

## Aleia Bailey

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**From:** Alexis Greenlee <lxsg83@gmail.com>  
**Sent:** Monday, October 05, 2020 8:52 PM  
**To:** planningdepartment  
**Subject:** Testimony for the Benedick Holdings, LLC Annexation and Zone Change

Florence Planning Commission,

I am contacting you regarding the proposal, made by Michael Farthing on behalf of Benedick Holdings, LLC, to annex approximately 48.82 acres of property and right-of-way at Oceana Drive and Assessors Map No. 18-12-10-40, Tax Lots 400 and 401 and MR 18-12-10-34 Tax Lot 801. As a resident living on Oceana Drive, I strongly oppose the request for annexation and zone assignment.

The history of this particular property is that the current ownership, Benedick Holding LLC has been attempting to build a subdivision of 32 plus units for the past 10 years. BH LLC could not get this subdivision approved thru Lane County and this, in my opinion, can be contributed to the fact that the property consists of wetlands and semi-permanently flooded areas. Which raises the question, where does that water go?

It flows into homes and business adjacent to the property that otherwise would not have been experiencing flooding/drainage/erosion problems. The losses to homeowners and businesses could be substantial. The most environmentally damaging effects of construction activities in wetland areas are: direct habitat loss, addition of suspended solids, and modification of water levels and flow regimes. The area of Idylewood is known for the natural landscape and habitats for wildlife that our residents strive to maintain. Our community doesn't want these small pockets of green space to be replaced by solid expanse of development. Protecting these areas preserve what is unique to Idylewood as well as Florence.

In addition, we desire to retain the peaceful, small town character of our community. Adding more houses and people to this area will overcrowd the narrow roads with increased traffic, cause longer emergency response times, impact the water supply, Create more noise and pollution. Not to mention the potential decrease to home values pre and post construction and the costs to residents and taxpayers because of street and sidewalk improvements, including retirees that may be priced out of the community. This is not consistent with the lifestyle we chose when we moved here, and we do not want to see a road and sea of roofs and concrete instead of trees, birds, wetland and wildlife from our backyards.

I strongly oppose this project and asked that the City of Florence please look beyond tax revenue and deny annexation of this property. Why learn the consequences of this shortsighted action after the fact? Long term it could be detrimental to our community.

Alexis Greenlee  
4922 Oceana Dr  
Florence, Or 97439

## Aleia Bailey

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**From:** Debbie Anderson <debbie\_anderson123@yahoo.com>  
**Sent:** Saturday, September 26, 2020 9:11 PM  
**To:** planningdepartment  
**Subject:** Annexation off Rhododendron by Salt aire and Oceana

I am against this annexation for all the initial reasons it was stopped by the county: flooding, traffic, emergency egress traffic and more. I live across Rhododendron on Sea Breeze and have seen flooding. More building and less ground for drainage would impact us all negatively.

Terrence and Debra Anderson  
4742 Sea Breeze Lane  
Florence

[Sent from Yahoo Mail on Android](#)

**Courtney & Carol Au Court**

4838 Oceana Drive  
Florence, Oregon 97439  
(541) 997-1004  
aucourt@yahoo.com

.....

October 6, 2020

Florence City Hall  
Attn: Planning Department  
250 Hwy 101  
Florence, OR 97439

**RE: PC 20 22 ANN 01 & PC 20 23 ZC 02  
Benedick Holdings, LLC Annexation & Zone Change  
Public Hearing October 13, 2020**

Dear Planning Commission Members:

We are Courtney and Carol Au Court, homeowners and residents of 4838 Oceana Drive since 2003. This letter is to express our opposition to the proposed annexation and zone change referenced above. We are not opposed to progress; however, it will have a drastic impact on each homeowner on Oceana Drive and surrounding neighborhood. It is our understanding that Benedick Holdings LLC has been attempting to build a subdivision for the past 10 years and has not been able to obtain approval from Lane County; so now they are attempting a "back door" approach by asking the City of Florence to annex Benedick property and Oceana Drive. This is for the developers benefit only and does not take into consideration the existing homeowners in our established Idylewood neighborhood.

Our opposition is based on these potential/probable negative effects:

- Substantial fees and expenses to the homeowners to annex Oceana Drive to the City of Florence. (Sewer, water, utilities, higher property taxes, etc.)
- Traffic impact.
- Flooding, drainage problems.
- Negative effects to homeowners during the construction, including:
  - Dig up Oceana Drive to install pipes, etc.
  - Heavy equipment (dump trucks, loaders, backhoes, concrete trucks, lumber trucks) driving up and down Oceana Drive all day. A reminder, we are built on sand in Idylewood, that much weight and vibration on our relatively narrow street will inevitably breakdown not only the foundation of the road but possibly some foundations of homes. Who will pay for that?
  - Emergency vehicle access.

**Exhibit K3**

Page Two  
Florence Planning Commission  
October 6, 2020

It would seem that the one who is making out on this deal, as usual, is the developer, Benedick Holdings LLC, who will try anything for their own benefit. The developer does not care about the existing homeowners, the established Idylewood tract that will undergo a complete change to the aesthetic appearance and quality of our neighborhood. Nor does it bother them that it is the existing homeowners who will be paying out thousands of dollars so the developer can accomplish what they want.

Please do not approve this annexation and zoning request. Once the property is rezoned, a developer can change the original concept within the approved zoning. Possibly to something other than the single family homes that Idylewood tract was originally developed for.

Thank you for your consideration.

Respectfully,

Two handwritten signatures in blue ink. The first signature is 'Courtney Au Court' and the second is 'Carol Au Court'.

Courtney & Carol Au Court  
4838 Oceana Drive  
Florence, OR 97439  
541.997.1004



**Aleia Bailey**

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**From:** Jane Balzer <janeb191@gmail.com>  
**Sent:** Tuesday, September 29, 2020 11:21 AM  
**To:** planningdepartment  
**Subject:** Benedict Holdings, LLC annexation and zone change

I am emailing you regarding the above as a concerned resident of Oceana Drive.

This is not an appropriate use of the proposed land above where I live to build and expand housing. That area was designated to be used as a park and a wildlife habitat area by the county. The property is located in a wetlands area next to an area that becomes a pond during the winter rainy season. If so many houses are built it will create undue numbers of more people causing congestion on Oceana. Oceana is a narrow street that citizens and children like to walk, bike and there are also traffic hazards on the street. Security concerning safety issues caused by fire, panic and flooding is an issue along with overcrowding of the land and more traffic on an already busy street. Citizens here want to keep and maintain the harmony of the neighborhood and another large housing development will destroy that harmony.

I have lived here since 1991 and have experienced flooding twice in my front yard area along with my next door neighbor that had flooding under their home twice. This has happened because Benedict Holding failed to follow the county's plan to put an adequate stormwater drainage system in this subdivision. It will only become worse if we have a winter again with very heavy rains.

With added cars on Oceana and that is the closest exit for where the new housing is planned will create a problem for fire trucks and emergency ambulances to quickly come onto Oceana. It is my understanding that 125 houses are proposed on this land and how much of that acreage is

buildable. Please follow the plans laid out by the county for this subdivision.

Jane Balzer  
4860 Oceana Drive  
[janeb191@gmail.com](mailto:janeb191@gmail.com)

## Aleia Bailey

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**From:** Terry Barrett <tkbarrett4@yahoo.com>  
**Sent:** Wednesday, September 30, 2020 4:38 PM  
**To:** planningdepartment  
**Subject:** PC 20 22 ANN 01 & PC 20 23 ZC 02 - Benedick Holdings, LLC Annexation and Zone Change

My wife Kathy and I are owners of Lot 44 in the Heceta South subdivision at 5043 Kelsie Court . Our property adjoins the property proposed for annexation to the city of Florence and owned by Benedick Holdings. Shortly after moving to Florence over eight years ago the property currently proposed for annexation had a very large area completely cleared of trees and all other vegetation. I was later informed that the clearing was done without being permitted by Lane County. There are still large slash piles of dead trees and vegetation on the property behind our house. That makes us very uncomfortable about the proposed annexation and development of the property.

I will not go into detail about runoff water issues in Heceta South as I know that other homeowners in our development have already described problems that exist in our area and explicitly in our cul de sac that adjoins the property to be annexed. That is a huge concern for us and I am sure for the people in Idylwood also.

The last issue of concern is the access to the Benedick property. If that is developed we assume that they will try to extend Kelsie Way that dead ends right beside our property. Our development has little traffic at this time and many people in our area enjoy walking on our quiet streets. If Kelsie Way were extended into the proposed development property it would bring a great increase in traffic in Heceta South and impact our quality of life.

As a private development with an HOA we currently maintain our streets through dues paid by our property owners. We are going to be very extremely unhappy if Benedick Holdings tries to force access to his property through our development. Property owners in Heceta South have no interest in becoming part of the City of Florence as we receive our water from Heceta PUD water district and we have our own septic systems. The City has nothing to offer us if it tries to annex our subdivision except for higher taxes and a large bill for putting their sewer into our area. I know people in our area that would be financially stressed to have to deal with those financial burdens.

Thank you for allowing us to respond.

Terry & Kathy Barrett

## Aleia Bailey

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**From:** Gerald Bateman <vcmi65@gmail.com>  
**Sent:** Friday, October 02, 2020 6:21 AM  
**To:** planningdepartment  
**Subject:** Annexation: Benedict Holdings, LLC, Annexation and Zone Change, Oceana Neighborhood.

I oppose this Annexation and Zone Change For the following Reasons:

1. emergency exit problems
2. emergency service vehicle accessibility lessened
3. flooding
4. dangerous increase of traffic on already narrow roads
5. environmental degradation
6. wildlife displacement
6. Spot Zoning, this is or could violate the Comprehensive city plan
7. This Applicant and property was denied a similar land use by lane County (i.e. see, <http://apps.lanecounty.org/LMDPro/FileViewer.aspx?ID=2339721>)
8. Benedict Holdings by previous developments has not shown themselves to be good developers or interested in the citys best interest.
9. Benedict cleared a portion of that property without permits and was stopped with a cease and desist order years ago. When the subdivision was built he promised that the land would be a park. Then illegally began the clear-cutting until he was stopped.

As a former chairman of a P&Z Commission in Lewiston Idaho, I know the importance of good public hearings, getting all of the input from concerned citizens and properly vetting an issue. Under current conditions, I do not believe you can get all of the information and opposition to this Annexation/Zone Change without a free and open meeting. Technology may be great: Virtual/Zoom/Teleconferencing but it will alienate many of the older people who live in the affected area and will not be able to voice their objections. I fully believe that the results of any hearing conducted this way could be thrown out if legally challenged.

Therefore I respectfully request that this Annexation/Zone Change be tabled and moved forward to a time and place where an in person public hearing can be held and all those affected can be heard.

Thank you for your consideration,  
Gerald Bateman, 87641 Parkside Dr., Florence Or  
October 2, 2020

## Aleia Bailey

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**From:** tebeall1@gmail.com  
**Sent:** Saturday, October 03, 2020 9:47 AM  
**To:** planningdepartment  
**Subject:** Public Hearing - Oceana Drive & area.

Saturday, October 3, 2020

Florence Planning Department  
250 Highway 101  
Florence, OR 97439

Greetings Florence Planning Department,

Are you aware that Florence has a reputation as a tidy, clean and well run city, managed by forward thinking, caring individuals? Well, you do. We know because we did a lot of research before moving here in August of 2019 and purchasing a home in the Idylewood area. Now however, I fear you are rapidly moving toward tarnishing that enviable image. For years Lane County has turned down requests for developing Assessors Map 18-12-10-40, Tax lot's 400 and 401 and MR 18-12-10-34 Tax lot 801, and now you appear on the verge of annexing it to allow that development despite the wetlands designation.

There is a concern among the citizens of the Idylewood area that you are leaning favorably toward approving the annexation that Benedict Holdings, LLC has applied for. One must wonder why, considering these facts:

- \* The area in question has been designated a wetland and wildlife habitat by Lane County for a number of years. There are a lot of critters that make that area their home, including a sizable population of bear. Where do they go? Why does that not matter?
- \* Lane County has turned down previous petitions by Benedict Holding, LLC to develop this property because of that designation. Why does that not matter?
- \* To build on that property, it would be necessary to fill the seasonal lakes. Where would the water go in the winter? Stormwater runoff would likely flood all along the access road of Oceana Drive, and possibly abutting properties. Unless of course the proposed stormwater system can handle the load.
- \* There are only two access/egress points planned for the development. One is Oceana Drive and already has a lot of traffic on a fairly narrow road. The other would presumably be Kelsie Way and Woodland Way. That does not appear to be efficient or safe.
- \* Emergency evacuation due to natural disaster or other causes, would be worse than it is now without further development of roads to Heceta Beach Road or preferably Highway 101. Currently there are only 4 streets off of Rhododendron Drive that access 101. That's a disaster waiting to happen in the event of an emergency evacuation.
- \* Since the average property taxes here in Florence are already higher than Lane County's average, what will all of the infrastructure costs add to that burden? Remember, a quite large percentage of residents are retired, and many are on a fixed income. Does that matter?

From what I have read, and understand about this proposal, it appears that Benedict Holdings, LLC has an albatross that they are desperate to unload, and the City of Florence is, for unknown reasons facilitating that effort. I am protesting that.

Best regards,

Tom and Sharon Beall

87685 Saltaire St.  
Florence, OR 97439  
541-357-0351

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For more info visit [www.bullguard.com](http://www.bullguard.com)



## Aleia Bailey

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**From:** Trudy Beck <trudymbeck@gmail.com>  
**Sent:** Sunday, October 04, 2020 2:56 PM  
**To:** planningdepartment  
**Subject:** Heceta Beach Annexation

**Importance:** High

Trudy M. Beck  
4859 Rhododendron Loop  
Florence, OR 97439  
805-613-6181  
trudymbeck@gmail.com  
.  
Heceta Beach Annexation

### **I oppose this Annexation and Zone Change For the following Reasons:**

1. Emergency exit problems.
2. Emergency service vehicle accessibility lessened.
3. Flooding.
4. Dangerous increase of traffic on already narrow roads
5. Environmental degradation. This land has been designated a wetland area and ignoring this designation would completely violate the natural habitat of the animals/plants on this land.
6. Wildlife displacement.
7. Spot Zoning, this is or could violate the Comprehensive city plan. This annexation proposal would violate LANE COUNTY'S own by-laws in their Comprehensive Plan, the following objectives are listed in their criteria: (LC 10.315-20)
8. This Applicant and property was denied a similar land use by lane County (i.e. see, <http://apps.lanecounty.org/LMDPro/FileViewer.aspx?ID=2339721>)
9. Benedict Holdings by previous developments has not shown themselves to be good developers or interested in the city's best interest.
10. Benedict cleared a portion of that property without permits and was stopped with a cease and desist order years ago. When the subdivision was built he promised that the land would be a park. Then illegally began the clear-cutting until he was stopped.
11. The increased taxes on the surrounding property owners would plan an inordinate financial stress on the retired community currently residing in the area.

This annexation proposal would violate LANE COUNTY'S own by-laws in their Comprehensive Plan, the following objectives are listed in their criteria: (LC 10.315-20)

I know the importance of good public hearings, getting all of the input from concerned citizens and properly vetting an issue. Under current conditions, I do not believe you can get all of the information and opposition to this Annexation/Zone Change without a free and open meeting. Technology may be great: Virtual/Zoom/Teleconferencing but it will alienate many of the older people who live in the affected area and will

not be able to voice their objections. I fully believe that the results of any hearing conducted this way could be thrown out if legally challenged. Therefore I respectfully request that this Annexation/Zone Change be tabled and moved forward to a time and place where an in person public hearing can be held and all those affected can be heard. Thank you for your consideration.

*Trudy M. Beck*

## Aleia Bailey

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**From:** Linda Bickel <lbickel54@att.net>  
**Sent:** Monday, October 05, 2020 10:49 AM  
**To:** planningdepartment  
**Subject:** Formal Letter of Objection

TO: Planning Department, City of Florence.

Regarding: Benedick Holdings, LLC Annexation and Zone Changes

As property owners in Heceta South, we would like to express opposition to the proposed annexation of property owned by Benedick, LLC, tagged as lots 400, 401, MR 18-12-10-34 Tax Lot 801.

These lots are partly adjacent to Heceta South. They are described as "prime wildlife" and I believe are protected under the "beaches and dunes" law, which would require studies be done by Lane

County before development would be considered. I have been told that in 2016, Benedick requested a variance from Lane County to develop these very parcels. Our Heceta South HOA attorney was involved in the process. Development did not proceed because of Benedicks failure to provide studies.

