

# City of Florence

## Community Development Department

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## MEMORANDUM

To: Planning Commission

From: Michelle Pezley, Assistant Planner

RE: PC 11 03 DR 01 Mills and Butler Round House

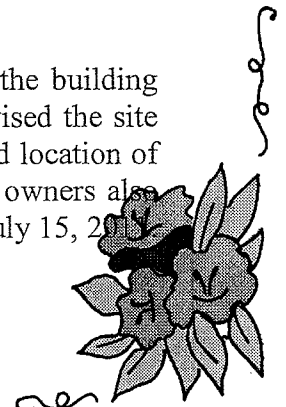
Date: July 18, 2011

During the public hearing on April 26, the Planning Commission reviewed Ron Mills and Rhonda Butler's proposal to construct a round house at 273 Harbor Street. The Downtown Architectural Design Standards to not provide design standards for single family residents or duplexes. The property owners provided a concept of a front porch but did not have a structural professional review prior to submission. The property owners told the Planning Commission that they were not completely in favor of the proposed façade design.

During the public hearing, the property owners requested Planning Commission keep the record open until July 26, 2011 to give them the ability to make small modifications to the design of the front façade after seeking professional structural help. The Planning Commission moved to continue the public hearing until July 26, 2011; moved to allow the applicants to start the building permit process for the round house with allowing a five foot front setback; and conditioned that certificate of occupancy would not be issued until all conditions are met.

Shortly after the April 26th hearing, Agnes Castronuevo, Tribal Historic Preservation Officer/ Archaeologist of the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians, requested to be notified 72 hours before site disturbance began. The property owners gladly worked with Ms. Castronuevo while constructing the house. (see Exhibit I for request and correspondence)

As mentioned above, the Planning Commission let the property owners start the building permit process before approval of the design review. The property owners revised the site and landscaping plans before the building permit was issued showing the revised location of the house and parking spaces (please refer to Exhibits J and K). The property owners also submitted an updated façade design for the Planning Commission's review on July 15, 2011.



As they looked at the site with structural elements of the round house in place, the property owners liked the original design of the round house as submitted in Exhibit E with the small front porch as shown in the new conceptual drawing (see Exhibit L). The small front porch is similar in scale as the porch located north of the site.

The property owners also propose a gate south of the house. Staff conditioned that the gate shall be located where it will not impair the two parking spaces provided on the driveway (may be in front, in between or behind the parking spaces); shall be located on the property owner's property; and not within the vision clearance area.

The findings of fact incorporate approval of the round house façade design as shown in Exhibit E and L and the requiring the gate to not impede on the driveway's two parking spaces or required vision clearance area.

Exhibits:

- A. Finding of Fact
- B. Architectural Renderings (provided in the April 26<sup>th</sup> packet)
- C. Site Plan and Landscaping Plan (provided in the April 26<sup>th</sup> packet)
- D. Property Owners' Narrative (provided in the April 26<sup>th</sup> packet)
- E. Standard elevations for round house (*included in this packet*)
- F. Four Houses on the Historic Building List (provided in the April 26<sup>th</sup> packet)
- G. Vision Clearance on site plan (*included in this packet*)
- H. Recorded Non-Remonstrance agreement for Curb Cut (provided in the April 26<sup>th</sup> packet)
- I. Letter dated April 28, 2011 from Agnes Castronuevo, Tribal Historic Preservation Officer/ Archaeologist of the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians, and related correspondence (*included in this packet*)
- J. Updated site plan dated April 28, 2011 (*included in this packet*)
- K. Updated landscape plan dated April 28, 2011(*included in this packet*)
- L. Updated façade design dated July 15, 2011(*included in this packet*)

**CITY OF FLORENCE  
PLANNING COMMISSION**

**RESOLUTION PC 11 03 DR 01**

**Resolution PC 11 03 DR 01:** A design review application to build a single family residence in Old Town Area B District as applied for by Ron Mills and Rhonda Butler. The property is located north of North Bay Condos, south of 2nd Street and on the west side of Harbor Street at 273 Harbor Street. (Map No. 18-12-35-22 Tax Lot 800).

**WHEREAS**, application was made by Ron Mills and Rhonda Butler for a Design Review to build a house within Old Town District as required by Florence City Code (FCC) 10-1-1-4, FCC 10-6-6, and FCC 10-17B-4-K; and

**WHEREAS**, the Planning Commission/Design Review Board met in a public hearing on April 26, 2011 as outlined in FCC 10-1-1-5, to consider the application, evidence in the record, and testimony received; and

**WHEREAS**, the Planning Commission/Design Review Board determined per FCC 10-1-1-5-E, after review of the application, testimony and evidence in the record, as per FCC 10-6-7, and 10-17B-3 and 4, that the application meets the criteria through compliance with certain Conditions of Approval; and

**WHEREAS**, the Planning Commission/Design Review Board of the City of Florence finds, based on the Findings of Fact (Exhibit A), staff recommendation and evidence and testimony presented to them, that the application with modifications and conditions of approval meets the applicable criteria.

**NOW THEREFORE BE IT RESOLVED** that the Planning Commission/Design Review Board of the City of Florence finds, based on the Findings of Fact and the evidence in record that:

The application, as presented, meets or can meet applicable City codes and requirements, provided that the following conditions of approval are met.

**APPROVAL INCLUDES:**

*A five foot front setback as allowed under FCC 10-17B-3-D-2*

1. Approval for shall be shown on:

"A" Findings of Fact
"E" Elevations for round house
"J" Updated site plan dated April 28, 2011
"K" Updated landscaping Plan dated April 28, 2011
"L" Updated façade Design dated July 15, 2011

Findings of Fact attached as Exhibit "A" are incorporated by reference and adopted in support of this decision. Any modifications to the approved plans or changes of use, except those changes relating to Building Codes, will require approval by the Community Development Director or Planning Commission/Design Review Board.

2. Regardless of the content of material presented for this Planning Commission, including application text and exhibits, staff reports, testimony and/or discussions, the applicant agrees to comply with all regulations and requirements of the Florence City Code which are current on this date, EXCEPT where variance or deviation from such regulations and requirements has been specifically approved by formal Planning Commission action as documented by the records of this decision and/or the associated Conditions of Approval. The property owners shall submit to the Community Development Department a signed "Agreement of Acceptance" of all conditions of approval within 30 days of the notice of decision.
3. Prior to certificate of occupancy, the property owners shall ensure that the driveway is 43 feet long from the front property line. The driveway shall consist durable, dust free surfacing of asphaltic concrete, cement concrete, porous concrete or approved by the Public Works Director.
4. The gate and fence proposed to be located on the south side of the building, shall not infringe on the two parking spaces, public right-of-way or vision clearance area criterion and meet the height requirements of FCC 10-34-5-B-1.
5. There shall not be any plants or building materials over 2.5 feet tall within the vision clearance areas.
6. At least one trash receptacle shall be provided on site and all receptacles shall be screened in accordance with the 5' fence and wall height criteria.
7. The property owners shall sign and record a private use in a public right-of-way agreement prior to certificate of occupancy or move the planter onto their property line.
8. At any time the residential use converts to a non-residential use, the non-remonstrance signed in 2008 concerning removal of the curb-cut on Harbor Street would need to be fulfilled. The property owner will be required to provide off-street parking which would have access from the alley along the west of the property.

**APPROVED BY THE FLORENCE PLANNING COMMISSION/DESIGN REVIEW BOARD** the 26<sup>th</sup> day of July 2011.

\_\_\_\_\_  
JAN NIEBERLEIN, Chairperson  
Florence Planning Commission

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DATE

## **EXHIBIT A: FINDINGS OF FACT FLORENCE PLANNING COMMISSION**

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**Hearing Date:** April 26, 2011, continued July 26, 2011      **Planner:** Michelle Pezley  
**Application:** PC 11 03 DR 01

### **I. PROPOSAL DESCRIPTION**

**Proposal:** Design review application to build a single family residence in Old Town District Area B

**Applicants/Property Owners:** Ron Mills and Rhonda Butler

**Location:** 273 Harbor Street, west of Harbor Street, north of North Bay Condominiums and south of Second Street

**Site:** Lot 2, Block 9 of Morse's Addition to the Town of Florence  
MR 18-12-35-22 TL 800  
0.16 acres or 7,100 square feet

**Comprehensive Plan Map Designation:** Downtown

**Zone Map Classification:** Old Town District Area B

#### **Surrounding Land Use/Zoning:**

**Site:** Vacant/ Old Town Area B  
**North:** Single Family Residential / Old Town Area B  
**South:** North Bay Condos/ Old Town Area B  
**East:** Single Family Residence / Old Town Area B  
**West:** Single Family Residence / Old Town Area B

#### **Streets/ Classification:**

Harbor Street/Local Street

### **II. NARRATIVE**

In January 2011, the Planning Commission approved Resolution PC 10 20 DR 02, a design review application to remove a dilapidated building which was listed on the Historic Building List within the Florence Realization 2020 Comprehensive Plan. The dilapidated building was built in 1890 as a saddlery. The applicant found that the building was also used as a residence, a barber shop, and blacksmith shop in addition to a saddlery. An addition was built in the 1950's to expand the residential use. The property owners propose to build a new single family residence on their lot with the goal of incorporating the

*The preparation of this report was made possible in part through financial assistance provided by the Coastal Zone Management Act of 1972, as amended, administered by the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration, through a grant to the Department of Land Conservation and Development.*

old board and batten siding which they were able to salvage during the demolition of the dilapidated building.

Florence City Code (FCC) Title 10, Chapter 6: Design Review, states that single family and duplexes are exempted from Design Review process. However, it was the intent of the Planning Commission and City Council's update to the Old Town District in 2008 to require design review for all uses within the Old Town District including Single Family and Duplex Residential.

