

DEMONSTRATED INCOMPATIBILITY AND STATUTORY MANDATE FOR DENIAL of Land Use File LU-25-067

A Comprehensive Evaluation of Infrastructure Infeasibility, Procedural Defects, and Zone Incompatibility for Land Use File LU-25-067 (Northside Christian Church)

SUBMITTED TO: Benton County Board of Commissioners

4500 SW Research Way, Corvallis, OR 97333

landuseappeals@bentoncountyor.gov

PREPARED BY: The Saving Powers community members and Technical Experts:

Including:

- *Legal Analysis in Support of Denial, from attorney, Mr. Sean Malone*
- *Traffic Engineering Analysis by Greenlight Engineering, Mr. Rick Nys*

DATE: August 18, 2026

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Statutory Mandate for Application Denial

Executive Summary

This memo documents the impact of persistent errors, technical omissions, and changing operational details in Northside Christian Church's (Northside) Conditional Use Permit (CUP) application for 4500 Powers Ave NW. This includes their most recent filing, 8/11/2026, a package that includes significant changes, continuing errors, and incomplete information about the application and intended uses for which they are seeking approval.

The applicants' plans have continuously changed in scale and scope of their request and plan. Expanding from:

- An initial ~100+ person church statement (sought by the applicant in 2022),
- To the applicant's initial notice (2/10/2026 staff packet Att. J) "Phase 1 is proposed as the construction of an 18,902 square foot gymnasium building which will temporarily serve as the primary worship space for up to 500 attendees",
- To their revision (8/11/2026) "The proposed development consists of the 28,557 square foot worship and multi-purpose building: 286 on-site parking spaces..." and "Preliminary building code occupancy-load calculations identify a calculated occupant load of 1,419 persons of the building..."

This shifting trajectory—compounded by incomplete engineering data required for a complete review—violates the public's and Benton County staff's right to a fair, transparent process. Discretionary decision-making must occur openly during the initial land use process with full public participation; it cannot be deferred to a later administrative stage without proper public notice, opportunity for comment, and appeal rights.

It is important to note that the applicant did not voluntarily uncover these widespread errors, contradictions, and omissions; until they were exposed through hundreds of hours of painstaking technical analysis by the Saving Powers Committee members. Identifying basic science and engineering errors, omitted disclosures, and unverified claims is the sole responsibility of the applicant, not the county staff or local residents. The 8/11/2026 filing does acknowledge the problematic nature of these inaccuracies, including Udell Rebuttal pg 4, "The project team acknowledges that the earlier submitted material did not consistently characterize the building's gross floor area between the architectural drawings, narrative, traffic study and proposed site plan." Also in the 8/11/2026 filing by the applicant, the Supplemental Memorandum, pg 3 acknowledges "Earlier references in the application materials to the '500 attendees' or a '500-person capacity' are clarified as referring to the

approximately 500 seats within the primary worship area and not to the maximum occupancy of the entire building.”

At the August 4, 2026 public hearing, Northside openly stated that they were still in the "Concept Level" of their proposed development. A conceptual idea is not a complete land-use plan; any standard commercial application submitted at a conceptual stage would be rejected immediately. Relying on an incomplete, moving proposal deprives BCC staff, the Board of Commissioners, and the community of the ability to clearly, accurately, and fairly evaluate the project's true scale, environmental footprint, and neighborhood impacts.

The summary of procedural and administrative impacts is not a complete accounting of all the errors, omissions, and issues the community have identified but illustrates the breadth and scope of these concerns.

Statutory Mandate for Denial: Relying on incomplete, shifting, and unverified data, Northside has failed to meet its legal burden of proof under ORS 215.441(2)(b) and BCC 53.215. **To protect public infrastructure and upholds sound land-use standards, the Benton County Board of Commissioners must deny File No. LU-25-067.**

- **Undue Administrative & Community Burden:** Rather than submitting verified engineering packages, Northside has piecemealed basic environmental and infrastructure plans. This has forced BCC staff and volunteer community members to expend hundreds of hours attempting to reconcile conflicting occupancy data, analyze unverified site claims, and disprove missing approvals.
- **Improper Deferral of Discretionary Decisions:** Key conditions of approval attempt to defer mandatory safety and utility verifications (e.g., water supply in P-17 and road feasibility in P-12) to post-approval administrative reviews. This violates established Oregon Land Use Board of Appeals (LUBA) precedent (e.g., *Citizens Against LNG v. Coos County*), which prohibits deferring discretionary determinations to post-approval phases where the public is stripped of notice, hearing, and appeal rights.

Examples of Key Discrepancies, Errors, & Omissions

Gross Floor Area & Scale Incompatibilities

Issue Description: In the applicant's 8/11/26 memorandum, they explicitly disclose their true Gross Floor Area (GFA) of 28,557 sq ft (after inclusion of the mezzanine), plus a 2,160 sq ft shop/storage building and a 432 sq ft water component facility. At 28,557 sq ft GFA, the proposed facility would be 6.7 times larger than any existing church in any Rural Residential (RR) land in Benton County. It would also be the single largest building of any kind on RR-2 land in the county. This change in square footage also undermines earlier staff character and land compatibility findings under BCC 53.215(1). Furthermore, we demonstrate that there is no secular place of assembly of even remotely similar magnitude in Benton County's RR-2 zones. Therefore, denial of this permit would not be discriminatory on RLUIPA "equal-terms" grounds.

Aligned Memos / Sections: *Evaluation of Gross Floor Area & Comparative Scale Analysis; Reasons for Initial Denial Have Worsened; Northside LU-25-067 Supplemental Memorandum (8/11/2026).*

Condition P-2: Internal Conflict & Parking Cap Breakdown

Issue Description: Staff originally capped site parking at 261 spaces under Condition P-2 to mitigate visual and rural character impacts under BCC 53.215(1). However, Benton County Code 91.605(5) mandates one space per 100 sq ft of GFA (or 1 per 8 seats, whichever is greater). For a 28,557 sq ft facility, the mandatory code minimum is 286 spaces. The applicant cannot satisfy code minimums (286 spaces) while adhering to staff's 261-space cap, rendering Condition P-2 broken. Furthermore, county staff never conducted Condition P-3 analyses for an expanded 286-space lot.

Aligned Memos / Sections: *P-2 Parking Capacity Analysis & Code Compliance*

Condition P-12 & P-13: Roadway Widening, Safety, & Feasibility Failures

Issue Description: County staff concluded that development traffic will exceed the 700 Average Daily Trips (ADT) maximum for a Primary Local Road, projecting up to 990 ADT on the east leg, and recommended denial unless condition P-12 or "similar" road widening occurs. We demonstrate and the applicant admits that P-12 is not feasible as written due to right-of-way constraints. There are two pinch points along the current P-12 span with 4 of 5 pinch-point property owners now in the record stating they are opposed to the use of their land for this purpose. We argue that the modified P-12 suggested by the applicant is not "similar". Deferring important safety conclusions

about skinny shoulders and steeper ditches at “pinch points” is an illegal deferral of discretionary safety conclusions without input from the public.

Aligned Memos / Sections *P-12 Roadway Improvements, Feasibility, & Concerns; Rebuttal of Sandow Engineering Studies.*

Condition P-14: Right-of-Way Dedication Shortfall

Issue Description: Condition P-14 improperly limits right-of-way dedication to 50 feet based on an assumed volume under 100 average daily trips (ADT), contradicting both existing traffic (307–513 ADT) and projected traffic (990 ADT). Under BCC 99.515 Table I standards, actual and projected traffic volumes legally require a minimum right-of-way of 60 feet from RL-3. Furthermore, applicant’s updated site plan (8/11) shows only 5 feet of frontage dedication, bringing the ROW width to 45 feet. There is no evaluation in the record of the impact on other required elements such as setbacks once the full 10 feet of frontage is dedicated.

Aligned Memos / Sections: *Professional Traffic Engineering Analysis; Community Traffic Memos; P-12 Roadway Improvements, Feasibility, & Concerns*

Transportation & Traffic Analysis Flaws (Sandow Engineering Studies)

Issue Description: The applicant's traffic studies (Sandow Engineering) contain foundational errors. Sandow calculated Design Hour Volume (DHV) using building footprint (18,902 sq ft) rather than total GFA (28,557 sq ft). Additionally, Sandow collected traffic data during summer months without applying standard Seasonal Adjustment Factors, ignoring well-documented summer attendance declines (20% to 50%) and program hiatuses. Sandow also averaged peak Sunday traffic across weekdays to artificially deflate DHV figures. All applicant traffic related artifacts are limited to Sunday traffic, ignoring other uses and traffic impacts throughout all days of the week (e.g. daycare, youth services, gymnasium, special events, etc). Failure to document expectations for traffic impacts beyond Sunday services leaves BCC staff and community members with insufficient information to assess the application.

Aligned Memos / Sections: *Professional Traffic Engineering Analysis; Community Traffic Memos; P-12 Roadway Improvements, Feasibility, & Concerns*

Condition P-6, P-7 & P-8: Wastewater & Septic Approval Misrepresentations

Issue Description: Northside repeatedly asserted to the public and board that they have an approved "septic application". In reality, they hold only a preliminary County Site Evaluation (138-23-000125-EVAL), which merely allows them to apply to the Oregon DEQ for a Water Pollution Control Facilities (WPCF) permit. Furthermore,

applicant submittals (Udell Engineering 8/11/2026) cap wastewater design flows at 4,200–4,515 gallons/day, for only 903 concurrent users, ignoring the facility's 1,419 planned occupancy capacity. Soil studies (Redmond Engineering) omitted testing on the SE and SW portions of the property, ignoring mapped heavy Willamette clay soils, high water tables, and severe infiltration limitations. Finally, independent sampling (applicant's Redmond Eng. study) and USDA ratings both confirm severe infiltration constraints on-site. These findings cannot substitute for the mandatory DEQ/County Sanitarian site evaluation and test pit approvals required under BCC 99.710 and OAR 340-071-0150 **before building permits can be issued** (Condition P-7, Staff Report).

Aligned Memos / Sections: *On-Site Wastewater & Septic Approval Review*

Condition P-17: Water Supply & Storage Infrastructure Failure

Issue Description: Northside expanded site operations to include two 500-seat Sunday worship services (1,000 total), 313-person evening youth groups, a 35-child weekday daycare, an *estimated* 10 outdoor amplified worship events annually, and mid-week convenings. Despite the proposed multi-use expansion, claims regarding water supply rely solely on an informal email that lacks substantive engineering analysis.

Consequently, the City of Albany's assertion that a 3/4-inch "trickle feed" water line connected to an on-site tank is adequate remains unverified and inaccurate. Standard commercial engineering shows peak daily potable water demands for 1,400+ users range between 14,000 and 21,000+ gallons. A restricted trickle feed delivers only 360 to 1,440 gallons/day, **creating a massive deficit** that would require a 26,000–30,000 gallon domestic storage tank (taking up to 14.5 days to refill) plus separate fire suppression storage tanks. As of August 17, 2026, the City of Albany has produced zero written commitments, Water Availability Certificates, or hydraulic modeling runs. Thus, the veracity of claims that the City of Albany has evaluated the applicant's plans are unconfirmed and appear unfounded given recent expansion of scope and scale.

Aligned Memos / Sections: *Water Supply & Storage Infrastructure Infeasibility Analysis*

Conditions, Hours of Operation, Exterior Lighting (P-4), & Noise Control (O-4; O-5)

Issue Description: Staff's proposed conditions contain no limits on hours of operation, no exterior lighting shut-off schedules commensurate with RR2 zoning, and no decibel limits for amplified sound also commensurate with the character of an RR2 zone.

While Northside offered self-imposed limits for outdoor sound between 7:00 AM and 9:00 PM, their proposal specifically exempted arrival, departure, parking lot circulation, and maintenance noise from the curfew. Additionally, their offered lighting condition allows full parking lot illumination past 10:30 PM if an "evening activity" is

taking place. How can congregants expect to be present an hour and a half after the 9:00 PM proposed departure? This inconsistency of illumination plans and justification underscores the vague and inaccurate nature of their plans in this regard. Northside also failed to provide objective property-line decibel standards (e.g., OAR 340-035-0035 standards of 60 dBA daytime / 50 dBA nighttime) requested by Commissioners during the 8/4/2026 hearing.

Aligned Memos / Sections: *Statement of Noise-Light Considerations*

Unaddressed Conditional Use Permit (CUP) Multi-Use Operational Scope

Issue Description: The public hearing notices issued by Benton County fail to accurately describe the scope of the proposed development, framing the application almost exclusively around Sunday morning worship services. This misleading framing has created demonstrable confusion—even at the highest levels of County administration. In a recent communication, Community Development Director Bob Richardson asserted that secondary operations like the daycare and gymnasium are merely "incidental," "subordinate," and "customarily associated with" Sunday worship under BCC 51.020. This mischaracterizes the applicant's actual filings, which reveal a high-intensity, seven-day-a-week commercial and community complex.

Because official County notifications omitted the true multi-use scale, the public and reviewing bodies were deprived of notice regarding non-worship operations that require independent, unbundled Conditional Use Permit (CUP) evaluations under County code and State law:

1. **"Commercial" Scale and Scope of Daycare (Exceeding Statutory Limits):**
County staff's reliance on BCC 51.020 assumes an incidental child care operation. However, the applicant's August 2026 submittals explicitly expand child care capacity to as many as 35 children as a daily, weekday business operation. Under Benton County Code and Oregon law, a facility hosting over 13 children operates as a commercial daycare center, not a minor Sunday school class, and requires distinct CUP scrutiny and traffic/safety reviews.
2. **Assembly-Scale Gymnasium / "Multipurpose Room":** The proposed 28,557 sq. ft. facility includes a full-sized indoor sports gymnasium/multipurpose hall. Gymnasiums are not a permitted or conditional use in the Rural Residential (RR-2) zone. Labeling a massive recreational venue as an "accessory use" bypasses the explicit land use prohibitions of the RR-2 zone and ignores the multi-use traffic and noise it generates six to seven days a week.

3. **Discretionary Outdoor Worship & Event Limits:** The applicant's revised operational plan requests at least ten (10) outdoor worship services and additional large-scale concerts per year. Under Oregon Administrative Rules and ORS standards for rural zones, outdoor mass-gathering events are capped at four (4) events per calendar year without independent authorization. In addition, there must be certainty as to those events and then 53.215 and 53.220 must be applied to these events. Any wishy-washy or discretionary allowance in a condition of approval for allowing for unknown types of events cannot be allowed for the reasons we've already identified related to discretionary conditions of approval. The problem is that these events are essentially unknown, so that violates the conditional use standards if there are unknowns about the events, including number and type and expected numbers of people. There needs to be certainty about the numbers to accurately impose conditions. Approving Unknown discretionary events without separate CUP findings violates statutory thresholds.
4. **Unreviewed Wetland & Drainage Impacts (P-12 Roadwork):** The applicant's updated P-12 road improvement cost estimate (Udell Engineering, August 11, 2026) explicitly budgets for "wetland mitigation work." Staff improperly deferred stormwater and environmental evaluations to post-approval Chapter 99 permits, leaving the Board without required BCC 53.215 findings on the environmental and drainage impacts of this required off-site construction.
5. **Cumulative Operational Impacts & Lack of Signage:** Historical events hosted by the applicant (e.g., Trunk-or-Treat) have drawn 1,000 to 1,419 attendees, resulting in extensive vehicle overflow onto adjacent rural streets. The applicant has consistently failed to evaluate the cumulative infrastructure, traffic, and acoustic impacts of these overlapping mid-week uses, nor have they provided a management plan for off-site parking enforcement or safety signage (e.g., "No Parking" signs along NW Powers Avenue).

Conclusion: The continuous shifting of building dimensions, occupant loads, and operating schedules throughout the appeal process underscores that the application remains fundamentally incomplete. When official County notices describe only a "Church," yet the applicant builds a seven-day multi-use complex, the public notice process is legally defective. The Board cannot grant a single CUP for an unbundled collection of commercial-scale uses; the application must be denied.

Aligned Memos / Sections: * *Water Supply Report (August 16, 2026)*

Saving Powers Primary Response in OPPOSITION to Northside LU-25-067 8-18-26

- *Reasons for Initial Denial Have Worsened; Professional Traffic Engineering Analysis; Community Traffic Memos; P-12 Roadway Improvements, Feasibility, & Concerns; P-12 Roadway Improvements, Feasibility, & Concerns; P-2 Parking Capacity Analysis & Code Compliance; Cumulative Public Safety Considerations; Water Supply & Storage Infrastructure Infeasibility Analysis; On-Site Wastewater & Septic Approval Review*
- *See screen shots of Benton County and newspaper notifications state Church only as shown below:*



Community Development Department
Office: (541) 766-6819
4500 SW Research Way
Corvallis, OR 97333
od.bentoncountyor.gov

The previously scheduled July 2nd hearing is postponed to August 4, 2026.

****REVISED****
NOTICE OF PUBLIC HEARING
For
AN APPEAL to the BOARD OF COMMISSIONERS
Tuesday, August 4, 2026, at 11:00 am.

Action:	Appeal of the Planning Commission to deny the Northside Christian Church Conditional Use Permit (CUP) application (File # LU-25-067) The Board of Commissioners will consider the appeal of the Planning Commission's decision to deny the above-mentioned CUP application. The application proposes to construct an 18,302-SF church building to serve as a worship space and multi-purpose facility for up to 500 attendees. A 2,160 SF storage shed is also proposed.
Review Criteria:	Benton County Code Sections 53.215-53.220, Chapter 63 - Rural Residential, Chapter 91 - Specific Use Standards, Chapter 99 - General Development Standards.
Property Location & Size:	The 19.43-acre property is located at 4500 Powers Ave NW, Albany, OR, 97321. It is identified as Tax Lot T105-84W Section 266, Tax Lot 600.
Appellant:	Northside Christian Church Jamey Mills, Pastor
Applicant(s) / Property Owner(s):	Northside Christian Church Kevin Kroff (Owner's Representative)
Zone Designation:	Rural Residential, 2-acre minimum (RR-2)
CAC Planning Area:	North Benton (not active)
Staff Contact Information:	Bob Richardson Bob.Richardson@bentoncountyor.gov (541) 766-6819 Email written testimony to: landuseappeals@bentoncountyor.gov

How to Participate in the Public Hearing
In person:
The meeting will be in the Holmes & Shipley Meeting Room on the first floor of the Benton County Kalapuya Building, 4500 SW Research Way, Corvallis.
Online:
Remote access is available through the Board of County Commissioners' agenda website, <https://boe.bentoncountyor.gov/events-calendar/>, access the agenda for the day's meeting and click on the link provided in the agenda.]

Planning File LU-25-067 | REVISED Notice of Appeal to the Board of Commissioners | Page 1 of 1

Saving Powers Primary Response in OPPOSITION to Northside LU-25-067 8-18-26



4500 SW Research Way
Corvallis, Oregon 97333
Office: (541) 760-4424
cd@bentoncountyor.gov

MEMORANDUM

TO: Board of Commissioners
FR: Bob Richardson, Director, Community Development Department
DT: July 27, 2025
RE: Executive Summary: Appeal of Northside Christian Church Conditional Use Permit
(File #LU-25-067)

Background

The applicant, Northside Christian Church requests approval of a Conditional Use Permit to construct a church, consisting of a main building (18,902sq ft.), a storage building (2,160sq ft.), and a vehicle parking lot (263 spaces) on a 18.63-acre property. The original request first heard by the Planning Commission included a second development phase that envisioned additional building construction as well as a variance request¹ for reduced vehicle parking spaces. During the Planning Commission public hearing process and prior to their decision, the applicant withdrew the request for Phase II and the variance request.

The property is zoned Rural Residential, 2-acre minimum (RR-2) and is located on the south side of Powers Avenue in an area of Benton County commonly referred to as North Albany.

On May 5, 2026, the Planning Commission denied the application with a 4 – 2 vote. On May 18, 2026, the applicant appealed the decision and, over the following weeks, provided new information in support of their appeal and revised application that withdrew the Phase II building and parking variance requests. During this same period, additional written testimony was accepted, and County staff revised and updated their analysis of the proposal. Staff's revised findings and conclusions are included in the July 24, 2026, Staff Report to the Board of Commissioners.

The Board of Commissioners is scheduled to hold a de novo public hearing on the matter on August 4, 2026.

Purpose of Zone and Conditional Use Permit Review

The purpose of the Rural Residential zone is to "provide areas within Benton County where rural residential lifestyles can occur outside recognized urban areas without conflicting with agriculture and forestry uses".² The purpose and allowed land uses apply to the entire zone, regardless of parcel size. Some uses are permitted outright in the Rural Residential zone, while

¹ Planning File LU-25-066
² Benton County Code (BCC) 63.005

others – including churches – require review and approval through the Conditional Use Permit process.

Conditional uses are land uses which may have an adverse effect on surrounding permitted uses within the same zone, typically due to size, intensity, or other factors that are different from surrounding uses.³ The Conditional Use Permit review process evaluates such uses to determine if the proposed use will fit within the character of the area, either as proposed, or with conditions of approval designed to mitigate potential negative impacts.

Decision Making Framework

The decision to issue a conditional use permit is discretionary (BCC 53.210), and is based on findings that the proposal satisfies the following criteria found in BCC 53.215:

- (1) The proposed use does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone;
- (2) The proposed use does not impose an undue burden on any public improvements, facilities, utilities, or services available to the area; and
- (3) The proposed use complies with any additional criteria which may be required for the specific use by this code.

If a decision-making body determines that a proposed use does not fully satisfy all applicable review criteria but it could satisfy those criteria through the application of conditions of approval, the decision-making body is expected, within reason, to apply conditions that would ensure operation of the proposed use in a manner consistent with the review criteria. In part, BCC 53.220 – Conditions of Approval states:

"The County may impose conditions of approval to mitigate negative impacts to adjacent property, to meet the public service demand created by the development activity, or to otherwise ensure compliance with the purpose and provisions of this code. On-site and off-site conditions may be imposed."

This code section also lists the following twelve topics that conditions of approval might address and acknowledges that this list is not exhaustive:

1. Size and location of site.
2. Road capacities in the area.
3. Number and location or road access points.
4. Location and amount of off-street parking.
5. Internal traffic circulation.
6. Fencing, screening, and landscaping separations.
7. Height and square footage of a building.
8. Signs.
9. Exterior lighting.
10. Noise, vibration, air pollution, and other environmental influences.
11. Water supply and sewage disposal.
12. Law enforcement and protection.

³ BCC 53.205

The above are topic areas for consideration, not decision-making criteria. They provide guidance to decision makers on issues that could be considered when evaluating the need, if any, to apply approval conditions to ensure consistency with the applicable review criteria.

Request and Recommendation

The Board of Commissioners is asked to hold a de novo public hearing, consider materials in the record, including public testimony, and evaluate the conditional use permit against applicable review criteria.

The Board of Commissioners has three decision options:

Option 1: Approve the application as submitted.

Option 2: Approve the application with conditions of approval, either those provided in the July 24, 2026, staff report or with conditions of approval revised by Commissioners through the public hearing process.

Option 3: Deny the application.

Staff recommend the Board of Commissioners approve the application subject to conditions of approval.

Suggested Motions

Based on the recommendation to approve with conditions of approval, the following two motions are suggested. The first motion references conditions that are currently proposed by staff. The second motion references conditions revised by the Board of Commissioners.

"I move to approve Planning File LU-25-067 (Northside Christian Church Conditional Use Permit application) as revised and presented to the Board of Commissioners, with the Staff recommended conditions of approval provided in the July 24, 2026, staff report."

Or,

"I move to approve Planning File LU-25-067 (Northside Christian Church Conditional Use Permit application) as revised and presented to the Board of Commissioners, with the revised conditions of approval developed by the Board of Commissioners during the public hearing deliberations."

Saving Powers Primary Response in OPPOSITION to Northside LU-25-067 8-18-26

Attachment D.6



Community Development Department
Office: (541) 766-6819
4500 SW Research Way
Corvallis, OR 97333
cd.bentoncountyor.gov

NOTICE OF PUBLIC HEARING For AN APPEAL to the BOARD OF COMMISSIONERS Tuesday, July 7, 2026, at 11:00 am.

Action:	Appeal of the Planning Commission to deny the Northside Christian Church Conditional Use Permit (CUP) application (File # LU-25-067) The Board of Commissioners will consider the appeal of the Planning Commission's decision to deny the above-mentioned CUP application. The application proposes to construct an 18,902-SF church building to serve as a worship space and multi-purpose facility for up to 500 attendees. A 2,160 SF storage shed is also proposed.
Reason for the Appeal	The appeal challenges the Planning Commission's decision, stating it was not supported by adequate findings or substantial evidence and that the revised application was not properly evaluated. The appellant further contends that the decision relied on speculative future impacts and included procedural errors. The appeal requests that the Board of Commissioners conduct a de novo review and overturn the Planning Commission's decision.
Review Criteria:	Benton County Code Sections 53.215-53.220, Chapter 63- Rural Residential, Chapter 91- Specific Use Standards, Chapter 99- General Development Standards.
Property Location & Size:	The 19.43-acre property is located at 4500 Powers Ave NW, Albany, OR, 97321. It is identified as Tax Lot T105 R4W Section 26B, Tax Lot 600.
Applicant(s) / Appellant:	Northside Christian Church Jamey Mills, Pastor Laura LaRoque, Pathfinder Land Use Consultant, LLC. Brian Vandetta, PE, PLS, Udell Engineering and Land Surveying, LLC.
Property Owner(s):	Northside Christian Church, Kevin Kropf- Owners Representative
Zone Designation:	Rural Residential-2 (Two acre minimum)
Staff Contact Information:	James Wright James.Wright@bentoncountyor.gov (541)-766-6819 Benton County Community Development Department 4500 SW Research Way Corvallis, OR 97333

Planning File LU-25-067 | Notice of Appeal to the Board of Commissioners

| Page 1 of 3



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Attachment E.1

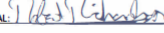
NOTICE OF PLANNING COMMISSION DECISION

PROPOSED ACTION:	Conditional Use Permit- to establish a church on a 19.43-acre parcel
PROPERTY LOCATION	T105, R4W, Section 26B, Tax lot 600
APPLICABLE BENTON COUNTY CODE:	Benton County Code Sections 51.605 through 51.725; 53.205 through 53.230; 63.205.
APPLICANT	Northside Christian Church
PROPERTY OWNER	Kevin Kropf, Owner's Representative
ZONE DESIGNATION	Rural Residential-2 (Two acre minimum)
STAFF CONTACT:	James Wright, James.Wright@bentoncountyor.gov
FILE NUMBER:	LU-25-067

DECISION

The Planning Commission held a duly noticed public hearing on March 17, 2026. At the close of the public hearing, the applicant requested that the record be left open. The Planning Commission granted this request pursuant to Oregon Revised Statutes 197.797, commonly referred to as the "7-7-7" process.

