File No: AM-26-002/RZ-26-001	**Land Owner:** Peppermill, LLC **Applicant:** Sheri McGrath

Exhibit Log

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Date: November 1, 2026

To: Coos County Planning Commission & Board of Commissioners

Care Of: Coos County Community Development Department

By Email: planning@co.coos.or.us

By Mail/Hand Delivery: Owen Building, 201 N. Adams St., Coquille, OR 97423

SUBJECT: Formal Opposition to File Nos. AM-26-002 (Comprehensive Plan Map Amendment) and RZ-26-001 (Rezone) — Peppermill, LLC

Dear Chair and Members of the Commission,

My name is **Carla Faganello**, and I reside at **87607 Two Mile Lane, Bandon, Oregon**. I am writing to formally enter my strong opposition to the Comprehensive Plan Map Amendment and Rezone application submitted by Peppermill, LLC regarding Tax Lots 1600, 1607, 1610, 1611, and 1616.

A rezone of this magnitude requires the applicant to meet a strict burden of proof. The applicant has failed to demonstrate compliance with Coos County's Comprehensive Plan criteria and Oregon's Statewide Planning Goals. I urge the Planning Commission to deny this request based on clear conflicts with Goals 3, 4, 11, 12, and 14.

1. Violation of Goal 3 (Agricultural Lands) & Goal 4 (Forest Lands): Failure to Demonstrate Non-Viability

Statewide Planning Goals 3 and 4 establish a strict presumption in favor of preserving resource lands. The applicant seeks to remove the Forest designation from these split-zoned parcels to make way for Rural Residential and Commercial configurations. However, the Coos County Comprehensive Plan mandates that resource land must remain protected unless it is proven entirely non-viable for agricultural or timber use. The applicant has not provided sufficient, objective evidence to prove that these parcels cannot sustain resource management. Allowing a rezone simply because a property is split-zoned compromises the integrity of Bandon's resource land base. It sets a dangerous precedent of incremental encroachment, inviting speculative rural development onto valuable farm and timber soils.

2. Critical Riparian and Wildlife Concerns: Requirement for ODFW Research

A significant environmental hazard exists regarding localized water systems, specifically China Creek and Two Mile Creek, which flow near or through the proposed rezoning area. Two Mile Creek is designated by the state as Essential Salmon Habitat. Introducing higher density rural residential development and commercial uses creates an unmitigated risk of surface and groundwater contamination. Runoff containing oils, chemicals, and fertilizers from

Exhibit 1

newly constructed homes, driveways, and commercial footprints will drain directly into these fragile riparian ecosystems. I request that the Planning Commission deny this application until the Oregon Department of Fish and Wildlife (ODFW) conducts comprehensive on-site research to analyze the cumulative ecological impacts of this development on salmonid spawning and protected wetlands.

3. Violation of Goal 11 (Public Facilities and Services): Septic and Aquifer Risks

Goal 11 requires that rural developments prove they can safely sustain localized public facilities without creating environmental or health hazards. Because this area lacks access to city sewer and municipal water lines, any future residential or commercial density would rely entirely on individual domestic water wells and onsite septic systems. The applicant has not demonstrated that the local aquifer can handle the cumulative drawdown of multiple new high-capacity wells without threatening the water security of existing neighbors on Two Mile Lane. Furthermore, fracturing these resource lands into 2-acre lots introduces a high density of septic drain fields into a localized area, risking groundwater contamination that can leach into the adjacent creeks. The Commission must protect our shared water supply and deny this expansion until rigorous hydrological and soil compatibility studies are provided.

4. Violation of Goal 12 (Transportation): Unmitigated Traffic Safety Hazards on Two Mile Lane

Under the state's Transportation Planning Rule (OAR 660-012-0060), a rezone cannot be approved if it significantly affects an existing transportation facility without mitigation. Two Mile Lane and China Creek Road are narrow, rural corridors built for low-density resource vehicles and existing local homes. They lack the structural framework—such as turn lanes, shoulders, and structural depth—to accommodate the heightened daily vehicle trips generated by a new residential subdivision or commercial zone. Increasing density here directly creates severe traffic safety hazards, particularly at the high-speed intersection where local traffic must merge onto Highway 101. The applicant has failed to provide a Traffic Impact Analysis (TIA) proving that our local road infrastructure can safely absorb this influx of vehicles.

