

September 15, 2023

To: City of Bandon Planning Department and Planning Commission  
555 Highway 101  
P.O. Box 67  
Bandon, OR 97411

From: Mark Lane  
2638 Cedar Loop Drive  
Bandon, OR 97411

**Subject: Application 23-045, Gravel Point**

Dear Planning Department Staff/Planning Commission Members,

I am writing in support of the Gravel Point development. As a homeowner and resident in the Ocean Trails Subdivision on Cedar Loop Drive, the Gravel Point development smartly blends resort-type amenities while providing “green” and “sustainable” development and investment in our community. Bandon Beach Ventures, LLC, should be commended for the incorporation of such measures in their proposed plans.

As homeowner, frequent walker and bicyclist and sometimes jogger, I find that these features of the Gravel Point project enhance the livability index for residents in our community;

- An alternative, multi-modal transportation route out of the Ocean Trails Subdivision to Beach Loop Drive via the extension of Carter Street. Presently, all vehicles feed onto Seabird Drive from our neighborhood.
- Publicly accessible roads and trails in the proposed development.
- The removal of non-native plant species (i.e., gorse) with native plantings through the proposed “Restore the Oregon Coast” theme.
- The inclusion of meeting space in the resort complex of which there is limited availability in our community.
- Restaurants and other amenities within walking distance of several residential neighborhoods.
- The incorporation of buffer zones (natural or fencing) that separate the resort area from residential neighborhoods.

Additionally, I further support the following;

- Agree with the developer’s statement that, *“The project features abundant open spaces and landscape buffering, which will ensure a much lower impact than developing the property for other permitted uses, such as residential development, vacation rental dwellings and other permitted commercial uses.”* As such, I fully support the pending decision before the City Council that the City of Bandon vacate the Bandon Beach Plat including Helena, George’s, Mary, and Matilda Streets.

- Agree that the City should grant the developer exceptions for building height and roof pitch given that the exception would provide for underground parking, less hard surfacing within the development, would not obstruct any views of surrounding property owners, and provide for green roof design and technology.

As far as proposed plan improvements, I recommend the following;

- That the developer extend the 6' high landscape or fencing buffer zone to the southeast portion of the proposed development to the south of Carter Street as a residential property has recently been built fronting Carter Street. Similarly, all property owners abutting the development should have the appropriate landscape or fencing buffer zones applied.
- I am a strong advocate for street and sidewalk improvements on Beach Loop Drive. Where applicable, the developer should provide street and sidewalk improvements, including pedestrian street crossings where necessary, along their entire property boundaries that run adjacent to Beach Loop Drive for the safety of pedestrians, bicyclists, joggers, and vehicles. This is of particular importance at the intersection of Beach Loop Drive and the Carter Street extension intersection.

Thank you for the opportunity to provide commentary on this welcome investment and development in our community.

Mark Lane

September 16, 2023

City of Bandon  
Bandon Planning Commission

Kenneth and Christine Hall  
1346 Strawberry Drive SW  
Bandon, Oregon 97411

RE: App # 23-045 Bandon Beach Venture, LLC; Gravel Point Resort

Comments and Questions Regarding Proposed #23-045

Thank you for the opportunity to respond to the above project proposal referred to as Gravel Point Resort (GPR). We live slightly west on Strawberry Drive. Having lived here 10 years, we are acquainted with bike/pedestrian routes, roadway conditions and traffic patterns in the surrounding areas.

Our primary concerns are focused on infrastructure:

1. Transportation (vehicular, bike/pedestrian traffic)
2. Sewer and Sanitation
3. Water Source and Distribution
4. Electricity
5. Carbon emissions and environmental impact
6. Bandon Parks and Recreation to receive 1en percent towards planning and development of shared paths

1. Transportation:

The general area of the project is close to the “donut hole”.

Land within the boundaries responsible by the city and county for development also extend into this GPR area. In a matter of time, the complete area will be under development and need an overlay plan to at least guide traffic on and off hi-way 101 with a main street feeder service. Is this Face Rock Rd, Carter to Lincoln to Beach Loop to Seabird?

With current plans of homes, villas, a resort and amenities, it seems compelling to designate recognized traffic routes to facilitate and guide future development. Has a traffic study been done recently by the City on beach Loop? Has a traffic study been done by GPR indicating expected impact on transportation? Beach Loop as indicated by GPR is substandard. We suggest all our roads are substandard if they must handle traffic and loads for which they were not designed to carry. Seabird Rd is de-ravelling due to construction traffic and Seabird is one of our main streets and considered one of higher quality roads.

Producing additional traffic on Beach Loop Drive is dangerous; increasing competition between cars/construction trucks/RVs and bikes/pedestrians for space. Constant wear of roads with minimal maintenance is reducing the quality of road daily. Most roads are in disrepair, crumbling or just lack maintenance. Example: fog paint line on the side of Beach Loop is gone, yellow center lines missing or never replaced after fading. This is a safety hazard by itself.

GPR will, unfortunately, make problems worse producing more traffic. This puts everyone in danger: visitors and citizens; even the new GPR visitors who choose to walk Beach Loop.

We recommend reviewing alternate traffic routes associated with the project and if approved, ensure they can work with a yet to be determined larger traffic plan to include the Coos County to enhance the surrounding areas and projects.

## 2. Sewer

Our issues around sewer are not immediate, more long term. We question the long-term servicing of this aging plant in light of all the five new hotel projects and new residential construction projects, and general Bandon visitations and households.

What assurances and back up do we have that the sewer plant will keep functioning regardless of growth? When is the “last toilet standing” point and how much time

will we have as a warning? How to and how long do we have to replace the plant? And at what cost? And how many additional sinks, toilets and washing machines are coming to Bandon?

As impossible and undesirable as it maybe, Bandon needs to assess its future sewer and sanitation needs, in light of possible plant replacement. We are equal players in all regards, and therefore any financing of any future sewer facility will need to be shared appropriately and equally among all existing Bandon residents and designated property owners regardless of influence.

### 3. Water

Concerns with water relate to sources and capacities coupled with future unknown demands. The public has recently been notified of water infrastructure issues costing upwards of \$30 million.

Sources, especially back-up are being reviewed and options are available for a price. With future development and less natural water, additional sources are needed. And yes, maybe even a cost-prohibitive reservoir may be in our future.

Distribution systems for water are being evaluated and need work. Once again, we should expect nothing but increased demand of our current water systems. Continual reporting of distribution system status is helpful.

### 4. Electricity

Much of Bandon still has overhead utility poles. Storms create potential power outages. Is there a plan for underground utilities and what are the City's plans for maintaining electricity for all of Bandon? Are solar panels and EV chargers planned?

### 5. Carbon emissions and environmental impact

With much written about Zero emissions, what is GPR doing to keep Bandon moving towards zero emissions?

### 6. Accessibility and Connectivity-(Ten percent towards planning and development of shared paths)

Shared paths I believe means GPR guests and the community can share the walking gravel paths within the boundaries of GPR site. Gravel is unacceptable due to accessibility to those in a wheel chair, using walkers, disabled, and some elderly with balance issues. These paths need to be paved or at the very least used crushed granite installed with proper drainage similar to how state of Oregon Parks installs paths in accessible parks.

There is no mention of bike paths, bike lanes and accommodations for cyclists.

### Summary

The Southern Oregon Coast is ripe for development. Several places on the northern Oregon coast over the years have become very developed. This is an advantage for Bandon. Economic development and potential could be unlimited based on Bandon's location and opportunities. As the world finds itself with less, they look to Bandon who has it all—Climate, temperature, ocean, seclusion, water, electricity, space and fresh air. This is the economic engine driving Bandon and the South coast. The growth and advancement are not stopping.

On general principal, we support the GPR project and wish the developer's good luck. The enclosed statements are taken very seriously. We expect any new residents of Bandon to arrive with full knowledge and awareness of challenges facing Bandon. We ask the developers to work the community to deliver safe and acceptable facilities and pathways in one of the few remaining desirable and safe places to live on earth.

We ask that the Planning Commission, the City and County reflect on what GPR is presenting and the impact on the City Budget, its residents, and funding. We ask the Planning Commission defer a decision until infrastructure needs have been finalized with a projected general utility needs assessment and financial requirements with a timeline to meet future utility requirements. Other items on the above list (1-6) require similar evaluations.

Thank you for the opportunity to participate.

City of Bandon Planning Commission and City Government:

I have received your Notice of Public Hearing regarding Bandon Beach Venture, LLC construction of a new resort on Beach loop Drive.

Beach Loop Drive has four (4) large motels, The Colony (many rentals) and a large number of homes for rent plus numerous other motels in Bandon. The City Manager and Mayor constantly tells the residents that Bandon does not have enough water or sewer capacity for the City. Why is Bandon city government letting this 110 rooms, two (2) restaurants, spa, and thirty-two (32) villas/suites add to Bandon's major water, sewer, traffic, and crime burden/problem.

City Manager and Mayor constantly tells residents property tax is very low so we need the tax generated from the motels and rentals. Bandon would not have to heavily depend on motel and rental taxes if the city government would stop over building in Bandon.

Bandon Beach Ventures was registered on June 13, 2022 and is listed as Oregon FOREIGN Limited-Liability Company. Has the city government thoroughly investigated this company?

The City of Bandon does NOT need another burden for the permanent residence of Bandon.

Linda Wilcox  
Beach loop Drive  
Bandon, Oregon

**Date:** September 20, 2023  
**To:** Bandon Planning Commission  
**From:** Mary Giddens, Bandon Resident  
**Subject:** In support of the Gravel Point development

I would like to 'speak' in support of the Gravel Point Development proposal. I know many people would prefer to see the area in question remain natural and undeveloped, however that isn't realistic. It is going to change and be developed. In my opinion, the Gravel Point complex would be a positive addition to our area.

### **Taxes**

As our property tax rate is notoriously low and as tourism is now the major 'industry' for Bandon, the Transient Occupancy Tax (TOT) is a major income source for Bandon, the use of this land as a resort is surely more productive than using it for single family homes (or a gorse preserve).

The income from Transient Occupancy Taxes on 120 not-inexpensive rooms could be significant. Although some of those funds can only be used for tourism related activities, the remainder go into the general fund, which covers essential services like police, fire, and parks.

### **It isn't in Old Town**

Bandon can and should be more than Old Town. Old Town is at a point where there are too many people in too small an area. Services can and should be spread over a larger area. This proposal adds a tourism focus and expands the area where people are housed and fed. I would assume (hope) the resort would include a shuttle service so that their guests could enjoy Old Town without adding to the parking problem. (Wouldn't it be nice to get some proposals for some of the properties along 101...)

### **Income and Jobs**

Again, Bandon relies on tourism. This development would bring 'high end' tourists with money to spend. Yes, we need to find the employees a place to live (if they aren't going to be housed on site), but with the proposed 'spa' and other amenities, there is the possibility for some well-paying jobs. And the employees, as well as the visitors, will shop at local stores and spend their wages here.

### **Environment**

Development will happen on this property; it is not a 'preserve'. The proposal seeks to leave much of the habitat area open and develop the rest in an environmentally sensitive way. While there may be some quibble about the exact plants being proposed in the landscaping, it is still clear that the development wants to maintain and enhance the natural beauty of the area rather than bulldozing it away. The proposal has addressed everything from light pollution to rainwater collection. There would be minimal impact in the 'skyline'. It further proposes to reduce impact on the environment by minimizing automobile traffic within the complex. This sets a high bar - we could



hardly expect single family homes to meet those standards. A patchwork of single family homes, each with a water-hungry lawn, truly would destroy the beauty of this area.

### **Esthetics**

The design is esthetically sensitive as well as environmentally sensitive. Like the Bandon Dunes complex, it is a development that blends into the landscape and enhances the area rather than detracting from it (unlike the hotel proposed for Old Town).

### **Recreation**

The development brings opportunities for safer walking and bicycling. The design includes paths that can be used by locals and visitors which are not on a busy street.

### **Safety - Gorse and fire control.**

It is obviously in the best interest of all of us to have some of that gorse infested land developed in a pleasing way. With an investment of this size, the resort will be very fire aware.

### **Accessibility**

The street plan adds another point of access to Highway 101. While there is some opposition to this, it is an important consideration due to the continued development along Beach Loop Road. It will be of utmost importance should we ever need a full-scale evacuation of the area.

### **Future**

Perhaps in bringing more tourists to the area, the project will also encourage other much needed retail and service entities. We still have boarded up and empty buildings in Old Town and along the highway.

Certainly there is and will be opposition to this development - especially from close-by neighbors. And rightfully so, as they will be most disturbed during the building process. However, in the long run, all of us in Bandon will all benefit from the addition of a classy resort through more money spent here and more tax revenue. We cannot stop progress but we can surely choose the direction it takes.

Sept. 20, 2023

To: City of Bandon Planning Commission

From: George Schwirian, 1087 Carter St. SW, Bandon,  
OR 97411

Re: Gravel Point Project Hearing Testimony

My name is George Schwirian and I live at 1087 Carter St. SW in Bandon, OR 97411. My wife and I are recent arrivals to Bandon having moved into our recently built home in May of this year. For the previous 40 plus years we have lived in small towns north of Reno, NV and east of Redding, CA. We were forced to move due to health concerns and chose Bandon specifically because it is a small, quiet town with a strong community. I am not a lawyer or a college educated bureaucrat, I am a retired firefighter and am used to speaking plainly. I am not against growth per se and am a strong believer in private property rights and responsibilities. I believe this project is not in the best interests of the residents of Bandon due to it's location situated in the heart of residential neighborhoods. I have done my best to read through the project plans and have come away with the following concerns.

1 - First and foremost is the absence of my residence on any plans, maps, aerial photographs or descriptions of the proposed project. 1087 Carter is adjacent to the southeast property boundary of the project. This commission is obviously aware of that since we received a

“Notice of Public Hearing” in the mail at this address. I request that these plans be updated to include good neighbor protections for my home that are provided for the other adjacent property owners, ie; fencing and screening, increased distance from light poles, traffic impacts, noise abatement, etc.

2 - Street lights. Where in the surrounding neighborhoods are there street lights? Our night skies are not diminished by any light pollution and we strenuously object to the placement of said streetlight directly next to our home near the Carter St. access point. This project should be a truly good neighbor and please find a way to mitigate this “light bomb” they are intending to drop in the middle of our community.

3 - The Traffic assessment attached to the plan does not consider any impacts through the Carter St. access to our neighborhood though it is identified as a Public Road in the plans. This neighborhood is currently very quiet as there is no through traffic to speak of. Children play and ride bikes in our streets, people walk their dogs and meet each other in the peacefulness of this area. I request the traffic assessment be updated to address the expected increase, if any, to our neighborhood and the project plan to be updated to identify protections for the residents of the community.

Finally and in closing I wish to say that I am appreciative of the efforts exhibited by the developers of this project and I believe that these oversights are unintentional. I

look forward to the Gravel Point Resort becoming pleasant and considerate neighbors and join our community as full partners in our future.

Thankyou,

George Schwirian  
1087 Carter St. SW  
Bandon, OR 97411

## Dana Nichols

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**From:** Edith Schwirian <edithschwirian@gmail.com> on behalf of Edith Schwirian  
**Sent:** Wednesday, September 20, 2023 1:52 PM  
**To:** planning@cityofbandon.org  
**Subject:** Gravel Point

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

My husband and I have owned our property here in Bandon since 2017 with the dream of building a home here. I knew that there would eventually be homes on the property next door as that is what the city plan showed.

I have a couple of issues with this plan. And need some clarification.

The vacated street "Matilda" was planned next to our property on Carter. What happens to that and can we get a conditional use permit for that area?  
Does the property line start at the edge of our property or at the edge of the vacated street ?

I believe there should be more questions answered before these streets are vacated.  
What will be the access to this resort? Through our little neighborhood?  
Down Seabird and then Lincoln to Carter. Lincoln and Seabird is a blind corner. How will that work out?

Bandon Municipal Code #16.12.020 G,H,I,J,K and M have not been met in the proposed plans.