On May 5, 2026, the Planning Commission reconvened, held deliberations and **DENIED** the request.

PLANNING OFFICIAL:  Date: May 6, 2026
Date mailed: May 7, 2026

INDIVIDUALS WITH STANDING PURSUANT TO BCC 51.825(3) MAY APPEAL THIS DECISION TO THE BENTON COUNTY BOARD OF COMMISSIONERS BY SUBMITTING A COMPLETED APPEAL FORM PROVIDED BY BENTON COUNTY AND PAYING THE REQUIRED APPEAL FEE BY 5:00 P.M. ON MAY 19, 2026. Appeal forms may be obtained from, and submitted to, the Community Development Department located at 4500 SW Research Way, Corvallis. Individuals with standing who receive this notice by mail may appeal this decision only to the Board of Commissioners and may not appeal directly to the Oregon Land Use Board of Appeals. This decision will not become final until the appeal period has expired.

Saving Powers Primary Response in OPPOSITION to Northside LU-25-067 8-18-26

Attachment J.1	
	Community Development Department Office (541) 766-6819 4500 SW Research Way Corvallis, OR 97333 od.bentoncounty.gov
Notice of Planning Commission Hearing	
The Benton County Planning Commission will hold a Public Hearing on Tuesday, March 17, 2026, from 6:00-9:00 p.m. , to consider a Conditional Use Permit to establish a Church (Northside Christian Church) located on a 19.43-acre parcel zoned Rural Residential-2 and a Variance to parking standards for the proposed church. The Public Hearing may be continued on Tuesday, April 7, from 6:00-9:00 p.m. if a final decision is not made.	
Proposed Action:	LU-25-067: CUP – Church Planning Commission will consider a Conditional Use permit to establish a church on a 19.43-acre parcel zoned Rural Residential. The applicant is proposing to a two phase construction process of a site build out, as identified below. Phase 1 is proposed as the construction of an 18,900-square-foot gymnasium building which will temporarily serve as the primary worship space for up to 500 attendees. In addition the applicant proposes construction of a 36'x60' structure for storage. Phase 2 is proposed for the construction of a 54,709-square-foot main sanctuary building. Once completed the worship services will relocate from the gymnasium to the sanctuary. Once completed the gymnasium will be used for ancillary activities. LU-25-066: Variance – Parking Standards Planning commission will determine alongside with the Conditional Use Permit if a variance can be granted for the parking standards. The code requirement is 520 spaces based on total square footage of all built out structures. The applicant is proposing 269 spaces with a traffic analysis as supporting documentation.
Review Criteria:	Planning Commission will evaluate this request based on relevant review criteria BCC 53.205-55.218, Chapter 63-Rural Residential, Chapter 99-General Development Standards.
Property Location:	The property is located at 4500 Powers Ave NW, Albany, OR, 97321. The subject property is identified as Tax Lot T105 84W Section 268, Tax Lot 600.
Applicant(s):	Northside Christian Church Laura LaRue, Pathfinder Land Use Consultant, LLC Brian Vandetta, PE, PLS, Lidel Engineering and Land Surveying, LLC.
Property Owner(s):	Northside Church
Zone Designation:	Rural Residential-2 (Two acre minimum)
CAC Planning Area:	North Benton - Not Active

Planning File LU-25-067 | Notice of Planning Commission Hearing | Page 1 of 6

Attachment J.3	
such testimony to be included in the record and the transmittal is received during the comment period by the staff contact listed on the notice of application.	
Verbal testimony may be presented at the hearing. To put your name on the list of people testifying, please email james.wright@bentoncounty.gov by March 17, 2026, 5:00 p.m. (the day of the hearing).	
Do You Want More Information About the Applications?	
Relevant application materials can be viewed at the Benton County Community Development Department.	
The draft staff report will be available beginning March 10, 2026, before 5:00 p.m. Upon request, a paper copy of the application materials and draft staff report, when ready, will be available for purchase.	
Here's How to Join the Meeting Online	
This webpage will be supplied with online attendance information. Search for LU-25-067. https://od.bentoncounty.gov/planning-commission/	
What Should You Expect at a Planning Commission Hearing?	
What happens? The Planning Commission will evaluate this request based on applicable review criteria from the applicable Development Code (see page 1) and information submitted with the staff report and public testimony. The public hearing will be conducted in a manner that allows for a county staff presentation, followed by testimony from members of the public and other governmental bodies and agencies. Before the close of the hearing, any person offering testimony may request that the record be held open for at least 7 days to provide additional testimony.	
How do I know what the decision is? The Planning Commission decision will be announced at the final hearing for this application. A notice of the Planning Commission decision will be mailed to Interested Parties and people who submitted public testimony.	
What happens if I don't comment on the application? Failure to raise an issue in person or by letter, or failure to provide sufficient specificity to afford Benton County the opportunity to respond to the issue precludes an appeal to the Land Use Board of Appeals (LUBA) based on that issue.	
NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS 225 requires that, if you receive this notice, you must promptly forward it to the purchaser. The recipient of this notice is hereby responsible to promptly forward a copy of this notice to every person with a documented interest, including a renter or lessee.	

Planning File LU-25-067 | Notice of Planning Commission Hearing | Page 3 of 6

Staff Contact:	James Wright, james.wright@bentoncounty.gov
File Number:	LU-25-067 & LU-25-066
Summary of Application	
Northside Christian Church has submitted a Conditional Use Permit and a Variance application. The request is to establish a church, gymnasium, and accessory structures. The applicant is also requesting a variance from the parking standards to reduce the parking requirements from 520 to 269. The applicant is proposing a two-phase construction for the site. Phase 1 will encompass construction of the gymnasium which will serve as the primary worship place for up to 500 attendees. The gymnasium will also host youth meetings and weekday daycare operations up to 58 children operating Monday-Friday (8:00am-5:00pm) Phase 2 will encompass within 10 years after completion of Phase 1. This phase includes a 54,709-square-foot main sanctuary building, when completed the worship services will relocate from the gymnasium to the main sanctuary building and the gymnasium will be used for ancillary activities. Phase 2 also includes development of a community playground and outdoor pickleball courts to support community recreation and outreach. This conditional use application is to evaluate the impact of establishing a church and associated buildings on this property and, if approved, provide conditions of approval.	
Ways to Attend the Public Hearing	
In person: The meeting will be in the Holmes & Shipley Meeting Room on the first floor, Benton County Kalapuya Building, 4500 SW Research Way, Corvallis. Online: Refer to the information on page 3 for instructions. If you need any physical or language accommodations, please notify Benton County Community Development, mex.rehborn@bentoncounty.gov , at least 72 hours in advance of the hearing.	
Do You Want to Comment on the Application?	
Written testimony may be submitted before the hearing by mail, email, or drop-off <u>no later than March 9, 2026</u> to be included in the staff report: Benton County Community Development Department 4500 SW Research Way, Corvallis, OR 97333 james.wright@bentoncounty.gov Written testimony must include the name and mailing address of the person commenting. Please also include the above-noted file number (LU-25-067) in the subject line in all correspondence to make sure it is filed correctly. Per BCC 51.615(1)(c), "...written testimony" shall mean statements written or printed on paper, whether delivered in person, by mail, or by facsimile transmission. "Written testimony" shall also mean electronic mail (e-mail), provided the transmittal clearly states an intent for	

Planning File LU-25-067 | Notice of Planning Commission Hearing | Page 2 of 6

Attachment J.7



INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Gazette Times - Democrat Herald** on the dates indicated below. If changes are needed, please contact us prior to deadline at (541) 926-2211.

Notice ID: hMcta2GT3qRNFx4Pxfpa | Proof Updated: Feb. 10, 2026 at 11:14am PST
Notice Name: LU-25-066 & LU-25-067

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER
James Wright
james.wright@bentoncountyor.gov
(541) 766-6819

FILING FOR

Gazette Times -
Democrat Herald

Columns Wide: 2 Ad Class: Legals
Total Column Inches: 4.77
Number of Lines: 23

02/17/2026: General Legal 233.53
Publish Fee 20.00

Subtotal \$253.53

Tax \$0.00

Processing Fee \$0.00

Total \$253.53

See Proof on Next Page

Conclusion & Statutory Mandate for Denial:

Because the applicant's proposal relies on incomplete, shifting, and unverified data, Northside has failed to satisfy its legal burden of proof under **ORS 215.441(2)(b)** (e.g. inadequate public facilities/transportation) and **BCC 53.215** (imposing an undue burden on public improvements and county staff). Consequently, **the Benton County Board of Commissioners must uphold sound land-use principles and formally deny File No. LU-25-067.**

Legal Analysis of Deferral & Discretionary Decision-Making

Please see the separately submitted, legal analysis in support of denial, from Saving Powers Committee attorney, Mr. Sean Malone.

Professional Traffic Engineering Analysis

Please see the separately submitted, Greenlight Engineering, Traffic Engineer, Mr. Rick Nys' letter for this full professional engineering analysis.

Reasons for Initial Denial Have Worsened

From: Kevin Post

8/18/2026

Purpose

This is rebuttal to the applicant's August 11, 2026 filings on square footage, capacity, parking, wetlands, and the Powers Avenue road condition. On May 5, 2026, the Planning Commission denied this CUP. The minutes record that commissioners voting to deny cited infrastructure constraints, road safety, wetland and drainage impacts, rural compatibility, and unresolved public improvement issues, and tied the motion to BCC 53.215 (character of the area, interference with adjacent uses, and undue burden on public improvements). They denied the Phase I proposal then described as an 18,902-square-foot building, a 261-space parking lot, and capacity for up to 500 attendees. Since then, new filings and information such as the August 11 filings have not resolved those concerns, rather they have aggravated them. The project is now even larger, even more intense, and it has been proposed to further weaken the already weakened road condition staff said was required to avoid denial. This submission asks the Board to affirm the Planning Commission's denial as the correct decision.

Findings

- **Rural compatibility is worse, not better.** The Planning Commission denied, and County staff analyzed, a project described as an 18,902-square-foot building, a 261-space parking lot, and capacity for up to 500 attendees. Those are the figures in the notice and the Revised Staff Report. On August 11 the applicant stated the same building is 28,557 square feet of gross floor area and the church parking lot is 286 spaces. In that same memorandum the applicant also disclosed a preliminary Building Code occupant load of 1,419, and recharacterized the "500" as sanctuary seats only. Staff has not made 53.215(1) findings for that larger floor area, that parking count, or that occupant load.

- **Roads and unresolved public improvements are worse, not better.** Staff recommendation is that the application should be denied if Condition P-12, or a similar road condition, is not applied. The original County recommendation to the Planning Commission was Oak Grove to Scenic. P-12 as written now includes a shorter span of Powers (50 ft west of property to Scenic), and less robust safety for pedestrians and bicyclists (2 ft gravel shoulder rather than 4 ft paved shoulder). The Applicant's August 11 filings then try to weaken this condition even further for this shorter piece. The applicant's engineer now says it can be met without more right-of-way from neighboring land owners if the County allows "minor concession of their standards such as shoulder width, ditch fore slope and/or ditch back slope". An unresolved

and weakened road condition that the applicant is asking to weaken even more does not address the Commission's infrastructure and road-safety concerns.

- **Wetland and drainage concerns are unanswered, and August 11 makes them sharper.**

The proposal's diagrams still include wetlands on the site. The applicant's P-12 cost estimate (Udell Engineering, August 11 2026) includes "wetland mitigation work." Staff did not evaluate those impacts as a CUP criterion; stormwater was deferred to later Chapter 99 permits. The Commission cited wetland and drainage impacts. The record now has a required road condition that itself budgets wetland mitigation, with no 53.215 finding on that work.

Respectfully,

Kevin Post August 18, 2026

Evaluation of Gross Floor Area & Comparative Scale Analysis

From: Kevin Post

8/18/2026

Purpose

In their August 11, 2026 submittals (Supplemental Memorandum, Revised Site Plan, etc.) the applicant documented that the proposed sanctuary is 28,557 square feet of gross floor area, and is asking the Board to find that this is appropriate in RR-2 zoned land. This submission provides rebuttal evidence to that assertion: we ask the Board to find that this building is incompatible with Rural Residential land under BCC 53.215(1), and we demonstrate that denial of the permit would not be discriminatory on RLUIPA "equal-terms" grounds.

This exhibit tests that size against every existing church on RR-zoned land in Benton County, and against the largest buildings of any use on RR-2 land.

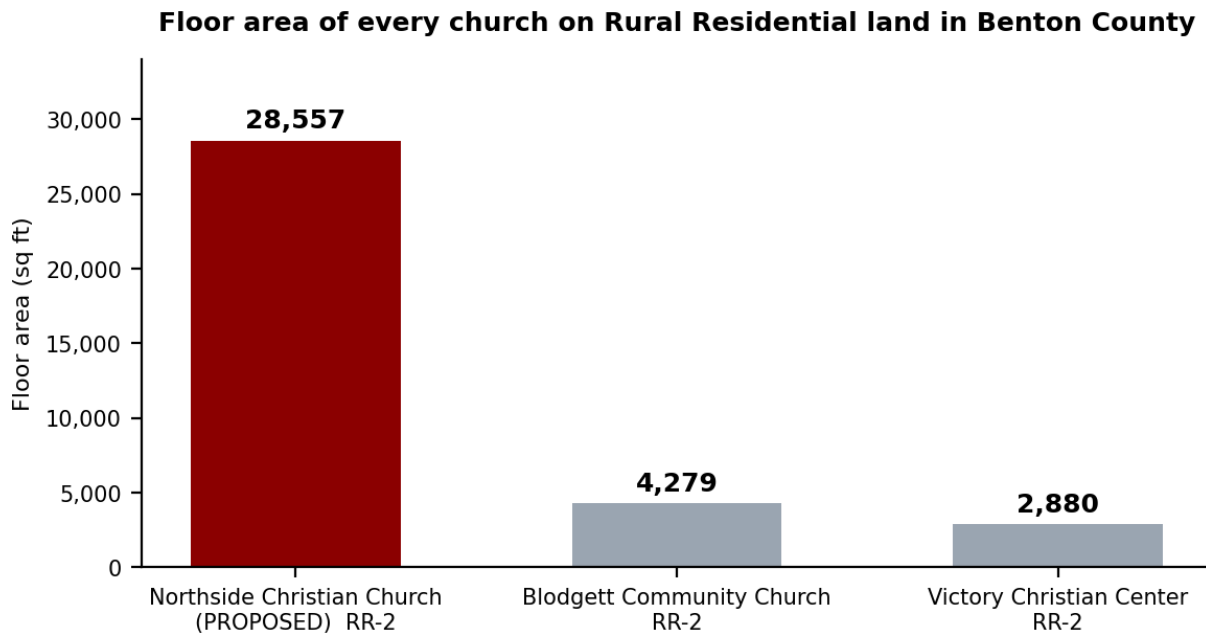


Figure 1: Northside GFA (Supp. Memorandum 8/11/26) & RR-zoned churches livable floor area per county assessor

Findings

- The proposed church building would have the **single largest gross floor area of ANY kind or use on RR-2 land in the entire county.**
- After screening every single building in every RR zone in the county (methodology below), two church-class buildings were found to exist on land currently zoned Rural Residential. The Benton County Assessor records them as “Churches” with livable floor area of 4,279 sq ft at Blodgett Community Church (acct 135164) and 2,880 sq ft at Victory Christian Center (acct 265540). The proposed building is 28,557 sq ft GFA, which is **6.7 times Blodgett’s assessor floor area and 9.9 times Victory’s.**

How the proposed building compares with the 30 largest existing buildings on RR-2 land (any use)

The table below ranks the thirty largest existing buildings on land now zoned RR-2, and the assessor’s use for each one. They are private riding arenas, barns, hay covers, houses, two utility buildings, one forestry office, and one commercial building. No church, and no other place of public assembly, appears in the top 30. Blodgett Community Church (4,279 sq ft) is smaller than every building on this list.

There is no secular place of public assembly of comparable scale on RR-2 land. Under BCC 91.605(5), a place of public assembly includes a church, stadium, arena, club, lodge, auditorium, meeting room, and undertaking establishment. The Starker office is an office, not

an assembly use. The “riding arenas” in the table are private equestrian buildings, not the kind of arena referenced in that list.

RLUIPA’s equal-terms rule compares a church to a nonreligious assembly or institution. It does not require the County to treat a 28,557 sq ft church as if it were a barn, a house, or a horse arena. Because no similarly sized nonreligious place of public assembly has been allowed in this zone, applying BCC 53.215 to this building is not unequal treatment of religion.

#	Owner / location	Building	Floor area (sq ft)
—	PROPOSED: Northside Christian Church, 4500 Powers Ave NW	Church	28,557
1	Crescent Valley Stables LLC, 3200 NW Marshall Dr	Private riding arena	17,640
2	Higginbotham Jack F, TR, 8193 NW Arboretum Rd	Private riding arena	17,280
3	Selby, Corvallis	Utility building	12,798
4	Hurst, 560 NW Leprechaun Ln	Feeder barn	12,700
5	Gray Family Trust, 5017 Palestine Ave NW	Feeder barn	12,000
6	Cook, 8600 NW Oak Creek Dr	Private riding arena	10,080
7	Squires Trust, 7278 NW Mountain View Dr	House	9,064
8	Starker Forests Inc, 7240 SW Philomath Blvd	Office	8,073
9	Howes, 6460 NW Sisters Pl	House	8,046
10	Richardson, 6968 NW Grandview Dr	House	7,534
11	Haslam Trust, 2014 Calderwood Dr	House	7,217
12	Bailey, 7219 NW Grandview Dr	Hay cover	7,200
13	Lager, 26710 Alpine Cutoff Rd	House	6,512
14	Mastropietro Trust, 3735 NW Glenridge Dr	House	6,278
15	Peterson Trust, 7155 NW Grandview Dr	House	6,146
16	Brawn Family Trust, 7235 NW Lathrop Ln	House	6,077
17	Westberg, 4075 Camala Dr NW	House	5,727
18	Pickett Family Trust, 5960 NW Wildview Pl	House	5,688
19	Stutzman, 4085 Camala Dr NW	Private riding arena	5,632
20	Walker, 5100 Scenic Dr NW	House	5,559
21	Sorensen, 115 NW Harmony Ln	Hay cover	5,400
22	Delp, 950 Scenic Wood Pl NW	House	5,384
23	Wall (Cory), 26699 Shady Oak Dr	House	5,324
24	Gross Living Trust, 4060 Camala Dr NW	House	5,276
25	Soltero Trust, 24244 Finch Ln	House	5,270
26	Kudlo, 3439 Eagle View Dr NW	House	5,245
27	Gee, 24441 Gellatly Way	Commercial building	5,232

28	Euske Family Trust, 4768 Bramblewood Ln NW	House	5,136
29	Wall (Jeff), 26695 Shady Oak Dr	Utility building	5,000
30	Lupcho Trust, 34825 Goshawk Ln	House	4,989

Floor area = Benton County Assessor "livable size". Building = use as defined by PSO assessor data. Source: Benton County Property Search Online (apps.benton-or.helioncloud.com) accessed Aug. 14, 2026.

Methodology

1. Mapped every Rural Residential zone in Benton County — RR-2 (8,043 ac), RR-5 (3,651 ac), RR-10 (3,397 ac), RR-20 (397 ac) — from the county zoning layers.
2. Retrieved every tax lot intersecting those zones: 5,427 lots (Benton County GIS TaxlotService / TaxlotOwners, including owner of record and situs address).
3. Retrieved every mapped building on those lots: 6,525 building outlines from Oregon's Statewide Building Footprints dataset, release 1.1 (SBFO-1.1 / DOGAMI, 2023). Those outlines were used only to find lots that have a large footprint. They are not the floor-area figures used in this exhibit.
4. Flagged every RR-2 lot with a mapped footprint of 5,000 sq ft or more (103 lots), and separately flagged every parcel in any RR zone whose owner name matched a worship / assembly / institutional search term listed below.*
5. Re-verified current zoning of every flagged parcel against the county's live zoning service. Parcels no longer zoned RR were excluded (noted below).
6. For all 103 RR-2 lots in the 5k sq ft footprint screen, pulled the Benton County Assessor improvement records (Benton County PSO, accessed Aug. 14, 2026). Ranked each lot by the largest building's "livable size." Paving, "Farm Bldg/Paving," and "Residential Site Improvement" rows were not counted as buildings. The top 30 of that ranking are the table above.
7. For every parcel identified as a possible church, used the Assessor's building classification ("Churches," State class 920) and livable size. That is the church chart's data.
8. Used the applicant's own figure for the proposal: 28,557 sq ft gross floor area (Supplemental Memorandum, Aug. 11, 2026).

*Search terms

Owner-name search terms (institutional screen): CHURCH, TEMPLE, PARISH, MOSQUE, SYNAGOGUE, CHAPEL, MINISTR-, CONGREGATION, GRANGE, FIRE, SCHOOL, ACADEMY, DAYCARE, DAY CARE, COMMUNITY, ASSEMBLY, HALL, DISTRICT, DIOCESE, FELLOWSHIP, GOSPEL, BAPTIST, CATHOLIC, ORTHODOX, LUTHERAN, METHODIST, PRESBYTER-, SAINTS, WORSHIP, CHRISTIAN, CHRIST, JESUS, BIBLE, MINISTRY, MINISTRIES,

Saving Powers Primary Response in OPPOSITION to Northside LU-25-067 8-18-26

TEMPLE, PARISH, MOSQUE, SYNAGOGUE, MASJID, KINGDOM HALL, LATTER, SAINTS, ADVENTIST, NAZARENE, PENTECOST, EPISCOPAL, PRESBYTER-, METHODIST, LUTHERAN, CATHOLIC, ORTHODOX, BAPTIST, GOSPEL, FELLOWSHIP, CONGREGATION, WORSHIP, CHAPEL, CHURCH, MISSION, TABERNACLE, COVENANT, CALVARY, REDEEM-, SALVATION, MONASTERY, CONVENT, DIOCESE, ARCHDIOCESE, EVANGEL-, ASSEMBLY OF, ASSEMBLIES, SHALOM, TORAH, BUDDH-, HINDU, SIKH, ISLAM, MUSLIM, JEHOVAH, WITNESS, UNITARIAN, QUAKER, FRIENDS MEETING, YOUTH FOR CHRIST, CAMPUS CRUSADE, YOUNG LIFE, INTERVARSITY, WESLEYAN, MENNONITE, BRETHREN, REFORMED, HOLINESS, APOSTOLIC, CHARISMATIC, NONDENOM-, NON-DENOM-, SANCTUARY, HOUSE OF PRAYER, HOUSE OF WORSHIP, HOUSE OF GOD, BODY OF CHRIST, RELIGIOUS, RELIGION, SPIRITUAL, CLERGY, PASTOR, RABBI, IMAM, PRIEST, DEACON, GRACE, FAITH, HOPE, GOD.

Excluded “false positive” properties:

-23929 Alsea Hwy, Philomath: Owned by surname “LaChapelle” – flagged by keyword match “chapel”. The assessor PSO shows a house, garage, hay cover, and farm building, no church-class improvement.

-Mid Valley Orthodox, 6497 NE Elliott Cir: Flagged by the owner name (“Orthodox”). The assessor PSO shows a two-story residence with garage and sheds — no church-class improvement. An earlier filing listed this parcel as a possible church from the name and a 5,490 sq ft roof outline; that was a house, not a church, and it is excluded here.

-Tax Lot 14532A001200, owned by St. Rose of Lima, Monroe: Excluded because the assessor PSO shows vacant RR-2 land with no buildings.

-Bellfountain Community Church and Alsea Christian Fellowship: Excluded because they are churches, but they are no longer zoned RR (Village Center / Village Residential).

Respectfully,

Kevin Post August 18, 2026

See Appendix A for RR2 table of all lots with a mapped footprint of 5000 sq ft or more per SBFO-1.1 / DOGAMI.

Community Traffic Memos

Rebuttal of Sandow Engineering Studies

Josanna Biddle-Croco

4853 NW Dumbeck Ave
Albany, OR 97321

18 Aug 2026

Benton County Board of Commissioners

landuseappeals@bentoncountyor.gov.
LU-25-067

Dear Commissioners,

Purpose: I would like to provide an analysis of Sandow Engineering Memo RE: LU-25-067 Northside Church- Response to August 4, 2026, Testimony dated August 11, 2026.