The area of Heceta South, Kelsie Ct . has often flooded. Any development will increase run off and will make this worse.

These parcels provide habitat and pathways for many bears, coyotes, bobcats, deer and many other wild animals and birds. They also provide access to the 40 acre land parcel in our development (wildlife area).

We object to annexation if there is no regard to zoning of Lane County or variances. What standards would be used?

Our other objection to this annexation is the prospect of Benedick attaching a road from their development into ours, at Kelsie Way or any link into Heceta South.

Our HOA built our roads and we, as homeowners, maintain our roads. Its costs us dearly for the surfacing of our streets and keeping them in pristine condition. Neither the City of Florence, nor the county, has ever put any money into our roads.

We do not want any thru traffic on our roads, due to the addition of these future homes, since they would not be contributing to the cost incurred by Heceta South HOA. We do not want added traffic, noise or wear and tear on our roads.

Thank you.

Linda and Eric Bickel

87942 Kelsie Way

Florence, OR 87942

530-575-2685



September 30, 2020

Wendy Farley-Campbell, Planning Director

City of Florence

250 Highway 101

Florence, OR 97439

Re: Objection to the petition put forth by Benedict Holdings, LLC Annexation and Zone Change

We are in receipt of your letter dated September 22, 2020, regarding Notice of Public Hearing for a proposed land development by Benedict Holdings, LLC.

We, David and Annie Blanks, are property owners in Heceta South Subdivision. Residing at, Lot 49, 5014 Kelsie Court, Florence, OR.

We, David and Annie Blanks, would like to be put on record that we are extremely against the Annexation and re-zoning of Oceana Dr. and property described as Assessors Map No. 18-12-10-40, Tax lots 400 and 401 and MR 18-12-10-34 Tax lot 801.

Our major concern in the area Benedick Holdings, LLC, plan to develop is extremely sensitive to drainage. The unstable slopes in this area and any disturbance of these lands will cause destabilizing of the land and can, and most likely will, cause water drainage issues and possible future flooding in the development and neighboring properties. Us being one of those properties. Our property is located close to the seasonal lakes on the proposed development.

Will this be engineered properly so that we won't endure future water problems created from this proposed new development? What is our re-course should we experience water issues caused by the development of said lands?

We are also concerned the City of Florence will require Benedick Holdings, LLC to connect to our roads for access to the property they want to develop. We strongly oppose this. Our HOA pays for and maintains our roads. If the City of Florence intends this to happen, our developemnt would be severely impacted in many ways: security, safety, livability, road issues and property values.

Please put David and Annie Blanks, on record as extremly opposing Benedick Holdings, LLC, request to annex their property and right-of-way and apply for a City of Florence re-zoning designation.

Regards,

David and Annie Blanks

5014 Kelsie Court

Florence, Or 97439

Exhibit K10





**Aleia Bailey**

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**From:** J P BOLIN <jpbolin303340@msn.com>  
**Sent:** Thursday, October 01, 2020 6:16 PM  
**To:** planningdepartment  
**Subject:** Housing

I live on Saltaire and already the traffic is getting terrible. And I also have flooding on the end of the street. Tell mister greedy to put in his park like he promised!!!!

J. Patricia Bolin

Sent from [Mail](#) for Windows 10

## Aleia Bailey

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**From:** Charlie Campione <cnjcampione@yahoo.com>  
**Sent:** Wednesday, September 30, 2020 8:39 AM  
**To:** planningdepartment  
**Subject:** Annexation

I Sam Charles Campione, 87914 Kelsie Way Florence Or 97439 541 902 2500 would like to go on record as being opposed to Annexation Request Made by Benedick Corporation of property adjacent to Heceta South Housing Development. Further, request each homeowner and taxpayer living in Heceta South be provided with the opportunity to provide comment by return mail..

Sent from [Mail](#) for Windows 10

September 14, 2020

Wendy Farley Campbell, Planning Director  
City of Florence  
250 Highway 101  
Florence, Oregon 97439



Ref: Letter against Benedict Annexation Petition


I'm writing this letter against the proposed Benedict Annexation Project. In looking at the aerial photo of where the proposed annexation is, this will cause nothing but problems for current residents of Heceta South and Idylewood.

1. According to the aerial photo, this will become a short cut for anyone wanting to cut over between Rhododendron Drive and Heceta Beach Road. Currently, the roads are too narrow for residents to park their cars along each side of these roads, let alone it becoming a thoroughfare.
2. Along these lines, many residents can walk the neighborhood freely without worrying about being run over, but all our lives will forever be changed when this becomes a short cut!
3. Property values are great now because of the development(s) we live in, but property values will decline once the increased traffic starts up.
4. If this development goes forth, will the City go against its promise not to force annexation to the existing homes in the area?
5. Included in the documents on the City website, this proposed annexation project is being compared to Fawn Ridge and Driftwood Shores. There is no comparison here. The Driftwood Shores area was already developed, and Fawn Ridge had no impact to other pre-existing neighborhoods. It was just an off shoot from Rhododendron Drive, and not directly affecting other homes.
6. Impact to wildlife is also a huge concern. Currently we have a healthy balance with Wood Lake Park and the area around the seasonal lakes for wildlife to live. Taking out another huge chunk of land will drive the animals into the neighborhoods and decimate their habitat.

Florence is already experiencing traffic congestion, parking difficulties in Old Town and shopping areas, endangering pedestrians with increased traffic, and dwindling livability and desire to live in Florence. At what price is the City willing to allow the growth and greed to continue? Do we want to look like another Newport or Lincoln City, or worse yet – a California Coastal town?

We highly urge the City to deny this application.

  
Cheryl Chipps 87812 Saltaire St

  
Kenneth Chipps 4936 Sandrift Ct

  
Judith Chipps 4936 Sandrift Ct

  
Chris Kohl 87812 Saltaire St

**Exhibit K13**

## Aleia Bailey

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**From:** Kathryn clark <kathryn85768@gmail.com>  
**Sent:** Tuesday, September 29, 2020 9:24 AM  
**To:** planningdepartment  
**Subject:** Annexation of Oceana Drive & area

Hello

I sincerely hope that you will not approve this project. My concern is flooding and traffic. Flooding has been an issue in the past and will certainly be much worse if this project is improved.

What about the traffic? There is no plan to deal with it. It would be horrendous. Emergency services in another problem that should be considered. This area contains many elderly individuals. Emergency vehicles are often needed in this area.

Street damage/repairs is another consideration, higher taxes. The loss of wildlife which live in the area.

It was my understanding that the county deemed this area as wetlands several years ago. The county has a large file stating why this area should not be developed.

Please consider the people who now live in this area and make the correct decision.

Thank you

Kathryn Clark  
4814 Cloudcroft Ln  
Florence, Or



City of Florence  
Request for Annexation and Zone Change

City Manager,

I object to the city of Florence annexing the 48 acres in my subdivision. When I purchased my property approximately twenty years ago, the city was trying to eliminate septic systems and then be connected to the city sewer line. I feel the city wants to utilize the extended sewer line to the camping park.

Unless it can be proven that there is low water in the 48 acres, the septic system will fail in the winter months.

Sincerely, *Robert Clausen*  
Robert Clausen  
87630 Woodmere East  
Florence, OR 97439

Exhibit K15

## Aleia Bailey

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**From:** Christine Cole <iluvsocwk@gmail.com>  
**Sent:** Saturday, September 26, 2020 2:11 PM  
**To:** planningdepartment; Christine Cole  
**Subject:** Regarding annexation

My name is Christine Cole, I live at [4978 Cloudcroft Ln, Florence Oregon 97439, United States](#).

I am writing you in regard to my concern about proposal to annex the area by the Idlewood home subdivision. As a homeowner in this area we moved here for the privacy, the quiet and the lack of traffic flow in the area. As I read the map it also appears that my street may be included as an exit for this project. I am concerned that I never received any type of letter from the city in regard to this annexation and had to hear about this word-of-mouth. This neighborhood is primarily a retirement community, many neighbors walk their animals, bike and just walk for exercise in our neighborhood on a regular basis throughout the day. We are able to do this safely due to the lack of traffic flow in our neighborhood.

I am adamantly against the annexation of this property, I am concerned in regard to traffic, flooding, resultant street damage and or repairs due to the high traffic flow. I'm also concerned about higher taxes, the security of our neighborhood, and how this potential annexation will affect the value of our homes, utility costs and safety in our neighborhood.

This annexation should not occur in this neighborhood. I demand that the county records for the specified property include my objection to the annexation of this property. And that no development should occur.

Please send me a return receipt so I can confirm that you have received my email.

Thank you, Christine Cole



SEP 30 2020

By: DHY

Wed. Sept 30, 2020

541-902-0795

PPT  
#2

From Suzanne Curtis 4806 Oceana Dr  
I received my notice from a neighbor,

Question Why? I was not the only homeowner!!!

Topic: County residential street Oceana Dr  
Annexation by City of Florence.

Questions: Does Oceana Dr currently satisfy  
the City's requirements for Annexation?

If Annexed without conforming to the  
City's standards, will the City of Florence and/or  
Benedick Holdings be responsible for the street  
expenses; As no homeowners have requested  
Annexation? What is the City's answer—

The entrance to Oceana Dr off of Rhoddendron  
does not have an extra safety turn lane; this  
creates a risky situation for cars on an already high  
traffic intersection. How will large trucks and  
equipment + cars navigate this unsafe situation?  
Please provide City's solution to me.

**Exhibit K17**

Oceana Dr is not a wide county street with  
frequent events such as: garage sales, parties, group  
meetings, big truck deliveries etc., getting from one end  
of Oceana Dr. to the other end can be difficult.  
What is the City's solution— Please provide me the  
answer when large equipment + supply truck will be using  
this street.

Benedick Holdings is seeking a Low density Residential Community permit. This will require a sewer line to the City's system. All the home owners on Oceana Dr plus the many connecting cul-de-sac homes are on septic systems. How will the City avoid disruptions to basic services such as utilities, water lines etc.  
Please provide City's solution.

This Above question would apply if Oceana Dr needs to be widened. PS all under ground utility lines are not buried at one level. As trees and foliage removal may be necessary. How will the City notify current homeowners! Hopefully in a better manner than the current Notice of Public Hearing!

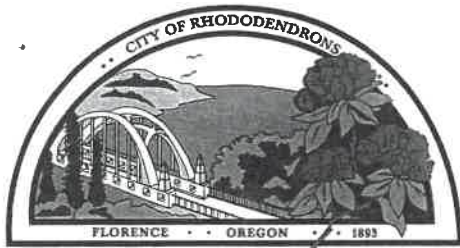
Topic # Water "run off" problems along the West end of Oceana Dr. & Rhoddendron And Oceana Dr. East area around Saltire St. have occasional flooding problems which impact the street.  
What is the City + builders solution?

Topic # The every day traffic on Rhoddendron is increasing along with adding new development. In an emergency/disaster, who is responsible for public safety on a two lane street?

Comment:

Without using technology systems and no access to City offices, written responses will be my only assurance the Attached will be read.





Sam. Sept 27, 20 From Jeff + Sheri

## City of Florence

250 Hwy 101, Florence, OR 97439  
[www.ci.florence.or.us](http://www.ci.florence.or.us)

September 22, 2020

### NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission will hold a public hearing via teleconference on October 13, 2020, at 5:30 p.m. in the City of Florence City Hall Chambers located at 250 Highway 101, to consider a request from Michael Farthing, on behalf of Benedick Holdings, LLC, to annex approximately 48.82-acres of property and right-of-way and apply a City of Florence zoning designation to annexed lands. The applicant's proposal consists of annexing Oceana Drive and property described as Assessors Map No. 18-12-10-40, Tax Lots 400 and 401 and MR 18-12-10-34 Tax Lot 801. Oceana Drive is located east of Rhododendron Dr. within Idylewood and the property is located south and west of Heceta Beach Rd., and south of Kelsie Way and Kelsie Court within the Heceta South subdivision, and east and south of Sandrift St., and also east of the eastern terminus of Cloudcroft Lane within Idylewood and Idylewood 1<sup>st</sup> and 2<sup>nd</sup> Additions. The property is proposed to be zoned Low Density Residential with a Prime Wildlife shorelands management unit overlay (LDR/PW).

### PC 20 22 ANN 01 & PC 20 23 ZC 02 – Benedick Holdings, LLC Annexation and Zone Change

#### Criteria Applying to this application include:

ORS 222.111, 222.120, 222.125 and 222.170 (2)

#### Realization 2020 Florence Comprehensive Plan:

(found at <http://www.ci.florence.or.us/planning/comprehensive-plan>)

- Chapter 1: Citizen Involvement, Policy 4
- Chapter 2: Land Use, Policy 6; Residential Policies 2, 7, 8, and 10; and Residential Plan Designation
- Chapter 8: Parks, Recreation and Open Space; Parks and Recreation section, Policy 3
- Chapter 14: Urbanization; Annexation section, Policies 1 through 7
- Chapter 17: Coastal Shorelands: Ocean, Estuary and Lake Shorelands, Policies 11 & 17 Prime Wildlife

#### Florence City Code, Title 10:

(found at <http://www.ci.florence.or.us/council/title-10-zoning-regulations>)

- Chapter 1: Zoning Regulations; Sections 10-1-1-6-4, 10-1-2-3 & 10-1-3
- Chapter 10: Residential Districts; Section 1
- Chapter 19: Estuary, Shorelands, and Beaches and Dunes; Section 9-Prime Wildlife Overlay District

Florence Planning Commission meetings will occur via video conference call. Meetings will air live on these three sources: Cable Channel 191, the 'GoToWebinar' platform link made available on the meeting's agenda, and at [www.ci.florence.or.us/citymanager/public-meetings-live](http://www.ci.florence.or.us/citymanager/public-meetings-live). Both written and verbal testimony via conference call will be accepted. For additional information on how to provide verbal testimony at the hearing visit the City of Florence website at <https://www.ci.florence.or.us/bc-pc/request-address-planning-commission-speakers-card>, for all other questions contact the City of Florence Planning Department at (541) 997-8237, or visit the calendar page for this meeting at the City's website at [www.ci.florence.or.us](http://www.ci.florence.or.us).

