

**Clare Kurth**

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**From:** Tom [REDACTED]  
**Sent:** Tuesday, May 2, 2023 8:19 AM  
**To:** Planning Department  
**Subject:** Fwd: Fairway Estates, Resolution PC 21 39 SUB 03 and PC 21 40 PUD 02  
**Attachments:** Presentation Phase Two.pdf

Sent from my iPad

Begin forwarded message:

**From:** THOMAS FABER [REDACTED]  
**Date:** May 2, 2023 at 7:42:11 AM PDT  
**To:** wendy.farleycampbell@ci.florence.or.us  
**Subject:** Fairway Estates, Resolution PC 21 39 SUB 03 and PC 21 40 PUD 02

To: Florence Planning  
Department

5/01/2023

RE: Fairway Estates, Resolution PC 21 39 SUB 03 and PC 21 40 PUD 02

From: Thomas Faber

To Whom It May Concern,

Fairway Estates Phases 2-3-4 will provide much needed housing for current and future residents. Florence is a diverse community and there needs to be housing for all. High density, medium density, low density, and all income levels. I believe our developer, I say "our" because I am fortunate enough to live in Phase 1 and believe Michael Pearson is providing a quality product and reasonable prices. These homes are marketed as "Your first home, your well-deserved vacation homes, or your long-awaited retirement dream home on the Oregon Coast."

It is also extremely important to follow the goal of keeping the Coastal Spirit and Natural Beauty of Florence while providing homes for people to live in. That is why the City Code requires a minimum of 20% percent Open Space in each new development and for 25% of that space to be improved for recreational purposes. That should not be a difficult condition to meet.

The current development application has gone through a tortuous path to attempt to arrive at what should be a very simple requirement. Based on the latest information available to me, the condition for open space has not been met. The open space requirement may not be important to all. But if the development is to be as inclusive as it is marketed, it is very important that it be met.

It may not matter now but here are my recommendations, similar to my original written testimony now listed as Exhibit R3 in the supporting documents.

1. Save the wetlands. Located in the northeast corner, too small of any significance to various government agencies, but they are there and they are beautiful. Thankfully untouched by the previous vegetation clearing, this corner of the development could be used to satisfy most of the open space and recreational space requirements.
2. Leave the natural buffer between Mariners Village and Fairway Estates alone. Mariners Village has 10 feet dedicated to it and Fairway Estates should match it. No clearing on the western 10 feet. Preserve the beauty of this area. No bark and weed covered cattle chute behind our neighbors' homes. No concrete, ADA lighted area for nefarious activities. People can walk, bike, push buggies and wheelchairs on the sidewalks in front of our homes under the streetlights and be seen and visit with their neighbors in driveways and on front porches on their way to Pearson Park.
3. Preserving the wetlands would require a realignment of the street (Dunbar Way), eliminating the problem of the turn radius not meeting requirements. This will require reconfiguring and the loss of some lots but moving the open space to the northeast corner eliminates the need for "Tract A," it can return to housing. It eliminates the need for a short-shared driveway shared with a ten foot nature path. Imagine the nature paths and views available for benches on the higher elevation of the northeast corner.
4. Extend Caddington Lane to the northern boundary. Leave it as a stub to connect to the future City 3 Mile Prairie Park which will most likely include the development of 46<sup>th</sup> street as an east/west arterial roadway between Rhododendron and Oak. This will become the second entrance and egress for the subdivision.

I realize these suggestions may not be obtainable during the current process and would probably not satisfy every current homeowner or future homeowner. But I believe they would go a long way satisfy the requirements for open space. That has been my focus and I speak for myself only.

consideration,

Thank you for your

Tom Faber

P.S.

Attached is a power point full of pictures of our village.

# Fairway Estates Phase 1-2-3-4

A WALKING TOUR

## Phase 1

This is the trail that runs behind Caddington. It includes storm drainage infrastructure. In the upper left you can see part of one of the many Recreational Vehicles being stored in the lot provided to the residents of Mariners Village that sits directly west of Fairway Estates Phase 1. The 10 foot easement left in its natural condition hides them.



## Nature Paths

From that point just above the drainage grate, to the west is a path between two homes. Because of the difficult terrain it is not easily accessible.



## Pathways

From that same vantage point looking south to Tournament Drive. There are two lots yet to be built, the fencing will be extended.



## Pathways

Looking east to Caddington Lane. The HOA is responsible for maintaining these paths.



## Pathways

Looking back at the drainage grate as we head north to Phase 2.





## Pathways

Looking back to the south from the end of the storm drainage/nature path. Those fences on the left are the back yards of homes on Caddington Lane and to the right the 10 foot green buffer owned by Mariners Village. Oscar says Hi.



## Phase 2

As you enter into Phase 2 the green buffer gets deeper as it consists of the 10 feet of Mariners buffer and vegetation running along the western perimeter of Phase 2 that was not cleared earlier.



