

City of Florence, Planning Commission 250 Hwy 101
Florence, OR 97439

September 29, 2020

**Re: Opposition to PC 20 22 ANN 01 & PC 20 23 ZC 02-
Benedick Holdings, LLC Annexation and Zone Change**

Dear Planning Commission,

We are writing to express our strong opposition to the annexation and zone change by Benedick Holdings, LLC: PC 20 22 ANN 01 & PC 20 23 ZC 02. The proposed rezoning will affect Oceana Drive and Rhododendron Drive. The zone change will significantly impact our neighborhood and community and be detrimental to the area. We are opposed to the rezoning and annexation since it will cause traffic and safety problems, drainage concerns due to grading, destroy the local wildlife habitat, and potentially lower the existing community's property values.

Oceana is a small street within a small community that was not formed to receive heavy traffic. Homes are along both sides of the road; wherein there will be safety concerns for pedestrians walking in the neighborhood. Traffic jams will occur as the traffic only has a stop sign at the exit onto Rhododendron drive. There are already traffic backups due to the newer construction already completed and impacting the community. There is also a concern for emergency vehicles to access the already created homes within this community as they must utilize Oceana.

Drainage has been problematic in our neighborhood for many years. When we purchased our land, Coldwell Banker Realtors stated that the ground directly behind our address was annexed because of the marsh and the lack of drainage therein. We were explicitly told there would never be any development within that area, and if developed, a park and wildlife refuge was promised to the community. We have not seen any County paperwork that shows how this flooding in the marshland will be addressed. There is no guarantee that drainage will not worsen because of the building being proposed. Our homes have their own sewage, and this issue has not been addressed either. There will undoubtedly be a financial impact to current residences when sewers are connected.

Wildlife is regularly observed in the area, and any development will destroy their habitat. Any planned expansion of the marshland should explain what will happen to the local wildlife. We have not seen any county files that ensure there aren't specific species within this area that will be crucially impacted. Has the land even been investigated by the appropriate agency that protects Oregon wildlife?

There is a potential impact on the existing communities with the plausible lowering of property values. The effect must be addressed wherein property owners are aware of the city's expectations for the community itself. Again, we use only one street on our end of the community of north Idylewild, which is Oceana. The rezoning will impact our property values as construction takes years to attain completion.

We urge you to disapprove the proposed annexation and rezoning. We know that our opinions are shared by many of our long-standing homeowners who may not attend the meeting or write letters. We appreciate your continued service and support to our community.

Sincerely,
Jimmie and Christine Seitsinger
87849 Sandrift Street, Florence, OR 97439

Exhibit K65



4929 Oceana Drive
Florence, OR 97439
October 6, 2020

Planning Commission
City of Florence
250 Highway 101
Florence, OR 97439

Re: PC 20 22 ANN 01 & PC 20 23 ZC 02 - Benedick Holdings, LLC Annexation and Zone Change

Why is the City of Florence taking up this issue when a similar proposal was rejected by Lane County some years ago?

My residence is on Oceana Drive and this proposal to annex Oceana Drive and property described as Assessors Map No. 18-12-10-40, Tab Lots 400 and 401 and MR 18-12-10-34 Tab Lot 801 will really affect me.

Oceana is a narrow residential street. It has no sidewalks or street lighting. It appears that Oceana Drive will be the main artery for this proposed development and, therefore, the additional traffic will adversely affect my property value. Should this proposal come to pass, does the city intend to widen Oceana and provide street lighting and sidewalks or does the city intend to do nothing?

What plan does Benedict Holdings, LLC have to mitigate the extra traffic that is going to be "dumped" on these residential streets? As it stands now there is plenty of traffic and there is barely enough room for two cars to pass each other; heaven help pedestrian traffic.

What plan does Benedict Holding, LLC have to mitigate water run off issues and standing water issues which we have experienced?

This developer has not been a particularly good neighbor in the past.

I say no to this proposal.