Summary: Sandow's memo fails to provide any new information that mitigates the inadequacy of the transportation available to this site. LU-25-067 would place an undue burden on a public improvement, Powers Ave contrary to the approval criteria of BCC 53.215. ORS 215.441(2)(b) separately authorizes the County to deny a place of worship where transportation service is inadequate. On both grounds, the application must be denied.

Note: This letter is a direct rebuttal, please refer to the referenced memo for context.

Item #1: Clarification of why different methods for estimating the Northside Church trip levels have been provided.

Overall this section can be set aside as having no current value. In this section Sandow provides justifications for the trip studies they conducted.

- The Sandow May 30, 2026 Local Trip Study is no longer relevant as the provided justifications were only applicable to the original two phase proposal. The clarifications provided in item #1 are summed up in two quotes: ○ "The previously proposed Phase 1 and Phase 2 Northside Church would have had approximately 73,611 square feet." - *Sandow Engineering Memo RE: LU-25-067 Northside Church- Response to August 4, 2026, Testimony, Item #1*
 - "Therefore, a local study was prepared using churches with similar types of uses and sizes (50,000 sf-197,000 sf)." - *Sandow Engineering Memo RE: LU-25-067 Northside Church- Response to August 4, 2026, Testimony, Item #1*

- Then they explain the reasoning for the Updated Trip Study Aug 11, 2026. Unfortunately, the Updated Trip Study has foundational deficits and should be disregarded unless corrected. ○ See Letter “Rebuttal of Sandow Engineering Memo RE: LU-25-067 Northside Church- Updated Local Trip Study” dated August 18, 2026 from Josanna Biddle-Croco.

Item #2: The trip generation estimate provided by DKS vs the trip estimates provided by Sandow Engineering.

This section justifies the use of ITE calculations based on square footage. I agree that using ITE land use code 560 calculations is a robust method for determining estimated vehicle counts.

Unfortunately Sandow incorrectly claims that calculating by square footage is why their numbers were so much lower than DKS. The actual reason is that they used the building footprint (18,902 sq ft) instead of total square footage (28,557 sq ft).

The failure to correct their previous calculations perpetuates the errors. When corrected, the calculations based on square feet give higher numbers than seats. Attached are the calculations for DHV based on seats vs square feet **(Exhibit 1)**.

Sandow provides no credible calculations for ADT in any of their memos due to persistent flaws in their source data. Therefore, DKS’s traffic analysis results should be used as agreed by county staff **(Exhibit 2)**.

As an aside I would like to address Sandow’s Issue #2 argument 3 (b) below.

“Additionally, the weekday ADT using a per-seat calculation is estimated at more than 400 trips. This trip generation level would require full service of the entirety of the 500 seats being filled during the weekday.” - *Sandow Engineering Memo RE: LU-25-067 Northside Church- Response to August 4, 2026, Testimony, Item #2 Argument 3(b)*

It is misguided to assume that weekday usage is equivalent to Sunday usage. On Sundays the whole family attends, weekdays generate higher vehicle trips per person than a family attending a service together. A clarifying example can be found below:

The applicant has listed a 58 seat daycare.

- Each child will be dropped off in the morning and picked up in the afternoon generating 4 trips per child.
- The school will require 6-15 caregivers based on the ages of the children and Oregon minimum ratios **(Exhibit 3)**. Each caregiver will need 2 vehicle trips. ○ $58 \text{ children} * 4 \text{ trips/child} = 232 \text{ vehicle trips}$
 - $10 \text{ caregivers} * 2 \text{ trips/caregiver} = 20 \text{ vehicle trips}$

- $232 + 20 = 252$ trips

Item #3: What is DHV and how it is applicable to this application

The Item #3 response from Sandow appears to be reaching for a way to justify misuse of DHV. Saying that “Benton County does not specifically define what they consider the DHV time period” ignores the Oregon Administrative Rules, ODOT, and all standard definitions.

Averaging Sunday peak traffic over weekdays unduly deflates the DHV. This is not in alignment with standards or best practices.

Averaging is often performed for weekday peak hour over the course of the work week. This is acceptable as the traffic is expected to be similar across days of the week, and they are therefore averaging equivalent measurements.

Standard practice for Sunday DHV would be to average the peak hour of multiple Sundays. Averaging it with any other day of the week brings it out of alignment with its own definition.

There are 52 Sundays in a year. Each Sunday will have a peak hour. These 52 Sunday traffic hours per year are well within the standard 30th hour of the year calculation.

- This correctly sets aside the outliers that are likely to be generated from the applicant’s stated intention of hosting: weddings, funerals, outdoor special events such as “worship, fellowship, holiday, religious, and community-oriented events conducted by or in association with the church”. - *Northside Memo Subject: Supplemental Operational Overview, Gross Floor Area Clarification, Transportation Demand Management, and Proposed Conditions of Approval dated Aug 11, 2026*
- Historically some of these special events have exceeded 1200 people. **(Exhibit 4)**.
- Even Sandow recognizes that the Sunday Peak Hour will exceed the thresholds of both BCC 99.515 and the TSP. They report, “Again, using the ITE Manuals trip generation rate. The DHV for the weekday and Sunday hours is estimated at: 11 weekday peak hour, 314 Sunday peak hour” - *Sandow Engineering June 9, 2026 Memo; StaffReport 7/24/2026 Attachment B.18*

Compounding the issue, the applicant submissions from August 11, 2026 show the DHV may be significantly higher.

- Sunday service will be for 500 sanctuary seats plus concurrent 90 person children's ministry **(Exhibit 5)**.
- Sunday will host two services. The second service will be arriving within the same hour as the first service is exiting. As the church grows this creates a spike in DHV between services equivalent to 1180 seats (590 for each service).

- “The church anticipates two Sunday morning worship services, currently scheduled at approximately 8:30 a.m. and 10:15 a.m.” - *Northside Memo Subject: Supplemental Operational Overview, Gross Floor Area Clarification, Transportation Demand Management, and Proposed Conditions of Approval dated Aug 11, 2026*

Item #4: Northside Church trips will require Powers Avenue to be reclassified to a higher functional classification

Northside has argued that they should not be held to the Benton County Transportation System Plan. The Transportation System Plan tells us what roadways were designed to handle over the next 20 years. If a development would exceed those numbers it indicates a mismatch between the requested use and the transportation system. This is overburdened infrastructure.

Adequate infrastructure is described by the Benton County Development Code (**Exhibit 6**).

BCC 99.515 - Road Design and Construction Standards.

(2) All roads within existing or proposed public rights-of-way located outside an Urban Growth Boundary shall be designed and constructed pursuant to the Rural Design Criteria identified in Table I and Figure II. Plans and construction shall be approved by the County Engineer.

(5) For the protection of the public interest, the County Engineer may require improvements in excess of adopted standards, if terrain or other conditions warrant such a change.

Please note that the language above says that roads “shall be designed”, this is not a “may” or a “could”. It sets a clear standard. Additionally, the code allows the county engineer to “require improvements in excess of adopted standards” nowhere does it allow for compromises that are below the standard.

Table 1: NW Powers Development Traffic Vs. Benton County Road Standards

	Primary Local	Minor Collector	Major Collector	NW Power Ave
Projected DHV	<100/Hour	<100/Hour	<300/Hour	247 E and 96 W ¹
Projected ADT	100-750	100-750	750-2000	990 E & 505 W ²
Surface Width	20'	20'	24'	≤ 20'
Shoulder	5' paved	5' paved	5' paved	< 1' gravel
Speed Limit	30 mph	45 mph	45 mph	45 mph

¹Calculations attached in **Exhibit 7**

²Staff Report to the Board of Commissioners dated 7/24/2026.

BCC 99.515 Table I and Figure II are in **Exhibit 6**.

Based on BCC 99.515, to support a development of the scale proposed by Northside:

- Powers Ave West side requires an RC-1, as supported by the existing 45 mph speed limit and the addition of a “community center” which fits the definition of a collector class road. **(Exhibit 8)**
- Powers Ave East side requires an RC-2.

Reversing the planning commission's decision without requiring upgrades consistent with the Rural Design Criteria would directly violate Benton County Code BCC 99.515.

Church	Address	Pavement Width (including bike lanes)
Caverly	2125 NW Lester Ave, Corvallis	32'
Suburban	2760 SW 53rd St, Corvallis	32'
North Albany	1273 NW Thornton Lake Drive, Albany	32'
Northside	4500 Powers Ave, Albany	West: 19-20' East: 24'

In Conclusion:

No new data has been presented that mitigates the previous findings. On the day the development opens, transportation will be inadequate. It will only get worse moving towards the standard 20 year planning horizon.

The proposed conditions of approval P-12 though P-14 do not meet BCC 99.515. The restricted right of way prevents bringing the roadway up the development standard for a facility of the proposed size. Therefore, the conditional use should be denied for inadequate transportation per ORS 215.441(2)(b) and undue burden on public infrastructure per BCC 53.215.

Sincerely,

Josanna Biddle-Croco

Exhibit 1:

ITE Trip Generation Rates* - Sunday					
ITE Code 560: Church	Daily	Sunday Peak Period			
		In	Out	Total	
Trip Rates <i>per 1,000 square feet</i>	27.630	4.800	5.190	9.990	
Percentages	100%	48%	52%	100%	
Project Trip Generation - Sunday					
ITE Code 560: Church	Proposed Gross Square Footage	Daily	Sunday Peak Period		
			In	Out	Total
Trip Generation	28,557	789	137	148	285
New Project Trips		789	137	148	285
*Institute of Transportation Engineers (ITE), Trip Generation Manual, 10th Edition (2017)					

Sunday peak traffic just for the development is 285 trips per hour when calculated using GFA.

Calculating the DHV by Seats

ITE Trip Generation Rates* - Sunday					
ITE Code 560: Church	Daily	Sunday Peak Period			
		In	Out	Total	
Trip Rates <i>per seat</i>	1.210	0.265	0.275	0.540	
Percentages	100%	49%	51%	100%	
Project Trip Generation - Sunday					
ITE Code 560: Church	Proposed Seats	Daily	Sunday Peak Period		
			In	Out	Total
Trip Generation	500	605	133	138	270
New Project Trips		605	133	138	270
*Institute of Transportation Engineers (ITE), Trip Generation Manual, 10th Edition (2017)					

Sunday peak traffic just for the development is 270 trips per hour when calculated using seats.

Exhibit 2:

Benton County Public Works Department Memo Dated June 17, 2026

StaffReport 7/24/2026 Attachment A.2

The County agrees that the trip distribution could be assumed 25% westbound and 75% eastbound. Therefore, with the above observations, Public Works staff conclude the average daily impact to Powers Avenue is as follows:

Average Daily Trips	West Side	East Side
Existing Counts	307	513
Additional Counts (to Scenic Dr)	0	54
Estimated Church Counts	113	337
Future Counts (assumes 50/50 distribution)	85	86
Total	505	990

Exhibit 3:

Oregon Department of Early Learning and Care

OAR Chapter 414 Division 305: CERTIFIED CHILD CARE CENTERS

OAR 414-305-0400: Staff-to-Child Ratio and Group Size

Certified Child Care Center Ratio Tables 414-300-0400(6)

TABLE 3A (For centers initially licensed after July 15, 2001)

Age of Children	Minimum Number of Staff to Children	Maximum Number of Children in a Group
6 weeks to 24 months of age	1:4	8
24 months to 36 months of age	1:5	10
36 months to School-Age	1:10	20
School-Age	1:15	30

Exhibit 4:

Northside hosts huge indoor/outdoor outreach events that per their counts **exceed 1,200 people**. (citation: northside-albany.com “Our Story” April 4th, 2026)

OUR STORY

With the rapid growth of North Albany and few churches in the area, **GOD OPENED A REMARKABLE DOOR** the opportunity to plant something new. Through His provision—leaders, staff, funding, and a passionate launch team—Northside Church held its first service on February 9, 2020, at Oak Grove Elementary.

Just five weeks later, COVID-19 forced us out of the school. We pivoted quickly to online services, uncertain of what lay ahead. Yet God remained faithful. Two local churches graciously opened their doors, and by June, we were gathering outdoors at North Albany Community Church. In a season marked by national tension and devastating local wildfires, Northside stepped up—rallying in prayer, serving fire victims, hosting outreach events, and continuing to gather whenever possible. It wasn't until August 2021 that we could return to the school building.

Since that time, **GOD HAS CONTINUED TO MOVE POWERFULLY**. We've celebrated over 80+ baptisms, launched new ministries, dedicated more than 30 children, and established an elder board. From school cleanup days to youth camps, missions to men's and women's ministries, Northside has become deeply woven into the life of our community.

What began as a group of 80 has grown into a thriving church of nearly 400 weekly attendees. We've seen more than 700 people gather for Easter and over 1,200 reached through outreach events. Each number represents a story: marriages restored, addictions broken, fathers leading their homes, prodigals returning, lives transformed by Jesus.

And this is only the beginning.



Transcript

Search transcript

21:01 those who volunteered to make that happen, whether it was giving candy or showing up and decorating a car or just the the massive amount of people that work behind the scenes to pull that out.

21:10 It's easily uh the largest outreach that we do. Somebody asked, you know, do you know how many people were here? And the only number I can give you, at one point in time, I think there was a thousandish people that were present on the campus.

21:21 However, that doesn't count the people that are coming and going. And so, I we don't know. Um, but it was, you know, up there, uh, with last year, which was our

Per Jamey Mills Lead Pastor at Northside their Trunk-or-Treat 2025 event “there was a **thousandish people that were present on the campus**. However, that doesn’t count the people that are coming and going” (citation: raw video file submitted with Staff Report C.275 taken from 11/02/25 Northside Live from Oak Grove Elementary timestamp 21:10 <https://www.youtube.com/live/5OvE8jsYbFM>).

They reported for the Trunk-or-Treat 2024, “okay uh yes it was a record setting year it's estimated that there was **twelve to fourteen hundred (1200-1400) people** here uh we had uh the road, the parking, completely all the way into the neighborhood over here. Um, which I don't know if that was good or bad, but factually that happened” (citation: raw video file submitted with Staff Report C.275 taken from 11/03/24 Northside Live from Oak Grove Elementary timestamp 20:55 <https://www.youtube.com/watch?v=eKk1u4U53gl>).

Exhibit 5:

Udell Engineering & Land Surveying LLC’s Memo Dated: Aug 11, 2026

Re: LU-25-067: CUP-Church, Northside Church Rebuttal to Opposition Testimony

Summary: “In addition to the primary church use they will also have children’s ministry classes on the ground level during church session.” The Udell memo assigns “500 seats” to the sanctuary and “90 occupants” to the children’s ministry.

OR 340-071-0220 establishes wastewater design flows for churches based on the number of seats provided (5 gallons per day per seat). The rule does not increase the design flow based on the number of worship services conducted. Accordingly, the calculation is based on the church's 500-seat capacity, consistent with the Oregon Administrative Rules.

Northside Church is designed currently with 500 seats. OR 340-071-0220, Table 2 states that for a church use the daily sewage flow is 5 gpd per seat.

Church Sewage Flow = 500 seats x 5gpd/seat = 2,500 gpd

In addition to the primary church use they will also have children’s ministry classes on the ground level during church session and youth group on the upper level potentially the evening of church. Both church associated uses will have calculated daily sewage flows in addition to the daily sewage flow based on the number of church seats. Their daily sewage flow will be added to the church sewage flow since they may occur on the same day.

The maximum occupant loads established by the Oregon Structural Specialty Code were used as a conservative estimate of anticipated daily sewage flows for the additional uses in response to opposition testimony. The children’s ministry area has a peak occupancy allowed by the building

Saving Powers Primary Response in OPPOSITION to Northside LU-25-067 8-18-26

code of 90 people. OAR 340-071-0220, Table 2 states that for church uses(children's ministry) use the daily sewage flow is 5 gpd per person.

$$\begin{aligned}\text{Children's Ministry Peak Daily Sewage Flow} &= 90 \text{ max occupant load} \times 5 \text{ gpd} \\ &= 450 \text{ gpd}\end{aligned}$$

The youth group area has a peak occupancy allowed by the building code of 313 people. OAR 340-071-0220, Table 2 states that for church uses (youth groups) use the daily sewage flow is 5 gpd per person.

$$\begin{aligned}\text{Youth Group Peak Daily Sewage Flow} &= 313 \text{ max occupant load} \times 5 \text{ gpd} \\ &= 1,565 \text{ gpd}\end{aligned}$$

$$\begin{aligned}\text{Total Peak Daily Sewage Flow} &= 2,500 \text{ gpd} + 450 \text{ gpd} + 1,565 \text{ gpd} \\ \text{Based on Maximum Occupant Load} &= \boxed{4,515 \text{ gpd}}\end{aligned}$$

Exhibit 6:

BCC 99.515 - Road Design and Construction Standards.

(2) All roads within existing or proposed public rights-of-way located outside an Urban Growth Boundary shall be designed and constructed pursuant to the Rural Design Criteria identified in Table I and Figure II. Plans and construction shall be approved by the County Engineer.

(5) For the protection of the public interest, the County Engineer may require improvements in excess of adopted standards, if terrain or other conditions warrant such a change.

Table I

Projected Standard	Zones	ADT	Projected DHV	Minimum ROW	Surface Width	Paving Material	Crushed Base Equivalent
RL-1	Resource	0-100	<30/hr	50 ft	18 ft	AC,PCC, APM	18 inches
RL-2	Dead end RR	0-200	<30/hr	50 ft	18 ft	AC,PCC APM	18 inches
RL-3	Resource, RR <1,000ft	100-750	<100/hr	60 ft	20 ft	4 inch AC,PCC	18 inches
RC-1	Resource	100-750	<100/hr	60 ft	20 ft	4 inch AC,PCC	18 inches
RC-2	Resource, RR	750-2000	<300/hr	60-70ft	24 ft	4 inch AC,PCC	20 inches
RA-1	All zones	1000-5000	<900/hr	80 ft	24-34ft	6 inch AC,PCC	20 inches
RA-2	All zones	>5000	>900/hr	100 ft	50-70ft	6 inch AC,PCC	24 inches

Standard	Shoulder	Maximum Grade	Bike Path	Min. Curve Radius	Design Speed	Parking	Road Approach
RL-1	4 ft gravel	17%	None	200 ft	30 mph	Limited Emergency	Shared 400ft gap
RL-2	4 ft gravel	15%	None	200 ft	30 mph	Parking Allowed	Shared 250ft gap
RL-3	5 ft paved	15%	RR Zone Class III	250 ft	30 mph	Limited Emergency	Shared 450ft gap
RC-1	5 ft paved	12%	RR Zone Class III	500 ft	45 mph	Emergency Only	Shared 400ft gap
RC-2	5 ft paved	10%	RR Zone Class III	760 ft	45 mph	Emergency Only	Shared 400ft gap
RA-1	6 ft paved	5%-8%	All zones Class III	800 ft	50 mph	Emergency Only	None
RA-2	6ft-12ft paved	4%-6%	All zones Class III	800 ft	50 mph	Emergency Only	None

Figure II

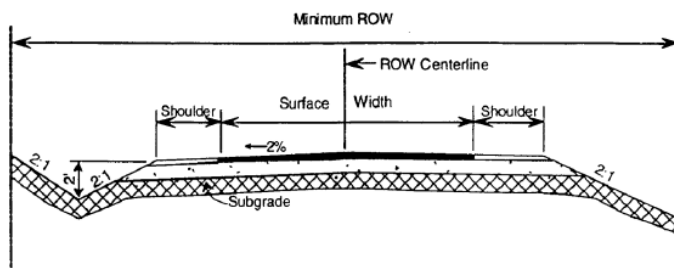


Exhibit 7:

Per Exhibit 1, the DHV for the proposed development is calculated as 270-285 trips/hour. If we split the traffic as agreed by Benton County staff in exhibit 2, we can expect 25% westbound and 75% Eastbound.

Westbound development DHV = $270 * 25\% = 68$ trips/hour

Eastbound development DHV = $270 * 75\% = 202$ trips/hour

We then need to add the existing Sunday Peak Hour traffic per the data collected by Sandow on May 31, 2026. - *StaffPacket Dated 7/24/2026 Attachment B.18*

TABLE 3: DHV-EXISTING

Day	West Side DHV	East Side DHV
May 27, 2026	41	50
May 28, 2026	36	50
May 29, 2026	39	51
May 30, 2026	30	63
May 31, 2026	28	45
June 1, 2026	33	49
June 2, 2026	30	53

Westbound Existing DHV = 28 trips/hour

Eastbound Existing DHV = 45 trips/hour

Total Sunday DHV includes current traffic and future development traffic.

Westbound Total = Existing DHV + Development DHV = 28 + 68 = **96 trips/hour**

Eastbound Total = Existing DHV + Development DHV = 45 + 202 = **247 trips/hour**

Exhibit 8:

This development has been described as both a community center and as a source for community services which designates the needed road as a Collector.

Benton County Transportation System Plan effective March 1, 2019

Street Functional Classification

Major Collectors carry local traffic between neighborhoods, or between neighborhoods and arterials, and provide access to minor collectors and community services. Access and parking are controlled. There is still a need to separate people walking and biking from auto traffic on major and minor collectors, but the degree of separation required to create a comfortable environment is often smaller compared to arterials.

Minor Collectors serve internal traffic within areas having a single land use pattern, and serve minor traffic generators such as schools or neighborhood shopping or community centers. They should form a continuous network in urban areas. Access and parking are allowed.

Local Roads may provide on-street parking and direct access to abutting property. Their design discourages through traffic. Dead-end street lengths are minimized. People biking can share the road with auto traffic, but separation from traffic is still needed for pedestrians.

With this TSP update, Resource Collectors have been removed from the County's functional classification system. All former Resource Collectors are now Minor Collectors.

Analysis of Sandow's Updated Trip Study

Josanna Biddle-Croco

4853 NW Dumbeck Ave
Albany, OR 97321

18 Aug 2026

Benton County Board of Commissioners

landuseappeals@bentoncountyor.gov
LU-25-067

Dear Commissioners,

Purpose: I would like to provide a rebuttal of Sandow Engineering's Memo RE: LU-25-067 Northside Church- Updated Local Trip Study dated August 11, 2026.

Summary: Sandow's Updated Local Trip Study memo is deficient in meeting the basic minimums of a traffic study. Due to its flawed methodology, it does not provide credible values for ADT or DHV. Unless the report is corrected, Sandow's Updated Local Trip Study memo should be disregarded for this hearing.

Issue 1: Sandow's calculations rely on data collected during the well documented summer slump (Exhibits 1-3) and fails to apply a Seasonal Adjustment Factor as would be standard practice.

- Sunday Service attendance drops on average 20% during the summer (**Exhibits 2-3**).
- Churches in towns dominated by colleges show declines greater than 20%. In a cited example, the church's summer decline was reported around 50%. (**Exhibit 2**)
 - Both Calvary and Suburban churches are located in Corvallis which is a college town.
 - Calvary specifically calls out a robust college attendance. (**Exhibit 4**)
- Churches that give a summer break to their small groups typically have a decline greater than 20%. (**Exhibit 2**)
 - Calvary has reduced from two services per Sunday to one service per Sunday showing reduced capacity (**Exhibit 5**).
 - Group meetings on break (**Exhibits 6-8**)
 - North Albany's Preschool is closed for the summer (**Exhibit 9**)
 - Youth ministries are combined into the regular Sunday service instead of stand alone events. (**Exhibits 10-11**)

- Sandow claimed parity based on types of activities. A review of the websites for these churches demonstrates that they are operating at reduced capacity and many of Sandow's cited activities are not actually occurring. **(Exhibits 5-11)**
- Weekday activities such as prayer groups, preschools, and youth ministries are on summer hiatus **(Exhibits 5-11)**, resulting in minimal traffic flow to the site on weekdays.

Issue 2: The selected "comparable" churches are not actually comparable.

They are all within urban growth boundaries, on roads with fully developed two-way bike lanes, and closer to public transit than the proposed location for Northside. These are all factors that reduce vehicle traffic and were not addressed by Sandow Engineering.

Church	Address	Nearest Bus Stop	Distance to Bus Stop	In Urban Growth Boundary?	Pavement Width
Caverly	2125 NW Lester Ave, Corvallis	NW Highland Dr & NW Walnut Blvd	1.8 miles	Yes	32'
Suburban	2760 SW 53rd St, Corvallis	SW 53rd St & SW Meadow Flower Dr	0.6 mile	Yes	32'
North Albany	1273 NW Thornton Lake Drive, Albany	660-670 NW Hickory St, Albany	0.7 mile	Yes	32'
Northside	4500 Powers Ave, Albany	660-670 NW Hickory St, Albany	4.0 miles	No	West: 19-20' East: 24'

Issue 3: Sandow's Study relies on a single day of measurement in order to calculate Saturday and Sunday traffic.

In Conclusion:

Due to the flawed nature of the source data, there is a foundational deficit. This results in calculated values that are not representative of the operations of an equivalent church on an average day of the year. Please disregard the Updated Local Trip Study unless corrections are applied.

Sincerely,

Josanna Biddle-Croco

Exhibit 1:

Planning for Attendance Seasons in the Church Year

Lewis Center for Church Leadership

<https://www.churchleadership.com/leading-ideas/planning-for-attendance-seasons-in-the-church-year/>

"There are seasons in which attendance in most churches tends to be lower than usual. Traditional low times are the post-Easter period and summer."

Low Times

There are seasons in which attendance in most churches tends to be lower than usual. Traditional low times are the post-Easter period and summer. And yet, failing to concentrate on these periods sends the message that they are unimportant and reinforces low attendance.

The post-Easter period is a very critical time for engaging those who visit at Easter. And summer is often a time when people will visit churches particularly as more and more schools and colleges have pushed the beginning of their school year well into August. Churches that maintain a full schedule of worship and programming can be surprised to find that the people they assumed were "on vacation all summer" are in town much more than they had thought.