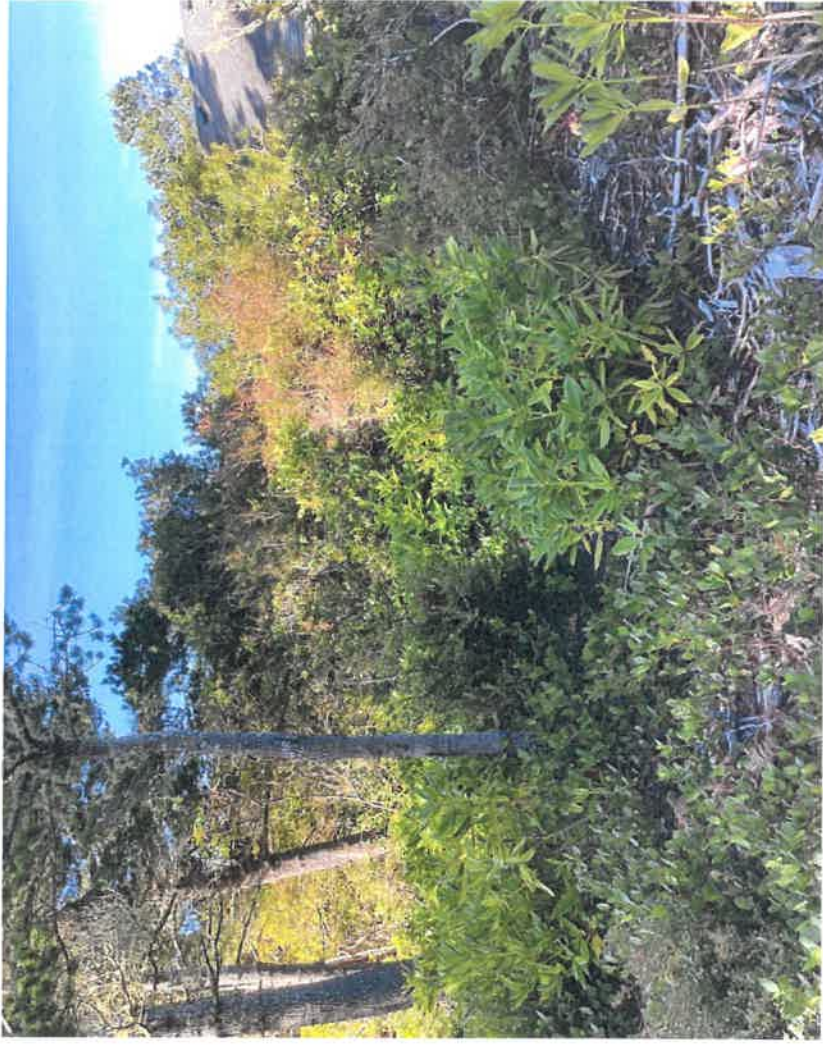
## Phase 2 Western Edge

I believe the white pole may be the property line. The current proposal calls for clearing everything 10 feet to right of the pole.



## Phase 2

Just an example of the privacy the current vegetation provides to the residents of Mariners. I believe they would much prefer the area remain a green buffer 20 feet wide, 10 feet on the Mariners side and additional 10 feet on the Fairway side. The Fairway side untouched would probably still qualify as unimproved open space.



## Phase 3

This area is nearing the northern border of the property. A 20 foot buffer provides an amazing green fence.

