

## LEWIS Toby A

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**From:** david@wvporegon.com  
**Sent:** Thursday, May 16, 2024 4:10 PM  
**To:** LEWIS Toby A  
**Subject:** Esplin's Zone Change Materials (1 of 3)  
**Attachments:** Incomplete Response Letter.pdf; ZC App Narrative & Exhibits.pdf

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

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Toby:

Thanks for taking the time to conduct an intake meeting on the Esplin's revised zone change application.

Since some of these files are fairly large, I will be sending them as 3 separate e-mails.

Attached to this e-mail are the PDF's of the incomplete response letter and the revised narrative and exhibits.

Please let me know if you have any questions.

Thanks,

David j. Dodson, AICP  
Willamette Valley Planning LLC  
<https://wvporegon.com/>  
541-231-6111

## LEWIS Toby A

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**From:** david@wvporegon.com  
**Sent:** Thursday, May 16, 2024 4:11 PM  
**To:** LEWIS Toby A  
**Subject:** Esplin's Zone Change Materials (2 of 3)  
**Attachments:** Appendix - Traffic Impact Study.pdf

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Toby:

Attached to this email is the PDF of the traffic study. It didn't change, but I wanted to give you a complete submittal with all the information as before.

David j. Dodson, AICP  
Willamette Valley Planning LLC  
<https://wvporegon.com/>  
541-231-6111

## LEWIS Toby A

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**From:** david@wvporegon.com  
**Sent:** Thursday, May 16, 2024 4:12 PM  
**To:** LEWIS Toby A  
**Subject:** Esplin's Zone Change Materials (3 of 3)  
**Attachments:** Appendix - Septic Records and Correspondence.pdf

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

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Toby:

This is the last PDF of the septic records and correspondence from Environmental Health.

David j. Dodson, AICP  
Willamette Valley Planning LLC  
<https://wvporegon.com/>  
541-231-6111

May 8, 2024

Toby Lewis, Senior Planner  
Benton County Community Development  
4500 SW Research Way  
Corvallis, OR 97333

**RE: Revisions for the VP Zone Change (LU-24-006)**

Dear Ms. Lewis:

The applicant's consulting team has reviewed comments from your incompleteness letter dated April 10, 2024. Responses can be found in underlined red to each of the issues raised below.

1. Signature page: The signature page must be signed by all owners and cannot be a copy of ink signatures.

**Response:** No response required, as the owners have submitted an original copy of the application form with ink signatures.

2. Well documentation: Well logs and, if applicable, water quality tests for all wells located on the property are required.

**Response:** The owner and the Oregon Water Resources Department have no records of well logs for the subject site. The owner's tenant (Bartlet Tree Experts) tested the well for hydrocarbons and potability and found it to be potable with no hydrocarbons detected. Results of those test can be found in the revised narrative, (Attachment J).

3. Septic records: A copy of all septic records for the property is required. This includes a submittal of the septic record to date for the requested septic feasibility for the site that has not yet been approved.

**Response:** The applicant has included Environmental Health's septic records for tax lots 400 and 1200, (See Appendix). The narrative has been revised to clarify the history and status of the septic feasibility that was denied.

4. Proof of ownership: A copy of the current deed or other proof of ownership for the property is required.

**Response:** The applicant has included the recorded deed in the revised application submittal, (Attachment K).

5. Documentation of contamination plume: Page 11 of the narrative mentions an “underground contamination plume to the south”. Documentation of the location and nature of the plume is required.

**Response:** The applicant has obtained monitoring well logs from the Oregon Water Resources Department for the subject site and the properties to the south, (Attachments L & M). In addition, the applicant has provided written correspondence from the DEQ regarding the status of the cleanup of the Lewisburg area contamination plume. The narrative has been revised to provide some history and clarity associated with ongoing cleanup efforts.

We believe the responses above, along with the revised application narrative and attachments address all the missing information, and ask that you consider deeming the application complete.

Sincerely,

*David Dodson*

David j. Dodson, AICP

# VP Zone Change 5840 NW Highway 99W

## *An Application for a Zone Change*

*On Behalf of:*

**Vernon & Priscilla Esplin  
VP Real Estate Investment Services LLC  
6635 Prather Road  
Independence, OR 97351**

*Prepared by:*

**K&D Engineering, Inc.**



Revised May 8, 2024

# Application Narrative

## **APPLICANT'S REQUEST**

Vernon and Priscilla Esplin, prior owners of Buena Vista Arbor Care, own the former Lewisburg Auction and General Store property at 5820 and 5840 NW Highway 99W, (Attachment B). Although most of the larger 2.87-acre property has a long history of being used for commercial activities, the majority of the site is designated Residential – Low Density on the City's Comprehensive Plan Map, with a small corner at the southwest corner designated Mixed Use Commercial, (Attachment C). The Esplin's are interested in changing the zoning from UR-5 and UR-10 Urban Residential to Urban Commercial, (Attachments D & E). A similar land use application has been submitted to the City of Corvallis to amend the residential portion of the City's Comprehensive Plan Map, so the Esplin's entire property is designated Mixed Use Commercial.

## **SITE AND VICINITY**

The 2.87-acre site is at 5840 NW Highway 99W and can also be found on Assessor's Map 11-5-12BD, Tax Lot 1200, (Attachment A). The site has a mild slope to the north toward Mountain View Creek. The subject site contains an existing storage building along the highway and two well houses. The site is used by a tree service company and includes vehicle storage, wood storage and several piles of wood chips. There are several City of Corvallis mapped protected natural features within the project boundary, (Attachment F). The northeast corner of the property is within the High Protection 100-Year Floodplain. At the far northeast corner is also the edge of a 100-Foot Highly Protected Riparian Corridor. Along the northern boundary are several areas with slopes between 10-14.99% and a small area with a slope of 15-24.99%. It should be noted that these slopes are likely a result of wood chip piles that are stored on the property and are not considered a permanent slope hazard.

Properties surrounding the subject site are all in Benton County as the city limits are over a mile and a half to the south. The property immediately south which contains two buildings is also owned by Vernon and Priscilla Esplin. One serves as the office and staff meeting room for the tree service operations. The other is used for equipment maintenance and extends across the northern property line onto the subject site. The Esplin's hope to do a lot line adjustment to move this parcel boundary to the north once both parcels have the same zoning, as the maintenance building extends over the parcel boundary and creates a non-conforming structure. Further to the south is a gas station and convenience store. To the west and north are several residential dwellings. To the east is Highway 99W.

## **ATTACHMENTS**

- A - Vicinity Map
- B - Surrounding Uses
- C - Existing Comprehensive Plan Designations
- D - Existing Zoning Designations
- E - Proposed Zoning Designations
- F - Significant Natural Features
- G - Existing Conditions Survey Map
- H - Legal Description
- I - Notice of Interpretation (LU-20-021)
- J - Water Well Test Results
- K - Statutory Warranty Deed
- L - Monitoring Well Logs for 5800 NW Highway 99W
- M - Monitoring Well Logs for 5820 NW Highway 99W
- N - Correspondence with DEQ

## **APPENDIX**

Traffic Impact Study  
Septic Records and Correspondence

# Zone Change Criteria and Findings

## ZONE CHANGE

**53.505 Zone Change Criteria. The Official Zoning Map may be amended if:**

- (1) The proposed zoning for the property is more appropriate than the current zoning, when considering existing uses, changes in circumstances since the current zoning was applied, or information that indicates that the current zoning was not properly applied;**

**Findings:** Vernon and Priscilla Esplin, prior owners of Buena Vista Arbor Care purchased the two properties at 5820 and 5840 NW Highway 99W from Benton County in 2015. The prior owner, Larry Leslie, had operated the Lewisburg Auction and General Store on both properties. Leslie lost a long-running battle with local government officials over his operation, which sold everything from junk cars and old appliances to plumbing fixtures, scrap metal and surplus building materials. The site had accumulated copious amounts of garbage and an assortment of potentially toxic materials, including old car batteries, used tires, transformers, air conditioning units and leaking 55-gallon drums of unidentified liquids. The Corvallis fire marshal declared Leslie's junkyard a fire hazard, and the Benton County health inspector deemed it a danger to public health.

Leslie was directed to bring the property up to code but was never able to satisfy all the jurisdictional requirements, despite removing more than 200 tons of material from the site. Eventually, county officials obtained a court order authorizing them to complete the cleanup themselves and bill Leslie for the costs. Leslie never paid the bill. Instead, in 2001 he closed his business, moved to Hawaii and put the Lewisburg property up for sale. In 2002, the county slapped a lien on the land title to cover the cleanup costs. The Esplin's negotiated a sale price that included paying Leslie, paying off the principal of the lien, and supplying tree services to the County.

When the Esplin's purchased the property, they rehabilitated the site and used it for the next 5 years for their arbor care office, vehicle storage, and maintenance yard. Several years ago, the Esplin's sold their business and equipment to Bartlett Tree Experts, who continue to use the property for tree care operations.

The existing tree care office building and maintenance shop on the southern parcel (5820) is considered an outright permitted use per BCC 68.105 and consistent with the Notice of Interpretation (LU-20-021), (Attachment I). The vehicle storage and tree care byproducts such as logs and wood chips on the northern parcel (5840) are considered non-conforming uses. The intent of this requested zone change is to bring the northern parcel into conformance with the activities that have occurred on the property for several decades.

The current zoning on the subject property is UR-5 and UR-10 Urban Residential. The property is along an arterial highway, is near the Lewisburg Avenue signalized intersection, and is within a Major Neighborhood Center on the City's Comprehensive Plan Map. Much of the land west of Highway 99W along either side of Lewisburg Avenue is designated on the city's comprehensive plan map as Mixed Use Commercial or Limited Industrial-Office. Because of its location along an arterial highway, its proximity to a major intersection and its location within a Major Neighborhood Center, it is more suitable for commercial uses instead of a low-density residential designation.

**(2) The impact on adjacent properties will be minimal;**

**Findings:** As noted earlier, the subject site has been in commercial and retail use for over two decades. The proposed zone change will merely bring it into compliance with the past use of the site. The properties to the south are already zoned Urban Commercial and should not experience any change. The properties to the north and west are zoned UR-5 Urban Residential and will not be impacted any more than they have been in the past.

**(3) Any significant increase in the level of public services which would be demanded as a result of the proposed zone change can be made available to the area; and**

**Findings:** The only public service available to the site is the highway infrastructure. The City of Corvallis water, sewer, and storm drainage lines are over a mile and a half south of the site. The existing tree care operation has functioned on the site using the existing well on the property.

**(4) The proposed zone change is consistent with the policies of the Comprehensive Plan. [Ord 90-0069]**

**Findings:** The proposed zone change is consistent with the following Comprehensive Plan Policies:

***9.1.3 Benton County shall encourage the retention and expansion of businesses that are committed to sustainable practices.***

**Findings:** The prior tree care business "Buena Vista Arbor Care" and the current tree care operator "Bartlett Tree Experts" are local businesses involved in tree care, tree planting, and reuse of the wood products which include chips, firewood, and slabs for furniture.

***11.1.1 Benton County shall recognize that cities are the appropriate provider of urban level facilities.***

**Findings:** City services are over a mile and a half south of the site. The current tree care business has a limited need for water and septic disposal, which are currently provided on site, at the 5820 NW Highway 99W address. In the future when the site is annexed into the city limits, it will be part of a Major Neighborhood Center and its proximity to the highway and the signalized intersection make it more suitable for commercial uses instead of low density residential.

**11.2.3 *Benton County shall require developers to demonstrate that water supplies are adequate and sustainable for the scale of development proposed.***

Findings: The site contains two well houses, one of which is in use and serves the subject property and also serves the adjacent parcel to the south, (Attachment G). The current tree care business only uses water for washing vehicles and for the bathroom and sink in the office building on the adjacent site to the south.

Bartlet Tree Experts tested the water quality in 2022 using the kitchen faucet at the office building at 5820 NW Highway 99W. It's important to note that the well serving the office is on the adjacent parcel to the north at 5840 NW Highway 99W. The report found that there were no hydrocarbons present and the water quality was suitable for consumption, (Attachment J).

**12.1.4 *Benton County shall support Oregon Department of Transportation's (ODOT) efforts to maintain highway mobility and implement access management standards.***

Findings: In 2016 Vernon and Pricilla Esplin worked with ODOT to consolidate driveway access further from the signalized intersection at Lewisburg Avenue. This change allowed for improved stacking and separation from the intersection and was considered an improvement over what previously existed.

**12.3.5 *Comprehensive Plan amendments affecting land use designations, densities and design standards shall be consistent with capacities and levels of service of facilities identified in the Benton County TSP.***

Findings: The applicant has retained a transportation engineer to prepare a Traffic Impact Analysis to determine the current and future reasonable worst-case development impacts associated with the zone change. The applicant has submitted a traffic impact study that analyzes the Transportation Planning Rule criteria, Corvallis Land Development Code street requirements, and the City's July 2019 Traffic Impact Study Requirements, (see Appendix). For future development in the County within the Urban Commercial Zone, the reasonable worst-case development is assumed to be a 15,000 square foot general office building and a 10,000 square foot animal hospital/veterinary clinic. For future development when the property is ultimately annexed into the City, two options were considered, as there are two potential zoning designations. The first was if the property was zoned CMU-2. The reasonable worst-case development is assumed to be a 30,275 square foot shopping plaza. The second was if the property was zoned General Commercial. The reasonable worst-case development is assumed to be a 4,000 square foot convenience store with 12-vehicle fueling positions. Below are the conclusions and recommendations.

1. The subject property is located at 5840 NW Highway 99W (OR 99W), Corvallis, (Benton County) Oregon. The property is identified as tax lot 1200 on Benton County Assessor's map 11-5-12BD and is approximately 2.87 acres. The property has frontage on, and access to OR 99W to the east.