Sincerely,
Gail Petty

Gail Petty
4929 Oceana Drive
Florence, OR 97439

Exhibit K66

Aleia Bailey

From: Nancy Patterson <nancy_patterson@sbcglobal.net>
Sent: Tuesday, October 13, 2020 2:05 PM
To: planningdepartment
Subject: Objection to Proposed Annexation of Oceana Drive and Nearby Community

Hello,

I want to express my concern and objection to the proposed annexation of property and right-of-way for Oceana Drive and nearby properties. Annexation is for the purpose of development of the subject property currently owned by Benedict Holdings, LLC. As it is known, Michael Benedict constructed homes in Idylewood within Lane County with no plans for this area to be annexed by the City at that time. Now as he has been denied land use by Lane County for the subject property, he is trying another approach which will have many negative impacts to the existing neighborhood that he developed going back approximately 30 years ago.

I am concerned that the results of annexation will irreparably and negatively change the Idylewood community. Traffic will increase considerably on Oceana Drive which residents use for their walks, often with other residents, pets and children. This road and others in Idylewood are narrow and not suited for increased traffic. The proposed annexation would also dangerously compromise the community's ability to safely exit the area in the case of emergency situations such as fires, tsunami or flooding.

In addition, clearing of the native vegetation and disruption of the natural wetland environment on the proposed acreage for development will likely exacerbate drainage problems and flooding that already occurs in Idylewood. This subject property is also a prime wildlife habitat, and any development here will have harmful environmental effects which cannot be undone.

Finally, the residents of Oceana Drive and neighboring affected properties are not the ones requesting annexation by the City for the benefit of City services. This is an attempt to impose this on them. Many are retired residents who chose this neighborhood because of its rural environment. They also likely have limited income and may not be prepared for the increased taxes and fees that I understand will come with annexation. I imagine that in some cases this may result in needing to give up their residences and relocate if remaining there becomes financially untenable.

Thank you for your consideration.

Nancy Patterson
4939 Oceana Drive
Florence, OR 97439

Sent from my iPad

Exhibit K67

From: Alan Matisoff <alanmatisoff5150@gmail.com>

Sent: Tuesday, October 13, 2020 3:13 PM

To: Kelli Weese <kelli.weese@ci.florence.or.us>

Subject: New Housing Development at 35th & Rhododendron Drive.

Sent from [Mail](#) for Windows 10

My name is Alan Matisoff and I live at 30 Mariners Lane (Mariners Village). I would like to address some issues with this development that have not been properly investigated or totally overlooked.

1. The revised traffic shows a picture taken on Rhododendron looking south to 35th St. showing there is 408' of vision to 35th St. indicating that there is no need for a left turn lane from Southbound Rhododendron to Eastbound 35th St. What this photo doesn't show are the 2 new entrance/exit driveways that will be installed by the developers of the new project, making this photo misleading.
2. The electronic traffic survey that was redone recently is also misleading. It was done during the Covid-19 Epidemic, when tourism is down and when school is out, making that survey not accurate.
3. NOBODY has taken into consideration the School Buses that use Rhododendron Drive 5 days/week, twice per day. Currently there is a stop at the entrance of Mariners Lane, Eden Lane and Coast Guard Road. The bus picks up children on the west side of Rhododendron Drive and travels south. Since there has been no school since Covid-19, I am not aware if the bus also picks up at Fairway Estates. When this project is built, it is quite obvious there will be lots of children that will be taking the school bus. Before the bus picks up students, it has to turn on it's flashing red lights and come to a complete stop. At that time, no cars are permitted to pass in either direction. Rhododendron is currently 40MPH and the areas that children are picked up are on very tight corners. Will the buses be crossing over the center line to pick up children who reside on the east side of Rhododendron or will the children be required to walk across the street to meet the bus on the west side? Either scenario is very dangerous for the children and drivers on Rhododendron Drive.
4. There has not been a good study done regarding the storm water runoff being created by this new development. Phase II of Fairway Estates is starting to commence and the Storm Water situation must be dealt with before the first shovel is stuck in the ground. The last big rain over 3 years ago caused flooding to homes in Mariners Village, and those issues have not been dealt with to this date.