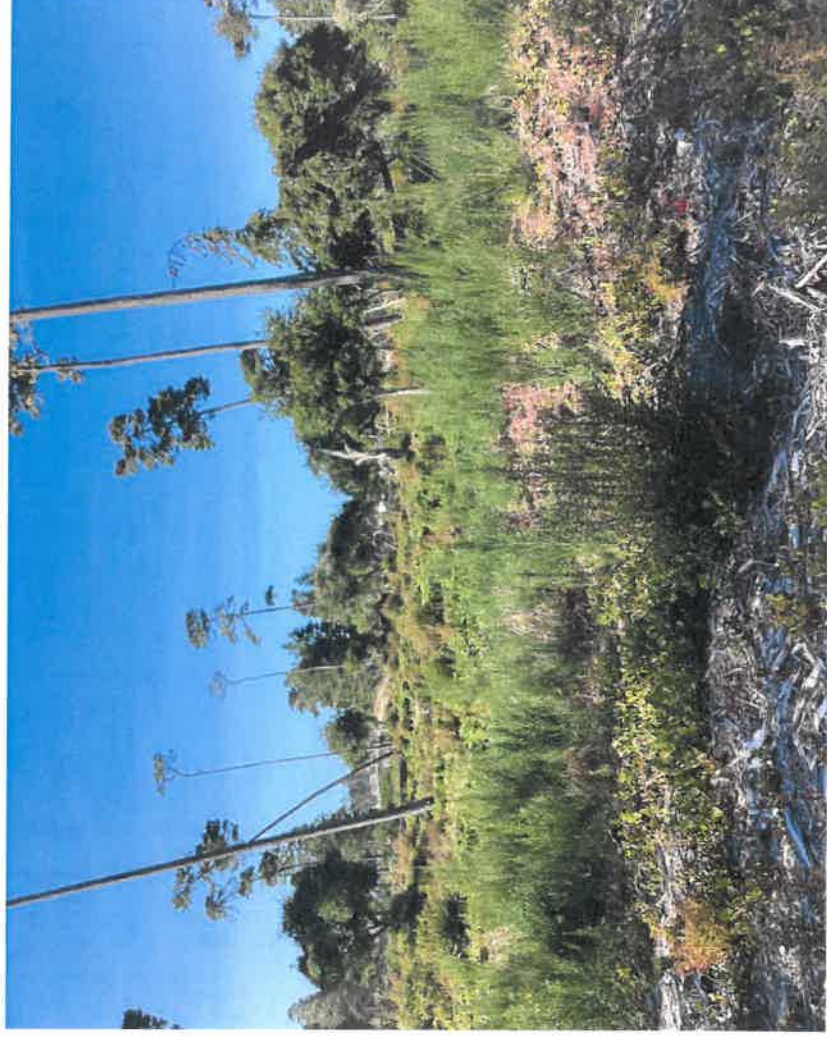


## Phase 3

Looking south from the northwest corner. The area to the right, bordering Mariners has not had much clearing done. The area to the left or east, has had most of the vegetation cleared. Scotch Broom, seen to the left, is rapidly spreading.

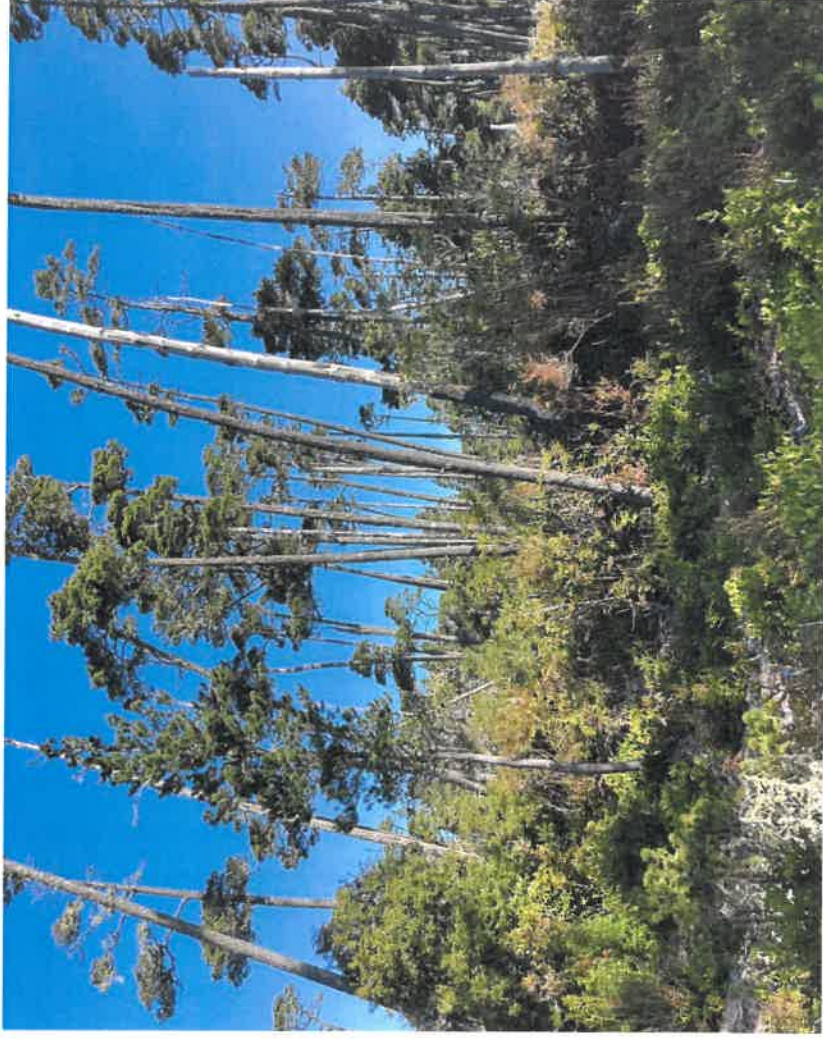


**Phase 3**  
The view from the northern perimeter looking south into the center of the proposed development.



## Phase 3-4

Looking North at the 3 Mile Prairie Park. Not really sure who thought "this is what a Prairie looks like". It is extremely difficult to access the area but I did find a spot after bushwacking through and climbing over some downed trees. It is amazing. Someone, not sure who, maintains some trails through here. After locating one, I found it will head either west to Rhododendron, east to Freddy Myers, or north to Haceta Beach Lakes. All depending on the time of year and the ground water levels flooding portions of the trails. Beautiful 15 foot tall wild Rhodies blooming in the spring. Caddington Lane could end in a stub here to connect to a new east west arterial 46<sup>th</sup> street. 46<sup>th</sup> will be needed for the public to access the new park.