The Old Town District requires projects to be reviewed with the *Florence Downtown Architectural Design Guidelines*. However, the Architectural Design Guidelines text states they apply to all commercial and multi-family buildings and related accessory structures and site improvements, thereby excluding single family and duplexes. The Florence Downtown Plan has very little direction for houses as well. The Design Review chapter of the FCC includes criteria regarding architectural quality and aesthetic appearance including compatibility with surrounding buildings. The City has worked to update the zoning codes and requires new development to conform to the updated codes. The general purpose of the Old Town District is to provide an area for pedestrian oriented, mixed land uses, and encourage restoration, revitalization, and preservation of the district. The surrounding buildings from the site are a mix of development types and variety of architectural styles.

The property owners are proposing a round house. The elevations in Exhibit E show the standard design of the round house. The front porch creates architectural qualities that is consistent with other nearby buildings.

On April 26, 2011, the property owners requested the ability to make small modifications to the design of the front façade as they seek professional structural help and asked the Planning Commission to keep the record open until July 26, 2011. The Planning Commission moved to continue the public hearing until July 26, 2011; moved to allow the applicants to start the building permit process for the round house (allowing a five foot front setback); and conditioned that the certificate of occupancy would not be issued until all conditions are met.

As stated at the hearing, the Planning Commission approved the request for a five foot front yard setback. The Planning Commission also required the property owners to revise the site plan and landscaping plan to show the parking spaces outside the 5 foot side and front yard setback. The property owners revised the site plan and landscaping plan prior to the issuance of the building permit (see Exhibit J and K). The applicants returned to the Planning Commission on July 26, 2011 with the original façade design as shown in Exhibit E and Exhibit L.

### III. NOTICES & REFERRALS

**Notice:** Notice was sent to surrounding property owners within 100 feet of the property and a sign was posted on the property April 6, 2011. Notice was published in the Siuslaw News on April 20, 2011. During the Public hearing on April 26, 2011, Wendi Jarman stated that she is in favor of the project because the shape of the house will be able to stand the high winds and it will be energy efficient.

**Referrals:** on April 6, 2011, referrals were sent to Central Lincoln PUD, Qwest, Charter Communications, Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians, Florence Code Enforcement Officer, Florence Building Department, Florence Police Department, Siuslaw Valley Fire and Rescue, Florence Public Works, Florence Post Office, OregonFAST and Coastcom Inc.

On April 28, 2011, Agnes Castronuevo, Tribal Historic Preservation Officer/ Archaeologist of the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians requested 72 hour notice prior to any site disturbance. The property owners worked with Ms. Castronuevo as shown in Exhibit I.

### IV. APPLICABLE REVIEW CRITERIA

#### **Florence City Code (FCC)**

Title 10-1: Zoning Administration

Title 10-3: Off Street Parking

Title 10-6: Design Review

Title 10-17B: Old Town Area B

**Florence Realization 2020 Comprehensive Plan, Chapter 10, Housing Opportunities**

### V. FINDINGS AND CONCLUSION

The criteria are listed in bold followed by the findings of fact.

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#### **FCC TITLE 10: CHAPTER 17: OLD TOWN DISTRICT AREA B**

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**10-17B-1 PURPOSE FOR AREA B:** Old Town Area B is an area of mixed use residential intended to provide a transition between the waterfront visitor attractions and the Events Center campus, with Quince/2nd Street as the pedestrian-friendly link between these key areas.

**10-17B-2 LAND USES FOR AREA B:** The following establishes permitted, conditional, and prohibited uses for the Old Town District Area B:

**A. Permitted Uses:** Uses which are administratively determined to have an impact similar to or less than Permitted listed uses below:

## **Residential, single family**

Single family residential is a permitted use within Area B of the zoning district; therefore, the application meets this criterion.

### **10-17B-3 LOT AND YARD PROVISIONS FOR AREA B**

**A. Lot Area:** The lot area shall be a minimum of 2,500 square feet. Lot area for a duplex shall be at least 5,000 sq ft, and lot area for a multiple family structure shall be at least 2,500 sq ft for each ground floor unit.

The lot is 7,100 square feet. The lot is over the minimum size of 2,500 square feet required for single family use, and therefore meets the criterion.

**B. Lot Dimensions:** The minimum lot width shall be twenty-five feet (25').

The lot dimensions are 50 feet wide x 142 feet depth; therefore, the application meets the minimum lot width criterion.

**C. Lot Coverage:** The maximum lot coverage allowed shall be seventy percent (70%) for buildings and structures and a total of eighty percent (80%) for all buildings and other impervious surfaces.

The building will be 754 square feet with a 60 square foot front porch. The lot has an existing tool shed that is 60 square feet. The proposed off-street parking area is 364.8 square feet. The lot coverage for the buildings is 12% and the lot coverage for all impervious surfaces is 17.5%. The application meets the lot coverage allowed in Area B of the zoning district.

### **D. Yard Regulations:**

**1. Garage and Carport Entries:** Garage and carport entries shall have a minimum setback of twenty feet (20').

The property owners are not proposing a garage or carport; therefore, this criterion does not apply.

**2. Front Yard:** Front yard setback shall be a minimum of ten feet (10') and up to five feet (5') with approval by the Planning Commission.

The above zoning criterion is semi-consistent with the Florence Downtown Plan which acknowledges the historic setbacks of 5 to 15 feet to match the historic conditions. The property owners proposed to keep the former building setback and requested a five foot front setback, which the Planning Commission granted.

**3. Side Yard:** Zero lot line spacing is allowed for row-house (townhouse) development between the interior and exterior units. All other development is



**required to have a minimum of a five foot (5') side yard, unless zero lot line spacing is approved by the Planning Commission.**

The proposed location of the building meets this 5' side yard criterion. The property owners are proposing side yard setbacks of 14.6 feet on the south and 5 feet two inches on the north. FCC 10-3-8-1 states that required parking spaces are not allowed within the front or side yards. The property owners are proposing two tandem off-street parking spaces. Both spaces access off of Harbor Street totaling 38 feet in length. Both spaces are shown on the site plan to be out of the side yard setback. However, the eastern space is shown to be within the front setback. The driveway shall be extended five feet to keep the parking spaces outside of the front setback or 43 feet long. **(Condition 3)**

**4. Rear Yard or Alley: Rear yard or alley setback shall be a minimum of five feet (5'). For single family dwellings, the rear yard shall have a minimum setback of ten feet (10').**

The proposal meets this 10' criterion. The property owners propose the building and accessory building to be over 80 feet from the rear property line..

**5. The Planning Commission/Design Review Board may allow reduction of any Area B setbacks, if an easement is approved and dedicated that will preserve mature trees, sand banks, and/or bank vegetation.**

There are no mature trees, sand banks or bank vegetation near or around the site; therefore, this criterion does not apply.

**6. For developments with ground floor commercial units facing Quince/2nd Street, the Planning Commission/ Design Review Board may allow reduced front yard or side yard setbacks from that street if pedestrian-friendly amenities are provided, such as street trees, wider sidewalks with seating, overhangs and awnings, etc.**

The property owners do not propose commercial units; therefore, this criterion does not apply.

**E. Common Open Space: Common open space is required for multi-family housing developments of four (4) or more units as follows:**

- 1. An area on the site measuring a minimum of 100 square feet per dwelling unit shall be designated and permanently reserved as common open space.**
- 2. In meeting the common open space standard, the multiple family development shall contain one or more of the following: outdoor recreation area, protection of sensitive lands (e.g., trees or bank vegetation preserved), play fields, outdoor playgrounds, outdoor sports courts, swimming pools, walking fitness courses, pedestrian amenities, or similar open space amenities for residents.**

3. To receive credit under this section, a common open space area shall have an average width that is not less than twenty feet (20') and an average length that is not less than twenty feet (20').

4. Any common areas shall be owned as common property and maintained by a homeowners association or other legal entity. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.

The property owners do not propose multi-family housing; therefore, this criterion does not apply.

#### **10-17B-4 SITE AND DEVELOPMENT PROVISIONS FOR AREA B**

##### **A. Building or Structural Height Limitations.**

1. South of Quince/2nd Street: The maximum height for buildings or other structures in the Old Town District Area B south of Quince/2nd Street shall be two (2) stories above grade with a maximum of thirty feet (30').

The proposal meets this criterion. The property owners propose a round house with a building height of 18 feet from the grade to the top of structure.

2. North of Quince/2nd Street: The maximum height for buildings or other structures in the Old Town District Area B north of Quince/2nd Street may be three (3) stories above grade with a maximum of forty feet (40') when approved by a conditional use permit.

a. If the property includes a Scenic Resource identified as Site 7 on Map 5H-1 in the Comprehensive Plan and is therefore undevelopable, the remainder of the property may be developed with three stories.

b. If the property includes natural features such as mature trees, sand banks, and/or bank vegetation (outside of Site 7), three stories may be allowed if those features are preserved with an easement as approved by the Planning Commission; or

c. Three stories may also be allowed if design elements are incorporated into the roof-line such as stepping back the third story a minimum of 10 feet (10') from the wall plane of the floor below if it faces a street, using a mansard roof design, or by incorporating living

space within the attic of a pitched roof via a dormer(s) and/or partition-wall.

3. For any building two (2) stories or more above grade, two (2) or more of the following design options shall be employed to reduce the perceived scale of the structure:

a. Pitched or gable roofs are encouraged, with offsets, valleys, or false dormers to break up the roof plane as viewed from any abutting street.

b. Building exterior shall be broken into shapes and planes of less than 750 square feet for any building plane. Such planes shall have a two foot (2') minimum relative off-set.

c. Windows, balconies, entryways, and/or arcades shall be used to create visual interest and reduce the apparent bulk/mass of the building; and variation in materials, textures, colors, and shapes shall be used to break up wall planes.

d. A public plaza may be provided between the building and the street right-way. The plaza shall be a minimum of four feet (4') in depth (in addition to any required sidewalk), with a minimum of 100 square feet wide for seating, landscaping, and weather protection, such as awnings, canopies, overhangs, or similar features.

**B. Building Size Limitation:** No structure designed solely for retail or office use shall have a floor area that exceeds 15,000 square feet. Mixed use buildings may have greater floor areas, subject to Design Review for compatibility with surrounding structures and uses.

The property is located south of Quince Street/ Second Street. The property owners are proposing a one story single family house with no retail or office use. The above criteria do not apply.

