

Aleia Bailey

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

From: Debbie Anderson <debbie_anderson123@yahoo.com>
Sent: Saturday, September 26, 2020 9:11 PM
To: planningdepartment
Subject: Annexation off Rhododendron by Salt air 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

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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

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

Aleia Bailey

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

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
4. environmental degradation
5. 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

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

Aleia Bailey

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