Exhibit 2:

Just How Bad Is the Summer Slump? Six Discoveries

by Thom S. Rainer founder of ChurchAnswers.com

<https://churchanswers.com/blog/just-how-bad-is-the-summer-slump-six-discoveries/>

"A typical average decline is 20 percent. We used average worship attendance as our metric."

"Churches in towns dominated by colleges have declines greater than 20 percent. Of course, this issue is often a reflection of the robustness of the church's college ministry. A pastor in a town where the college makes up a major part of the population told us his church's summer decline was around 50 percent!"

"Churches that give a summer break to their small groups typically have a decline greater than 20 percent."

1. **A typical average decline is 20 percent.** We used average worship attendance as our metric. The 20 percent number was the response from two of three pastors in this survey. So, for a church with an average worship attendance of 200 during the non-summer months, attendance drops to 160 in the summer.
2. **Snowbird churches tend to have greater fluctuations.** For example, churches in southwest Florida and south Florida tend to have an exodus of attendees in the summer, usually greater than 20 percent. On the other hand, a pastor in Minnesota told us his church's summer attendance was unchanged. Vacationers were offset by returning snowbirds.
3. **Churches in towns dominated by colleges have declines greater than 20 percent.** Of course, this issue is often a reflection of the robustness of the church's college ministry. A pastor in a town where the college makes up a major part of the population told us his church's summer decline was around 50 percent!
4. **Year-round school is impacting the summer slump.** A year-round school system could have a six-week summer break instead of the usual full summer break. Those six weeks of attendance could be down dramatically, well above the 20 percent norm noted by the majority of pastors.
5. **Churches that give a summer break to their small groups typically have a decline greater than 20 percent.** It is absolutely amazing how involvement in groups like community groups, small groups, life groups, and Sunday school classes affect ministry involvement, giving, and attendance frequency positively. When churches keep their groups active in the summer, attendance slumps are not as pronounced.

Exhibit 3:

The Summer Dip Is Real - Here's What the Data Actually Shows

By Kingdom Metrics

<https://kingdommetrics.com/insights/church-summer-attendance-dip/>

- -20% average drop from spring baseline at the summer trough
- 13 wks average duration from first sign to full recovery
- Early June when the dip typically begins - not Memorial Day
- 9 of 9 years with a measurable dip in one church's decade of data

-20%
average drop from spring
baseline at the summer trough

13 wks
average duration from first sign
to full recovery

Early June
when the dip typically begins —
not Memorial Day

9 of 9
years with a measurable dip in
one church's decade of data

Exhibit 4:

How It All Started — Calvary Corvallis

<https://calvarycorvallis.org/our-story>

"A small Bible study held on the OSU campus grew from 10 to 200 students within a matter of weeks. Many college students began flocking to Calvary and found a spiritual home."

CALVARY CORVALLIS

Home About ▾ I'm New ▾



How It All Started

In 1995, God called Rob Verdeyen from Calvary Costa Mesa, where he was serving as a High School pastor under Chuck Smith, to come be the Senior Pastor of Calvary Corvallis. He was 29 at the time. In faith and obedience, Rob, along with his wife Susie and their 1 year-old daughter Lauren, moved up from California to Beaver country.

At that time, Calvary Corvallis started with 15-20 people meeting in a Senior Center and in the following years grew to over 800 attenders. In the early years of being a mobile church, Calvary went on to meet in other various locations, including a high school cafeteria and then in a middle school gym.

In those years, the church started a weekly Saturday night prayer meeting. As a small group of faithful people prayed, God moved in powerful ways. Many youth began to give their lives to Jesus and they became catalysts for God doing a fresh work in their families at home. Calvary's college ministry was birthed in those years as well. A small Bible study held on the OSU campus grew from 10 to 200 students within a matter of weeks. Many college students began flocking to Calvary and found a spiritual home.

Exhibit 5:

<https://calvarycorvallis.org/>



Exhibit 6:

<https://calvarycorvallis.org/break-every-chain>

"ON BREAK - Break Every Chain"

Upcoming Events



ON BREAK - Break Every Chain

August 17, 2026 from 7:00 - 8:30pm

We meet most Mondays at 7pm in the Multipurpose Room! Check the Break Every Chain page each week to know if there will be a gathering. If you have tried unsuccessfully



ON BREAK - Break Every Chain

August 24, 2026 from 7:00 - 8:30pm

We meet most Mondays at 7pm in the Multipurpose Room! Check the Break Every Chain page each week to know if there will be a gathering. If you have tried unsuccessfully



ON BREAK - Break Every Chain

August 31, 2026 from 7:00 - 8:30pm

We meet most Mondays at 7pm in the Multipurpose Room! Check the Break Every Chain page each week to know if there will be a gathering. If you have tried unsuccessfully



ON BREAK - Break Every Chain

September 7, 2026 from 7:00 - 8:30pm

We meet most Mondays at 7pm in the Multipurpose Room! Check the Break Every Chain page each week to know if there will be a gathering. If you have tried unsuccessfully

Exhibit 7:

<https://calvarycorvallis.org/children>

“ON BREAK UNTIL SEPTEMBER - Mom’s Coffee and Play Group”



ON BREAK UNTIL SEPTEMBER - Mom's Coffee and Play Group

August 20, 2026 from 10:00 - 11:30am

A time for moms to connect and pray for one another & a sweet time for littles to play together. Every 3rd Thursday of the month from 10-11:30am in the Multipurpose Room! Email

Exhibit 8:

<https://calvarycorvallis.org/house-churches>

“Please note: most House Churches go on break during the summer, and resume in the fall.”

We weren't meant to do life alone.

“Let us consider how to stir up one another to love and good works, not neglecting to meet together...”
-Hebrews 10:24-25

House Churches are smaller gatherings where we pray, learn, connect, and care for one another in community. Meeting weekly throughout Corvallis and surrounding areas, they offer a welcoming environment to grow deeper in your relationship with Christ.

Please note: most House Churches go on break during the summer, and resume in the fall.

 [JOIN A HOUSE CHURCH!](#)

Serve with Us!

Interested in hosting a house church, or opening your home for a house church to gather? Email Pastor Scott at scott@calvarycorvallis.org.

Exhibit 9:

<https://www.northalbany.org/ministries/preschool>

“Our first day will be September 3rd from 9am-noon! We will be open Monday, Wednesday, and Friday.”



ABOUT US

MINISTRIES

EVENTS

VISIT US

North Albany Preschool

Led by: **Sara McCulloch**



Upcoming Events

Our first day will be September 3rd from 9am-noon! We will be open Monday, Wednesday, and Friday. Sign up now!



Exhibit 10:

<https://calvarycorvallis.org/high-school>

“During the summer: High School students will sit together during main service at 10:30am in our outdoor amphitheater.”

“During the school year: Gather with us Wednesdays from 7-9pm in the Foyer. Join us for worship, teaching, small groups and games.”

Gathering Times

Sunday Mornings

During the summer: High School students will sit together during main service at 10:30am in our outdoor amphitheater.

During the school year: High School students sit together during the main service (either 9am or 11am) in a designated section (back right of the sanctuary near the family room entrance). Leaders will sit with them each week to help them engage, connect, and process the message.

Our heart is to integrate High School students more fully into the life of the church while continuing to disciple them intentionally. We also want to encourage students, when possible, to embrace a culture of “Sit One & Serve One” — attending one service and serving in another. We believe students are not just the future of the church; they are a vital part of it right now.

Wednesday Youth Group

During the summer: Make sure to check our app/website for updates on the fun activities going on!

During the school year: Gather with us Wednesdays from 7-9pm in the Foyer. Join us for worship, teaching, small groups and games.

Exhibit 11:

<https://calvarycorvallis.org/middle-school>

“During the summer: Make sure to check our app/website for updates on the fun activities going on!”

“During the school year: We meet from 7-9pm for games, worship, small groups and a short teaching in the Kids Wing. Be sure to check out the Upcoming Events so you know when we're having a special night!”

P-12 Roadway Improvements, Feasibility, & Concerns

From: Kevin Post

8/18/2026

Purpose

County staff have stated that Condition P-12 is required to avoid denial. The July 24 Revised Staff Report says: "Staff recommend denial of the application if this, or a similar Condition of Approval is not applied to enhance safety for pedestrians and bicyclists along Powers Avenue in response to the increased amount of vehicle traffic the church would generate." The August 11 Supplemental Memorandum is not that condition, and it is not similar. It offers "proposed revisions to the staff-recommended conditions" and three approaches to satisfying P-12, labeled (a), (b), and (c) on page 7. Options (b) and (c) exist only if the applicant "voluntarily obtains the easement or additional right-of-way." The applicant has already said it cannot ensure that. Its March 31 memorandum states it "does not have the authority to acquire right-of-way from third parties, nor can it ensure delivery of improvements dependent on actions by unrelated property owners." Brian Vandetta, the applicant's engineer, told the Board on August 4 that they wanted to avoid "dealing with third-party property owners that may not want to give that right-of-way to us." That is not hypothetical:

There are two "pinch points" in the proposed P-12 right-of-way demonstrated in this report. At the west pinch point, all three property owners have either previously submitted (Chart family, Staff Report G.11-G.12) or are submitting today (Gorman, Ruthruff, attached) signed statements that they are opposed to the use of their land for widening Powers Avenue pursuant to the Northside development. At the east pinch point, the owner of the southern property (Welch) is today submitting a letter stating the same (attached). The *only* owner of pinch point property not on record opposing their land being used for road widening is the Wheelers who own the north side of the east pinch point, who verbally communicated "neutrality" to us and have nothing in the record agreeing to the use of their land.

This leaves only Option (a), which keeps the roadway and pedestrian improvements inside the existing right-of-way plus the applicant's own dedication of frontage under P-14. Option (a) asks the County to authorize a narrower shoulder, steeper ditches, and softer verbs ("generally," "practicable," "substantially achieve") that staff P-12 does not use. Public Works never found that even the staff-written 24+2 section fits. It wrote that the section "may" fit and that "additional analysis will need to be completed." That analysis is not in the record.

The Board therefore faces three independent problems.

- 1) If P-12 is enforced without modification, the permit must be denied because the record lacks substantial evidence proving it is "possible, likely, and reasonably certain to succeed" (*Meyer v. City of Portland*, 67 Or App 274, 280 n 5 (1984)) within existing right-of-way limits, rendering the County's finding of compliance

with BCC 53.215(2) unsupported by "substantial evidence" (*Gould v. Deschutes County*, 216 Or App 150, 161 (2007)).

- 2) If P-12 is modified under Option (a) to let the County Engineer decide details later, the permit must still be denied. Allowing staff to decide after the hearing whether skinny shoulders or steeper ditches are "safe enough" hands off judgment calls behind closed doors. Under Oregon law, the County cannot push discretionary safety choices to a staff review where neighbors get no notice, no hearing, and no chance to appeal (*Citizens Against LNG v. Coos County*, 63 Or LUBA 162 (2011); *Broderson v. Jackson County*, 28 Or LUBA 645 (1995); *McKay Creek Valley Assoc. v. Washington County*, 24 Or LUBA 187 (1992)). Routine building permits or Public Works plan checks do not count as a public hearing.
- 3) If the Board approves now and leaves Public Works to finish the "additional analysis" later, the permit must still be denied. That is the safety question, and it cannot be pushed to a later staff file with no notice, no hearing, and no appeal (*Citizens Against LNG v. Coos County*, 63 Or LUBA 162 (2011); *Broderson v. Jackson County*, 28 Or LUBA 645 (1995); *McKay Creek Valley Assoc. v. Washington County*, 24 Or LUBA 187 (1992)). A later plan check is not a public hearing.

Figures

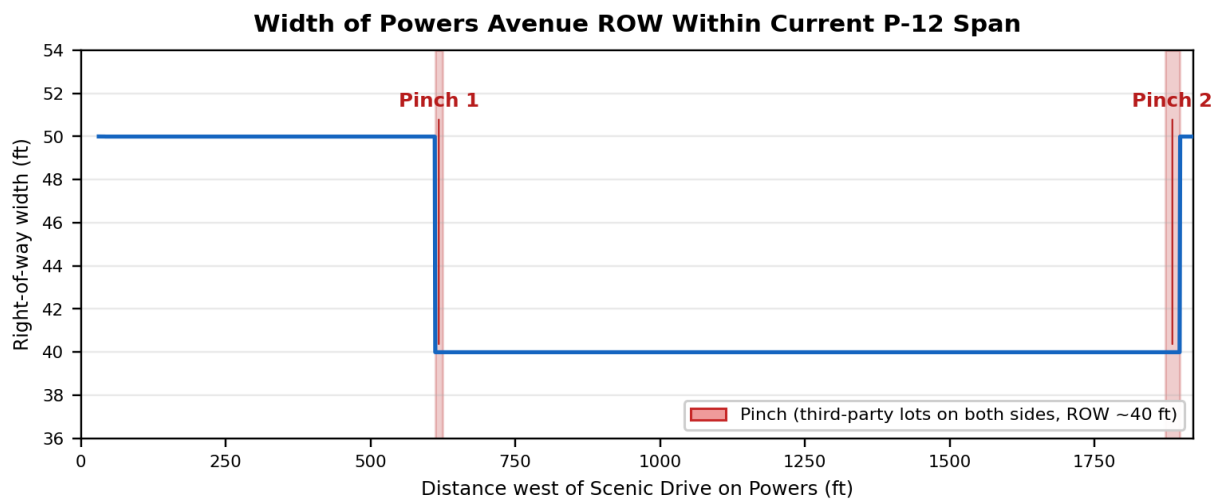


Figure 1 demonstrates the width of the Powers Avenue right-of-way inside the current P-12 span (Scenic Drive to 50 feet west of the 4500 Powers west property line) using the distance between Benton County tax lot lines, and indicates "pinch points" to the East and the West of 4500 Powers. At Pinches 1 and 2, third-party lots sit on both sides and the right-of-way is about 40 feet. While these figures rely on County GIS data rather than a certified boundary survey, the applicant bears the legal burden of proof to demonstrate that adequate right-of-way exists. There is no certified boundary survey in the record proving otherwise, therefore the County's official GIS mapping stands as unrefuted evidence of right-of-way width.

Third Party Pinches Inside Condition P-12



Figure 2 shows the two third-party pinches inside the current P-12 span. At both pinch points, the right-of-way is about 40 feet, and Northside cannot cure either pinch by dedicating its own frontage. Of the five “pinch point” property owners, Chart, Gorman, Ruthruff, and Welch are all on the record explicitly opposing the use of their land for road widening. Wheeler communicated “neutrality” to us and has nothing in the record agreeing to the use of their land.

Findings

- **“May” is not a finding that the section fits.** Public Works wrote that a 24-foot paved section with 2-foot shoulders and shallow ditches “may be able to fit within the existing 40’ right-of-way, but additional analysis will need to be completed.” That analysis is not in the record. Udell later wrote that the staff section can be met without neighbor right-of-way only if the County allows a “minor concession” of shoulder width and ditch slopes. Option (a) writes that concession into the condition. That is evidence the staff-written 24 paved + 2 gravel does not fit, not evidence that it does. Under *Meyer v. City of Portland*, solutions must be “possible, likely and reasonably certain to succeed.” *Gould v. Deschutes County* requires substantial evidence that a condition used to find compliance will be fulfilled. “May” is not that evidence.
- **The pinches have third-party land on both sides, and are about 40 ft wide.** Width at both pinches is about 40 feet. Northside cannot dedicate that land. Of the five pinch point property owners, four are now in the record explicitly opposing the use of their land for this development. There is no evidence in the record that Option (b) or (c) proposed by the applicant are possible, and we have proven that they are not.
- **The August 11 site plan does not prove Option (a) fits.** The August 11 sheet is labeled “TO MATCH COUNTY PROPOSED CONDITION OF APPROVAL P-12” and still draws the staff 24-foot paved / 2-foot gravel section from 50 feet west of the west property line to Scenic.

Nothing in the record shows that Option (a) is “possible, likely and reasonably certain to succeed.”

- **Option (a) relies on a P-14 dedication that the August 11 site plan does not show.** Staff P-14 requires dedication along the south side of Powers Avenue “sufficient to meet the minimum 50-foot right-of-way standard” along the entire 4500 Powers frontage. Their updated site plan shows only “(P) 5.00' R/W DEDICATION” but the current right-of-way there is only 40 feet. $40 + 5.00 = 45$ feet, leaving them 5 feet short of the required 50 feet. This shortfall shows up right in their own drawings, and nothing in the record shows that parking, setbacks, or the rest of the August 11 site plan still meet code after the full 10 feet comes off 4500’s north line.
- **Option (a) is an impermissible rewrite, not a “similar” condition to Staff’s P-12.** Staff P-12 says the improvements “shall consist of” a 24-foot HMA section with 2-foot crushed-aggregate shoulders, granting zero staff authority to shrink shoulders. Option (a) changes the verb “shall” to “shall generally consist of,” adds “substantially achieve” and “to the greatest extent practicable,” and authorizes “localized reductions in shoulder width” and “adjustments to ditch slopes.” Phrases like 'substantially achieve' and 'practicable' are subjective judgment calls, not routine engineering checks. On top of that, Public Works explicitly tied its “no-undue-burden” finding to the road being built “as currently conditioned”.
- **Option (a) makes Powers less safe.** Staff P-12 is a 24-foot paved section with 2-foot shoulders and shallow ditches so walkers have separated space and a car that leaves the lane has somewhere to go. Option (a) authorizes “localized reductions in shoulder width” and “adjustments to ditch slopes.” A narrower shoulder puts cars closer to people in the same 40 feet. Nothing in the record finds that a skinnier shoulder and a steeper ditch still meet the pedestrian-and-bicycle purpose of P-12.

Methodology

Widths in Figures 1 and 2 are the gap between opposing Benton County taxlot polygons, not a deed survey. On August 15, 2026, the live public layers were queried in EPSG:6557 (Oregon State Plane North, feet): TaxlotService FeatureServer/189 for parcel geometry (MapTaxlot) and TransportationService FeatureServer/2 for centerlines (FULLNAME='NW POWERS AVE'). Taxlots were pulled in a 120-foot envelope around the Powers centerline from Scenic Drive to Oak Grove Drive. Station 0+00 is the Powers / Scenic intersection. Stations run west at 1.0-foot steps. At each station a line was drawn perpendicular to the centerline. Width is the distance between the nearest north and south taxlot-boundary hits. Figure 1 is that profile inside the current P-12 span (Scenic to 50 feet west of the 4500 Powers west line, station ~19+21). Owner names are from TaxlotOwners FeatureServer/0. Figure 2 aeriels are OSIP 2024 (Oregon Explorer, OSIP_2024_SL).

Respectfully,

Kevin Post August 18, 2026

Summary of the "Pinch Point" land owners opposing use of their land for widening of Powers Avenue pursuant to Northside's proposed development:

LETTER ALREADY IN THE RECORD:

-Chart (southern side of west pinch point, Staff Report G.11-G.12)

NEW LETTERS ATTACHED BELOW:

-Gorman (southern side of west pinch point)

-Ruthruff (northern side of west pinch point)

-Welch (southern side of east pinch point)

My name is Patrick Gorman (printed name) and I am the legal owner of Taxlot **10427AA03500**. I have no intention of selling, giving, or granting any right-of-way or easements along my property to Northside Church or Benton County for the purpose of widening Powers Avenue as described by Applicant Northside Church in their Memorandum dated August 11 2026 regarding LU-25-067.


SIGNATURE

8-13-2026
DATE

My name is Matt Welch (printed name) and I am the legal owner of 4142 Powers Ave NW, Albany, OR 97321. I have no intention of selling, giving, or granting any right-of-way or easements along my property to Northside Church or Benton County for the purpose of widening Powers Avenue as described by Applicant Northside Church in their Memorandum dated August 11 2026 regarding LU-25-067.

Matt Welch
SIGNATURE

8-16-26
DATE

Regarding proposed building of
church off of Powers Ln.
It's been brought to my attention that
the widening of Powers Ln would
need to take place before permit to
build church.
* that would involve part of my
property. 4564 Palestine Ave NW
Nobody from developer has talked to
me about this.
At this point I'm probably not
interested in the widening of Powers Ln
Lane.
8-16-2026 Jim Ruttkuff

Photo Documentation of Powers Avenue Degradation

From: Katja

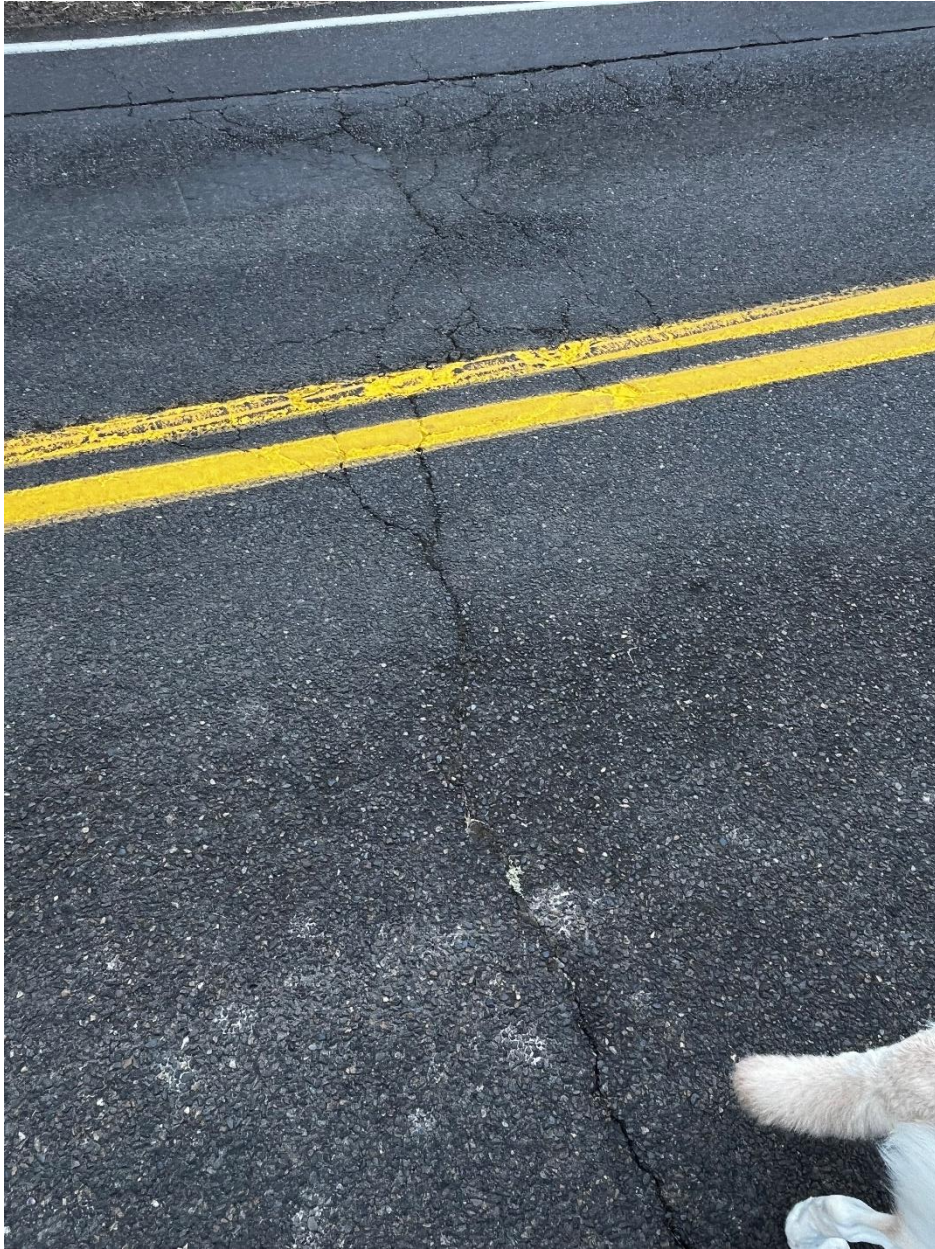
8/18/2026

This photograph is taken looking to the west down Powers Avenue from the intersection with Scenic. It documents evidence of roadway degradation at this location that is representative of similar degradation throughout Powers Avenue, all the way to Oak Grove Drive to the west, at its terminus.





This photograph documents additional degradation of Powers Ave. along the application site.



Additional photo evidence of degradation of Powers Ave.



Additional documentation of degradation of Powers Ave.

LU-25-067 — Northside Christian Church CUP appeal — participant response, open record

From: Andrew G. Biddle
4853 NW Dumbeck Ave.
Albany, OR 97321
August 18, 2026
Benton County Board of Commissioners
landuseappeals@bentoncountyor.gov

Dear Commissioners,

I live on NW Dumbeck Avenue, in the immediate vicinity of the subject parcel, and I am a recorded participant who testified at the August 4, 2026, hearing. I am not an attorney or a traffic engineer, and I note plainly that I live on one of the roadways I ask the Board to address.

My position remains that the Planning Commission's denial should be upheld. The conditions requested below are offered in the alternative, in the event the Board is inclined to approve the application. Nothing here should be read as support for approval.

If the Board approves, I ask it to impose four conditions:

1. **Right-of-way dedication of 60 feet**, amending Condition P-14, or, in the alternative, a reservation of the equivalent width.

2. **A road maintenance cost-sharing covenant** for Terrace and Dumbeck, with the applicant's share established by measured traffic counts on the affected roads.

3. **Safety signage**, installed and maintained at the applicant's expense: "Emergency Parking Only" along both sides of NW Powers Avenue, 1,500 feet in each direction from each site access, and "Local Traffic Only" at the entrances to Terrace, Terra Lynda, and Knollwood.