**C. Access: Americans with Disabilities Act (ADA) approved access must be provided to all floors of buildings and structures as required by Building Codes.**

The Building code does not require single family houses to provide ADA access; therefore this criterion does not apply.

**D. Sidewalks: Public sidewalks shall be a minimum of eight feet (8') wide along Quince Street/2<sup>nd</sup> Street.**

The property is not abutting Quince Street/ 2<sup>nd</sup> Street; therefore, the 8' wide criteria do not apply. The proposed single family use is not an expansion to the previous use (does not generate additional pedestrian impact) and therefore the existing sidewalk is acceptable.

**E. Parking and Loading Spaces: All required residential parking spaces must be located on-site, but may not be located within the front yard. Every multi family housing structure building that incorporates indoor parking shall have an approved fire sprinkler system installed, unless it is granted an exception provided by the state building code. Non-residential parking spaces may be located on-street in front of the front yard of the lot, and/or may be located in an interior parking lot within the block or in an off-site lot. The number of parking spaces as provided in Chapter 3, Title 10 shall be used as guideline when determining parking needs. For nonresidential uses, off-street parking shall not be located between the building and street. Bike racks shall be located either in the interior parking lot or by an entrance. Bike racks may not be located in the required pedestrian walkway.**

FCC 10-3-8 allows a reduction of covered parking spaces if the majority of the surrounding properties within a 100 feet radius do not meet the two-space covered parking requirement. Nine of the 13 surrounding properties do not have covered parking, which is the majority and therefore eliminates the requirement for covered parking. The applicant

still is required to provide two off-street parking spaces in accordance with FCC 10-3. As stated above, the parking spaces may not be located within the front or side yard of the lot. The property owners propose two off-street parking spaces. Both spaces would have access off Harbor Street. The eastern parking space must be located at least five feet from the front property line. Prior to certificate of occupancy, the driveway shall be 43 feet long from the front property line. Each parking space is required to be 9.5 feet by 19 feet long. The gate shall be located in an area which is outside the vision clearance area, outside the right-of-way and does not infringe on the two parking spaces **(Condition 4)**. No bike racks are proposed within the pedestrian walkway. Bikes are proposed to be stored inside the house or the rear of the property.

The applicant is proposing two new on-site parking spaces. FCC 10-3-2-B requires new construction to provide off-street parking consistent with code, unless otherwise established by special review. The applicant is proposing two new on-site parking spaces with unspecified surfacing. FCC 10-3-8 requires all parking areas have a durable, dust free surfacing of asphaltic concrete, cement concrete, porous concrete...and driveways be paved for the first 50'. The property owners shall construct the parking and driveway surfacing plans consistent with city codes. **(Condition 3)**

**F. Vision Clearance: Refer to Sections 10-1-4 and 10-35-2-13 of this Title for definition and requirements.**

FCC 10-1-4 defines vision clearance as, **"a triangular area at an intersection; the space being defined by a line across the corner, the ends of which are on street lines or alley lines, an equal and specified distance from the corner and containing no planting, walls, structures or temporary or permanent obstruction from two and one half feet (2 1/2') above the street grade to a height of eight feet (8')"**.

FCC 10-35-2-13 states,

**Vision Clearance: No visual obstruction (e.g., sign, structure, solid fence, or shrub vegetation) shall block the area between two and one-half feet (2 1/2') and eight (8) feet in height in "vision clearance areas" on streets, driveways, alleys, mid-block lanes, or multi-use paths where no traffic control stop sign or signal is provided, as shown in Figure 10-35(4). The following requirements shall apply in all zoning districts:**

**A. At the intersection of two (2) streets, minimum vision clearance shall be twenty feet (20').**

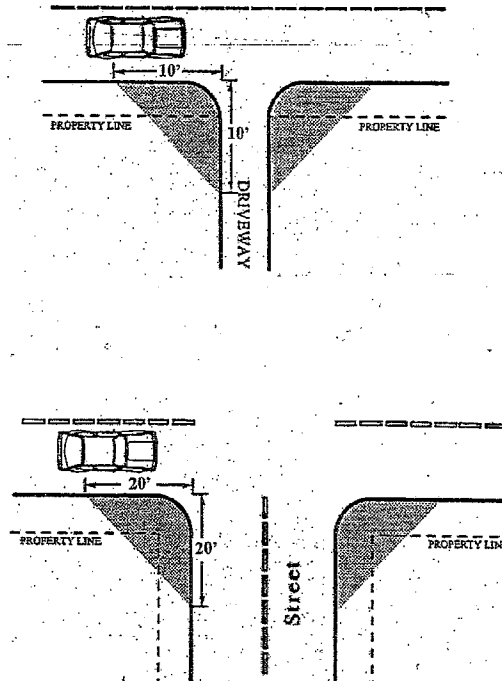
**B. At the intersection of an alley or driveway and a street, the minimum vision clearance shall be ten feet (10').**

**C. At the intersection of internal driveways, the minimum vision clearance shall be ten feet (10').**

**The sides of the minimum vision clearance triangle are the curb line or, where no curb exists, the edge of pavement. Vision clearance requirements may be modified by the Public Works Director upon finding that more or**

less sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.). This standard does not apply to light standards, utility poles, trees trunks and similar objects. Refer to Section 10-1-4 of this Title for definition.

Figure 10-35(4)



The applicants propose to use the existing driveway off of Harbor Street, which requires vision clearance areas that are ten feet by ten feet on each side of the driveway from edge of pavement or curb cut. The applicants propose a board and batten planter with an unspecified height within the right-of-way. The plants may be up to 2 ½ feet in height within the vision clearance area. As shown in the revised landscaping plan, the planters are not within the vision clearance area. The updated façade drawing shows a gate to be located to the south of the house. The gate shall not be within the vision clearance area. **(Condition 4 and 5)**

**G. Signs:** Where a building abuts the sidewalk, only awning, projecting, window and wall signs are permitted. Size and placement shall conform to the standards of the Sign Code, Section 10-26 of the City Code. Signs may not be internally illuminated.

No signs are proposed; therefore, this criterion does not apply.

**H. Fences, Hedges, Walls and Landscaping:** Landscaping shall be in accordance with FCC 10-34, except as modified by the following specific standards:

**1. Landscaping:** A minimum of ten percent (10%) landscaping is required. The calculation of the required minimum may include street trees installed and maintained by an applicant, planters and window boxes which are the property of the applicant/owner, as well as plantings within courtyard areas. All landscaping included within the 10% calculation must be installed and maintained by the applicant or his/her successors.

**2. Walls, Fences and Hedges:** Interior parking lots may be separated from rear courtyards by walls, fences and/or hedges four feet (4') in height or less. Eating establishments may separate outdoor eating areas from parking areas and adjacent buildings or structures by a fence, wall or hedge not to exceed six feet (6') in height. Pedestrian walkways may be separated from abutting uses by plantings or fences which allow visual surveillance of the walkway and surrounding areas. Chain link fences are prohibited in Area B.

FCC 10-34 Landscaping exempts single family and duplexes. However, the property owners show a fence and gate located south of the house. FCC 10-34-5-B-1 requires residential fences to that are between the house and front property line to be 3 feet high. Fences may be up to six feet tall if located in the rear and side yards (**Condition 4**)

**I. Lighting:** Street lighting and lighting of interior parking lots and walkways shall conform to the following lighting standards:

**1.** Where there are antique street lights within the public right of way, new light fixtures shall match the antique streetlights. (See Figure 17.2)

**2.** In the areas where the antique street lights are not currently located, the light fixtures within the public right of way shall use the Central Lincoln Public Utility District's Ornamental streetlights. (See Figure 17.2)

**3.** Light fixtures shall conform to the lighting styles in the Downtown Architectural Guidelines.

**4.** Lighting shall be pedestrian scaled.

**5.** Light fixtures shall be placed to allow adequate illumination for safe pedestrian movement.

Lighting plans shall show the illumination fields for each fixture.

**6.** Wiring for historic light fixtures shall be placed underground.

**7.** Other overhead wiring shall be placed underground, where possible.

The property is located outside of the area which requires the antique streetlights and may use Central Lincoln's ornamental streetlights. There are no spacing requirements listed for the streetlights. Two antique street lights are located on the southwest and northwest corners of Harbor Street. Staff recommends that no streetlights are required for this development because there is adequate streetlighting in the area.

**J. Trash Enclosures:** At least one trash receptacle shall be provided on site. Dumpsters or similar utilitarian trash receptacles shall be screened with a solid fence or wall not less than 5' in height. Trash receptacles for pedestrians shall have a consistent design in order to provide consistency in street furniture.

At least one trash receptacle shall be provided on site and all receptacles shall be screened in accordance with the 5' fence and wall height criteria. **(Condition 6)**

**K. Design Review:** All uses in the Old Town District Area B, whether permitted or conditional uses, shall be subject to design review (FCC 10-6) to insure compatibility and integration with the character of the district and to encourage revitalization. Architectural design shall be reviewed against Downtown Architectural Design Guidelines to determine compatibility with the character of the district.

**1. Additional Requirements:**

**a. Survey:** All new development and redevelopments and/or additions must also submit a recent survey map with their Design Review Application. The survey must show:

- i. Property lines**
- ii. Easements**
- iii. 2' Contours**
- iv. Existing structures**
- v. Floodplain**

**b. New Construction or Story Additions:** As an element of the Design Review process, the applicant is required to provide and/or install visual aids to assist the Planning Commission and the public to visualize the size/configuration of the proposed structure with its relation to the surroundings. The required visualization aids consist of three types: Type I Story Poles, Type II Virtual Images, and Type III Color Architectural Renderings, as defined in FCC 10-17-2 Definitions of Visual Aid.

Visual aids are required unless waived by the Community Development Director. In the course of the public hearing, the Commission may overrule such determination and require additional visual aid(s). Visual aid type I, II or III is required for all buildings or story additions equal to or greater than two (2) stories in Area B.