2. The subject property is located outside the Corvallis City Limits (in Benton County) but is inside the Urban Growth Boundary (UGB), in the area referred to as the Urban Fringe. As such, all proposed land use actions are subject to the Corvallis Urban Fringe Management Agreement policies.
3. Proposed land use actions include a Corvallis Comprehensive Plan amendment and a plan designation change from Residential – Low Density to Mixed Use Commercial and a corresponding Benton County zone change from Urban Residential (UR-5 and UR-10) to Urban Commercial (C) – noting the property will remain in the County following these land use actions.
4. For comparison purposes, this analysis also evaluates reasonable worst-case development scenario impacts in the (potential future) Corvallis RS-6 zone designation (which is equivalent to the current Benton County UR-5 and UR-10 zone designations) and the (potential future) Corvallis Commercial Mixed-Use 2 (CMU-2) and General Commercial (GC) zone designations (which are equivalent to the proposed Benton County C zone designation).
5. The Corvallis TSP does not identify any specific transportation infrastructure deficiencies or funded projects in the project area for any mode: pedestrian, bicycle, or motor vehicle; however, based on the list of unfunded and high-priority projects, it is apparent the City anticipates growth in the area during the planning period, including the need to construct capacity improvements at the OR 99W / Lewisburg Road intersection that are proposed to be funded by ODOT and developers.
6. Study area intersection crash rates are less than the 1.0 crashes/mev threshold and the 90th percentile crash rate of the reference population. As such, the intersections are considered relatively safe, and further safety analysis is not warranted.
7. SPIS data for the OR 99W segment adjacent to the subject property finds SPIS scores ranging from 14.80 to 18.65 which are below the ODOT Region 2 top 15% SPIS score threshold of 37.79. As such, this roadway segment is considered relatively safe, and no further safety analysis is warranted.
8. Reasonable worst-case development in the current UR-5 and UR-10 zones is assumed to be 1 single-family residence and in the proposed C zone it is assumed to be a 15,000-square-foot general office building and a 10,000-square-foot animal hospital/veterinary clinic.
9. Reasonable worst-case development in the proposed C zone generates 369 daily and 74 PM additional trips over the current UR-5 and UR-10 zones.
10. Reasonable worst-case development in the (potential future) Corvallis CMU-2 and GC zone designations (which are equivalent to the proposed Benton County C zone designation) generates a maximum of 948 daily and 96 PM additional trips over the (potential future) current RS-6 zone designation (which is equivalent to the current Benton County UR-5 and UR-10 zone designations). It is further noted that no internal capture trip reductions are assumed between the commercial and adjacent residential uses; however, if the area develops with a connected roadway system there will be internal trip capture.
11. City and OHP trip threshold criteria requiring a TIS or a TPR analysis are not met.

12. The proposed Comprehensive Plan amendment and zone change will not significantly affect an existing or planned transportation facility, and the TPR criteria outlined in OAR 660-012-0060 are satisfied without the need for additional transportation analysis. Further, because this land use action does not contemplate a specific development application, the OR 99W site access will be evaluated at the time of a future development application.
13. It is anticipated the (future) applicant will construct any necessary frontage improvements at the time of development (as part of a future, specific development land use application).
14. While not part of this land use action, it is recommended that all future access(es) be constructed consistent with requirements identified in Corvallis LDC Section 4.1.40 – Standards for Off-Street Parking and Access.

In summary, this analysis concludes that intersection operations meet agency mobility standards in both the current and proposed reasonable worst-case land use designation scenarios. As such, no improvements are specifically necessary to mitigate the proposed Comprehensive Plan map amendment and associated zone change. Future highway frontage improvements will be evaluated with future development proposals.

***14.1.1 Benton County shall coordinate planning efforts with the cities to ensure that lands within urban growth boundaries (UGB) are efficiently and effectively developed so that urban densities will ultimately result. Urban fringe management agreements will be developed and maintained to clarify implementation roles and responsibilities.***

**Findings:** Consistent with the urban fringe management agreement, the applicant has submitted a comprehensive plan map amendment request to the City of Corvallis. The applicant will be submitting applications to the City and the County at the same time, as joint hearings with the Planning Commission, City Council and Board of Commissioners will be required. The applicant will be providing courtesy copies of each application to each jurisdiction.

### **53.510 Initiating a Zone Change.**

- (1) A landowner may initiate a zone change for land in his or her ownership by submitting an application for a zone change to the Planning Official. The application shall include maps, drawings, data and other relevant information supporting the zone change.**

**Findings:** The landowners, Vernon and Priscilla Esplin have initiated this zone change by submitting it to the Planning Official at Benton County. The application includes exhibits and this narrative that responds to the applicable review criteria that supports the zone change request.

- (2) **The Board of Commissioners may initiate a zone change. The Board shall direct the Planning Official to prepare maps, drawings, data, and other information supporting the proposed zone change. [Ord 90- 0069]**

Findings: Not applicable, as the property owner has initiated this zone change.

**Application Form Criteria - Zone Change / Comprehensive Plan Amendment All applications need to address these criteria:**

1. **Please list any policies within the Benton County Comprehensive Plan which support this application (indicate policy, chapter and page numbers).**

Findings: See responses to BCC 53.505 (4) above.

2. **Present findings, and information, for each of the following statements as it applies to the proposed plan or zone change:**

- a. **The proposed plan designation and/or zone for the property is more appropriate than the current plan designation and/or zone when considering existing uses, changes in circumstances since the current designation was applied, or information that indicates that the current designation was not properly applied.**

Findings: See response to BCC 53.505 (1) above.

- b. **The area proposed for a change in plan designation and/or zone is more appropriate for the proposed designation than other locations in the community or County.**

Findings: The current zoning on the subject property is UR-5 and UR-10 Urban Residential. The property is along an arterial highway, is near the Lewisburg Avenue signalized intersection, and is within a Major Neighborhood Center on the city's Comprehensive Plan map. Much of the land west of Highway 99W along either side of Lewisburg Avenue is designated on the city's Comprehensive Plan map as Mixed Use Commercial or Limited Industrial-Office. Because of its location along an arterial highway, its proximity to a major intersection and its location within a major neighborhood center, it is more suitable for commercial uses instead of a low-density residential designation.

- c. **Identify all uses on area properties. Identify the proposed use on the subject property. Identify how any proposed conflicting use would have a minimal impact on area properties.**

Findings: The prior owner, Larry Leslie, had operated the Lewisburg Auction and General Store which sold secondhand items on the subject site. When the Esplin's purchased the property in 2015, they cleaned up the property and used it for the next 5 years for their arbor care vehicle and material storage. Several years ago, the Esplin's sold their business and equipment to Bartlett Tree Experts, who continue to use the property for tree care operations.

The structures on the subject property include an existing one-story storage building, two well houses, and a portion of the maintenance building on the property to the south. The uses on the site include vehicle and material storage. There are no plans to alter the existing structures or change the use of the property.

Directly south is a one-story tree care office building and one-story maintenance shop. Historically, as is today, the parcels at 5820 and 5840 Highway 99W have been under the same ownership and had comingled uses. Further to the south and adjacent to Lewisburg Avenue is a gas station and convenience store. To the west and north are several residential dwellings. To the east is Highway 99W. The surrounding uses have been adjacent to the existing tree care operations for almost a decade now and to the best of our knowledge, there have been no complaints or negative impacts.

**d. Adverse impacts upon the community or County would result if the uses permitted in the proposed zone change and/or plan designation were not permitted.**

Findings: The proposed zone change to Urban Commercial permits the following uses:

- Professional offices and clinics
- Restaurants, taverns, motel, hotel and membership clubs
- Service stations
- Sale of goods
- Vehicle parking lot
- One dwelling for an employer or employee
- Day care less than 13 children

As noted previously, the Esplin's have no interest in changing the current use of the property. They merely want to bring the use into conformance with the activities that have occurred on the property for over two decades. The more intensive commercial uses noted above have the potential to increase traffic on Highway 99W. The limiting factor at this time is not the availability of water, but the availability to dispose of septic waste. In 2016, the Esplin's submitted a septic feasibility application (138-16-000096-EVAL) for the 1.87 acre parcel which was addressed as 5820 NW Highway 99W. That request was denied by Environmental Health. That was the reason the Esplin's purchased an additional acre of property from Kinsey Green to the west several years ago and received approval of a property line adjustment in 2020. That approval increased tax lot 300, which was 1.87 acres to 2.87 acres and the County renumbered the tax lot to 1200. Although several test pits were evaluated on Kinsey Green's property by Gordon Brown at Environmental Health, a septic feasibility has never been approved for this upland property to the west, so if more intensive commercial uses were ever built on the property while it is in the County's jurisdiction, septic approval would be required.

- e. **Any increased level of services which could be demanded as a result of the zone change and/or comprehensive plan map amendment can be made available to the area.**

Findings: See the prior response for potential septic limitations if more intensive commercial uses were developed on the property. When the property is eventually annexed into the City limits, city services will be available to serve the more intensive commercial uses allowed in the City.

- f. **The proposed zone change and/or comprehensive plan map amendment is consistent with comprehensive plan policies.**

Findings: See responses to BCC 53.505 (4) above.

- g. **The proposed comprehensive plan map amendment and/or zone change is consistent with Statewide Planning Goals.**

Goal 1: Citizen Involvement

Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program containing six components specified in the goal. It also requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.

Findings: This goal is the responsibility of the city and county to ensure each jurisdiction has a robust citizen involvement program.

Goal 2: Land Use Planning

Goal 2 outlines the basic procedures of Oregon's statewide planning program. It says that land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed. Goal 2 also contains standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

Findings: No statewide goal exceptions are being requested. The City of Corvallis and Benton County have an urban fringe management agreement in place. That agreement requires Comprehensive Plan Map Amendments within the urban fringe to be reviewed jointly by both Planning Commissions as well as the Corvallis City Council and County Board of Commissioners.

### Goal 3: Agricultural Lands

Goal 3 defines "agricultural lands." It then requires counties to inventory such lands and to "preserve and maintain" them through farm zoning. Details on the uses allowed in farm zones are found in ORS Chapter 215 and in Oregon Administrative Rules, Chapter 660, Division 33.

Findings: Not applicable.

### Goal 4: Forest Lands

This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."

Findings: Not applicable.

### Goal 5: Open Space, Scenic and Historic Area and Natural Resources

Goal 5 covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventoried and evaluated. If a resource or site is found to be significant, a local government has three policy choices: preserve the resource, allow proposed uses that conflict with it, or strike some sort of a balance between the resource and the uses that would conflict with it.

Findings: The City of Corvallis has completed a Goal 5 natural features inventory within the Urban Growth Boundary and established standards by which those resources must be protected or mitigated. The County has adopted some of the City's Goal 5 resources, and encourages, but does not require others to be protected.

If future development occurs on the subject site while it is still in the County's jurisdiction, it would be required to comply with Benton County's Goal 5 natural features protections. When the property is eventually annexed into the City limits, it will be subject to the City's Goal 5 protections at that time.

### Goal 6: Air, Water and Land Resource Quality

This goal requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

Findings: Although there is an underground contamination plume to the south, it does not extend to this property. The Lewisburg Area Gasoline Release cleanup is ongoing and unresolved, (Attachment N). The hydrocarbons present in the ground affect buildings at 5800 and 5820 NW Highway 99W, but not the buildings or wells on the subject site at 5840 NW Highway 99W.

Bartlett Tree Experts tested the water quality in 2022 using the kitchen faucet at the office building at 5820 NW Highway 99W. It's important to note that the well serving the office is on the adjacent parcel to the north at 5840 NW Highway 99W. The report found that there were no hydrocarbons present and the water quality was suitable for consumption, (Attachment J).

#### Goal 7: Areas Subject to Natural Disasters and Hazards

Goal 7 deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply "appropriate safeguards" (floodplain zoning, for example) when planning for development there.

**Findings:** The subject site is south of Mountain View Creek. The northeast corner of the property is within the 100-year floodplain, (Attachment G). The County has safeguards for development within the floodplain to minimize the risk of flood damage to structures. The City has identified the northeast corner of the subject site as having a highly protected riparian corridor as well as a highly protected floodplain fringe in their Goal 5 natural features inventory.

#### Goal 8: Recreation Needs

This goal calls for each community to evaluate its areas and facilities for recreation and develop plans to deal with the projected demand for them. It also sets forth detailed standards for expedited siting of destination resorts.

**Findings:** Not applicable.

#### Goal 9: Economy of the State

Goal 9 calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

**Findings:** The proposed zone change from residential to commercial supports the preservation and expansion of existing local businesses, such as Bartlett Tree Experts.

#### Goal 10: Housing

This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

**Findings:** The state recently mandated local jurisdictions to provide more housing. Generally, this has been addressed and accommodated within the cities, as rural lands in the County attempt to limit or discourage urban level of development. The current zoning of UR-5 and UR-10 would typically allow one dwelling. However,

since the existing tree care business is non-conforming, that use would need to be removed from the property before a new dwelling could be permitted. Therefore, to accommodate future residential development on the property, the existing business would need to be removed. The tradeoff of displacing a local business to allow for one additional dwelling is viewed as a negative economic impact while providing limited housing opportunities.

If the zone change is approved, then the tree care business would be a conforming use, and Urban Commercial zoning would allow for one dwelling for the employer or employee. Therefore, the proposed zone change will allow for the same level of residential development as the existing Urban Residential zoning.

### Goal 11: Public Facilities and Services

Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

**Findings:** The site contains two well houses, one of which is in use and serves the subject property as well as the adjacent parcel to the south. The current tree care business only uses water for washing vehicles and for the bathroom and sink in the office building on the adjacent parcel to the south.

In 2016, the Esplin's submitted a septic feasibility application (138-16-000096-EVAL) for the 1.87 acre parcel which was addressed as 5820 NW Highway 99W. That request was denied by Environmental Health. That was the reason the Esplin's purchased an additional acre of property from Kinsey Green to the west several years ago and received approval of a property line adjustment in 2020. That approval increased tax lot 300, which was 1.87 acres to 2.87 acres and the County renumbered the tax lot to 1200. Although several test pits were evaluated on Kinsey Green's property by Gordon Brown at Environmental Health, a septic feasibility has never been approved for this upland property to the west, so if more intensive commercial uses were ever built on the property while it is in the County's jurisdiction, septic approval would be required.

### Goal 12: Transportation

The goal aims to provide "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged."

**Findings:** The applicant has retained a transportation engineer to prepare a Traffic Impact Analysis to determine the current and future reasonable worst-case development impacts associated with the zone change. The applicant has submitted a traffic impact study that analyzes the Transportation Planning Rule criteria, Corvallis Land Development Code street requirements, and the City's July 2019 Traffic Impact Study Requirements, (see Appendix). For future development in the County within the Urban Commercial Zone, the reasonable worst-case development is assumed to be a 15,000 square foot general office building and a 10,000 square foot animal hospital/veterinary clinic. For future development when

the property is ultimately annexed into the City, two options were considered, as there are two potential zoning designations. The first was if the property was zoned CMU-2. The reasonable worst-case development is assumed to be a 30,275 square foot shopping plaza. The second was if the property was zoned General Commercial. The reasonable worst-case development is assumed to be a 4,000 square foot convenience store with 12-vehicle fueling positions. Below are the conclusions and recommendations.