4. **A traffic and parking management plan** with objective performance standards, complaint-triggered monitoring, mandatory corrective measures, and a bond.

Proposed condition text for each request is set out in **Attachment A**, offered as a starting point for staff to adapt as they see fit. Each request is grounded in the County's own findings, the County's design

standards, or the applicant's own submittals.

The County's Own Findings Are the Hinge

From the July 24, 2026, staff report, verbatim: *"Primary Local Roads are expected to have a maximum of 700 Average Daily Trips (ADT)." Staff's own projection, relying on the County-retained DKS Associates trip letter, is **505 ADT on the west leg (Oak Grove) and 990 ADT on the east leg (Scenic Drive)**, and staff concluded that the development "will increase traffic on Powers Avenue to levels that exceed what is expected for a Primary Local Road." Indeed, staff "recommend denial of the application if this [Condition P-12], or a similar Condition of Approval is not applied."*

990 against a 700 maximum, from the County's own consultant. Staff treat Condition P-12 as the cure, but as drafted, P-12 requires widening only from the site frontage east to Scenic Drive and nothing west of it — and no widening addresses overflow parking at all. The conditions below take up what P-12 does not, each at the road's existing classification. The Board's authority is express: BCC 53.220 authorizes on-site **and off-site** conditions addressing road capacities, access points, off-street parking, internal circulation, and signs, secured by bond under BCC 99.905 to 99.925. The criterion those conditions serve is BCC 53.215(2)'s requirement that the use impose no *"undue burden on any public improvements, facilities, utilities, or services available to the area."*

1. Right-of-Way Dedication

This request amends Condition P-14 to require dedication of a 60-foot right-of-way along the entire subject frontage — or, in the alternative, reservation of the equivalent width.

As written, Condition **P-14** requires dedication only to the **50-foot** Primary Local Road minimum. But BCC 99.515 Table I assigns a 50-foot right-of-way to exactly two standards: RL-

1, for roads projected at **0–100 ADT**, and RL-2, for dead-end rural residential roads at 0–200 ADT. NW Powers Avenue already carries **307–513 ADT** — squarely in the 100–750 band, where both the local standard (RL-3) and the collector standard (RC-1) require **60 feet**. With the development, staff project the east leg at 990 ADT, into RC-2’s 750–2,000 band, where the minimum is 60–70 feet. **Sixty feet is the figure the Board reaches from any direction, with no reclassification required.** The only way to justify 50 feet is to treat Powers as carrying under 100 vehicles per day — a fifth to a third of what it carries now.

The applicant’s own submission demonstrates the cost of under-dedication. Explaining why widening west toward Oak Grove cannot be done, the submission states that the right-of-way there *“is 40 feet in width”* and *“does not allow the widening ... to be achieved.”* Past 40-foot dedications made a needed improvement physically impossible — and that impossibility is now the stated reason the improvement cannot be required, while the Board is asked to approve another under-dedication on this frontage. Right-of-way is cheapest to obtain before development; afterward it must be purchased or condemned.

The record quantifies the stakes: widening from the site frontage to Scenic Drive is estimated at **\$500,094.10**, and from Oak Grove to Scenic Drive at **\$980,184.44**, the latter explicitly *“not including necessary right of way acquisitions.”* The County has declined to require third-party acquisition, so width not secured now must later be bought with public money or never obtained.

If the Board declines to require dedication beyond 50 feet, it should at minimum require the applicant to **reserve** the additional width. A reservation transfers no property interest; it restricts building within a defined strip so the width remains available if needed. The cost to the applicant today is effectively nothing; the cost of not requiring it is permanent and quantified above. The condition text I request is set out in **Attachment A, item A-1**.

2. Road Maintenance Cost-Sharing Covenant for Terrace and Dumbeck

This request is for a recorded covenant obligating the applicant to share the maintenance costs of Terrace and Dumbeck in proportion to its measured share of the traffic on them. The need follows directly from the findings and P-12’s frontage-only reach: Powers will carry volumes above its standard while its western approach remains 40 feet wide and unimproved.

The diverted traffic has a specific route: Terrace connects to Dumbeck, and Dumbeck to Oak Grove Drive — a continuous alternate path around exactly the congestion this use creates at its peaks, running

on roadways maintained by the residents who live on them, not by the County. At the hearing, staff confirmed Powers itself is County-maintained “through the gas tax”; the status of the

nearby roads was raised but left unresolved, hence the confirmation I request below. (Terrace's existing "Dead End" sign is no answer: it is advisory, inaccurate — Dumbeck connects through — and invisible to navigation applications, which route on connectivity.) Every added trip on a resident-maintained road advances the date of its next resurfacing; the question is who pays for that. Traffic diverted from a County road onto resident-maintained roads **transfers the cost from the public road fund onto private individuals** who receive no offsetting benefit and cannot decline it. A cost-sharing covenant is the narrowest available remedy. It restricts nothing, caps nothing, and requires no construction; it asks only that the party generating incremental wear contribute proportionately to repairing it. The County already uses this device: BCC 99.415(3) requires an applicant relying on a private road easement to "*submit a covenant binding the same to participate in the maintenance of improvements within the easement,*" and BCC 99.415(2) contemplates recorded covenants addressing the cost of required roadway improvements.

The share should be set by measurement, not projection. The traffic at issue is the church's westbound traffic: staff's findings route approximately one-quarter of site traffic to the western approach (staff report, finding 52), and on staff's projections that adds 198 trips per day to the western leg, where Terrace is the first alternative. But no traffic counts exist for Terrace and Dumbeck, and I decline to invent a percentage the record cannot support. The covenant should therefore set the share by the only method the record supports: a baseline count on the affected roadways before occupancy and a

recount in the first year of operation, both at the applicant's expense under a County-approved methodology, with service-day and non-service-day volumes compared to isolate the increment attributable to the use. If the applicant's position is that its traffic will not burden these roadways, the counts will bear that out — and the covenant will cost the applicant nothing. The condition text I request is set out in **Attachment A, item A-2**.

The two requests above concern the roadway itself; the two that follow concern how the use operates

on it.

3. Safety Signage

This request is for signage: "Emergency Parking Only" along both sides of NW Powers Avenue, 1,500 feet in each direction from each site access, and "Local Traffic Only" at the entrances to Terrace, Terra Lynda, and Knollwood. The restriction is not new policy. BCC 99.515 Table I already designates parking on roads like Powers as "Emergency Only" (collector standards RC-1 and RC-2) or "Limited Emergency" (local standards RL-1 and RL-3). This condition implements the County's existing design intent and gives drivers notice of it. The need is

physical. The existing cross-section, in staff's words, is *"two 2-ft wide gravel shoulders and two 10-ft wide paved drive lanes,"* and the County Engineer's June 17 memo states that *"Both the pavement shoulder and travel lane widths do not meet current standards."* A 2-foot gravel shoulder cannot accommodate a parked vehicle. When on-site parking fills, overflow parking narrows the travel way, pushes moving vehicles toward the centerline, obstructs sight lines at driveways and intersections, and impedes emergency access at exactly the times the site is at peak occupancy.

Overflow demand is established by the applicant's own numbers. I do not contend here that routine Sunday services will exceed the on-site parking supply. The problem is the periodic large events this applicant demonstrably holds. The lead pastor's own account of the church's Trunk-or-Treat event is already in the record (Agenda Packet pp. 363, 521): *"there was a thousandish people that were present on the campus. However, that doesn't count the people that are coming and going."* A companion account describes 1,200–1,400 attendees at the 2024 event. Nor is the overflow confined to outreach events: the same recorded remarks (Agenda Packet pp. 520–521) recount that at Easter attendees *"were*

parked from the stop sign all the way down to the curve" — overflow at a worship service, the use actually before the Board. The arithmetic is short. At 2.5 persons per vehicle — the most generous end of the 1.5–2.5 range the applicant's own traffic engineer uses (Sandow, "Response to Comments," package p. 85) — 1,000 attendees produce 400 vehicles against 286 proposed spaces: about **114 with nowhere on the site to park**. And Condition **P-2** caps parking at the number proposed (*"but no more than"*), so overflow cannot be cured by striping more spaces on site; the excess has nowhere to go but the roadway.

How far the signage must reach is measured, not estimated. A parking restriction does not eliminate demand; it relocates it to the first point where the restriction ends — so the operative question is how far attendees will walk, and the record answers it. At the applicant's current site (Oak Grove Elementary School), testimony documents overflow parking along both sides of the street for approximately 0.2 miles at the June 14, 2026, Summer Round-Up and approximately **0.3 miles (1,584 feet) at the 2024 Trunk-or-Treat** (Biddle-Croco et al. letter, June 22, 2026, Agenda Packet p. 367, with photographs). Independent accounts corroborate the pattern as routine rather than exceptional (Post letter, Agenda Packet p. 517; DeWilde letter, Agenda Packet p. 557; Tully letter, PC packet p.

63). That distance sets the scope. Signage confined to the frontage would end hundreds of feet short of where these attendees have already shown they will park and walk; ending it at the first intersection would be worse. Terra Lynda is approximately 333 feet from the site and Knollwood approximately 633 feet, so a restriction ending there would deliver parked vehicles and pedestrians to precisely those entrances, obstructing sight distance where turning

movements occur. The condition should not exempt “unsuitable” stretches of shoulder. Drivers at this applicant’s events park across shoulders and bike lanes physically hardened with “*permanent delineators and rumble strips to prevent vehicle use*” (Hendrickson letter, PC packet pp. 96–97); if permanent barriers do not deter the practice, a narrow shoulder will not either — and the narrowest shoulder is precisely where encroachment into the travel lane is greatest. The condition text I request is set out in **Attachment A, item A-3**.

4. Traffic and Parking Management

The final request is a management plan with two objective standards: no parking in violation of the signage above, and no queue obstructing a travel lane of NW Powers Avenue. The projections in this record disagree and keep moving. On the east leg, the County’s consultant projects 990 ADT; the applicant’s August 11 study projects 683, with a design-hour volume of **99 — one vehicle under the 100-vehicle threshold** (package p. 25) — and it reaches 99 only by averaging each day’s peak hour across the week. DKS’s own trip estimates put the Sunday peak hour alone at approximately **270** (report of Rick Nys, P.E., Greenlight Engineering, retained by participant Cary Hoffer, pp. 2–4). And the Sunday demand analysis assumes only that “500 seats are full,” omitting the concurrent classroom population the applicant elsewhere says will be present (package pp. 6, 76, 85). The Board need not decide which of these numbers to believe — that is the point. Projections this unsettled are no foundation for conditions; performance standards are. The condition is designed to cost a compliant applicant nothing. The means of compliance — scheduling, staggered dismissal, attendants, shuttles, and limits on concurrent programming — are left entirely to the applicant, which is far better positioned than the County or the neighbors to choose among them. No routine monitoring is required: observation is triggered only by complaint and conducted by an engineer the County selects. If the applicant’s projections are accurate, no complaint is sustained, no monitoring is ever ordered, and the bond is never drawn. The condition binds only if the projections fail — precisely the circumstance against which the neighbors have no other protection. It also does what the signage alone cannot. The signage condition makes each violation enforceable; this condition gives the applicant a reason to prevent violations rather than leave attendees to absorb citations. And the bond is what distinguishes it from a representation: without security, compliance depends entirely on discretionary code enforcement. No dollar figure is proposed; BCC 99.915(2) leaves the amount to the County Engineer, pegged to the cost of the secured work, and the condition Biddle — LU-25-067 — Open Record Response Page 6 supplies the costing basis. The condition text I request is set out in **Attachment A, item A-4**.

Closing

Each request is scoped to the impact it addresses: the dedication is the code minimum for the volumes the road carries today; the covenant share is the church's measured share of traffic on the affected roads, not more; the signage extends no farther than the overflow distance already observed at this applicant's events; and the management plan requires nothing of a compliant applicant. In each case I have asked for the least that solves the problem. Whatever the Board decides, I ask it to confirm from the County road inventory which of the roadways named above are maintained by the County and which are maintained by residents. The cost-sharing covenant rests on that fact, and it is a matter of County records rather than opinion.

Thank you for your service and for considering these requests.

Respectfully,

Andrew G. Biddle

4853 NW Dumbeck Ave., Albany, OR 97321

Attachment A — Requested Condition Text

A-1. Right-of-Way Dedication (amending P-14)

Suggested finding: The Board finds that NW Powers Avenue carries 307–513 average daily trips today and is projected to carry up to 990 with the proposed use, volumes for which BCC 99.515 Table I requires a minimum 60-foot right-of-way under both the local (RL-3) and collector (RC-1, RC-2) standards, and that dedication to that minimum is roughly proportional to the development's transportation impact.

Right-of-Way Dedication (amending P-14). The applicant shall dedicate right-of-way along the south side of NW Powers Avenue, for the entire subject property frontage, sufficient to provide a total right-of-way of not less than sixty (60) feet — the minimum set forth in BCC 99.515, Table I (Rural Design Standards) for a local road carrying the existing traffic volumes on NW Powers Avenue (standard RL-3), and equally under the corresponding collector standards (RC-1, RC-2). In the alternative, if the Board declines to require dedication beyond the 50-foot Primary Local Road standard, the applicant shall reserve, by recorded instrument in a form approved by County Counsel, additional width along the same frontage sufficient to bring the total right-of-way corridor to sixty (60) feet, such reservation to be held for future public right-of-way and to run with the land.

A-2. Road Maintenance Cost-Sharing

Suggested finding: The Board finds that, on the County's adopted projections, the proposed use would account for approximately 39–48 percent of average daily trips on NW Powers Avenue; that the improvements required by Condition P-12 do not extend west of the site frontage while staff's findings route approximately one-quarter of site traffic to that

unimproved western approach; and that foreseeable diversion onto resident-maintained roadways warrants a cost-sharing obligation proportionate to measured impact pursuant to BCC 53.220.

Road Maintenance Cost-Sharing. Prior to issuance of a certificate of occupancy, the applicant shall execute and record a maintenance cost-sharing covenant, in a form approved by County Counsel and running with the land, covering Terrace and Dumbeck. The covenant shall obligate the applicant to contribute a proportionate share of maintenance, repair, and resurfacing costs for those roadways. The applicant's share shall be the proportion of total traffic on the affected roadways attributable to the use, established by traffic counts conducted at the applicant's expense under a methodology approved by the County Engineer: a baseline count prior to occupancy and a recount within the first year of operation, with service-day and non-service-day volumes compared to isolate the increment attributable to the use. The share shall be re-established by recount upon any change in the use or intensity of the site, and in any event at least every five (5) years. The covenant shall be enforceable by the County and by the owners of properties abutting the affected roadways.

A-3. Safety Signage

Suggested finding: The Board finds that overflow parking on the 2-foot gravel shoulders of NW Powers Avenue would obstruct the travel way, impair sight distance, and impede emergency access, and that the record documents overflow parking at the applicant's current site extending approximately 0.3 miles from that site; the following condition mitigates that impact pursuant to BCC 53.220.

Safety Signage. Prior to issuance of a certificate of occupancy, the applicant shall, at its sole expense and subject to County approval of design, placement, and specification: (a) install "Emergency Parking Only" signage along **both sides** of NW Powers Avenue, extending **one thousand five hundred (1,500) feet in each direction from each site access**, at intervals sufficient that a sign is visible from any point within the signed extent, **without regard to whether the shoulder at a given location is improved or suitable for parking**; and (b) install "Local Traffic Only" signage at each entrance to Terrace, Terra Lynda, and Knollwood. All signage shall conform to the Manual on Uniform Traffic Control Devices and applicable County standards. The applicant shall maintain, repair, and replace all signage required by this condition in perpetuity, and this obligation shall run with the land.

A-4. Traffic and Parking Management

Suggested finding: The Board finds that the record's Sunday parking and trip projections carry a compliance margin of one vehicle against the applicable design-hour threshold and omit the concurrent classroom population, and that a performance-based management requirement is

necessary to ensure the use does not impose an undue burden on public improvements within the meaning of BCC 53.215(2).

Traffic and Parking Management. Prior to issuance of a certificate of occupancy, the applicant shall submit for County approval a Traffic and Parking Management Plan meeting the standards below. The means of achieving these standards shall be at the applicant's discretion.

Performance standards. For all services and events: (a) no vehicle associated with the use shall park in violation of the signage required by the Safety Signage condition or, if that condition is not adopted, on the shoulder of NW Powers Avenue within one thousand five hundred (1,500) feet of any site access; and (b) no vehicle queue associated with the use shall obstruct a travel lane of NW Powers Avenue.

Monitoring. No routine monitoring is required. Upon receipt of a complaint alleging violation of the standards above, the County may — and upon receipt of a complaint supported by dated photographic or video documentation, shall — direct observation of one or more subsequent services or events by a licensed traffic engineer selected by the County and retained at the applicant's expense. Observations shall not be announced to the applicant in advance. A written report of each observation shall be filed with the County within thirty (30) days.

Failure and remedy. Five (5) or more vehicles parked in violation of standard (a) on any single occasion, or any queuing in violation of standard (b), documented by an observation under this condition, constitutes a recorded failure. Upon a recorded failure the applicant shall, within sixty (60) days, implement additional measures sufficient to prevent recurrence and report those measures to the County.

Security. Pursuant to BCC 53.220 and BCC 99.905 to 99.925, the applicant shall post a bond or other guarantee in an amount determined by the County Engineer in the manner provided by BCC 99.915(2) — sufficient to cover the cost of the corrective measures contemplated by this condition, including at minimum one year of professional parking management, together with related engineering and incidental expenses — to be drawn upon to fund corrective measures in the event the applicant fails to implement them within the period required.

Cost. All monitoring, reporting, and corrective measures required by this condition shall be at the applicant's sole expense.

Documents Relied Upon

- Revised Staff Report, July 24, 2026, including proposed Conditions of Approval P-1 through P-18 and O-1 and O-2

- Public Works memorandum, June 17, 2026 (Laurel Byer, P.E., County Engineer; Gordon Kurtz, Associate Engineer)
- Applicant's response package, August 11, 2026 (Udell Engineering; Sandow Engineering; applicant's legal memorandum). Citations to "package p. ____" refer to this document's continuous pagination; the memoranda within it carry their own internal page numbers
- Report of Rick Nys, P.E., Greenlight Engineering, August 3, 2026 (retained by participant Cary Hoffer; submitted at the August 4 hearing within the County's "Testimony Submitted at the Hearing" compilation; page cites are to the report's own internal pagination)
- Benton County Development Code, BCC 53.215, 53.220, 99.415, 99.515 including Table I (Rural Design Standards), and 99.905 to 99.925
- Board of Commissioners Agenda Packet for the August 4, 2026, hearing (cited as "Agenda Packet"); Planning Commission hearing packet (cited as "Planning Commission packet" or "PC packet")
- Written testimony submitted in this proceeding, as cited in the text
- Recording of the August 4, 2026, Board of Commissioners hearing

P-2 Parking Capacity Analysis & Code Compliance

From: Kevin Post

8/18/2026

Purpose

In their August 11, 2026 submittals (including the Revised Site Plan) the applicant documents a parking lot with 286 spaces and is asking the Board to approve that plan. Approval requires a finding under BCC 53.215(1). County staff has not made that finding for a 286-space lot. Staff capped parking at 261 as 53.215(1) mitigation. This submission rebuts the 286-space lot and the idea that substituting 286 for 261 can be done while leaving the July findings intact, and asks you to deny the permit.

Findings

- Staff chose maximum 261 as a 53.215(1) cap. Page 15 of the staff report states "The proposed cap on the amount of parking is intended to prevent an unnecessarily large parking lot that would seriously interfere with the character of the area."

- P-2 cannot be satisfied as written. It states the parking space count must be “at least the minimum amount of parking required by the Benton County Code, but no more than the 261 spaces proposed with this application.” BCC 91.605(5) requires one space per 100 square feet of gross floor area or one space per eight seats, whichever is greater. With their revised square footage of 28,557, the minimum is 286 spaces. 286 is greater than 261. The applicant cannot meet the code minimum and stay under the cap.
- Changing 261 to 286 in P-2 does not fix the rest of the approval. Staff’s character finding is still written for a smaller building and a 261-space lot. The site-plan and landscape conditions still point to the unrevised plans, not the revised parking lot on the August drawings. Changing one number leaves those problems in place.
- 286 spots are still inadequate for their special events. The August 11 Supplemental Memorandum says they will have “approximately two other special events per year.” That number is not among the conditions they offered. It could be more. The memo calls it a description of their “current operating pattern,” says those events “may or may not occur on the subject property,” and then adds that “other outdoor special events may occur.” There is no proposed condition to limit event frequency or attendance. The events they already hold exceed 1,000 people. They are documented saying of the Trunk-or-Treat that “I think there was a thousandish people that were present on the campus. However, that doesn’t count the people that are coming and going” (C.275 filing) and “literally thousands of cars come through every year” (C.275). Using the 2.05 persons-per-vehicle religious/civic occupancy already in this record (C.349, citing FHWA Vehicle Occupancy Report No. 6), 1,000 people is 488 cars, far in excess of 286. The memo also says “ordinary church operations will not rely on NW Powers Avenue or neighboring properties for overflow parking”, but “ordinary church operations” is not defined. The sentence does not mention special events, and furthermore it is not a proposed condition. It is a paper promise with no teeth. They have a years-long practice of actively directing members onto the street for overflow (C.275), and it was said about their Trunk-or-Treat: “It’s estimated that there was 1200 to 1400 people here. We had the road parking completely all the way into the neighborhood over here, which, I don’t know if that was good or bad, but factually that happened” (C.275). The cited clips in C.275 were submitted with that filing as raw video files, and also on a flash drive delivered to the County. Viewing them is therefore not an ex parte contact. An ex parte contact would be a decision-maker leaving the record to browse Northside’s YouTube channel. No one needs to do that.

Respectfully,

Kevin Post August 18, 2026

Water Supply & Storage Infrastructure Infeasibility Analysis

Date: August 18, 2026

To: Benton County Board of Commissioners

From: Concerned Citizens & Adjacent Property Owners

Re: Public Comment & Request for Permit Denial — File No. LU-25-067 / Appeal to Board of Commissioners (Northside Christian Church Conditional Use Application at 4500 Powers Ave NW, Albany, OR), Water Supply

Dear Commissioners,

Please accept this formal public comment regarding the conditional use application for Northside Christian Church ("Northside") at 4500 Powers Ave NW. Based on the expanded operational scale presented in the applicant's August 11, 2026 submittals, and the total lack of written, technically verifiable utility data, **we respectfully request that the Board of Commissioners deny application LU-25-067 pursuant to ORS 215.441(2)(b) and BCC 53.215.**

Below, we submit our revised **Purpose, Findings, and Appendix: Water Supply Engineering & Storage Analysis** for inclusion in the official land-use record.

1. Purpose

In their August 11, 2026, Northside Church LU-25-067 – Supplemental Memorandum 08.11.26 and other referenced submittals (including the Revised Site Plan), the applicant, Northside Christian Church, formally expanded their requested operational scope on record to include, but not be limited to, the following multi-use activities at 4500 Powers Ave NW:

- **Sunday Worship:** Two 500-seat services (8:30 AM and 10:15 AM), for a total of 1000 persons.
- **Youth & Ministries:** Children's ministry during services (90-person max); Sunday evening youth activities (313-person max). Unspecified weekday convenings likely as well.
- **Outdoor Worship & Special Events:** Approximately **10 outdoor worship services per year** (~1.5 hours each, featuring full amplified bands per C.275),

plus *approximately 2 additional outdoor special events* of unspecified size per year.

- **Weekday & Auxiliary Uses:** Including, *but not limited to*,
 1. Administrative offices
 2. Bible studies
 3. Leadership meetings
 4. Seminars
 5. Weddings
 6. Memorials
 7. Fellowship events,
 8. Weekday childcare program for up to 35 children (possibly more, depends on conditions and which applicant memo is used).

All proposed uses across all days of the week depend entirely on adequate, continuous access to potable water for congregants, visitors, facility operations, and mandatory fire/life-safety protections. However, the scale and scope of these cumulative water demands throughout the week have not been systematically analyzed or clearly documented by the applicant. Consequently, the Benton County Planning Commission (BCC) staff and public community members are left to guess and infer estimated water consumption rates.

Neither Benton County staff nor the applicant has provided written, technically verifiable evidence that the revised scale and scope of operations have undergone formal engineering evaluation by the City of Albany Water Department. Prior representations of water availability consist solely of unsubstantiated verbal statements attributed to City of Albany staff, which were based on significantly smaller operational footprints.

As a result, claims that an existing ¾" City of Albany water line delivering a restricted "trickle feed" to an on-site storage tank will adequately serve 1,400+ peak daily occupants without impacting local infrastructure are completely unproven.

- Per **BCC 53.215**, this procedural ambiguity and lack of foundational utility data places an improper, undue burden on county staff and the public, rendering it

impossible to evaluate facility feasibility or protect community health and safety.

- Furthermore, the applicant's failure to establish water supply adequacy via clear, written, and technically verifiable engineering documentation violates **ORS 215.441(2)(b)**.

Because the applicant has failed to meet their burden of proof, the conditional use permit must be denied.

2. Background

According to the submission package, Northside Church LU-25-067 – Supplemental Memorandum 08.11.26 (and all related files referenced in this file), the applicant's proposed development profile at 4500 Powers Ave NW comprises the following core elements relative to water supply:

- **Main & Auxiliary Structures:** A 28,557-square-foot worship and multi-purpose building (including mezzanine square footage), a 2,160-square-foot shop/storage building, a 432-square-foot area dedicated to water-system components, and an above-ground fire-water storage tank.
- **Residential & Utility Facilities:** Retention of the existing 1,553-square-foot single-family dwelling for use as a parsonage (served by four parking spaces, including a two-car garage), on-site stormwater management facilities, and an updated wastewater/septic evaluation.
- **Site Features & Parking:** A 3,700-square-foot outdoor playground, 286 on-site parking spaces serving the main church facility, and associated internal vehicle circulation and fire-access improvements.