Thank you,

Edith Schwirian  
1087 Carter SW  
Bandon, OR. 97411

## Relevant Municipal Codes, Variances, Planning Goals and Land Uses by Area

### Municipal Codes

17.20 CD-1 Zone

17.20.010 Purpose

17.20.040 Limitations on Use

17.20.070 Yards

17.20.090 Height of Buildings and Structures

17.94.010 Purpose

17.94.070 Lighting

17.94.090 C Pathways

17.94.090 D Building Facades

17.94.090 F Materials and Colors

17.94.090 H Roofs

17.102 Wetlands Protection Standards

Step#1 avoidance

16.12 Conditional Uses

16.12.020 I and J noise, glare, dust. Meadow and path

K. Setting standards for lighting

G. Alters the character of the surrounding area

### Variances

16.36.040

1. Roof height, Flat Roofs

2. General benefit to public

### Comprehensive Plan Compliance

Land Use Goal 2

Scenic Resources policy 2

Implementation Measures policy 3 and 4

Policy 7

Goal 6 Environmental Quality of Life

Goal 8 Recreation

Goal 10 Housing

Goal 11 Public Facilities

Goal 12 Transportation

Land Uses by Area

Chapter 2 Planning Process Recreational Needs

Chapter 4 Natural Disasters

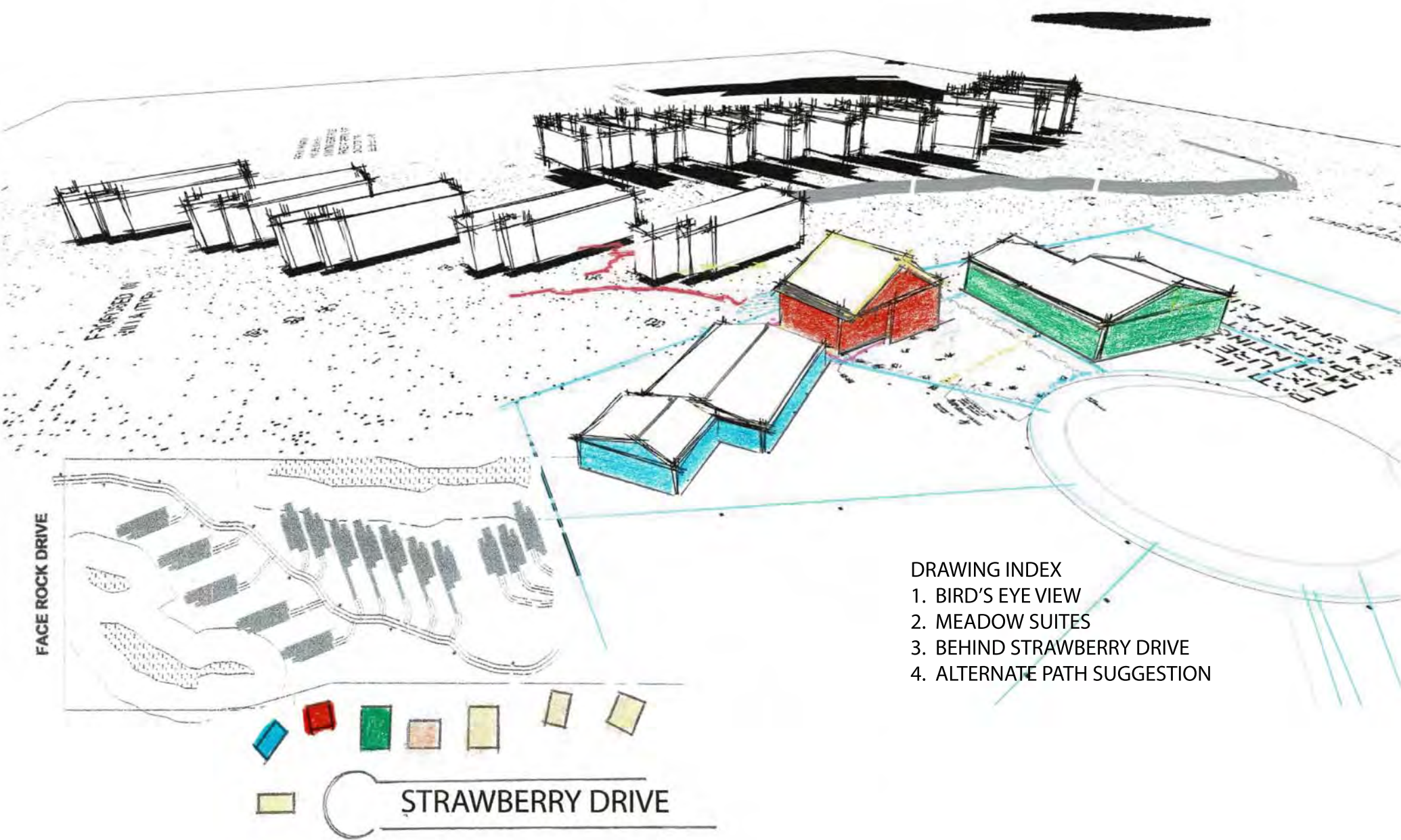
Chapter 12 Scenic Resources

Sent from my iPad

# BIRDS EYE VIEW STRAWBERRY DRIVE

## LOOKING EAST SOUTH EAST

(CONCEPTUAL)

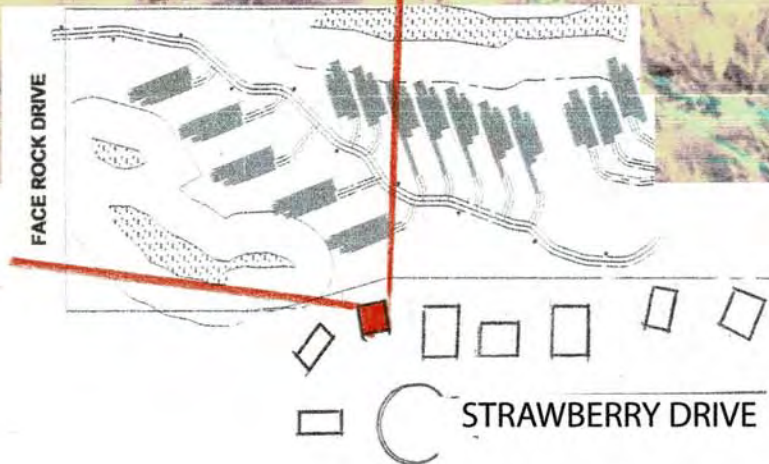
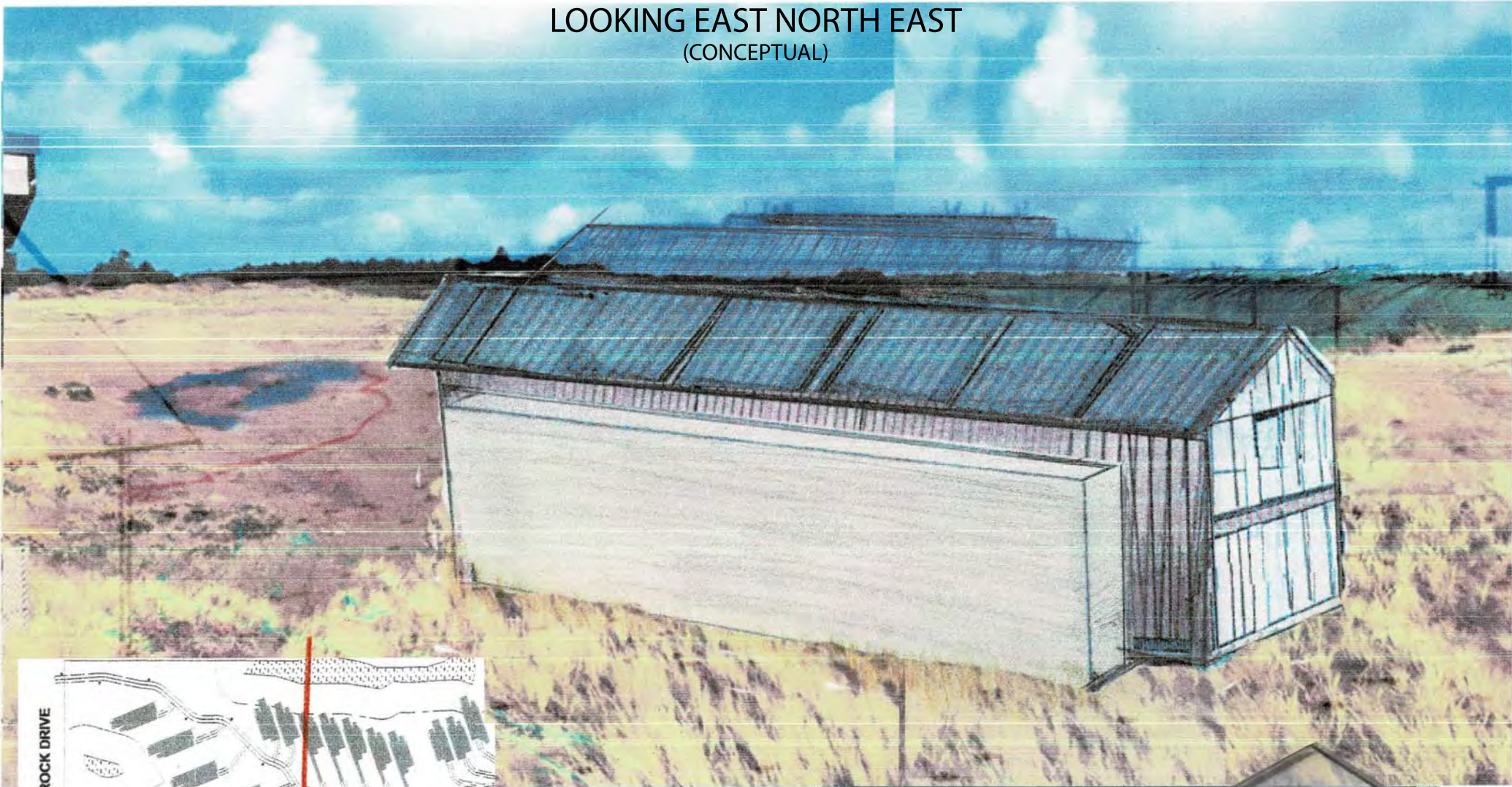




# MEADOW SUITES BEHIND STRAWBERRY DRIVE

LOOKING EAST NORTH EAST

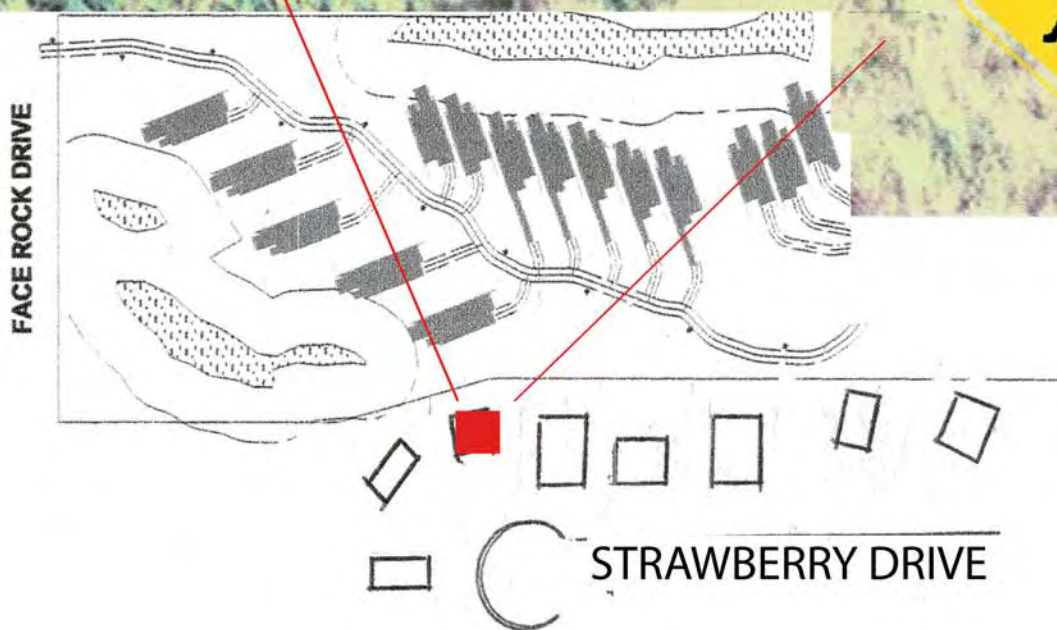
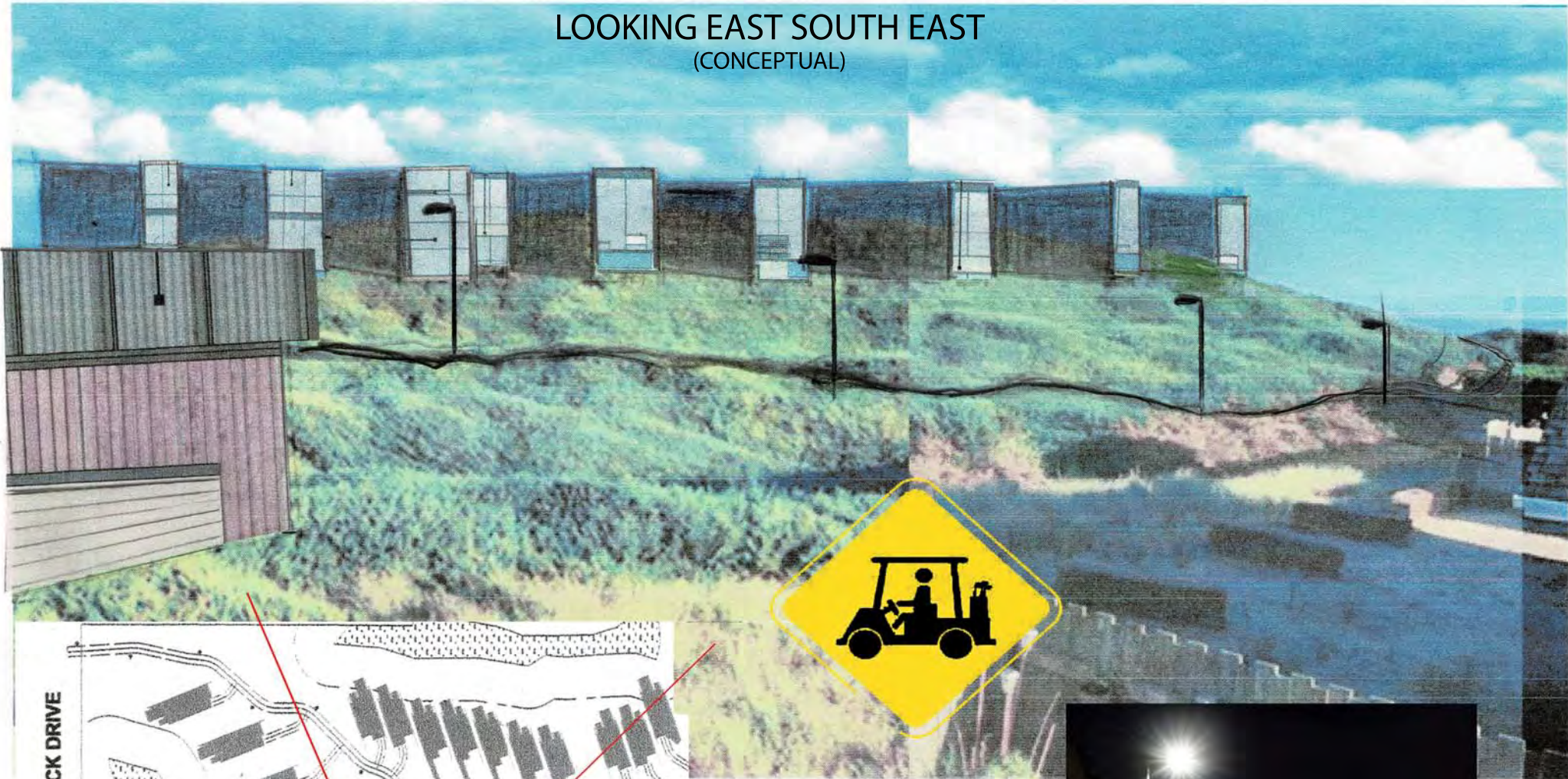
(CONCEPTUAL)



# GRAVEL POINT BEHIND STRAWBERRY DRIVE

LOOKING EAST SOUTH EAST

(CONCEPTUAL)



# ALTERNATE PATH SUGGESTION



ALTERNATE PATH

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**TO: Planning Commission                      FOR: 9/28/2023 Planning Commission Hearing**  
**RE: Testimony in opposition to the Gravel Point Resort project, Bandon, Oregon**  
**\*PERK DEVELOPMENT**  
**FROM: Leslie and Don Suva, 1357 Strawberry Dr.**

Background

**June 13, 2022** Bandon Beach Ventures, LLC registered in Alaska as an LLC

**July 11, 2022** Bandon Beach Ventures, LLC took title under Statutory Warranty Deed to the real property in Bandon, Oregon, which is the subject property for the Gravel Point development.

**March 3, 2023** Bandon Beach Ventures, LLC filed with the Oregon Secretary of State as a foreign (out-of-state) LLC

**March 12, 2023** Bandon Beach Ventures, of Anchorage, Alaska signed an agreement for representation by Sheri McGrath, Inc. Coos Curry Consulting.

**The developer for the Gravel Point project is \*PERK DEVELOPMENT (Brett Perkins) Newport Coast, California**

These out-of-state entities and developers have formally existed for only **18 months**. The imposition of a looming Gravel Point Resort will have an irreversible and enduring impact on Bandon as a whole, not just those of us in the immediate strike zone. A request to halt this development is reasonable and bears diligent consideration.