1. The subject property is located at 5840 NW Highway 99W (OR 99W), Corvallis, (Benton County) Oregon. The property is identified as tax lot 1200 on Benton County Assessor's map 11-5-12BD and is approximately 2.87 acres. The property has frontage on, and access to OR 99W to the east.
2. The subject property is located outside the Corvallis City Limits (in Benton County) but is inside the Urban Growth Boundary (UGB), in the area referred to as the Urban Fringe. As such, all proposed land use actions are subject to the Corvallis Urban Fringe Management Agreement policies.
3. Proposed land use actions include a Corvallis Comprehensive Plan amendment and a plan designation change from Residential – Low Density to Mixed Use Commercial and a corresponding Benton County zone change from Urban Residential (UR-5 and UR-10) to Urban Commercial (C) – noting the property will remain in the County following these land use actions.
4. For comparison purposes, this analysis also evaluates reasonable worst-case development scenario impacts in the (potential future) Corvallis RS-6 zone designation (which is equivalent to the current Benton County UR-5 and UR-10 zone designations) and the (potential future) Corvallis Commercial Mixed-Use 2 (CMU-2) and General Commercial (GC) zone designations (which are equivalent to the proposed Benton County C zone designation).
5. The Corvallis TSP does not identify any specific transportation infrastructure deficiencies or funded projects in the project area for any mode: pedestrian, bicycle, or motor vehicle; however, based on the list of unfunded and high-priority projects, it is apparent the City anticipates growth in the area during the planning period, including the need to construct capacity improvements at the OR 99W / Lewisburg Road intersection that are proposed to be funded by ODOT and developers.
6. Study area intersection crash rates are less than the 1.0 crashes/mev threshold and the 90th percentile crash rate of the reference population. As such, the intersections are considered relatively safe, and further safety analysis is not warranted.
7. SPIS data for the OR 99W segment adjacent to the subject property finds SPIS scores ranging from 14.80 to 18.65 which are below the ODOT Region 2 top 15% SPIS score threshold of 37.79. As such, this roadway segment is considered relatively safe, and no further safety analysis is warranted.
8. Reasonable worst-case development in the current UR-5 and UR-10 zones is assumed to be 1 single-family residence and in the proposed C zone it is assumed to be a 15,000-square-foot general office building and a 10,000-square-foot animal hospital/veterinary clinic.

9. Reasonable worst-case development in the proposed C zone generates 369 daily and 74 PM additional trips over the current UR-5 and UR-10 zones.
10. Reasonable worst-case development in the (potential future) Corvallis CMU-2 and GC zone designations (which are equivalent to the proposed Benton County C zone designation) generates a maximum of 948 daily and 96 PM additional trips over the (potential future) current RS-6 zone designation (which is equivalent to the current Benton County UR-5 and UR-10 zone designations). It is further noted that no internal capture trip reductions are assumed between the commercial and adjacent residential uses; however, if the area develops with a connected roadway system there will be internal trip capture.
11. City and OHP trip threshold criteria requiring a TIS or a TPR analysis are not met.
12. The proposed Comprehensive Plan amendment and zone change will not significantly affect an existing or planned transportation facility, and the TPR criteria outlined in OAR 660-012-0060 are satisfied without the need for additional transportation analysis. Further, because this land use action does not contemplate a specific development application, the OR 99W site access will be evaluated at the time of a future development application.
13. It is anticipated the (future) applicant will construct any necessary frontage improvements at the time of development (as part of a future, specific development land use application).
14. While not part of this land use action, it is recommended that all future access(es) be constructed consistent with requirements identified in Corvallis LDC Section 4.1.40 – Standards for Off-Street Parking and Access.

In summary, this analysis concludes that intersection operations meet agency mobility standards in both the current and proposed reasonable worst-case land use designation scenarios. As such, no improvements are specifically necessary to mitigate the proposed Comprehensive Plan map amendment and associated zone change. Future highway frontage improvements will be evaluated with future development proposals.

#### Goal 13: Energy

Goal 13 declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

Findings: Not applicable.

#### Goal 14: Urbanization

This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up

a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

**Findings:** The City of Corvallis has established an Urban Growth Boundary for anticipated future growth and the subject property is within this boundary. Eventually the subject site will be annexed into the city limits, at which time public services will be available to accommodate redevelopment and future urbanization.

#### Goal 15: Willamette Greenway

Goal 15 sets forth procedures for administering the 300 miles of greenway that protects the Willamette River.

**Findings:** Not applicable.

#### Goal 16: Estuarine Resources

This goal requires local governments to classify Oregon's 22 major estuaries in four categories: natural, conservation, shallow-draft development, and deep-draft development. It then describes types of land uses and activities that are permissible in those "management units."

**Findings:** Not applicable.

#### Goal 17: Coastal Shorelands

The goal defines a planning area bounded by the ocean beaches on the west and the coast highway (State Route 101) on the east. It specifies how certain types of land and resources there are to be managed: major marshes, for example, are to be protected. Sites best suited for unique coastal land uses (port facilities, for example) are reserved for "water-dependent" or "water related" uses.

**Findings:** Not applicable.

#### Goal 18: Beaches and Dunes

Goal 18 sets planning standards for development on various types of dunes. It prohibits residential development on beaches and active foredunes, but allows some other types of development if they meet key criteria. The goal also deals with dune grading, groundwater drawdown in dunal aquifers, and the breaching of foredunes.

**Findings:** Not applicable.

#### Goal 19: Ocean Resources

Goal 19 aims "to conserve the long-term values, benefits, and natural resources of the nearshore ocean and the continental shelf." It deals with matters such as

dumping of dredge spoils and discharging of waste products into the open sea.  
Goal 19's main requirements are for state agencies rather than cities and counties.

**Findings:** Not applicable.

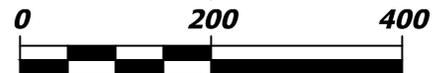
### **CONCLUSIONS ON THE ZONE CHANGE**

The discussion presented above has provided responses to applicable review criteria regarding land use and compatibility, natural resources and natural hazards, circulation, and public facilities and services. In each case, it has been shown that the proposed zone change is consistent with relevant Comprehensive Plan Policies and the applicable Benton County Code review criteria. The transportation analysis concluded that intersection operations meet agency mobility standards in both the current and proposed reasonable worst-case land use designation scenarios. As such, no improvements are specifically necessary to mitigate the proposed zone change. Future highway frontage improvements will be evaluated with future development proposals.

# VICINITY MAP



SUBJECT SITE



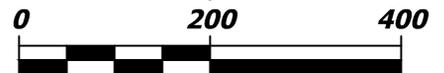
Scale: 1" = 200'

ATTACHMENT A

# SURROUNDING USES



SUBJECT PROPERTY



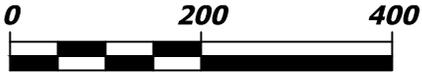
Scale: 1" = 200'

ATTACHMENT B

# EXISTING COMPREHENSIVE PLAN DESIGNATIONS



-  RESIDENTIAL - LOW DENSITY
-  MIXED USE COMMERCIAL
-  LIMITED INDUSTRIAL - OFFICE
-  PUBLIC INSTITUTIONAL
-  MAJOR NEIGHBORHOOD CENTER BOUNDARY
-  SUBJECT SITE

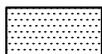
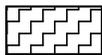


Scale: 1" = 200'

## ATTACHMENT C

# EXISTING ZONING DESIGNATIONS



-  UR-5 URBAN RESIDENTIAL
-  UR-10 URBAN RESIDENTIAL
-  UC URBAN COMMERCIAL
-  SUBJECT SITE



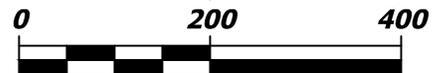
Scale: 1" = 200'

ATTACHMENT D

# PROPOSED ZONING DESIGNATIONS



-  UR-5 URBAN RESIDENTIAL
-  UR-10 URBAN RESIDENTIAL
-  UC URBAN COMMERCIAL
-  SUBJECT SITE



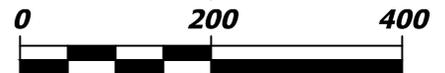
Scale: 1" = 200'

ATTACHMENT E

# SIGNIFICANT NATURAL FEATURES



-  10-14.99% SLOPE
-  15-24.99% SLOPE
-  FLOODZONE A HIGH PROTECTION FRINGE
-  HIGHLY PROTECTED RIPARIAN CORRIDOR
-  SUBJECT SITE



Scale: 1" = 200'

ATTACHMENT F



Legal Description:

Parcel 1 of partition plat 2022-006, a partition recorded in Benton County, Oregon

Meets and Bounds:

Beginning at a 5/8" rod at the Southeast corner of Parcel 1 of partition plat 2022-006, a partition recorded in Benton County, Oregon, said corner being on the West right-of-way line of U.S. Highway 99W; thence North 89°51'54" West 252.80 feet to a 5/8" rod; thence South 00°24'28" West 49.44 feet to a 5/8" rod; thence South 89°58'26" West 79.99 feet to a 5/8" rod; thence North 00°24'46" East 140.04 feet to a 5/8" rod; thence North 45°10'23" West 112.06 feet to a 5/8" rod; thence North 00°25'46" East 143.02 feet to a 5/8" rod; thence North 89°58'57" East 160.00 feet to a 5/8" rod; thence South 00°24'28" West 15.56 feet to a 5/8" rod; thence South 89°50'35" East 296.54 feet to a 5/8" rod on the west right-of-way line of U.S. Highway 99W; thence South 08°47'09" West 300.36 feet to the point of beginning.

Containing 2.87 Acres more or less.



**COMMUNITY DEVELOPMENT DEPARTMENT**

360 SW Avery Avenue  
Corvallis, OR 97333-1139  
(541) 766-6819  
FAX (541) 766-6891

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**Land Use Interpretation**

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NATURE OF APPLICATION:	Request for an <b>interpretation</b> of the Benton County Development Code to determine whether the operation of Buena Vista Arbor Care company (BVAC, Inc.) and a landscape company are allowed uses in the Urban Commercial Zone.
APPLICABLE CRITERIA:	Benton County Code Chapters 51 (Development Code Administration and Definitions) and 68 (Urban Commercial).
PROPERTY LOCATION:	The properties are located at 5820 and 5840 NW Hwy 99W, Corvallis; Tax Assessor’s Map T11S R5W Section 12BD, Tax Lots 300 and 400.
APPLICANT:	<b>Priscilla Esplin</b>
PROPERTY OWNER:	<b>VP Real Estate Investment Services LLC</b>
ZONE DESIGNATION:	Tax Lot 400: Urban Commercial. Tax Lot 300: Urban Residential.
CITY OF CORVALLIS COMP. PLAN DESIGNATION:	Tax Lot 400: Mixed Use Commercial. Tax Lot 300: Low Density Residential.
CAC PLANNING AREA:	North-Benton (not active)
STAFF CONTACT:	Linsey Godwin
FILE NUMBER:	LU-20-021

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**I. BACKGROUND**

An application for a written interpretation of the development code was submitted on May 1, 2020 and deemed complete. Pursuant to Benton County Code (BCC) 51.205(1), a written interpretation is an administrative land use action and notice shall be sent pursuant to BCC 51.625. Notice of the decision shall be published in a newspaper of general circulation and notice shall be provided to the applicant and any member of the public who has requested in writing to the Community Development Department within the past year to be notified of land use actions regarding the subject matter of the Interpretation.

**II. PROPOSAL**

The applicant seeks a code interpretation to determine whether:

1. Buena Vista Arbor Care Company (BVAC, Inc.) located at 5820 NW Hwy 99W (southern property) is an allowed use in the Urban Commercial zone, and
2. A separate landscape company and the uses associated with BVAC, Inc., both of which occur on the property located at 5840 NW Hwy 99W (northern property) would be allowed uses in the Urban Commercial zone.

3. **Note:** While the question asked by the applicant refers to the Urban Commercial zone for both properties, the northern property is currently zoned Urban Residential. The applicant has discussed the possibility of a zone change from Urban Residential to Urban Commercial with County and City staff.

According to the application materials submitted by the applicant, the southern property is used for:

*“...professional office space for Buena Vista Arbor Care Company, some employee and equipment parking, and has an accessory building behind the office that is used for storage and equipment maintenance. Daily activity includes 1-3 office staff arriving at 7am and departing at 4pm. The office does not get regular public visitors to the office.”*

While, the northern property is *“used mostly [for] parking of vehicles of [BVAC, Inc.], chip storage (a [by-product] of our professional business), and the building located at 5840 is a professional office [for a] landscape company...”* Neither professional office is open to the public.”

*“Yes, the property to the North is used for parking vehicles and equipment from BVAC Inc and the landscape business. The building at 5840 is used as his (landscape) professional office.*

*“Nothing is stored there beside chips and occasional wood.”*



## II. FINDINGS OF FACT

1. The southern property is approximately 0.28 acres and is zoned Urban Commercial. The property to the north is under the same ownership as the southern property and is approximately 1.9 acres and is zoned Urban Residential. (See Attachment A)
2. The land immediately to the west and east of the subject properties are zoned Urban Residential – 5 (UR-5) and developed with residential uses. The land to the north is zoned Urban Residential – 10 (UR-10). The land immediately to the south of the southern property is zoned Urban Commercial.

## III. ANALYSIS

**BCC 68.105. Permitted Uses. The following uses are allowed in the Urban Commercial Zone:**

- (A) **Professional office, clinics and personal service outlet. [BCC 68.105(1)]**
- (B) **Sale of goods. [BCC 68.105(4)]**
- (C) **Vehicle parking lot. [BCC 68.105(5)]**
- (D) **Farm use or forest use. [BCC 68.105(10)]**
  - (a) **“Forest Use” includes the production (growing) of trees and the processing of forest products [BCC 51.020(24)(a)]**
- (E) **Accessory use or structure. [BCC 68.105(11)]**

**Findings:** As described by the applicant, there are two companies using the subject properties. BVAC, Inc. is located on both properties, while a landscape company uses only

the northern property. The southern property contains an office building for BVAC, Inc. and an accessory structure<sup>1</sup> for storage and maintenance of vehicles and equipment. The northern property contains an office building and no other structures.

The office buildings are used by staff with infrequent customer visits. The undeveloped portions of the properties are used for staff and customer parking, vehicle and equipment parking and storage, and storage of tree and landscape by-products (primarily wood chips). A substantial portion of daily activities from both businesses occur off-site at customer locations.

The Urban Commercial (UC) Zone is intended for supporting commercial activities at a level compatible with an urbanizing environment with on-site sale of goods, food services, overnight accommodations, vehicle parking, frequent customer on-site visits, and office space, but can also include farm and forest use, since it is still outside city limits. The uses listed do not typically cause negative off-site impacts like odors, vibration, glare, or fumes that would affect neighboring properties. The uses may cause more noise than those in a residential zone.