Testimony and evidence must be directed toward the criteria described above or other criteria in the land use regulations which is believed to apply to the decision. Written testimony may be mailed to 250 Highway 101, Florence, OR 97439; e-mailed to [planningdepartment@ci.florence.or.us](mailto:planningdepartment@ci.florence.or.us); or delivered to the document drop



**City Manager /  
City Recorder**  
250 Highway 101  
(541) 997-3437

**Community Development:  
Planning & Building**  
250 Highway 101  
(541) 997-8237

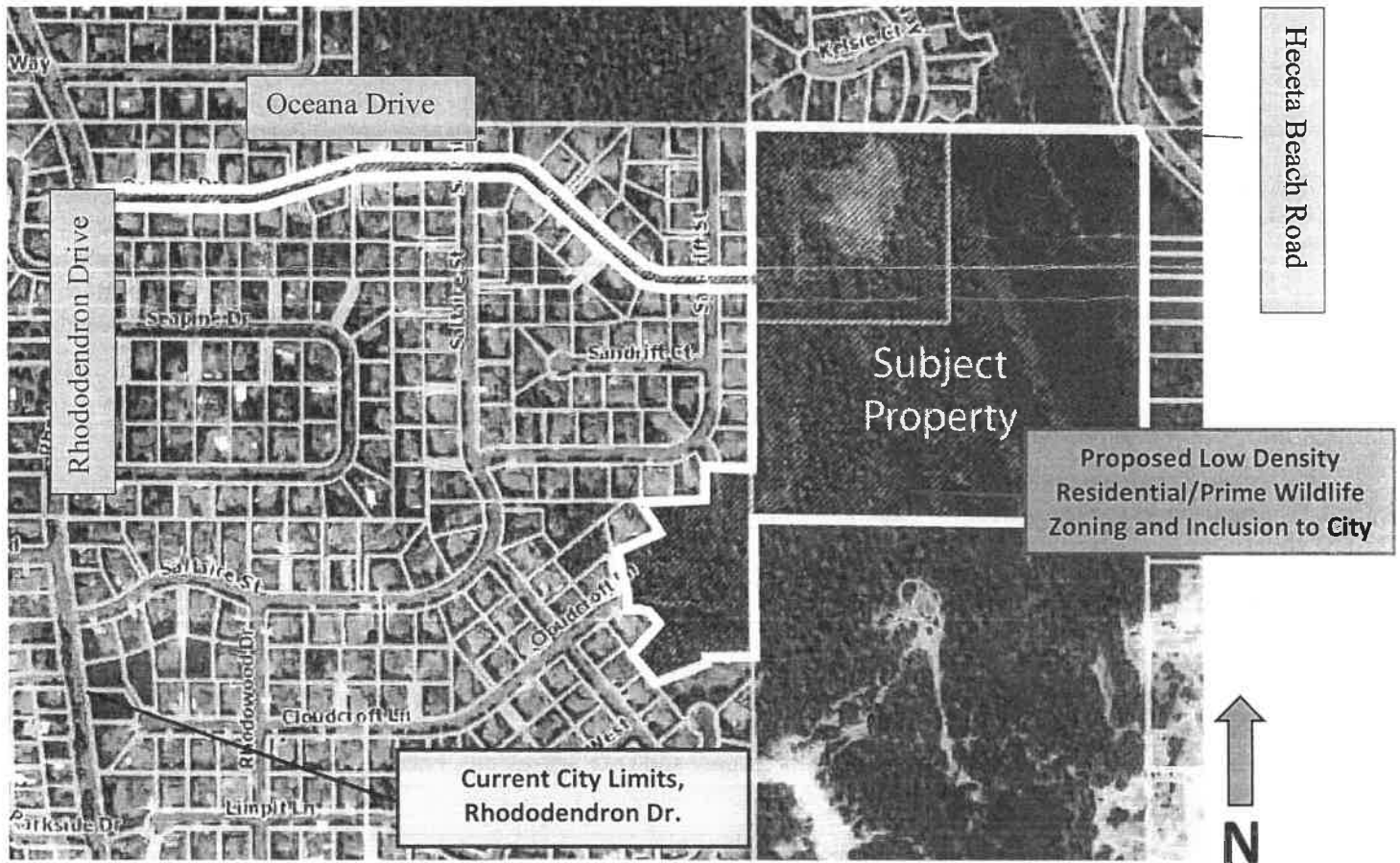
**Finance /  
Utility Billing**  
250 Highway 101  
(541) 997-3436

**Justice Center**  
900 Greenwood St.  
(541) 997-3515

**Florence Events Center**  
715 Quince St.  
(541) 997-1994



box to the right of the City Hall main entrance. **Written testimony received prior to October 6, 2020, can be addressed within the staff report;** however, written testimony will be accepted until October 13, 2020, at 3:30 PM. Comments should include a return mailing address. Failure to raise an issue in person or in writing or failure to provide sufficient specificity to afford the decision-maker an opportunity to respond precludes appeal based on that issue. The hearing will be conducted in accordance with Florence City Code Title 2, Chapter 10.



Questions for Public Hearing - Benedick  
Holdings

From Signature Cards

**Aleia Bailey**

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**From:** Joanne Dal Pra <dalprajoanne@gmail.com>  
**Sent:** Wednesday, September 30, 2020 10:58 AM  
**To:** planningdepartment  
**Subject:** Benedict Annexation petition

**I am writing in opposition to the Benedick Annexation Petition & Zone Assignment. Why are those in charge of city and county government trying to make our beautiful TOWN into a crowded, wasteland? If we keep building houses and apartments and taking up the green space that makes this town what it is, the oasis we came to will be gone. This is not California! You can see what's happening there. Is it because the city needs money? Don't you get enough with all the fees you charge? I don't want to start paying more taxes because some big company wants to make more money. I oppose this annexation and know that my entire "neighborhood" feels the same. Stop this land grab now!**

**Joanne Dal Pra  
87642 Rhodowood Dr  
Florence, OR 97439**

Sent from my iPad



## Aleia Bailey

---

**From:** Gary Donnelly <gldonn.ak@gmail.com>  
**Sent:** Friday, October 02, 2020 3:20 PM  
**To:** planningdepartment  
**Subject:** Annex 48+ acres on behalf of Benedick holdings hearing

To Members of the planning commission:

The issues of density, traffic flow, drainage and many questions/ issues will certainly come up during the public hearing concerning the 48+ acre annexation proposal to the city of Florence by Benedick holdings LLC.

I have just 1 question that needs to be asked, answered, and verified before the planning commission even considers this proposal:

**Has Mr. Bendick or Benedick LLC complied with and satisfactorily completed ALL the requirements Lane county expected/required him to do concerning this property?**

Thank you!

Gary L Donnelly  
87740 Sandrift St.  
Florence, Or.

[gldonn.ak@gmail.com](mailto:gldonn.ak@gmail.com)

## Aleia Bailey

---

**From:** Ed Dowty <edowty1@charter.net>  
**Sent:** Wednesday, September 30, 2020 11:36 AM  
**To:** planningdepartment  
**Subject:** Benedick Holdings annexation

We are 29 year residents of 4844 Oceana Drive and are opposed to the annexation of Oceana Drive by the city of Florence for the following reasons:

1. Excessive vehicle traffic from the occupants of the proposed homes. Most present occupants are elderly and use Oceana Drive as pedestrians.
2. Excessive traffic from construction vehicles, making our street unsafe.
3. Emergency vehicle use would be greatly curtailed by the vast increase in traffic, since Oceana Drive is the only means of ingress and egress from the proposed site.
4. This area is historically a wetlands area. Mr. Benedick neglected to provide flood drainage in this phase of Idyllwood. More population would increase the danger of flooding.
5. Annexing this narrow thoroughfare to provide access to this plot seems like poor planning.

Carol and Edward Dowty  
4844 Oceana Drive  
[edowty1@charter.net](mailto:edowty1@charter.net)  
541-997-6973



Sept, 28, 2020

To whom it may concern

We received A letter from you  
Dated Sept. 27, 2020 informing us of A  
Public meeting referring to The annexation  
of 48.82 Acres for A Developer To build  
residential housing.

We have lived on OceanA for 9 years  
And the Traffic has really increased in  
that time. More Traffic from this project  
would take away what privacy we have  
left. Plus not to mention additional storm  
water run off.

We hope this project is not approved.

Wesley J and Shannon M  
Dawiggins

4867 OceanA Dr  
Florence, OR 97437

Exhibit K21

**Aleia Bailey**

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**From:** red edson <rededson@hotmail.com>  
**Sent:** Monday, October 05, 2020 4:27 PM  
**To:** planningdepartment  
**Cc:** Kristina Edson  
**Subject:** Regarding annexation off of Oceania Drive and area.

We are land and home owners, off of Woodlands drive, the possibility of a housing subdivision, being built off of said property, raises alarms for concern of increased traffic, flooding, there was flooding issues, in and around this neighborhood, and over there. Septic systems failed, houses were getting flooded, no place for water run off. Traffic is already getting heavy on rhododendron road, and is unsafe for walkers and bike riders, noise pollution, wildlife habitat, and the last but not least is, we bought in this area because of the whole environment, everyone seems to love the ability to walk safely in their neighborhoods, with added traffic these small side streets would be dangerous, for all. And let's not forget about disaster evacuation which is a very real problem. I think this would be a bad move for the city to disregard all these issues, From Krissy eye pad thank you for reading our concern,s sincerely ; Kristina Edson and Garry Edson, property owners in Woodlands subdivision.

## Aleia Bailey

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**From:** Steve Campbell <stevencampbell250@gmail.com>  
**Sent:** Monday, October 05, 2020 4:32 PM  
**To:** planningdepartment  
**Subject:** Oceana Drive annexation

My name is Barbara Fiorito, I have lived on 04927 Oceana Drive for 28 years. This letter is about the annexation that the city of Florence has proposed of Oceana Drive. My concerns are very important to myself, along with my neighbor Gail Petty who lives at 4929 Oceana Drive, and my partner Steve Campbell.

This subdivision would be facilitated at the expense of home owners and residents of Oceana Drive. The county has previously denied changing the land use rules to allow this subdivision, why?

The costs to Oceana Drive homeowners to facilitate this subdivision include:

The expense of connecting to city services by homeowners, many of whom are elderly and on a fixed income.

The increased frequency of emergency vehicles on our small streets, and reduced response time with higher levels of traffic flow.

The reduced capacity of people (many elderly) who enjoy walking in our neighborhood due to increased traffic. The existing street, while not a dead end, limits traffic to just local residences.

The increase in noise from increased traffic levels.

The impact on our wildlife, many animals including bears roam our undeveloped areas and wetlands. This would cause more habitat destruction.

All of these impacts would reduce property values in our neighborhood.

The increase in developed areas would also increase the risk of flooding, causing drainage challenges and erosion.

Thank you for your consideration,

Barbara Fiorito (541) 999 0640  
Gail Petty (541) 999 1293  
Steve Campbell (541) 999 5573

## Aleia Bailey

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**From:** Eric Friesen <seikof635@icloud.com>  
**Sent:** Monday, October 05, 2020 2:16 AM  
**To:** planningdepartment  
**Cc:** Eric Friesen; Chris Reep Bill McDoogle; Jamie Cole; John Mc Bride; Les, neighbor  
**Subject:** PC 20 22 ANN 01 & PC 20 23 ZC 02 - Benedick Holdings, LLC Annexation and Zone Change

To the members of the City of Florence Planning Commission:

I, Eric L. Friesen, a resident at 87792 Limpit LN Florence, Or 97439, request that the process of rezoning and annexation of property described as Assessors Map No. 18-12-10-40, Tax Lots 400 and 401 and MR 18-12-10-34 Tax Lot 801, cease and be postponed to a later date due to the COVID-19 viral pandemic. There are a good number of people affected by the the rezoning and annexation of the above mentioned property that cannot have face to face meetings with each other and or meet face to face with legal advisers and have difficulties using the current video communication technologies. Video conference calls, watching a cable TV channel and a 'GoToWebinar' platform link, are poor substitutes for real government meeting. I, my self am insulted and repulsed by the thought of watching an a attorney or a representative of a greedy developer and government officials making decisions that adversely affect me, on a TV set, with no recourse or ability to object. The rezoning and annexation of the above mentioned property is not a matter of life or death, public safety, public health, or even a matter of public convenience and can wait until it is safe for the people affected, to meet and agree on what is an acceptable outcome. The party that is requesting an annexation and rezoning (currently named Benedick Holdings, LLC with the help of Michael Farthing) into the City of Florence, has had ample time to start this process from the time it was denied a request for the same unsuitable housing development, from Lane County. Why now, is a request for annexation and rezoning being considered during a deadly pandemic ? Is Benedick Holdings, LLC, attempting to exploit the current COVID-19 viral pandemic to push an unsuitable annexation and zoning change that adversely affects the people of Idylewood and Heceta South subdivisions some of, who, have underlying medical conditions and limited or no means of using current video communication technology, that prevents them from objecting or making suggestions ? Does The City of Florence have an environmental impact report available, if so, why was it not mentioned on the "NOTICE OF PUBLIC HEARING" ?

I, Eric L. Friesen object to the rezoning and annexation of property described as Assessors Map No. 18-12-10-40, Tax Lots 400 and 401 and MR 18-12-10-34 Tax Lot 801 for the fallowing reasons:

- Oceana Drive would not be suitable for an emergency exit or entrance for large emergency vehicles if any more people lived at the East end of it. The same is true of Cloudcroft LN. These are narrow subdivision streets that are susceptible to a traffic jam in a "run for your life fire evacuation" exit. Widening these streets are not an option. The widening of any of these two streets would make some of front driveways useless for parking a regular size vehicles.
- There are problems with flooding near the proposed annexation property because of poor design and operation of storm water pumps. The flooding problems will only get worse with any new development.
- A wastewater collection system for this newly annexed property would be complex, expensive and maintenance intensive requiring lift station pumps and pressurized sewer main lines. Who will pay for this ?

Please show some respect for the people who live near this property (Assessors Map No. 18-12-10-40, Tax Lots 400 and 401 and MR 18-12-10-34 Tax Lot 801), a good number of them work hard at their business, place of work, and volunteer endeavors to make The City of Florence and Old Town Florence as good as it is.

Eric L. Friesen

Mailing address: 2006 Highway 101 PMB 139  
Florence, Or. 97439

E-mail: [seikof635@icloud.com](mailto:seikof635@icloud.com)

Phone :541-590-0443

## Aleia Bailey

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**From:** Ed\_G <ed97439@gmail.com>  
**Sent:** Friday, October 02, 2020 11:58 AM  
**To:** planningdepartment  
**Subject:** Benedick Holdings Annexation request comment

Sirs:

Regarding - PC 20 22 ANN 01 & PC 20 23 ZC 02 – Benedick Holdings, LLC Annexation and Zone Change request, I wish to express my disapproval of this proposal. As a resident in the adjoining area I am strongly concerned over the increased traffic and safety concerns this development would bring to our local streets. These streets have no sidewalks, walkable shoulders, or street lights. Many elderly residents walk their pets in these streets, as I do. Increased traffic is definitely a concerning safety issue. Also, Please pay attention to the multitude of other issues that others in the neighborhood will comment on. I have those same concerns also.

I am asking that the city deny this request.

Edward Gallup  
Idlewood  
Florence



**Aleia Bailey**

---

**From:** Michael Gardner <mgardneror@gmail.com>  
**Sent:** Saturday, September 26, 2020 10:48 AM  
**To:** planningdepartment  
**Subject:** Idylewood Annexation

I am writing to protest the proposed plan by Benedict to develop vacant property off Oceana Drive. We live on Oceana and my wife uses a wheelchair plus an electric scooter in Idylewood. If this development is allowed to go forward the increase in traffic will make this dangerous if not impossible. When Oceana was built, it was never designed to handle that much traffic. Oceana is narrow with 'blind corners' that are dangerous. In addition, neighbors travel Oceana walking and children ride their bikes up and down the street. This development will destroy the fabric of our neighborhood. Benedict tries this BS every couple of years. He doesn't give a shit about the people in the Florence area, only making a profit. If this is allowed to happen, there will be traffic nightmares, accidents, and probably injuries. Idylewood/Oceana can not handle this disruption. This must be stopped.

--

Michael J. Gardner  
MS Ed, CHES, CADDTP, AMHPAC

## Aleia Bailey

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**From:** Jan Gaynor <jan@gaynor.com>  
**Sent:** Saturday, September 26, 2020 11:25 AM  
**To:** planningdepartment  
**Subject:** Opposed to Annexation and Development of Oceana Drive and Surrounding Area

As a neighbor to the Idlewood Development, I'm highly **opposed** to the proposed development.

This land was designated as a park not for additional housing.

The traffic on Oceana is already busier and with new residences that traffic will become much busier and more congested

That property is a wetland area.

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Kindness is the language the blind can see and the deaf can hear..  
....Mark Twain  
...  
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\_ . . ´ . \_ . . \*´") \_ . . \*´")  
( \_ . . ´ ( \_ . . ´ Jan ( \_ . . ´ \*

## Aleia Bailey

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**From:** lynne greenlee <lynnegreenlee@yahoo.com>  
**Sent:** Monday, October 05, 2020 1:33 PM  
**To:** planningdepartment  
**Subject:** Florence Planning Department - annexation and Zone Assignment - Benedick Holding, LLC

RE: PC 20 22 ANN 01 & PC 20 23 ZC 02 - Benedick Holdings, LLC Annexation and Zone Change  
Application include: ORS 222.111, 222.120, 222.125 and 222.170 (2)

Florence Planning Department

In response to the Notice of Public Hearing letter dated 9/22/20 stated above annexing 48.82 acres. I would like to express the impact as a resident of the annexation and zone change to the Idylewood and property located South and West of Heceta Beach Rd.

The area is a wooded reserve, natural water basin heavily populated with wildlife for number of years. The Idylewood area was established with this in mind not wanting to disturb the natural public land set apart for all to enjoy.

The application for the intended subdivision of 32 units will drastically impact the neighborhoods specifically Oceana Dr, Saltaire St and Sandrift St. One of the prime problems is increased flooding, drainage and erosion.

As mention the area is a natural water basin with no place for the water to go if additional homes are build in the area. The water would flow into the surrounding neighborhoods causing damage and hazard conditions. Along with the water issues animals will be displaced. The traffic will increased on the small residential roads that exist now along with added car pollution.

I would ask the Panning Department to consider the full impact to a beautiful treasured area in Florence. What brings visitors and new home buyers to Florence is the unique quality of life without concerns of environmental stress and overbuilt communities.