PERK seeks accredited investors for its projects:

Per the U.S.SEC: For companies raising capital, the accredited investor definition largely determines who is in their pool of potential investors, and for investors whether they are eligible to invest in many early-stage companies. "Net worth over \$1 million, excluding primary residence (individually or with spouse or partner) Income over \$200,000 (individually) or \$300,000 (with spouse or partner) in each of the prior two years, and reasonably expects the same for the current year

**Relevance:** Still in the seminal and fund-raising phases, PERK Development has created angst and a flurry around its perfect storm ("a particularly bad or critical state of affairs, arising from a number of negative and unpredictable factors.")

**Commissioners:** Ask to see a list of committed accredited investors; balance sheets for the various owners/developers (can they deliver on this lofty project?)

Current Projects (from PERK Dev. brochure) - how will these impact Gravel Point progress?

**Gravel Point - Bandon, Oregon**

This future destination resort will offer a 110 key hotel with up to 52 residences, a spa and wellness, 2 restaurants, a market cafe, hotel retail, golf practice areas, and workforce housing over 24+ acres near Bandon Dunes Golf Resort in Bandon, Oregon.

***Planning Commission hearing on 9/28/23 Conditional Use Permit.***

**Pony Creek Point - Oregon Coast**

This development will offer up to 330 units of residential, a 108 key boutique hotel, 17,000 square feet of restaurant & retail and a boardwalk/marina over 14+ waterfront acres next to the Southern Oregon Regional Airport.

***Purchase of this property pending.***

**Dungeon Lodge - Oregon Coast**

Tucked away on an island in Coos Bay, this boat-access only destination fishing resort will offer 100+ A-Frame Cabins, a fishing lodge, a high-end restaurant, fish processing facilities, and captain & crew quarters that support the thriving fishing industry. This resort aims to bring the Alaskan Halibut Fishing experience to the lower 48.

***Where is this? What is this?***

**Charleston Village - Oregon Coast**

In between Bandon Dunes Golf Resort, the iconic Oregon Beaches, and Coos Bay is a small fishing village that attracts millions of visitors each year. This 35 acre redevelopment includes a fishmarket & farmer's market, commercial & institutional office space, a makerspace, a boutique hotel and waterfront charter/fishing offices that support tourism and commercial fishing fleet.per

***The community of Charleston is not informed on this proposed project.***

Status of PERK's other planned projects in "niche" communities?

- 2.) Big Bear & Lake Arrowhead, Southern California
- 3.) Mammoth, Central California
- 4.) Mount Bachelor & Willamette Pass, Central Oregon
- 5.) Rogue River, Southern Oregon
- 6.) Sun Valley & Ketchum, Central Idaho

A collaborative approach by PERK would be encouraging – a good faith effort to show it is vested in the community of Bandon. Do something for the residents who actually live and pay taxes here – a “pay it forward” approach. Instead of developing a luxury resort for affluent outsiders and guests, consider upgrading some of the lodging that is already in Bandon (300 rooms, not counting the numerous VRDs).. Work toward keeping the hotels/motels in existence and operation rather than encroaching on the livelihood of those who live and work here. Do something *tangible and positive in advance*, and downscale the lofty Gravel Point resort project. Instead of Bandon feeling animosity toward the development, it could be presented as an asset. While we may not want the Gravel Point development, we would tolerate it.

Thank you for your attention and diligent consideration.

Respectfully, Leslie and Don Suva  
1357 Strawberry Dr.  
(submitted 9/20/2023)

20 September 2023

Kathleen J. Friedland, 2705 Spinnaker Drive, Bandon, OR 97411

To: The City of Bandon Planning Commission

My concern about the proposed Gravel Point project is its impact on the Carter Street SW, Lincoln Avenue, and Spinnaker Drive neighborhood.

The first concern is about construction traffic on these streets while the Gravel Point project is underway. Heavy construction vehicles will be needed and are too big and too heavy for these residential streets.

My second concern is about the traffic coming from the Gravel Point project when it is completed. Vehicles will be entering and leaving the resort onto Carter Street and then onto Lincoln Avenue and Spinnaker Drive headed for Seabird Drive on their way to Beach Loop Drive and Highway 101. Regardless of whether homes or a resort is built at the Gravel Point site, these are quiet residential neighbor streets, not throughways to access an interstate highway or a scenic route.

The Gravel Point resort should have direct access to Beach Loop Drive from its parking lots and not have access to Carter Street. If access to Carter Street is approved for the resort, then Lincoln Avenue and Spinnaker Drive should dead end where they now join Carter Street. Carter Street would still have access to Seabird Drive via Harrison, Cascara, and Franklin Avenues connecting to Rogers Place.

Preserving the residential character of this neighborhood protects the foundation for our property values on which property taxes are based. The Gravel Point resort should be compatible with the current use and enjoyment of our homes. Carter Street should be off limits to the Gravel Point resort, but should that sensible change not be made, then Lincoln Avenue and Spinnaker Drive should be closed to Carter Street and the resultant Gravel Point traffic.

Thank you for your time and consideration.

*Kathleen J. Friedland*

Kathleen J. Friedland

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SEP 20 2023

BY: \_\_\_\_\_

September 19, 2023

City of Bandon  
Bandon Planning Commission

Andrew and Lynn Christensen  
1373 Strawberry Drive SW  
Bandon, Oregon 97411

Re: App #23-045 Bandon Beach Venture, LLC; Gravel Point Resort

Comments and Questions Regarding Proposed #23-045

My husband and I retired to Bandon in 1999, 24 years ago. We chose Bandon because of its natural beauty and small town charm.

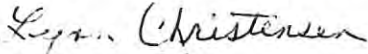
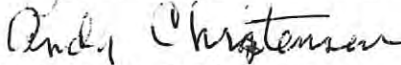
The Gravel Point project changes everything. A very large project like this is overwhelming for such a small town as Bandon.

The effects on our infrastructure of water, sewer, and electric, not to mention roads and traffic would be incredible. Are we taxpayers supposed to finance this? Or live with it?

We know that at that peak tourist season, a few weeks in the summer, the hotel rooms around here are filled up. However, the rest of the year, especially in the winter, stores and hotels are mostly empty. Some restaurants shut down for over a month in the slow season.

We are concerned that the Gravel Point business model is not well thought out and that's a bad thing for those of us who live here year-round.

It is our opinion that a project this size is not needed and is possibly a damaging occurrence for the city of Bandon. We feel that the Planning Commission should reject this application.

  
  
Lynn and Andy Christensen



RECEIVED

SEP 19 2023

City of BANDON

BY: LE - Dropbox

I AM very distressed about  
the New GRAVEL POINT PROPOSAL.

WHEN I get the newsletter in my  
Electric bill it has news of our  
antiquated water and sewer systems  
that need rebuilding and repairs and  
now a proposal of this huge complex  
in BANDON. WHAT ARE YOU THINKING?  
Also Beach Loop will be a huge  
traffic jam, AND is Seabird Drive  
the access to 101?

This company needs to think and  
plan a new road that can link to  
Hwy 101 without impacting our small  
roads through quiet neighborhoods.  
AND with the huge Motel going in next  
to the market place that's another  
sore point to parking and congestion  
in the downtown area.

SANDRA Schroeder

City of Bandon Planning Commission meeting

September 28, 2023

Re: Public Hearing for Gravel Point Development

Comment from DARCY GRAHEK

Planning Board members -

I have over 40 years of experience working in the outdoor spaces of Bandon. As a nurserywoman and a Master Naturalist, observing local native landscapes has made me familiar with changes that have happened on the south coast over time. Seeing habitat continue to degrade has brought me to the conclusion that a variety of extensive and substantial local native habitats have been and continue to be lost.

Residential and commercial development, invasive species, and overuse of pesticides and redirection of waterways; all are multiple factors contributing to the demise of local flora. The number of exotic plants (species from other continents) continues to grow, especially along windswept bluffs such as Beach Loop Rd which supports wind-tolerant plants from New Zealand, Chile, Australia, and South Africa and other places.

Local wildlife receive very little benefit from such planting compared to native species plant communities. Visiting and local birders all appreciate the rich diversity of local and migrating birds to see here. In understanding of those migratory birds, I would ask for a Dark Skies provision to be included in development plans. The water cycle is very different in dry sandy places and so the impacts of redirecting water paths and flattening vernal pools can really eliminate amphibian habitat fast. Tree choices are greatly limited by salt and wind conditions but it is the native, namely Sitka Spruce and Shore Pine that feed squirrels and other tree-dwellers. Their root zone provides a whole underground system of environmental support.

In the establishment of further Bandon commercial and residential developments, it would benefit our community to aim for equal establishment of greenspace that can include or provide these habitats, perhaps in some cases through mitigations. For every 10,000 sq feet of development perhaps they could include 10,000 square feet of habitat provision.

There is a great deal of support for environmental sensitivity in our greater Bandon community. It is time to include wildlife habitat and green spaces in future developments through careful and insightful planning. I believe the Gravel Point development should use only native plants in their landscape. A native plant species landscape plan would require minimal water once established, no fertilizer, no herbicides or pesticides. Considering how sandy and porous most of the soil there at the Gravel Point site is, it would seem much safer both environmentally and safer in regard to neighboring properties.

Thank you.

Darcy Grahek

September 20, 2023

City of Bandon  
Bandon Planning Commission

Arlene Esqueda  
855 Jackson Ave SW  
Bandon, Oregon 97411

RE: App # 23-045 Bandon Beach Venture, LLC; Gravel Point Resort

Comments and Questions Regarding Proposed #23-045

Thank you for the opportunity to comment on and express concerns about the proposed Gravel Point Resort. Although I do think this would be a great addition to Bandon in the future, there are many concerns that I have now.

1. Is this the best location for a **Resort**? This is a huge development for Beach Loop. I do not live close to the area; however, I drive it daily to enjoy the beaches at Devil's Kitchen, Tish Tang, Face Rock and China Creek Wayside (Dog Park). It is already difficult to drive in this area, especially during "the season" because of traffic, bicycles, and many pedestrians. There is also on-going construction of housing in the area with many big trucks parked along Beach Loop which makes driving challenging. The road is narrow and has curves, which make it difficult to pass when big trucks are parked and pedestrians are there traversing the trucks too. Is the City of Bandon going to help the situation by putting in bike and pedestrian pathways? I do enjoy Circles in the Sand, but have you experienced the chaos on Beach Loop with increased traffic, cars parking along Beach Loop for miles and pedestrians trying to walk to the event?? It is scary at times!
2. Is our **infrastructure** conducive to this project? This is my main concern. Is Bandon infrastructure ready for this? This includes: Roads and traffic routes, including adjacent bike and pedestrian paths, sewer and sanitation, water source and distribution, housing for construction workers and Resort employees, electricity, grocery stores and amenities. It seems like we are always talking about water and electricity and sewers in City Council. I do attend City Council meetings on Zoom on a fairly regular basis. The topics of sewer and water sometimes goes over my head, but it always seems like a concern. I know the topic of housing has been big lately, because Bandon does not have enough housing for our current work force. What are we going to do with a huge resort hiring employees with nowhere to live? We can barely find enough housing for our teachers, nurses, retail employees, restaurant staff, etc. We need to develop more than one or two apartment buildings that families and individuals working in these areas are able to afford.

3. How is this development going to affect the residential areas in the immediate area as well as the environment? What steps will be taken to guarantee the wetlands in the construction area are unharmed? If I lived in the neighborhoods adjacent to this development, I would not be happy. I live closer to Bandon City Park, and I am still concerned!

I admit that part of my hesitance is personal. I moved to Bandon because it was a small homey town. I left Draper, Utah after retiring and settled here in Bandon. I bought a little house in the boondocks of Salt Lake County. I chose that lot for a house because it was in the middle of nowhere, surrounded by alfalfa fields, where every morning guys in huge trucks would stop every morning to scope out the big bucks and thousands of ducks and geese landing and feeding in those fields, the smell of the dairy up the road and starry nights. Six years later, it was all paved over and became nothing but a traffic jam. I do see the need to develop in Bandon, however, I do have deep reservations outlined above. I do not want Bandon to become another overcrowded beach town like you see up north. People come here because it is small, and quaint and lovely. I wish it could stay this way always, but I am realistic and know that there has to be on-going development. Because of the outlined infrastructure concerns, I cannot support a huge development like Gravel Point Resort at this time, we have to make Bandon better for the people who live here and work here. And I love Bandon just the way it is.

Thank you for this opportunity to participate, and I truly hope you consider all concerns.

Arlene Esqueda

September 20, 2023

City of Bandon Planning Commission:

Let us start by saying our family loves this city. We were attracted to the natural scenic beauty, the robust wildlife, and the city's unique quaintness. The community holds these qualities near and dear and has taken drastic measures in the past to preserve them. We too want our community to maintain its charm and natural beauty without over commercializing this precious land.

As owners with multiple properties affected by this proposed development, we have a few concerns that we wanted addressed by you (see below):

1. We have a property that backs up to Beach Loop Road (across the street from the proposed development). Prior to purchasing our home, we were told by the city that the property behind our home would be zoned mixed use (both residential and commercial). Why is it now all commercial with no residential?
2. We are concerned that the significant increase in road traffic behind our home will prevent safe pedestrian and dog walking, as well as bike riding, along Beach Loop Road. As it stands now, with sidewalks not in place that span Beach Loop Road, we (along with our animals), are forced to walk on the shoulder of the road. This is a safety concern of ours and feel it will be a cause of more pedestrian accidents if not properly addressed.
3. Further, with the added road traffic of non-residents to the area, we are concerned that the posted speed limits will not be recognized and adhered to, causing more safety concerns.
4. This added transient road traffic will also cause an increase in unwanted noise (drowning our sound of the ocean with the noise of revving engines, horn honking, and screeching brakes/tires from which we cannot escape).
5. Along with this added road traffic, we will likely see a decrease in the beautiful wildlife that are home to the Bandon coast. We personally love the deer in our neighborhood (which visit our property daily). This was a major attraction for us in moving to the city of Bandon.
6. With the proposed Beach Loop Road entrance to Gravel Point right behind our home, we will have an unwanted, approximately 40-foot-long by 5-foot-high sign polluting the view out our windows. It is unknown whether this signage will be illuminated all night long (which would create added concerns).
7. Moreover, with this large of a commercial property being proposed, we are concerned that the amount of lighting needed onsite will drown out our view of the night sky and star gazing, current qualities that make the area unique and beautiful.
8. With a shortage of skilled labor workers in the area for this enormous build, we are concerned that this construction project will take several years to complete and thus presents a higher risk to an on-time completion and quality build.

Some proposed changes that might want to be considered are below.

1. Limiting the size of the commercial development by including single family homes in this parcel's development.

2. Moving the Beach Loop Road entrance to an entrance off Caryll Court (a current intersection of traffic) and moving the main entrance to Face Rock Drive.
3. Significantly reducing the size of the currently proposed signage on Beach Loop Road. If the currently posted speed limit is appropriate for this small, 2-lane road, there is no need for such a large sign. The speed of travel and proximity to the road doesn't warrant it.
4. Adding sidewalks to the east side of Beach Loop Road (along the proposed development side of Beach Loop Road).
5. Strict enforcement of traffic speed in the area.
6. Allowing residents on the west side of Beach Loop Road to build fences that block their view of the resort and protect their animals from the increase in traffic. Currently, only a 2-foot fence is permitted, which essentially does nothing a fence is intended to do.
7. Making Beach View Estates a gated community to avoid added traffic from lost drivers and sight seers.
8. Limiting the amount of obtrusive lighting constructed on the proposed property.

Thank you in advance for your consideration of our concerns.

Respectfully,

The Haider's

@ Beach View Estates and Face Rock Court

## Dana Nichols

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**From:** Stefanie Mildenerger <stef.smiled@icloud.com> on behalf of Stefanie Mildenerger  
**Sent:** Thursday, September 21, 2023 8:31 AM  
**To:** planning@cityofbandon.org  
**Subject:** Application #23-045 "Gravel Point Resort"

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Joe and Stefanie Mildenerger  
SW 2422 Caryll Ct., Bandon, OR

To the City of Bandon Planning Commission :

Our concerns are...

1. The negative impact of lighting and loss of night sky for the surrounding properties . The GPR street vacation , main entrance and 4'x40' signage on Beach Loop Drive will be directly across from our address and well seen from our front door and east facing windows. What is the proposed lighting at the main entrance?
2. The negative impact of increased traffic on Beach Loop Drive.
3. The burden to the City's infrastructure of water, sewer and electric , that is already falling short and a huge concern for taxpayers.

Our positive comments...

1. The GPR applicant has prioritized the topography of the land use.
2. The design, aesthetics and amenities of the resort can be an asset to Bandon and its residents.

