



City of Prineville

DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT FINAL DECISION

HEARING DATE: September 19th, 2017

PROJECT NUMBER: Cu-2017-106

APPLICANT/OWNER: Brian Iverson/Scott Ramsey
Foundry Four Distillery
129 NW 4th St.
Prineville OR 97754

PROJECT REVIEWER: Joshua Smith
Senior Planner

APPLICABLE CRITERIA:

(1) City of Prineville Code of Ordinances, Title XV Land Usage – 153.009, 153.014, 153.020, 153.037, 153.050, 153.080 – 153.096, 153.135 – 153.138 & 153.190 – 153.200

FINDINGS OF FACT:

1. **PROPOSAL:** A change of use converting the west portion of an old auto shop/retail building to a Whisky Tasting room for distilled products. (Foundry Four Distillery)
2. **LOCATION:** The proposed change of use is located at 129 NW 4th St. Map and Tax lot 15-16-06AA 11400.
3. **SITE DESCRIPTION:** The property has an old existing building that was recently rehabilitated and was part of the City's Downtown grant program. The building has seen many uses over the years from auto repair to retail. It has been vacant or underutilized for at least 20 years. The east side of the building is now used to store equipment that can be rented for events. The building is constructed to the side lot lines and has a new lowered gravel area off of the alley. Below is a 2017 aerial view.



4. **ZONING:** The subject property is zoned Central Commercial (C-1) and designated Core Commercial on the Comprehensive Plan Map.
5. **LOT OF RECORD:** The property has been determined to be a legal lot of record. As a portion of lot 5, block 18 of the Monroe Hodges Subdivision.
6. **COMMENTS:** Comments were received from ODA about licensing, that have been resolved. No comments were received from neighboring properties in the noticed area.
7. **FINDINGS SUMMARY:** An eatery not serving alcohol is an outright use in the C1 zone; however, an establishment serving alcohol is a type II conditional use to be approved by the Planning Commission. This proposal will re-model the interior of the existing building and provide an outdoor seating area as shown in the submitted site plan. The City has analyzed the impacts of the proposed uses and has determined that no additional System Development Charges (SDCs) will be assessed. The proposed use is exempt from design review improvements because the proposed use is considered of equal or lesser impact than the previous uses. As a conditional use; however, the Planning Commission may require additional improvements.

8. **HEARING SUMMARY:**

Staff: Staff gave a presentation describing the change of use including images of the building before and after the re-model. Staff explained that the impact of the new use does not exceed the impact of previous uses and therefore does not trigger design review improvements. Staff explained that as a conditional use the Commission could impose additional conditions they felt were necessary.

Applicant: The applicant explained the project and was very clear that this use is not a bar. He stated there is heavy federal oversight of this type of use in order to obtain a license. The purpose of the tasting room is to eventually sell distilled spirits from this location. The applicant acknowledged that they would not have a distillery at this location.

Commission: There was no public comment. The Commission asked questions about the use on the other side of the building and possible contamination of the building due to its age and previous uses. The Commission also asked whether the business would be allowed to sell the finished product from this location. The applicant explained the other use, stated that there is no contamination and that it is legal as part of their federal license to sell the finished product at this location. The applicant also stated that they would be selling other merchandise associated with the product.

Decision: Bob Orlando made a motion to approve the change of use as written, Corey Engstrom seconded the motion and the motion passed with 5 in favor and none opposed.

DECISION: Application **Cu-2017-106** for a change of use in the downtown is hereby APPROVED subject to the submitted plans, findings stated in the staff report, those conditions contained within and the following conditions of approval set forth below:

CONDITIONS OF APPROVAL:

1. The applicant shall comply with all necessary Fire Department requirements. The applicant shall coordinate with the Crook County Rural Fire and Rescue. Should Crook County Fire and Rescue determine that additional conditions are necessary the applicant shall meet the necessary conditions.
2. The applicant shall pay all applicable System Development Charges (SDCs) prior to occupancy. The City has determined that the use as proposed will not be assessed additional SDCs, however; if at any time the water meter size is increased, additional water and sewer SDCs shall be required.
3. The signs approved as part of this application shall maintain compliance with the City's sign code and not impede pedestrian walkways. As proposed, the maximum wall signage for all front facades shall not exceed 100 sq. ft.
4. The applicant shall secure any and all required city, county, state and federal permits and comply with the required conditions of those permits prior to occupancy.
5. The applicant shall comply with all applicable requirements of the C-1 zone and relevant portions of the City of Prineville Code of Ordinances and Crook County Building Department.

THIS DECISION BECOMES FINAL ON October 15th, 2017, TWELVE (12) DAYS FOLLOWING THE SIGNING OF THIS DECISION UNLESS APPEALED TO CITY COUNCIL BY A PARTY OF INTEREST.

Marty Bailey: _____ Date: _____
Planning Commission Chair