Thank You  
Diana Lynne Greenlee  
4922 Oceana Dr  
Florence Or

I moved here a year ago after determing the city had a quality of life and a Love and pride for the City Florence

2 October 2020

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

Re: Benedick Holdings LLC annexation

We are homeowners in Idylewood, and are strongly opposed to the application and petition from Benedick Holdings to annex their property and Oceana Drive into the City of Florence.

Nowhere in the application and petition is there any mention of Benedick Holdings' plans for development of their property, and that information is hugely important in consideration of their application. E.g., if they plan to build one luxury home, our objection would be softened.

However, in their application to Lane County a few years ago, they proposed building 50 homes, and now, in this application, they propose tearing up all of Oceana Dr. to install sewer and utility lines over a distance of nearly one-half mile; it's hard to believe the developer would undertake that kind of expense for just a handful of homes.

The past annexations listed in their petition are all located along the arterial of Rhododendron Dr., so the connection to the City's sewer was not a major undertaking. Even the one "offroad" exception — Driftwood Shores — required an extension from Rhododendron that's 1,000 feet less than would be required to reach the Benedick property from Rhododendron Dr. along Oceana Dr.

There are nearly 400 homes in Idylewood, and 99% of all ingress and egress is via just two streets: Saltaire St. and Oceana Dr. Adding more cars and trucks to those streets would be a severe burden — and danger — to the people who already live here. There are no sidewalks nor streetlights in Idylewood, and those of us who walk and bike in the neighborhood already have to deal with too many vehicles, many of which are traveling far above the 25mph limit.

In addition, the Benedick property floods every winter, and sometimes in the fall and spring also. It is wetlands, filled with wildlife, and really is not suitable for extensive development.

We do understand that the City of Florence would like to create more affordable housing, and we don't dispute that need. However, this petition and application does not satisfy that need, and in fact creates far more problems than it solves.

Sincerely,



Bruce W. Hadley  
4828 Oceana Dr.  
Florence, OR 97439



May Deborah Hadley

Exhibit K29

## Aleia Bailey

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**From:** Dennis Hamilton <hamiltond1942@gmail.com>  
**Sent:** Thursday, October 01, 2020 11:59 AM  
**To:** planningdepartment  
**Subject:** Annexing Oceans drive

Sir,

Upon receiving the City of Florence letter describing the future revisions to Oceans Drive and development of land at the end of Oceans Drive, I am quite upset and do not wish for the planning commission to approve this project.

Some questions:

\*I understand that this project was proposed in the past and turned down by Lane County. If so, how can the City of Florence consider the project when it has been turned down already?

\*What are the plans for the increased amount of traffic on Oceana Drive? Can the existing road bed take the increased traffic and extra loads from equipment up and down the road? If the road is to be made wider, how wide?? And how much of my property will I lose in the process?? Are there plans for sidewalks, street lights, etc?? Who will be expected to pay for this?? Not something that I want or need, I like the neighborhood just the way it is.

\*What is going to be done about the flooding, when we have heavy rainfall, at the end of Oceana Drive?? Flooding occurs there now, will it increase in the future with all the extra roads and houses??

\*What about property taxes, if I lose some of my property due to Oceans Drive road improvements, will my tax bill be reduced??

\*What effect will this have on the wildlife in the area that is to be developed, to my understanding this is a wetland area and home to many types of wildlife??

By receiving this letter I have the strange feeling that this project is well past the review stage and has been approved so now we are only going through the political motions. Typical political move.

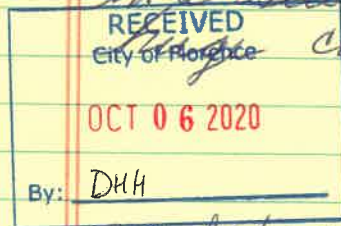
Bottom line: MY VOTE IS NO, NO, NO, on anything that has to do with this project.

Dennis W Hamilton  
4807 Oceana Drive  
Florence, OR 97439  
Phone: 541-590-3048

To Florence Planning  
Commission,  
No. 1 We do not want  
to be annexed.

Do not want all the  
traffic or the rest of  
the mess.

I can not see why  
any one would let him  
Build on Wet Land.  
It causes to many  
Problems, all around.  
Plus the cost of putting  
in a sewer system. at a  
huge cost to all of us.



J. Haney  
47850 Canana  
Dr.

and yes  
we have the  
right to Vote on  
this.

---

10/2/2020  
Mike and Linda Harrah  
87863 Kelsie Way  
Florence Oregon  
mrharrah@gmail.com  
541 997-2124



City of Florence Planning Dept.  
c/o Wendy Farley Campbell  
250 Highway 101  
Florence, OR. 97439

Re: PC 20 22 Ann 01 & PC 20 23 ZC02- Benedick Holdings, LLC Annexation &  
Zone Change

Dear Wendy,  
We are owners and residents of Lot 43 in Heceta South subdivision. We have lived here for 17 years.  
Our property abuts the Benedick property in question.  
We strongly oppose the proposed annexation of this property into the City of Florence  
and the application for changing the zoning of this property from Beaches &  
Dunes to the City of Florence's low density/prime wildlife zoning overlay.  
Our property is next to the seasonal lakes and wetlands.

Our concerns include:

1. Large scale grading and the movement of the current sand dunes on that property could destabilize the dunes causing potential flooding from Heceta South seasonal lakes. This has been an issue in the past. In 2012 there was a prolonged period of flooding with disruption in mail delivery and garbage services. Heceta Beach road was closed which could be dangerous because it is a major artery and primary Tsunami Evacuation Route.
2. Beaches and dune zones are acutely affected by problems with drainage. Idylwood has been plagued by flooding that has yet to be resolved.
3. Lane County has designated this area as a Beach and Dune Zone and does not allow grading of slopes to be greater than 25%. It is my understanding that the City of Florence is less restrictive and if this proposal passes it would possibly endanger the protected wetlands and wildlife that is abundant in this area.
4. Our final concern is that the City of Florence will require Benedict Holdings, LLC to connect to our roads for access to the property they want to develop. Our HOA pays for and maintains our roads. If that is what the City of Florence intends to do, our development would be seriously impacted in many ways, including security, safety, livability, road issues and property values.

We wish to officially notify you that we are opposed to Benedick's proposal for Annexation and zone change.

Thank you,  
Mike and Linda Harrah

Exhibit K32



## Aleia Bailey

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**From:** Ray Hull <theorangehulls@yahoo.com>  
**Sent:** Monday, October 05, 2020 1:54 PM  
**To:** planningdepartment  
**Subject:** Annexation of Property - Assessors Map No. 18-12-10-40, Tax Lots 400 and 401 and MR 18-12-10-34 Tax Lot 801

My wife and I would like to voice our concerns regarding the subject annexation near our home in Idylewood. We presently have a quiet neighborhood where we feel safe walking our dogs and enjoy the serenity of this friendly neighborhood. Lane County disapproved this development project as proposed for numerous serious issues with the plan. Having been disapproved by the County, the developer is now hoping to push the project through by having the City of Florence annex his property and approve the same project disapproved by the County.

We are concerned that this proposed annexation of Low Density Residential and Prime Wildlife shorelands management unit overlay is not an appropriate use of this property. We are afraid, with the approval of this annexation, there will be a large increase in traffic on Oceana, Saltaire, and Rhodowood which would pose a safety issue when walking along the streets, potential runoff from the property which will cause flooding in the down gradient sections of Idylewood, and displacement of wildlife. What we, and many of our neighbors, consider a wonderful and peaceful place to live will be destroyed.

Please consider the two neighborhoods of Idylewood and Heceta South and how much this will impact our way of life prior to making your decision. We enjoy our neighborhood the way it is.

Sincerely,

Ray and Jenny Hull  
87653 Saltaire Street



**Richard & Susan Johnson**

5046 Kelsie Court  
Florence, Or. 97439

September 29, 2020

City of Florence Planning Dept.  
c/o Wendy Farley Campbell  
250 Highway 101  
Florence, Or. 97439

Re: PC 20 22 Ann 01 & PC 20 23 ZC02- Benedick Holdings, LLC Annexation &  
Zone Change

Dear Wendy,

We, Richard & Susan Johnson, are current owners and residents of Lot 50 in Heceta South subdivision located at 5046 Kelsie Court. We received a copy of the notice of a public hearing from your office because of our property's close proximity to Benedict's land.

We strongly object to the annexation of this property into the City of Florence and the application for changing the zoning of this property from Beaches & Dunes to the City of Florence's low density/prime wildlife zoning overlay.

Our property is located close to the seasonal lakes. Part of our property is considered wetlands and has standing water on it part of the year. We are concerned that large scale grading and the movement of the current sand dunes on that property could destabilize the dunes causing potential flooding into our neighborhood from Heceta South seasonal lakes. We believe the City of Florence's zoning designation would be less restrictive than Lane County's Beaches & Dunes zoning which prohibits grading of slopes in excess of 25%.

In 2012, several streets in Heceta South were flooded for several months and Heceta Beach Road (a major artery and primary Tsunami Evacuation Route) was closed due to non engineered land movement by a property owner outside of Heceta South. This caused access issues to Heceta South homeowners and disruption of services such as mail delivery and garbage pickup. Areas

**Exhibit K34**

designated in the Beaches and Dunes Zones are extremely sensitive to drainage issues. According to homeowner's in the existing Idylwood subdivisions there are flooding issues in their neighborhoods that have never been resolved by the builder, Benedick Holdings, LLC. We don't want those same problems to occur in our development.

We are also concerned that the City of Florence will require Benedict Holdings, LLC to connect to our roads for access to the property they want to develop. We strongly oppose this. Our HOA pays for and maintains our roads. If that is what the City of Florence intends to do, our development would be severely impacted in many ways; security, safety, livability, road issues & property values.

Please put us on record as opposing Benedick Holdings, LLC, request to annex their property and right-of-way and apply for a City of Florence zoning designation.

Sincerely yours,

Richard & Susan Johnson

## Aleia Bailey

---

**From:** Richard and Mary Kauffman <bernerboys@gmail.com>  
**Sent:** Monday, October 05, 2020 1:37 PM  
**To:** planningdepartment  
**Cc:** 'Richard and Mary Kauffman'  
**Subject:** Proposed Benedick Holdings LLC Annexation and Zone Change

Dear Planning Commission,

Here are our comments on the subject proposed annexation:

### Comments to the City Planning Commission

The Benedick Holdings petition for annexation of 18-12-10-34, Tax Lot 801 and 18-12-10-40, Tax Lots 400 and 401 is based on a “cherry stem” land shape which is employed to annex land that would not otherwise meet the State requirement that annexations be contiguous to existing city boundaries. The proponent tries to make the case in the petition that the proposed annexation should be approved since the City previously approved “cherry stem” annexations. Although the shape of this annexation is similar to the past annexations cited in the proponent’s submission, many other factors are significantly different.

- The past annexations utilized arterial right of ways to connect the otherwise non-contiguous land to the city boundary. This petition requests the city annex Oceana Drive, a residential street. If annexation of Oceana Drive goes through as Benedick Holdings requested, it would show that the City is willing to impact unincorporated neighborhoods without obtaining consent of current residents. Further it would demonstrate that all non-city residents within the Urban Boundary can be potentially impacted by future City actions. No property owner would be safe from the potential of the street in front of their house to be annexed since all streets connect in some way to the current City boundary.
- A portion of Rhododendron Dr. was within the City boundary prior to the “cherry stem” annexations cited by the proponent. The past actions extended the city boundary along a street with a portion already in the existing boundary. No portion of Oceana Drive is currently within the current City boundary. In fact, in addition to being a residential street, Oceana Drive is completely within the Idylewood neighborhood and does not connect with any arterial road other than Rhododendron Dr.
- Annexation of Rhododendron Dr. was stated by the City, as cited in the Oregon Land Use Board of Appeals decision Link v. city of Florence, to provide the benefit of extending city services. Annexation of Oceana Drive would not extend City services to anyone other than the new homes proposed for development on the tax lots specified in the proposal. Homes along Oceana Drive would not gain additional formal police coverage beyond the existing agreements between the Florence Police Department and the Lane County Sheriff and the Oregon State Police.

Annexation of Oceana, a neighborhood residential street, would set a new precedent for the City of Florence in taking away the rights of the residents to be unencumbered by the city of Florence which was the choice they made by opting to live outside the city limits. If the City goes through with this annexation, all non-city residents within the Urban Boundary could be potentially impacted in the future. No area would be safe from the potential for the street in front of their house to be annexed since all streets connect in some way to the current City boundary.

As the City Planning Commission should know, the proponent has previously proposed to develop the subject Tax Lots over a number of years through Lane County and failed to get approval. The County brought up numerous questions and potential issues that have yet to be addressed. Although the current proposal would have the City annex the property and therefore become the approving authority, many of the potential issues remain and should be resolved before the City annexes any property in the proposal, especially before encumbering the City with a road to maintain

(when other City roads are in obvious need of repair) and the neighborhood County residents with potentially unwanted annexation of the street in front of their existing homes. The comments from the County to the previous attempts to develop these Tax Lots should be the starting point for this process and annexation only considered by the City when satisfactory resolution is determined.

We have been frequent visitors to the Florence area for over 20 years prior to relocating here in 2018 for the natural beauty, open spaces, and small-town atmosphere. We had the opportunity to choose anywhere to relocate and chose, not only the Florence area, but the unincorporated area outside the City limits. We now find ourselves being potentially impacted by City actions without the right of representation. The City should carefully consider the precedent of annexing a neighborhood street to attain annexation of a relatively small development with limited benefit to the City and its existing residents.

Richard and Mary Kauffman  
87695 Rhodowood Dr.  
Florence, OR 97439  
bernerboys@gmail.com

## Aleia Bailey

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**From:** Bou Kilgore <boukilgore@gmail.com>  
**Sent:** Sunday, September 27, 2020 10:15 AM  
**To:** planningdepartment  
**Subject:** ANNEXATION NOTICE: City of Florence - Public Hearing - Oceana Drive & area..

[ANNEXATION NOTICE: City of Florence - Public Hearing - Oceana Drive & area.](#) Notice has now gone out from the City of Florence regarding the annexation of the land/property adjacent to Oceana Drive and which impacts all adjoining streets and the entire area re flooding, streets, traffic, etc.

We live on Sandrift Court and do not want any more development in our area. The traffic, the disruption of wildlife, the general change in tone of our neighborhood are just a few consequences of further development. The city of Florence has plenty of areas abandoned/undeveloped for housing interests. Annexation of this land is unnecessary.

Thank you for your consideration,  
Bou and Mike Kilgore  
4939 Sandrift Court  
541 997 3788

## Aleia Bailey

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**From:** Charles King <cmking193@gmail.com>  
**Sent:** Sunday, October 04, 2020 10:41 PM  
**To:** planningdepartment  
**Subject:** Fwd: Annexation of Benedick Holdings

----- Forwarded Message -----

**Subject:**Annexation of Benedick Holdings  
**Date:**Sun, 4 Oct 2020 18:14:12 -0700  
**From:**[cmking193@gmail.com](mailto:cmking193@gmail.com)  
**To:**[planningdepartment@ci.florence.or.us](mailto:planningdepartment@ci.florence.or.us)

Planning Department of Florence, Oregon

Regarding Annexation of Benedick Holdings

We live on Kelsie Court in Heceta South. Should this annexation area be developed for housing we are very concerned about the seasonal rise of the water table adjacent to our lots 46 and 47. At the lot lines on the south, water has been as much as 200 feet north to south and 40 feet east to west with water depth estimated to be as much as three feet. It has come to within 5 feet of our property. With any landfill this water could back up onto our properties causing extensive damage. For this reason we are against this proposal.

Charles and Betty King

5009 Kelsie Court

Heceta South, Florence, Oregon

## Aleia Bailey

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**From:** Marilyn Krueger <marilyn.krueger@options.org>  
**Sent:** Monday, September 28, 2020 7:46 AM  
**To:** planningdepartment  
**Subject:** PC 20 22 ANN o1 & PC 20 23 ZC 02-Benedick Holdings, LLC Annexation and Zone Change

I am concerned about the above titles application for Annexation and Zone Change related to Oceana Dr. being used as the only or primary entrance and exit to the 48.82 acres of property in question for development. Oceana Dr. is a quiet street serving both elderly residents and families with young children. If Oceana Dr. is made into a thoroughfare with 2-3 times more traffic than it currently experiences, this will put the current residents at risk. Many residents walk along this roadway with their children in strollers or their dogs on leashes. The increased amount of traffic would put these walkers in danger. Also, if there is an emergency calling for multiple emergency vehicles with only one access to the new development area, this would also cause increased danger and risk for current residents and new residents. If evacuation orders were enacted for emergency purposes, the single or primary exit along Oceana Dr. would create a huge bottle neck, endangering all residents of the area. Thank you for addressing this concern.