I am a retired Police Officer, and investigated more than my share of traffic accidents. It doesn't take a Police Officer or Traffic Engineer to see how unsafe this road is going to be even WITH a left turn lane for Southbound Rhododendron to Eastbound 35th. Putting 129 residences in this small 9 acre parcel is a formula for fatal accidents. I dare ANYONE in this City to make a left turn into Mariners Village from Southbound Rhododendron Drive and tell me this is a safe turn. Rhododendron Drive is the #2 main thoroughfare to get across the city and most residents who live on the west side of Hwy 101 use it for just that. The City is proposing more housing projects of Rhododendron Drive, so ALL of these future plans, along with the current inventory of vacant lots should be taken into consideration before this plan is approved. Putting a high density housing project on a road that is currently unsafe borders on Criminal Negligence. I am asking that the City Council put this project on "Hold" until all these safety issues are resolved.

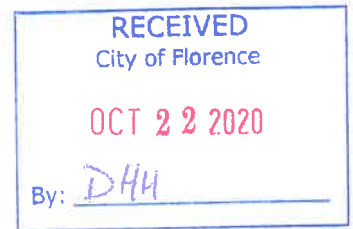
Respectfully,

Alan Matisoff

Exhibit K68

October 21 2020

Mayor Henry and City Council
c/o Wendy Farley-Campbell, Planning Director
City of Florence
250 Highway 101 Florence, OR 97439



This brief note is a comment on the letter from Michael E. Farthings July 27th 2020 to Mayor Henry and City Council concerning petition for Benedick Holdings to Annex property described as Assessors Map No. 18-12-10-40, Tax Lots 400 and 401 and MR 18-12-10-34 Tax Lot 801.

In this multiple page letter he tries to make a case of "contiguity" via a sewer line. The mentioned properties on "Exhibit B Page 1" were already on the sewer line since the 2008 Annexation of Driftwood Shores.

CONTIGUITY - *"the state of bordering or being in direct contact with something."*

The proposed Annexation Area has absolutely no direct contact with Driftwood Shores, Fawn Ridge, Treewood Court or Jerry's place.

The so called "Cherry Stem" Annexation of Oceana Drive does nothing more than open access to a planned subdivision full of dead ends and cul-de-sacs with limited egress.

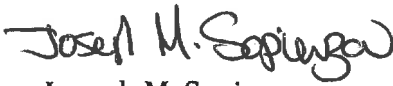
This type of street design creates grossly inefficient travel routes, concentrates traffic, and limits options for neighborhood entry and egress. This would be better pictured as a Funnel Fish Trap than a "Cherry Stem".

I do not mind a carefully thought out development but the magnitude of this subdivision in the Cascades Seduction Zone with egress only via Oceana Drive and Cloudcroft, (that does not even go to Rhododendron) is unthinkable. There needs to be ingress and egress through to Heceta Beach Road. If Benedick Holdings has to negotiate with Heceta South for access to Kelsie Ct or Kelsie Way they need to do what is right.

Eventually for future development of Ocean Woods, (Parcel ID 1812102000400) Heceta South is going to have to negotiate with the The City of Florence that owns this adjacent property.

Without adequate ingress and egress The proposed Benedick Development will be an island of cul-de-sacs and dead ends.

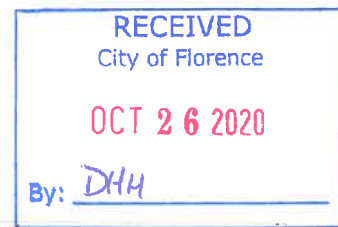
Sincerely,


Joseph M. Sapienza

4966 Oceana Dr. Florence, Oregon 97439

Exhibit K 69

From Suzanne Curtis
4806 Oceana Dr.
P.O. Box 2868 - Florence
Phone 541-902-0795



Oct 25th, 20
Pg 1 of 2

Benedick Holdings LLC

In the Siustaw News, Oct 14th 2020, 'Guest Viewpoint' by Jeff Talbot, wrote not only Oceana Dr but Saltaire St. and Sandrift could be used in the Benedick development. Has Lane County requested any type of a "bond" to cover damage from Benedick, if these County Streets need repairs?

What has Florence & Lane County discussed about traffic flow and safety at the intersections of Saltaire St. and Oceana Dr. This question also applies to Sandrift St. and Oceana Dr.

