

City of Bastrop



Agenda Information Sheet:

Planning and Zoning Commission Meeting Date:
CUP 16-01

August 25, 2016
Agenda Item #7

Public Hearing Description:

Discussion and possible action on a request for a CUP, Conditional Use Permit, to allow a distillery at 601 Chestnut Street, Suite #E. The property to be known as Copper Shot Distillery, consists of +/- 2.69 acres out of and a part of Building Blocks Nine (9) and Fourteen (14), West of Main Street, an area zoned DMU, Downtown Mixed Use within the City Limits of Bastrop, Texas.

Item Summary:

Owner: Tommy and Judith Hoover
Applicant: Stephen and Cheri Todee (Copper Shot Distillery)
Location: 601 Chestnut Street, Suite #E
Utilities: City water, sewer, and BP&L electric
Zoning: DMU, Downtown Mixed Use

Request:

The Applicant, Copper Shot Distillery, is requesting a Conditional Use Permit, CUP, to allow a distillery at 601 Chestnut Street, Suite #E. The subject property is part of a lot that is approximately +/-2.69 acres. A brewery, distillery and winery is allowed within the DMU, Form Based Code area with a CUP.

Location and Aerial Map

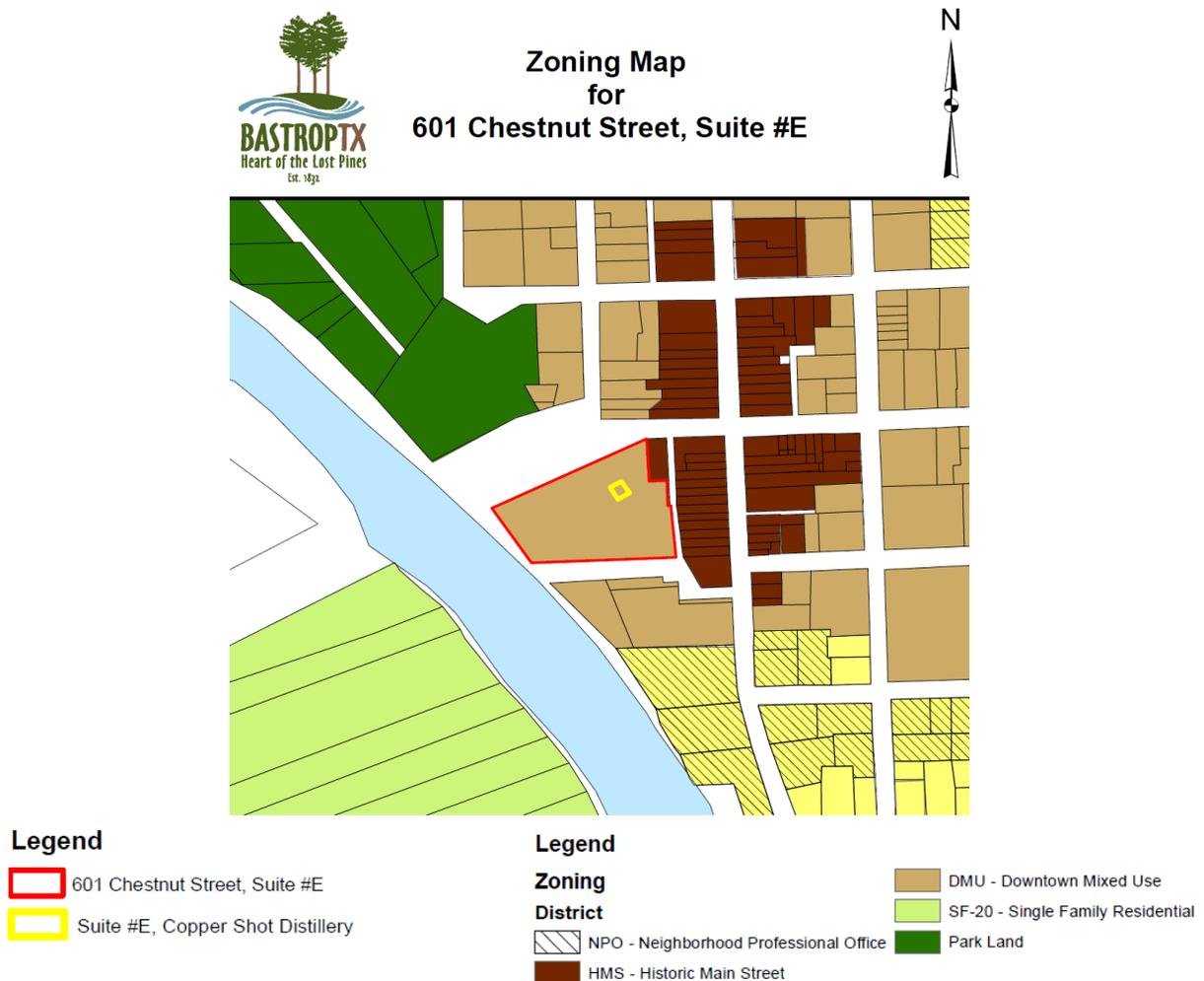


Legend

-  601 Chestnut Street, Suite #E
-  Suite #E, Copper Shot Distillery

Description:

The subject property has several buildings located on site which includes Neighbors Restaurant and several retail stores, but the CUP, will be for Suite E only. Suite E, previously contained brewing operations for the Bastrop Brewhouse. The Brewhouse closed in January 2014, but Copper Shot Distillery will be using the same building for their alcohol distilling process.



Basis of Support:

Staff supports the Conditional Use Permit, because it will comply with the intent of the Zoning Ordinance making sure the distillery meets the needed wastewater discharge requirements. The entire distilling operation will be contained within the existing building. No site changes are proposed. However, the building and distilling operation will be brought into compliance with City building and utility code requirements.

Comments:

Twenty-two (22) adjacent property owner notifications were mailed August 8, 2016. As of this date, five (5) responses have been received in favor, and three (3) responses have been received with no objection.

Staff Recommendation:

Staff recommends approval of the Conditional Use Permit to allow distilling operations to be allowed within Suite E, to be known as Copper Shot Distillery, consisting of +/- 2.69 acres out of and a part of Building Blocks Nine (9) and Fourteen (14), West of Main Street, an area zoned DMU, Downtown Mixed Use within the City Limits of Bastrop, Texas, with the following conditions:

1. Must comply with City of Bastrop utility requirements for wastewater discharge, in accordance with Chapter 13, Article 13.03, Section 1-10 which regulates discharge of waste in public sewers.
2. Receive appropriate Variance from the City Council, for sale of alcoholic beverages in accordance with Chapter 4, Section 4.02.004 (distance from church/school).

Any additional conditions as defined by the Commission.

City Contact:

Melissa M. McCollum, AICP, LEED AP, Director
Planning and Development Department

Attachments:

Letter from applicant, location map, and surrounding property owner notification.



