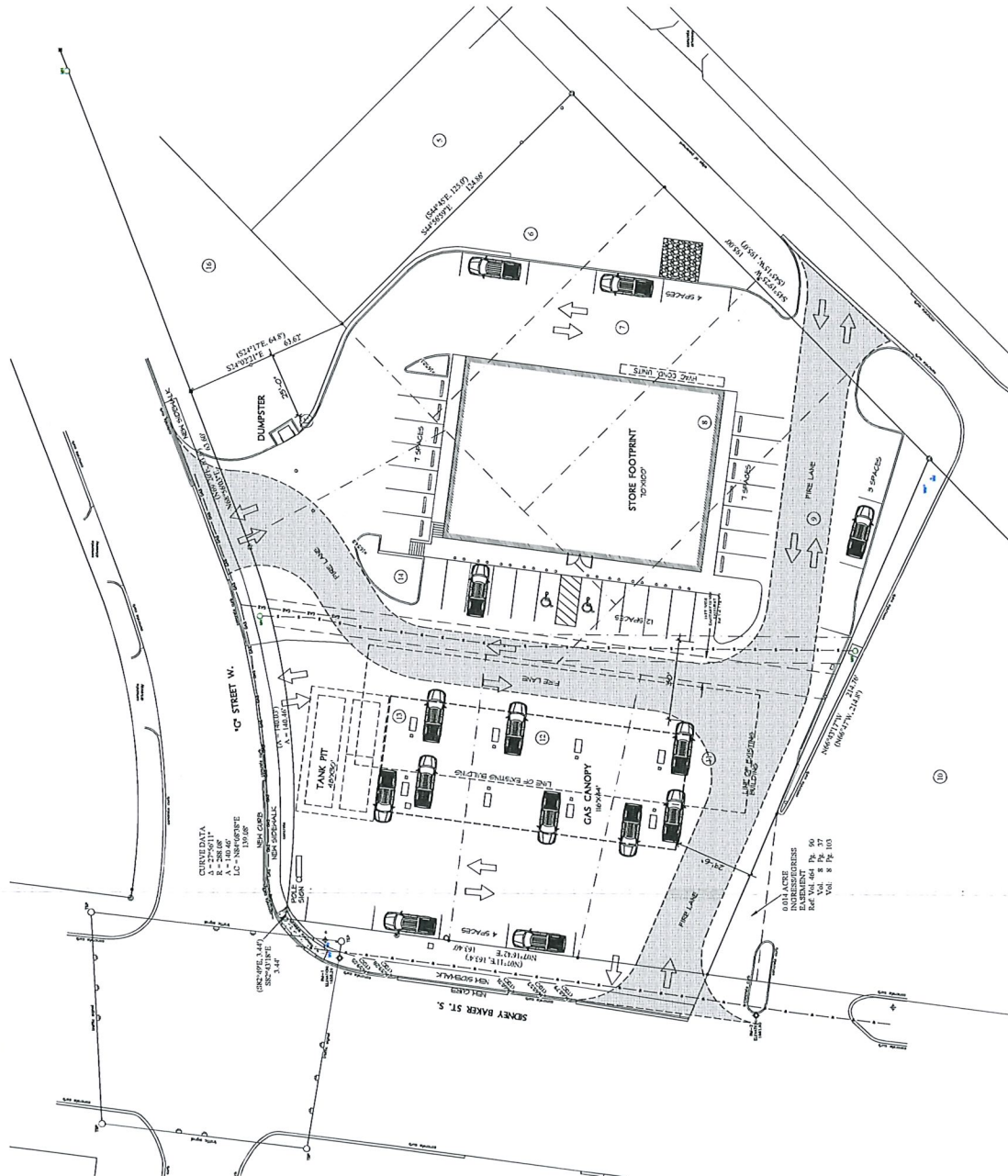
200' Notification Area

Subject Properties



0 75 150 300

Scale In Feet



MiniMart #1

1001 Sidney Baker S.
Kerrville, Texas 78028

1 Site Plan
Scale: 1"=20'



THIS SHEET IS FOR
INTERIM REVIEW ONLY
AND IS NOT INTENDED
FOR PERMITTING OR
CONSTRUCTION.
IN VANCE OF THIS
SHEET HAS AUTHORIZED
BY:

DAVID A. MARTIN
TEXAS ARCHITECTURAL
REGISTRATION #4-23

10-24-78

A³ Studio
ARCHITECTURE
343 WEST WATER ST., KERRVILLE, TEXAS 78601
PHONE (800) 466-1363 FAX (800) 966-0744