The application is reviewed under design review criteria below. The applicant incorporated a survey with the site plan as shown on Exhibit C. The Community Development Director did not waive the visual aid requirement. Consistent with 1B above, the property owners chose a Type III visualization aid and posted a Color Architectural Rendering. The renderings were posted on April 6, 2011, twenty days before the April 26<sup>th</sup> public hearing.

---

**FCC TITLE 10, CHAPTER 6: DESIGN REVIEW**

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**10-6-5: GENERAL CRITERIA:** The Design Review Board may require any of the following conditions it deems necessary to secure the purpose and intent of this Chapter. The Board shall, consider the effect of its action on the availability and cost of needed housing. The Board shall not use the requirements of this Section to exclude needed housing types. However, consideration of these factors shall not prevent the Board from imposing conditions of approval if the costs of such

**conditions shall not unduly increase the cost of housing. The Board shall have no authority to affect dwelling unit densities. The Board shall consider the following criteria reviewing applications and may set conditions or standards which regulate and limit the following: (Ord. 680, 1-11-83)**

**A. Setbacks, yards, height, density and similar design features according to the underlying zoning district.**

As mentioned above, the eastern parking space is located within the front setback and the driveway shall be extended to 43 feet measuring from the front property line prior to certificate of occupancy. The proposal meets the side yard, height and density criteria of the Old Town District.

**B. Lot area, dimensions and percentage of coverage according to underlying zoning district.**

As reviewed in the Old Town District section of this report, the proposal meets the lot area, dimensions, and lot coverage criteria of the Old Town District.

**C. Installation and maintenance of fences, walls, hedges, screens and landscaping according to standards set forth in FCC 10-34 Landscaping, and any requirements of the underlying zoning district.**

As covered in the Old Town District section of this report, the proposal meets the fences, walls, hedges, screening criteria of the Old Town District. The landscaping plan illustrates that the board and batten planter is proposed along the back of the sidewalk and within the public right-of-way. According to Title 8, Chapter 2, Section 4-2 no fence or structure is allowed within the right-of-way. The Transportation Master Plan does not propose expansion Harbor Street right-of-way. The sidewalk along 273 Harbor Street is wider than the sidewalk to the north. Public Works staff do not see a problem with the planter box in the right-of-way. Historically, the City allowed structures or fences within the right-of-way with a recorded agreement. The property owners shall sign and record a private use in a public right-of-way agreement with the city prior to certificate of occupancy (**Condition 7**).

**D. The location and design of access and egress points for vehicles and pedestrians, including access points along State highways according to standards set forth in FCC 10-35 Access and Circulation, and any requirements of the underlying zoning district.**

The previous property owners, Patrick and Pamela Emmingham in 2008 signed an agreement of non-remonstrance concerning the curb-cut at 273 Harbor Street. The agreement states if the use of the property ever changes away from a residential use, the property owner will remove the curb-cut and replace it with a sidewalk. The new house is consistent with the agreement of non-remonstrance. (See Exhibit H) At any time the residential use converts to a non-residential use, the non-remonstrance signed in 2008



concerning removal of the curb-cut along Harbor Street would need to be fulfilled. The property owner will be required to provide off-street parking accessing off the alley along the west property line. (**Condition 8**)

**E. Noise, vibration, smoke, dust, odor, light intensity and electrical interference's.**

There will be no noise, vibration, smoke, dust, odor, light intensity or electrical interference to the surrounding properties once the house is completed.

**F. Parking and outside display areas, dimensions, surfacing and on-site traffic circulation according to standards set forth in FCC 10-3 Parking and Loading.**

As covered in the Old Town District section of this report, the site plan needs to be modified to meet the parking setback requirements. The parking spaces off of Harbor Street are required to be located outside of the 5' front yard setback (**See Condition 3**)

**G. Signs according to standards set forth in FCC 10-26 Sign Regulations and Matrix.**

The property owners are not proposing signs; therefore, this criterion does not apply.

**H. Architectural quality and aesthetic appearance, including compatibility with adjacent buildings.**

As the property owners discussed in their application (Exhibit D), the surrounding properties are a collection of different time periods which do not match the purpose of the Old Town District. The surrounding properties are an assortment of architectural styles, elements and time periods.

The property owners' original proposal is shown in Exhibit E. The round house is a kit which comes with a small porch. The small porch is in the same scale and similar gable roof as the house to the north. The round house is aesthetically pleasing in appearance and is compatible to the property to the north.

**I. Color, building materials and exterior appearance in accordance with the policies established by the City in the Downtown Implementation Plan, and in applicable zoning districts.**

The property owners propose a natural wood finish (brown) for the house. The building materials and color meet the coastal theme of Florence as required in the Downtown Implementation Plan.

**J. Exterior lighting and security.**

The property owners are proposing exterior lights on both sides of the front door.

**K. Public health, safety and general welfare.**

The former structure which was listed on the Historic Building list became a hazard. The property owners removed the hazard this year. Staff has not received any public comments or referrals regarding additional public safety, health or welfare concerns.

**L. Provision of public facilities and infrastructure according to standards set forth in FCC 10-36 Public Facilities.**

The public facilities were capped with the demolition of the former structure. The contractor followed the standard procedures in reconnecting the capped facilities to the new structure.

**M. Requiring a time period within which the proposed use or portions thereof shall be developed.**

Title 10, Chapter 6, Section 9 states, "Authorization of a design review permit shall be valid one (1) year after the date of approval of a design review application, unless a building permit has been issued and substantial construction pursuant thereto has taken place. Substantial construction shall be considered to be completion of a building foundation.

The applicant may apply to the Planning Commission for a one-time extension of one (1) year maximum duration based on compliance with the following criteria:

- A. The request for an extension is made in writing prior to expiration of the original approval.
- B. There are special or unusual circumstances that exist which warrant an extension.
- C. No material changes of surrounding land uses or zoning has occurred.

The Planning Commission may deny the request for an extension of a design review if new land use regulations have been adopted that affect the applicant's proposal. (Ord. 26, 2008)."

**N. Requiring bonds to insure performance of special conditions. (Ord. 625, 6-30-80)**

There are no special conditions required with the proposed development; therefore, bonds to insure performance are not necessary. No public infrastructure improvements are required for this, therefore; no performance agreement, petition or bond for improvements shall be required.

**O. Such other conditions as are necessary to implement policies contained in the Florence Comprehensive Plan. (Ord. 680, 1- 11-83)**

No special conditions are proposed at this time.

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## REALIZATION 2020 FLORENCE COMPREHENSIVE PLAN

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### Chapter 10, Housing Opportunities:

**Objective 1:** To support a variety of residential types and new concepts that will encourage housing opportunities to meet the housing needs for household of varying incomes, ages, size, taste and lifestyle.

**Policy 1:** The Zoning Ordinance shall provide for varying density levels, land use policies, and housing types in support of this goal.

The round house provides a different style of house in support of Objective 1. The property is within the Old Town District and the front porch is with the same scale and design of other houses within the neighborhood.

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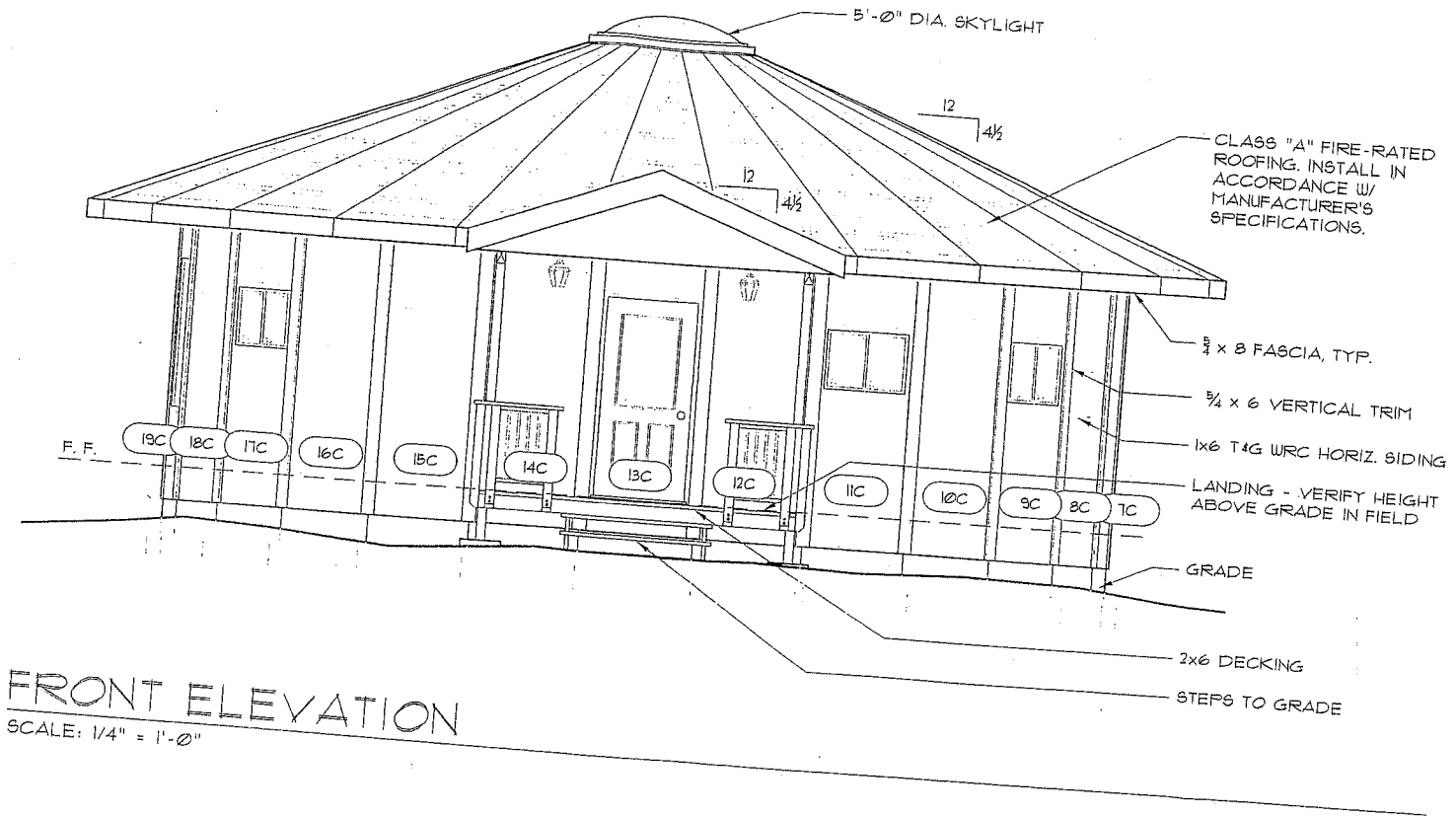
### Conclusion:

The Design Review application for a new single family residence is consistent with the applicable criteria in Florence City Code Title and the Florence Realization 2020 Comprehensive Plan.