Property Location Map for 601 Chestnut Street, Suite #E

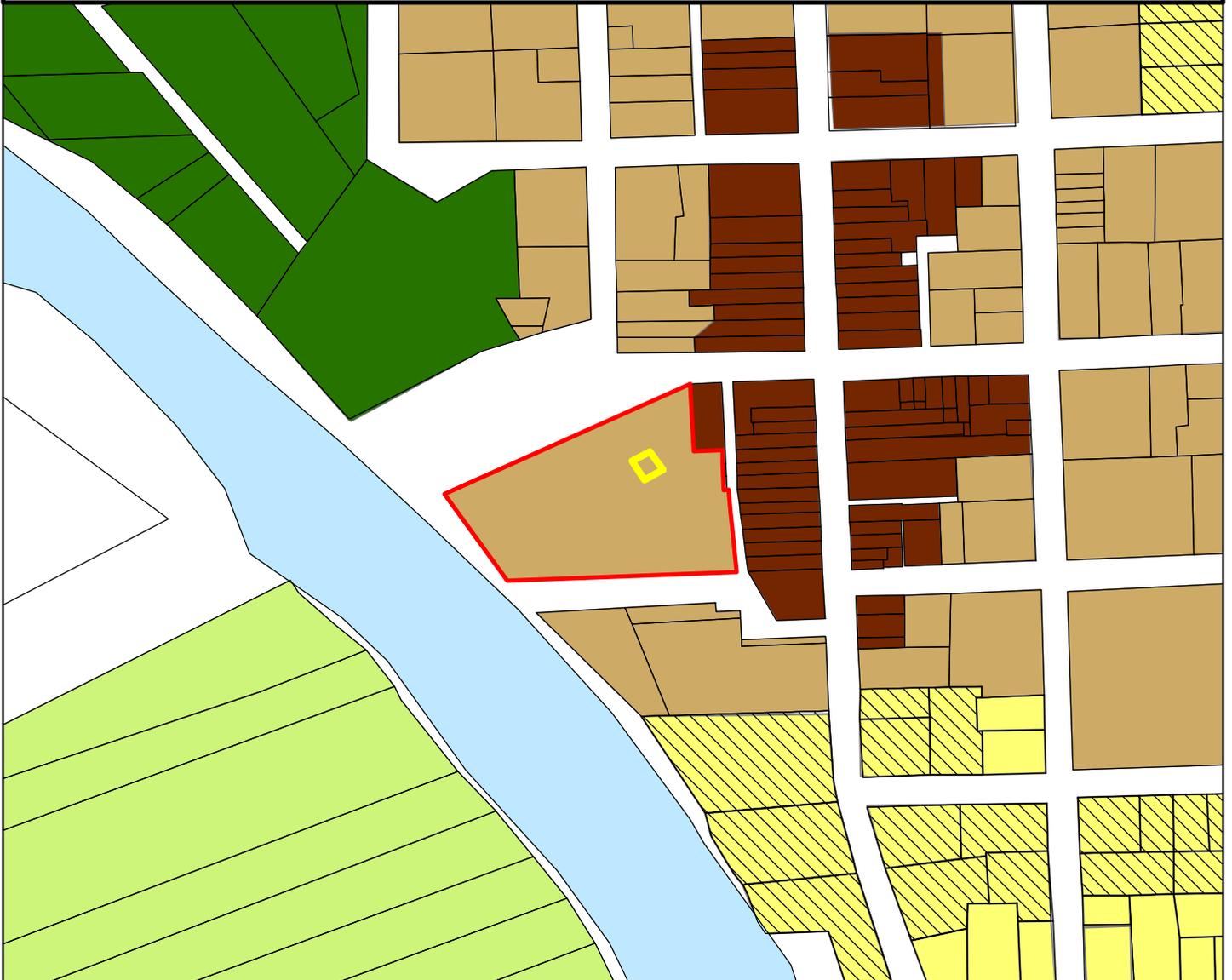


Legend

-  601 Chestnut Street, Suite #E
-  Suite #E, Copper Shot Distillery



Zoning Map for 601 Chestnut Street, Suite #E



Legend

- 601 Chestnut Street, Suite #E
- Suite #E, Copper Shot Distillery

Legend

Zoning District

- NPO - Neighborhood Professional Office
- HMS - Historic Main Street

- DMU - Downtown Mixed Use
- SF-20 - Single Family Residential
- Park Land



7-15-2016

Planning/Zoning Commission and City Council,

Copper Shot Distillery would like to put its business in the old "BrewHouse's" Brew House at 601 Chestnut St Suite #E . The building is already setup to accomadate our type of business and make the start up a lot easier for us. We wanted to take some time to clarify what our business is allowed to do and how we plan to operate.

We will Distill Spirits and have a tasting room for customers to try our products. Copper Shot cannot sell more than two bottles per person every thirty days and only allowed 1/2 oz tasting up to 2oz served per person. So with that being said," we are NOT a bar, not even close!" The still we will operate is a small craft still at only 100 gallons and should yield 7 - 16 gallons of product per run depending on the "Proof" that we run it at. For the first year, we only plan to run it twice a week , on Friday and Saturday. The operating hours will be from Tuesday - Thursday 11:00 a.m. to 6:00 p.m. and Friday & Saturday 8:00 a.m. to 8:00 p.m. . Friday and Saturday will be the days that people can come thru and see the still in operation, "It is pretty neat to see!" The still is electric fired so there is no hazard of open flame.

Our operation at its max would use no more than 500 gallons of water a week. We hope to subside that with some rain water collection. The leftover grains are mostly corn, we will take the leftover grains to our family farm in Paige to feed the live stock.

For the first year we will run the still twice a week which will use three hundred gallons of water a week and have two hundred gallons of waste water. Once we have our customer base large enough, the still will be operated four times a week with water usage up to 500 gallons a week and three hundred gallons of waste water going in the sewer system. The sewer water will be grain free from just coming out of the still, so no large matter traveling downstream to the Waste Water Department.

This location would greatly help our business with the use of Neighbors Venue. We plan to sponsor bands along side of Neighbors to help keep the flow of people coming to Bastrop! We at Copper Shot believe that this would be a great business for the City to help start some of the Craft Scene that Austin and the surrounding towns are taking advantage of. Thank you for your time and consideration in approving our conditional use permit, for the property.

Sincerely,

Stephen and Cheri Todee

Owners of Copper Shot Distillery Inc

RECEIVED
JUL 21 2016

By _____

**NOTICE OF PUBLIC HEARINGS
PLANNING AND ZONING COMMISSION AND CITY COUNCIL**

Dear Property Owner:

The Planning and Zoning Commission will conduct a public hearing on Thursday, August 25, 2016, at 6:00 p.m. and the City Council will conduct a public hearing (first reading) Tuesday, September 13, 2016 at 6:30 p.m. and a second reading (not a public hearing) on Tuesday, September 27, 2016 at 6:30 p.m. in the City Hall Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider a request for a CUP, Conditional Use Permit, to allow a Distillery at 601 Chestnut Street, Suite #E. The property, to be known as Copper Shot Distillery, consists of +/- 2.69 acres out of and a part of Building Blocks Nine (9) and Fourteen (14), West of Main Street, an area zoned DMU, Downtown Mixed Use within the city limits of Bastrop, Texas.