Professional offices<sup>2</sup> and personal service<sup>3</sup> outlets are allowed uses in the UC zone. The offices for an arbor care company and a landscape company fit into these categories, because they are providing “service based on the intellectual or manual efforts of an individual” and portions of the work involves “specialized knowledge” which may have been obtained through “long and intensive academic preparation”. For example, an arborist is only eligible to become a Certified Arborist by the International Society of Arboriculture (ISA), if they have one or more of the following:

- Three or more years of full-time, eligible, practical work experience in arboriculture
- A degree in the field of arboriculture, horticulture, landscape architecture, or forestry from a regionally accredited educational institute.<sup>4</sup>

BVAC, Inc. is a member of ISA and the Pacific Northwest Chapter of ISA. Landscape companies require knowledge of different plant species and their pruning, irrigation and care needs. These companies may also provide irrigation services, pest and weed control, and landscape design or installation services. Most of these services require specialized knowledge gained through education, training or certifications.

Based on aerial imagery (see page 4) and the applicant’s statement, the properties are also used for outside storage of wood chips and lumber, other by-products of the two businesses and equipment. Outside storage of materials as a principal use is a use that is allowed in the Urban Industrial zone, but is not listed as an allowed or a conditional use in the UC zone. Therefore, outside storage of materials (meaning goods, supplies and equipment) cannot be a principal use in the UC zone. Instead, any outside storage of goods, supplies or equipment must be an accessory use to an allowed principal use on the properties – in this case, either the arbor care or landscaping companies.

An “accessory use or structure” means a use or structure which is incidental or subordinate to the principal use or structure.<sup>5</sup> In order for the wood chips and lumber associated with BVAC, Inc. and any by-products associated with the landscape company to remain accessory uses, they could not be the primary reason for the existence of either business or

---

<sup>1</sup> Located inside the structure authorized by Building Permit No. 138-16-000420-STR.

<sup>2</sup> “Profession” is defined as “a calling requiring specialized knowledge and often long and intensive academic preparation” by Merriam-Webster online dictionary, <https://www.merriam-webster.com/dictionary/professions>, visited June 4, 2020.

<sup>3</sup> “Personal service” is defined as “a service based on the intellectual or manual efforts of an individual (as for salary or wages) rather than a salable product of his or her skills” by Merriam-Webster online dictionary, <https://www.merriam-webster.com/legal/personal%20service>, visited June 4, 2020.

<sup>4</sup> “Why Become an ISA Certified Arborist?” <https://www.isa-arbor.com/Credentials/Types-of-Credentials/ISA-Certified-Arborist>, visit June 18, 2020.

<sup>5</sup> BCC 51.020(3)

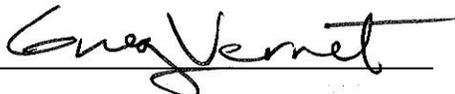
for a customer coming to the property. For example, incidental would be when a customer is obtaining services for arbor or landscape care on their own property and as a part of that service they receive wood chips. The amount of woody debris on the properties would naturally fluctuate in size and location based on the seasons and day to day operations. The existence of these materials in limited and temporary quantities on the subject properties is allowable under the provisions of Benton County Code. Direct sales of wood chips from the property, or sale by delivery exclusive of general landscaping services, would not be accessory use and therefore not allowed.



Parking for staff and customers would be considered as accessory to the businesses as these types of parking are needed for the day to day functioning of the businesses. Both businesses inherently require large vehicles capable of transporting equipment and/or wood and landscape debris, with the arbor care needing vehicles and equipment capable of removing or trimming large trees. The vehicles and equipment needed by these businesses would be considered accessory as well, as long as they continue to be used by the businesses in their day to day or seasonal operations. This accessory use type of vehicle and equipment parking is distinct from vehicles and equipment placed on the property that are no longer in use by the businesses and still remain on the property. Once “eight or more motor vehicles in any condition, or an equivalent volume of salvaged materials or solid waste” are placed on a property, it becomes considered a junkyard, which is a use that is not allowed in the UC zone.<sup>6</sup>

#### IV. DECISION

**The Buena Vista Arbor Care company and the landscape company offices and associated supporting accessory uses as described in the application are structures and uses consistent with the Urban Commercial zone. This decision does *not* find that those uses occurring on the northern property are consistent with the current Urban Residential zoning of that property.**

PLANNING OFFICIAL:  Date of Decision: June 18, 2020

<sup>6</sup> BCC 51.020(28). “Junkyard” includes an autowrecking yard, garbage dump, junk dealer, and a scrap metal processing facility.

THIS DECISION MAY BE APPEALED TO THE PLANNING COMMISSION BY FILING AN APPEAL FORM AND PAYING THE APPEAL FEE BY 5:00P.M. ON **JULY 2, 2020** (THE 14TH CALENDAR DAY AFTER THE DATE OF THE DECISION). You may obtain an appeal form, and you may submit the completed form and the appeal fee, at the Community Development Department, 360 SW Avery Avenue, Corvallis. A person receiving this notice by mail may appeal this decision only to the Planning Commission and may not appeal directly to the Oregon Land Use Board of Appeals.

This final decision will not become effective until the 14-day appeal period has elapsed. The findings of fact relied upon in making this decision are available for review free of charge at the Community Development Department. Due to COVID-19 precautions, please call ahead before coming in (541-766-6819). A paper copy can be provided at a reasonable cost. A pdf can be emailed free of charge. If you wish to discuss this file, it is best to phone the staff contact.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR, OR SELLER: ORS 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT MUST BE PROMPTLY FORWARDED 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.

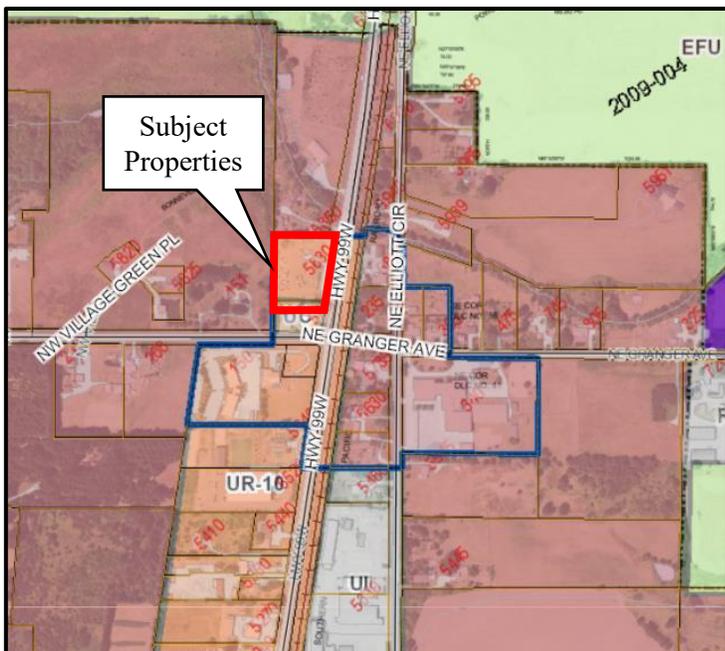
**Attachments:** ATTACHMENT A – Site and Vicinity Maps

ATTACHMENT A

Site Map



Vicinity Map



FILE NUMBER  
LU-20-021

APPLICATION TYPE  
Interpretation – Are existing uses on subject properties allowed uses in the Urban Commercial Zone?

APPLICANT  
Priscilla Esplin



# ATTACHMENT J-1



Burlington, WA *Corporate Laboratory (a)*  
1620 S Walnut St - Burlington, WA 98233 - 800.755.9295 • 360.757.1400

Bellingham, WA *Microbiology (b)*  
805 Orchard Dr Ste 4 - Bellingham, WA 98225 - 360.715.1212

Portland, OR *Microbiology/Chemistry (c)*  
9725 SW Commerce Cr Ste A2 - Wilsonville, OR 97070 - 503.682.7802

Corvallis, OR *Microbiology/Chemistry (d)*  
1100 NE Circle Blvd, Ste 130 - Corvallis, OR 97330 - 541.753.4946

Bend, OR *Microbiology (e)*  
20332 Empire Blvd Ste 4 - Bend, OR 97701 - 541.639.8425

## Hydrocarbon Data Report

Client Name: Kevin Carr  
5820 NW Hwy 99  
Corvallis, OR 97330

Reference Number: **22-02601**  
Project: Bartlett Tree Experts  
Report Date: 2/4/22  
Date Received: 1/25/22  
Approved By: nml  
Authorized by:

  
Sarah P Miller  
Lab Manager, Corvallis

Sample Description: Kitchen Faucet - 5820 NW Hwy 99, Corvallis OR 97330	Sample Date: 1/24/22 16:05
Lab Number: 5147	Collected By: Kevin Carr
Date Analyzed: 1/28/22	Analyzed By: MA

Parameter	Result	Flag	DF	Cleanup Level	PQL	MDL	Units	Method	Lab	Batch	Comment
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### Hydrocarbon Identification

GASOLINE (C8 - C12)	ND		1	1.0	0.25	0.1	mg/L	NWTPH-HCID/ 3510C	a	HCIDW_220128	
DIESEL (C12 - C24)	ND		1	0.5	0.2	0.1	mg/L	NWTPH-HCID/ 3510C	a	HCIDW_220128	
HEAVY HYDROCARBONS (>C24)	ND		1	0.5	0.2	0.1	mg/L	NWTPH-HCID/ 3510C	a	HCIDW_220128	

#### Notation:

ND - A result of "ND" indicates that the compound was not detected above the Lab's Practical Quantitation Limit - PQL.  
PQL = Practical Quantitation Limit is the lowest level that can be achieved within specified limits of precision and accuracy during routine laboratory operating conditions.  
D.F. - Dilution Factor

Cleanup Level - The regulatory limit for Method A Cleanup Levels (MTCA, Chapter173-340 WAC) contaminants in the specified matrix. Amended Feb 12, 2001

The Cleanup level for Gasoline Range Organics (GRO) is 100 mg/Kg for gas mixtures without benzene and when the total ethylbenzene, toluene and xylenes are less than 1% of the gasoline concentration. The Cleanup level for GRO is 30 mg/Kg for all other mixtures.

If you have any questions concerning this report contact us at the above phone number.

# ATTACHMENT J-2



Page 1 of 1



## QUALITY CONTROL REPORT SURROGATE REPORT

Reference Number: 22-02601  
Report Date: 02/04/22

Lab No	Analyte	Result	Qualifier	Units	Method	Limit
HCIDW_220128 5147	O-TERPHENYL (Surr)	93		%	NWTPH-HCID	Acceptance Limits: 50-150%

**\*Notation:**

A surrogate is a pure compound added to a sample in the laboratory just before processing so that the overall efficiency of a method can be determined.

The Acceptance Limits (or Control Limits) approximate a 99% confidence interval around the mean recovery.

# ATTACHMENT K-1



THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

VP Real Estate Investment Services, LLC

6635 Prather Road

Independence, OR 97351

Until a change is requested all tax statements shall be sent to the following address:

VP Real Estate Investment Services, LLC

6635 Prather Road

Independence, OR 97351

File No. 55449AM

BENTON COUNTY, OREGON		<b>2015-533419</b>
DE-WD	07/01/2015 01:43:19 PM	
Stn=2 PF		
\$10.00 \$11.00 \$10.00 \$20.00 \$20.00	<b>\$93.00</b>	
\$22.00		
I, James V. Morales, County Clerk for Benton County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.		
James V. Morales - County Clerk		

AMERITITLE 55449 AM

## STATUTORY WARRANTY DEED

Larry Leslie aka Larry Frank Leslie,

Grantor(s), hereby convey and warrant to

VP Real Estate Investment Services, LLC ,

Grantee(s), the following described real property in the County of Benton and State of Oregon free of encumbrances except as specifically set forth herein:

### Tract I:

Beginning at a pipe on the West line of Robert Wylie's land and on the East line of land described in deed to Forrest W. Lund, recorded April 23, 1941 in Book 98, Page 71, Deed Records, which pipe is 9.023 chains North 89°50 1/2' West along the claim line and 2.624 chains North 0°25 1/2' East along said line from the Southeast corner of Arnold Fuller Donation Land Claim No. 38, Township 11 South, Range 5 West of the Willamette Meridian; and running thence North 0° 25 1/2' East along said line, 4.501 chains to a 3/4 inch pipe, the Southwest corner of land described in deed to Robert Wylie, recorded July 2, 1942 in Book 100, Page 435, Deed Records; thence South 89°48' East along the South line of last said land 4.493 chains to a 3/4 inch pipe on the West line of the State Highway; thence South 8°48 1/2' West along the West line of said highway, 4.551 chains to a 1/2 inch pipe which is 2.655 chains North 8°48 1/2' East from the South line of said claim; thence North 89°50 1/2' West 3.830 chains to the place of beginning.

### Tract II:

Beginning at a 1/2 inch iron pipe, the Northeast corner of the tract conveyed to Alfred S. Wylie and Pearl I. Wylie, husband and wife, as described in deed recorded in Book 127, Page 610, Benton County, Oregon, Deed Records, said pipe being 5.584 chains North 89°50 1/2' West along the claim line to the West line of the State Highway and 2.655 chains North 8°48 1/2' East along the West line of said highway from the Southeast corner of the Arnold Fuller Donation Land Claim No. 38, Township 11 South, Range 5 West of the Willamette Meridian, in Benton County, Oregon; running thence North 89°50 1/2' West, parallel with the South line of said claim 3.818 chains (record 3.183 chains) to the Northwest corner of said tract; thence Southerly along the West line of said tract 0.749 of a chain; thence South 89°50' East parallel with the South line of said Claim 3.711 chains to the West line of said highway; thence North 8°48 1/2' East 0.7576 of a chain to the point of beginning.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

11S R5 12BD 300

11S R5 12BD 400

# ATTACHMENT K-2

Page 2 Statutory Warranty Deed  
Escrow No. 55449AM

The true and actual consideration for this conveyance is \$55,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

2015-2016 Real Property Taxes, a lien not yet due and payable.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

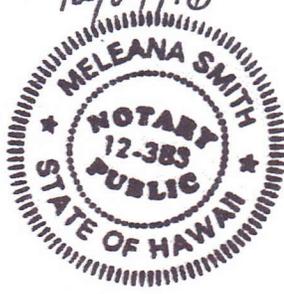
Dated this 29 day of June, 2015.

  
Larry Leslie

State of Hawaii ) ss  
County of Kau )

On this 29 day of June, 2015, before me, Meleana Smith a Notary Public in and for said state, personally appeared Larry Leslie aka Larry Frank Leslie, known or identified to me to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he executed same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Meleana Smith  
Notary Public for the State of Hawaii  
Residing at: Kau, Hi  
Commission Expires: 12/09/16



Doc. Date: 6/29/15 # Pages: 2  
Name: Meleana Smith Third Circuit  
Doc. Description: Statutory Warranty Deed  
Meleana Smith 6/29/15  
Notary Signature Date





STATE OF OREGON  
MONITORING WELL REPORT

(as required by ORS 537.765 & OAR 690-240-095)

Instructions for completing this report are on the last page of this form.

