

**ORDINANCE 2019-18**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, GRANTING A CONDITIONAL USE PERMIT TO ALLOW A BREWERY, DISTILLERY AND WINERY USE ON 0.266 ACRES OF BUILDING BLOCK 4, WEST OF WATER STREET LOCATED AT 919 MAIN STREET, AN AREA ZONED DOWNTOWN BASTROP FORM-BASED CODE - HMS, HISTORIC MAIN STREET WITHIN THE CITY LIMITS OF BASTROP, TEXAS; AS SHOWN IN EXHIBIT A; SETTING OUT CONDITIONS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE,**

**WHEREAS**, Raymond Keyrouz (the “Applicant”) submitted a request for a Conditional Use Permit (CUP) to add a brewery, distillery, and winery use at 919 Main Street, within the city limits of Bastrop, Texas, hereinafter referred to as “the Property”; and

**WHEREAS**, a property site plan is attached hereto as Exhibit “A” (the “Property”); and

**WHEREAS**, the Property is currently zoned as Downtown Bastrop Form-Based Code – Historic Main Street (HMS); and

**WHEREAS**, pursuant to Section 10.4 of the City’s Zoning Ordinance, notice of the CUP was given to all property owners located within two hundred (200) feet of the Property, and the Planning and Zoning Commission of the City of Bastrop held a public hearing on the CUP request on April 25, 2019; and

**WHEREAS**, the applicant’s proposed development, with the stated conditions, meets the intent of the Zoning Ordinance, Section 33.2, Conditional Use Permit criteria; and

**WHEREAS**, after notice and hearing, the Planning and Zoning Commission recommended approval of the proposed request, subject to certain conditions set forth herein; and

**WHEREAS**, after consideration of public input received at the hearing, the information provided by the Applicant, and all other information presented, City Council finds by a majority vote of all members that it is in the public interest to approve the CUP.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:**

**Section 1:** A Conditional Use Permit to add a brewery, distillery, and winery use at 919 Main Street, within the city limits of Bastrop, Texas as more particularly shown on Exhibit A, shall be and is hereby approved with the following conditions:

- a. Construction and permits submitted shall be in conformance with the City of Bastrop regulations.
- b. All necessary permits for the proposed development shall be acquired prior to construction on the subject property.
- c. A Building Permit shall be applied for and secured within one (1) year from the date the conditional use permit is granted (second reading of the ordinance).
- d. The wastewater discharge will comply with the City of Bastrop utility requirements in Chapter 13, Article 13.03, Sections 1 – 10, which regulates the discharge of water in public sewers.

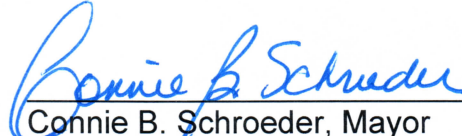
**Section 2:** If any provision of this ordinance or application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions, or application thereof, of this ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

**Section 3:** This ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of the State of Texas.

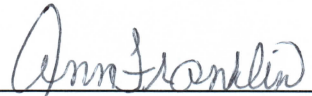
**READ and APPROVED** on First Reading on the 14<sup>th</sup> day of May 2019.

**READ and ADOPTED** on the Second Reading on the 28<sup>th</sup> day of May 2019.

**APPROVED:**

  
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Connie B. Schroeder, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**

  
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Alan Bojorquez, City Attorney