## Phase 4

Moving along the northern border to the east towards the golf course is the area determined to have a small natural wetlands. This photo was taken April 27, 2023. You can see the blue tape in the lower right hand corner left by the researchers to mark the area. The wetlands area is not large enough to qualify for any governmental protection and the developer has applied to provide funding for other wetlands and fill this in to build houses here. I think it's one of those special places that just calls out for contemplative reflection. I'd like to see it preserved. My original ideas are contained in what is now Exhibit R3 in the Supporting Documents of the application.



# Wetlands

Another view of the wetlands.



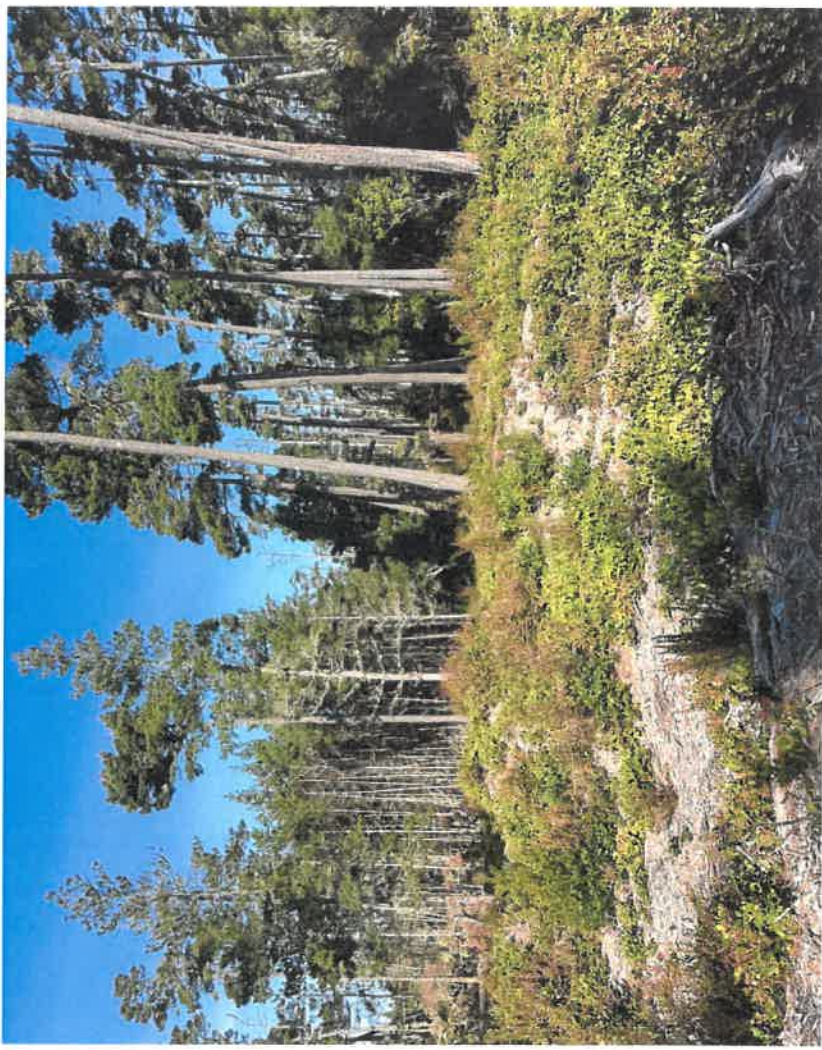
## Wetlands

From the eastern side of the wetlands.  
Notice the blue marking tape.



## Wetlands

Looking north at the wetlands. It is one of very few areas where vegetation clearing did not take place.