Well ID# L 67732  
Start Card # 166608

(1) OWNER/PROJECT WELL NO. MLW-2  
Name Clive Harrison  
Address 5800 Hwy 99W  
City Lewisburg State OK Zip \_\_\_\_\_

(6) LOCATION OF WELL By legal description:  
County Benton Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 11 (N or S) Range 5 (E or W) Section 12  
SE 1/4 of NW 1/4 of above section.

(2) TYPE OF WORK  
 New construction  Alteration (Repair/Recondition)  
 Conversion  Deepening  Abandonment

Street address of well location 5800 Hwy 99W  
Tax lot number of well location 300  
ATTACH MAP WITH LOCATION IDENTIFIED. Map shall include approximate scale and north arrow.

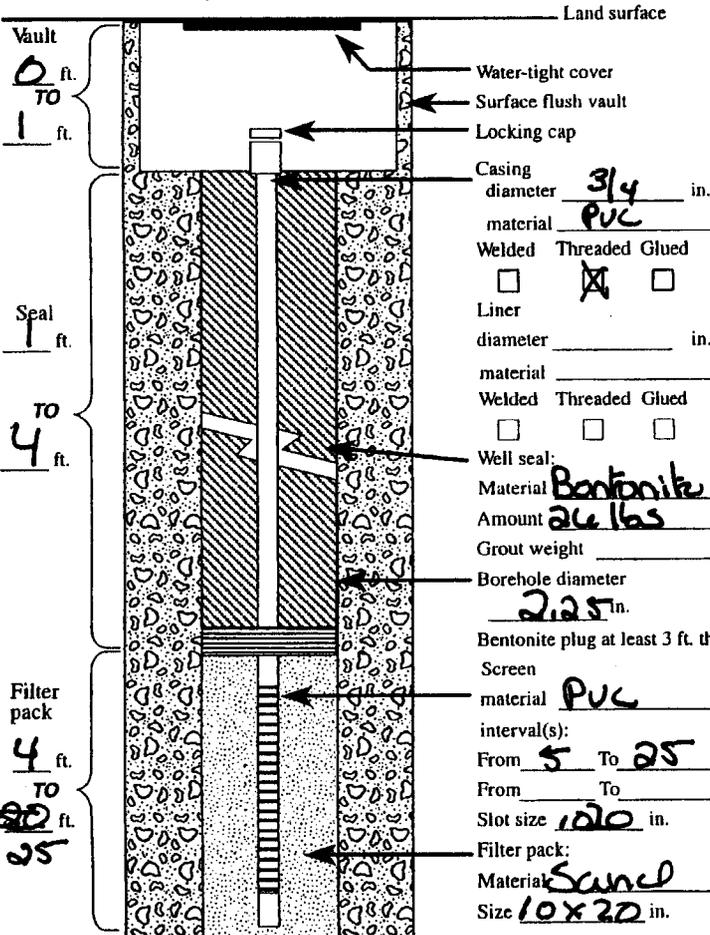
(3) DRILLING METHOD  
 Rotary Air  Rotary Mud  Cable  
 Hollow Stem Auger  Other Push Probe

(7) STATIC WATER LEVEL:  
19 Ft. below land surface. Date 11/21/03  
Artesian Pressure \_\_\_\_\_ lb/sq. in. Date \_\_\_\_\_

(4) BORE HOLE CONSTRUCTION:  
Special Standards Yes  No  Depth of Completed Well 25 ft.

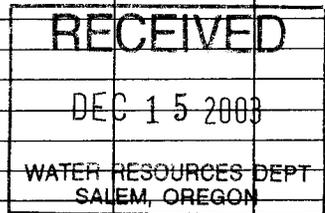
(8) WATER BEARING ZONES:  
Depth at which water was first found 19

From	To	Est. Flow Rate	SWL
19	25		19



(9) WELL LOG:  
Ground Elevation \_\_\_\_\_

Material	From	To	SWL
<u>Clays</u>	<u>0</u>	<u>25</u>	<u>19</u>



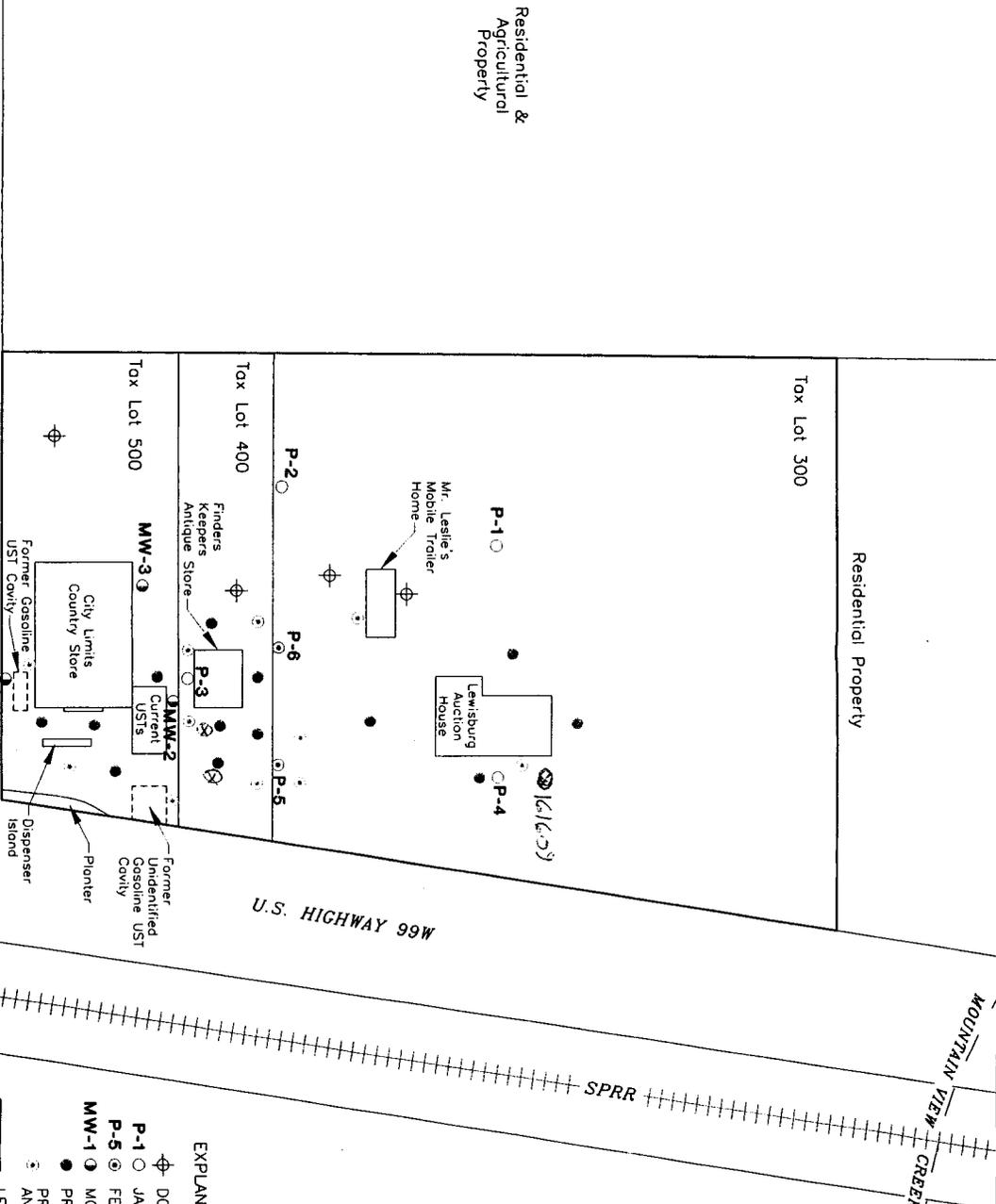
Date started 11/20/03 Completed 11/21/03

(5) WELL TESTS:  
 Pump  Bailer  Air  Flowing Artesian  
 Permeability \_\_\_\_\_ Yield \_\_\_\_\_ GPM  
 Conductivity \_\_\_\_\_ PH \_\_\_\_\_  
 Temperature of water 54 °F/C Depth artesian flow found \_\_\_\_\_ ft.  
 Was water analysis done?  Yes  No  
 By whom? \_\_\_\_\_  
 Depth of strata to be analyzed. From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
 Remarks: \_\_\_\_\_  
 Name of supervising Geologist/Engineer \_\_\_\_\_

(unbonded) Monitor Well Constructor Certification:  
 I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.  
 Signed [Signature] MWC Number 10513 Date 12/12/03  
 (bonded) Monitor Well Constructor Certification:  
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
 Signed [Signature] MWC Number 10011 Date 12/12/03

Note 1: This figure is for informational purposes only. It is intended to assist in the identification of features discussed in a related document. Data were compiled from sources as listed in this figure. The data sources do not warrant the accuracy of the information shown in this figure. This figure is a copy of a master document. The master hard copy is stored by GeoEngineers, Inc. and will serve as the official document of record.

Reference: Benton County Tax Lot Map 11 S 12BD, dated 10/17/03 and site sketch done by GeoEngineers personnel.



Residential & Agricultural Property

Residential Property

Tax Lot 300

Tax Lot 400

Tax Lot 500

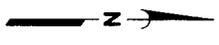
LEWISBURG ROAD

U.S. HIGHWAY 99W

MOUNTAIN VIEW CREEK

SPRR

RECEIVED  
 DEC 15 2003  
 WATER RESOURCES DEPT  
 SALEM, OREGON



EXPLANATION:

- ⊕ DOMESTIC/DRINKING WATER SUPPLY WELL
- P-1 ○ JANUARY 2002 SOIL/GROUNDWATER BORING
- P-5 ○ FEBRUARY 2002 SOIL/GROUNDWATER BORING
- MW-1 ○ MONITORING WELL - INSTALLED IN 1996
- PROPOSED DIRECT-PUSH SOIL BORING
- ⊙ PROPOSED DIRECT-PUSH SOIL BORING AND GRAB GROUNDWATER SAMPLE
- LEWISBURG GASOLINE RELEASE SITE



SITE PLAN AND PROPOSED EXPLORATION LOCATIONS

FIGURE 2

STATE OF OREGON  
MONITORING WELL REPORT

(as required by ORS 537.765 & OAR 690-240-095)

Instructions for completing this report are on the last page of this form.

Well ID# L 60733

Start Card # 161609

L 60733

(1) OWNER/PROJECT WELL NO. MW-3  
Name Clive Harrison  
Address 5800 Hwy 99W  
City Lewisburg State OR Zip \_\_\_\_\_

(6) LOCATION OF WELL By legal description:  
County Benton Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 11 (N or S) Range 5 (E or W) Section 12  
SE 1/4 of NW 1/4 of above section.

(2) TYPE OF WORK  
 New construction  Alteration (Repair/Recondition)  
 Conversion  Deepening  Abandonment

Street address of well location 5800 Hwy 99W  
Tax lot number of well location 300  
ATTACH MAP WITH LOCATION IDENTIFIED. Map shall include approximate scale and north arrow.

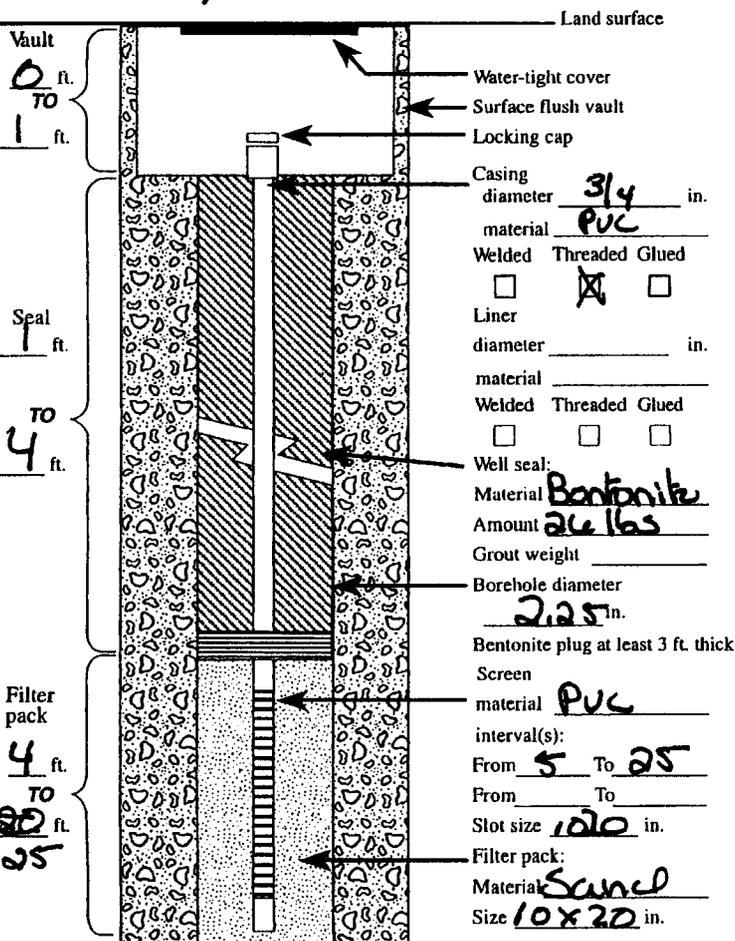
(3) DRILLING METHOD  
 Rotary Air  Rotary Mud  Cable  
 Hollow Stem Auger  Other Push Probe

(7) STATIC WATER LEVEL:  
19 Ft. below land surface. Date 11/21/03  
Artesian Pressure \_\_\_\_\_ lb/sq. in. Date \_\_\_\_\_

(4) BORE HOLE CONSTRUCTION:  
Special Standards Yes  No  Depth of Completed Well 25 ft.