Marilyn K. Krueger  
541-790-1112  
4958 Oceana Dr.  
Florence, Or 97439

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## Aleia Bailey

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**From:** johnksg <johnksg@yahoo.com>  
**Sent:** Monday, October 05, 2020 12:17 PM  
**To:** Eric Friesen; planningdepartment  
**Cc:** Chris Reep Bill McDoogle; Jamie Cole; Les, neighbor  
**Subject:** RE: PC 20 22 ANN 01 & PC 20 23 ZC 02 - Benedick Holdings, LLC Annexation and Zone Change

I, John McBride, of 87640 Limpit Ln agree with and second everything Mr. Friesen stated in his email.

Hold an actual public hearing or postpone this issue until one can be held.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

**From:** Eric Friesen <seikof635@icloud.com>  
**Date:** 10/5/20 2:16 AM (GMT-08:00)  
**To:** planningdepartment@ci.florence.or.us  
**Cc:** Eric Friesen <seikof635@icloud.com>, Chris Reep Bill McDoogle <crisreep@gmail.com>, Jamie Cole <jamie1of5@gmail.com>, John Mc Bride <johnksg@yahoo.com>, "Les, neighbor" <lvhinoregon@q.com>  
**Subject:** PC 20 22 ANN 01 & PC 20 23 ZC 02 - Benedick Holdings, LLC Annexation and Zone Change

To the members of the City of Florence Planning Commission:

I, Eric L. Friesen, a resident at 87792 Limpit LN Florence, Or 97439, request that the process of rezoning and annexation of property described as Assessors Map No. 18-12-10-40, Tax Lots 400 and 401 and MR 18-12-10-34 Tax Lot 801, cease and be postponed to a later date due to the COVID-19 viral pandemic. There are a good number of people affected by the the rezoning and annexation of the above mentioned property that cannot have face to face meetings with each other and or meet face to face with legal advisers and have difficulties using the current video communication technologies. Video conference calls, watching a cable TV channel and a 'GoToWebinar' platform link, are poor substitutes for real government meeting. I, my self am insulted and repulsed by the thought of watching an attorney or a representative of a greedy developer and government officials making decisions that adversely affect me, on a TV set, with no recourse or ability to object. The rezoning and annexation of the above mentioned property is not a matter of life or death, public safety, public health, or even a matter of public convenience and can wait until it is safe for the people affected, to meet and agree on what is an acceptable outcome. The party that is requesting an annexation and rezoning (currently named Benedick Holdings, LLC with the help of Michael Farthing) into the City of Florence, has had ample time to start this process from the time it was denied a request for the same unsuitable housing development, from Lane County. Why now, is a request for annexation and rezoning being considered during a deadly pandemic ? Is Benedick Holdings, LLC, attempting to exploit the current COVID-19 viral pandemic to push an unsuitable annexation and zoning change that adversely affects the people of Idylewood and Heceta South subdivisions some of, who, have underlying medical conditions and limited or no means of using current video communication technology, that prevents them from objecting or making suggestions ? Does The City of Florence have an environmental impact report available, if so, why was it not mentioned on the "NOTICE OF PUBLIC HEARING" ?

I, Eric L. Friesen object to the rezoning and annexation of property described as Assessors Map No. 18-12-10-40, Tax Lots 400 and 401 and MR 18-12-10-34 Tax Lot 801 for the following reasons:

**Exhibit K40**



- Oceana Drive would not be suitable for an emergency exit or entrance for large emergency vehicles if any more people lived at the East end of it. The same is true of Cloudcroft LN. These are narrow subdivision streets that are susceptible to a traffic jam in a "run for your life fire evacuation" exit. Widening these streets are not an option. The widening of any of these two streets would make some of front driveways useless for parking a regular size vehicles.

- There are problems with flooding near the proposed annexation property because of poor design and operation of storm water pumps. The flooding problems will only get worse with any new development.

- A wastewater collection system for this newly annexed property would be complex, expensive and maintenance intensive requiring lift station pumps and pressurized sewer main lines. Who will pay for this ?

Please show some respect for the people who live near this property (Assessors Map No. 18-12-10-40, Tax Lots 400 and 401 and MR 18-12-10-34 Tax Lot 801), a good number of them work hard at their business, place of work, and volunteer endeavors to make The City of Florence and Old Town Florence as good as it is.

Eric L. Friesen

Mailing address: 2006 Highway 101 PMB 139  
Florence, Or. 97439

E-mail: [seikof635@icloud.com](mailto:seikof635@icloud.com)

Phone :541-590-0443

## Aleia Bailey

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**From:** P Meyer <fishfora11@hotmail.com>  
**Sent:** Monday, October 05, 2020 4:49 PM  
**To:** planningdepartment  
**Subject:** Benedick Holdings, LLC Annexation and Zone Change

Please consider my comments in regards to the request to annex property in the Idylewood/South Heceta Beach area.

Approving the request to annex the referenced property would be a monumental mistake. There are numerous reasons to deny the request. The potential (likelihood) for flooding would be an extreme problem. As the access from the proposed area to Rhododendron would be limited, it would cause difficulties for emergency services to reach people in need, endangering lives. The danger from endless trucks and equipment travelling through tiny Oceana Drive, which lacks any walkway/sidewalk would be a real threat, as the only place to walk for local citizens, many elderly. Add the breaking up of the road for sewer construction and you have a nightmare situation. I would certainly be against any requirements for present homeowners to be responsible for any related costs of the project.

The destruction of nearly 50 acres of wildlife habitat would greatly endanger native wildlife such as black bears who would be forced into a smaller area, likely resulting in more frequent visits to local area neighborhoods and trash cans, endangering people's pets as well as themselves. The development of the area where the pond/water closet area would completely upset the ecosystem in the area causing dire results for the local fauna for years to come.

In closing, the approval of this request would not be beneficial for the city. It just doesn't make sense to build in that area under the present conditions.

Thank you,

Sincerely,  
Paul and Josefina Meyer  
4925 Oceana Dr  
Florence, OR 97439

## Aleia Bailey

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**From:** Darlene Norwood <darlenenorwood@mac.com>  
**Sent:** Sunday, September 27, 2020 3:16 PM  
**To:** planningdepartment  
**Subject:** Response PC 20 22 ANN 01 & PC 20 23 ZC 02 – Benedick Holdings, LLC Annexation and Zone Change

Please be aware that the notice we received provides a non-functional online address to pertinent provisions of the Comprehensive Plan. I am commenting without benefit of that guidance.

In December 2018, we purchased our home at 4933 Cloudcroft Lane, which is adjacent to MR 18-12-10-34 Tax Lot 801, one of three proposed annexed properties. Our home fronts an irregularly shaped and deeply contoured portion of that parcel at the dead end of Cloudcroft. At the time of purchase, our realtor informed us of the death of the original owner and developer of Idylewood which includes the undeveloped lots across from our property. He made us aware this change of ownership to heirs might lead to sale and development of the 5.44 acres of natural woodland across from us.

We are aware that annexation does not involve an environmental impact study. That awaits the proposed development plan. However, we believe it is appropriate and timely to provide input about those studies based on our observations of large, predatory wildlife around us plus potential soil erosion issues we've experienced since living here.

All properties in our neighborhood include areas where native wildlife may live or transverse from our development at Idylewood to open, undeveloped spaces to the east. We have observed coyotes and black bear making a peaceful, often late night or early morning trek, from coverage provided by heavily wooded and shallow ravines and the 20-feet of natural space surrounding each home as required under the Idylewood developer's original plan. From observation of this wildlife, it appears to us, they rely on this open, uninhabited corridor to vital resources on the undeveloped land east. If closed off, we would expect they would not be able to survive or they might become a menace to our neighborhood, its residents and pets. We mention this now in the hope that the owners applying for annexation will consider our concern as they proceed to develop their land.

Being at the downhill side of proposed development, we are also worry about eventual soil erosion which could be costly to correct. Due to the steep grade of the forested dunes across from us, we already experience significant sand drift and covering of the paved street bed following hard rains.

We see no reason not to trust that all appropriate and legally required studies will proceed prior to development of this property. The Oregon Environmental Protection Act of 2019 appears to currently pertain.

We trust our input as homeowners impacted by future development proves valuable and will save money and time for new property owners applying for annexation with the city as well as for the City of Florence itself.

We think it right, timely and appropriate that we provide these comments as affected by this annexation action. We would appreciate it if the City of Florence is willing to provide our timely comments in the process to the undeveloped property's owners and their consultants ahead of any procedural hurdles they might face.

# PC 20 22 ANN 01 & PC 20 23 ZC 02 Benedick Holding, LLC Annexation and Zone Change

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1. Annexation : ORS 222.120 Paragraph (7) in part states "If there is a multiple ownership in a parcel of land each consenting owner shall be counted as a fraction to the same extent as the interest of the owner of the land bears in relation to the interest of the other owner and the same fraction shall be applied to the Parcel's land mass and assessed value for the purposes of the consent petition. Those properties that adjoin Oceana Drive which combined have a greater assessed value then the 40+ acer parcel owned by Benedick Holding, LLC, and will be required to compensate for improvements on Oceans Drive without receiving any immediate benefit from the improvements should have an equal voice in the decision to be annexed.
2. Annexation: ORS 222.125 Annexation of consent of all owners of land and Majority of electors, proclamation of annexation , states as follows: The legislative body of the city need not call or hold an election in the city of in any contiguous territory proposed to be annexed or held then hearing otherwise required under ORA 222.120 (Procedure for annexation without election) when all of the owners of land in that territory and not less than 50 percent of the electors, if any, residing in the territory consent in writing to the annexation of the land in the territory and file a statement of their consent with the legislative body. Upon receiving written consent to annexation by owners and electors under this section, the legislative body of the city, by resolution or ordinance, may set the boundaries of the area to be annexed by a legal description and proclaim the annexation[1985 c.702 S3; 1987 c.738 S1] Only one land owner has requested this annexation not all.
3. Realization 2020 Florence Comprehensive Plan: Chapter 2 Land use, Policy 6; States: Then City shall conduct an internal review at least once every three years to assess the capacity of sewer, water and storm water systems including three-year projections of additional consumption using a three percent growth rate. As of this date there is no additional capacity in the storm water system. The area in the annexation subject property is low lying, has seasonal lakes in at least 1/3 of the area. In 1996 the intersection of Oceana Drive and Sandrift Street was under water, pumps had to be used on a 3 hour on 3hour off basis 24/7 to keep storm water in the ditches and off the road. Until system development fees can be directed to storm water issues through negotiations with DEQ to increase storm water discharge into the Siuslaw river with new permits, there should not be any more annexations or housing developments approved.
4. Realization 2020 Florence Comprehensive Plan: Chapter 2, Residential, Policies 7 states: Residential development shall be discouraged in areas where such development would constitute a threat to the public health and welfare, or create excessive public expense. The City

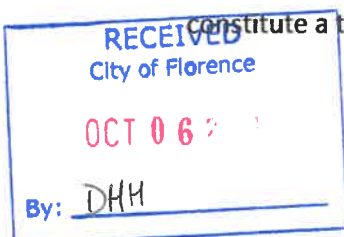


Exhibit K43

## PC 20 22 ANN 01 & PC 20 23 ZC 02 Benedick Holding, LLC Annexation and Zone Change

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continues to support mixed use development when care is taken such that residential living areas are located, to the greatest extent possible, away from areas subject to high concentrations of vehicular traffic, noise, odors, glare, or natural hazards. The natural hazard is storm water collection and distribution. Not only is it a hazard to those properties on Sandrift Street and Gullsettle, that have to use pumps to move storm water so that they do not have to wade through water to get to their homes. It will also be a hazard for homes being built in with in the subject property. Once the root mat is removed, the elevation of the footing will be below the normal seasonal lake levels. Putting 3" rock in a hole and telling the public that this is the drainage system won't work when it is already full with ground water.

5. Realization 2020 Florence Comprehensive Plan: Chapter 8, Policies, Parks and Recreation Policy 3, states: Within the Florence urban growth boundary, the City and Lane County shall designate lands for possible park development purposes. Lands so designated shall be reserved for future park system expansion upon annexation. With Chapter 8 being referenced in the Notice of public hearing, my only conclusion is that Benedick Holdings, LLC is looking to unload the seasonal lakes to the City for a systems development fee waiver. In doing so the lakes become the City of Florence's problem. Again when there are big weather events, the lakes go over the small banks and affect Sandrift Street, Gullsettle Street, Seapines, Florence Golf links, Mariners subdivision. Because there is no storm water collection and distribution system the heavily saturated ground water creates massive hydraulic pressure on the ground under all of the housing along the Siuslaw River from 35th street to Heceta Beach road.
6. Realization 2020 Florence Comprehensive Plan: Chapter 17 Coastal Shore lands: Lake shore lands; Policy 11 Identity's South Heceta Junction Seasonal Lakes, Policy 17 (f) states: Filling in of freshwater Marshes or coastal lakes adjacent to this MU is prohibited. This would seem that any fill to bring roads or foundations above the seasonal lake levels would be prohibited.
7. I am against the annexation of the subject property. The City of Florence does not have the infrastructure or capacity within its permits to discharge more storm water into the Siuslaw River. More housing in this area without collection and distribution capabilities for the storm water runoff will lead to homes that are along the river sliding into the river.

If the City of Florence decides to go forward make it a condition of the annexation that Benedick Holdings LLC, increases the capacity on the gravity feed storm water system by three fold.

**PC 20 22 ANN 01 & PC 20 23 ZC 02 Benedick Holding, LLC  
Annexation and Zone Change**

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Thank you for your consideration.

Randall J Pilcher, Susan R Pilcher  
87842 Sandrift St.  
Flodrence, OR 97439

**Aleia Bailey**

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**From:** Carol Pritchard <cpritchard2886@yahoo.com>  
**Sent:** Monday, October 05, 2020 8:54 PM  
**To:** planningdepartment  
**Subject:** Benedict Holding Annexation Petition

October 5, 2020

I am opposed to this annexation and zone assignment for Idylewood IV. This would cause increased traffic on the narrow roads through the Idylewood neighborhood that were not built for that kind of traffic. It would also slow fire and ambulance emergency vehicles coming into this area.

Residents in this area have already experienced flooding on their property and, as I understand it, this plan would cause more flooding. Wildlife would be displaced causing a problem for them as well as for us.

The potential tax increases as well as city utility costs could be prohibitive for many current residents.

This plan was already reject by Lane County, I believe with good reason.

This plan needs to be rejected again.

Carol Pritchard  
87798 Saltaire St.  
Florence, OR 97539

541-902-2886  
cpritchard2886@yahoo.com



## Aleia Bailey

**From:** Ross Greenlee <greenleeross@gmail.com>  
**Sent:** Monday, October 05, 2020 7:00 PM  
**To:** planningdepartment  
**Subject:** Benedict holdings annexation on Oceana drive

Hello Florence planning commission I am writing regarding the land annex request from Benedict holdings at the end of Oceana Drive.

My name is Ross Greenlee, I am a resident of the Idylewood neighborhood and have concerns about the potential annexation of land at the end of Oceana Drive.



I have included the aerial map above to show the proximity of the land being discussed. You can see the subject property is half water and remains a “lake” most of the year from winter rains.

Idylewood is a quiet mature neighborhood and would hate to see something disturb that. Every day you are more likely to hear the sound of the birds over traffic and construction.

This neighborhood was designed originally to be a park-like setting with narrow streets and vegetation growth in abundance. The amount of animals you see in our area is amazing. We will see rabbits, chipmunks, squirrels and even bears running on our roads daily. The increased traffic and destruction of habitats are concerning. Not to mention we have kids playing also seniors and families walking daily. Currently it is tight for two vehicles to pass on these roads. When a large truck drives down this road It will shake the entire ground and can be felt in my house, this area was all built on sand. If large equipment is moving up and down the road every day it could cause serious damage to the ground and structure of our homes.

Maybe the biggest issue is with flooding. When this neighborhood was built the drainage was never addressed so when we get a lot of rain we have standing water on the side of the streets, there is no place for it to go and our neighbors have had flooding in their homes in the past.