Thank you for your consideration.

Sent from my iPad

September 21, 2023

City Planning Director D. Nichols  
City Planning Commissioners

RE: App # 23-045 Bandon Beach Venture, LLC; Gravel Point Resort

One can easily be dazzled by the renderings submitted recently for the project named “Gravel Point” located on the east side of Beach Loop south of Face Rock Road. It’s quite impressive on paper. When reality sets in we must ask what will the city of Bandon receive in return should this project be allowed to continue? How will the residents be impacted by this large development?

I believe there are marsh lands that exist and we can not continue to kick the can down the road so that all the water is filled in or rerouted somewhere, there are beneficial animals that provide ecological diversity in these lands, how will they be incorporated into the plan? The loss of trees and green space and the addition of non native plants is always a concern for many of us who have lived in Bandon for sometime, even the “topsoil” is rich in nutrients and supports many plant species. Most importantly though are the concerns about affordable housing, infrastructure, water, sewer, roads, sidewalks, traffic congestion, parking. Who will be responsible for this? As residents we are reminded often about our failing or aging infrastructure system. Who will be responsible for keeping the quality of life we all enjoy? Other concerns are Fire and Tsunami emergency evacuations with the current and proposed roads leading into and out the project.

As the population increases and more people discover Bandon who will handle the already growing issue of parking? I for one think walking down Beach Loop would become more difficult with more traffic caused by construction and the overall operation of a business this size. Currently Beach Loop doesn’t have a pedestrian or bicycle path for safety and is in need of maintenance.



Where will the employees live? Housing shortage is huge and Bandon needs more Affordable housing, not short term rentals. Another question is how do we grow but still maintain the wonderful friendly small town atmosphere where everyone knows each other by name?

The investors of Gravel Point need to consider much more than this to create a successful and joyful experience for all with this project. Gravel Point needs to do more homework and present solutions to the concerns listed in this letter.

Do we need more commercial businesses moving in closer to residential properties along Beach Loop? Commercial zoning is beginning to infringe on residential, perhaps it's time to revisit rezoning between Strawberry south to Seabird and help protect residential areas.

Before this project should be allowed to progress these very important issues must be addressed and fully implemented in order to accommodate the people who live here and I sincerely wish the Planning Department will not approve this project until all the residents concerns are met and all costs will be handled by the party requesting the project.

Thank you to our planning department director and commissioners for allowing residents to express our thoughts and concerns.

Kind Regards,  
KQuinlan  
Bandon Resident

## Dana Nichols

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**From:** Neal Barlow <nealbarlow365@gmail.com> on behalf of Neal Barlow  
**Sent:** Thursday, September 21, 2023 9:58 AM  
**To:** planning@cityofbandon.org  
**Subject:** Application 23-045 - Gravel Point Comment

City of Bandon Planning Commission

I live on Tish A Tang in Bandon. I will be impacted by any increase in traffic on Seabird and Beach Loop. However the reality is we live in a tourist town.

I recommend every resident read the City's budget. To understand how our city is funded and the money is spent. It is available on the City's website:

<https://www.cityofbandon.org/bc-budget/page/budget-documents>

Lodging taxes fund the majority of our City's services, allowing us to have one of the lowest property taxes in the state.

Bandon is growing. It can't be stopped, just look at the houses being built and residential lots for sale.

Someone has to pay for the services they will need. Unless residents want to pay more, the number of hotel rooms will need to increase.

It is not just about the money.

We are spoiled by the number of restaurants and stores we have for a town our size. They need tourists to stay open. More tourists staying longer will keep what we have and encourage new businesses to open in Old Town

Although I don't know where they will park with the proposed Marriott downtown.

Hotels are not new to Beach Loop. There is the Best Western, Windermere, Sunset and others. Plus all the short term rentals.

I support the project in principle, as long as the normal planning regulations are met.

Tourists get to visit, and we get to live here all year round.

Neal Barlow  
1250 Tish A Tang Ln  
Bandon, OR

September 21st, 2023

City of Bandon  
Bandon Planning Commission

Bob and Lisa Schroeter  
1375 11th St  
Bandon, OR 97411

RE: App #23-045 Bandon Beach Venture, LLC; Gravel Point Resort

The Gravel Point development is an ambitious project with many lofty goals to be achieved in order to implement a project of this size. As usual with a project of this size there is always room for improvement, tweaking and adjustment to make it more appropriate for a town the size of Bandon. Below are some of our comments and suggestions to make it so.

1). The greenspace and public trails that are proposed to be incorporated into the development are a great asset to the project. In the applicant's narrative it is mentioned that all the trails will have a public easement on them. Yet on some of the maps and other materials submitted it appears that not all the trails will have public easements on them (The Ridgeline trail that connects the Lodge to Face Rock Drive is only labeled as private path with public access but not with a public access easement). It seems if the city is vacating the current platted existing road right of ways they should be requiring recorded public easements for any and all of the public trails within the development so they will always be accessible in the future.

Also the southern portion of the current Maltida Street ROW shouldn't be completely vacated as it provides the only public access to the NW side of the wetlands and beaver pond between Lincoln Ave and Three Wood Dr. Vacating the Maltida ROW would then close off public access to viewing that portion of the wetlands area. A public trail access easement should be retained in that area and not fully vacated. It also appears that the proper procedures and notifications of adjoining landowners weren't followed in the proposed street vacation request. It doesn't seem that all the adjacent owners to the proposed vacated streets were notified or that the typical process where the vacated street ownership is divided evenly between the adjacent landowners was followed (see City of Bandon street vacation process link here - [https://www.cityofbandon.org/sites/default/files/fileattachments/general/page/2251/vacation\\_application\\_process.pdf](https://www.cityofbandon.org/sites/default/files/fileattachments/general/page/2251/vacation_application_process.pdf)).

2). The removal of Gorse in the 24 acre project area and the applicant's additional adjoining 60 acres has been great and well overdue. Currently it appears that the work has been primarily mowing and slash busting of the gorse on an annual basis the past couple years. Hopefully further plans are to do herbicide treatments to actually kill off the resprouting gorse so your revegetation plan with planting natives will be more successful across all your properties. Also hopefully you plan to do a holistic approach to noxious weeds on your properties and remove/treat the other noxious weeds present on your properties at the same time as you treat the gorse (such as the Scotch Broom, Pampas grass and English Ivy). While doing the gorse removal, hopefully care is taken in trying to preserve some of the existing native hardwood trees and shrubs that are already present on site. For example on the adjacent 60 acre parcel some of the willows and Cascara trees near wetland areas were inadvertently cut down during the gorse removal process where ideally they should have been maintained as your plans are to revegetate and maintain native plants on the properties.

3). It is mentioned in the narrative and project plans that one of the buildings (the hotel) will be over the maximum of 28 feet and will require a variance to do so. But the applicant also mentions that variances aren't allowed within a CUP but is still requesting a building (hotel) of

35 feet (40 feet with the elevator shaft). The reason for this is the siting of the parking garage under the hotel. To keep the building height within code for a CUP, maybe the better option is scale back the number of Meadow or Ridgeline Suites in order to have parking spaces elsewhere than under the hotel so the building hotel height stays within code. If the applicant really needs to have the existing number of Meadow or Ridgeline Suites then maybe they should place some of them on their adjoining 60 acre parcel so they can have adequate parking near but not under the hotel so the hotel can stay within the code height requirements without a variance request.

4). RV parking for the site is only showing 2 RV parking spots but as the applicant states they are required to have 8 RV parking spots according to code. The applicant states that hotel users aren't likely to be driving to the hotel in RVs when staying at the hotel. Part of the development also includes restaurants which seems more likely that you may have RVs stopping for. Again scaling back the number of Suites or placing some of the Suites on the adjoining 60 acre parcel seems like the best solution in order to provide the required RV parking to meet code. The applicant mentioned potentially leasing parking within 500 feet which we assume refers to the church parking lot on Face Rock Drive but that may not be a viable option particularly on those days when the church parking lot is full from church attendees.

Thank you for your time and consideration of these comments and suggestions.

Bruce R. Spencer  
1349 Strawberry Drive SW  
Bandon, OR 97411

September 21, 2023

City of Bandon Planning Commission  
555 Highway 101  
Bandon, OR 97411

Re: 23-045 – Type III Consolidated Application – Gravel Point

Dear Sirs/Madams,

I submit this written testimony for inclusion in the September 28, 2023 meeting packet regarding the application noted above. I have the following concerns/objections about this application and project as planned.

#### 16.08.040 Pre-planning for Large Sites

(A) Purpose is to require the pre-planning of large sites in conjunction with requests for annexation, and applications for phased subdivisions and master plan developments.

(B) Applicability is to land use applications and annexations affecting more than 40 acres of land under the same contiguous ownership, even where only a portion of the site is proposed for subdividing.

- Applicant's response in Project Narrative and Proposed Findings of Compliance (PNPFC) to 17.94.090(H) continued to page 35 states the applicant's plan 'includes 90 acres of contiguous ownership', and 'The long-term plan for the 90 acres is to...'. The 90 contiguous acres of ownership exceeds the 40 acre additional reporting requirement for large sites.

- The Planning Commission should require the applicant to submit a conceptual master plan with pre-application materials for the project or proposal as outlined under sections 16.08.040(C) and (D), which would provide further clarification of ultimate usage of the entire project, not just the current 24.8 acres, and allow adequate review and assessment by the Planning Commission and Bandon residents.

17.04.020 References to implementing, protecting, and/or encouraging (G) avoiding congestion, (H) orderly growth, (J) protecting natural resources and scenic views, and (K) quality of air, land and water resources, are included in other areas of my testimony. In addition to these items, the applicant has positioned their project as encouraging economic growth, including by providing jobs and opportunities in the area. My concerns are:

- (O) providing adequate space for housing – The Bandon Transportation Refinement Plan, Table 2, reflects a total of 423 total acres and 133 buildable acres attributed to combined Zones CD, CD-1, and CD-2. I suspect these numbers may be lower due to the activity incurred in these zones since the plan was published. Ultimately this project will cover 90 acres, consuming a minimum of 21% of all available land as of the date of the refinement plan.

- (R) providing orderly and efficient growth of the city – The existing hospitality options in Bandon cannot find and retain talent to adequately run their businesses. But it is not just hotels/motels that are having issues finding qualified employees. I understand there are Old Town businesses which rely on tourism that have had to close one or two days out of the week during tourist season, and other businesses which have had to curtail hours on either a temporary or permanent basis. Restaurants have had to close or cancel reservations due to staff and/or supply issues. All over town there are not only

help wanted signs, but signs informing patrons that the businesses are understaffed and as such to expect service to be affected. Not only will the Gravel Point project not be able to attract and retain required talent, they will be taking away from the existing pool of talent from current Bandon businesses.

- (D) conserving and stabilizing property values – Bringing money into Bandon is an important part of the economy. Bringing too much building in too quickly, without the resources to support the growth, will increase the cost of living to all Bandon residents, and take away the much-needed services required of the existing residents and businesses. Have you tried to get your house painted recently, or tried to hire an electrician, or get a roof fixed? If so, could you even find anyone? And if you did, how much more did it cost you than it would have three years ago? Two years ago? This will serve to destabilize property values, increase the cost of living for Bandon residents, and further price Bandon residents out of both permanent (ownership) and temporary (renting) housing.

17.20.010 CD-1 Zone The applicant notes ‘The Villa/Suites are residential in nature’. The plans reflect thirty-two (32) units, each with two full baths, one powder room (half bath), kitchen and laundry facilities, and a spa on the patio. My concerns are:

- These facilities do not fall within the definition of ‘Hotel/Motel’, but Vacation Rental Dwellings, and as such should be subject to 16.12.090(K).

- For Utility and SDC purposes these units should be counted as a full unit each vs the 1/3 unit applied to hotel/motel rooms.

17.20.010 Regarding applicant’s response in PNPFC, specifically ‘to enhance and protect the area’s unique qualities’. While the applicant’s response in general addresses some items, the response is an opinion. My opinion in this area regarding what makes it unique are:

- Wildlife. We currently have at least two family of deer inhabiting the area, as well as turkeys and other native wildlife, which are all part of the area’s unique qualities, and are overall an enjoyable aspect of the area. ‘The subject site has a known fawning area in the Northwest section that abuts Face Rock Drive’ (cited from PNPFC applicant response to Special Policy 7). While the applicant promises their project will not impact the wildlife, their project is directly on top of this fawning area. I am further concerned the enjoyable unique aspects of the wildlife will be replaced with the less desirable vermin, rodents, roaches, etc., that inevitably come with these types of enterprises, and which will undoubtedly end up on our properties.

- Light pollution. One of the qualities of this area that makes it unique is the ability to view deep into the cosmos from our back yards. If you have not experienced this in the Face Rock neighborhood, I urge you to come out on a clear night and see why it is so spectacular. No doubt other areas of Bandon enjoy this aspect, but that does not mean it is not part of what makes our area unique. The applicant addresses lighting in compliance with code 17.94.070, and I believe that while Gravel Point indicates their intent to minimize light pollution impacts throughout their consolidated application, there is little likelihood the Gravel Point project once completed will not negatively impact our majestic views. This could also be considered with 17.04.020(J) as it pertains to scenic views.

- Undesirable activities of guests (I) I walk my dogs every day. My wife and I will drive to different parts of the town, the jetty, Old Towne, Bandon Park. But usually is it between Face Rock and Coquille Point. It was no surprise to me seeing the request for cleaning up after your dogs noted in the September 2023 City Manager’s newsletter. Every day for the last few months I have seen at least a couple of instances of dog messes on my walks. This seems to have coincided with tourist season. I am not against tourists, full disclosure - I was tourist here for close to ten years before moving here (and always picked up after our dogs!). But I am against the mass of tourists in such a small area where residences are situated, because of the amount of things we are going to see like increased dog

excrement. Same can be said of trash, which obviously increased in all areas of town starting in June, but was especially prevalent on the south bluff of Face Rock State Park and the parking lot of Coquille Point.

- Undesirable activities of guests (II) GPR appears to want to cater to a similar type of clientele as Bandon Dunes. In my conversations with various Bandon Dunes employees, including security and shuttle drivers, I have been told guests regularly act out in ways they might not otherwise in their own homes or neighborhoods. Events particularly draw partygoers who inevitably and regularly overdo it, and create issues that need to be addressed by staff and security. But it is not just events. When friends, some who pay the fees associated with Bandon Dunes, and therefore feel entitled, get together, they too can and do overdo it. Or sometimes it is just individuals. Bandon Dunes is 1,200 acres whose facilities do not immediately abut residential areas, they can more easily absorb these types of instances.

- Undesirable activities of guests (III) It is obvious with the tourist season we see more traffic (17.04.020(G)), and with that also more speeding, more running stop signs, less being courteous to pedestrians, including dog walkers, and bicyclists. We have also seen multiple drones over Face Rock and the beach between Face Rock and Coquille Point, with at least one instance of which resulting in what politely could be called a scuffle between a town visitor and Bandon residents. The safety of residents and other respectful tourists is another unique quality to this area. Adding the number of people and vehicles proposed to this area, of people who in general do not have the experience of driving in Bandon, or have the experience of conducting themselves under the ordinances of our town, will negatively impact the safety of the rest of our community.

17.20.060, 17.20.070 The applicant's Updated Plans indicate on page 3 that 'no minimum requirement is listed', and I agree with that. However, it is not listed because these two code sections appear to address residential dwellings, not commercial enterprises. I suggest the City Council review these two code sections in the context of conditional uses and amend if necessary, at which point Gravel Point could amend their application if necessary and resubmit. This will benefit not only the Gravel Point application, but future applications as well.

17.20.090(B) Regarding applicant's response in PNPFC for approval of structure over 28 feet and to a maximum of 35 feet:

- I believe this would need to be revisited after 17.20.060 and 17.20.070 are addressed due to the potential changes to setbacks defined in these sections.

- I am concerned granting the applicant this concession will not be in the spirit of the code, but also can specifically tie my concern to 17.20.090(B)(3), negatively impacting the aesthetic character of the neighborhood. Specific to that, the applicant states the facilities have been planned to tie in to the overall aesthetics of the neighborhood, but this lodge will in fact stick out in terms of height.

- I am also concerned that the applicant's Updated Plans indicate an amendment to the request for an additional five feet under 17.20.100. While the safety and security requirement should not be dismissed, this is not a chimney, which is specific to air flow. The request is for electronic and personnel usage, and puts the applicant's request at 43% over the standard permitted height. My concerns with this are 1) improper planning on one party's part should not necessitate further code compliance considerations, and 2) if the applicant asks for and is granted this, what else might they come back for?

- In addition, I am concerned granting the applicant this concession will open the door to requests for similar concessions with future residential and commercial developments, and should be further considered with 17.04.020(C) appropriate use of land, (H) orderly growth, and (R) again orderly growth.