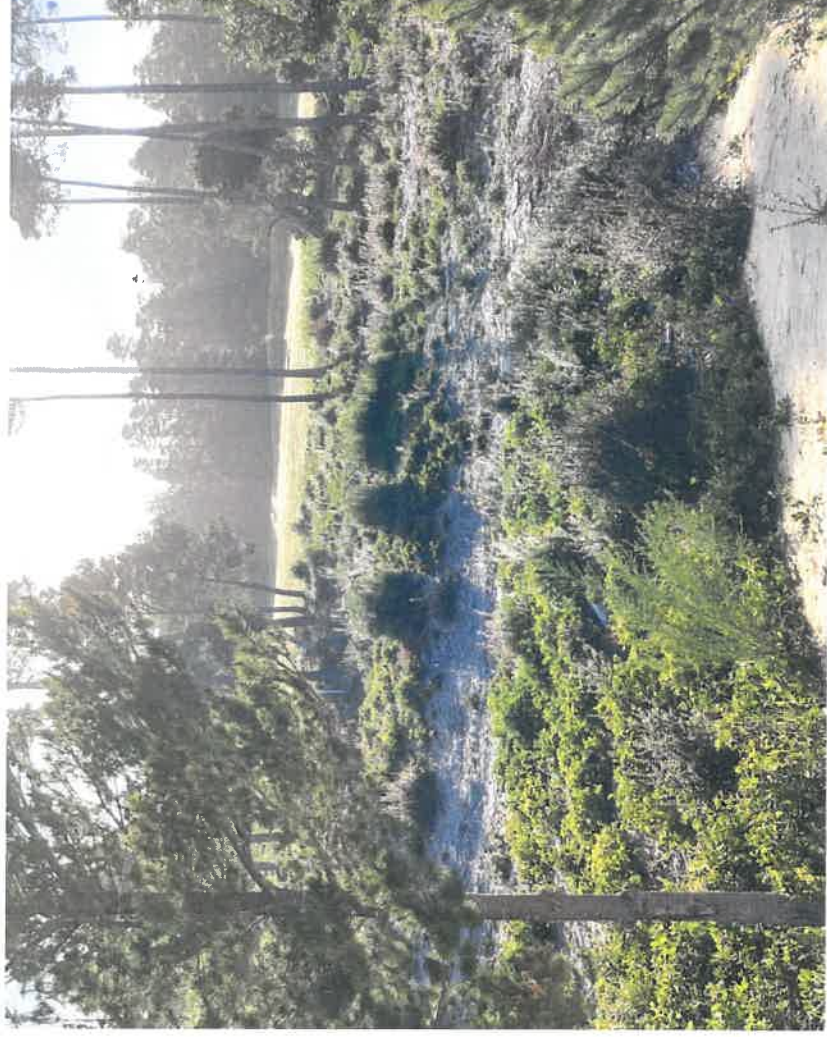
## Phase 4

Looking back at the wetlands area from just beyond the golf course boundary as evidenced by the white poles. Rather than a 5 foot buffer along the golf course, perhaps preserve and develop the entire northeast corner as a common open space.



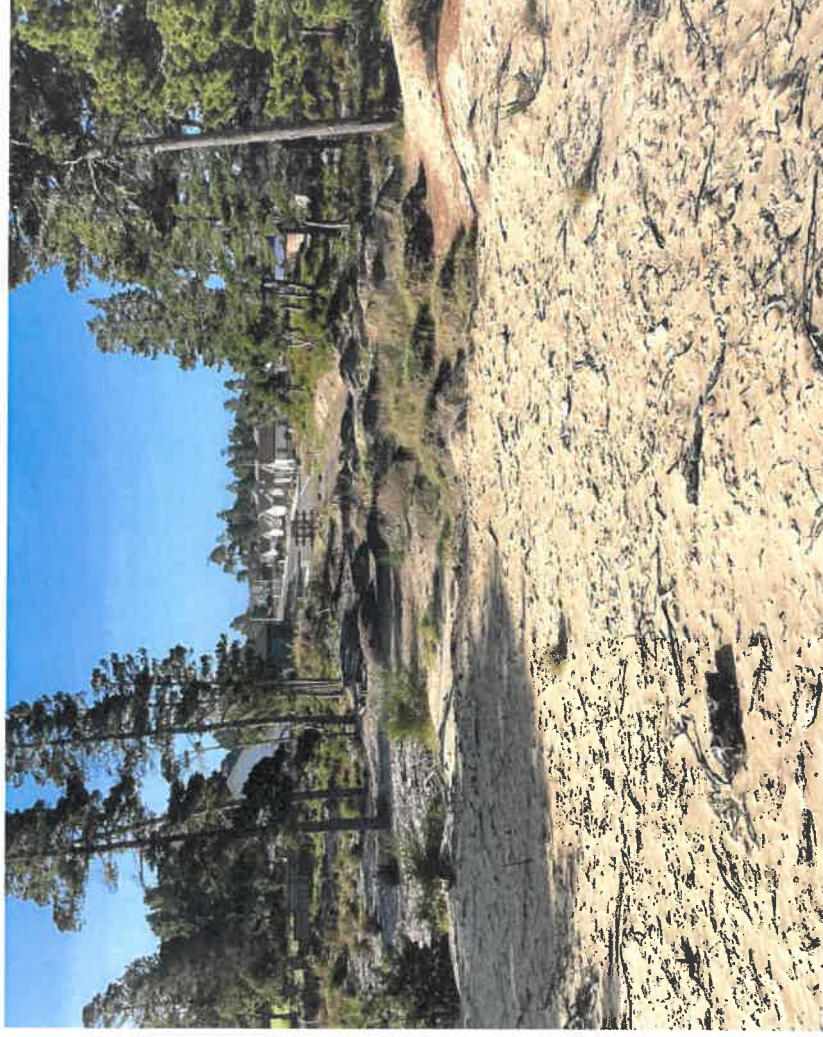
## Phase 4

A view from atop one of the sand piles looking east to the golf course.