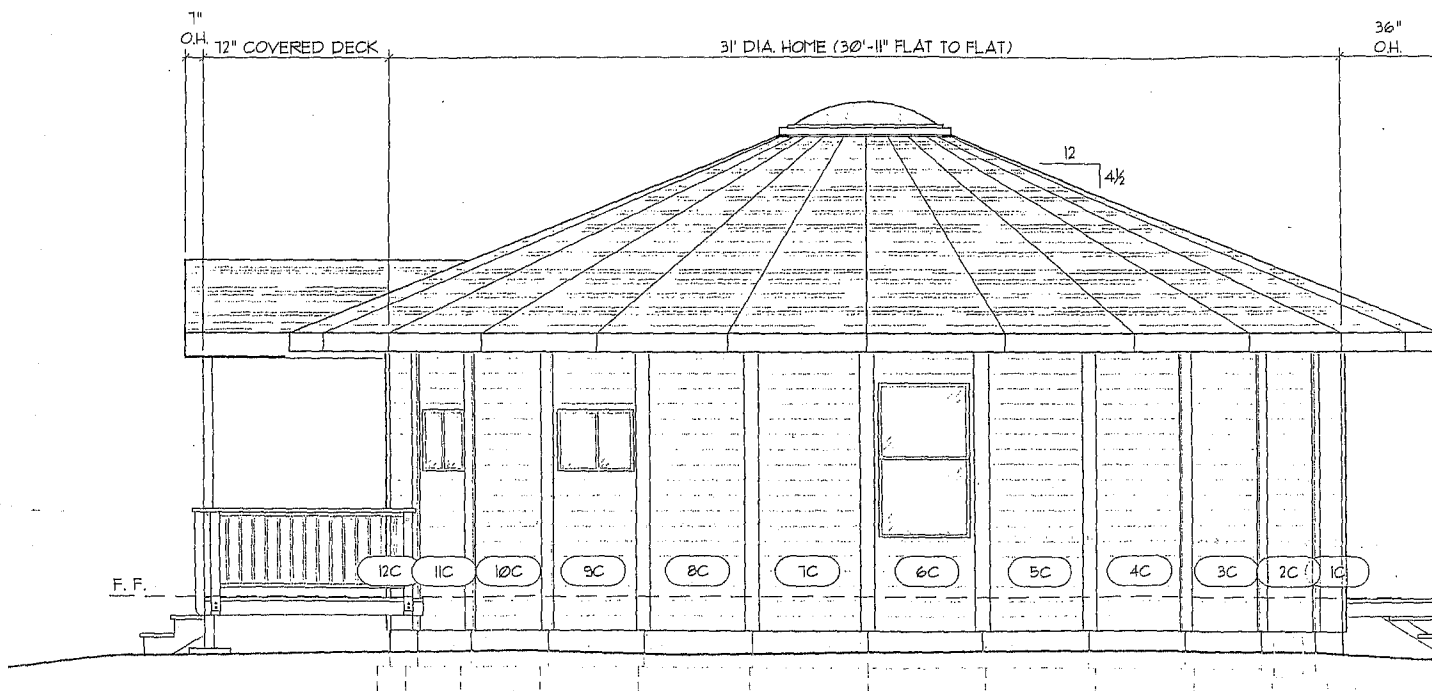
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## VI. EXHIBITS

- A. Finding of Fact
- B. Architectural Renderings
- C. Site Plan and Landscaping Plan
- D. Property Owners' Narrative
- E. Standard elevations for round house
- F. Four Houses on the Historic Building List
- G. Vision Clearance on site plan
- H. Recorded Non-Remonstrance agreement for Curb Cut
- I. Letter dated April 28, 2011 from Agnes Castronuevo, Tribal Historic Preservation Officer/ Archaeologist of the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians, and related correspondence
- J. Updated site plan dated April 28, 2011
- K. Updated landscape plan dated April 28, 2011
- L. Updated façade design dated July 15, 2011



EXTERIOR ELEVATIONS



GRADE TO SLOPE 2% MIN.  
AWAY FROM BUILDING  
AFTER FINAL GRADING  
FOR DRAINAGE, TYP.

## RIGHT ELEVATION

SCALE: 1/4" = 1'-0"

DRAWN BY:

A NEW HOME FOR

1285 Wallis Street

RC

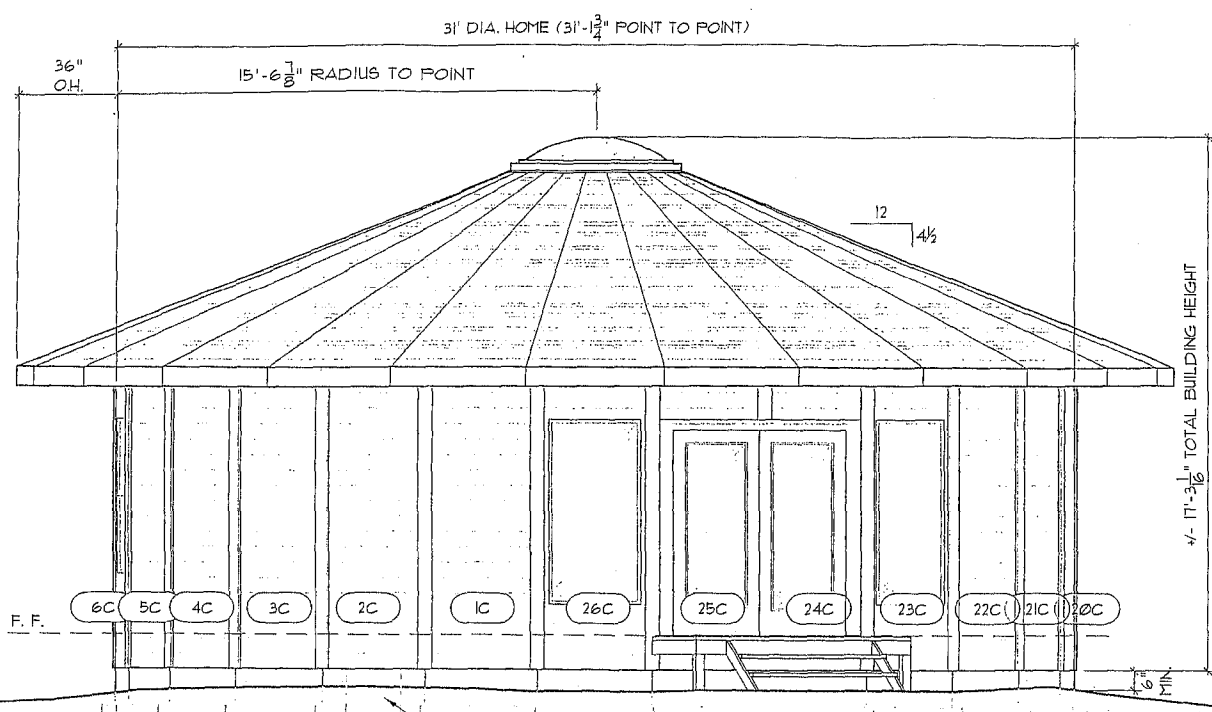
EXTERIOR ELEVATIONS

SHEET CONTENTS

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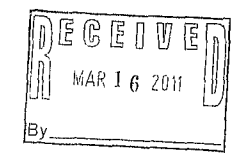
SHEET NUMBER

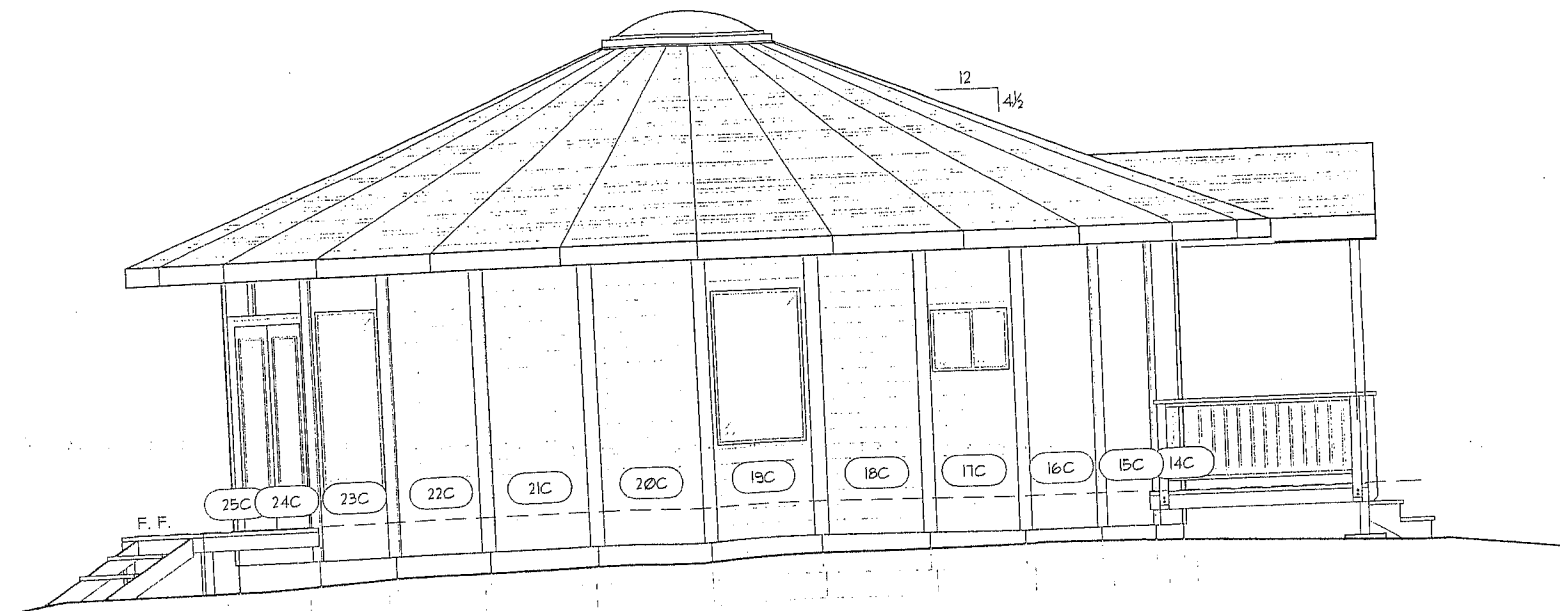
2



REAR ELEVATION

SCALE: 1/4" = 1'-0"