The applicant contends that the inclusion of the mezzanine square footage does not alter the building footprint, setback standards, water, stormwater, or septic capacity, and that estimated traffic trip impacts remain within County standards for Powers Avenue.

In addition, the applicant in their 8/11/2026 update, references water supply related plans and information provided in the Benton County Commission Staff Report LU25-067 Appeal to BOC_07-23-26, including, but not limited to the P-17 condition:

- Page 25 of that report, “P-17. **Water Service:** Water service shall be provided, and approved by, the City of Albany. Any on-site storage tank and pumping

infrastructure shall be installed prior to issuance of a Certificate of Occupancy for the main church building.”

3. Findings

1. Mandatory Permit Denial under ORS 215.441(2)(b) and Local Zoning Code:

Oregon Revised Statute **ORS 215.441(2)(b)** explicitly authorizes counties to deny conditional use applications for places of worship if the county finds that *“the level of service of public facilities, including transportation, water supply, sewer, and storm drain systems is not adequate to serve the place of worship.”* Because the applicant has provided no written engineering assessment or binding utility agreement from the City of Albany demonstrating that a ¾” line can serve a complex hosting 1,400+ daily visitors, the application directly violates ORS 215.441(2)(b) and **BCC 53.215** zoning standards, requiring outright denial.

2. Improper Deferral of Discretionary Decision-Making:

County Staff Report Condition of Approval P-17 attempts to defer utility verification by stating that water service approval and storage infrastructure installation can occur prior to issuing a Certificate of Occupancy. BCC Staff state in P-17 this will need to come from the City of Albany. This constitutes an illegal deferral of discretionary decision-making. Established Oregon Land Use Board of Appeals (LUBA) precedent explicitly prohibits local governments from deferring essential, discretionary land-use determinations to a post-approval administrative phase where the public is deprived of notice, hearing, and appeal rights:

- *Rhyne and Gould (2009)*
- *Meyer, 67 OR App 274*

Determining whether a ¾” municipal water line and trickle-feed storage system can safely support up to 1,419 users/occupant load and emergency services requires discretionary engineering evaluation and must occur during the public land-use proceeding—not behind closed doors after permit issuance.

3. Unsubstantiated Verbal Claims and Pending Public Records Requests:

The record contains zero written commitments, Water Availability Certificates, or hydraulic modeling runs from the City of Albany. On **August 10, 2026**, formal public records requests were submitted to the City of Albany seeking all communications, utility capacity inquiries, hydraulic modeling, and service commitments regarding 4500 Powers Ave NW. As of **August 17, 2026**, the City of

Albany has only acknowledged receipt of the request and has produced **no documentation** confirming available capacity, written service agreements, or engineering studies. Verbal attestations from staff are legally insufficient to meet the burden of proof under Oregon land use law.

4. Severe Infrastructure Discrepancy & Undue Burden:

The applicant's operational expansion (encompassing a 1,000-seat sanctuary, 313-person youth center, 35-child daycare, outdoor auditorium, gymnasium/recreation uses, and large special events) places water demands on the site equivalent to a commercial athletic facility or full-service community center. Pushing the burden of inferring and analyzing these complex, multi-use water demands onto county staff and neighbors—without providing an actual engineering plan—violates basic land-use evidentiary standards.

3. Appendix: Water Supply Engineering & Storage Analysis

To evaluate the feasibility of the applicant's proposed $\frac{3}{4}$ " municipal supply line and "trickle feed" storage concept, standard commercial plumbing engineering benchmarks were applied to the applicant's maximum single-day load of **1,400+ attendees/users**.

A. Daily Potable Water Demand Projections

In commercial plumbing design, water demand for assembly, childcare, and athletic/recreational facilities is calculated using Water Supply Fixture Units (WSFU) and per-visitor daily volume metrics. Comparable commercial assembly/athletic facilities (e.g., YMCA complexes or full-service church centers) consume between **15 and 35 gallons per person per day** depending on fixture counts, kitchens, showers, and childcare facilities.

- **Low-Demand Scenario (Assembly/Restroom Use Only - 10 gal/person):**

$$1,400 \text{ people} \times 10 \text{ gal/person} = \mathbf{14,000 \text{ gallons/day}}$$

- **Standard Commercial Assembly Scenario (Restrooms, Daycare, Kitchen, Light Recreation - 15 gal/person):**

$$1,400 \text{ people} \times 15 \text{ gal/person} = \mathbf{21,000 \text{ gallons/day}}$$

- **High-Demand Commercial/Athletic Scenario (Full Recreation, Showers, Events - 25 gal/person):**

$$1,400 \text{ people} \times 25 \text{ gal/person} = \mathbf{35,000 \text{ gallons/day}}$$

B. Supply Capacity of a ¾" Line vs. Trickle Feed Operational Limits

A "trickle feed" system relies on a flow-restricting valve or aperture. The table below does not replace official City of Albany engineering analyses*, but it illustrates and outlines the likely physical volume limits of various trickle settings compared to the absolute maximum capacity of an unrestricted ¾" municipal service line.

Supply Scenario	Flow Rate (GPM)	Flow Rate (GPH)	24-Hour Max Volume	Deficit Relative to 21,000 Gal Demand
Micro-Drip / Drip Line	< 0.03 GPM	0.5 – 2 GPH	12 – 48 gal/day	-20,952 gal
Pinhole Leak / Continuous Drip	~0.05 GPM	3 – 6 GPH	70 – 140 gal/day	-20,860 gal
Pencil-Thin Stream	0.25 – 0.50 GPM	15 – 30 GPH	360 – 720 gal/day	-20,280 gal
Slow Open Stream	0.75 – 1.00 GPM	45 – 60 GPH	1,080 – 1,440 gal/day	-19,560 gal
Unrestricted ¾" Line (40–60 PSI Standard)	12.0 – 15.0 GPM	720 – 900 GPH	17,280 – 21,600 gal/day	Meets baseline only at 100% full open flow
Unrestricted ¾" Main Break (Unregulated)	~110.0 GPM	~6,600 GPH	158,400 gal/day	N/A (Non-operational)

C. Required On-Site Storage Analysis (informal evaluation*)

A true "trickle feed" (delivering between 360 and 1,440 gallons per day) is **physically incapable** of supplying a single-day peak event requiring 14,000 to 21,000+ gallons. To bridge the massive deficit between a restricted supply line and peak Sunday/event usage, the applicant would be forced to install massive on-site infrastructure not presently documented in their application:

- **Required Domestic Storage Capacity:** To safely cover a peak Sunday demand of 21,000 gallons plus a mandatory 25–30% operational buffer, the site would require an on-site domestic water storage tank holding **26,000 to 30,000 gallons**.
- **Replenishment Time Lag:** If fed via a 1.0 GPM slow stream (1,440 gal/day), a 21,000-gallon drawdown from a single Sunday event would take **14.5 days of continuous 24-hour pumping** to refill the tank, rendering the facility incapable of supporting mid-week events, daycare operations, or back-to-back weekend uses.
- **Fire Suppression Exclusions:** The calculations above address **potable domestic use only**. If the City of Albany or local fire district requires on-site fire storage due to inadequate main pressure/flow along Powers Ave NW, an additional **30,000 to 100,000+ gallon dedicated fire reserve tank** and booster pump system would be required on site.

Conclusion

The applicant's assertion that a ¾" line on a "trickle feed" is sufficient for 1,400+ daily occupants is mathematically unviable. Deferred approval under Condition P-17 violates Oregon land use law. Without a formal, written engineering evaluation and utility agreement approved by the City of Albany provided during this public process, application LU-25-067 fails to satisfy **ORS 215.441(2)(b)** and **BCC 53.215** and must be denied.

Respectfully submitted,

Saving Powers Opposition

Benton County Residents & Property Owners

On-Site Wastewater & Septic Approval Review

Date: August 18, 2026

To: Benton County Board of Commissioners

From: Concerned Citizens & Adjacent Property Owners

Re: Public Comment & Request for Permit Denial — File No. LU-25-067 / Appeal to Board of Commissioners (Northside Christian Church Conditional Use Application at 4500 Powers Ave NW, Albany, OR), Septic, Wastewater, & Procedural Failure Report

Purpose

The purpose of this evaluation and supplemental filing is to formally request that the Benton County Board of Commissioners (BCC) DENY File No. LU-25-067.

In response to the revised application filings submitted on August 11, 2026, which includes references against the County Staff Report dated July 23, 2026, this report documents critical deficiencies in the applicant's wastewater and sewage plans, as well as significant procedural omissions by County Staff.

The proposed development at 4500 Powers Ave NW sits entirely outside the Urban Growth Boundary (UGB) in a Rural Residential 2-Acre (RR-2) zone, where:

- Public municipal sewer hookups do not exist and cannot legally be extended.
- Consequently, any proposed facility must rely entirely on the physical carrying capacity of the land.
- The revision by the applicant in their 8/11/2026 filings increase the scale of the of the multiple uses, all days and numbers of people (up to 1,419 occupant load as stated by the applicant). Applicant's septic plan is incomplete, is not a viable engineered plan. As proposed, it appears to be missing critical elements including but not limited to, pumping stations, switching stations, and transportation piping details necessary to ensure non-discretionary, public review.
- When contrasted against USDA soil surveys, Oregon Department of Environmental Quality (DEQ) standards, and local approval criteria, this document demonstrates that the applicant has failed to establish a viable wastewater treatment plan. Pursuant to ORS 215.441(2)(b) and BCC 53.215, these technical gaps and procedural failures create an undue burden on staff and the community, requiring immediate denial.

Findings

1. Erroneous Representation of "Septic Application" vs. Conditional Right to Apply (Page 7/P-7)

- Throughout the proceedings, the applicant has repeatedly and erroneously asserted to the public and the Board that they have an approved "septic application" for their proposed large-scale development.
- As explicitly detailed in the record (Page 7 / P-7), the applicant holds only a preliminary County Site Evaluation (138-23-000125-EVAL).
- This preliminary evaluation merely grants the applicant the "okay to seek an application" from the state. Because the projected daily volume far exceeds standard residential limits, jurisdiction shifts entirely to Oregon DEQ under a Water Pollution Control Facilities (WPCF) Permit.
- Misrepresenting a preliminary site evaluation as an active or approved application **misleads the community and shifts an unfair burden** onto the public to disprove non-existent approvals.

2. Missing Soils Suitability Review by both Applicant and BCC Staff

- County Staff's soils suitability review for the subject parcel appears to rely on incomplete information. Failed to cite Benton County's own soil maps and related resources that contradict statements made by the staff and the applicant that the soil in the southwest portion of the property are "good" soils (BCC staff statements in 8/4/2026 hearing, on the record).
- USDA soil surveys, upon which Benton County's soil map is based, and local hydrologic mappings confirm that the subject 19.43-acre property consists predominantly of heavy Willamette Valley clay-rich soils characterized by high seasonal water tables, slow percolation, and severe wetness limitations.
- The property contains active surface drainages, lies significantly within a mapped floodplain, and serves as a headwater area draining south toward protected wetlands.
- **By omitting a thorough technical soils review from the Staff evaluation, County Staff failed to verify whether these saturated clay soils can physically absorb commercial-scale effluent without risk of surfacing or off-site contamination.**

3. Scaled Peak Day Occupancy vs. Arbitrary Septic Calculations

- On August 11, 2026, the applicant submitted a Supplemental Memorandum revising projected site demands, establishing a preliminary Building Code occupant capacity of up to **1,419 total occupants** (Level 1 = 1,106; Level 2 = 313).
- Despite this capacity, the applicant's engineering submittals (Udell Engineering) artificially cap projected daily wastewater design flows at **4,200 to 4,515 gallons per day (gpd)** by assuming a maximum concurrent occupancy of only 903 persons.
- Capping wastewater calculations at 903 persons ignores potential peak-day overlaps (e.g., concurrent sanctuary services, daycare operations, and youth events) that could reach full building capacity. This failure to model peak hydraulic loads leaves the true

environmental impact completely unexamined.

4. Undue Burden Imposed on BCC Staff and Community Members

- The applicant's failure to provide complete, professionally engineered DEQ WPCF compliant (even draft) submittals—including certified soil test pit results for all portions of the property (original Redmond Engineering study submitted by the applicant, and referenced in their subsequent application materials, omitted significant portions of the SW and SE parts of the property), secondary pre-treatment designs, and hydraulic plume modeling—**forces County Staff and community members to evaluate an incomplete proposal.**
- BCC Staff and local residents have been forced to expend significant time, technical resources, and public hearing hours attempting to decipher unverified wastewater claims and reconcile conflicting occupancy data.
- Land use approval processes are not intended to serve as placeholders while an applicant piecemeals basic environmental engineering requirements; doing so places an unacceptable administrative and financial burden on the County and surrounding property owners.

5. Statutory Mandate for Denial (ORS 215.441(2)(b) & BCC 53.215)

- **Outside Urban Growth Boundary:** The parcel lies strictly outside the City of Albany UGB, making municipal sewer connections legally unavailable. The development must rely entirely on on-site carrying capacity.
- **BCC 53.215 Compliance:** BCC 53.215(2) mandates that a conditional use must not **impose an undue burden** on public services and administrative oversight.
- **ORS 215.441(2)(b):** State protections for religious land uses do not override fundamental health, safety, and environmental criteria regarding wastewater treatment and soil suitability. Because the applicant lacks a formal Oregon DEQ application and has failed to prove soil suitability for its true peak occupancy load, the proposal fails to satisfy conditional use criteria and **must be denied.**

Summary Table: Wastewater & Procedural Failure Analysis

Evaluation Parameter	Applicant / Staff Claim	Actual Legal & Technical Status (8/11/2026 Basis)
Sewer Access	RR-2 Zone; assumes site carrying capacity	Outside Albany UGB; municipal sewer hookups do not exist.

DEQ Permit Status	Represented as an active "septic application"	Per P-7, holds ONLY preliminary approval to seek an application with OR DEQ.
Staff Soil Review	Omitted detailed soil suitability evaluation	USDA data confirms heavy clays, high water tables, and floodplain constraints.
Occupancy Load	Modeled septic for 903 concurrent users	1,419 total building capacity; fails to model full peak hydraulic load.
Community Impact	Claimed minimal land use impact	Shifts technical burden onto Staff and community to disprove incomplete plans.
Required Action	Approve Conditional Use Permit	DENY pursuant to ORS 215.441(2)(b) and BCC 53.215.

Together, the Benton county soil map, the USDA day document uniform "Very limited" infiltration potential across the property. The applicant's Redmond Engineering, December 2024, pits demonstrated limited, shallow seepage, ponding, 1.4 to 1.8 in/hr infiltration. Together, all sources, Benton County, USDA and Redmon Engineering present a consistent evidentiary chain: mapped wet/slow adsorption, low permeability soils are present throughout the lot, federal ratings flag maximum limitation for conventional absorption, and independent onsite sampling (Redmond study) observed the same physical constraints.

Redmond's report advised against relying on infiltration, and USDA rates all major components "Very limited" infiltration. **None of these sources replaces OR DEQ requirements for a County Sanitarian / DEQ site evaluation with test pits for septic approval (BCC 99.710; OAR 340-071-0150) before permission to build can be granted at this site, per P-7 finding from BCC Staff Report 7/23/2026.**

The 8/11/2026 submittals confirm that the applicant has not provided the necessary technical wastewater documentation to justify a development of this scale on RR-2 land. Operating

without a completed Oregon DEQ WPCF application package, relying on unverified and/or preliminary information about the site's clay-rich soils, and misrepresenting a preliminary evaluation as a formal application **creates an undue burden on County resources and adjacent property owners. We respectfully urge the Benton County Board of Commissioners to uphold sound planning principles and formally deny File No. LU-25-067.**

Respectfully submitted,

Saving Powers Opposition

Benton County Residents & Property Owners

Rural Ambient Acoustic Baseline & Amplified Sound Analysis & Concerns

Date: August 18, 2026

To: Benton County Board of Commissioners

From: Concerned Citizens & Adjacent Property Owners

Context: Northside did not adequately address key noise and light concerns. Ref Document titled "Northside Church LU-25-067 Supplemental Memorandum 08-11-26.pdf"

Page 6 stating:

"Outdoor Amplified Sound and Outdoor Activities. a. Outdoor amplified sound shall be limited to the areas immediately adjacent to the approved worship and multi-purpose building and shall not be directed toward adjacent residential properties; b. Outdoor amplified sound activities shall occur only between 7:00 a.m. and 9:00 p.m., except for arrival, departure, parking lot circulation, emergency access, maintenance, or activities necessary for safe site operation."

Several studies have found that, in the rural areas, zero amplified sounds should be observed. Saving Powers Committee agrees with this wholeheartedly and worse case scenario would be MAX DB of 55 for duration no more than 15 minutes as observed from property lines, in all directions. Their proposal of up to 14 hours is capricious, completely unacceptable and completely violates 53.215(1)

Executive Summary:

While 55 dBA (daytime) is cited by EPA and WHO as an upper welfare threshold for urban residential exterior spaces, rural residential environments typically feature much lower natural ambient baselines (often between 35 to 45 dBA).

Consequently, planners and local ordinances often recommend stricter local caps (such as 45–50 dBA daytime and 35–40 dBA nighttime) for rural residential zones to preserve their distinct acoustic character.

Saving Powers Committee requests

- A) No Amplified noise allowed outdoors.
- B) Amplified noise from indoor activities not to exceed EPA and WHO standards
- C) Hours of all noise adhere to EPA and WHO standards

1. Purpose

This memorandum builds upon previous ambient noise evaluations by integrating specific everyday acoustic sources, zone classifications, and dedicated recommendations tailored specifically to **Rural Residential** zoning environments.

2. Overview of Ambient Noise Levels by Zone & Common Sources

Sound pressure levels fluctuate substantially based on proximity to specific anthropogenic (human-made) and biogenic sources. Measured in A-weighted decibels (*dBA*), typical environments feature the following common generators:

- **Urban Industrial Zones:** Daytime ranges from **65 to 85+ dBA** (nighttime **50 to 65 dBA**). Common sources include heavy transit, commercial construction, sirens, and crowded sidewalks.
- **Urban Residential Zones:** Daytime ranges from **50 to 55 dBA** (nighttime drops to **40 to 45 dBA**). Common sources include local passenger vehicles, neighborhood foot traffic, residential HVAC units, and lawn care equipment.
- **Rural Zones:** Daytime ranges from **30 to 45 dBA** (nighttime drops to **25 to 35 dBA**). Common sources include rustling leaves, wind, bird calls, distant agricultural tractors, and occasional rural traffic.

Zone / Environment Type	Common Sources	Typical Daytime Level (dBA)	Typical Nighttime Level (dBA)	EPA Guidelines (dBA)	WHO Guidelines (dBA)	NIOSH Benchmark Context
Rural / Countryside	Bird calls, distant farm equipment	30 – 45	25–35	L_{dn} 45 dBA (Upper welfare threshold)	45 dBA (L_{day}) target for pristine resting environments	N/A (Significantly below occupational hazard limits)
Urban Residential	Normal conversation, background hum	50 – 55	40-45	L_{dn} 55 dBA (General residential exterior target)	50 dBA (L_{day}) / 45 dBA (L_{night}) to prevent annoyance and sleep disruption	70 dBA 24-hr limit (EPA level protective against hearing loss/annoyance)
Industrial / Freeway	Heavy trucks, sirens, close traffic	65 – 85+ (Peak / Close proximity)	50-65	L_{dn} 55 dBA (Outdoor activity protection)	53 dBA (L_{day}) / 45 dBA (L_{night}) for road traffic	85 dBA REL (Occupational 8-hr threshold for hearing conservation)

* Environmental Protection Agency (EPA) / ** World Health Organization (WHO)

3. Typical Noise Sources and Zone Comparison Table

The following table maps specific common noise sources alongside their typical decibel values and contrasts them against authoritative environmental and occupational benchmarks.

Zone Type	Common Specific Sound Sources	Typical Sound Level (dBA)	EPA* / WHO** Target Thresholds	NIOSH & Public Safety Context
Urban	- Emergency vehicle siren - Heavy truck / freeway traffic - Busy city street	80 – 90+ dBA 70 – 80 dBA 70 dBA	EPA: L_{dn} 55 dBA WHO: 53 dBA (L_{day}) / 45 dBA (L_{night}) for road traffic	85 dBA REL (Occupational 8-hr limit; urban peaks frequently brush lower bounds of industrial hazard criteria)
Residential	- Gas-powered lawn mower (proximal location) - Single passenger car (passing at 30 mph) - Residential HVAC unit / Refrigerator	55 – 90 dBA 55 – 65 dBA 40 – 50 dBA	EPA: L_{dn} 55 dBA WHO: 50 dBA (L_{day}) / 45 dBA (L_{night}) to prevent sleep disruption	70 dBA 24-hr limit (EPA benchmark protective against long-term community annoyance/hearing impact)
Rural	- Distant agricultural equipment - Light wind / rustling leaves - Quiet rural residence / bird calls	45 – 55 dBA 20 – 30 dBA 30 – 40 dBA	EPA: L_{dn} 55 dBA (Upper welfare limit) WHO: 40 dBA (L_{night}) target for pristine resting environments	N/A (Significantly below structural hearing hazard limits; focus is purely on ecological and quiet preservation)

4. Key Takeaways

- The Impact of Episodic Equipment:** Common residential tools like gas-powered lawn mowers (**55–85+ dBA**) temporarily elevate a quiet residential backdrop to near-industrial levels. While acceptable for short daytime durations, their low-frequency rumble travels far, causing notable community annoyance.

- **Regulatory Focus:** Environmental targets set by the EPA (L_{dn} 55 dBA) and WHO (40--45 dBA nighttime) are designed to keep everyday background sounds—like distant cars and neighborhood hums—from triggering chronic stress, whereas NIOSH thresholds remain strictly focused on preventing acute occupational hearing loss.
 - **Purpose of the Level:** Rather than a strict hard-line federal standard, the EPA "Levels Document" identified 55 dBA as an outdoor goal intended to prevent activity interference and community annoyance (such as speech disruption or sleep interruption).
 - **Rural vs. General Residential Context:** While 55 dBA (daytime) is cited broadly as an upper welfare threshold for residential exterior spaces, rural residential environments typically feature much lower natural ambient baselines (often between 35 to 45 dBA). Consequently, planners and local ordinances often recommend stricter local caps (such as 45–50 dBA daytime and 35–40 dBA nighttime) for rural residential zones to preserve their distinct acoustic character.

5. Recommended Noise Limitations for Rural Residential Zones- SAVING POWERS PROPOSAL

Rural residential zones occupy a unique acoustic space: they bridge the gap between human habitation and low ambient natural soundscapes. Consequently, standard urban or suburban noise ordinances are often too permissive for these areas.

Authoritative framework recommendations and typical model ordinance limits for **Rural Residential** zones include:

- **Daytime Limits (07:00 to 20:00): 45 to 50 dBA** (Exterior property line)
 - *Context:* Aligns with WHO indoor/outdoor guidance to allow normal property use and conversation without excessive masking from human-generated noise. This accommodates occasional daytime operations (such as property maintenance or agricultural support) while preserving the low-background character.
- **Nighttime Limits (20:00 to 07:00): 35 to 40 dBA** (Exterior property line)
 - *Context:* Matches strict WHO night standards (L_{night} 40 dBA) designed to prevent sleep disturbance. Because rural residential background levels often drop to 25–35 dBA at night, intrusion from continuous mechanical sources (such as large HVAC units, pumps, or nearby facility operations) becomes highly perceptible and disruptive above 40 dBA.
- **Day-Night Average (L_{dn}) Target: 45 to 50 dBA**
 - *Context:* While the EPA general welfare threshold is L_{dn} 55 dBA, stricter regional guidelines and environmental impact assessments recommend a lower ceiling of **50**

dba for rural residential settings to maintain the baseline acoustic quality and protect residential compatibility with surrounding natural resource lands.