## Phase 4

A view looking south from atop the sandpile past the construction debris to Dunbar Way.



Caddington Lane entering Phase 2 northerly and  
Looking Back to Phase 1 southerly nearing  
completion.





Dunbar Way entering Phase 4 and Phase 1  
nearing completion.



# Headed Home

Thanks for walking with us!



**Clare Kurth**

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**From:** [REDACTED]  
**Sent:** Tuesday, May 2, 2023 3:52 PM  
**To:** Planning Department; Wendy Farley-Campbell  
**Cc:** [REDACTED]  
**Subject:** 050223 Letter to PC re/RESOLUTION PC 21 39 SUB 03 AND PC 21 40 PUD 02 - Fairway Estates  
**Attachments:** 050223 PC ltr from Board 2.docx

Dear PC Commissioners and Directors:

We are submitting the attached letter with attachments to follow in another email due to largeness of the file.

This is in response to requests for Public Comment due today.

Thank you,  
Sylvia Duran, President  
Fairway Estates HOA at Sandpines

May 2, 2023

City of Florence  
Planning Commission

Re: RESOLUTIONS PC 21 39 SUB 03 and PC 21 40 PUD 02 – Fairway Estates Preliminary Planned Unit Development (PUD) and Tentative Subdivision and AR 21 21 SIR 14 (Site Investigation Report)

Dear Planning Commissioners:

The Fairway Estates at Sandpines HOA Board respectfully submits the following concerns to be entered into the record regarding the above captioned item. This is in response to the open review period ending today designated by the Planning Commission at the April 25, 2023 Planning Commission Meeting. Mr. Pearson will be sending a response to our HOA and will copy in the Planning Commission as well.

**1. FENCING AND GATES:** On April 25, 2023 we withdrew our request for a fence and gate on the northern boundaries of Phases 3-4 in exchange for a written assurance from Mr. Pearson that he would grant our request. However, we felt it important to our request (for evidentiary purposes) that as a condition of approval, the developer be required to install fencing as follows:

**Location:** Beginning at the northwest intersection of Mariners Village and Phase 3 and proceeding east along the northern boundary of Phases 3 and 4 stopping at the end of the northeast boundary of Phase 4 which intersects with Florence Links Golf Course where the fencing will end. A map was submitted to you on March 7, 2023 highlighted with our suggested locations for both the fence and the gate. We are attaching another copy for your reference.

**Description of Material:** The fence should be a minimum of 6' tall, made of 6 gage black vinyl coated chain link, exactly the same as the fencing and gates used at the current entrance to Fairway Estates on Rhododendron Drive.

**Description of Gates:** Gates should be constructed as part of the fencing to be completed on the northern boundary of Phases 3 and 4 at the end of the new second ingress/egress road as determined by the Planning Department that will connect Phases 1, 2, 3 and 4 to the proposed city access road to be constructed into the future City Park, subject to PC approval. The vehicular and pedestrian gates will provide for electronic access for vehicles and an electronic lock access for the gate for pedestrian traffic. The electronic vehicular access will operate by the use of a digital keypad and a remote control device, similar to the access provided at the entrance to Phase I at Rhododendron Drive. All residents of Phases 1, 2, 3, and 4 will be provided 2 remote controls per household as appropriate and timely for constructed and sold houses.

**Gate Design:** Both gates will eventually be viewed by the public once the proposed City Park and permanent access roads are in place. We would not object to a modified remote controlled gate made of sturdy materials that would either slide or open to vehicular traffic as seen in other gated communities in Florence. The gate should have some form of lighting and overall does not have to be as ornamental or costly as the Main Gate on Rhododendron Drive. The gates should be consistent with the

aesthetics of Fairway Estates.

Note/Fencing: Fairway Estates at Sandpines is a gated community with fencing at the front gate of Phase I to prevent the general public from entering without authorization. Should Phase 2-3-4 boundaries be left unfenced, the entire security system will be compromised. Fencing will ensure security of the community and serve the original intent of the developer to sell these homes with a gated and workable security system in place. It is even more important due to the fact that there is privately owned land, government land and a proposed public park adjacent on the north end of the development.

Timeline: All fencing and gates need to be installed and operational prior to issuing the first Building Permit for Phase 3.