We have all seen the “lake” I mentioned driving down Heceta beach road looking south at these wetlands which are in question. They are planning on filling in this large 48 acre area and the water from that lake will need a place to go and our neighborhood is the likely location. If it was a suitable area to build on 30 years ago they would have done so, the same family owned all of this land. The owner and builder had a specific vision for this land; there are still lots not built on because of rules the owner created 30 years ago. Just because the new owner wants to develop on this section of land, it does not change the facts that this is a wetland area and the repercussions it could cause. I don’t know if building a few new homes in a wetland area is worth the risk to all of the current residents' homes. Florence is a tight community and we look out for each other. I wouldn’t want to see anyones home flooded for any reason and for sure not a man made cause that could have been prevented.

In closing I would consider Idylewood to be one of the best neighborhoods in Florence, we all live here for a reason. I would invite you to take a look at our area and see what this decision might impact.

Thank you,

Ross Greenlee

Jan and Michael Sapienza  
4966 Oceana Drive  
Florence, OR 97439

October 4, 2020

City of Florence  
250 Hwy 101,  
Florence, OR 97439

**RE: PC 20 22 ANN 01 & PC 20 23 ZC 02 –**  
**Benedick Holdings, LLC Annexation and Zone Change**

Please consider our objections to the annexation of Oceana Drive and the Zone change in the above proposal.

We object to the annexation of Oceana Drive as Kelsie Way and Kelsie Court would provide safer, more direct and less disruptive access to the proposed development.

Our objections are as follows:

**Realization 2020 Florence Comprehensive Plan**

**Chapter 2:**

Land Use Policy 6 – We do not believe the existing Florence sewage system would be able to sustain the additional capacity for these new homes because of increased capacity required for already permitted housing growth.

Septic tanks for the number of proposed houses may adversely affect the sensitive Wetland area in which the development is planned.

Residential Policies 7, 8, 10 - This area is a designated wildlife area. Additional traffic, noise and buildings would not protect the land for its intended use.

**Chapter 8:**

To ensure easier access to the parkland for use by Florence residents the entrance to the area should be from Heceta Park Way off Heceta Beach Road, a major road, not through an established residential area.

**Exhibit K46**

## **Chapter 14:**

This property lies within the Cascadia Seduction Zone and a Tsunami-Inundation Zone which requires safe and accessible emergency routes. Additional housing with access using Oceana Drive and Rhododendron Drive will cause increased congestion in the event of an emergency evacuation. Traffic would be driving towards danger area rather than evacuating away from it.

The Benedick subject property has direct access to Heceta Park Way, Kelsie Ct & Kelsie Way. There needs to be ingress and egress through these points. Idylewood Properties and Oceana Drive can become impassible due to a garage sale. Oceana Drive does not adequately meet the requirements for an evacuation route as stated in Pages VII-3, VII-4 VII-5 of the Realization 2020 Florence Comprehensive Plan:

*City of Florence is proactively addressing tsunami preparedness and mitigation within its land use program. Land use planning that addresses tsunami risk is an essential tool to help increase resilience to a potentially catastrophic tsunami event within the City.*

Use of Oceana Drive and Rhododendron Drive for a tsunami evacuation route is in contradiction to the City of Florence Plan to identify needed improvements to the local evacuation system.

## **Chapter 17:**

The development of this parcel of land is in contradiction to the 2020 Florence Comprehensive Plan for Coastal Shorelands: Ocean, Estuary and Lake Shorelands policies for the protection of such lands and wildlife habitats.

Jan Sapienza

Michael Sapienza

OCT 06 2020

By: DHH

Oct 3. 2020

## City of Florence Planning Department

Dear Wendy Farley Campbell

Re: Proposal to annex Oceana Dr. with  
Benedic K Holding, LLC zone changes to the  
City of Florence.

My name is Dorothy Marina Schuagmann  
and my property address is 04794 Oceana Dr.  
I have lived at this address since May of 1992.

I do not want my property with ingers  
and egress onto Oceana Dr. annexed to the  
City of Florence for the following reasons:-

- There will be increased traffic making  
it unsafe to walk on the side of the  
road.
- There will be longer emergency response  
times. This will be an unsettling  
realization for elder residents, myself  
included.
- There will be increased flooding, drainage  
and erosion problems.

Please explain in easily understood  
terminology what "Prime Wildlife  
Shorelands Management unit overlay  
(LDR/PIN) actually is.

Exhibit K47

The County has already declined Benedict Holding, LLC. request to build on these 42.8 acres.

We, Tolykwood property owners, should have a right to vote on the proposal to annex to the City of Florence.

Please telephone me at 841-997-6085  
Thank you for hearing my testimony

Respectfully yours.

Dorothy Marina Schwagermann





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

Two handwritten signatures in blue ink. The first signature is "Jimmie Seitsinger" and the second is "Christine Seitsinger".

**Exhibit K48**

## Aleia Bailey

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**From:** RJS <3hourtour@charter.net>  
**Sent:** Monday, October 05, 2020 3:04 PM  
**To:** planningdepartment  
**Subject:** Regarding Benedick Holdings Annexation

We have lived on Oceana Drive since December 2012 and are opposed to the annexation of Oceana Drive as well as the property described in the Notice of Public Hearing dated September 22, 2020 by the City of Florence. We are opposed for the following reasons:

- Traffic is already a concern here on Oceana Drive. There are blind curves as well as a hill that make it difficult to see pedestrians or those on bikes. Many people walk or ride bikes in our neighborhood including senior citizens and some school aged children. Construction and new occupants of the proposed homes will substantially increase vehicle traffic which will present a greater risk to pedestrians and bicyclists.
- Deliveries in the area contribute to the traffic as well, this traffic will also grow considerably with the proposed increase in area homes.
- Emergency response would also be impacted.
- Our area is historically a wetlands area. Increasing the number of homes and the population will increase the danger of flooding. We have witnessed flooding in the area since living here.
- This area is home to wildlife that will be impacted and displaced by the proposed development.
- Our understanding is that Lane County has denied the applicant this type of land use for this property in the past.

Thank you for your consideration,

James & Robin Shaver  
4849 Oceana Drive  
541-999-2528  
[3hourtour@charter.net](mailto:3hourtour@charter.net)



OCT 06 2023

By: DHH

TO: Wendy Farley-Campbell, Director of Planning, City of Florence,  
Oregon

FROM: Jok Simons, homeowner in Heceta South

RE: Formal Letter of Objection

Disclaimer: I am not an attorney or engineer, nor am I any kind of land use expert, so I do not have the expertise to direct any or all my remarks towards the 8 criteria a/o applicable Oregon law, as required within your public notice. In fact, I believe that this requirement is onerous and will likely serve to stop (via technical disqualification) most of the objections the city will receive. Also, I would like to say up front that if the City of Florence does not require the same standards for development of this fragile land (when the time comes for that), it will be placing the lure of new tax income ahead of the welfare of the environment and the people living in and around these parcels.

Statement of my case:

I am writing to express opposition to the proposed annexation of property owned by Benedick, LLC, tagged as: tax lots 400, 401, and 801. These lots of land are within a parcel adjacent to Idylwood and Heceta South developments. They are variously described as "prime wildlife" land and I believe are protected under a "beaches and dunes" law, which requires certain engineering and other studies be completed and accepted by Lane County prior to any development of such land. You may recall in 2016 that Benedick, LLC requested a variance from Lane County to develop these very parcels. Heceta South's attorney was able to stop the process due to Benedick's failure to provide the required studies.

It appears now that Benedick is seeking to develop these parcels via acquiring annexation by the City of Florence, and then under more lenient rules construct a new residential development. I do not see how the prime wildlife and beaches and dunes designations can simply go away due to this land becoming part of the City.

Exhibit K50

Also, the disruption of the land in parcel 1 (tax lot 400) could increase flooding problems already known to exist in the southwestern edge of Heceta South at the end of Kelsie Ct., which abuts that parcel.

There are valid reasons that certain lots within Heceta South were designated "wetlands" and not developed. I would think that logic should apply to these parcels under consideration for annexation. Some land is not suitable for development and should be left undisturbed. I believe that back-filling low lying areas on which to build roads and new houses will not only create changes in the existing water flow patterns, but will serve as unstable platforms for such construction. Also, the water run-off created by new roads, houses and their various hard a/o paved surfaces could pose increased flooding threat to Heceta South along the end of Kelsie Ct.

These parcels proposed for annexation are also the only natural pathway for wildlife within them and in the 40-acre public land northwest of these parcels to reach Heceta Junction Lake for access to water. The bears, wildcats, coyotes, deer and other wildlife would be forced to cross the newly developed properties to reach water. This would not be good for the animals or the homeowners in a newly developed residential neighborhood in parcel 1 (tax lot 400).

My specific objections:

My first objection to the proposed annexation is simply that once annexed, the owner (Benedick, LLC) will immediately take the necessary steps to develop this land for residential use. I fear that the city will not apply the same standards required for the use of this land as were present when Benedick attempted the zoning variance with Lane County.

My second objection to the proposed annexation is that the owner should not be able to cause the property owners on Oceana Drive to suffer and submit to annexation of their lots. If I am mistaken about this and there is no plan to annex these properties along this road, my concern remains as follows.

Given what Benedick has planned, the size of the water and sewer lines to be installed along Oceana Drive would be significant for such a narrow residential street.

If the owners along Oceana Drive had petitioned the City of Florence to annex their property, that would be one thing, but from my contacts with some of them, that is certainly not the case. They do not want their lives disrupted for weeks or months while the city constructs significant water and sewer lines down the ROW, shutting off their water intermittently and likely destroying the front landscaping of many of the properties. I am pretty sure none of them wants to start paying City of Florence taxes either, should it turn out that they are being annexed against their wishes.

My third objection to this proposed annexation is the subsequent prospect of Benedick seeking to attach a road in the new development to an existing road (Kelsie Way) within Heceta South. I am on the Board of Directors for Heceta South and I can tell you for certain that NO ONE within our development wants the roadways that our HOA built and maintains to this day used by anyone outside our HOA. We pay for the upkeep of these roads and receive nothing (money, labor, use of equipment or anything) from Lane County.

In closing:

Should annexation occur and development be subsequently approved, I would encourage the City of Florence to prohibit the development from connecting its roadway to any street/s within Heceta South, which is an existing private development that maintains its own roads. The residents here do not want the added traffic, noise, or wear and tear on our roads.

OBSÉCTION  
LETTERS

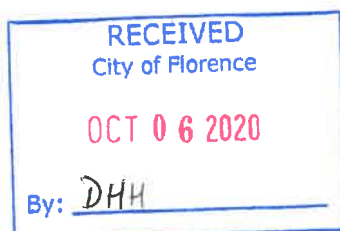
RE= BENEDICK, LLC REQUEST  
FOR ANNEXATION

**City Of Florence (COF) Proposed Annexation Of Benedick Holding LLC's Parcel(s) From Lane County Jurisdiction**

**To the City Of Florence Planning Department Staff, Planning Director Wendy Farley Campbell, Florence City Council, Lane County Planning Director Amber Bell, Lane County Transportation Planning Supervisor Sasha Varatanian, concerned people of Florence & concerned people of Lane County.**

**I'm including this protest letter in addition to my previous letter as I was advised I could do by City of Florence Planning Department. It specifically addresses the limitation of not being permitted to include the complete Lane County Planning Department's file on Benedick Holding LLC's (BH LLC) continuous attempts to develop the land & street(S) which are mentioned in the (COF) NOTICE OF HEARING.**

**The burden of examining "all" the pertinent evidence included in this extensive file is on the planning department---it is their job & responsibility. Not only that, the entirety, as a whole, of this file demonstrates "throughout" & continuously exactly why the applicant's petition for annexation of his property & Oceana Drive into COF should be denied. To pick & chose certain parts of the file discredits the viability of the evidence in context of understanding the many aspects of the whole picture of the abuses BH LLC has engaged in & is demonstrated in the file going back to 1997. BH LLC's attempts in the past with Lane County have been thwarted by the concerns of numerous government agencies and the legal ramifications contained in the file which also includes the many documented concerns/complaints, with evidence, of & by innumerable citizens. This is exactly the reason BH LLC is attempting this annexation with COF. BH LLC understands that the more receptive attitude towards development in COF and its less stringent reviewing process by COF is more likely to have a**



**Exhibit K51**

**beneficial outcome for their goal no matter how or how many citizens it negatively affect/impacts or our environment.**

**Since BH LLC mentions development in his petition to COF & that is the stated ultimate goal of this annexation, all the Lane County file on this issue "must" be included in any decision making process whether legal or otherwise.**

**To deny inclusion of this file is totally improper and most likely illegal no matter what COF Planning Department purports as parameters for comments or evidence to be accepted re: this issue & hearing process.**

**The file may be viewed below electronically & is also contained herein in CD Disc form. Please note: these files are in the order that they were placed into Lane County electronic records not in the chronological order that they were originally written.**

**<http://apps.lanecounty.org/LMDPro/Default.aspx?ParcelNum=1812104000400>**

**Jeff Talbot 5033 Kelsie Court Florence, OR 97439 541-590-3899**

A handwritten signature in blue ink, appearing to be 'Jeff Talbot', written in a cursive style.

## Aleia Bailey

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**From:** Jeff Gemutliche <jeffgemutliche@shasta.com>  
**Sent:** Sunday, September 27, 2020 9:00 PM  
**To:** ross@localgovtlaw.com; planningdepartment; Thatcher, Cher; Terry & Kathy; Wendy Farley-Campbell; Terry & Kathy; Rich & Susan Johnson; Mary McCarthy; jok simons; Jerry Bates; Dianne Pettey; Roxanne Johnston; Cameron La Follette; Annie & Dave Blanks  
**Subject:** Questions About Annexation Notifications ?

We (residents in the proposed annexation by Benedick Holding LLC (BH LLC) surrounding area) would like to know why the (see attached pictures below of the City Of Florence Notifications re: the Benedick Holding LLC. petition for annexation by The City Of Florence of its parcels) were placed in the areas that they were? The pictured notice boxes included) were placed in areas that were in no way easily accessible & specifically one that was outright dangerous especially for citizens that are older, plus all those notices were water logged from Friday's, the 9-25th-2020 heavy rain ! In the other, it was placed "behind" a sign that said no trespassing that was on the petitioners property---(see included pictures).

Many citizens did not receive written notices in the mail, some did when mail boxes were checked & we are wondering why? This whole area, that's up for annexation, has been in litigation for years & years and has had a timeline waiver put on it by Lane County Planning as been requested by BH LLC. (very convenient), now it's been switched over to "The City Of Florence" jurisdiction (path of least resistance, pro development) but it is actually in a "legal catch 22 neverland". Concerned & directly impacted citizens have asked that their list of names with address contact information be placed on a notification list from The City of Florence Planning Dept.---this was not done, why ? Planning has a copy of that list from a long time ago, discouraged by a city fee which can be considered an illegal tax for notification purposes .

Video conferencing calls at this time are totally inappropriate given the context of what is transpiring with the recent coronavirus concerns! People are not able to access all information in a reasonable manner given the COF parameters/requirements.

This whole issue is being handled in the most underhanded unethical way possible by both the COF & BH LLC ---- **it is outright discriminatory for residents of the area based on their age (age discrimination)**. Homeowners in this area are mostly older & are not able to deal/understand newer technologies, many are not as able to see and read the notices that they "might" (very questionable) have been able to obtain and need assistance for those that were "purposely obscured". Not only that, it is obvious that this is programmed into the pattern of discrimination by BH LLC.. As stated, many did not get the notices. Many long time residents know that this is the same thing that they were promised "was a finished issue" many years ago so have been paying no attention to notices (propaganda done deal)---counted on by BH LLC.

At present with the many confusing problems of voting & coronavirus issues this is being placed on the plates of older folks that are challenged in too many ways. This has been the pattern that BH LLC. has been using & demonstrated for years. Newer residents (just recently) were told **by their realtors** that this property (parcel(s) would never be developed because it was considered all wetlands and prone to seasonal lakes & ponds which the **City Of Florence is well & absolutely aware of**. Older residents have been led down the liars path forever! This is going to be one big can of worms for the COF "& others" if documented & further investigation is purposely ignored/swept under the table by the COF & its Planning Department ! There is considerable & consistent flooding information that is, & has been, well documented for many many years that has been filed with the Lane County Planning Department & that The City of Florence is totally aware of & legally required to adhere to:

**(1) To encourage the most appropriate use of land and resources throughout the County.**

**(2) To facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, and other public requirements.**

**(3) To avoid undue concentration of population.**

**(4) To secure safety from fire, panic, flood, and other dangers.**

**(5) To prevent the overcrowding of land.**

**(6) To provide adequate light and air.**

**(7) To lessen congestion in the streets, roads, and highways.**

**(8) To provide an environment of character in harmony with existing and proposed neighboring use of land.**

**(9) To preserve and enhance the quality of Lane County's environment**

We'd like these concerns addressed before there are further proceedings re: this annexation proposal & development. The City Of Florence's own by-laws state that what is being proposed for the future development by BH LLC should not even be considered, PERIOD !