Reference Materials:

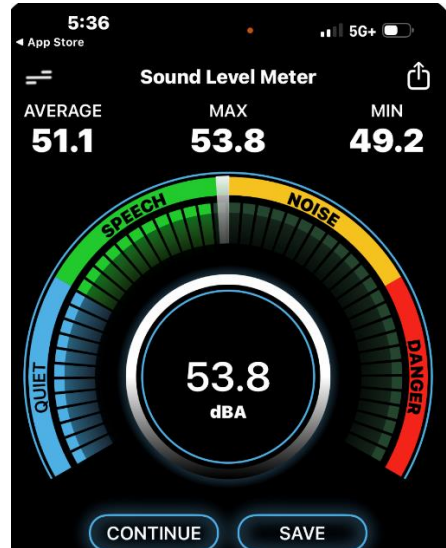
The decibel ranges, and regulatory contexts compiled in this memo are drawn from the following authoritative public health, environmental, and occupational safety frameworks:

- U.S. Environmental Protection Agency (EPA)
 - *Source Document:* Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety (colloquially known as the EPA "Levels Document").
 - *Key Data Used:* The establishment of the Day-Night Average Sound Level (L_{dn}) benchmark of 55 dBA as an exterior welfare threshold for residential and quiet areas, as well as general outdoor activity/annoyance criteria.
- World Health Organization (WHO)
 - *Source Documents:* *Guidelines for Community Noise* and the *Environmental Noise Guidelines for the European Region* (alongside associated Night Noise Guidelines).
 - *Key Data Used:* Specific daytime (L_{day}) and nighttime (L_{night}) targets (e.g., outdoor limits of 40–45 dBA during sleeping hours) intended to prevent sleep disturbance, physiological stress, and cognitive interference.
- National Institute for Occupational Safety and Health (NIOSH) / Centers for Disease Control and Prevention (CDC)
 - *Source Document:* NIOSH Criteria for a Recommended Standard: Occupational Noise Exposure.
 - *Key Data Used:* The 85 dBA Recommended Exposure Limit (REL) over an 8-hour shift, utilized as a baseline reference point to contrast industrial/occupational hazard criteria against environmental community noise levels.
- Acoustic & Engineering Standards Literature
 - *Source Data:* General acoustical engineering references (such as sound pressure level charts compiled by bodies like the *Engineering ToolBox* and municipal noise ordinance frameworks) mapping specific everyday sound sources—ranging from rural biophonics (rustling leaves, bird calls) to urban transit and lawn care equipment—to their corresponding A-weighted decibel (*dba*) values.
- Noise Ordinance in Oregon (OR)

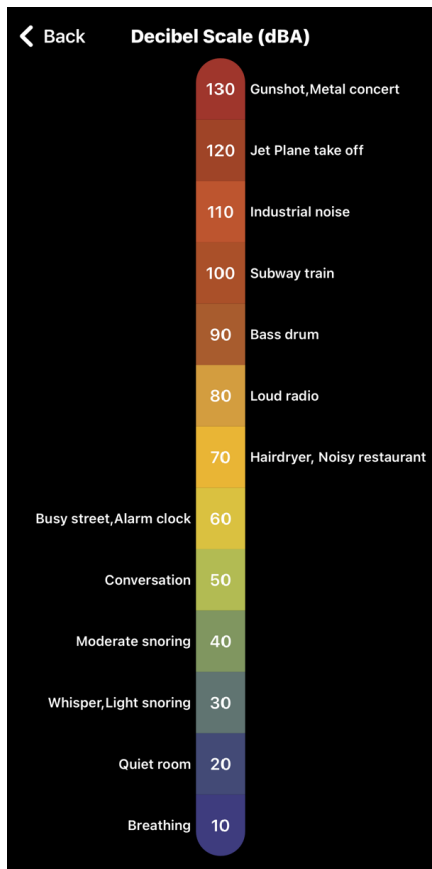
- Oregon has **strict enforcement** of noise regulations. Oregon has a statewide noise statute that sets baseline standards. Cities may adopt stricter local ordinances. The typical residential nighttime noise limit is 50 dB, with quiet hours from 10:00 PM to 7:00 AM. Fines for violations range from \$250-\$1,000.
- Daytime Limit 55 dB
- Nighttime Limit 50 dB
- Quiet Hours 10:00 PM - 7:00 AM
- Construction Hours 7:00 AM - 6:00 PM
- Fines \$250-\$1,000
- Enforcement Strict Enforcement
- Sound reading.
 - 4500 Powers (55db) vs “Summer Festival” (123db) held at Oak Grove 6-14-26.
 - Please note: Human perception of loudness doubles every 10 decibels 6, meaning this event was about 11 times louder on average, and 120 times louder at its peak. Not twice as loud, not even 5 times as loud, but *over 10 times as loud, on average.*



- picnic levels (PEAK at 123 db)



- 4500 Powers field levels—(Peak at 53.8 db)



Outdoor Worship Services & Special Events

Statements Related to Noise, Light, and Operating Envelope Considerations

Memo on Light and Noise Concerns

From: Margarita Ramsey

8/18/2026

Even when subject to stated limitations, repeated or prolonged noise can materially change the character of a rural residential area and seriously interfere with how residents adjacent to the project use their properties.

The study *Decibel Hell: The Effects of Living in a Noisy World* describes both auditory and non-auditory effects of excessive noise, including sleep disruption, increased heart rate and blood pressure, physiological stress, and effects on learning and quality of life.

Likewise, the 2023 *Science* review *Reducing Nighttime Light Exposure in the Urban Environment to Benefit Human Health and Society* explains that nighttime outdoor lighting can disrupt circadian physiology, suppress melatonin, impair sleep, and potentially contribute to adverse health effects

Residents use their homes as places to rest, heal, raise young children, & be sheltered from danger. Increased daily noise, lighting, & traffic will interfere with this use of the adjacent properties.

This concern extends beyond human residents. “*Abiotic Stressors in Poultry Production: A Comprehensive Review*” identifies noise as a potential stressor for poultry, including behavioral changes and reduced production efficiency. The review also explains that light intensity and lighting regimens can negatively influence poultry activity, hormones, growth, maturation, and reproduction.

Similarly, “*The Role of Sound in Livestock Farming—Selected Aspects*” concludes that excessive or sudden noise can affect livestock welfare, producing arousal, fear, anxiety, sleep disturbance, physiological stress, and changes in behavior. Prolonged noise exposure can contribute to chronic stress and reduced animal productivity.

These studies are important because the surrounding properties include the raising & use of poultry & livestock and an existing rural environment. The proposed project would seriously interfere with this use of the adjacent properties.

Even if the conditions that have been set in regard to light and noise are agreed upon, How will those limitations be monitored, documented, and enforced when violations occur? A

condition is only protective if there is a realistic mechanism to identify a violation, establish that a violation occurred, and require corrective action. The Commission should therefore evaluate not only the proposed limits, but their practical enforceability and effectiveness over the life of the use.

The 1,419-Person Figure

The applicant's reference to an influx of approximately 1,419 persons per week should not be treated as an insignificant number simply because those individuals may arrive at different times.

That figure represents a substantial increase in the number of people regularly entering an otherwise low-density residential area. It means more vehicles, more unfamiliar people, more activity, more opportunities for trespass or property crime, and a greater demand on the surrounding road and neighborhood environment.

Research specifically examining places of worship also deserves consideration. In *Crime Generators or Social Capital Organizations? Examining the Effects of Places of Worship on Neighborhood Crime*, James C. Wo found that places of worship were significantly associated with increased violent and property crime in the Washington, D.C. study area, even after accounting for demographic and other environmental factors. The study explains that places of worship can unintentionally function as crime generators when they attract substantial foot traffic and reduce neighborhood guardianship, because outsiders are less familiar to residents and suspicious activity can become more difficult to recognize.

This research does not mean that the applicant's members are likely to commit crimes. It demonstrates a different point: large recurring gatherings can change the environmental conditions under which crime opportunities occur. That consideration is particularly relevant where a proposal would bring approximately 1,419 additional person-visits per week into an area that currently experiences comparatively little traffic and activity.

In fact, the neighborhood has already experienced an increase in crime. Several residents' opposition signs that they personally paid for have been removed from their private property without their consent. In one case the sign was taken and the Mailbox it was posted next to was vandalized.

Meal programs

Meal programs may attract individuals who are not from the North Albany community itself. This poses concern for changes in population, accessibility, activity, and informal neighborhood guardianship. Introducing a destination that attracts hundreds of people on a recurring basis, together with additional lighting, parking, food/meal programs, and activity,

can change how the area functions and how accessible it becomes to people who are not residents.

The surrounding neighborhood currently has no street lighting and little regular law-enforcement presence. The Commission should consider whether the proposed use could create new security demands that are not present under the existing low-intensity use

Conclusion

Northside's memorandum largely responds to these concerns by stating that impacts can be limited. But the existence of a proposed limitation does not eliminate the underlying impact.

The Commission should consider the cumulative effect of outdoor worship, meal programs, approximately 1,419 person-visits per week, additional vehicle trips, increased nighttime lighting, recurring noise, unfamiliar visitors, and the resulting change in neighborhood activity.

The question is not whether each individual impact can be characterized as manageable in isolation. The question is whether this combination of impacts is compatible with the existing residential and agricultural character of the area—and whether the proposed conditions can realistically protect neighboring residents, livestock, property, and the existing community environment over time.

Response to Claims of No Other Suitable Properties

Date: August 18, 2026

To: Benton County Board of Commissioners

Subject: "Northside_Property_Search_and_Powers_road_selection_final"

From: Concerned Citizens & Adjacent Property Owners

Page 1: "...The search continued for well over six months and ultimately approached a year. During that time, the team investigated more than twenty properties or areas throughout North Albany. These included properties along or near Oak Grove Drive, Scenic Drive, Gibson Hill Road, Pineview Drive, Karstens Lane, Hickory Street, Springhill Drive, Sunny Lane, Pulver Lane, and other locations.

Our search was not limited to properties that were formally listed for sale. When we identified an unlisted parcel that appeared potentially suitable, members of the team contacted property owners to determine whether they might consider selling.

Some properties were too small or had configurations that did not provide sufficient usable acreage. Others presented access, utility, development-cost, or availability issues...."

Our Saving Powers Committee spent 10 minutes looking at alternative properties and discovered the following.

Conclusion: There are plenty of other, and better fitting options.

MLS#: 839378	14.18 Acres UGA-UGM-20 is an Urban Growth Area zoning designation that typically governs medium-density residential development within Oregon's urban growth boundaries, with specific standards for lot size, permitted uses, and conditional approvals.
MLS#: 827510	10.08 acres in NA
MLS#: 810040	10 acres N Corvallis on the corner of 99W and Crane. Less than 4 miles from Powers
MLS#: 841549	7.43 acres Property has septic approval and shared 15gpm well. Close to city, yet surrounded by nature
MLS#: 844086	12.97 acres inside the UGB, annexed into city limits, and zoned R-2 (medium-density residential), with approximately 5.12 acres available for development and a 7.85-acre conservation easement – less than 3 miles from Powers
MLS# 840859	7.78 acres less than a mile from Powers
MLS#: 825749	10.32 acres Electrical, High-speed internet and NW Natural Gas are run to the property. With a 50 GPM+ well and septic approval, Near Hwy 99
MLS#: 843400	9.03 acres Lot 1500 has well and ATT septic approval. Gravel road to two potential building sites. Access to Starker forests and trails.

Response to Light, Noise, and Hours of Operations Concerns

From: The Andrew G. Biddle
4853 NW Dumbeck Ave
Albany, OR 97321
August 18, 2026
Benton County Board of Commissioners

landuseappeals@bentoncountyor.gov

Re: LU-25-067 — Northside Christian Church CUP appeal — participant response, open record period

Dear Commissioners,

I am a Benton County resident who lives in the immediate vicinity of the subject parcel, on NW Dumbeck Avenue. I am a recorded participant in this proceeding and provided testimony at the August 4, 2026 hearing. I am not an attorney and I am not an engineer.

My position remains that the Planning Commission's denial should be upheld. **The conditions requested in this letter are offered in the alternative**, in the event the Board is minded to approve the application. Nothing here should be read as support for approval.

This letter addresses three related subjects: hours of operation, exterior lighting, and outdoor amplified sound. Road-related conditions are addressed in a separate letter and are not repeated here.

The gap this letter asks the Board to close

Staff's proposed conditions of approval — P-1 through P-18 and O-1 through O-2 (Revised Staff Report, July 24, 2026) — contain **no limit on hours of operation, no lighting shut-off time, and no limit on amplified sound**. The only lighting condition, P-4, requires that exterior lighting be "shielded, downward-directed, and designed to avoid glare or light spillover." It governs where light points, not when it is on.

The applicant has offered operational conditions on sound and lighting: items 3 and 4 of Section VII of its August 11, 2026 legal memorandum (pp. 78–79). But those offered conditions appear nowhere in staff's numbered conditions. Unless the Board expressly adopts them as conditions of approval, a decision adopting staff's conditions leaves those offers with no binding effect.

On hours, the applicant has offered no condition at all. Its memorandum describes anticipated schedules and then states expressly that these descriptions "are not proposed as separate limitations on ordinary indoor activities associated with a church use" (p. 77). As conditioned, the approval would not prevent operation at any hour of any day.

The Board's authority here is express. BCC 53.220 provides that conditions of approval "may address, but are not limited to: ... (9) Exterior lighting. (10) Noise, vibration, air pollution, and other Biddle — LU-25-067 — Open Record Response — Hours, Lighting & Sound Page 2 environmental influences." And BCC 53.215(1) requires a finding that the use "does not

seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone.”

Hours, lighting, and sound are where that interference occurs or is prevented — after dark, in a rural residential area.

I therefore ask for three conditions.

1. Hours of Operation

No condition proposed by staff or by the applicant limits when the facility may operate. This is not a peripheral omission: the hours of operation govern nighttime traffic on the surrounding local roads, noise after ambient levels fall, and the duration of exterior lighting. An hours condition is also the linchpin for the lighting condition below, which measures its cutoff from “the conclusion of an evening activity” — a time no condition constrains.

A condition fixing hours takes nothing from the operation the applicant has described. Its own memorandum describes Sunday worship with children’s ministry held in conjunction, Sunday evening youth activities, weekday office use, a potential weekday child-care program “during normal business hours,” and evening classes or meetings “two to three times per week with approximately 6 to 20 participants” (p. 77). All of it fits within the hours requested below. The condition binds the use to the operation the applicant has told the Board to expect — nothing more.

Hours of Operation. Regular operation of the facility, including all assembly, office, classroom, child-care, and accessory uses, shall occur only between 7:00 a.m. and 9:00 p.m. All outdoor activity and all amplified sound shall cease no later than 9:00 p.m. The site shall be vacated, other than by staff performing closing duties, no later than 9:30 p.m. No more than six (6) events per calendar year may extend beyond these hours; any such event shall conclude no later than 10:00 p.m., and the applicant shall provide the County written notice at least 14 days in advance. This condition applies to any lessee, licensee, or other party using the site, and runs with the land.

The six-event allowance is included deliberately, so that occasional late gatherings — a Christmas Eve service, a memorial — do not require a variance and do not become an argument that the condition is unworkable.

2. Lighting Hours

The applicant’s offered lighting condition (Section VII, item 4, p. 79) reads (emphasis added):

“Parking lot and exterior site lighting shall be turned off or reduced to security-level lighting no later than 10:30 p.m., or within 30 minutes after the conclusion of an evening activity,

whichever is **later**. Security lighting, emergency lighting, and lighting necessary for safe building access and egress may remain in operation, provided such lighting is shielded and downward directed.”

The operative word is *later*. Where an activity ends after 10:30 p.m., the deadline defers to the activity — and because no condition limits when an activity may end, it defers without bound. The clause reads Biddle — LU-25-067 — Open Record Response — Hours, Lighting & Sound Page 3 as a curfew and permits the opposite: full parking-lot illumination at any hour, whenever an evening activity is claimed.

I ask the Board to adopt this condition with two changes — 10:30 p.m. to 9:30 p.m., and “later” to “earlier”:

- Parking lot and exterior site lighting shall be turned off or reduced to security-level lighting no later than 9:30 p.m., or within 30 minutes after the conclusion of an evening activity, whichever is **earlier**. Security lighting, emergency lighting, and lighting necessary for safe building access and egress may remain in operation, provided such lighting is shielded and downward directed.
- The 9:30 p.m. time is not arbitrary. It is the condition’s own 30-minute allowance applied to the 9:00 p.m. end of activity requested above. The two conditions lock together instead of floating independently.

The amendment takes nothing the applicant has said it needs. The second sentence — which I do not ask the Board to change — already preserves security lighting, emergency lighting, and lighting for safe building access and egress. Every legitimate late-night need the applicant has identified is met by that sentence regardless of the first. What the amendment removes is full-intensity parking-lot illumination late at night, which is precisely the impact neighboring residents would experience. I would add only that the final lighting plan already required by Condition P-4 should identify which fixtures constitute the “security-level lighting” the condition refers to, so the term is defined when

compliance is measured.

3. Outdoor Amplified Sound

The applicant’s offered sound condition (Section VII, item 3, p. 79) limits outdoor amplified sound to 7:00 a.m.–9:00 p.m., confined to areas adjacent to the building and “not directed toward adjacent residential properties.” I ask the Board to adopt it as a numbered condition of approval — it is the applicant’s own offer and costs the applicant nothing — with one addition:

- Sound generated by the use shall not exceed 60 dBA between 7:00 a.m. and 10:00 p.m., measured as a one-hour equivalent sound level (Leq) at any property line of the subject parcel. If the Board does not impose the hours-of-operation condition requested above, sound generated by the use between 10:00 p.m. and 7:00 a.m. shall not exceed 50 dBA, measured the same way.

The offered condition needs this addition to be enforceable. Whether sound is “directed toward” a property is a judgment; whether it exceeds 60 dBA at the property line is a measurement. Benton County has no noise ordinance to fall back on, so whatever standard governs this use must be written into this permit.

The Board’s own record asks for exactly this. At the August 4 hearing, a commissioner asked the applicant to address in writing its openness to a condition of approval with objective standards for decibel readings at the property line (hearing recording, approx. 6:59:25–6:59:55). The applicant’s August 11 package — 89 pages — does not answer that question anywhere; on sound it only re-offers Biddle — LU-25-067 — Open Record Response — Hours, Lighting & Sound Page 4 item 3, which contains no measurable standard. The Chair separately expressed concern that any noise limit be fair and enforceable, observed that the county has made little progress toward a general noise approach, and invited an attempt at workable decibel language (approx. 7:21:25–7:23:05).

Public testimony proposed the figure requested here: an objective standard of 60 decibels at the property line (approx. 5:51:40–5:51:55).

The standard requested is the State’s own answer to that question. Oregon DEQ’s noise rules for industrial and commercial sources allow a source to generate, at neighboring noise-sensitive property, an hourly median (L50) of 55 dBA and an intrusive level (L10) of 60 dBA during daytime, which the rule defines as 7:00 a.m. to 10:00 p.m.; the corresponding nighttime limits are 50 and 55 dBA (OAR 340-035-0035, Table 8). Whether or not those rules apply to this use directly, they are the State’s considered judgment of what a residential neighbor may be asked to tolerate, and the Board may adopt their figures as a condition under BCC 53.220. The requested 60 dBA hourly limit is therefore no stricter than what the State allows an industrial source beside a residence in the daytime, and a single hourly figure at the property line is a standard either party can verify with a sound meter — fair, and enforceable. The nighttime figure in the requested condition carries the State’s 50 dBA nighttime limit into this permit only if the Board declines to fix hours of operation. If activity may run past 10:00 p.m., the sound it generates after 10:00 p.m. should be held to the level the State considers acceptable at night.

Summary of requests

I ask the Board, if it approves this application, to impose the following conditions:

1. **Hours of operation** of 7:00 a.m. to 9:00 p.m., with outdoor activity and amplified sound ending at 9:00 p.m., and an allowance of six events per year extending past those hours.
2. **The applicant's offered lighting condition, adopted as a numbered condition with two changes:** 9:30 p.m. in place of 10:30 p.m., and "whichever is earlier" in place of "whichever is later."
3. **The applicant's offered amplified-sound condition, adopted as a numbered condition,** with the addition of a 60 dBA hourly (Leq) daytime limit at the property line drawn from OAR 340-035-0035, Table 8 — and, if the Board declines the hours condition, the same rule's 50 dBA nighttime limit for 10:00 p.m. to 7:00 a.m.

Thank you for your service and for considering this.

Respectfully,

Andrew G. Biddle

4853 NW Dumbeck Ave, Albany, OR 97321

Biddle — LU-25-067 — Open Record Response — Hours, Lighting & Sound Page 5

Documents relied upon

- Revised Staff Report, July 24, 2026, including proposed Conditions of Approval P-1 through P-18 and O-1 through O-2
- Applicant's response package, August 11, 2026, including the applicant's legal memorandum (Sections III, IV, and VII) and supporting technical memoranda
- Benton County Development Code, BCC 53.215 and 53.220
- Oregon Administrative Rules, OAR 340-035-0035, including Table 8
- Recording of the August 4, 2026 Board of Commissioners hearing

Character of the Area & Agricultural Impacts

From: Diana Yin-Chang'e Inch

8/18/2026

Dear Commissioners,

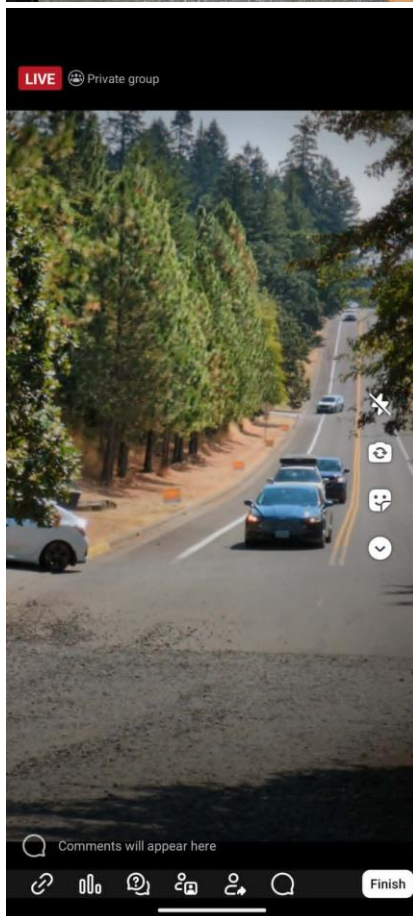
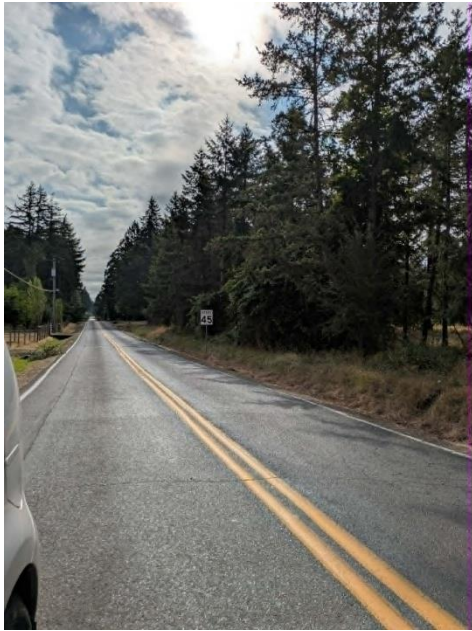
We ask you to uphold the denial of LU 25 067 because the size and intensity of the proposed Northside campus are not compatible with the existing character of Powers Avenue. Benton County describes conditional uses as uses that may adversely affect surrounding permitted uses because of their “size, intensity, or other factors that are different from surrounding uses.” Most importantly, **BCC 53.215(1)** requires the Board to find that the proposed use “does not seriously interfere with uses on adjacent property, with the character of the area, or with the purpose of the zone.” Those of us who live here are primary sources for understanding the character of the Powers community. We experience the quiet Sunday mornings, dark nights, birds and wildlife, walkers and bicyclists, children, neighbors walking dogs, and individual cars passing on a narrow rural road. One neighbor described the area as “pastoral.” Others have described the peace and rural character that brought them here and has kept families here for decades and even generations. This is not merely generalized neighborhood opposition. It is firsthand evidence describing the existing character the Code specifically directs you to evaluate.



Some of the neighbors asking you to uphold the denial of LU 25 067. We know the character of Powers because we live it every day. We ask you to give that lived experience the weight it deserves under BCC 53.215 and protect what has made this rural neighborhood home for generations.

Northside's August 11 clarification reinforces our concerns about scale and intensity. The proposal is not simply a 500 seat sanctuary. It is a 28,557 square foot worship and multipurpose building, containing children's areas, classrooms, offices, fellowship and meeting areas, flex spaces and other activity spaces, accompanied by 286 church parking spaces, two Sunday morning services and numerous associated activities. We understand that the preliminary 1,419 person Building Code occupant load is a life safety calculation and is not anticipated ordinary attendance, and we do not suggest otherwise. But the physical scale and variety of intended uses remain relevant. Northside says Sunday traffic will generally occur from approximately 7:00 a.m. to 11:40 a.m. Spreading traffic between two services may reduce a particular traffic peak, but to residents it also means recurring waves of institutional traffic over much of Sunday morning. Providing 286 onsite spaces answers where vehicles can park. It does not answer what their repeated arrival and departure mean for Powers Avenue. In practical terms, this is a destination parking facility serving people traveling to the property. Its traffic, sound, lighting and activity do not stop at the property line. These are among the impacts contemplated by **BCC 53.215 and BCC 53.220**, including road capacity, parking, exterior lighting, noise and other environmental influences.

To better understand Northside's evidence, I visited churches that have been presented as comparables and looked not simply at their buildings, but at the environments receiving their traffic. What struck me repeatedly was the surrounding infrastructure: wider improved roads and combinations of shoulders, bicycle facilities, sidewalks, turn facilities, multiple access points, traffic controls and more developed surroundings. At Calvary, for example, *I observed approximately 50 vehicles arriving during one 5-minute period* shortly before its Sunday service (August 16, 2026). I could hear the approaching traffic, but I could also see how different its receiving environment was from Powers. Northside's own August 11 evidence states that widening Powers west toward Oak Grove is physically infeasible because of existing right of way, topography, structures and environmental conditions. Yet residents live west of the proposed campus, including Northside families who might reasonably want to walk or bicycle to church. **If the infrastructure necessary to safely accommodate a campus of this intensity cannot reasonably be provided along the road in both directions, that physical limitation should matter when evaluating BCC 53.215(1) and BCC 53.215(2).**



[Left: Powers west of proposed campus. Center & Right: Lester heading to Calvary Christian & Sunday traffic]

This is one example of the difference in infrastructure. I have also visited Suburban, North

Albany Community Church from the most recent comparables. I visited the smaller St. Anne's and St. Martin's which have smaller parking, mostly unpaved, and narrow approaches. Previously, I visited the group of Eugene church campuses in Northside's original proposal with road infrastructure and sidewalks at First Baptist, Willamette Christian Center, and Joy Church. Please see submitted video files.