NOTE/GATES: The Planning Commission has yet to decide on requirements that would satisfy conditions for fire and emergency exits. There have been several options presented, one of which would be, as a condition of approval, that the developer provide a secondary access road for both fire and emergency ingress and egress for Phases 2, 3 and 4. We are in favor of the latter option as it comports with City Code that requires 2 emergency exits for every subdivision of over 30 homes and Condition 11 of the 2005 PUD Master Plan. When complete, approximately 80 homes will be completed, 40 in Phase 1 and 40 in Phases 2, 3 and 4. Should the Planning Commission decide that a secondary access road is unnecessary, we request that a pedestrian gate that can be locked be substituted for the vehicular gate. Please keep in mind that the elimination of an access road to the north will leave the 80+ residents NO emergency exit on the west, north, and east side of the subdivision, resulting in 80+ vehicles attempting to exit onto Rhododendron Drive at the only exit, the main gate in the event of any emergency. Additionally, Condition 11 of the 2005 PUD Master Plan includes a requirement for an access easement between this development and the one to the east along the northern property line. This access was not proposed initially but could easily be accomplished with the installation of a northern access drive onto the City property for future connection.

## **2. MARCH 14, 2023 STAFF REPORT CONDITIONS OF APPROVAL**

In referencing the 3/14/23 Staff Report, it was indicated that a 30 day continuance was to be requested by the developer to address the following conditions. Have these conditions been resolved?

- a. Fee-in-lieu
- b. Fire access requirements
- c. Tree Planting
- d. Paving the block connections
- e. Reconfiguring the NE intersection angle
- f. Lighting the perimeter multi-use trails. (pedestrian walkways, public access areas, pathways, mulit-use trails [nature trails])

## **3. LANDSCAPE DESIGN**

Has a landscape design been submitted for the mulit-use trails?

#### 4. CLARIFICATION – OPEN SPACE/NATURE TRAILS/SWALES

We ask that the PC clearly explain in your final report what can and cannot be used to define open space, common open space and nature trails. This request is strictly for the benefit of any new residents in Phases 2, 3, and 4 and is based on issues that have developed in Phase 1 which has already been approved and is 90% complete.

Swales: Phase 1 has a swale located between 2 rows of houses facing Caddington (to the east) and Ballybunion (to the west). On the recorded map of Phase 1 dated October 25, 2018, this area is shown as a common open space (drainage easement). Due to natural movement of land and the sand base in this area, this swale has sunken and on both west and east sides of the swale near the property owners' back fences resulting in erosion, causing major concerns. For instance, property line demarcation is difficult, and retaining walls or some other form of erosion control is needed to protect further erosion of the property. Trees have needed to be anchored to avoid toppling. All at the resident owners' expense.

We ask that any Planning Commission review of similar areas in Phases 2, 3, and 4 include more scrutiny into how any swales located in front of, on the sides of, or behind these new homes will impact erosion that will impact the homes and the associated property lines. The developer should be held responsible for the payment of any erosion control expenses that occur due to the positioning of such swales.

We also request that swales be clearly marked as swales, not nature trails. Many of our residents in Phase 1 were led to believe that the aforementioned swale was a nature trail. It is our understanding that there were lines drawn depicting a nature trail in the swale area on a map used for advertising.

We ask that the Planning Commission require the developer to place signs identifying nature trails and swales so residents are not confused. Swales should clearly state they are not to be used as trails.

Nature Trails: It has been noticed by the HOA Board of Directors that the use of the term Common Open Spaces in Phase 1 has been used by the developer to meet the requirements for Open Space, leaving the maintenance responsibility to the HOA. However, these are unusable/non-walkable areas that are considered "nature trails" for the Community use. It appears that this contradicts the intention to provide for a Community good and only is being used to meet open space requirements. And yes, these areas have been advertised by the developer for community uses. The biggest issue has been the confusion over whether the area between Caddington and Ballybunion is a swale or a nature trail as described above. However, there are areas behind Tournament Drive (which abuts the golf course and Royal St. George), behind Ballybunion cul-de-sac, and next to Rhododendron Dr that are also labeled Open Space/drainage easements, yet they are still advertised as nature trails. Our residents do not use these so called nature trails because they are hard to get to and are not safe. One in particular simply makes a circle to nowhere and it is labeled a "trail" (behind the homes south of Tournament Drive). (See attached map)

Again, we ask that the Planning Commission require the developer to place signs identifying nature trails and swales so residents are not confused. Swales should clearly state they are not to be used as trails.

Additionally, based on information received, these unusable swales and/or advertised nature trails in those Common Open Areas drainage easements appear to have been counted toward the open space credit when the Planning Commission approved Phase 1. Open spaces are to be developed and used by residents. Common open space areas are undeveloped and not necessarily to be used by the residents. Do both qualify as open space?

In conclusion, we ask the Planning Commission to carefully scrutinize all nature trails, common open spaces and open spaces to avoid the problems faced by residents in Phase 1 and to ensure the safety and enjoyment of our future residents in Phases 2, 3 and 4. We ask for signs identifying nature trails and unsafe swales. We ask for clarification on how open spaces, not drainage easements, qualify as the required open space under City Code.