- In response to 16.12.050 Conditional Use Variances, the applicant's response is that the need for a 35' height is to reduce the amount of impervious surfaces on the site (parking, protect and enhance flora

and fauna). I counter that the need for a 35' height is for more rooms, meaning more guests and traffic, and of course more income to Gravel Point, which we must remember is the ultimate goal of the investors.

- I suggest that if this project is approved and moves forward, the structure be limited to just two floors/28 feet, with parking remaining underground. That will enable the applicant to comply with 17.20.90(B), and also somewhat lower several other impacts such as traffic, congestion, utility usage, parking spots, overall disruption to the area, sticking out from the neighbors, and so forth.

17.94.060(B)(3) I propose an informal study be done between Gravel Point and the impacted neighbors to determine if some height taller than the 6' minimum would provide more privacy, security, protection from light and noise, and aesthetics. It appears the applicant's response in their PNPFC does not confirm their intention to treat the existing fences as common fences, nor is it correct in that fences are already installed on all properties or all property lines. I also propose the applicant confirm their intention to treat the fences as common fences, and share in the expenses of installing and/or repairing good neighbor fences. Also applies to 16.12.020(H).

17.96.050(L) Applicant's response in PNPFC requests relief from RV space requirements. I understand and appreciate the reasoning, and concur with it. However, I am concerned about the parking on residential streets. I propose a residential parking zone and permit process be established on all streets along the perimeter of the Gravel Point project, starting with construction, and be regularly enforced.

17.102 Regarding applicant's response in their PNPFC, they propose the project is economical to both the property owner and the City of Bandon. Further, they state Bandon has low property tax, while the TOT contributes 16% to the general fund. I disagree with the assertion Bandon's property taxes are low. You will have to forgive my crude and possibly incomplete calculations (I promise to validate if necessary), but Bandon's property taxes appear to be 1.13%, which is above state average, and includes several Bandon specific initiatives. In addition, the TOT was just increased in the most recent Bandon election. The TOT should be expected to increase additional revenue to the general fund based on the hospitality services currently available, as would further development of residential units with their increase in basis. The applicant's response is not backed up by hard data. Furthermore, their assertion that urban residential subdivision is not compatible in regard to protecting the natural resources is opinion and self-serving. I posit permanent residents in general will have much more concern about their neighbors, their environment, their town and resources, than will transient guests and for profit entities.

16.12.020(I) Regarding noise pollution, I have already expressed some concerns in this testimony (guests, traffic, etc). However, another concern is noise pollution during construction. If the project is approved and moves forward, I propose restrictions be put in place limiting construction to weekdays, Mondays through Fridays, 9AM to 5PM, no holidays. In addition, definition of construction needs to include any on site activity, including but not limited to moving tools and supplies, moving machinery and equipment, any pre or post work day activities, meetings, coffee breaks, etc . The intent is to limit disruptions to the neighbors, all disruptions, to at least somewhat reasonable hours.

16.12.020(J) Regarding the 'No Noise/No Party' policy, the applicant states noise complaints can result in compensation to guests disturbed. What about compensation to neighbors disturbed?

16.12.040(F) Regarding applicant's response to the project having adequate facilities, I hope and trust the Planning Committee performs their due diligence in this area. For one, the applicant refers to the



2020 census, which in part due to the influx in residents during and after the pandemic I suspect is no longer accurate information. In addition, I have heard many people in town state their beliefs that our resources are not of the size or quality to be able to sustain exponential increases in users. For instance, how does the applicant's response compare, or rather contrast, with the SDC presentation provided by Mr. Chandler in the September 11<sup>th</sup>, 2023 City Council Meeting? And how does it compare/contrast with Bandon Comprehensive Plan Land Use Planning stating in part 'Most zones contain large amounts of vacant land and some zones contain little or no residential development due to lack of sewer and water and, to a lesser degree, streets'?

Applicant's response to Land Use Goal 2 of Bandon's Comprehensive Plan omits 'General Commercial Activity' which states in part the goal is 'To reduce commercial sprawl'. The applicant should be provided an opportunity to further address this, and regardless of whether the applicant does further address it, the Planning Council should keep this in mind during this process.

I recognize, and in some areas commend, the applicant's addressing issues not only in the code but in their general attempts to promote being good neighbors. However, I do have my concerns, as noted above. In addition to the above, for one, the Owner's contact information is listed as Confidential in the project plans. Second, the owner is listed as an out of state Alaskan LLC. Third, the developers Face Book page on June 27<sup>th</sup>, 2023 proudly boasts 'Gravel Point has been full-steam ahead in design on a new development in Bandon and we have final expanded to 85 acres! We are officially closed & recorded with the County! A major shoutout to the entire development & design team on this one. ***There has been so much going on behind the curtain***' (emphasis added). These factors increase my concerns. I appreciate not only your providing me the opportunity to address them but also your consideration to them. In conclusion, 17.20.020 lists specific Permitted uses, while 17.20.030 lists Conditional uses. I urge the Planning Commission keep in mind this is in fact not a permitted use but a conditional request, and to make their decisions accordingly.

Thank you for your consideration.

Bruce R. Spencer

## Dana Nichols

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**From:** Steve Luckesen <luckesen@hotmail.com> on behalf of Steve Luckesen  
**Sent:** Thursday, September 21, 2023 11:55 AM  
**To:** planning@cityofbandon.org  
**Cc:** Mary Woolley (woolley.pcland@gmail.com); Bob Berry (bbopt5596@gmail.com); Kent Hall (bevandkent@hotmail.com)  
**Subject:** RE: Application #23-045

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Sept 21, 2023

Dana Nichols, Director  
Bandon Planning Department  
555 Hwy 101,  
Bandon, Oregon 97411

Steve and Tami Luckesen  
2903 SW Lincoln Ave  
Bandon, Oregon 07411  
[Luckesen@Hotmail.Com](mailto:Luckesen@Hotmail.Com)  
(541) 329-0396

RE: Application #23-045 (Gravel Point Resort Development)

Dear Planning Department Staff and Commission Members,

My wife and I purposely chose Bandon for our retirement because of its quiet neighborhoods and small town atmosphere. We have been residents of 2903 Lincoln Ave going on 14 years, during which time we have witnessed the residential growth of Bandon.

Although we have nothing against the Gravel Point development, we cannot support it without this development having direct access to Interstate Highway 101. I fear that opening Carter Street with no access to the Interstate other than Lincoln Avenue and Spinnaker Drive (via Searbird Drive) will significantly impact our quiet residential neighborhood/streets and have a significant negative impact on our safety, security and quality of life.

RECEIVED

SEP 21 2023

BY: LE 1154AM

Sept. 20, 2023

To: City of Bandon  
Planning Dept. and Planning Commission

Re: Gravel Point Project, Application 23-045

Dear Planning Department, Planning Commission, and City of Bandon

Those of us who have compiled this response to the Gravel Point project live in Ocean Trails Subdivision, along Lincoln Avenue, Seabird Ave, and Beach Loop.

As residents of Bandon, we totally support and applaud the stated guiding principles of the Gravel Point Project. LEED certification is another positive stated in their proposal. Their statement that the project will be the "integration of economic, environmental, and social concerns throughout the design and planning process" is another positive.

The problems are that the stated implementations in the following areas do not support their "guiding principles". We feel these discrepancies will render the project less profitable and impact the City of Bandon and the residents of Bandon negatively.

For brevity the Gravel Point Project will be referred to as GPP in the following narrative.

Specifically if the following areas are corrected, we enthusiastically support this project.

1. The GPP stated guiding principle: "Restore the Oregon Coast by using native plant species" etc. is not represented in either the first landscape plan or the second plan. Invasive plants and non-natives are included. Proper use of natives considering our local environment is not properly planned. Native plant use for the identical plant is different in a different environment. GPP needs a local native plant expert such as Darcy Grahek, of Stillwater Natives to fix the landscape problems created by their existing plans.
2. Traffic
  - a. The residential areas of Lincoln Ave., Seabird, and Beach Loop will not support the traffic created by GPP. These residential streets are not designed to accommodate the flow of many hundreds of additional vehicles. The GPP would be best served by a road directly off Highway 101 such as the continuance of Edna or Face Rock Drive. This would give them premier Highway visibility. Edna has only 15 existing homes while over 100 homes near Lincoln and Carter are affected by the proposed new traffic pattern. **As currently proposed GPS would direct all northbound traffic and possibly southbound as well, onto Seabird and then Lincoln Ave.** The owner of the GPP land already owns 60 or more acres adjacent to GPP, some of which could be used for a more direct access to his developments. On page 4 of the "Consolidated

Request" it is stated that GPP will work with the City for a East/West connection. This connection to Highway 101 **must** be a requirement for approval of this project. The "social concerns" stated in their proposal cannot be met by creating the traffic hazards of the plan without the 101 connection completed prior to the construction of the project.

- b. In an emergency imagine all the added traffic exiting through our neighborhoods.
- c. All construction vehicles, service, and delivery vehicles must use the 101 entrance.
- d. The current plan is the result of short term thinking. There are several other parcels of land they own which will also require access. Get a direct access now off Highway and eliminate future problems.
- e. **The traffic analysis does not address the impact on Lincoln Ave., Seabird, or Beach Loop. The traffic analysis mostly compares traffic during the Covid pandemic when few were driving. One part of the report was taken at 1:14 on a Thursday, again not a prime traffic period.**
- f. **Lincoln Ave. is a quiet residential neighborhood. Families with children live on Lincoln Ave. To have a signed entry or a secondary entry from Lincoln Ave. will totally impact all the residents' way of life and does not comply with the stated goals of GPP.**

### 3. Sign

The proposed 10.5 feet by 3 feet sign on Carter will not be needed if that is not an assigned entrance into GPP. The sign placement will only encourage the use of Seabird and Lincoln as major entrances into the development. This sign must not be approved.

### 4. Lighting

The Bandon code states lighting shall not exceed 14 feet in height along pedestrian pathways. The plan is for 25 ft. tall lighting adjoining the neighbors along the revised Carter entrance and on the new private road adjoining Carter on the far East Side of the GPP property. These 6 planned fixtures must be eliminated. These fixtures will significantly impact the neighboring homes and night skies. It does seem appropriate to have overhead lighting which meets the city codes surrounding the entrances and to the two commercial buildings. Only pathway lighting under 3 feet in height should be approved in the remaining areas. This will create a safe area for pedestrians and not interfere with the night skies. The GPP plan states they want to protect the night skies and be good neighbors so they should honor this request.

### 5. Utilities

#### a. Sewer

The LEED certification requirements will help with the impact on the City sewer system; however, does the City have capacity for this added use in a recent study considering the increased population and this and other hotels?

b. Water. In 2022 Bandon treated approximately 190 million gallons of water. We need to know what the capacity of the city is to provide water for GPP. It's our understanding that the City is now unable to provide the water required for expansion and drought due to the increased cost of water storage facilities. This requires resolution to assure that GPP and the remainder of the City have adequate water.

6. Screening

On page 24 of the consolidated request GPP states that the "~~residential~~ <sup>Residential</sup> properties already have fences installed. THIS IS NOT correct. MOST OF THE AREA SURROUNDING THE 8 SOUTHERN MOST DWELLINGS ARE NOT FENCED. The GPP must fence the three residential sides of this area if they build any buildings in the area south of Carter. The native plant screen referred to on Page 40 of the GPP proposal must be in combination with wood fencing along the residential properties south of Carter unless the homeowner does not want the fencing. Page 62 is also incorrect.

7. Ocean Views

On page nine GPP states that no views will be obstructed. This is not correct. The views from 1087 Carter will be blocked by the construction of the 8 homes south of the proposed Carter extension.

Thank you very much for bringing a high quality resort into Bandon and incorporating the above stated recommendations.

Printed Name

Signature

Address

MARY J WOOLLEY *Mary J. Woolley*  
~~John E. Mitchell~~ *John E. Mitchell* 282 Lincoln Ave SW

Catherine C Mills *Catherine C. Mills* 2832 Lincoln Ave SW

Susan D Koharski *Susan D. Koharski* 1275 Sandpiper Ln SW

Zafer Fadel *Zafer Fadel* 1146 Three Wood Dr

Mary Garnett *Mary Garnett* 1151 Three Wood Dr.

Edna Jenkins *Edna Jenkins* 1195 Three Wood Dr.

John J Kinsella *John J Kinsella* 1122 Three Wood Dr

*Marlene Kinsella* 1122 Three Wood Dr.

David Koepke David Koepke 2488 Beach Hoop Dr Bandon, OR 97411  
GERALDINE DAWBY ~~1381 STRAWBERRY DR. BANDON OR 97411~~  
ANDREW MOLAMPHY ~~1381 STRAWBERRY DR. BANDON OR 97411~~  
ANDY CHRISTENSEN J. Christensen 1373 STRAWBERRY DR, BANDON 97411  
DENISE A FRAZIER Denise A Frazier 1259 WAVECREST LN SW BANDON OR 97411  
Beverly P Minn Beverly P Minn 2723 Lincoln Ave SW Bandon OR 97411  
GEORGE SCHWIRIAN SA George Schwirian 1087 CARTER ST, SW BANDON, OR 97411  
Scotty Freeman & Deborah Freeman 2651 Lincoln Ave SW Bandon, OR  
Scotty Freeman Deborah Freeman "  
Teri Spencer 1051 Rogers Place, Bandon, OR, 97411  
B. J. Spencer 2903 Lincoln Ave Bandon  
J. Luckesen 2903 Lincoln Ave Bandon  
Bev Koepke 2488 Beach Hoop Dr. Bandon, OR 97411

## Dana Nichols

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**From:** Caroline Cordano <cjctjg@gmail.com> on behalf of Caroline Cordano  
**Sent:** Friday, September 22, 2023 11:31 AM  
**To:** planning@cityofbandon.org  
**Subject:** Public comment topublic hearing 23-045

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

We own one of the homes immediately across Beach Loop from the proposed hotel restaurant and resort.

My wife and I strongly suggest:

1. Sewer and water issues are Solved as regards this project in a manner satisfying the City and Citizens of Bandon that the developers pay for any and all improvements that their project imposes.
2. The traffic to and from the project will overwhelm our residential area making walking and bicycling along Beach Loop Drive much more dangerous and to mitigate that unavoidable fact we strongly suggest that the developers pay for a new bicycle and walking trail from SeaBird to Old Town.
3. The developers are asking for a height variance. Yet all the homes on Beach Loop in our area have been restricted! The developers have sufficient property to allow them to have two story buildings with the same number of rooms that they are requesting to build. We strongly request No height Variance!
4. The exit/entrance is proposed on a turn of Beach Loop. Headlights and auto noise of all kinds will be centered on two of the homes on Caryll Ct. that back up to the Beach Loop in that area. At least move the entrance exit to the same location as the entrance to Caryll Ct.

So vehicles have a visual awareness of an intersection instead of on a sight impaired curve of Beach Loop.

5. We are not against the idea of the project but the developers, not the City of Bandon or its Citizens, should be responsible for All costs created by their project and the developers should enjoy the responsibility of enhancing Beach Loop Drive and our beautiful Residential Neighborhood!

Strongly Submitted,  
Tim Glidden/Caroline  
Cordano  
Sent from my iPhone

## Public comment

I am writing regarding application #23-045 for a request of conditional use approval to construct a new resort on property zoned CD-1 in the city of Bandon because I own property located within 2 blocks of the planned development, and along road easements that will be developed, then heavily-used as a result of the subject property.

I wholeheartedly support the approval required for the *Gravel Point* development for a number of reasons:

- With its beautiful pristine beaches, charming Old Town, top-notch dining options, championship golf courses, and various community amenities, Bandon represents an attractive tourist destination. Tourism generates tax revenue and enables residents to enjoy the above while holding the line on our own tax assessments.
- To preserve the attractiveness of Bandon's appeal, we need to manage the inevitable growth. It must be accountable. This requires input regarding a large concern of a singular body rather than the individual concerns of multiple homeowners, each with their own narrowly focused concerns.
- To preserve the vitality and future of Bandon, we need to develop more employment and affordable housing opportunities for our younger population. The *Gravel Point* vision provides not only housing, but also job opportunities at the resort as well as its ancillary support services.
- *Gravel Point* will enhance the preservation of our wetlands, improve the flow of standing water towards Johnson Creek, and mitigate the danger of uncontrolled non-native vegetation such as gorse (not to mention the fire danger).
- *Gravel Point's* vision will facilitate the inevitable increase in north-south traffic between Old Town and Seabreeze as our community grows. Sidewalks will offer our school children safer alternatives for walking and riding to and from school, as well as to Bandon City Park. It will also alleviate the volume of vehicle traffic on Beach Loop Drive.
- The linchpin of Bandon's future is its appeal not only as a resort, but an attractive residential community. It must "feel" like a desirable place to both visit and reside. It must exude energy, vitality, opportunity, and growth. It must reflect "it-ness." *Gravel Point* represents our opportunity to best capitalize on Bandon's inherent natural features and personal resources.