LEFT ELEVATION

SCALE: 1/4" = 1'-0"

A NEW HOME FOR  
N MILLS & RHONDA BUTLER

273 HARBOR ST.

FLORENCE, OR 97439

31' DIA. HOME

R-30 FLOOR, R-28 WALLS, R-39 ROOF

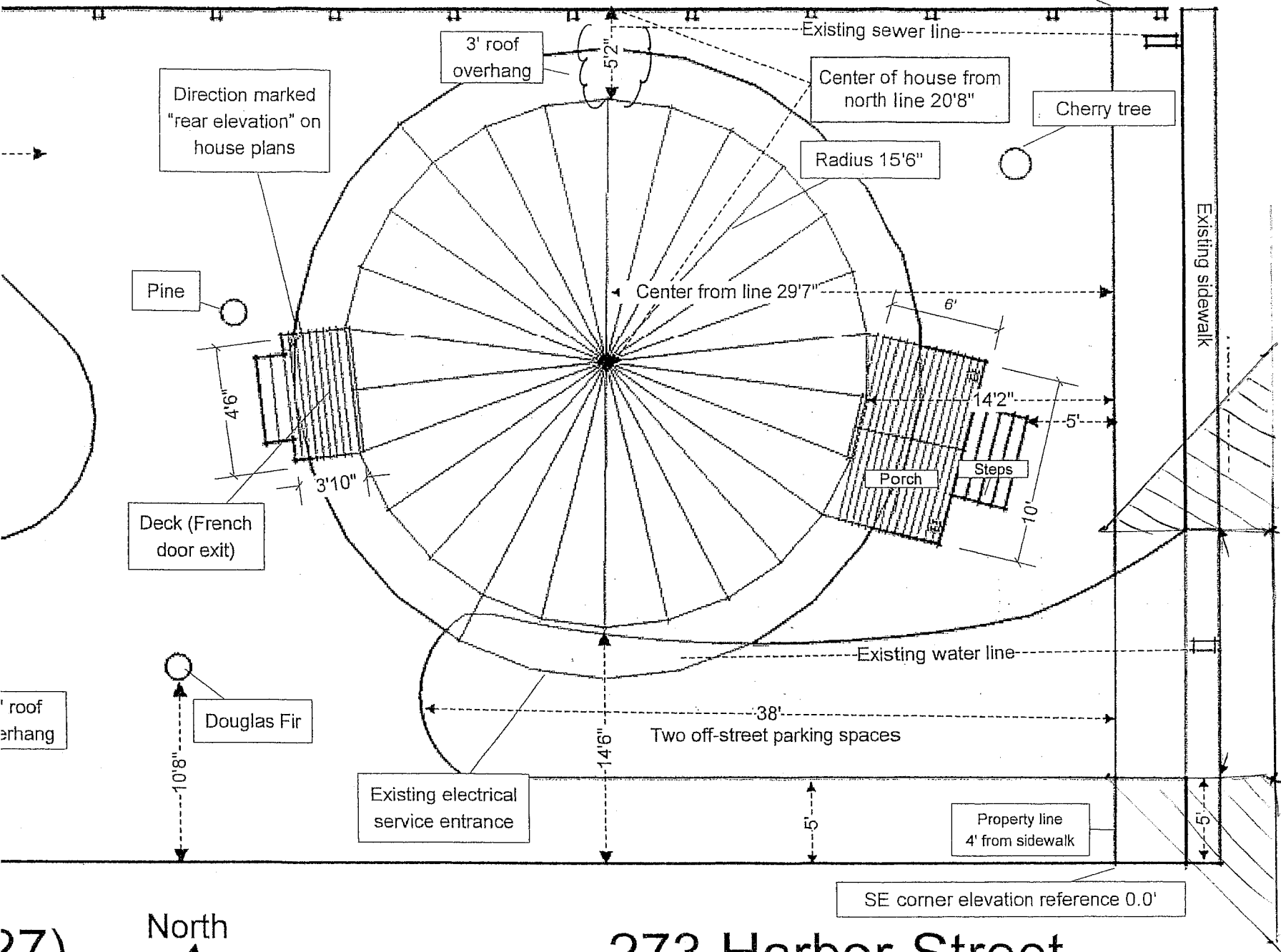
1285 Mills Street  
Eugene, Oregon 97401  
Phone (541) 344-0383  
fax (541) 344-0165  
www.mindfullhome.org

Elevation of NE corner relative to SE 3"

Exhibit G

□ = vision clearance area

Curb cut Harbor Street



27) North

273 Harbor Street  
Ron Mills & Rhonda Butler  
541-902-2242



**Michelle Pezley**

---

**From:** Agnes Castronuevo [acastronuevo@ctclusi.org]

**Sent:** Thursday, April 28, 2011 4:45 PM

**To:** Michelle Pezley; Cheryl Hoile

**Subject:** FW: Bay Street Project

**Attachments:** comments\_concerns\_signed04282011.pdf

Hi Michelle,

Please find the Tribes' comments attached, with concerns. Thanks so much for your consideration of our late comments.

Sincerely,

Agnes

Agnes F. Castronuevo, M.A., R.P.A.  
Tribal Historic Preservation Officer / Archaeologist  
Confederated Tribes of the  
Coos, Lower Umpqua, and Siuslaw Indians  
1245 Fulton AVE  
Coos Bay, Oregon 97420  
541-888-7513 (office)  
[acastronuevo@ctclusi.org](mailto:acastronuevo@ctclusi.org)

---

**From:** Cheryl Hoile [mailto:choile@ctclusi-gc.com]

**Sent:** Thursday, April 28, 2011 2:51 PM

**To:** ACastronuevo@ctclusi.org

**Subject:** RE: Bay Street Project

..Great... I mentioned it to Michelle and she said you can still get the letter/comments in...

Thanks...



This email and its attachments are confidential under applicable law and are intended for use of the sender's addressee only, unless the sender expressly agrees otherwise, or unless a separate written agreement exists between Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians Tribal Gaming Commission and a recipient company governing communications between the parties and any data that may be transmitted. Transmission of email over the Internet is not a secure communications medium. If you are requesting or have requested the transmittal of proprietary business information or personal data, as defined in applicable privacy laws, by means of email or in an attachment to email, you may wish to select a more secure alternate means of transmittal that better supports your obligations to protect such personal data. If the recipient of this message is not the recipient named above, and/or you have received this email in error, you must take no action based on the information in this email. You are hereby notified that any dissemination, misuse or copying or disclosure of the

**Exhibit I**

7/20/2011

communication by a recipient who has received this message in error is strictly prohibited. If this message is received in error, please return this email to the sender and immediately highlight any error in transmittal. Thank you.

---

**From:** Agnes Castronuevo [mailto:acastronuevo@ctclusi.org]  
**Sent:** Wednesday, April 27, 2011 12:48 PM  
**To:** Cheryl Hoile  
**Subject:** RE: Bay Street Project

Thanks for the info, Cheryl. I'll review this as soon as possible. --Agnes

---

**From:** Cheryl Hoile [mailto:choile@ctclusi-gc.com]  
**Sent:** Tuesday, April 26, 2011 8:40 AM  
**To:** Agnes Castronuevo  
**Subject:** RE: Bay Street Project

...LOL... I just sent you the scanned info and some additional on another ... please let me know if you didn't get it or have questions.... You can reach me on the cell 541.999.3058...

.... Talk to you later...



This email and its attachments are confidential under applicable law and are intended for use of the sender's addressee only, unless the sender expressly agrees otherwise, or unless a separate written agreement exists between Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians Tribal Gaming Commission and a recipient company governing communications between the parties and any data that may be transmitted. Transmission of email over the Internet is not a secure communications medium. If you are requesting or have requested the transmittal of proprietary business information or personal data, as defined in applicable privacy laws, by means of email or in an attachment to email, you may wish to select a more secure alternate means of transmittal that better supports your obligations to protect such personal data. If the recipient of this message is not the recipient named above, and/or you have received this email in error, you must take no action based on the information in this email. You are hereby notified that any dissemination, misuse or copying or disclosure of the communication by a recipient who has received this message in error is strictly prohibited. If this message is received in error, please return this email to the sender and immediately highlight any error in transmittal. Thank you.

---

**From:** Agnes Castronuevo [mailto:acastronuevo@ctclusi.org]  
**Sent:** Tuesday, April 26, 2011 8:36 AM  
**To:** Cheryl Hoile  
**Subject:** Bay Street Project

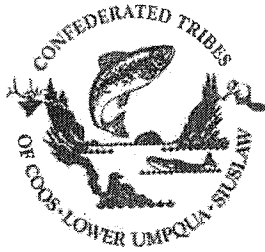
Hi Cheryl,

It was a pleasure meeting you last night! I tried to locate a building demo/rebuild project in my files and came up with zero. Could you send me some information about this—location township, range, section; project name? Things don't usually fall through the cracks in my office, so I'm concerned.