Owner: Tommy and Judi Hoover
Applicant: Stephen and Cheri Todee, Copper Shot Distillery
Address: 601 Chestnut Street, Suite #E
Legal Description: +/- 2.682 acres out of and a part of Building Blocks Nine (9) and Fourteen (14), West of Main Street

PLEASE SEE ATTACHED SITE LOCATION MAP & LETTER FROM PROPERTY OWNER

As a property owner within 200' of the above referenced property, you are being notified of the public hearings and invited to attend to express your opinion. Petitions and letters, either in support or opposition to this request, may be submitted to the Planning Department at 1311 Chestnut Street or mailed to P.O. Box 427, Bastrop, Texas 78602 (512) 332-8840 any time prior to the public hearings.

For additional information, please visit or call the Planning & Development offices.

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PROPERTY OWNER'S RESPONSE

✕

As a property owner within 200': (please check one)

- I am in favor of the request.
- I am opposed to the request.
- I have no objection to the request.

Property Owner Name: Martin Miller
Property Address: 915 Main St. Phone (optional): _____
Mailing Address: Bastrop, TX Email (optional): _____
Property Owner's Signature: [Signature]
Comments: (Optional) _____

Please provide reply to: Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602
or via fax (512) 332-8829

Re: Conditional Use Permit for a Distillery, at 601 Chestnut, Suite #E notices mailed August 8, 2016



The Ortiz Family Trust
1007 Hill Street
Bastrop, TX 78602
512-304-8888
R35033

RE: CUP for Copper Shot Distillery
601 Chestnut Street Suite E
Response to Public Notice: No objections

Mr. Leo Ortiz contacted the Planning Department on August 11, 2016 at 4:09pm and asked that we record his response of no objections.



Launa Eckert

RECEIVED
AUG 12 2016
By 

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COPY

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PROPERTY OWNER'S RESPONSE

RECEIVED
AUG 15 2016

As a property owner within 200': (please check one)

- I am in favor of the request.
- I am opposed to the request.
- I have no objection to the request.

By [Signature]

Property Owner Name: Joe Grady Todee
Property Address: 906 main, Bastrop, TX Phone (optional): 512 321-4944
Mailing Address: _____ Email (optional): _____
Property Owner's Signature: [Signature] Joe @ Todee and Kizer . com
Comments: (Optional)

Please provide reply to: Planning and Development Department
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As a property owner within 200': (please check one)

- I am in favor of the request.
- I am opposed to the request.
- I have no objection to the request.

Property Owner Name: Curtis McDonald
Property Address: 918 Main Phone (optional): _____
Mailing Address: PO Box 427 Email (optional): _____
Property Owner's Signature: [Signature]
Comments: (Optional)
it will help downtown

Please provide reply to: Planning and Development Department
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or via fax (512) 332-8829

Re: Conditional Use Permit for a Distillery, at 601 Chestnut, Suite #E notices mailed August 8, 2016

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By LT

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Property Address: 906 main, Bastrop, TX Phone (optional): 512 321-4944
Mailing Address: _____ Email (optional): _____
Property Owner's Signature: [Signature] Joe @ Todee and Kizer . com
Comments: (Optional)

Please provide reply to: Planning and Development Department
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Property Owner Name: DAN HEPKER

Property Address: 1002 MN 1004 MN

Mailing Address: PO BOX 399

Property Owner's Signature: Dan Hepker

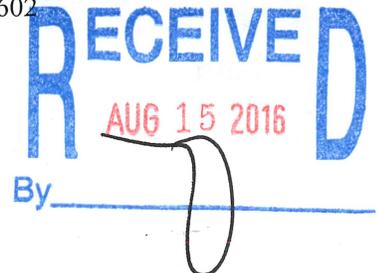
Comments: (Optional)

Phone (optional): 512-321-1010

Email (optional): _____

Please provide reply to: Planning and Development Department
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- I have no objection to the request.

Property Owner Name: The Charok Corp, Derek Van Gilde Pres.
Property Address: 916 MAIN ST Phone (optional): (512) 1303 4747
Mailing Address: " Email (optional): _____
Property Owner's Signature: Derek Van Gilde
Comments: (Optional)

Please provide reply to: Planning and Development Department
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