I suggest we listen to and read about *Gravel Point's* proposal and vision with a critical eye, ask specific questions, and support the granting of the enabling variance.

Doug Kirchner



Public comment, reference application #23-045

Along with my husband, I am also writing regarding application #23-045 (Gravel Point development) for a request of conditional use approval, and wholeheartedly support the approval required for the Gravel Point development, but for different reasons.

Bandon is a “small town” sandwiched between a famous, world-class golf resort and some of the most spectacular beaches on this planet. Like it or not, we’re sharing our little paradise with the world – we can adapt to this reality one quarter acre at a time, or in a more controlled, accountable fashion with partners who will have gone through a significant vetting process – and stated long-term goals and vision.

A tiny sample of arguments for controlled, accountable, well-thought-out changes for our area:

- **Gorse.** Gorse has been removed throughout the planned development, and a well-thought-out plan to mitigate its re-growth has been filed with the community, including facilitating re-establishment of native species. (We won’t be faced with, or neighbors to its constant twice-annual regrowth.)
- **Lighting** (night sky). Gravel Point is going beyond private residential requirements for mitigating light pollution by establishing specific lighting/ illumination plans with the City, including:
  - Downward facing lights
  - Not removing any trees except for where the hotel lodge sits
  - Downward facing posts along walkways and trail system under 5’
- **Noise.** Gravel Point has submitted a “No Noise/No Party Policy” to the City. I’d argue that underground parking will emit less noise than one hundred separate Airbnb properties.
- **Water & sewer.** It is a rare opportunity for a small town to generate the funding to adequately and continuously modernize and repair its infrastructure—in our city’s case, those funds come from **development**.
  - We now have an opportunity to enjoy a resort designed to blend into its surrounding sand dunes and vegetation—far more welcome than a standard high-rise building(s), I think.
  - We can see innovative, environmentally sensitive development in the form of bioswales, grey water treatments, green roofs, living building concepts, etc. which could alleviate disorganized development

As a friend of mine just said, *“Don’t we all want good jobs, good places to live, nice places for our visiting friends/families to stay, great places to eat?”* Couldn’t have said it better.

--Julie Kirchner

## Dana Nichols

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**From:** Carolyn Forbes <winniemarshall1@gmail.com> on behalf of Carolyn Forbes  
**Sent:** Monday, September 25, 2023 10:28 AM  
**To:** planning@cityofbandon.org  
**Subject:** Proposed motel development at Beech Loop Drive

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Bandon City Councilors and Bandon City Planners and the people of Bandon:

Thank you very much for allowing me to speak out against the proposal of this gigantic motel complex proposed for Beech Loop Drive. I would be distressed if this massive complex was built anywhere in Bandon, but to have it proposed next door to me is devastating.

I bought my property on Beech Loop Drive over 20 years ago and have been using it for a vacation home, but I have always intended it to be my retirement home. I valued Bandon because of the peace, clean sea air and wildlife still residing there; and the natural beauty.

I have spent the last 50 years of my life in northern California. [Northern California has changed as southern California has invaded northern California. It used to be that](#) we could have room to breathe. It used to be [northern Californian's had valued their creeks and rivers, open spaces, agricultural land](#) with room enough to grow the nation's food, but the fast-paced traffic and all the other attending problems that come with expansion that you see in southern California are now increasingly taking over northern California including homelessness, crime, giant choppy malls with very huge parking lots. There also was the rapacious grab for land, whether there are houses on the land or not. Of course, northern California had some similar problems, especially in-regard to the larger cities like San Francisco and other bay area cities. Now however, since the capital of California, Sacramento, and other even smaller northern California towns such as Davis are growing at such a rapid pace that it is overwhelming.

I really needed to leave California, so I sold my house and was able to take \$200,000 from the sale and renovate my Bandon home for retirement purposes. I've had health issues, but joyfully looked forward to the fresh air and peace of Bandon. I saw it as my sanctuary. Instead, I am confronted with plans for an instant Los Angeles. One of the things I love about Bandon is that I can still find wildlife there. There is a deer trail on my property. They come from the back of my property, sometimes rest in the trees that my husband planted on my lot south of the house. Then the deer continue- on through my backyard and onto the land next to me (the proposed motel), where they stop to graze and then continue-on (crossing the road) perhaps seeking salt deposited on the plants closer to the ocean. So, what would this motel do to the deer? Where would they go? I value this contact with the wildlife, and the knowledge that we still exist in greenery and natural resources.



In the past we could claim ignorance of the importance of the natural world and the value of the earth and how it needs to be respected. The clock is ticking. If we don't regard the environment as important, we will lose it. We can no longer allow big business to put money in their pockets to the detriment of the individual landowner, wildlife, and our natural resources. I have heard that the motel has asked for a variance on Bandon's height restriction so that they can build any type of high structure that they wish. But haven't the city planners of Bandon decided that they wanted that height limit so that people could share equally in the view and not have anyone dominate the landscape? Instead, the motel planners are asking for entitlement as if commercial property was more important than individual property.

I do hope that you are asking for an environmental impact because the noise, the increased traffic and the disturbance of wildlife demands that you do so. The increased traffic from this motel will affect all of the property owners along Beech Loop Drive since invariably Beech Loop Drive will have to be widened, and that will take a chunk out of everyone's property. A widening of the road will put this heavily trafficked road practically in front of my front door.

As I have testified to what is happening in northern California, this huge complex is sending a message to big business outfits that Bandon is willing to become a commercial place. Bandon is not that big, and only a few of these huge complexes will totally destroy Bandon. Bandon does desire commercial outfits, but one thing you need to do is to limit the size of these businesses so they are in balance with private property, and you can keep Beech Loop scenic and beautiful.

I know that a tidal wave of urbanization is moving up from southern California all along the entire west coast, but I do hope Bandon has a sense of its own identity of the peace and beauty and serenity that exists here. If we want this to continue to exist, Bandon has to draw the line at big business trying to invade and change Bandon into giant motel complexes, shopping malls, with gigantic attendant parking lots; otherwise it will be gobbled up completely by large commercial outfits. I am praying that Bandon will continue to have a vision of itself for the future besides commercialism and concrete jungles.

I am praying also that the people of Bandon will vote to block this motel complex as I prefer that quiet individual owners live next to me. But it is not only for me that I want this complex to be blocked, but to send a message to big business that Bandon wants to be in control of its own destiny and not big business trying to take control. Just keep Bandon the jewel that it is!

Sincerely,  
Carolyn L. Forbes  
2685 Beech Loop Drive

Sent from [Mail](#) for Windows

## Dana Nichols

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**From:** Dorothy Tharsing <wcbabetheblueox@gmail.com> on behalf of Dorothy Tharsing  
**Sent:** Monday, September 25, 2023 3:02 PM  
**To:** dnichols@cityofbandon.org  
**Subject:** 23-045, request for approval of a conditional use permit to construct a new resort

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Dana,

I am unable to attend the meeting on Sept 29<sup>th</sup> and I want to voice my disapproval of the proposed “resort”. I understand that the city is wanting to bring in revenue and I do not think this is how it ought to be done. We need to stop catering to the wealthy visitors/vacation home folks and take care of the residents. I am opposed on several counts:

1. Environmental impact.
2. Water availability, we have issues with our water system, and we need to have enough for the folks who live here all year.
3. Current overcrowding in Old Town.

What happened to the plan for more low-income housing? Have you looked into a new bill set to take place last Sunday Incentivizing Production of Affordable “Middle Housing” (Senate Bill 919 (<https://olis.oregonlegislature.gov/liz/2023R1/Measures/Overview/SB919>))

Why not Invest in projects that protect & enhance the natural beauty of our area. We need to bring pride into our town and its citizens. Not more jobs for the peasantry. Don’t misunderstand me, I have worked at cleaning the vacation homes/rentals in Bandon and enjoyed it. I think we can do better for our kids so they will want to stay and pay into keeping the city a home for them and their children. People live here for the natural beauty of the area, not the shopping or resort amenities. There are plenty of towns on the coast for folks that want that.

Why doesn’t the city work with the schools? Maybe purchase one of the many derelict homes in town and use it as a trial of teaching usable skills to the students. We need carpenters, plumbers, electricians, etc.

Why not focus on the future of our city and the planet and investigate “green” businesses, or tech businesses coming in, not more shopping centers, or yuppifying Old Town. Why not look into grants for becoming a model “green” city instead of trying to be like Florence?

We are in desperate need of homes for professionals that our churches, hospital, schools, medical facilities, and other offices are trying to hire!

We need the infrastructure of our city to be brought up to a usable grade. Again, working with the schools to train students for skills they can make a living wage and have pride in what they are doing.

I love Bandon and have felt great sadness with the way the city government has taken us toward the quick money. It is time the paradigm shifts from money being the main goal and supporting a more Christian way of thinking by taking care of those that are in need, rather than those that already have.

Thank you,

Dorothy Tharsing

## Dana Nichols

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**From:** Greg Gilbert <greg@remaxso.com> on behalf of Greg Gilbert  
**Sent:** Monday, September 25, 2023 7:47 PM  
**To:** dnichols@cityofbandon.org  
**Subject:** Gravel Point

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dana,

I am writing this email to you to show support for the vision and development, Gravel Point, proposed by Brett Perkins. I know you are having a meeting September 28, 2023 to discuss and get feed back on this project. We have talked in the past and this resort project does so much for the City of Bandon. It creates the tourist trade for a broader population of people from many parts of Oregon, Washington and California, wanting to visit Bandon with high quality resort ambiance and services. Bandon does not have a resort like this that is not tied directly to golf. It provides tax revenues for the County and City. It helps bring new vision to the business community and single family home development. People will want to build second and vacation homes in Bandon because there will be more to see and do. There will be new restaurants associated with the resort. You have a very experienced developer, Brett Perkins, with vision that has not been seen in southern Oregon before. I hope the comments for this project are positive and people can see all the benefits this resort will bring. I am 100% behind this project going forward.

Greg Gilbert, MSA, Broker



**RE/MAX**  
PLATINUM

Real Estate Broker  
**Greg Gilbert**  
Cell: 541-771-0556  
Email: [Greg@remaxso.com](mailto:Greg@remaxso.com)





 2594 E Barnett Rd, Suite B Medford OR 97504-4341

## Dana Nichols

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**From:** jaggusa8@gmail.com  
**Sent:** Tuesday, September 26, 2023 10:09 AM  
**To:** dnichols@cityofbandon.org  
**Subject:** Gravel Point

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dana,

I live in Medford, Oregon and visit Bandon as a favorite location for the Southern Oregon Coast. I am very pleased to here that there is a resort that is planned and represents higher end quality and architecture. Southern Oregon is in need of that type of resort and helps create more opportunities for other types of businesses to establish in Bandon. The advantages to the City of Bandon are great and should establish as a favorite coastal town rather than many of us having to travel to Oregon's northern coast, Cannon Beach. I am very excited to have this resort in southern Oregon and I hope the planning committee will realize the special vision and development that the developer brings to southern Oregon.

Judy Gilbert  
541-621-1953 cell



## Dana Nichols

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**From:** M O'Dea <me\_odea@hotmail.com> on behalf of M O'Dea  
**Sent:** Tuesday, September 26, 2023 1:50 PM  
**To:** june@cityofbandon.org; dnichols@cityofbandon.org  
**Subject:** Statement and questions for public hearings on Gravel Point

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To: June Hinajosa, City of Bandon Recorder  
Dana Nichols, Planning Director, City of Bandon

Please insert this email into all public hearing and meeting information packets for the Planning Commission and City Council where the subject of the Gravel Point Project is being considered.

I am writing to state that I object to this project as it brings no benefit to Bandon. This project would have a negative impact on Bandon and its residents.

I am requesting that the following questions be answered by the City of Bandon:

### I Benefits to the Community

- a) Where is the workforce for this project and where will it be housed?
- b) Name 3 community benefits and the corroborating evidence that this project benefits Bandon.
- c) Why has the City, to date, not met its noticing obligations with regard to this project?

### II Water and Sewer Utilities

- a) How will this project impact the City's water and sewer infrastructure?
- b) What will be the economic impact of this project on the ratepayers?
- c) Will the project be financially responsible for the remediation of all infrastructure deficiencies resulting from its establishment?
- d) Has the City factored the impact of this project on other publicly discussed projects, such as house buildings, Coquille Point Hotel, 20th Street Annexation development, Seabird Ave. apartments, Bandon's school board and City's housing project, the Marriott hotel, and the Grocery Outlet?

### III Road and Traffic

- a) What is the traffic plan for the project and the surrounding neighborhoods?
- b) What are the delivery routes and timings of the deliveries for the neighborhoods?
- c) Please explain the parking plan for the project.

#### IV Financing and Construction Timeline

- a) Has this project secured sufficient financing to complete the project in its entirety?
- b) What financial incentives, variances, or other benefits has the project received from the City of Bandon or Coos County?
- c) What is the construction timeline? What measures will be taken to mitigate disruptions to the surrounding neighborhoods?

#### V Access to review technical information and regulatory documents

- a) Where are the environmental, geologic, wetland, and other regulatory and technical documents for this project?
- b) When and where will they be freely available for inspection by the public?
- c) Why were these materials not made available before any public hearings?

#### VI Conflicts of Interest

- a) Does any member of the Planning Commission, City employee, City Officer, or member of the governing body have a conflict of interest in regard to this project?
- b) Will the City of Bandon be transparent and put forward assurances that no City Officer or employee, member of the governing body or the Planning Commission, has used their position to benefit financially from this project?

This letter is a receipt that I have established my legal standing to appeal.

Regards,

Mary O'Dea  
P.O. Box 820  
Bandon, OR 97411

Bill Beck  
William Beck Design  
Bandon, OR 97411

-In reference to the proposed Gravel Point Resort

Dear planning Commission,

I'm in support of the proposed Gravel Point Resort. In the mind set that it could be a lot worse. Sure, it would be great if all the existing open space in Bandon was left open but that's not possible.

This is our chance to approve a well-designed, classy, thoughtful project. It provides a generous amount of open space and a very low percentage of impervious surface at 22%. The hidden parking and green roof are great assets. I feel the project will achieve its own suggested "Guiding Principles".

In the development world it's a low-density project with only 142 rooms (110 hotel rooms+32 villas), restaurants, lounge, spa on 24.8 acres. (In comparison to the proposed distasteful Old Town Marriott at 86+- rooms, restaurant, lounge on only 1.19 acre with well over 95% impervious surface and borrowed parking from the city).

We should not let an opportunity like this slip by. The next proposed development could be a higher density housing, condo or apartment project utilizing minimum building setbacks within 10 feet of neighbor's property lines, could require the same or more street openings and have a full-time impact on our infrastructure rather than seasonal.

I do hope that the city has done its homework and can assure its citizen's that our utilities/ infrastructure won't be strained by these proposed large projects.

Thanks for listening!

## Dana Nichols

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**From:** Colleen Welch <cncbears@gmail.com> on behalf of Colleen Welch  
**Sent:** Tuesday, September 26, 2023 7:25 PM  
**To:** planning@cityofbandon.org  
**Subject:** Gravel Point Project

Planning Commissioners:

I am writing this letter in support of the proposed Gravel Point project. As a resident near the intersection of Beach Loop and Seabird, I will be impacted by the hotel development as traffic will definitely increase behind my house. However, I believe the positive economic impact of the resort will outweigh the negative impacts to the neighborhood.

The 25 acres the resort will be built on will not remain vacant forever. Others are discovering what the residents of Bandon already know -- the natural beauty and amenities the town has to offer make this an ideal place to visit and live. As a resident, I would much prefer a hotel that leaves 78% of the acreage as undeveloped greenspace than the 100 plus homes that eventually would be built there. Ultimately, hotel guest traffic and impact on our infrastructure will be less than full time residents and the TOT that will flow into the city's budget will generate more revenue than property taxes. And while the construction process will be noisy and inconvenient, in the 14 years since I purchased my home there has been near constant development in the neighborhoods both north and south of Seabird.

Bandon's economy relies on tourism. Any business owner will tell you that the revenue generated in the summer months is what keeps them afloat from November to February. If local resident spending were enough, we would not have so many businesses reducing hours or even closing during the winter. While I understand that many would like Bandon to remain unchanged, that is impractical. Smart development will keep the town growing and thriving. This new resort and the future workforce housing project that Perk Development is planning will be an asset to the community.