Thanks,  
Agnes

7/20/2011

Agnes F. Castronuevo, M.A., R.P.A.  
Tribal Historic Preservation Officer / Archaeologist  
Confederated Tribes of the  
Coos, Lower Umpqua, and Siuslaw Indians  
1245 Fulton AVE  
Coos Bay, Oregon 97420  
541-888-7513 (office)  
[acastronuevo@ctclusi.org](mailto:acastronuevo@ctclusi.org)



**CONFEDERATED TRIBES OF  
COOS, LOWER UMPQUA AND SIUSLAW INDIANS**  
TRIBAL GOVERNMENT OFFICES

1245 Fulton Ave. • Coos Bay, OR 97420 • (541) 888-9577 • 1-888-280-0726  
General Office Fax: (541) 888-2853 • Administration Fax: (541) 888-0302

April 28, 2011

Michele Pezley  
Assistant Planner  
City of Florence  
250 Highway 101  
Florence, OR 97439  
Via email [michelle.pezley@ci.florence.or.us](mailto:michelle.pezley@ci.florence.or.us)

Re: PC 11 03 DR 01: Mills and Butler Residence

Dear Ms. Pezley:

The Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians are reviewing this permit for Design Review to build a new single family residence at 273 Harbor Street in the Old Town District as applied for by Ron Mills and Rhonda Butler. The property is located north of North Bay Condos, south of 2<sup>nd</sup> Street and on the west side of Harbor Street at 273 Harbor Street, Map number 18-22-35-22 Tax Lot 800. Following a review of the permit application, project description and maps of the proposed area, the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians have the following concerns:

- 1) The current project is located in an area of high cultural resource sensitivity. The area of potential effect (APE) is located less than 1/12 of a mile from a highly significant site that is considered eligible to the National Register of Historic Places. Two sites are located within ½ mile of the APE; and eight sites are located less than one mile away.
- 2) The project description indicates that ground disturbance will be necessary, including the excavation for the stem-wall foundation, as well as additional landscaping.

Based on the description of the proposed work provided in the applicant's request, the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians have significant concerns with the proposed work. Please be aware that the proposed work area is in proximity to known cultural resource sites and so may contain as yet undiscovered cultural resources. In accordance with ORS 390.910 and federal law 36 CFR 800.13 (as applicable), we request that we be contacted immediately if any known or suspected cultural resources are encountered during any phase of the work. **We further request that we be given at least 72 hours notice prior to any ground disturbing activities, and that a staff person or designated member of the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians be present during any ground disturbing activities.**

Please also be aware that state laws ORS 358.920 and ORS 390.235(1) (a) and federal law 43 CFR 7.4(a) prohibit intentional excavation of known or suspected cultural resources without an archaeological permit and require that we be notified immediately if resources are discovered, uncovered, or disturbed. Federal law 43 CFR 10.3 and ORS 97.745 prohibits the willful removal, mutilation, defacing, injury, or destruction of any cairn, burial, human remains, funerary objects, or objects of cultural patrimony of any native Indian. ORS 358.920 prohibits excavation, injury, destruction, or alteration of an archaeological site or object; or removal of an archaeological object from public or private lands.

Thank you for your consideration of the Tribes' comments, and please feel free to contact me if I may be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Agnes F. Castronuevo', with a stylized flourish at the end.

Agnes F. Castronuevo  
Tribal Historic Preservation Officer / Archaeologist

CC: Contact  
Files

## Michelle Pezley

---

**From:** Rhonda Butler [rrbutler@gmail.com]  
**Sent:** Tuesday, May 10, 2011 2:22 PM  
**To:** ACastronuevo@ctclusi.org  
**Cc:** Michelle Pezley; Cheryl Hoile; Ron  
**Subject:** Re: excavation of land on 273 Harbor Street

Agnes,

We just got the excavation at 273 Harbor Street scheduled. It will begin promptly at 8 a.m. on Tuesday May 17. Norm Wells of Sam Wells Inc. is the contractor for the excavation. They did the demolition of the old building for us after it collapsed, and they were great to work with. If you have any questions at all, don't hesitate to contact Ron or myself.

Looking forward to meeting with you or someone from your office at the site.

Best,

Rhonda Butler  
Ron Mills  
541 902-2242

On Mon, May 2, 2011 at 9:15 AM, Agnes Castronuevo <[acastronuevo@ctclusi.org](mailto:acastronuevo@ctclusi.org)> wrote:

Good morning Rhonda,

Thank you for contacting me and getting me up to speed on your project. It sounds like quite an interesting building project for you folks, and judging from the plans I have seen, will be quite a nice home when it is finally completed!

Although I am new to the position with the Confederated Tribes, I have several years of experience as an archaeologist, most recently as the Zone Archaeologist for the U.S. Forest Service, Inyo National Forest, California/Nevada. My credentials also include a B.A. in anthropology from the University of Washington, and an M.A. from New Mexico State University.

I would be interested to know the name of the Tribal representative who visited your project site, so I can incorporate his findings into my field journal notes. Although it appears that a surface survey of the ground did not locate any significant resources, there is still the possibility of extant subsurface archaeological resources. There are eleven known archaeological sites within one mile of your property.

I would like to request that you and/or your contractor contact me (preferably 72 hours prior) before implementing the excavation, to enable a staff person or designated member of the Confederated Tribes to be present during any ground disturbing activities for the purpose of monitoring for archaeological and cultural deposits. My cell number is 1-541-297-5543. Please feel free to leave a message on this, or my office phone listed below.

7/20/2011

Rhonda, I understand the importance of moving forward with your project, and will provide the archaeological assistance within the scope of my office. Thank you for enabling the Confederated Tribes of the Coos, Lower Umpqua, and Siuslaw Indians to continue their mission of preservation and protection of the non-renewable cultural resources significant to their culture.

Please feel free to contact me if you have additional questions or concerns.

Sincerely,

Agnes

Agnes F. Castronuevo, M.A., R.P.A.

Tribal Historic Preservation Officer / Archaeologist

Confederated Tribes of the

Coos, Lower Umpqua, and Siuslaw Indians

1245 Fulton AVE

Coos Bay, Oregon 97420

541-888-7513 (office)

[acastronuevo@ctclusi.org](mailto:acastronuevo@ctclusi.org)

**From:** Rhonda Butler [mailto:[rrbutler@gmail.com](mailto:rrbutler@gmail.com)]

**Sent:** Monday, May 02, 2011 6:39 AM

**To:** [acastronuevo@ctclusi.org](mailto:acastronuevo@ctclusi.org)

**Cc:** Ron

**Subject:** excavation of land on 273 Harbor Street

7/20/2011

Hello Agnes,

Ron Mills and I are the current owners of the property on 273 Harbor Street, the site of the old board and batten structure that finally collapsed in December of 2010.

Michelle Pezley at the city Planning Department said you are fairly new to the position. You may not be aware that a representative of the Tribes visited the site a couple of days after the building collapsed, long before the city's design review hearing, and the eventual demolition in January. I don't remember his name at the moment, but he did leave his card and we will continue to look for it. He is with the Florence Fire Department if that helps. I would recognize him if I saw him again.

He asked us if we had found anything in the course of our digging around the foundation. We told him we had been on the lookout for anything old and interesting, but we did not find anything that we thought would interest the Tribes, just old newspapers and rusted metal. Then he looked around for himself for a while. He didn't find anything, and as he left asked us to keep our eyes peeled for beads and told us what they would look like..

When the demolition actually occurred in January, it turned up nothing but cleaner sand as we went deeper.

For putting the new round house on the site, we will be expanding the existing excavation slightly. We do not have a building permit yet so cannot schedule the excavator till we do. However, we are happy to let representatives of the Tribes on the building site anytime between now and the day the foundation work starts, if they would like to do some manual digging and inspection at their leisure and in private. We would need the city's permission to take up the mulch and landscape cloth early, but I am sure they would agree to our request.

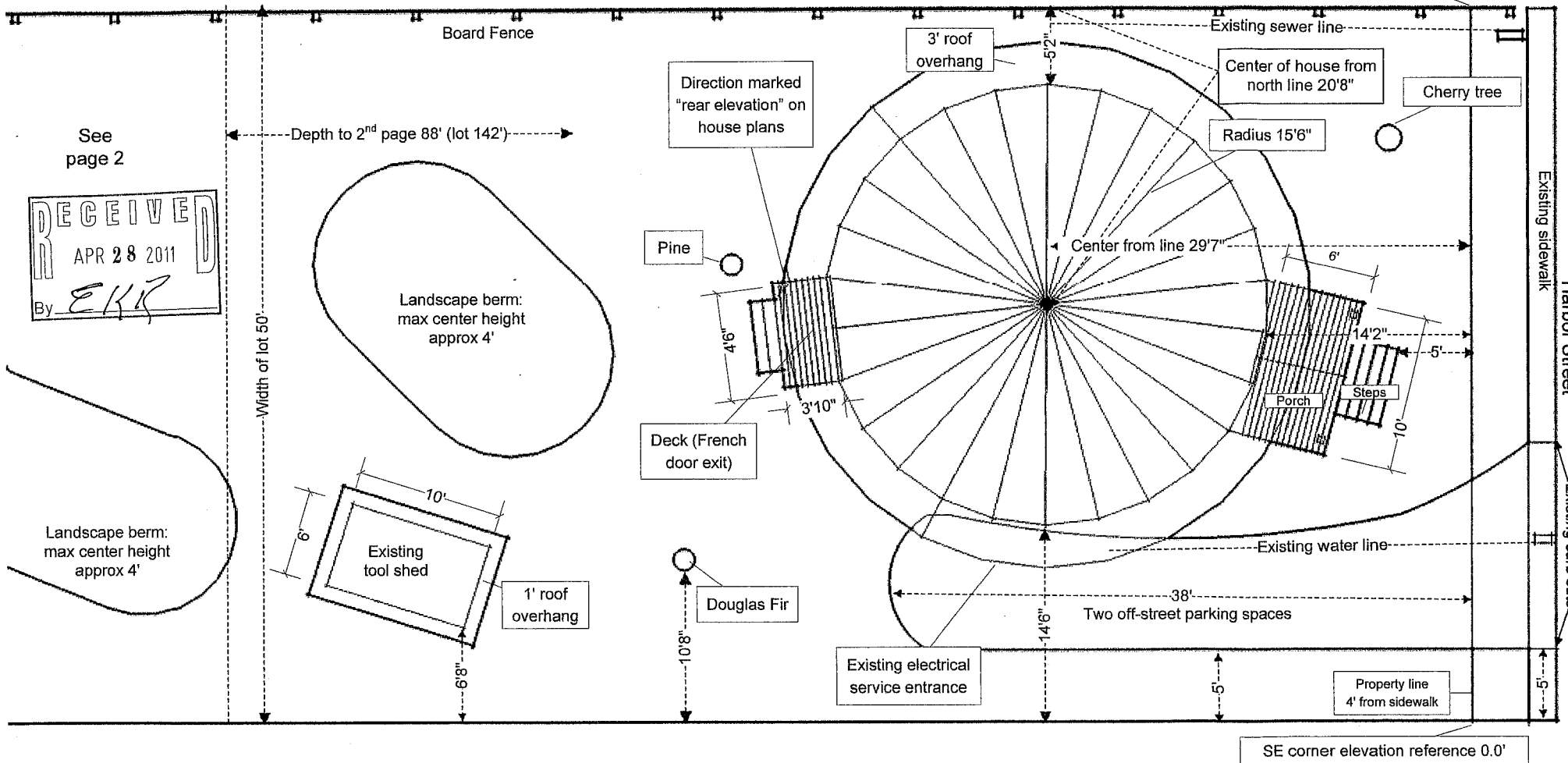
In any case, we will let you know the date of the excavation as soon as it has been scheduled.