(8) WATER BEARING ZONES:  
Depth at which water was first found 19

From	To	Est. Flow Rate	SWL
19	25		19



(9) WELL LOG:  
Ground Elevation \_\_\_\_\_

Material	From	To	SWL
<u>Clays</u>	<u>0</u>	<u>25</u>	<u>19</u>

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DEC 15 2003  
WATER RESOURCES DEPT  
SALEM, OREGON

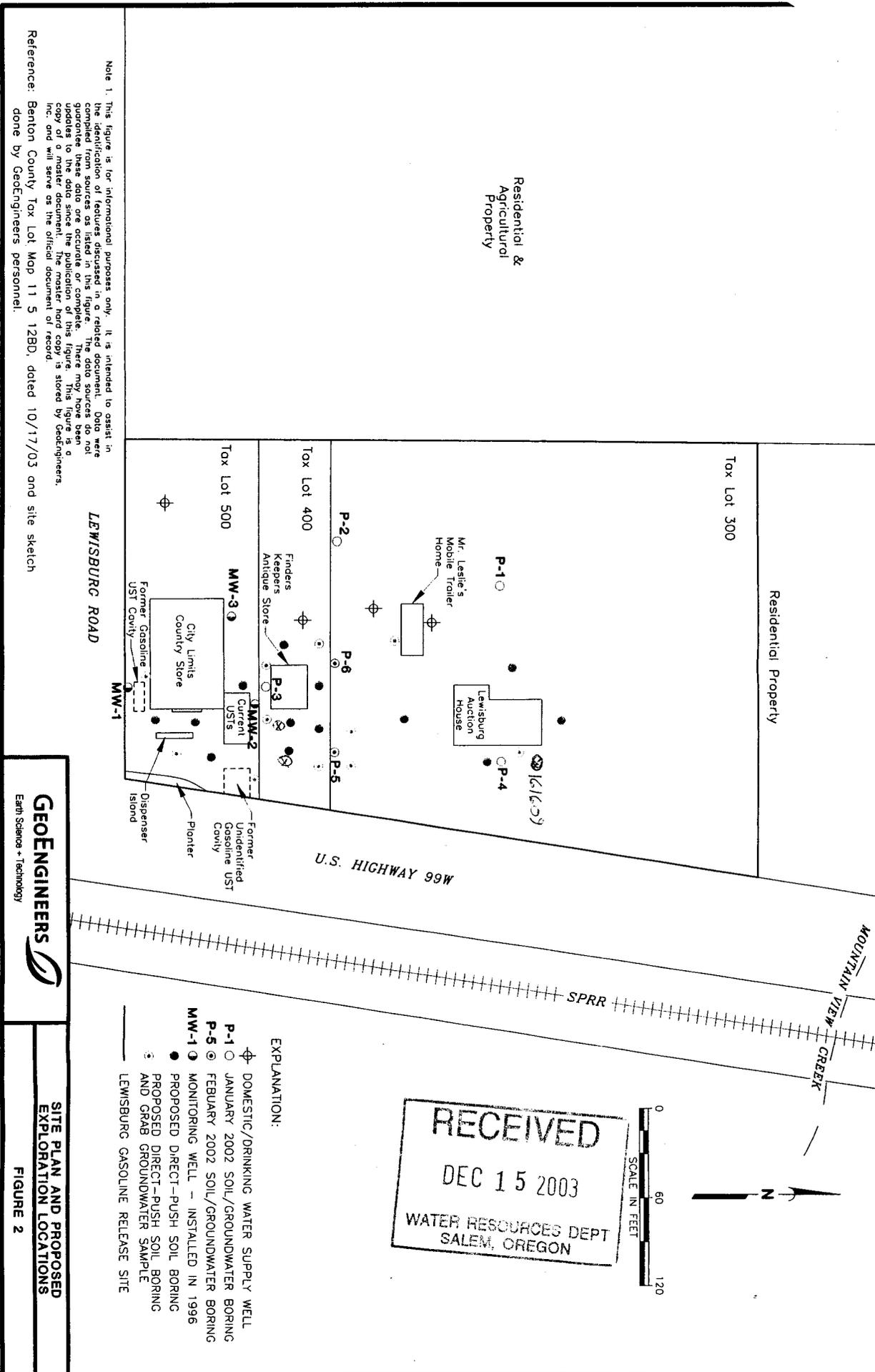
(5) WELL TESTS:  
 Pump  Bailer  Air  Flowing Artesian  
Permeability \_\_\_\_\_ Yield \_\_\_\_\_ GPM  
Conductivity \_\_\_\_\_ PH \_\_\_\_\_  
Temperature of water 54 °F/C Depth artesian flow found \_\_\_\_\_ ft.  
Was water analysis done?  Yes  No  
By whom? \_\_\_\_\_  
Depth of strata to be analyzed. From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
Remarks: \_\_\_\_\_

Date started 11/20/03 Completed 11/24/03

(unbonded) Monitor Well Constructor Certification:  
I certify that the work performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.  
Signed [Signature] MWC Number 10513 Date 12/12/03

(bonded) Monitor Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed [Signature] MWC Number 10011 Date 12/12/03