Regards,  
Colleen Welch  
Tish A Tang  
Bandon, OR

## Dana Nichols

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**From:** Bandon Pool <bandonpool@gmail.com> on behalf of Bandon Pool  
**Sent:** Tuesday, September 26, 2023 11:27 PM  
**To:** planning@cityofbandon.org  
**Cc:** Brett Perkins  
**Subject:** Gravel Point Project

The Bandon Community Swimming Pool Development Corporation 501c3 is in support of Perk Development and the Gravel Point project. We feel the addition of the hotel will bring much needed tax revenue and jobs and have a positive impact on Bandon's future.

Increasing tourism will improve the economic conditions for all residents of Bandon and the proposed workforce housing from Perk will alleviate the current housing shortage in our community.

We look forward to welcoming Perk Development and the Gravel Point project to Bandon.

Regards,  
Bandon Community Swimming Pool Board

To: The City of Bandon Planning Commission and The Bandon City Council  
From: Sheryl Bremmer 3221 Natalie Way, Bandon, OR, 97411  
Re: Development at Gravel Point

The proposed development of a resort at Gravel Point will have a substantial impact on the entire community of Bandon. Has the City staff required the developer to assess impacts on the street and utility systems and then have the city engineer review such studies?

Has a study been done to assess how this large project will benefit Bandon? If so, what were the results of the study? In addition, what is the reasoning behind the plan necessitating that the city change its laws and codes to allow this project and to bypass requiring the project to adapt to the city's standing requirements.

The variance request is troubling. Lawfully, a variance requires four conditions be met. All. Four must be met and if even one cannot be met, the variance cannot be granted. Has the city staff determined that the project meets all of the requirements for a variance?

Have impact studies been done on the following: Seabird Drive; Beach Loop; infrastructure; riparian delineation; drainage; traffic patterns; wetland mitigation?

Where is the full geology report on this project?

How much will this project cost the rate payers of Bandon? Does the city staff believe that the current infrastructure will be adequate for both current residents and this project? What data do they have to base their belief on?

Who is financing this project?

Where will this project find their future employees to staff their resort? Where will these employees live?

The residents of Bandon need these issues addressed before any work begins on this project.

These concerns will suffice to ensure my standing to appeal the decisions of the Planning Commission and/or City Council if necessary.

Sincerely,

Sheryl Bremmer

## Dana Nichols

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**From:** Martha Lane <marthal5363@gmail.com> on behalf of Martha Lane  
**Sent:** Wednesday, September 27, 2023 7:42 AM  
**To:** dnichols@ci.bandon.or.us  
**Subject:** public comment Gravel Point

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To Dana Nichols of the Planning Department:

Having lived, worked and raised my family in Bandon, I have seen the growth of this beautiful coastal town located beside the magnificent Oregon Islands National Wildlife Refuge.

I have recently moved from our ten acre family home on Chandler Rd (off Rosa Rd) to a 35 year old house in town and am now an adjacent land owner on the north end of the property of the proposed Gravel Point development project.

I support the proposal before you though I admit I do not know all the details and am thankful to the city members for their due diligence, ultimate responsibility, and care of this land that is a true treasure on the bluff.

The green spaces, public walking paths and low level lighting as an integral part of the development are what give me a hopeful and positive feeling for this project compared to other possible uses of the sensitive natural space on the wild edge of the Pacific Ocean. The attention to the needs within the habitat of offshore migratory birds, the acknowledgement of the rare darkness of the night sky here, and respect for the sensitive issues of wetlands seem to be at the forefront of the planning.

I am impressed with Brett Perks as an owner and creator of this plan. I appreciated meeting him when he promptly responded to my inquiries and sat on my little deck for an hour one chilly morning looking south onto his property. He listened to my concerns and hopes and responded in a most frank, honest and kind way. I believe he hears and shares the Bandonian respect for the wild calmness and naturalness of this bluff land and is steering this project with that in mind to create a niche development.

Sincerely,  
Martha Lane

## Dana Nichols

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**From:** marey barthoff <bbgw72@gmail.com> on behalf of marey barthoff  
**Sent:** Wednesday, September 27, 2023 7:45 AM  
**To:** dnichols@cityofbandon.org  
**Subject:** Suggestion about Gravel Point 🍷

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Dear Ms. Nichols,

I dearly love Bandon! I owned a home on Hailey Lane up to a couple years ago, & hope to be moving back next summer. May I please offer a comment about Gravel Point, for the Planning meeting Sept. 28th?

I too am afraid it might change the wonderful, small-town feeling. As first a tourist & then a home-owner, I cherish beautiful Bandon. I want it to always be small & cozy, so that the wonderful lady who delivered mail could still come up in her golf cart to ask someone driving very slow on Beach Loop if they need directions. There's so much heart in Bandon, I hope it can always stay small.

I understand towns need money to run. My hometown in Calif.... the council always votes against residents & for businesses. The result? You can't even find a place to park near your own house.

I wonder if the Planning Committee could consider a compromise & scale back Gravel Point, so it could stay in character with beautiful Bandon & keep the blessed Bandon experience intact?

And would they take careful care of the coastline? Could they not interfere with the enjoyment of nearby residents of the coast & openness & good feeling? Could they be an asset to the neighbors in some way?

Thank you so much for allowing me to share my concern. I know you have an important decision that could affect the town for decades to come. I send a giant batch of good energy to you all. Bandon is my favorite place in all the world 🍷

Marey Barthoff  
[bbgw72@gmail.com](mailto:bbgw72@gmail.com)



## Dana Nichols

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**From:** jean polequaptewa <jeanpolequaptewa@yahoo.com> on behalf of jean polequaptewa  
**Sent:** Wednesday, September 27, 2023 8:41 AM  
**To:** dnichols@cityofbandon.org  
**Subject:** Gravel Point Comment

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

September 27, 2023

Subject: Application 23-045, Gravel Point

Dear Planning Department Staff & Planning Commission Members;

We appreciate the opportunity to comment on the pros and cons of the Gravel Point Resort. Like many we do not like change and find it disheartening to see so much growth changing the face of this quaint community but in retrospect all of us have added to the inevitable growth. What we can do is try to facilitate a growth pattern that best preserves the ambience of our area.

Our biggest concern is for the street approaches to Gravel Point which have been designated for Beach Loop Road and Carter Street SW. Beach Loop Road is already extremely congested and hazardous with vehicles, RV's, cyclists and many pedestrians. Beach Loop is a country road that has turned into a major thoroughfare without the benefit of improvements. It is difficult to navigate with a vehicle as well as dangerous for pedestrians. Adding more vehicular traffic from people traveling to and from the resort will only exasperate the problem.

Carter Street SW location is at the far end of the quiet Ocean Shores residential area. It's not very practical to invite lodgers to navigate a residential area in order to access a resort nor is it being a very good neighbor to the residents of Ocean Shores.

A more practical solution is for a main entrance directly off of Hwy 101. This would make Gravel Point more prominent as well as reducing the road use of neighborhoods that don't have the infrastructure for increased traffic.

We realize there are many other concerns that need to be addressed such as light pollution, noise and proximity to homes that Gravel Point developers should consider in order to be good neighbors.

Respectfully,

Jean & Honani Polequaptewa  
1397 Village Loop  
Bandon, OR 97411

## Dana Nichols

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**From:** June Hinojosa <jhinojosa@ci.bandon.or.us> on behalf of June Hinojosa  
**Sent:** Wednesday, September 27, 2023 11:06 AM  
**To:** Dana Nichols  
**Subject:** FW: note to forward to Bandon planning

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Here another one.

June

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**From:** Patricia <[mahajap@gmail.com](mailto:mahajap@gmail.com)>  
**Sent:** Wednesday, September 27, 2023 11:03 AM  
**To:** [june@cityofbandon.org](mailto:june@cityofbandon.org)  
**Subject:** Fwd: note to forward to Bandon planning

To: June (City Recorder, City of Bandon)

This morning I received the following email with the request that I forward it to the appropriate person. In light of the upcoming hearing re the Gravel Point proposal, I know your doing so will be deeply appreciated -- not only by Mr. Gordon but by all of us concerned with the direction Bandon seems headed, be that intentionally or unintentionally.

Thank you.

Patricia Armstrong  
Bandon

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**To whom it may concern;**

First, thank you so much for your work in the past regarding making sure Bandon keeps its roots as a true Oregon beachside town. I have visited Bandon many times almost every year in the past decade and, having lived many places and vacationed many more, relish the roots of your town and its neighborly culture. As many places such as Bend, Oregon and Lake Tahoe which I used to visit for many years have moved to cater to very well to do and dislodged people who have lived there for many years, I hope Bandon doesn't suffer that fate. Bandon shares a special place in my mind ,having grown up with my parents taking me to the Jersey shore where families such as ours could afford a vacation for a week or two even though we weren't in the ultra rich category.

Bandon reminds me of those old beach towns that were like that. I see families and what seems like hard working regular people out on the streets, in the coffee shops and eating at fish and crab shacks in Bandon almost every day when I rode my bike into town this summer for the six weeks I stayed there. And I thanked my stars that a place like Bandon still exists.

Now I don't know enough to tell you what to do or how to plan new developments in Bandon. But I hope you balance any approvals of high end resorts with the ability of middle class people to come and take their families to a wonderful town like Bandon. My friends and I wish that Lake Tahoe would have balanced this in the past and trust you, serving the public, want to keep the wonderful culture you have in Bandon for visitors like me that proudly tell anyone who asks, Bandon is my favorite beach town anywhere in the world.

Again thanks for considering all in your planning decisions and congratulations on keeping Bandon a wonderful spot for everyone. Please feel free to contact me if I can help you in anyway

Sincerely,  
Craig Gordon

## Dana Nichols

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**From:** Christine Bentien <cbentien5477@gmail.com> on behalf of Christine Bentien  
**Sent:** Wednesday, September 27, 2023 3:19 PM  
**To:** planning@cityofbandon.org; cbentien5477@gmail.com  
**Subject:** Bandon Pool & Gravel Point Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To the City of Bandon Planning Department

The Bandon Community Swimming Pool Development Corporation is in support of Park Development and the Gravel Point project. We feel the addition of the hotel will bring much needed tax revenues and jobs to our community and have a positive impact on Bandon's future.

Increasing tourism will improve the economic conditions for all residents of Bandon and the proposed workforce housing additions will alleviate the current housing shortage.

Thank you and we look forward to welcoming Park Development and the Gravel Point project to Bandon.

Sincerely,

Christine Bentien  
Member at Large of the Bandon Pool Committee  
541-290-1496 - Cell/Text

September 27, 2023

City of Bandon  
Planning Department  
[planning@cityofbandon.org](mailto:planning@cityofbandon.org)

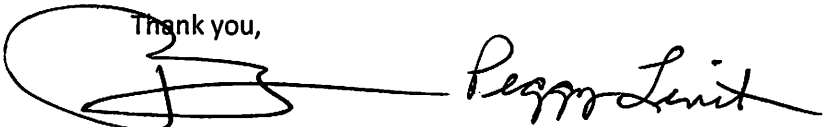
Re: Bandon Beach Ventures LLC, Gravel Point Development

We own a home at 1335 Village Loop, immediately to the West of the above referenced development. We find that this development, whose stated goal is to provide an “upscale hospitality experience”, would:

- Significantly impair the viewshed of surrounding properties by building significant structures on the tops of existing dunes.
- Impair existing habitat for a number of wildlife species.
- Introduce significant impervious surface to an area that currently has none. Additionally, the developers are only able to achieve that 22% impervious surface area by asking for a variance on the height requirement for the lodge building – this is completely unacceptable.
- Further tax City water and sewer infrastructure whose capacity has already been exceeded.
- Provide no redeeming value to the community at large in terms of housing of any significant type. In fact, this development will exacerbate the existing housing shortage by requiring a significant service workforce while providing no housing for that workforce.

In short, while this development will provide great benefit to its developers, it will provide very limited benefit to the community. A better use of this land would be residential single family homes, as are represented by surrounding areas.

We hope you will deny this application and wait for a better land use to be proposed for these parcels.

Thank you,  


Tom Pratum and Peggy Leviton  
1335 Village Loop, Bandon  
tkp9551@gmail.com

## Dana Nichols

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**From:** Jack Durkin <jjdurk79@gmail.com> on behalf of Jack Durkin  
**Sent:** Wednesday, September 27, 2023 8:12 PM  
**To:** planning@cityofbandon.org  
**Subject:** Durkin Comments --Gravel Point Submission

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

John & Sandra Durkin  
2688 Caryll CT Bandon ,OR

### Traffic control for Gravel Point Access to Beach Loop Drive:

As residents of Caryll CT we find it difficult exiting left onto Beach Loop Drive due to the oncoming traffic from the South. The marginal sight distance due to the curvature of Beach Loop and the high rate of speed of many of the oncoming vehicles worsens the situation. The introduction of additional traffic from Gravel Point will make it even more difficult and less safe for all vehicles exiting Caryll Ct. Therefore we believe a three way Stop system be implemented at the Gravel Point access to Beach Loop Drive. With all traffic stopped at that intersection the vehicles exiting Caryll CT will then have safe entry onto Northbound Beach Loop.

### Construction Traffic for Gravel Point:

Both this project and the proposed adjacent 60 acre site development must not be permitted ingress or egress from any existing surrounding roadways!! This is a residential and vacation environment and not in any way suitable for the amount of construction, delivery and miscellaneous vehicles that will access the combined sites on a daily basis, likely to include Saturdays. It's also possible our road beds are not adequate to support the pounding from the numerous heavy loads as well.

The developer in coordination with the city must create site access for ALL construction vehicles from only Route 101. Which then would become the permanent primary access to both sites, eliminating the need for the Carter Street egress.

### Airborne Particulates:

A combined 85 acre site under construction in the Bandon environment will create serious difficulties controlling Airborne particles. Especially in a residential setting! Given the existing fine grain sands on the sites in combination with the extremely dry and windy conditions throughout late spring, summer and fall Then coupled with the high volume construction equipment and traffic---extraordinary site specific controls will be required.. The mere fact that the developer intends to disturb the tall dunes immediately adjacent to residential communities complicates the airborne particulate to extraordinary levels. With just four new homes under construction on Caryll Court both last year and this year we and other Caryll CT residents have witnessed and endured the horrendous effects of blowing Sand and construction debris!! Significant amounts of water, manpower and equipment will most likely be required to control Airborne particles on a site this size. Also, the Developer should be required to supply their own private water for this task. And specifically not draw from the public water system for this task. They also must be required to detain all construction debris onsite and patrol the adjacent properties to collect and dispose of any debris that escapes their onsite detention means and methods.

Should the project be approved, the City and County should require stringent regulations on Airborne particulate control. And include work stoppage and monetary penalties per occurrence of any Airborne particulate release.

### Lighting:

As Several residents have voiced--The City must require both low height down lighting and minimal brightness.. For instance the proposed lighting of the Dune pathway is completely unacceptable and out of character for Bandon! The City must protect our prized night sky viewshed!!

Walkways:

Because the combined projects will add pedestrian traffic along Beach loop, the City needs to ensure the developer provides adequate funding for sidewalks along beach loop from at least the Beach Loop entrance to 11 th street and Face Rock drive to Beach Loop Drive.

Building height variance:

We are not in favor of the variance due primarily to the size of the structure.

Lodge and Hotel:

The Architecture of the Lodge Structure is not in keeping with Bandon Architecture along Beach Loop Drive and needs to respect the existing structures. A more conventional design including exterior wood or earth tone synthetic wood facing would better compliment the Bandon Setting.

Also, keeping a green roof system viable on both the Lodge and Hotel could be difficult and taxing on water supply given the high wind coupled with extremely dry late spring, summer and falls weather conditions in Bandon.

Dunes Lodging:

In the Cascadia zone, structures built high atop unstable Dunes without adequate foundation support are a high risk to not only the residents who utilize them but the nearby residential structures and inhabitants of those structures. The developer needs to provide sufficient professional assurance from a qualified structural engineer that the homes are not a threat to the occupants as well as the adjacent homeowners and their properties.. And the City, at the Developers expense, needs to hire a qualified engineer to review and provide certification the structures pose no safety concerns for the parties mentioned above..

Beach Loop Entrance sign.

We feel the overall sign structure is overbearing for Beach Loop Drive with a 25 mph speed limit. It is more suitable on a roadway such as Highway 101. The Carter Street sign is much better fit for Beach Loop Drive and more than adequately alerts travelers of the Resort entrance.

Housing:

Housing for the staff required to operate a "Resort" of this size will require significant investment which the developer should have fully anticipated and disclose to the City for further comment and suggestion.

Reserved Rights

Given the size and complexity of this project, Citizen comment be should be preserved by the City.

Thank you

## Dana Nichols

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**From:** Sally Smith-Weymouth <sallysmithweymouth@gmail.com> on behalf of Sally Smith-Weymouth  
**Sent:** Thursday, September 28, 2023 11:59 AM  
**To:** planning@cityofbandon.org  
**Subject:** Gravel Point Project

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I am writing this email to lend our support for this project.