Best,

Rhonda Butler and Ron Mills

541 902-2242





# Site Plan (Revised 4/27)

Scale: 1" = 8.0'

Page 1 of 2

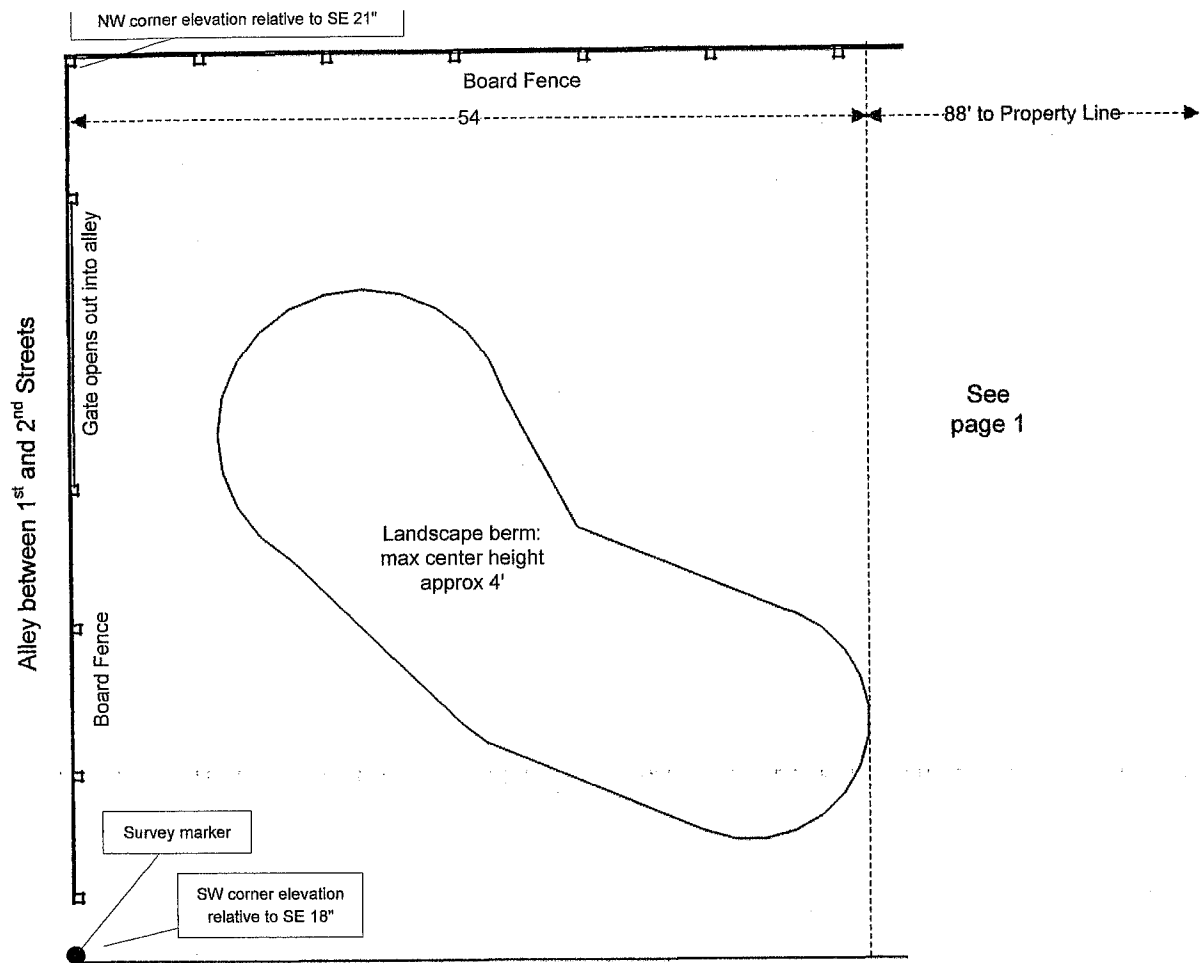


273 Harbor Street

Ron Mills & Rhonda Butler

541-902-2242

Exhibit J



See  
page 1

## Site Plan (Revised 4/27)

Scale: 1" = 8.0'

Page 2 of 2



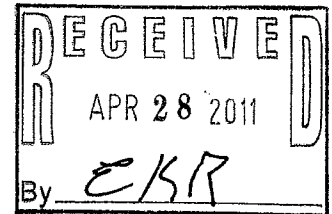
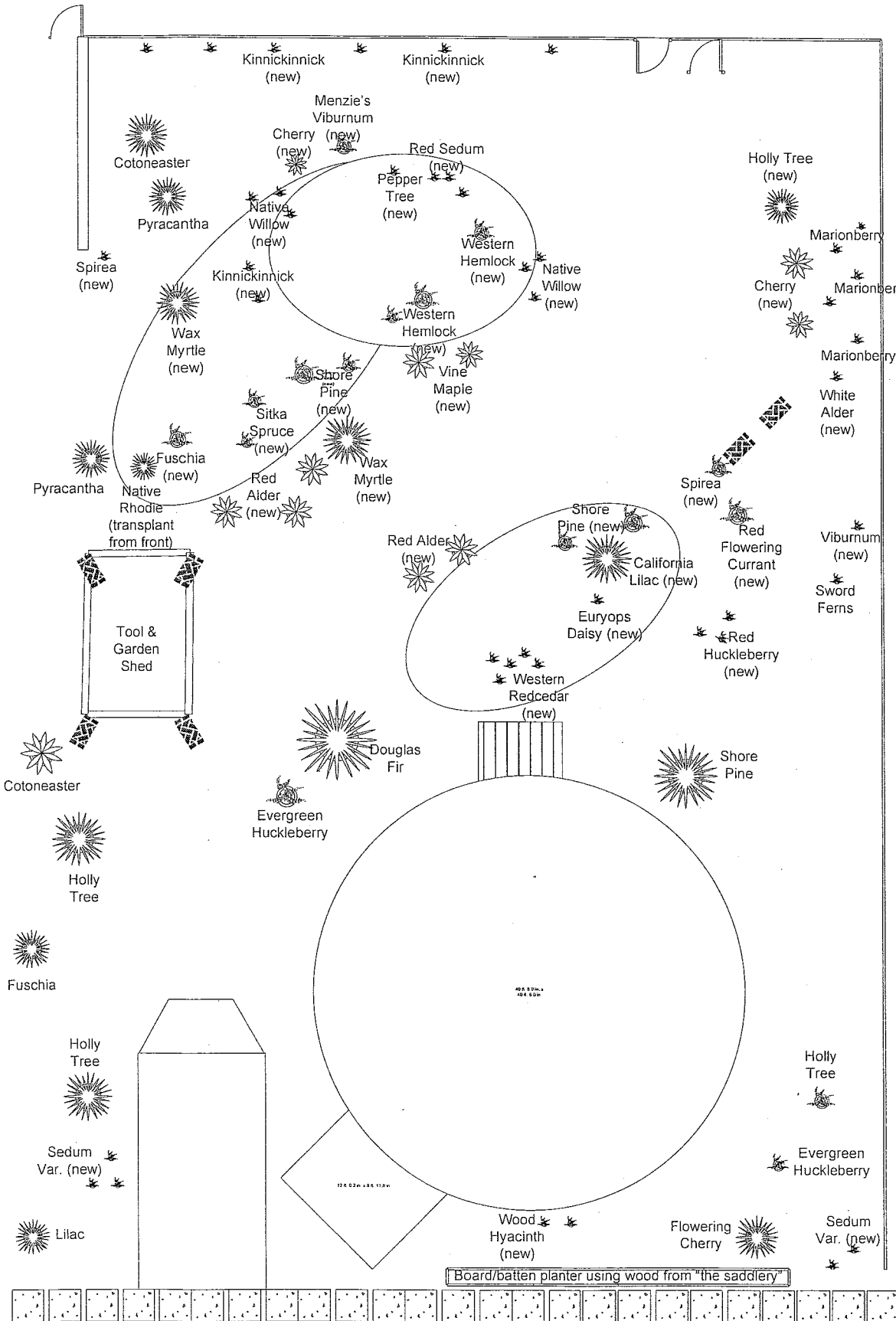
## 273 Harbor Street

Ron Mills & Rhonda Butler

541-902-2242

REV. 4/28/11

RB





# Sketch-up of proposed street view