ORIGINAL COPY - WATER RESOURCES DEPARTMENT FIRST COPY - CONSTRUCTOR SECOND COPY - CUSTOMER



**GEOENGINEERS**  
Earth Science + Technology

**SITE PLAN AND PROPOSED EXPLORATION LOCATIONS**  
FIGURE 2

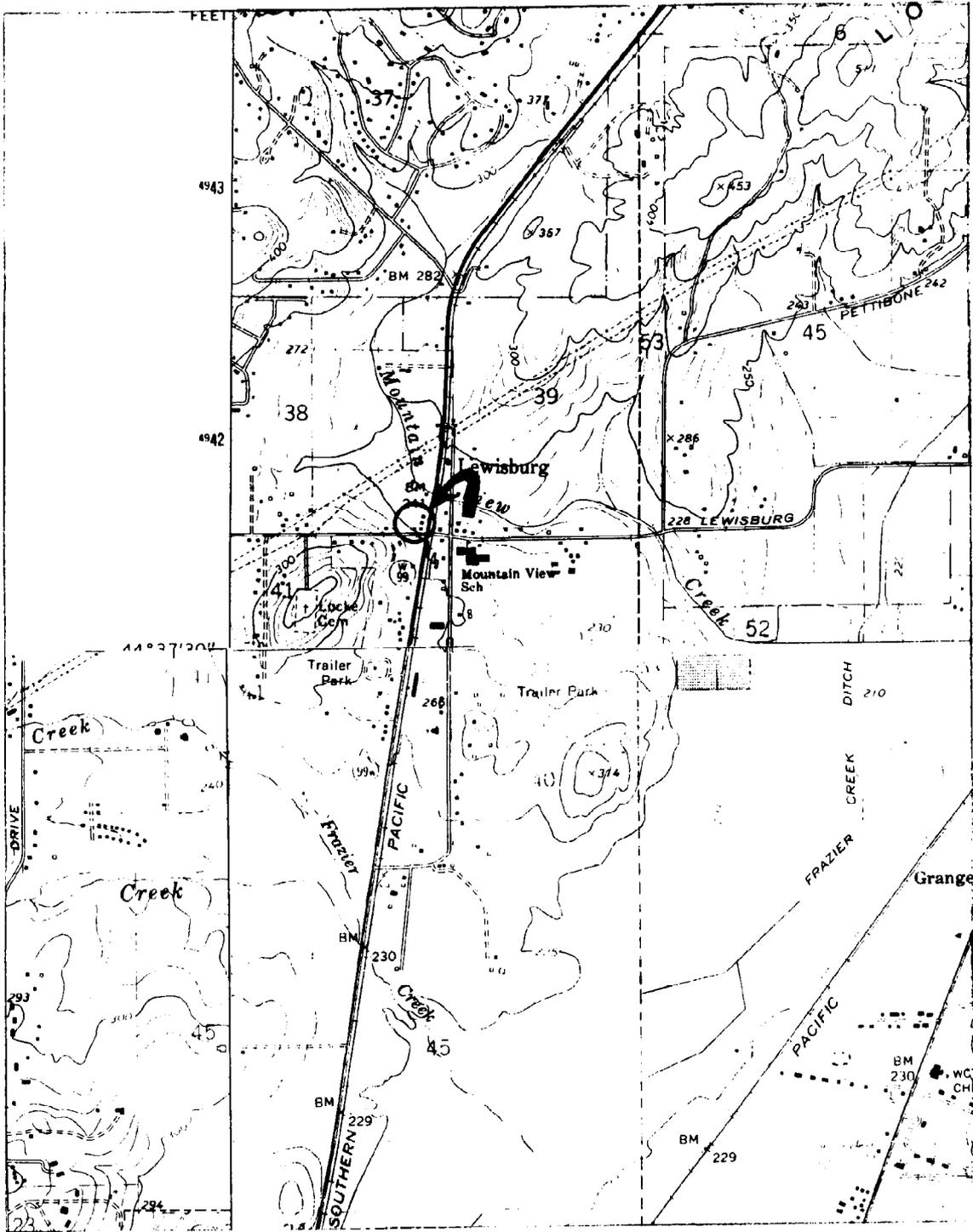


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JUN 12 1996

WATER RESOURCES DEPT.  
SALEM, OREGON

FIGURE I



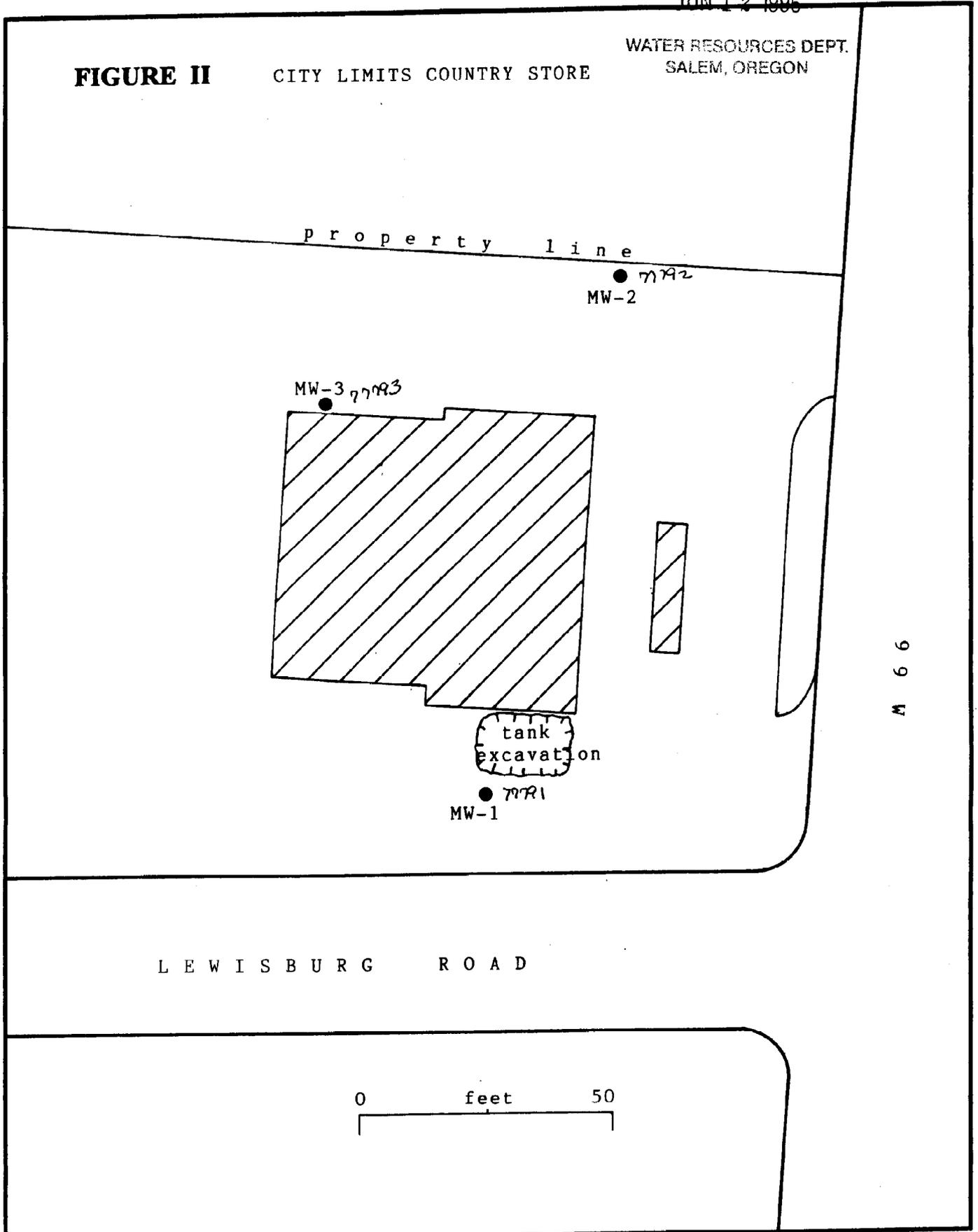
RECEIVED

JUN 12 1996

FIGURE II

CITY LIMITS COUNTRY STORE

WATER RESOURCES DEPT.  
SALEM, OREGON



M 6 6



RECEIVED

JUN 12 1996

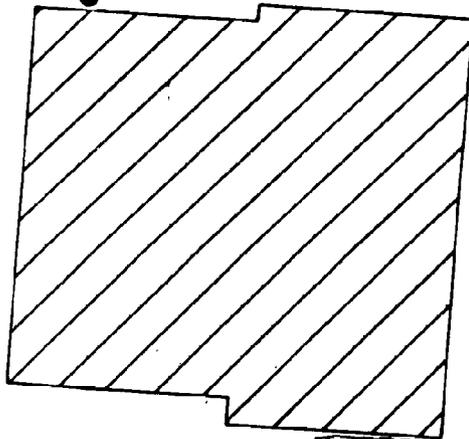
WATER RESOURCES DEPT.  
SALEM, OREGON

**FIGURE II** CITY LIMITS COUNTRY STORE

property line

● 7792  
MW-2

MW-3 7793



tank  
excavation

● 7791  
MW-1

M 6 6

LEWISBURG ROAD

0 feet 50

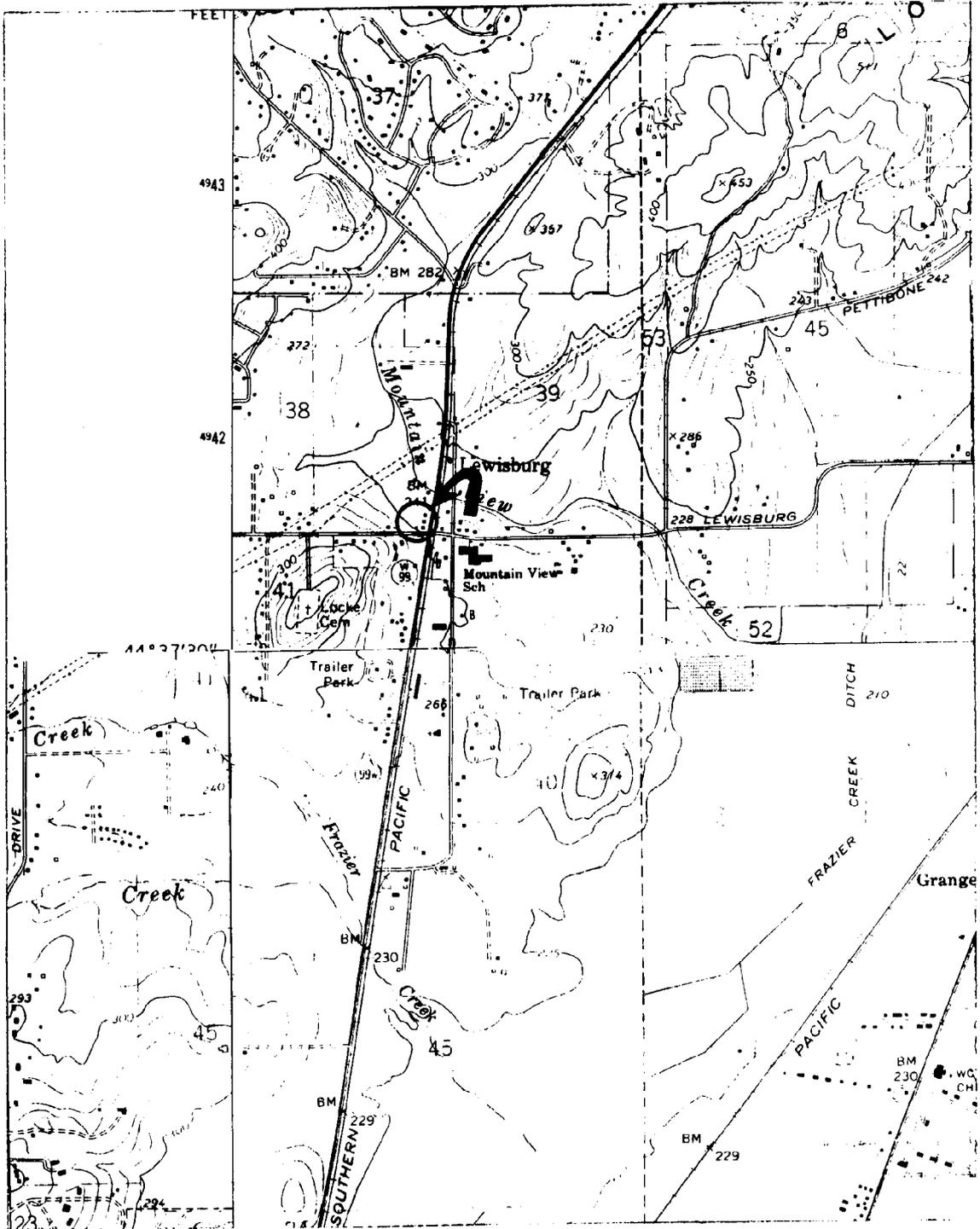


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JUN 12 1996

FIGURE I

WATER RESOURCES DEPT.  
SALEM, OREGON



STATE OF OREGON  
MONITORING WELL REPORT

(as required by ORS 537.765 & OAR 690-240-095)

Instructions for completing this report are on the last page of this form.

Well ID# L67731  
Start Card # 146607

(1) OWNER/PROJECT WELL NO. MW-1  
Name Clive Harrison  
Address 5800 Hwy 99W  
City Lewisburg State OR Zip \_\_\_\_\_

(6) LOCATION OF WELL By legal description:  
County Benton Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 11 (N or S) Range 5 (E or W) Section 12  
SE 1/4 of NW 1/4 of above section.

(2) TYPE OF WORK  
 New construction     Alteration (Repair/Recondition)  
 Conversion     Deepening     Abandonment

Street address of well location 5800 Hwy 99W  
Tax lot number of well location 300  
ATTACH MAP WITH LOCATION IDENTIFIED. Map shall include approximate scale and north arrow.

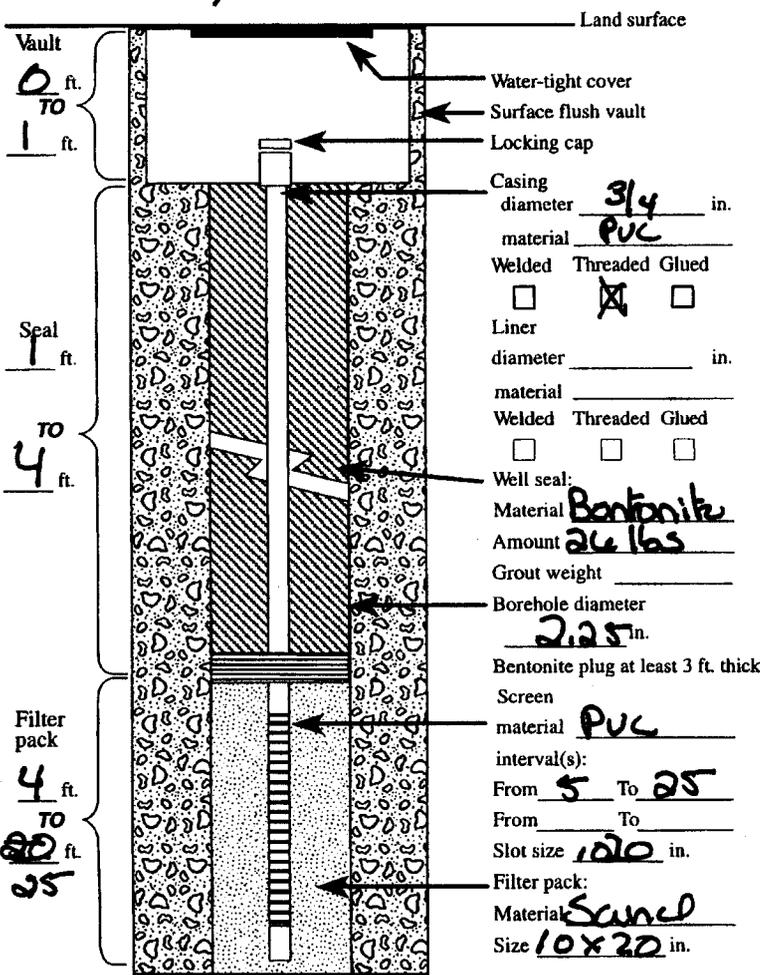
(3) DRILLING METHOD  
 Rotary Air     Rotary Mud     Cable  
 Hollow Stem Auger     Other Push Probe

(7) STATIC WATER LEVEL:  
19 Ft. below land surface.    Date 11/21/03  
Artesian Pressure \_\_\_\_\_ lb/sq. in.    Date \_\_\_\_\_

(4) BORE HOLE CONSTRUCTION:  
Special Standards Yes  No  Depth of Completed Well 25 ft.

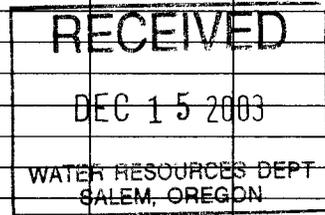
(8) WATER BEARING ZONES:  
Depth at which water was first found 19

From	To	Est. Flow Rate	SWL
<u>19</u>	<u>25</u>		<u>19</u>



(9) WELL LOG:  
Ground Elevation \_\_\_\_\_

Material	From	To	SWL
<u>Clays</u>	<u>0</u>	<u>25</u>	<u>19</u>



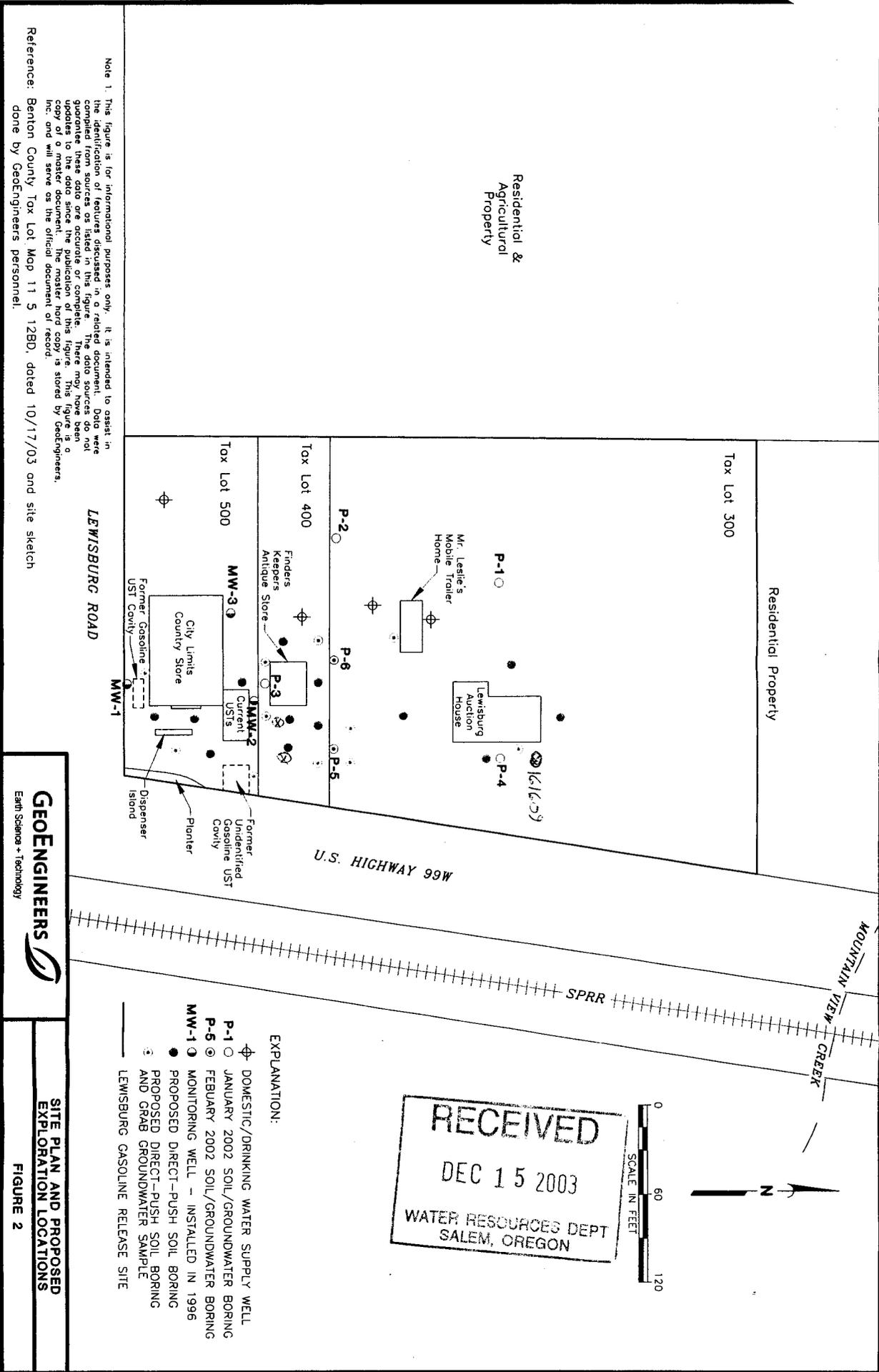
Date started 11/20/03 Completed 11/21/03

(5) WELL TESTS:  
 Pump     Bailer     Air     Flowing Artesian  
Permeability \_\_\_\_\_ Yield \_\_\_\_\_ GPM  
Conductivity \_\_\_\_\_ PH \_\_\_\_\_  
Temperature of water 54 °F/C    Depth artesian flow found \_\_\_\_\_ ft.  
Was water analysis done?  Yes     No  
By whom? \_\_\_\_\_  
Depth of strata to be analyzed. From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
Remarks: \_\_\_\_\_  
Name of supervising Geologist/Engineer \_\_\_\_\_

(unbonded) Monitor Well Constructor Certification:  
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.  
Signed \_\_\_\_\_ MWC Number 10613 Date 12/12/03

(bonded) Monitor Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed \_\_\_\_\_ MWC Number 10011 Date 12/12/03

ORIGINAL COPY - WATER RESOURCES DEPARTMENT    FIRST COPY - CONSTRUCTOR    SECOND COPY - CUSTOMER



Residential & Agricultural Property

Note 1. This figure is for informational purposes only. It is intended to assist in the identification of features discussed in a related document. Data were compiled from sources as listed in this figure. The data sources do not guarantee these data are accurate or complete. There may have been changes to the data since the date of this figure. This figure is a copy of a master document. The master document is stored by GeoEngineers, Inc. and will serve as the official document of record.

Reference: Benton County Tax Lot Map 11 S 12BD, dated 10/17/03 and site sketch done by GeoEngineers personnel.

**GEOENGINEERS**  
Earth Science + Technology

**SITE PLAN AND PROPOSED EXPLORATION LOCATIONS**  
**FIGURE 2**

- EXPLANATION:
- ⊕ DOMESTIC/DRINKING WATER SUPPLY WELL
  - P-1 ○ JANUARY 2002 SOIL/GROUNDWATER BORING
  - P-5 ○ FEBRUARY 2002 SOIL/GROUNDWATER BORING
  - MW-1 ○ MONITORING WELL - INSTALLED IN 1996
  - PROPOSED DIRECT-PUSH SOIL BORING
  - ⊙ PROPOSED DIRECT-PUSH SOIL BORING AND GRAB GROUNDWATER SAMPLE
  - LEWISBURG GASOLINE RELEASE SITE

ATTACHMENT M-1

STATE OF OREGON  
MONITORING WELL REPORT  
(as required by ORS 537.765 & OAR 690-240-095)

OR4019-16

Well ID# L64680  
Start Card # 164963

Instructions for completing this report are on the last page of this form.

(1) OWNER/PROJECT WELL NO. \_\_\_\_\_  
Name Larry Leslie  
Address 5820 Hwy 99W  
City Corvallis State OR Zip 97330

(6) LOCATION OF WELL By legal description:  
County Benton Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 11S (N or S) Range 5W (E or W) Section 12  
SE 1/4 of 10W 1/4 of above section

(2) TYPE OF WORK  
 New construction  Alteration (Repair/Recondition)  
 Conversion  Deepening  Abandonment

Street address of well location 5820 Hwy 99W Corvallis, OR  
Tax lot number of well location 300  
ATTACH MAP WITH LOCATION IDENTIFIED. Map shall include approximate scale and north arrow.