Will the County, be involved with the flooding problem at the East end of Oceana?

When the City Annexed Rhododendron St. It did not satisfy City standards. I'm sure, since that time, the City has created a list of upgrades & a timeline. May I purchase a copy of 35st. to the Oceana Dr. area.

What is the projected traffic numbers to Rhododendron compared to old Lane County numbers?

The 35th St. project of over 100 dwellings, Fairways continuing to build 40 homes and the proposed Benedict project of 30 to 40ish homes all using Rhododendron, what is the prediction number of traffic increase?

Traffic increase for two completed developments?
Traffic increase for three new developments completed?

Many streets in Florence are without sidewalks. Some streets have some sidewalks on one side of the street. 35th Street has sporadic sidewalks at the east intersection with 101 Highway - Rite Aid area. How will the City provide safety for pedestrians and there is no room for cyclists!

Comment: During the evolutions of what is now called Florence Golf Links wasn't it required sidewalks along 35th St.?

The City is now responsible for the intersection of 35th and Rhododendron. Where are the standard protection for pedestrians, dog walkers, cyclists? What is the City's timeline for crosswalks, sidewalks, extra turn lanes, even stop signs would help. I will pay for a copy of the City plan!!

From: [Megan Messmer](#)
To: [planningdepartment](#)
Subject: Fwd: Benedick , LLC Development and Annexation
Date: Thursday, October 29, 2020 9:47:15 AM

Megan Messmer
City Project Manager/PIO

Begin forwarded message:

From: City of Florence Oregon via City of Florence Oregon
<megan.messmer@ci.florence.or.us>
Date: October 29, 2020 at 9:44:17 AM PDT
To: Megan Messmer <megan.messmer@ci.florence.or.us>
Subject: Benedick , LLC Development and Annexation
Reply-To: City of Florence Oregon <megan.messmer@ci.florence.or.us>

You may view the completed form here:

Topic: Benedick , LLC Development and Annexation

Details:

I (along with all of the residents in the potentially affected neighborhoods) am VEHEMENTLY opposed to any annexation attempts by the City of Florence to allow Benedick, LLC to develop the land between Idylewood and Heceta South. The reasons for not annexing are over-whelming and the City of Florence is well aware of them all. It would be a travesty for any such actions on the part of Florence and Benedick, LLC to move forward.

James Sikora
87885 Kelsie Way
Florence, Oregon
==Contact Information==
First Name: James
Last Name: Sikora
Email: j.sikora@charter.net
Phone Number: 5419979143

Details: <https://www.ci.florence.or.us/node/7/submission/15961>

Exhibit K71

11/1/2020

RECEIVED
City of Florence

NOV 02 2020

By: DHH

To whom this may concern,

I am completely against the Annexation of the 48.82 acres owned by Benedick Holdings, LLC. This property has been, always been a Habitat refuge for Wildlife. There are 3-4 mapped Wetlands on this property. I have included a letter stating that my property is on Wetlands. Those Wetlands go into the property owned by Benedick Holdings. My late husband worked for the City of Florence when the Wetlands were mapped.

It makes me ill to look at the Map and see how many homes have been built in that area off of Rhododendron drive. Because all of this property has been developed, where did all the wildlife go that lived there? What happened to their food sources?

The 48.82 acres has been a home for Bear, Coyotes, Cougar, and all the little critters that live there. That property provides food, water, and shelter for animals. Anyone who has lived here a long time knows there is a Bear den in that area.

Before all of the property off of Rhododendron became highly developed we used to hear Coyotes yipping at night, and Geese and Ducks flocked to the Wetlands. Over the

(2)

past 5-7 yrs the ducks and geese are down to just a few on my end of the Pond. Climate change, development? No one knows. Why take away more property that is home to wildlife?

In the area of the Wetlands Wild Blueberries grow. They are a food source for Bear and other animals. They grow in that area because Winter - part of Summer provides a water source. Then they grow and produce berries September - November.