Northside has reduced and revised its plans, and we recognize that. But "smaller than originally proposed" is not the same finding as "compatible with the area." An 18 ton bridge does not become capable of carrying an overweight truck simply because some of the truck's original load has been removed. The relevant question is whether the weight that remains fits the capacity of the bridge. The same principle applies here. Particularly significant is staff's earlier discussion of parking. Bob Richardson recognized that a large parking area could affect the character of the area and described limiting the parking area to the minimum required, up to the then proposed 261 spaces, as a way of placing a cap on its overall size. Northside's corrected August 11 building area now results in a minimum requirement of 286 spaces. We do not suggest that 262 spaces suddenly crosses a legal threshold or that 261 spaces was necessarily compatible. Our concern is more fundamental: if staff previously considered limiting parking area size important to protecting character, the corrected proposal requiring an even larger parking facility deserves renewed scrutiny under **BCC 53.215(1)**. The correction may be described as a clarification rather than an expansion, but its consequences for the scale of required development are real.

We want Northside to succeed and to find a location with the roads, pedestrian infrastructure and capacity to support the congregation it has today and the growth it hopes to achieve tomorrow. But Powers should not have to become more urban in order to accommodate that dream. If accommodating this campus requires substantially remaking Powers Avenue while the applicant acknowledges that comparable improvements toward Oak Grove are physically infeasible, that is evidence worth considering about whether this particular size and intensity fit this particular place. Fair and consistent treatment does not mean approving every conditional use. It means applying the same compatibility standard to every conditional use, regardless of applicant. Northside can pursue its mission in more than one location. Powers' character exists in only one place. **We respectfully ask you to uphold the denial of the Conditional Use Permit for LU-25-067.**

I'm Powers Avenue

I'm Powers Avenue.
I'm narrow. I'm slow.
I'm chickens and gardens
and deer on the go.

I'm bicycles, breezes,
an eagle up high.
I'm neighbors and walkers
and friends passing by.

My shoulders are grassy.
No streetlights. No glare.
At night, stars come dancing.
I'm dark, and I'm rare.

Then someone came saying,
"We've BIG plans for you!
A campus! More traffic!
A parking lot too!"

"Over 200 spaces!
But please, don't despair.
We'll widen *some* roadway
to handle cars there."

"Just SOME?" I asked.
"That's curious indeed.
If I need to be widened,
how much do I need?"

"Oh, mostly the east side.
Most cars will go there."



"But walkers walk WEST too.
Don't they deserve care?"
I scratched my old shoulder
and thought for a bit:

If I must be remade
so this project can fit,
then that tells us plainly:
this just doesn't fit.

The meadow's my chapel,
beneath moon, sun and stars.

I know what I'm made for.
And what rural roads are.

Build wonderful things.
Dream enormously too.

But find the right road
for the dream that fits you.

Don't widen my body,
then call me the same.
My quiet and darkness
are part of my name.

They're rural.

That matters.

So please understand:

Your dream can grow elsewhere.
Let me stay who I am.

Concluding Statements & Recapitulation

- Referencing the Northside Church LU-25-067 Supplemental Memorandum 08-11-26

Page 5 "...The additional square footage related to the mezzanine does not significantly alter the proposal. The building footprint remains the same, so applicable setback standards are not affected. The clarification does not alter the proposed water or stormwater facilities, and the updated wastewater analysis confirms that projected sewage flows remain within the capacity approved through the County septic site evaluation. Transportation estimated trip impacts are only moderately affected and remain within the County's trip standards for Powers Avenue....."

This could not be further from the truth. SITE-water, parking, and septic traffic are all greatly impacted.

- I wish to point out to the Commissioners it was not Northside that identified all of the inconsistencies, errors, falsehoods, and omissions. It was the Saving Powers Committee, and the hundreds and hundreds of hours spent that raised all of these!

This should never be the case, and certainly not to the scale and scope of what we uncovered. Nor should it be the job of Benton County to identify these errors. This job is solely the responsibility of Northside. For them to state openly in the hearing on 8-4-26 that they were in the "Concept Level" of the development. I remind the commission that a concept of a plan, is not a plan. Any developer that would come before the planning department with a concept would immediately be rejected. This makes all of the Saving Powers Committee wonder what else has been missed?

- Page 14 of the Staffreport_AttachmentsA-K_LU25-067_AppealtoBOC_7-23-26_v2 Staff report states: Condition of Approval P-2 requires the applicant to construct a parking lot that meets the minimum BCC standards and does not exceed the proposed 261 parking spaces. The proposed cap on the amount of parking is intended to prevent an unnecessarily large parking lot that would seriously interfere with the character of the area.

The new footprint is 285 parking spaces which directly violates 53.251 by your own standard.

- Page 5 of the Northside Appeal Rebuttal-Udel Final 8-11-26 states: "...A preliminary cost budget including design, permitting, wetland mitigation work and construction has been calculated for this portion of roadway widening to be \$500,094.10. Extrapolating this budget to the entire roadway length from Oak Grove Dr. to Scenic Dr. equates to an approximate budget of \$980,184.44. This extrapolated budget does not include necessary right of way acquisitions. The majority of the right of way from the west property line of the subject property to Oak Grove Dr. is 40 feet in width. The County Transportation System Plan requires 50 feet of right of way for the primary local road. The lack of right of way together with the topography, existing structures and existing environmental conditions does not allow the widening of NW Powers Ave. to be achieved going west to Oak Grove Dr..."

Their specific comment of "The lack of right of way together with the topography, existing structures and existing environmental conditions does not allow the widening of NW Powers Ave. to be achieved going west to Oak Grove Dr..."

This, in no way negates the need for improvement to be made. It only shows that the applicant failed to plan, and did not include this in their budget.

In summary, The Saving Powers Committee has raised dozens of questions and rebuttals. Provided extremely compelling arguments that challenge a great deal of Northsides proposals and new information. While we have nothing against Northside, and wish them the best, the evidence is overwhelmingly strong that 4500 Powers is not the proper location for something

of this magnitude. Saving Powers Committee has provided not only evidence of why this is an ill-conceived location, we have even provided additional options that are far less costly in that some/all of the infrastructure is already in place saving funds.

We also understand the applicant will now have the opportunity to respond to our facts, comments, rebuttals, and we have no doubt that they will use the same approach and attempt to minimize all that they can. This will not change or even diminish all of the extremely valid information we have provided. I also wish to **remind the Commissioners that they have the right to deny this application.** In addition, our attorney (Sean Malone) as well as many members of our neighborhood committee are available and willing to prepare findings to support this denial.

Saving Powers Committee in opposition to LU-25-067

All names below are opposed to LU-25-067

Kiersten Glaeser

1910 NW Meadowood Dr

Albany Oregon, 97321

Cary Hoffer

5218 NW Dumbeck ave

Albany Oregon, 97321

Angela Koch

2872 NW 23rd Ave

Albany Oregon 97321

Ty & Kim Edwards

3507 NW Terrace Dr

Albany Oregon, 97321

Mary willett

5266 NW Palestine Ave

Albany oregon 97321

Kelly Rose and Joseph Thompson

3771 NW oak Grove Dr

Albany or 97321

Curt and Laci Betts

3490 NW Scenic Dr

Albany Oregon 97321

Michael and Katja Horan

4795 NW Powers Ave

97321

Kevin Post

3576 NW Terrace Dr

Albany, OR 97321

Pam Barrett

3557 N W Terrace Dr.

Albany, Ore

John Barrett

3557 NW Terrace Dr.

Albany, Ore

W. Shand & Lora E. Dill

8589 NW Terrace Dr

Albany, Ore 97321

Carol Hill and Frank Oliver,

3905 NW Oak Grove Drive,

Albany, OR 97321

Charles Leffler

3901 NW Scenic Dr

Albany, OR 97321

Sally Clark

3203 NW Terrace Dr.

Albany, OR 97321

Patrick & Elena Gorman

3402 NW Knollwood Dr

Ross Jackson –

3935 NW Terra Lynda Drive

Albany, OR 97321

Josanna Biddle-Croco

Andrew Biddle

Matthew Croco

Jamie Harper

Ambrose Biddle-Croco

Vesper Biddle-Croco

4853 NW Dumbeck Ave, Albany, OR 97321

Patricia & Gary Maynard

3548 NW Scenic DR

Albany OR 97321

Luke & Angela Hendrickson

4890 NW Dumbeck Ave

Albany, Oregon 97321

Dee Loomis

3463 NW Southview Drive

Albany, Oregon 97321

Margarita Rumsey

Jared Rumsey

Yvette Garzanich

3659 NW Knollwood Dr, Albany OR 97321

Karin Heley

3608 NW Terrace Dr,

Albany, OR 97321

Mendy and Robert Gayler

3904 NW scenic dr

Albany or 97321

Cathy weekly

Jerry weekly

Nancy Whitley's

3621 Nw Terrace

Erika Wolters

4859 NW Dumbeck Ave

Albany, Oregon

Anne Marie Morgan

4744 NW powers

Albany, Oregon 97321

Jeanne and Kirk Krier

4974 nw oak hills

Albany, or 97321

Kim McBryde

4880 NW Dumbeck Avenue

Albany, OR. 97321

Jeff Obert

4880 NW Dumbeck Avenue

Albany OR. 97321

Dave DeWilde

51069 NW Dumbeck Ave

Albany, Oregon 97321

Appendix A — RR-2 lots with a mapped footprint of 5,000 sq ft or more

Account #	Tax Lot	Situs Address / Owner	Zoning	Mapped Footprint (SBFO-1.1 sq ft)	Assessor Livable Size (PSO sq ft)	Primary Improvement / Building Use
043889	11515B000900	3200 NW Marshall Dr, Corvallis Crescent Valley Stables LLC	RR-2	18,896.5	17,640	Private riding arena
290986	104310002014	8193 NW Arboretum Rd, Corvallis Higginbotham Jack F, TR	RR-2	18,050.9	17,280	Private riding arena
293648	11530DD03600	Unassigned, Corvallis Selby Linda	RR-2	17,351.7	12,798	Utility building
357678	115010003100	560 NW Leprechaun Ln, Corvallis Hurst David M, TR	RR-2	13,366.6	12,700	Feeder barn
216642	104220000601	5017 Palestine Ave NW, Albany Gray Family Trust	RR-2	11,922.7	12,000	Feeder barn
293130	11519AD01400	8600 NW Oak Creek Dr, Corvallis Cook Terri L	RR-2	10,143.6	10,080	Private riding arena
381712	115020000400	7278 NW Mountain View Dr, Corvallis Squires Edwin M & Nancy M,Tr	RR-2	6,543.8	9,064	House
295668	12507A002300	7240 SW Philomath Blvd, Corvallis Starker Forests INC	RR-2	11,331.5	8,073	Office
341150	11502CC02000	6460 NW Sisters Pl, Corvallis Howes Jeremy C	RR-2	5,322.5	8,046	House
099352	11529C000303	6968 NW Grandview Dr, Corvallis	RR-2	6,103.8	7,534	House

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		Richardson James				
403131	11636D004500	2014 Calderwood Dr, Philomath Haslam Wade L,Tr	RR-2	5,503.5	7,217	House
099287	11529BD00600	7219 NW Grandview Dr, Corvallis Bailey Demian A & Tiffany L	RR-2	8,547.6	7,200	Hay cover
199772	14528BD00200	26710 Alpine Cutoff Rd, Monroe Lager Lalori Rachelle & Ronald Scott	RR-2	7,484.4	6,512	House
224463	11521A000300	3735 NW Glenridge Dr, Corvallis Vincent J & Rhonda R Mastropietro Trust	RR-2	5,137.8	6,278	House
099394	11529C000307	7155 NW Grandview Dr, Corvallis Peterson Linda L,Tr	RR-2	7,101.6	6,146	House
036669	11501BC02200	7235 NW Lathrop Ln, Corvallis Brawn Family Trust	RR-2	5,367.4	6,077	House
390679	10426C003700	4075 Camala Dr NW, Albany Westberg Kimberly A	RR-2	6,181.2	5,727	House
280234	11510AB00400	5960 NW Wildview Pl, Corvallis Pickett Family Trust	RR-2	8,062.0	5,688	House
011258	10426C004700	4085 Camala Dr NW, Albany Stutzman Brent & Amy	RR-2	9,899.7	5,632	Private riding arena
378422	10423BD01800	5100 Scenic Dr NW, Albany Walker Kristina Michelle	RR-2	5,562.9	5,559	House
303998	115010001005	115 NW Harmony Ln, Corvallis Sorensen Laurel	RR-2	8,674.2	5,400	Hay cover
417905	11402BA00700	950 Scenic Wood Pl NW, Albany Delp Laura A	RR-2	5,350.0	5,384	House
387475	14528CB00202	26699 Shady Oak Dr, Monroe Wall Cory	RR-2	6,065.7	5,324	House
390538	10426C002200	4060 Camala Dr NW, Albany Jonathan & Karen Gross Living Trust	RR-2	5,119.3	5,276	House
418261	12603B001100	24244 Finch Ln, Philomath Soltero Aurelia Martinez, TR	RR-2	6,098.8	5,270	House
010706	10426AB00100	3439 Eagle View Dr NW, Albany Kudlo Jeremy	RR-2	5,365.5	5,245	House
165492	12610D000400	24441 Gellatly Way, Philomath Gee Jesse R	RR-2	5,249.6	5,232	Commercial building
249064	10423CB01300	4768 Bramblewood Ln NW, Albany 1999 Euske Family Survivors Trust	RR-2	6,042.2	5,136	House
374776	14528CB01500	26695 Shady Oak Dr, Monroe Wall Jeff A	RR-2	5,137.3	5,000	Utility building
418247	11634D002200	34825 Goshawk Ln, Philomath Lupcho Charles R & Paula R,Tr	RR-2	6,513.2	4,989	House
034805	11419C001200	3720 NE Hwy 20, Corvallis Oregon State Board Higher Ed	RR-2	5,624.0	4,968	Loft barn
390570	10426C002600	4030 Sarah Maria Ct NW, Albany Knudtson Kyle	RR-2	5,198.8	4,963	House
416720	11636D004800	2275 Dawnwood Dr, Philomath	RR-2	5,254.3	4,926	House

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		Tinkle Wayne F				
416721	11636D004900	2271 Dawnwood Dr, Philomath Sakoman Stephen Michael	RR-2	5,228.2	4,905	House
008270	10423DC00900	3095 NW Eagle View Dr, Albany Hanslovan Jessica	RR-2	5,335.1	4,800	GP building
128946	11707AA01000	36894 Happy Hollow Rd, Blodgett Zeller Gloria O	RR-2	5,216.6	4,800	Hay cover
415903	11510AD01900	1635 NW Sulphur Springs Rd, Corvallis Taggart Phillip Alan	RR-2	5,681.7	4,762	House
364953	11510B003400	2466 NW Michelle Dr, Corvallis Ralph V Compton II Living Trust	RR-2	5,315.5	4,747	House
416690	12615A003800	32895 Fircreek Ln, Philomath Mayer Gail R Trustee	RR-2	5,879.1	4,700	House
268981	10431BC01100	8923 NW Lorri Pl, Corvallis Ashbaugh Joint Revocable Living Trust	RR-2	5,334.4	4,682	House
419249	10427D001700	4780 Stone Ridge Ave NW, Albany Ashdown Brian D & Sharon R, TR	RR-2	5,834.1	4,637	House
341118	11502CB02300	6484 NW Sisters Pl, Corvallis Jackson Lon E & Dianne K,Tr	RR-2	6,475.5	4,568	House
170351	12610DD01090	24557 Gellatly Way, Philomath Alber Burt	RR-2	5,766.0	4,536	GP building
418187	11636D005900	2101 Wooded Knolls Dr, Philomath Schmidt Johnson Lynette	RR-2	5,578.6	4,485	House
253553	11521B001000	3525 NW Dimple Hill Rd, Corvallis Smith Bradford B,Tr	RR-2	5,343.6	4,388	House
031231	11402BA01000	810 Scenic Wood Pl NW, Albany Corey Lee & Venesa Lakrajie Bontrager Re	RR-2	5,990.6	4,375	House
418046	10424B000300	5170 Springhill Dr, Albany Remington Travis & Gina	RR-2	5,087.6	4,301	House
135164	11727B001600	21160 Blodgett Rd, Blodgett Blodgett Community Church	RR-2	7,278.1	4,279	Church
338790	10423CD01200	4190 Palestine Ave NW, Albany Mullican Richard E, TR	RR-2	7,318.2	4,261	House
361543	10427AD02400	4890 Dumbeck Ave NW, Albany Hendrickson Lucas, TR	RR-2	6,990.7	4,202	House
418237	11634C002400	34095 Woodpecker Ct, Philomath Gurski David C & Jessica	RR-2	5,187.5	4,144	House
329495	11503DC00800	6115 NW Rosewood Dr, Corvallis Evans Jonathan W	RR-2	5,038.0	4,088	House
340913	11502CA00500	6665 NW Diamond Pl, Corvallis Wood Laurie R, TR	RR-2	6,318.5	4,082	House
418253	12603B000300	34155 Hawk Hill Rd, Philomath Edward Ray Trust	RR-2	5,034.5	4,072	House
023196	10536DC02000	7645 NW Mc Donald Cir, Corvallis Duffy David J & liene M	RR-2	5,196.0	4,069	House
008247	10423DC01300	3354 Wishram Dr NW, Albany	RR-2	5,443.4	4,038	House

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		Liedkie Jacob & Susan				
398451	11512AD00200	851 NE Granger Ave, Corvallis Deleenheer Patrick & Brutsaert Marijke	RR-2	6,123.0	4,030	House
419252	10427D002000	4634 Stone Ridge Ave NW, Albany Spencer Bradley E, TR	RR-2	5,246.5	4,002	House
338761	10423CD01000	4254 Scenic Dr NW, Albany Griffis James M & Linda L, TR	RR-2	5,194.7	4,000	House
419250	10427D001800	4742 Stone Ridge Ave NW, Albany Blake Katherine L	RR-2	6,214.4	3,960	House
035364	115010000801	7565 NW Mountain View Dr, Corvallis Snitzer Seth W & Emily J	RR-2	5,541.0	3,860	House
031785	11403A000109	973 Kouns Dr NW, Albany Dionne Pascal K Trustee	RR-2	5,346.2	3,821	House
419243	11636D006100	2075 Dawnwood Dr, Philomath Mercer Charlie William JR, TR	RR-2	5,619.9	3,769	House
292964	11515B000800	3500 NW Marshall Dr, Corvallis Joos Laura W, TR	RR-2	7,263.4	3,757	House
249783	11418DA00600	2195 NE Merloy Ave, Corvallis Haley Gunnevi B	RR-2	5,158.7	3,753	House
332293	10427A001200	4043 Oak Grove Dr NW, Albany Fitzpatrick Kelli E, TR	RR-2	6,209.1	3,739	House
241921	10423AD00400	5174 Springhill Dr, Albany Michael J Wilkerson RI Trust	RR-2	5,376.0	3,716	House
419118	10427AD02800	4851 Dumbeck Ave NW, Albany Renyer Jennifer G, TR	RR-2	5,251.7	3,696	House
416067	11402BA00302	900 Scenic Wood Pl NW, Albany Bobbie J Koeper Living Trust	RR-2	5,699.6	3,596	House
364982	11510B003700	2551 NW Michelle Dr, Corvallis Peterson Russel B & Cindi D	RR-2	5,815.2	3,573	House
236947	11502BC00800	6980 NW Cardinal Dr, Corvallis Henry Alton L & Laurie M	RR-2	5,027.7	3,568	House
010789	10426AB00900	3140 Eagle View Dr NW, Albany Warner Craig P	RR-2	5,594.4	3,547	House
269039	10431BC01500	715 NW Calloway Dr, Corvallis Mckinney Donna L,Tr	RR-2	7,224.9	3,456	House
031264	11402BA00500	834 Scenic Dr NW, Albany Summerlin Brandon K	RR-2	6,471.7	3,397	House
276240	10423AD00300	5255 Winn Dr NW, Albany Hamel Jeffrey & Amelia, TR	RR-2	5,365.9	3,395	House
365723	11403A001400	512 Kouns Dr NW, Albany Soehl Jered	RR-2	8,201.4	3,348	House
269658	11529C000313	7045 NW Grandview Dr, Corvallis Hall Adela	RR-2	5,024.0	3,342	House
390666	10426C003600	4065 Camala Dr NW, Albany Aronson Andrew T & Kathleen R, TR	RR-2	5,404.0	3,291	House
048409	115240001500	1709 NE Conifer Blvd, Corvallis Luna Mark	RR-2	5,008.4	3,237	House
417571	11519C001200	7990 NW Skillings Dr, Corvallis	RR-2	5,839.8	3,233	House

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		Terry Billy				
233738	10426A000100	3324 Countryman Cir NW, Albany Berg Maureen	RR-2	5,529.6	3,189	House
351874	11529C001000	6779 NW Grandview Dr, Corvallis Heineck Matthew, TR	RR-2	5,407.7	3,172	House
340968	11502CA01000	6800 NW Diamond Pl, Corvallis Betich John T & Callahan Ceeann	RR-2	5,135.7	3,098	House
033930	11419AC00500	4050 NE Morning St, Corvallis Hardenburger Dennis D & Julie G	RR-2	5,524.8	3,091	House
233688	10426A002700	3268 Countryman Cir NW, Albany Seels Family Trust	RR-2	5,173.8	3,041	House
304599	11636D000201	2135 Wooded Knolls Dr, Philomath Oleary Sarah M, TR	RR-2	5,000.1	2,955	House
036982	11501BD02100	1025 NW Alder Creek Dr, Corvallis Douglas Eileen K,Tr	RR-2	5,174.4	2,902	House
419258	10427D002600	4685 Stone Ridge Ave NW, Albany Allen Larry D	RR-2	5,264.4	2,878	House
015465	10431C000800	8804 NW Arboretum Rd, Corvallis Dooley George J III & Marye K	RR-2	5,379.2	2,816	House
258149	10426B002000	3375 Scenic Dr NW, Albany Tigner Rose J, TR	RR-2	6,026.0	2,676	House
263461	11501CB00312	7433 NW Mountain View Dr, Corvallis Hostetler Timothy S & Diana L	RR-2	5,028.4	2,671	House
419257	10427D002500	4669 Stone Ridge Ave NW, Albany Stansell Rhonda K	RR-2	6,544.1	2,659	House
312222	104340000109	2053 Oak Grove Dr NW, Albany Wills David L & Mary J, TR	RR-2	5,167.8	2,610	House
011324	10426C001100	2622 Happy Dr NW, Albany Frisk Eileen C, TR	RR-2	5,069.8	2,583	House
347983	12610A000300	33368 Mustang Ln, Philomath Double Eagle Paving LLC	RR-2	6,227.2	2,580	Machine shed
421398	11501AA01700	7608 NW Arboretum Rd, Corvallis Carson Kimber L & Bryan J	RR-2	5,199.8	2,465	House
225874	10427D000511	5218 Dumbeck Ave NW, Albany Hoffer Cary J	RR-2	5,480.6	2,446	House
101554	11531CA01000	2474 Rosecrest Dr, Philomath Devos Mark	RR-2	5,738.4	2,304	House
035281	10431CC00900	7890 NW Arboretum Rd, Corvallis Mrak Nayade Irina	RR-2	5,117.8	2,128	House
011126	10426BA00500	3710 Eagle View Dr NW, Albany Povis Rodney A & Audrey D, TR	RR-2	5,019.8	2,012	House
411765	10431C000900	8793 NW Arboretum Rd, Corvallis Smith Kenneth S	RR-2	5,905.1	1,812	House
403230	14532A002601	26297 Coon Rd, Monroe Epperson Herschell	RR-2	6,181.8	1,500	Machine shed

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035356	115010000801	7565 NW Mountain View Dr, Corvallis Snitzer Seth W	RR-2	5,541.0	—	No improvements
037980	115020000400	7278 NW Mountain View Dr, Corvallis Squires Edwin M,Tr	RR-2	6,543.8	—	No improvements
043871	11515B000800	3500 NW Marshall Dr, Corvallis Willy & Laura Joos Revocable Living Trus	RR-2	7,263.4	—	No improvements
045124	11519AD01400	8600 NW Oak Creek Dr, Corvallis Cook Terri L	RR-2	10,143.6	—	No improvements
135156	11727B001500	35177 Tum Tum Rd, Philomath School District #17	RR-2	5,426.7	—	Exempt school conversion (class 921); no usable building GFA
289334	11636D000201	2135 Wooded Knolls Dr, Philomath Oleary Ronald N, TR	RR-2	5,000.1	—	No improvements
325583	115010003100	560 NW Leprechaun Ln, Corvallis Hurst David M, TR	RR-2	13,366.6	—	No improvements
418372	11530DD03600	Unassigned, Corvallis Selby Linda	RR-2	17,351.7	—	No improvements
419956	11529BD00600	7219 NW Grandview Dr, Corvallis Bailey Demian A	RR-2	8,547.6	—	No improvements
420179	10431C000800	8804 NW Arboretum Rd, Corvallis Dooley George J III & Marye K	RR-2	5,379.2	—	No improvements
800165	12610A000300	33368 Mustang Ln, Philomath Double Eagle Paving LLC	RR-2	6,227.2	—	No improvement table (manufactured-structure page)

113 PSO accounts on 103 tax lots. Sorted by assessor livable size. This table lists all RR-2 lots meeting the $\geq 5,000$ sq ft DOGAMI footprint filter. Church properties under 5,000 sq ft identified via institutional keyword search are detailed on Page 1 of the main exhibit.