5. Violation of Goal 14 (Urbanization): Unjustified Proliferation of Rural Density

Goal 14 dictates an orderly transition from rural to urban uses and strictly regulates development outside established Urban Growth Boundaries (UGBs). By requesting Rural Residential and potentially Commercial designations on these parcels, the applicant is attempting to introduce a level of density and use that is fundamentally urban or suburban in nature, rather than rural. These parcels still serve as an important buffer zone between existing rural clusters and intact resource lands. Approving a 2-acre minimum density or commercial zoning in this location violates the core purpose of Goal 14 by encouraging rural sprawl, which undermines the growth boundaries established to protect the City of Bandon.

SANDOWENGINEERING
777 HIGH STREET SUITE 320 • EUGENE, OREGON 97401 • 541.513.3376

TECH MEMO



DATE: November 3, 2026

TO: Coos County Planning Commission & Board of Commissioners

FROM: Kelly Sandow P.E.
Sandow Engineering

RE: Peppermill Zone Change-Response to Opposition Comments

The following provides a response to opposition testimony from Carla Faganello.

Comment:
"4. Violation of Goal 12 (Transportation): Unmitigated Traffic Safety Hazards on Two Mile Lane
Under the state's Transportation Planning Rule (OAR 660-012-0060), a rezone cannot be approved if it significantly affects an existing transportation facility without mitigation. Two Mile Lane and China Creek Road are narrow, rural corridors built for low-density resource vehicles and existing local homes. They lack the structural framework—such as turn lanes, shoulders, and structural depth—to accommodate the heightened daily vehicle trips generated by a new residential subdivision or commercial zone. Increasing density here directly creates severe traffic safety hazards, particularly at the high-speed intersection where local traffic must merge onto Highway 101. The applicant has failed to provide a Traffic Impact Analysis (TIA) proving that our local road infrastructure can safely absorb this influx of vehicles."

Response:
OAR 660-012-0060 is very specific to the standards and criteria for determining significant affect for zone changes. As per OAR 660-012-0060 (1), significant affect is defined as :

(a) A change in functional classification
(b) A change in the standards implementing a functional classification
(c) Degradation of the performance of an intersection to not meet the adopted standards at the end of the planning period identified in the Transportation System Plan.

As demonstrated in the Transportation Planning Rule Analysis prepared by Sandow Engineering, dated February 20, 2026:

- A majority of vehicle trips to/from the site will be from the new site access to the west to Highway 101.
- The functional classification of Two Mile Lane is Major Collector. As per Coos County's Transportation System Plan, a Major Collector serves

higher traffic demands, serving over 2,500 vehicle trips per day, and serves a variety of vehicle types. Arterial Streets are the only higher-order streets above Major Collector. Arterial Streets are intended to distribute regional traffic between cities and counties with an emphasis on serving through traffic.

- The level of trips that could be generated by the development will not require the change of Two Mile Lane to an Arterial Street and will not require a change in standards for determining the functional classification.
- The intersection of Highway 101 at Two-Mile Lane will meet ODOT's performance standards at the end of the TSP planning period. Additionally, new access connections onto Two-Mile Lane

The criteria of OAR 660-012-0060 for determining significant affect are not met.

As per ODOT criteria, Sandow Engineering provided an additional safety evaluation of the intersection of Highway 101 at Two Mile Lane. The safety evaluation determined:

1) Existing crash patterns and review of geometric conditions do not indicate a safety issue that needs mitigating.
2) Based on the evaluation of queuing a separate southbound left turn lane is recommended on Highway 101, and separate left and right turn lanes on Two Mile Lane are recommended.

The Transportation Planning Rule Analysis provided a comprehensive evaluation of the impacts from the zone change as per OAR 660-012-0060 and additional safety and operational impacts as per ODOT requirements. Based on this evaluation, improvements mitigating impacts from the zone change are recommended and will be constructed at the time of development.