I was told by an employee in the "Planning Dept"; that this 48.82 acres would never be developed. They also told me "Ocean Woods" could be swapped by Lane County, if the City of Florence wanted to swap property. "Ocean Woods" was deeded to the County as a Wildlife refuge never to be developed. Hopefully "Ocean Woods" never ~~get~~ gets swapped. Looking at the map 40 acres and 48.82 acres are not very big areas for all of the Wildlife in this area.

It seems like what Benedick Holdings haven't been able to do through Lane County, they have turned to the City of Florence.

(3)

Why can't one last beautiful animal refuge be left in this area? Enough Wildlife areas have been developed. When does this stop? What does the EPA have to say? What about Climate Change, and Global warming?

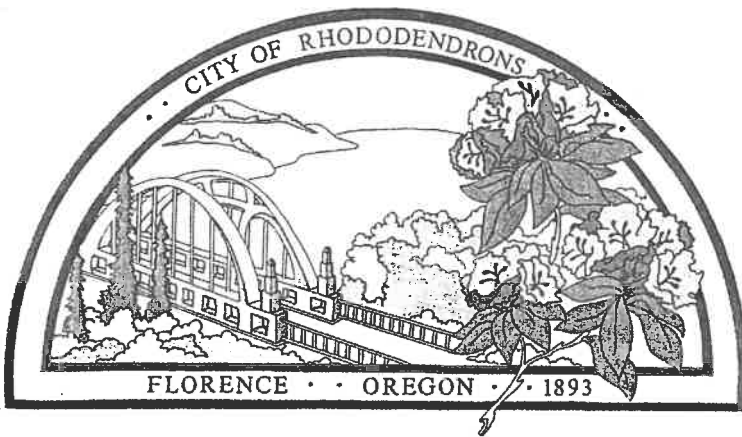
I'm pleading with you to deny this 48.82 acres to be Annexed and developed. I have two neighbors who have passed away that would feel the same way that I do.

Sincerely Yours
Heidi A. Clark

Heidi A. Clark
05180 Heceta Bch. Rd.
Florence, OR

This is the Wetlands behind my house that continue out into the 48.82 acres. There are other wetlands in this area.





City of Florence

Community Development Department

Planning, Building Inspection and Economic Development

250 Highway 101

PO Box 340

Florence, OR 97439-0340

TDD: 503/997-3437

PH: 503/997-8237

FAX: 503/997-4109

FAX: 503/997-6814

November 12, 1997

Dear Property Owner:

A parcel(s) you own was included in the Florence Wetlands and Riparian Area Inventory conducted on behalf of the City of Florence and Lane County. As a matter of Oregon law *, I am informing you that a wetland was mapped on this parcel(s).

In April of 1996, the City of Florence requested permission to access your property to conduct a wetlands inventory. Where permission was granted, our consultant, Pacific Habitat Services, Inc., conducted a field inventory using scientifically recognized methods to identify wetlands (referred to as the Onsite inventory methodology). Where permission was not granted, our consultant relied on existing maps, aerial photographs, reports, and distant observations, where possible, to identify wetlands (referred to as the Offsite methodology).

The local wetland inventory work is primarily for the city's comprehensive plan update, although this inventory will also be used for evaluating both city and county land development applications within the Florence urban growth boundary. Mapped wetland boundaries were not flagged or surveyed, but are accurate within 25 feet. There may be unmapped wetlands subject to regulation. In all cases, actual field conditions determine wetland boundaries. The Division of State Lands (503-378-3805) or the U.S. Army Corps of Engineers (503-808-4373) can provide assistance with any regulatory questions you may have.

The results of the inventory is now available for viewing at Florence City Hall, the Siuslaw Regional Library, and the Lane County Annex Building in Florence, and the Lane County Public Service Building in Eugene.

Also, on Monday, November 17, 1997 from 3:00 P.M. to 7:00 P.M., the City of Florence and Lane County will host a drop-in information session on the wetlands and riparian inventory at Florence City Hall, 250 Highway 101 North.

For more information please contact :

Florence Community Development Department, 250 Highway 101 North, P.O. Box 340, Florence, OR 97439 (Phone: 541-997-8237)

Very Truly Yours,

John Theilacker, AICP
Community Development Director

(* Oregon Administrative Rule 141-86-240, pursuant to ORS 196.674)

Exhibit K72