When I first heard of the Gravel Point project, I was very excited to think of the improvements such a development could make to our community. After reading through the application and viewing the plans, I was duly impressed by the developers thorough, thoughtful approach to its planning process, accounting for the environment, being a good neighbor to existing homes, and giving back to the community through TOT dollars.

After reading the letters of concern and in support of this project, it appears that the developers have addressed the concerns raised. I don't see a need to rehash what others have already said in their comments submitted to the Planning Commission.

The benefits of this project outweigh the downsides, by being an example of how future projects like this along our coast should be built. This project will bring in much needed dollars for the upkeep and maintenance of our infrastructure, including improving the quality of our streets and pedestrian paths, improving the quality of the flora/fauna in the area, providing workforce housing, and possibly working with the Bandon Pool group to finally build a Bandon Aquatic and Fitness center.

Gravel Point is a win-win for the community and the developers.

Sincerely,  
Sally and Douglass Weymouth

**Sally Weymouth**  
**831-566-3726**

Sally Ann Weymouth Photography



<https://sallyannweymouthphotography.com>

**Paradise Surf**





<http://www.paradisesurf.shop>

<https://www.facebook.com/paradisesurfsc>

<https://instagram.com/ParadiseSurfSC>

**L2L MODULAR, LLC.**  
**85 JUNE AVE.**  
**BANDON, OR 97411**  
**360-281-0895**

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Subject: Support for 23-045 – Type III Consolidated Application – Gravel Point in Bandon OR

Date: September 28, 2023

To: Whom It May Concern,

We at L2L Modular wish to extend our unwavering support for the upcoming project proposed in our beloved city of Bandon, Oregon. We commend the multifaceted approach of the project, which aims to integrate trail systems, a wetland park, community, and spa pools, workforce housing, and a new restaurant, enhancing the overall livability and appeal of our community.

The proposed trail system extending from Seabird to City Park is an exemplary addition, promising enhanced connectivity and recreational options for our residents. Similarly, the envisioned wetland park, indoor spa pool, and community swimming pool at City Park offer valuable recreational and environmental advancements.

The emphasis on workforce housing is particularly noteworthy, as it aligns with our mission at L2L Modular to address housing needs within the community, and the addition of a new restaurant is a welcome development, contributing to the culinary diversity and appeal of Bandon.

While we are not directly affiliated with this initiative, we deeply recognize its potential to drive significant growth and enrichment in our area. The comprehensive benefits presented by this project align well with our aspirations for Bandon's development and our commitment to facilitating affordable, high-quality housing solutions.

We firmly believe that this project stands as a symbol of progress and positive transformation for Bandon, and we are hopeful that it will receive overwhelming support and swift approval during the public hearing on September 28<sup>th</sup>, 2023 @ 7:00 pm.

We trust our endorsement aids in conveying the collective anticipation and optimism surrounding this project, and we are eager to witness the myriad benefits it will undoubtedly bring to our city.

Thank you for considering our support in favor of this transformative initiative.

Warm Regards,  
**Chad Olafson**  
**L2L Modular, LLC.**

# Sean T. Malone

## Attorney at Law

PO Box 1499  
Eugene, OR 97440

Tel. (303) 859-0403  
Fax (650) 471-7366  
seanmalone8@hotmail.com

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September 28, 2023

Via Email

City of Bandon Bandon  
Planning Commission  
555 Highway 101  
Bandon OR 97411  
(541) 347-2437  
[planning@cityofbandon.org](mailto:planning@cityofbandon.org)

Re: Oregon Coast Alliance Testimony for the Gravel Point Consolidated Request,  
23-045 (Bandon Beach Veanture)

Dear Planning Commission,

On behalf of Oregon Coast Alliance (ORCA), please accept this testimony on the Gravel Point Consolidated Request. The request is located on a 24.8-acre (6 tax lots combined) parcel zoned CD-1, situated East of Beach Loop Drive, South of Face Rock Drive, and North and West of the existing Carter Street terminus. The Request includes a 110-room hotel building (Meadow Lodge) with guest rooms and amenities including a secondary building (Dune Lodge), spa, guest breakfast room, and valet. A pedestrian skybridge will connect to Dune Lodge with 3 meeting rooms, a lounge, bar, dining facilities and valet; plus 32 Villas/Suites of 2 different configurations (Meadow Suites and Ridge Line Suites). ORCA respectfully requests that the Planning Commission deny the application for the reasons provided below.

The applicant is requesting a variance to the height limitation, from 28 feet to 35 feet. Not only does the applicant not satisfy the variance criteria, but the City cannot approve a variance for a request for a conditional use permit. The code provides as follows:

“16.12.050 Conditional use cannot grant variances. A conditional use permit shall not grant variances to the regulations otherwise prescribed by this title.”

In its simplest terms, the code does not allow the city to grant a variance to a request for a conditional use permit. The code is clear in its prohibition, and, therefore, the application cannot be approved as it is currently proposed. ORCA believes this issue is dispositive, and there is no need to address the application further, unless it is significantly amended. However, to the extent the remaining issues must be addressed, ORCA addresses those below.

ORCA expressly disagrees with the applicant’s contention that it can circumvent the variance criteria by allowing a green roof, pursuant to BCC 16.12.020. A variance can only be addressed through the variance criteria. The conditional use criteria cannot be used to otherwise grant a variance, especially when doing so is expressly prohibited. The applicant can comply with the code *and* utilize a green roof. The applicant simply needs to scale back the proposal.

Apart from its basic prohibition, the requested variance does not meet the relevant criteria. The applicant alleges that the variance is necessary because a green roof must be used. However, the green roof is necessary only to the degree that the applicant is requesting a particular size and style for the proposed development, including a green roof. In other words, just because the applicant would like a green roof for the size of the development requested does not make it necessary. Moreover, it has not been shown that the green roof will benefit or aid in the restoration of the wetlands on the property. The requested variance does not satisfy all necessary criteria under Bandon City Code (BCC) 16.36.040(B).

BCC 16.36.040(B)(1) requires a finding that:

- “1. The Variance is necessary because the subject Code provision does not account for special or unique physical circumstances of the subject site, existing development patterns, or adjacent land uses. A legal lot determination may be sufficient evidence of a hardship for purposes of approving a variance[.]”

The alleged green roof is not a circumstance of the subject site, is not compelled by “existing development patterns,” and it is not related to “adjacent land uses.” The staff report notes that:

“[The applicant] assert[s] that the 35’ height request is to reduce the overall amount of impervious surface on the site and preserve the existing natural landscape. They state that a roof pitch of 3:12 is impractical due to topography and natural features and that it is necessary for a green roof. The green roof is intended to be used for storm water impact mitigation and is a design feature that reduces negative impacts to the neighboring properties, including noise, vibration, glare and dust.”

Staff Report at 8 of 41. A green roof is not a necessary component of the development, here, and a variance should not be given when the proposed variance could be true of any development: “to reduce the overall amount of impervious surface on the site and preserve the existing natural landscape.” The variance process is not a means by which to disagree with the basic policy of the code.

Moreover, proposing a green roof is fully within the applicant’s control, and to the extent the green roof is intended for “mitigation and ... reduces negative impacts to the neighboring properties,” those arguments are not sufficient justification under the code. If the code has become “impractical,” then that entails a legislative decision to be made about the code. For example, staff understands that the solution here is to “modernize” the code:

“We have discussed before that the design standards do not allow for more modern housing types, even though we are seeing more interest in this style each year. The Planning Commission might find that the request is a stretch to meet the ‘unique physical circumstances,’ requirement because the need for a more modern housing style is not dependent on any physical circumstances.”

Staff Report 9 of 41. The Staff Report, however, also entertains an alternative:

“the Planning Commission may alternatively find that the green roof proposal, which staff assumes only functions in the proposed configuration, is necessary to mitigate storm drainage on this site that contains wetlands and limited existing storm drainage infrastructure. In the interest of protecting the natural resources and limiting site impact through the construction of additional grey infrastructure, the applicants have proposed a more compact, yet taller, design that allows the ‘unique’ wetlands to continue functioning in that area without being affected greatly by this development.”

*Id.* This alternative, however, is not consistent with the code. First, is an unsubstantiated assumption that “the green roof proposal” “only functions in the proposed configuration.”

There has been no showing that that is the case, here. Second, wetlands are not a unique physical resource, and there has been no showing that a development without a green roof would not protect the landscape and/or wetlands. Indeed, if that were the case, then the City would have to concede that its code does not protect these resources (apparently in the absence of a green roof) and that interpretation would be contrary to Goal 5. Indeed, the staff report notes that “[t]his site does not contain significant wetlands,” though the record is not clear because the DSL delineation has not been completed. Staff Report 4 of 41. The non-significant wetlands on the property are at the edges of the property and there is no indication that the wetlands would be negatively impacted by a development that did not contain a green roof:

“The applicant’s plan set includes locations of wetlands, which by nature provide undeveloped open space. These wetlands are located at the borders of the resort property, which create a buffer for the surrounding neighborhoods. The applicants have shown that building footprints account for only 8.5% of the total site, while nearly 78% remains open space (other space includes roads and infrastructure). Staff finds that the site size and proposed layout provides adequate treatment to mitigate the effects of the use of the property as a hotel.”

Staff Report 5 of 41. Staff’s proposed finding is not contingent upon a green roof but rather the amount of open space provided. The non-significant wetlands are open-space and at the borders of the property. There is no evidence in the record that a roof that complies with the code would adversely affect the non-significant wetlands

BCC 16.36.040(B)(2) requires that “[t]he Variance is the minimum necessary to address the special or unique physical circumstances related to the subject site[.]” This criterion is not satisfied because there is no discernible or objective criteria by which the applicant can measure the “minimum necessary” criterion. The applicant concedes this point, noting that no actual mitigation, restoration, and rehabilitation have been proposed as of yet and even if it had, there is no direct connection to those proposals and the alleged necessity of a green roof. Indeed, the applicant concedes that “The developer is working with Parametrix to prepare the necessary permits for wetland mitigation, restoration and rehabilitation including the addition of canopy trees and removal of gorse and other invasive species.” Staff Report, 52 of 100. In other words, the applicant’s proposed mitigation/restoration/rehabilitation is nothing more than hortatory or aspirational. There are no concrete means by which to measure this alleged mitigation/restoration/rehabilitation. If the end-goal is to allegedly protect the landscape and mitigate stormwater impacts, there are other ways in which to accomplish this goal, aside from requesting a variance, which has been shown to be categorically prohibited for

a conditional use request. The applicant has not provided enough information to demonstrate that a green roof is the minimum necessary.

Under BCC 16.36.040(B)(3), there must be a finding that “[t]he need for the Variance is not self-imposed by the applicant or property owner.” Here, the alleged need (and it is not a need but rather a desire) for the variance is self-imposed because the applicant is entirely capable of presenting a development that does not require a taller roof. The applicant has not shown that it cannot reduce the size of the development to comply with the height standard.

Under BCC 16.36.040(B)(3), there must be a finding that “[t]he Variance does not conflict with other applicable City policies or other applicable regulations[.]” Here, granting a variance would plainly conflict with BCC 16.12.050, which prohibits granting a variance pursuant to a conditional use permit. There is simply no basis for granting a variance for this application.

Under BCC 16.36.040(B)(5), the variance cannot result in “foreseeable harm to adjacent property owners or the public.” Public comment has noted that some residences have not been taken into consideration by the applicant in its analysis of whether the proposal will negatively affect ocean views.

The applicant also makes numerous allegations about the wetland delineation and how the delineation will allegedly inform satisfaction of other criteria. For example, in order to satisfy numerous criteria (17.102.020(B), (E), (F), (G), (H), (I), (J)) related to mitigation/restoration/rehabilitation, the City must apply non-clear and objective criteria, wherein the applicant must demonstrate compliance with BCC 17.102.020(J), which do not appear to be clear and objective, and, therefore, must be approved or denied in the quasi-judicial context at a later time. *See Rhyne v. Multnomah County*, 23 Or LUBA 442, 447 (1992); *see Stockwell v. Benton County*, 38 Or LUBA 621 (2000) (deferred findings of compliance must observe statutory notice and hearing requirements); *Holbrook v. Rockaway Beach*, \_\_ Or LUBA \_\_ (LUBA No. 2008-064, Jan 15, 2009) (Slip op \*6). In light of the applicant’s questionable ability to satisfy the criteria and the discretionary nature of the criteria, the issue cannot be reserved for an administrative or ministerial step. The City must either deny the application or impose a condition of approval requiring that the City provide notice, opportunity to comment, a hearing, and opportunity to appeal i.e., all of the procedural safeguards offered in the present proceeding. Because the applicant has not demonstrated compliance and the City has not imposed a condition of approval to satisfy the discretionary criteria that are necessarily dependent upon the DSL delineation, the application has not satisfied all relevant criteria.

Under the conditional use criteria, the applicant similarly falls short of compliance. Under 16.12.020(b), the code suggests conditions to limit the height of buildings, yet the applicant, here, is proposing to *increase* the height. Regardless, the code clearly prohibits variances for conditional use permits. The applicant's proposal to address "noise, vibration, air pollution, glare, odor, and dust," pursuant to BCC 16.12.020(I), through a green roof can still be accomplished without the variance. The applicant has also not shown how and to what degree the property will be protected over-and-above those protections that are already in the code. If the applicant is, indeed, committed to these principles, then the applicant can do so in compliance with the code.

Under BCC 16.12.040(B) and (C), any approval must be consistent with "[t]he purpose and dimensional standards" and "that the size and dimensions provide adequate area for the needs of the proposed use." The very fact that the applicant is requesting a variance from the height standard indicates that the proposal is *not* consistent with the purpose and dimensional standards of the zone. Moreover, if the applicant is attempting to either not have to be subject to the RV parking standard or place the RV parking elsewhere, off-site, then the site is not adequate in terms of size and dimension. The property is also identified on the list of significant view sites, BL-8 (Wetland/Dune on Strawberry Drive). The Planning Commission should make a finding that the site is not adequate considering it is a listed significant site, under the comprehensive plan. If the site were more than adequate, then the applicant would not be requesting a variance to the height and RV parking requirements.

Under 16.12.040(G), "[t]he proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the permitted uses listed in the underlying zoning district." Numerous comments from neighboring residents have expressed concern about the impact of the proposed use, including increased traffic, sewer, water, lack of infrastructure.

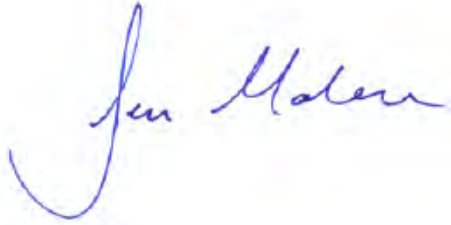
Questions have also been raised as to whether the proposal should be subject to BCC 16.12.090(K) because the Villa/Suites resemble Vacation Rental Dwellings, given that they have 2 full baths, one powder room, and kitchen and laundry facilities. As such, there must be a determination as to whether the proposal falls within the purview of the Vacation Rental standards.

Finally, ORCA respectfully requests that the record be left open for seven days to allow for additional testimony and evidence.



For the foregoing reasons, ORCA respectfully requests that the application be denied.

Sincerely,

A handwritten signature in blue ink that reads "Sean T. Malone". The signature is fluid and cursive, with a large initial "S" and "M".

Sean T. Malone  
Attorney for Oregon Coast Alliance

Cc:  
Client

RECEIVED

SEP 28 2023

BY: AHNOJOSU

September 28, 2023

To: City of Bandon Planning Department and Planning Commission

Re: Gravel Point Project, Application 23-045

Written Testimony for Planning Commission Public Hearing (Hand Delivered)

1. The applicant's Conditional Use Permit request should be denied until such time as the applicant has addressed the substantial issues being brought forth by this initial hearing process
2. The applicant's request for variance of height restrictions should be denied because although it may be desired by the applicant the variance is not a requirement of the project. Further, there is no gain to the city or benefit to the community to be realized by granting the variance.
3. A project of this size and potential effect will of necessity require a much more developed traffic study. The outline provided falls short in addressing impacts to Highway 101 beyond the intersections, Beach Loop Road along its entire length, and the other east/west roads that provide access to Beach Loop including potential impacts to the Bandon schools and parks. Additionally, a proper study should take into account all access to the site including during construction, supply delivery once operational, hotel/housing loads, restaurant traffic and loads generated by resort events. Consideration should also be given to project impacts on existing traffic issues such as the frequent blockages due to public events at Face Rock.
4. The permanent main entrance should not be from Beach Loop and all signage should be eliminated along that route.
5. Restrict all lighting to down lighting with a low-level placement (3' or less in height)

In closing, there are simply too many questions left unanswered regarding this project and a decision at this point regarding this project would be premature.

Thank you for considering my testimony.

Allen Bollschweiler

Bandon Resident