Thank you, from all of the above contacts plus the list of concerned home owners & residents that has been previously been provided to The City Of Florence Planning Department.















## **Aleia Bailey**

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**From:** Jeff Gemutliche <jeffgemutliche@shasta.com>  
**Sent:** Tuesday, September 29, 2020 6:28 PM  
**To:** planningdepartment  
**Cc:** Wendy Farley-Campbell; Terry & Kathy; Rich & Susan Johnson; Mike & Linda Harrah; Mary McCarthy; Jerry Bateman; Jamie/Jim sikora; Dianne Pettey; Cindy Flesher; BELL Amber R; Annie & Dave Blanks; Kelli Weese; Joe Henry; Joshua Greene; Woody Woodbury; Ron Preisler; ross@localgovtlaw.com; Joshua Greene; McAleer, Pat; zmittge@eugenelaw.com  
**Subject:** Benedick Holding LLC Letter To City Of Florence & Lane County

**9-30-2020**

### **City Of Florence Proposed Annexation Of Benedick Holding LLC's Parcel(s) From Lane County Jurisdiction**

**To the City Of Florence Planning Commission, Lane County planning Commission, Planning Director Wendy Farley Campbell, Florence City Council, Lane County Planning Director Amber Bell, Very Concerned People of Florence & Concerned People of Lane County,**

**I am responding to The City Of Florence's (COF) NOTICE OF PUBLIC HEARING, dated 9-20-2020 received by me on 9-25-2020, with my and other resident's objections, protests & statements (listed below) regarding this intended annexation by The City Of Florence and Benedick Holding LLC's (BH LLC) planned development of said & delineated parcels.**

**1) Since this hearing/meeting will be held via video conference (virtual communication) & the fact that Lane County is specifically mentioned/introduced in Benedict Holding LLC's "Applicant's Statement of Support" on page 18 item 7**

**([https://www.ci.florence.or.us/sites/default/files/fileattachments/planning/page/18001/stmnt\\_of\\_support.pdf](https://www.ci.florence.or.us/sites/default/files/fileattachments/planning/page/18001/stmnt_of_support.pdf)) concerned residents & home owners insist that these electronic files be legally included into the record as admissible evidence (they opened the door), specifically all the Lane County files that pertain to this area mentioned in the notice. Note: these records are in the order that they were placed into Lane County Electronic files (not a true chronological order) for**

ease of viewing. These electronic files may be seen/viewable here:

<http://apps.lanecounty.org/LMDPro/Default.aspx?ParcelNum=1812104000400>

2) The annexation proposal is in direct contradiction to The City Of Florence's own by-laws and stated policies (below) by the very fact that the mentioned intent of the applicant, Benedick Holding LLC (BH LLC), is to develop said parcel(s) & for this to be accomplished it is necessary for COF annexation of Oceana Drive which will cause innumerable problems. Applicant, BH LLC, also mentions in his "own" Statement of Support for this annexation the same contradictions pointed out above but has chosen to ignore them.!

### **Stated COF policies:**

Ordinance No. PA1334 – Coastal Goal Update The proposed co-adoption of amendments to the Florence Comprehensive Plan, plan amendments, and re-zoning of parcels are subject to the applicable criteria contained in Lane County Rural Comprehensive Plan Part 1, Section D, Florence Realization 2020 Comprehensive Plan, ORS 197.175, ORS 197.628, ORS 227.186, Statewide Land Use Planning Goals, OAR 660-037, and Lane Code 12.050. The City of Florence (Applicant) provided findings that satisfactorily address the applicable approval criteria. Lane County staff has made findings to Lane Code 10.315-05 and 10.315-20 for the proposed rezonings and text amendments to Lane Code 10.020, 10.225-10.270. Lane Code 10.315 PROCEDURES FOR ZONING, REZONING AND AMENDMENTS TO REQUIREMENTS LC 10.315-05 Purpose. As the Comprehensive Plan for Lane County is implemented, changes in District and other requirements of this chapter will be required. Such amendments shall be made in accordance with the procedures of this section. Florence is completing periodic review to update their Comprehensive Plan for application within the long term planning horizon extending to the year 2020. The proposed amendments to Lane Code Chapter 10 are found to support the policy amendments to the Coastal Goal of the Florence Comprehensive Plan. LC 10.315-20 Criteria. Zonings, rezonings and changes in the requirements of this chapter shall be enacted to achieve the general purpose of this chapter and **shall not be contrary to the public interest.**

LC 10.315-05 Purpose. As the Comprehensive Plan for Lane County is implemented, changes in District and other requirements of this chapter will be required. Such amendments shall be made in accordance with the procedures of this section. Florence is completing periodic review to update their Comprehensive Plan for application within the long term planning horizon extending to the year 2020. The proposed amendments to Lane Code Chapter 10 are found to support the policy amendments to the Coastal Goal of the Florence Comprehensive Plan. LC 10.315-20 Criteria. **Zonings, rezonings and changes in the requirements of this chapter shall be enacted to achieve the general purpose of this chapter and shall not be contrary to the public interest.** LC 10.015 Purpose. The purpose of this chapter is to provide procedures for dividing the unincorporated portions of Lane County into districts and to provide requirements pertaining to such districts in accordance with a comprehensive plan, and is adopted to protect and promote the public health, safety, and welfare, and to promote the implementation of the Comprehensive Plan for Lane County. Such procedures and requirements are intended to achieve the following objectives:

- (1) To encourage the most appropriate use of land and resources throughout the County.
- (2) To facilitate the adequate and efficient provision of transportation, water, sewerage, schools, parks, and other public requirements.
- (3) To avoid undue concentration of population.

- (4) To secure safety from fire, panic, flood, and other dangers.**
- (5) To prevent the overcrowding of land.**
- (6) To provide adequate light and air.**
- (7) To lessen congestion in the streets, roads, and highways.**
- (8) To provide an environment of character in harmony with existing and proposed neighboring use of land.**
- (9) To preserve and enhance the quality of Lane County's environment**

509-PA16-05276/Ordinance No. PA 1334; 509-PA16-05277/Ordinance No. PA 1335; 509-PA16-05278/Ordinance No. PA 1336 Florence Plan Amendments LCPC

**3) Not all residents & homeowners were properly served a notice.**

**4) Not all residents, because of age & technological limitations, are able to respond or attend in the venue suggested & outlined by the COF Planning Commission's notice. Older adults as a group are on the negative side of the "digital divide". The term not only identifies who uses the internet but those that do not or cannot. Lower rates of computer & internet access/use among older adults have both negative ramifications as far as social & financial costs. This is of particular concern in this instance where this older segment of Florence's population area seems to be knowingly & purposefully disenfranchised and is at a definite disadvantage! This amounts to age discrimination and should be considered in the way this whole annexation practice is being handled at the present time. I personally have spoken to too many residents that expressed this very concern, "how am I supposed to voice my protest & objection to this, I have no way of speaking up now? is what they ask.**

**5) BH LLC has demonstrated a consistent pattern of broken promises, lies ("that parcel will become a park") to Idylewood Phase I subdivision owner residents & future owner residents at the time. BH LLC did not legally (signed) adhere to the permitting processes for their initial applications with Lane County & its planning department for applicant's investigation & access process to the 10 acre parcel that they have been trying to develop for the last at least 10 years---1st with Lane County & now with an end run with a less stringent City Of Florence. They**

left a portion of the mentioned area denuded with log decks that were supposed to be removed that is still in the same condition as years ago. Lane County enforcement for land use issues flat out told me that at the time they did not have the resources to follow thru with penalties since BH LLC stopped after numerous residents complained! This was all done while the Beaches & Dunes Committee regulations were ignored (all part of the file that is attached above). There is ample evidence that their same deceptive practices will continue.

6) Objection: This is not the most appropriate use of the land & resources of this area!

7) Objection: This in no way facilitates ease of transportation, it actually negatively impacts traffic flow not only on the immediate streets mentioned but the whole surrounding area.

8) Objection: This will have dangerous & dire consequences for the immediate residents in the event of an emergency; either fire, flooding, tsunami.

9) Objection: This area has continuously flooded over all the years due to natural area prone causes & the lack of proper measures on the part of BH LLC in his previous subdivisions which every resident of the area is well aware of. The development of the said (noticed property) which is a designated wetland with seasonal ponds has been proposed for filling and grading which will only lead to much worse flooding problems. For Lane County & COF to allow the outrageous plan to move forward is unconscionable by itself let alone with the other associated other problems.

10) Objection: This whole area already has limited access and exit capabilities---further development will only increase mobility problems if there are any number of unforeseen emergencies, & some that are already known. This is extremely relevant to the older population that exists here. Plus, residents are now having increasing problems !

11) Objection: This will definitely have a negative impact on the ability of emergency vehicles & personnel to access & exit the area.

12) Objection: Traffic increases will endanger older citizens and all others, many walk for "necessary" exercise. A definite danger !

**13) Objection: This will without the slightest doubt have a negative effect on the whole area, it will change the continuity, environment, noise levels, the existing character & general feel of the area.**

**14) Objection: COF's & Lane County's Environment will without doubt be negatively impacted !**

**15) Objection: Residents of our area will be forced to subsidize a developer that has demonstrated past unethical practices that will only benefit his aims to the detriment of us---we receive nothing & don't want this development/annexation !**

**16) COF & Lane County are well aware of these problems and need to be legally held accountable on so many levels if this unconscionable plan is forced upon us!**

**Jeff Talbot 5033 Kelsie Court Florence, OR 97439 541-590-3899**



## Aleia Bailey

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**From:** Steve WILLIAMS <seawatch\_hoa@yahoo.com>  
**Sent:** Monday, September 28, 2020 11:16 AM  
**To:** planningdepartment  
**Subject:** PC 20 22 ANN 01 & PC 20 23 ZC 02

9/28/20

Re: Resolution PC 20 22 ANN 01 & PC 20 23 ZC 02

Also ref. Resolution PC 20 07 PUD 01 Rhododendron Drive (appeals pending)

From: Steve Williams, 18 Sea Watch Place, Florence, OR 97439  
bc: Sea Watch Hearing Grp., Mariners Village HOA

Subject: Traffic issues North of 35th street from this and future Annexations near Heceta.

Dear City Planning,

We just saw the notice of public hearing for PC 20 22 ANN 01 posted about 1.4 miles north of 35th st. on Rhododendron Dr.

This could possibly be a new annexation of 49 acres for development that will impact the traffic corridor through Rhododendron Dr. from north of 35th street to Fairway Estates. I was told (yet to verify) that this would allow the developer to be allowed greater density for development than the current County zoning would permit.

I am sure more of these are to come as the City of Florence expands.

We have 3 active appeals on Resolution PC 20 07 PUD 01 Rhododendron Drive. Many points relate to the deficiencies on the TIA's done; none of which consider future issues from annexations. We have requested that the City reconsider their original 2005 plan (submitted in the 9/8/2020 meeting by the City) for our traffic corridor North of 35th street to Fairway Estates which includes a third lane from 35th st. to Fairway Estates. The 2005 plan seemed to reasonably address future growth, provide needed safety to our community, and address the future growth issues. Why this wasn't considered is beyond me. Maybe it's an issue (as referenced in the Mariners Village Email) that the city may have to fund this vs a TIA requirement given to the developers of PC 20 07 PUD 01 .

Whatever it is, the 2005 plan made simple sense. Not doing so now (while the area is undeveloped, and can accommodate the necessary land needed) is a sin. It will put lives at risk. A mistake that if not addressed now, it will be a permanent problem - and one that could have been easily avoided. High density housing across the street or in future annexed areas won't kill us, but a limited view by the City on this traffic issue could. I remind the City that we have existing issues with this situation that to date have been ignored. I am told there have been several accidents here (including one fatality), and there has been no City action to date.

Resolution PC 20 22 ANN 01 & PC 20 23 ZC 02 is probably just the beginning. To rely on TIA's without factoring in the possible growth aspects the City of Florence wants to inspire is sheer negligence.

My appeal point to PC 20 07 PUD 01 is this:

We have made multiple appeals based on traffic and that the TIA's are basically not relevant with reality. Consideration of Resolution PC 20 22 ANN 01 & PC 20 23 ZC 02 basically proves our point.

I'd like to submit this for the record to our appeal consideration of Resolution PC 20 22 ANN 01 & PC 20 23 ZC 02 that substantiates this point.

I'd also like to request this be added to our appeals on Resolution PC 20 07 PUD 01 Rhododendron Drive as new and relevant information that was not available when we submitted our appeals.

For the record on PC 20 22 ANN 01 & PC 20 23 ZC 02 request for annexation I have the following questions:

1. I've been told they are applying the annexation so they can develop a greater density development than the County code would provide. Is this true?
2. If they are annexed, even as a "low density development", would they not be entitled to reapply for a rezoning like PC 20 07 PUD 01 and be able to develop 13+ houses an acre like the PC 20 07 PUD 01 project (precedence having been set and approved)? That could mean 588+ new rentals/condos to market. What would prevent this ?

High density housing can be dealt with, but ignoring a good and safe traffic plan and its needed infrastructure required to support this future view of Florence, is critical for safe and efficient transportation for all residents (Florence and County) affected by this growth.

I hope you will consider

Thanks

Sincerely, Steve Williams

## Aleia Bailey

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**From:** CHARLIE WONG <cwong01@comcast.net>  
**Sent:** Wednesday, September 30, 2020 12:36 PM  
**To:** planningdepartment  
**Cc:** cwong01@comcast.net  
**Subject:** Annex of property located within the Idylewood community

The first point we would like to address is the area of impact is much more than the 300 feet that is implied by the contact notices . Our understanding is they were only distributed to those homes. The impact far reaches that area ..And they should of been included. Why were they not advised?

These are wetlands that are full of wild life. What happens to them? Oregon prides itself on our natural preservation of animals and their habitat. We don't feel we can or should lose a natural precious area of land to building contractors.

A huge draw for retired people and families is, it is a small community. Where you can still walk and ride bicycles on neighborhood streets safely and without the impact of constant traffic. Our roads are narrow but seem to adequately work for the community we are right now!!

What about flooding? Any time you take away (cut down) nature you are running major risk to the environmental degradation of the area.

We are also concerned for emergency vehicle access with the additions.

Many of us have chosen to spend our retirement years here for many reasons but the main one for us is the quiet area Idylewood offered us. There are many reasons the county declined to allow this to happen

Thank you for taking our concerns under advisement

Charles & Francine Wong  
4951 Sandrift Ct.  
Florence, Oregon 97439  
(541)9974093

## Aleia Bailey

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**From:** Paula Ziegelasch <pziegelasch@gmail.com>  
**Sent:** Monday, October 05, 2020 10:43 AM  
**To:** planningdepartment  
**Cc:** Ned Hickson  
**Subject:** Objections to the Annexation/Rezoning Proposal of Benedick Holdings LLC  
**Attachments:** Florence Area LWI National Wetlands Inventory, Fig. 3.jpg

Attention: City Council and Planning Commission Members

In reviewing the Realization 2020 Florence Comprehensive Plan, the clear intent of the document is to protect from land development that is not consistent with “**shoreland values.**” As stewards of this glorious landscape, each voting member of the Planning Commission and City Council is left to evaluate for themselves these referenced “shoreland values”. For me, this value is not measured in dollars.

The Realization 2020 Florence Comprehensive Plan also specifies, in keeping with “the desire of the citizens of Florence to retain an aesthetically pleasing community, the importance of retaining as much as possible of the native vegetation such as the shore pines, wax myrtles, huckleberry, and native rhododendrons cannot be overemphasized.” Rezoning from low density residential will not be in keeping with the intent of the plan.

Furthermore, as evidenced by the Florence Area LWI National Wetlands Inventory (attached), the subject property is smack dab in the center of a wetlands area. Wetlands are defined as “a distinct ecosystem that is flooded by water, either permanently or seasonally, where oxygen-free processes prevail. The primary factor that distinguishes wetlands from other landforms or water bodies is the characteristic vegetation of aquatic plants, adapted to the unique hydric soil.” As a property subject to flooding, it is not feasible for development without risk to the entire community.

