

Notice of Intent to Appeal

May 18, 2026

Benton County Community Development Department
4500 SW Research Way
Corvallis, OR 97333

RE: Notice of Intent to Appeal

File: LU-25-067 Conditional Use Permit – Northside Christian Church

To Whom It May Concern:

Please accept this letter as formal notice that the applicant intends to appeal the Benton County Planning Commission's decision denying File No. LU-25-067 for a Conditional Use Permit to establish a church on the subject property located at 4500 Powers Avenue NW, Albany, Oregon (Assessor's Map 10-4-26B, Tax Lot 600).

Statement of Standing to Appeal

The applicant, Northside Christian Church, by and through its representatives and consultants, has standing to appeal the Planning Commission's decision pursuant to the Benton County Development Code because the applicant is:

- the owner and applicant of record for the subject applications;
- a party to the underlying land use proceeding; and
- a participant who appeared before the Planning Commission through submitted application materials, written testimony, and oral testimony.

The appealed decision directly affects the applicant's legally protected interests by denying the requested Conditional Use Permit application.

Accordingly, the applicant possesses standing to appeal the Planning Commission decision to the Benton County Board of Commissioners.

Statement of Reasons for Appeal

The Planning Commission decision is appealed on the basis that the decision is inconsistent with and/or improperly applies applicable provisions of the Benton County Development Code, including but not limited to:

- BCC 53.215 Conditional Use Permit Criteria;
- BCC 53.220 Conditions of Approval;

- Chapter 63 Rural Residential Zone provisions;
- applicable transportation and access provisions of Chapter 91;
- applicable procedural requirements of Chapter 51; and
- applicable Oregon land use standards requiring adequate findings and substantial evidence.

The basis for the appeal includes, but is not limited to, the following:

- Lack of adopted findings supporting denial; —
- Failure to identify substantial evidence demonstrating noncompliance with applicable approval criteria;
- Inconsistency between the Planning Commission decision and the staff report findings recommending approval with conditions;
- Reliance on generalized neighborhood opposition and speculative future impacts;
- Failure to evaluate the revised Conditional Use Permit application as submitted following withdrawal of the proposed Phase II sanctuary development and related parking variance request;
- Improper reliance on speculative future development impacts not included within the revised application before the Planning Commission;
- Transportation nexus and proportionality concerns related to proposed roadway improvements and conditions;
- Procedural and due process concerns associated with the Notice of Decision and findings.

The applicant reserves the right to supplement, amend, and expand upon these issues following review of the complete record and any subsequently adopted findings.

The required appeal fee of \$2,603 is submitted concurrently with this appeal.

Please confirm receipt of this appeal and advise regarding any additional procedural requirements or scheduling information.

Sincerely,

Jemmy Mills
 May 18, 2026
 Lead Pastor
 Northside Church




**Benton
County**

**COMMUNITY DEVELOPMENT
DEPARTMENT**

Office: Kalapuya Building
4500 SW Research Way
Corvallis, OR 97333
(541) 766-6819

www.co.benton.or.us/cd

APPLICATION

APPEAL OF A PLANNING COMMISSION DECISION

File #

Fee*: Cost of Original Application \$ 2,603.00

**ALL SECTIONS MUST BE COMPLETED. ATTACH ADDITIONAL SHEETS IF NECESSARY.
REVIEW WILL BEGIN ONLY WHEN THE APPLICATION IS DETERMINED TO BE COMPLETE**

Appellant

Name: Northside Christian Church Phone #1: (541) 497-7885

Address: 250 Broadalbin Street SW Ste. 110 Phone #2: _____

City & Zip: Albany, OR 97321 Email: office@northside-albany.com

Other individuals to be notified of this application:

Name

Address

City & Zip

Pathfinder Land Use Consulting, LLC P.O. Box 484, Lebanon, OR 97355 laura@pathfinderlanduse.com

Varitone Architecture; P.O. Box 3420, Albany, OR 97321; taylor@varitonearchitecture.com

The appellant hereby requests the Board of County Commissioners to consider the following decision:

File Number: LU-25-067 Nature of Application: Conditional Use Permit – Northside Christian Church

Decision: Denial Decision Date: May 6, 2026

Assessor's Map & Tax Lot Number: T 10S S, R 04W W, Section(s) 26B, Tax Lot(s) 600

REQUIRED: (Failure to cite specific Plan or Code provisions and to demonstrate standing will nullify your appeal.

See BCC 51.830. Attach additional sheets as necessary.)

1. State the reasons for the appeal, citing the specific Comprehensive Plan or Development Code provisions which are alleged to be violated:

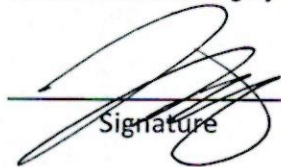
See Intent to Appeal Memo

See Intent to Appeal Memo

2. A statement of the standing to appeal: See Intent to Appeal Memo

See Intent to Appeal Memo

*NOTE: The required fee is a deposit in the amount of the fee of the original application (or if the original application fees were waived per BCC 51.520, then the fee is \$200). Costs of processing the appeal will be tracked and any portion of the deposit not expended in the appeal will be returned to the appellant together with an accounting of the costs.


Signature

May 18, 2026
Date

(For Office Use Only)

Date Application Received: 05/18/2026 Receipt Number: 52372

File Number Assigned: Lu-25067 - Appeal Planner Assigned: _____

Conditional Use Permit Hearing

Tuesday, May 5 | 6:00–8:00 PM

Holmes & Shipley Meeting Room
Kalapuya Building (1st Floor)
4500 SW Research Way
Corvallis, OR 97333

As we gather, please remember that there will be individuals present who are opposed to the project. More than anything, we want to represent Christ well through our words, our attitudes, and our actions.

Let's commit to responding with grace, humility, and respect. Please avoid any confrontational or negative interactions. Our presence should reflect the heart of Jesus in every way.

Above all, continue to pray. Pray that God's will would be done. And no matter the outcome, we will trust Him and praise Him for His provision, His goodness, and His faithful leadership of Northside.