Conclusion

The Peppermill, LLC application fails to justify the permanent elimination of protected resource lands, threatens our local traffic safety, surface waters, and groundwater capacity, and ignores the spatial constraints mandated by Goal 14. For these reasons, the application does not comply with Oregon land use law or the Coos County Comprehensive Plan. I respectfully request that the Planning Commission deny File Nos. AM-26-002 and RZ-26-001.

Thank you for your consideration of this testimony. Please include me as a party of record to receive all future staff reports and notices regarding this matter.

Sincerely,

Carla Faganello

87607 Two Mile Lane
Bandon, Oregon
(530) 515-7859
cckfa@yahoo.com

SANDOWENGINEERING
777 HIGH STREET SUITE 320 • EUGENE, OREGON 97401 • 541.513.3376

TECH MEMO

DATE: November 3, 2026

TO: Micah Horowitz
Wei Wang, PE
ODOT Region 3

FROM: Kelly Sandow P.E.
Sandow Engineering



RE: Peppermill Zone Change-Response to ODOT Comments

The following provides a response to ODOT comments pertaining to the Peppermill Zone Change Transportation Planning Rule Analysis prepared by Sandow Engineering, dated February 20, 2026.

Comment #1: Please confirm trip generation calculations supporting 311 PM peak-hour trips for 60,000 SQFT of commercial. ODOT was unable to find the same trip generation rate in our ITE Manuals.

Response: The trip rate of 5.19 for Land Use 821-Shopping Center is from the ITE 11th ed. and was inadvertently used. The 12th ed. ITE rate is 4.76, resulting in fewer trips. No revision in analysis is necessary.

Comment #2: Graph appears to show right turn criteria being met, please confirm. Refer to ODOT Traffic Manual for other considerations regarding right turn lane installation (or not).

Response: Correct, the vehicle volume criteria for the northbound right-turn movement is met. However, as is recommended in the TIA, any considerations for a turn pocket should be a condition of approval to be reconsidered at the time of development to ensure that any improvements are appropriate for the actual development.

Landowner: Peppermill LLC
File Num: AM-26-002/RZ-26-001
Date: 11/4/2026

Re: Response to Carla Faganello's letter, dated Nov. 1, 2026

Opposition Claim 1): Violation of Goal 3 (Agricultural Lands) & Goal 4 (Forest Lands): Failure to Demonstrate Non-Viability

Applicant Response: The application provides sufficient information to demonstrate that the subject properties are 'irrevocably committed' lands. The opposition letter did not identify any issues with the specific findings presented in the application.

Opposition Claim 2): Critical Riparian and Wildlife Concerns: Requirement for ODFW Research

Applicant Response: The letter indicated that "*a significant environmental hazard exists regarding localized water systems, specifically China Creek and Two Mile Creek, which flow near or through the proposed rezoning area."* There are no environmental hazards identified in the Coos County Comprehensive Plan. Additionally, there are no "*ODFW comprehensive on-site research*" studies to include in a rezone process.

Additionally, it is noteworthy to mention that upstream of the subject property are already zoned Rural Residential-2, and Hwy 101 runs along its western edge. The highway already generates more runoff than any proposed residential driveways would.

Opposition Claim 3): Violation of Goal 11 (Public Facilities and Services): Septic and Aquifer Risks

Applicant Response: Goal 11 does not apply to this specific application. Given the density of existing RR-2 development in the immediate surrounding area, the subject properties can logically support development with wells and septic systems.

Opposition Claim 4): Violation of Goal 12 (Transportation): Unmitigated Traffic Safety Hazards on Two Mile Lane

Applicant Response: The application included a Traffic Impact Study. Please see the supplemental letter from Sandow Engineering.

Opposition Claim 5): Violation of Goal 14 (Urbanization): Unjustified Proliferation of Rural Density

Applicant Response: The request is for a Rural Residential zoning district, not an Urban Residential zoning district. An RR-2 or RR-5 zoning district meets the acreage density standards for rural areas. There are RR-2-zoned parcels located east and south of the subject properties. The request for a commercial zoning district also meets rural standards, as C-1 zoning is already used in rural areas. C-1-zoned parcels are located south, west, and north of the subject properties.