An abundance of wildlife have made their homes in the 50 acres in question and will undoubtedly be squeezed out with the encroachment of this development. This area would be much better suited as a park to protect and preserve this important habitat.

Finally, I do not have access to the Lane County file (693 pages) relating to the county’s struggles with Benedick Holdings LLC relating to this property over the last 30 years but I would be interested to see if an Environmental Impact Statement has already been conducted and registered to evaluate the impact to this area. Please include a review of this file in your evaluation prior to making any irrevocable decision on annexation and rezoning.

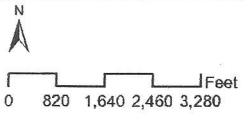
Thank you for your consideration.

Paula Ziegelasch  
87762 Saltaire St.  
541-603-6948

--

PZ





FLORENCE AREA LWI  
NATIONAL WETLANDS INVENTORY



FIGURE 3  
3/18/11



TO:Wendy Farley-Campbell, Director of Planning, City of Florence, Oregon

FROM: Virginia G. Zilai, homeowner in Heceta South

RE:Formal Letter of Objection

I am writing to express opposition to the proposed annexation of property owned by Benedick, LLC, tagged as: tax lots 400, 401, and 801. These lots of land are within a parcel adjacent to Idylwood and Heceta South developments. They are variously described as “prime wildlife” land and I believe are protected under a “beaches and dunes” law, which requires certain engineering and other studies be completed and accepted by Lane County prior to any development of such land. In 2016, Benedick, LLC requested a variance from Lane County to develop these very parcels. Heceta South’s attorney was able to stop the process due to Benedick’s failure to provide the required studies.

It appears now that Benedick, LLC is seeking to develop these parcels via acquiring annexation by the City of Florence, and then under more lenient rules construct a new residential development. If he is granted permission, what happens to the “prime wildlife and beaches and dunes designations”? I find it hard to believe they can simply go away due to this land becoming part of the City.

Flooding problems are already known to exist in the southwestern edge of Heceta South at the end of Kelsie Ct., which abuts that parcel. Disruption of the land in parcel 1 (tax lot 400) could increase that possibility, putting other properties at risk.

Certain lots within Heceta South were designated “wetlands” and not developed. The same logic should apply to these parcels under consideration for annexation. Some land is not suitable for development and should be left undisturbed. I believe that back-filling low-lying areas on which to build roads and new houses will not only create changes in the existing water flow patterns, but will serve as unstable platforms for such construction. Also, the water run-off created by new roads, houses and their

Exhibit K57

various hard a/o paved surfaces could pose increased flooding threat to Heceta South along the end of Kelsie Ct.

These parcels proposed for annexation are also the only natural pathway for wildlife within them and in the 40-acre public land northwest of these parcels to reach Heceta Junction Lake for access to water. The bears, wildcats, coyotes, deer and other wildlife would be forced to cross the newly developed properties to reach water. This would not be good for the animals or the homeowners in a newly developed residential neighborhood in parcel 1 (tax lot 400). The animals would suffer the consequences, not the homeowners or the developer.

Specific objections:

My first objection to the proposed annexation is simply that once annexed, the owner (Benedick, LLC) will immediately take the necessary steps to develop this land for residential use. I fear that the city will not apply the same standards required for the use of this land as were present when Benedick attempted the zoning variance with Lane County and he will be allowed to proceed.

My second objection to the proposed annexation is that the owner should not be able to cause the property owners on Oceana Drive to suffer and submit to annexation of their lots. If I am mistaken about this and there is no plan to annex these properties along this road, my concern remains as follows.

Given what Benedick, LLC has planned, the size of the water and sewer lines to be installed along Oceana Drive would be significant for such a narrow residential street.

If the owners along Oceana Drive had petitioned the City of Florence to annex their property, that would be one thing, but from my contacts with some of them, that is certainly not the case. They do not want their lives disrupted for weeks or months while the city constructs significant water sewer lines down the KUVV, shutting off their water intermittently and likely destroying the front landscaping of many of the properties. I am pretty sure



none of them wants to start paying City of Florence taxes either, should it turn out that they are being annexed against their wishes.

My third objection to this proposed annexation is the subsequent prospect of Benedick, LLC seeking to attach a road in the new development to an existing road (Kelsie Way) within Heceta South. Our HOA built and maintains these roads and receives nothing (money, labor, use of equipment or anything) from Lane County.

Sincerely,

A handwritten signature in cursive script that reads "Virginia Gail Zilai". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Virginia Gail Zilai

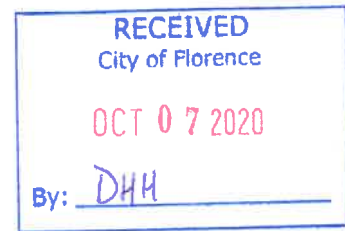
Heceta South Homeowner

OBSÉCTION  
LETTERS

RE= BENEDICK, LLC REQUEST  
FOR ANNEXATION

2 October 2020

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



Re: Benedick Holdings LLC annexation

We are homeowners in Idylewood, and are strongly opposed to the application and petition from Benedick Holdings to annex their property and Oceana Drive into the City of Florence.

Nowhere in the application and petition is there any mention of Benedick Holdings' plans for development of their property, and that information is hugely important in consideration of their application. E.g., if they plan to build one luxury home, our objection would be softened.

However, in their application to Lane County a few years ago, they proposed building 50 homes, and now, in this application, they propose tearing up all of Oceana Dr. to install sewer and utility lines over a distance of nearly one-half mile; it's hard to believe the developer would undertake that kind of expense for just a handful of homes.

The past annexations listed in their petition are all located along the arterial of Rhododendron Dr., so the connection to the City's sewer was not a major undertaking. Even the one "offroad" exception — Driftwood Shores — required an extension from Rhododendron that's 1,000 feet less than would be required to reach the Benedick property from Rhododendron Dr. along Oceana Dr.

There are nearly 400 homes in Idylewood, and 99% of all ingress and egress is via just two streets: Saltaire St. and Oceana Dr. Adding more cars and trucks to those streets would be a severe burden — and danger — to the people who already live here. There are no sidewalks nor streetlights in Idylewood, and those of us who walk and bike in the neighborhood already have to deal with too many vehicles, many of which are traveling far above the 25mph limit.

In addition, the Benedick property floods every winter, and sometimes in the fall and spring also. It is wetlands, filled with wildlife, and really is not suitable for extensive development.

We do understand that the City of Florence would like to create more affordable housing, and we don't dispute that need. However, this petition and application does not satisfy that need, and in fact creates far more problems than it solves.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bruce W. Hadley".

Bruce W. Hadley  
4828 Oceana Dr.  
Florence, OR 97439

A handwritten signature in blue ink, appearing to read "May Deborah Hadley".

May Deborah Hadley

Exhibit K59

September 30, 2020



Wendy Farley-Campbell, Planning Director

City of Florence

250 Highway 101

Florence, OR 97439

Re: Objection to the petition put forth by Benedict Holdings, LLC Annexation and Zone Change

We are in receipt of your letter dated September 22, 2020, regarding Notice of Public Hearing for a proposed land development by Benedict Holdings, LLC.

We, David and Annie Blanks, are property owners in Heceta South Subdivision. Residing at, Lot 49, 5014 Kelsie Court, Florence, OR.

We, David and Annie Blanks, would like to be put on record that we are extremely against the Annexation and re-zoning of Oceana Dr. and property described as Assessors Map No. 18-12-10-40, Tax lots 400 and 401 and MR 18-12-10-34 Tax lot 801.

Our major concern in the area Benedick Holdings, LLC, plan to develop is extremely sensitive to drainage. The unstable slopes in this area and any disturbance of these lands will cause destabilizing of the land and can, and most likely will, cause water drainage issues and possible future flooding in the development and neighboring properties. Us being one of those properties. Our property is located close to the seasonal lakes on the proposed development.

Will this be engineered properly so that we won't endure future water problems created from this proposed new development? What is our re-course should we experience water issues caused by the development of said lands?

We are also concerned the City of Florence will require Benedick Holdings, LLC to connect to our roads for access to the property they want to develop. We strongly oppose this. Our HOA pays for and maintains our roads. If the City of Florence intends this to happen, our developemnt would be severely impacted in many ways: security, safety, livability, road issues and property values.

Please put David and Annie Blanks, on record as extremely opposing Benedick Holdings, LLC, request to annex their property and right-of-way and apply for a City of Florence re-zoning designation.

Regards,

A handwritten signature in black ink that reads "Annie Blanks".

David and Annie Blanks

5014 Kelsie Court

Florence, Or 97439

Exhibit K60

RECEIVED  
City of Florence

OCT 07 2020

By: DHH

*Richard & Susan Johnson*  
5046 Kelsie Court  
Florence, Or. 97439

September 29, 2020

City of Florence Planning Dept.  
c/o Wendy Farley Campbell  
250 Highway 101  
Florence, Or. 97439

Re: PC 20 22 Ann 01 & PC 20 23 ZC02- Benedick Holdings, LLC Annexation &  
Zone Change

Dear Wendy,

We, Richard & Susan Johnson, are current owners and residents of Lot 50 in Heceta South subdivision located at 5046 Kelsie Court. we received a copy of the notice of a public hearing from your office because of our property's close proximity to Benedict's land.

We strongly object to the annexation of this property into the City of Florence and the application for changing the zoning of this property from Beaches & Dunes to the City of Florence's low density/prime wildlife zoning overlay.

Our property is located close to the seasonal lakes. Part of our property is considered wetlands and has standing water on it part of the year. We are concerned that large scale grading and the movement of the current sand dunes on that property could destabilize the dunes causing potential flooding into our neighborhood from Heceta South seasonal lakes. We believe the City of Florence's zoning designation would be less restrictive than Lane County's Beaches & Dunes zoning which prohibits grading of slopes in excess of 25%.

In 2012, several streets in Heceta South were flooded for several months and Heceta Beach Road (a major artery and primary Tsunami Evacuation Route) was closed due to non engineered land movement by a property owner outside of Heceta South. This caused access issues to Heceta South homeowners and disruption of services such as mail delivery and garbage pickup. Areas

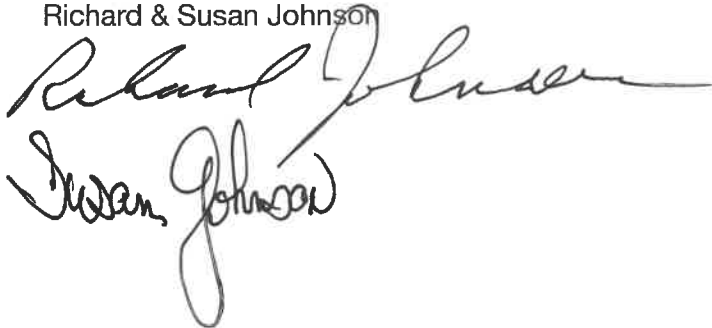
designated in the Beaches and Dunes Zones are extremely sensitive to drainage issues. According to homeowner's in the existing Idylwood subdivisions there are flooding issues in their neighborhoods that have never been resolved by the builder, Benedick Holdings, LLC. We don't want those same problems to occur in our development.

We are also concerned that the City of Florence will require Benedick Holdings, LLC to connect to our roads for access to the property they want to develop. We strongly oppose this. Our HOA pays for and maintains our roads. If that is what the City of Florence intends to do, our development would be severely impacted in many ways; security, safety, livability, road issues & property values.

Please put us on record as opposing Benedick Holdings, LLC, request to annex their property and right-of-way and apply for a City of Florence zoning designation.

Sincerely yours,

Richard & Susan Johnson

The block contains two handwritten signatures in black ink. The top signature is for Richard Johnson, written in a cursive style. The bottom signature is for Susan Johnson, also in cursive. The names are written below the printed name "Richard & Susan Johnson".

October 6, 2020

Wendy Farley Campbell  
Florence Planning Department  
250 Highway 101  
Florence, OR 97439

Re: Benedick Annexation Petition

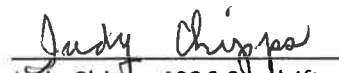
Benedick's greedy plans to build 32 plus houses in the Idylewood/Heceta South subdivisions is not only stupid but dangerous! That would put approximately 60 plus more vehicles on these streets which all dump onto Rhododendron Drive.

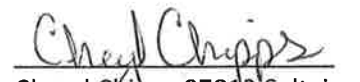
There are only two available outlets to Highway 101. In case of an emergency such as a wildfire or Tsunami, which are predicted to happen, where are all these people to go to evacuate? There should have been a direct route built from this area to 101 straight across. Right now Rhododendron Drive is a bad evacuation route, and adding 40 to 60 more vehicles to the 200 plus or more is a dangerous situation, and very irresponsible of the City to consider.

- Building any more homes along Rhododendron Drive is a bad idea for everyone.
- Annexing Idylewood/Heceta South goes against the City's promise to the homeowners of these areas.
- Creating a short cut from Rhododendron Drive to Heceta Beach Road on already narrow streets is dangerous to both pedestrians and motorists.
- The wildlife habitat will be greatly impacted by this irresponsible proposal.
- Existing property values will decrease once this becomes a through fare for those wanting a short cut.
- Pumping more and more people into Florence is causing problems everywhere in town. More traffic, lack of parking, lack of desire to live in this town.

Benedick should find some other area, outside of the Tsunami evacuation route area, to line his already greedy pockets!

  
Kenneth Chipps 4936 Sandrift

  
Judy Chipps 4936 Sandrift

  
Cheryl Chipps 87812 Saltaire

  
Chris Kohl 87812  
Saltaire

**Exhibit K62**

## Aleia Bailey

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**From:** taunia green <tauniag6@gmail.com>  
**Sent:** Wednesday, October 07, 2020 7:41 PM  
**To:** planningdepartment  
**Subject:** Fwd: Idylewood Annex

Attention Planning Department of Florence Oregon,

As a resident of Florence Oregon, I was interested to hear about the proposed development of 30+ houses in a wetland between the developments of Idylewood and Heceta South without consulting the existing Idylewood residents. Now I am a concerned citizen.

Though it may benefit some to have this additional housing in Florence, in the long run it has potential to create a negative impact on the whole community, including property value. FEMA demes that flooding on this coastal stretch of Oregon is a concern. Eliminating wetlands by building on them takes away the land's natural ability to deal with floods. The water has to go somewhere. If you eliminate enough of the wetlands that have the space to take in the flood waters, whatever is there instead will be flooded, and most likely more than that. The reason so many houses flood on the Mississippi is because they build on a floodplain, aka: wetland.

I would personally like to see the following involved to make sure the utmost care is being taken to protect the constituents who make up this fabulous town: FEMA (floodplain map), a complete Environmental Impact Statement, Western Lane Emergency Operations Group (WLEOG) and its community partners, Siuslaw Watershed Council, Coast Guard, Heceta South residents, as well as putting it out to the entire community, ie: full disclosure in the Siuslaw Newspaper. If our city decides that building on a floodplain is advantageous, I would like the citizens of Florence to be *assured* that this project will not negatively influence the chance of flooding in Florence. We deal with wildfires, toxic smoke, and pandemics. I am hoping that the Planning Department wants to limit the difficulties we will face here in Florence. Saying no to 30+ houses now is easier than saying hello to displaced residents and extra taxes in the future.

Although my main concern is the impact of flooding, I know there are many other considerations to the public: it would set a precedent for annexing any area outside the city limits without public consent, the increased traffic within Idylewood largely increased traffic on Oceana, the fact that the traffic impact study was done in December when traffic in Florence has the lowest impact instead of in the summer months when snowbirds and tourists are here, serious disruption to the evacuation route in the event of a tsunami alarm, The Realization 2020 Florence Comprehensive Plan which states "the desire of the citizens of Florence... (is) to retain... as much as possible of the native vegetation such as the shore pines, wax myrtles, huckleberry, and native rhododendrons cannot be overemphasized.". Just the issue of flooding seems like a reason to take a close look at developing this wetland with the input of the community. With all of these issues facing this one development/30+ houses, the concern is overwhelming that the consideration of the Florence residents should be involved in this decision.

Thank you for your time and energy in considering this statement, as well as all you travels through your hard work for this city.

Taunia Green  
PO Box 832  
Florence Oregon  
707 272 2414

**Exhibit K63**





4915 Oceana Drive  
Florence, OR 97439  
October 4, 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?

Our 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 us.

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 our property value.

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.

We say no to this proposal.

Sincerely,

*Marc & Amy Fletcher*

Marc & Amy Fletcher  
4915 Oceana Drive  
Florence, OR 97439

**Exhibit K64**