**5. SANDOW ENGINEERING TRAFFIC IMPACT ANALYSIS**

It is not clear if SANDOW included any analysis on traffic impacts in an emergency. Additionally, parts of the analysis appear to be dated. Please address the emergency exit impact on traffic. Please address whether Exhibit K2 adequately addressed the Planning Director's questions from her email to Brandt on 4/25/23. (attached).

**6. TRACT A**

Initially we have agreed with the developer that we would mutually agree on landscaping for this open space. Does Tract A have a development plan? As open space, it will need active recreational uses or is this also going to be common open space which can be left undeveloped?

At this time, we request that a condition for landscape design be submitted by the developer which would consist of low maintenance landscaping or pea gravel over the entire area and some plan for recreational use.

**Thank you for providing the opportunity to comment.**

**Respectfully submitted,**

Sylvia Duran, President

Chrissy Davis, Treasurer

Mary Mayes, Secretary

Fairways Estates at Sandpines HOA

Attachments (3)

- (1) Map of Requested Gate and Fence locations
- (2) April 25, 2023 email from Wendy Farley to Brandt
- (3) Map of highlighted areas in Phase 1 that were labeled Common Open Space/drainage easements.

**Clare Kurth**

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**To:** Planning Department; Wendy Farley-Campbell  
**Cc:** [REDACTED]  
**Subject:** RESOLUTIONS PC 21 39 SUB 03 AND PC 21 40 PUD 02 - Fairway Estates PUD Public Comment  
**Attachments:** 050223 PC ltr from Board 2.docx

Dear Commissions and Planning Director

Attached is a letter with attachments from the HOA Board at Fairway Estates.  
It is a compilation of input from residents and the Board.

Thank you for providing the opportunity to submit public comments on this item.

Sylvia Duran, President  
Fairway Estates Homeowners Association at Sandpines



May 2, 2023

City of Florence  
Planning Commission

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Sylvia Duran, President

Chrissy Davis, Treasurer

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Fairways Estates at Sandpines HOA

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**Clare Kurth**

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**Sent:** Tuesday, May 2, 2023 4:01 PM  
**To:** Planning Department; Wendy Farley-Campbell  
**Cc:** [REDACTED]  
**Subject:** Attachments 1 2 & 3 to HOA letter to PC from Fairway Estates HOA  
**Attachments:** Attachments 1 2 & 3 to HOA letter to PC 050223 RES PC 21 39 & SUB 03 PC 21 40 PUD 02 Fairway Estates.pdf

Dear Planning Commissioners and Director For some reason these attachments were not able to transmit with our letter sent a few minutes ago. Please include them in your review.

Thank you for understanding and for providing the opportunity to comment.

Sylvia Duran, Board President  
Fairway Estates HOA at Sandpines



ARCHIVE 2 / 4/25/23 Email - Wendy to Brandt

On Tue, Apr 25, 2023 at 7:15 AM Wendy Farley-Campbell <[wendy.farleycampbell@ci.florence.or.us](mailto:wendy.farleycampbell@ci.florence.or.us)> wrote:  
Brandt,

Good morning. Yesterday afternoon the PC was provided staff's Summary. It is on the calendar website. I'm still working on incorporating the edits into February's findings and resolution's list of conditions. Also we are waiting for the fire chief and public works to comment on the revised utility/access plan. It is unknown whether these will happen before the meeting or not.

I've had a PC inquiry regarding the date of the TIA since it is a year old and the data even older. In reviewing it I found items that I have questions about...things I think Kittleson should have caught and so I'm frustrated. It would be helpful if Sandow could answer these questions. The project is phased not being constructed all at once as assumed in the TIA how does this change the analyses? How is the 5 year forward look impacted? She used an August 2021 plat and in November there was a revised one that had phases. The build out date used is 2024 from a two year timeline starting after May 2022 (the date of the report) 40 lots in two and a half years was optimistic even then. Especially since at the time of writing phase 1 was less than halfway built and 4 years past its approval. Given the at least year difference in the timing assumption how are the study results affected? The traffic count dates in the narrative say Oct. 2021 and the tables have 2022. Covid factoring-the narrative says traffic was back to normal by October 2022 and no factoring was required to their counts. So if the counts were Oct. 2021 how does this statement and the results change? The traffic count tables also include a February 2022 number not referenced anywhere in the report. What are these counts used for? Table 5.2 (I think) states a 2021 study period and table includes 2022. I'm not at work yet with my notes but I think it captured everything.

My recommendation may be to close the hearing and leave the written record open for 7 days and that no new application materials will be considered in the findings after tonight. They may opt to reconvene on June 13th. It is unknown. Needless to say they are frustrated. Just preparing you.

Wendy

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