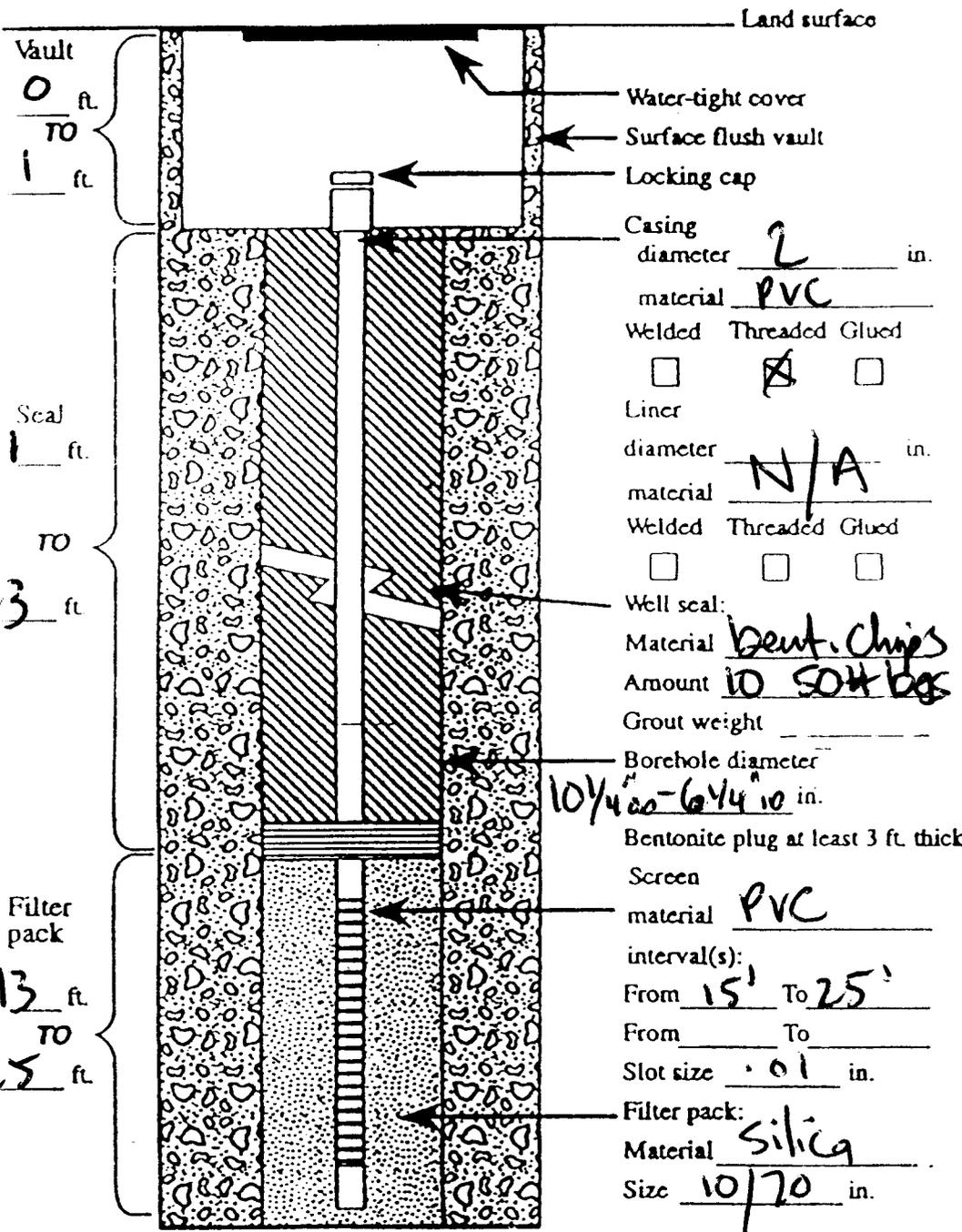
(3) DRILLING METHOD  
 Rotary Air  Rotary Mud  Cable  
 Hollow Stem Auger  Other \_\_\_\_\_

(7) STATIC WATER LEVEL:  
3 Ft. below land surface. Date 16 Feb 04  
Artesian Pressure \_\_\_\_\_ lb/sq. in. Date \_\_\_\_\_

(4) BORE HOLE CONSTRUCTION:  
Special Standards Yes  No   
Depth of Completed Well 25 ft.

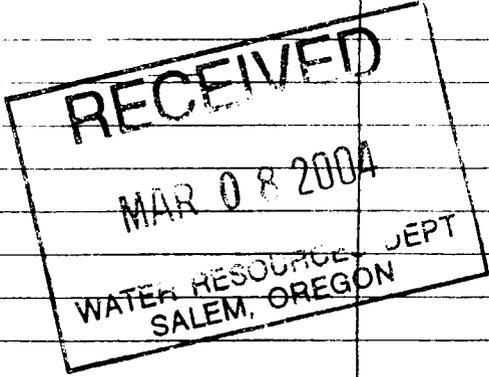
(8) WATER BEARING ZONES:  
Depth at which water was first found \_\_\_\_\_

From	To	Est. Flow Rate	SWL



(9) WELL LOG:  
Ground Elevation \_\_\_\_\_

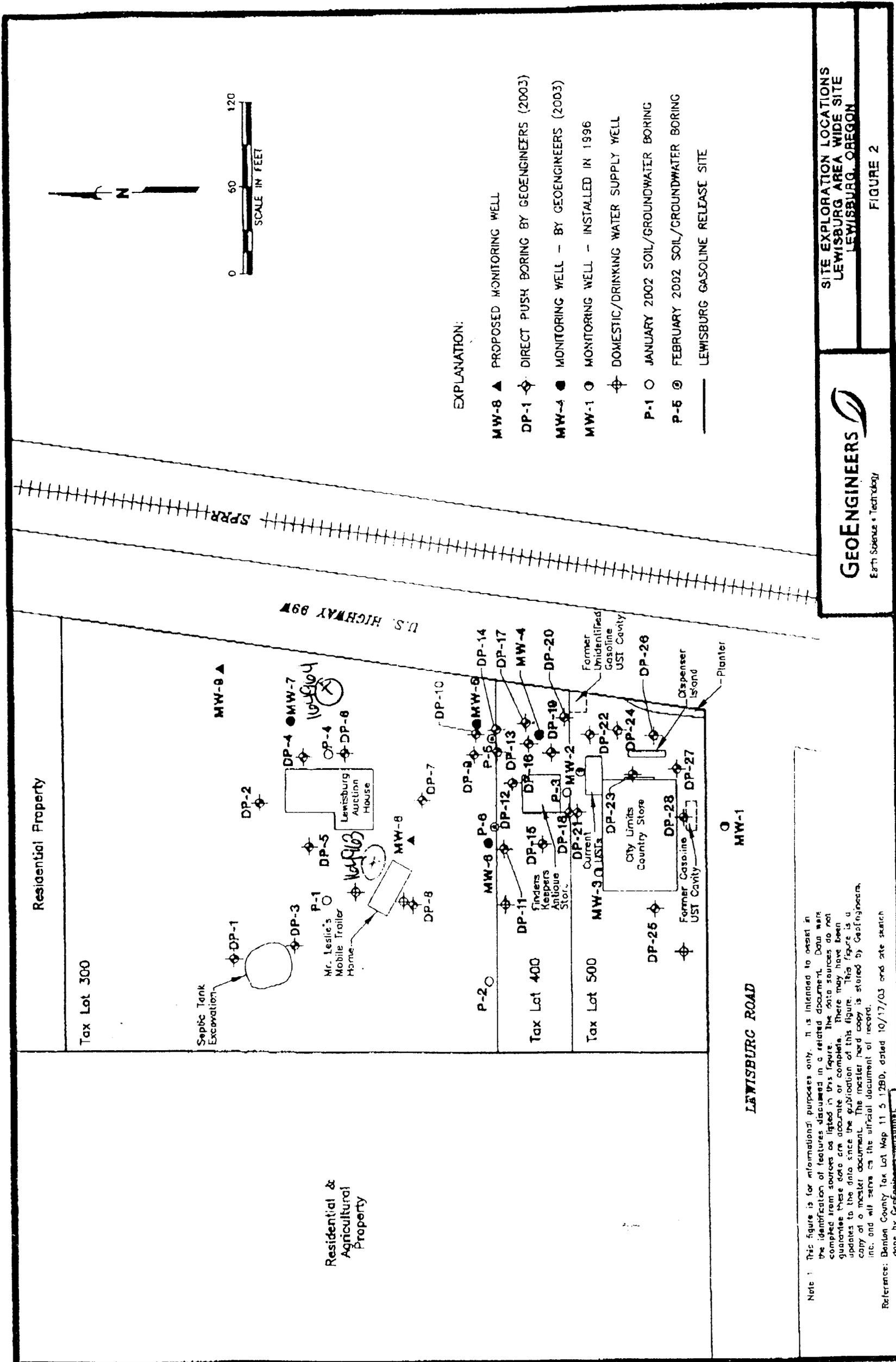
Material	From	To	SWL
<u>Clay</u>	<u>0'</u>	<u>25'</u>	



Date started 16 Feb 04 Completed 16 Feb 04

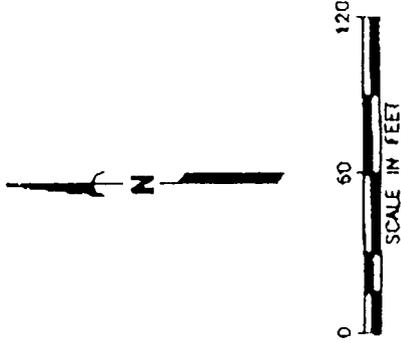
(5) WELL TESTS:  
 Pump  Bailer  Air  Flowing Artesian  
Permeability \_\_\_\_\_ Yield \_\_\_\_\_ GPM  
Conductivity \_\_\_\_\_ PH \_\_\_\_\_  
Temperature of water 56° °F/C Depth artesian flow found \_\_\_\_\_ ft.  
Was water analysis done?  Yes  No  
By whom? \_\_\_\_\_  
Depth of strata to be analyzed. From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
Remarks: \_\_\_\_\_  
Name of supervising Geologist/Engineer: \_\_\_\_\_

(unbonded) Monitor Well Constructor Certification:  
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.  
Signed Darryl Metzer MWC Number 10423 Date 16 Feb 04  
(bonded) Monitor Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed \_\_\_\_\_ MWC Number 10024 Date 2.16.04



EXPLANATION:

- MW-8 ▲ PROPOSED MONITORING WELL
- DP-1 ◆ DIRECT PUSH BORING BY GEOENGINEERS (2003)
- MW-4 ● MONITORING WELL - BY GEOENGINEERS (2003)
- MW-1 ○ MONITORING WELL - INSTALLED IN 1996
- ⊕ DOMESTIC/DRINKING WATER SUPPLY WELL
- P-1 ○ JANUARY 2002 SOIL/GROUNDWATER BORING
- P-5 ⊙ FEBRUARY 2002 SOIL/GROUNDWATER BORING
- LEWISBURG GASOLINE RELEASE SITE



SITE EXPLORATION LOCATIONS  
LEWISBURG AREA WIDE SITE  
LEWISBURG, OREGON

FIGURE 2



Note: This figure is for informational purposes only. It is intended to assist in the identification of features discussed in a related document. Data was compiled from sources as listed in this figure. The data sources do not guarantee these data are accurate or complete. There may have been updates to the data since the publication of this figure. This figure is a copy of a master document. The master hard copy is stored by GeoEngineers, inc. and will serve as the official document of record.  
Reference: Benton County Tax Lot Map 11.5.1280, dated 10/17/03 and site sketch 0308 by GeoEngineers, inc.

**RECEIVED**  
MAR 08 2004  
WATER RESOURCES DEPT  
SALEM, OREGON

STATE OF OREGON  
MONITORING WELL REPORT  
(as required by ORS 537.765 & OAR 690-240-095)

OR4019-16

Well ID# L64681  
Start Card # 164964

Instructions for completing this report are on the last page of this form.

BENT 52587

(1) OWNER/PROJECT Name Larry Leslie WELL NO. \_\_\_\_\_  
Address 5820 Hwy 99W  
City Corvallis State OR Zip 97330

(6) LOCATION OF WELL By legal description:  
County Benton Latitude \_\_\_\_\_ Longitude \_\_\_\_\_  
Township 11S (N or S) Range 5W (E or W) Section 12  
SE 1/4 of NW 1/4 of above section.

(2) TYPE OF WORK  
 New construction  Alteration (Repair/Recondition)  
 Conversion  Deepening  Abandonment

Street address of well location  
5820 Hwy 99W Corvallis, OR

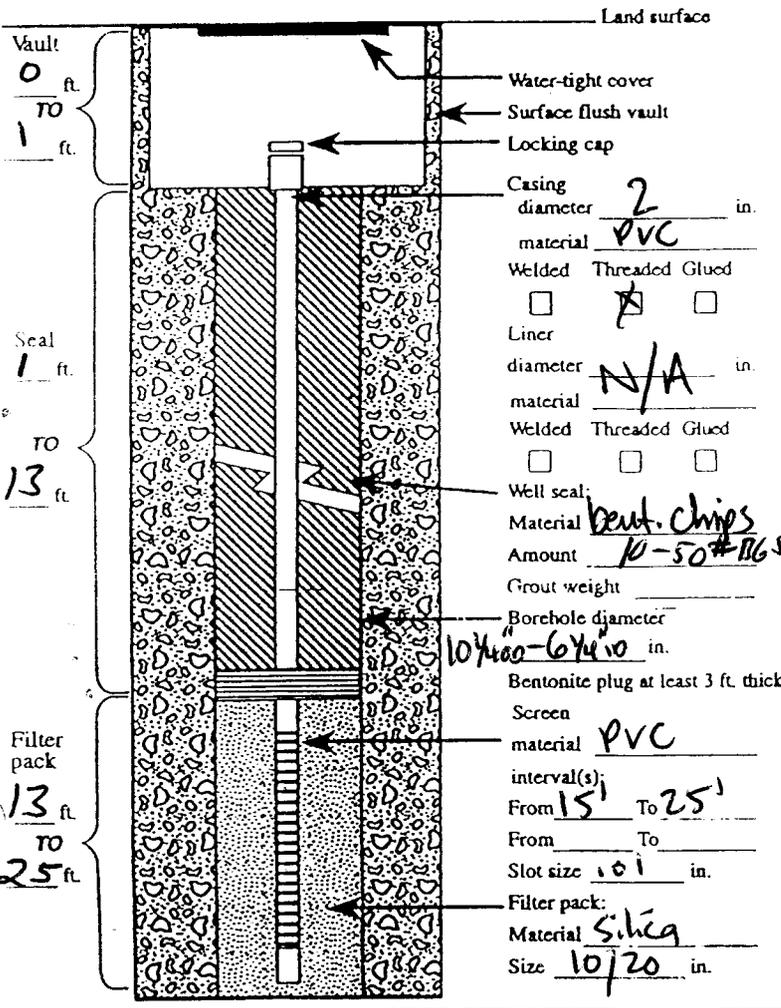
Tax lot number of well location 300  
ATTACH MAP WITH LOCATION IDENTIFIED. Map shall include approximate scale and north arrow.

(3) DRILLING METHOD  
 Rotary Air  Rotary Mud  Cable  
 Hollow Stem Auger  Other \_\_\_\_\_

(7) STATIC WATER LEVEL:  
4 Ft. below land surface. Date 2/16/04  
Artesian Pressure \_\_\_\_\_ lb/sq. in. Date \_\_\_\_\_

(4) BORE HOLE CONSTRUCTION:  
Special Standards Yes No    
Depth of Completed Well 25 ft.

(8) WATER BEARING ZONES:  
Depth at which water was first found \_\_\_\_\_



From	To	Est. Flow Rate	SWL
<u>4</u>	<u>25</u>	<u>36 PM</u>	

(9) WELL LOG:  
Ground Elevation \_\_\_\_\_

Material	From	To	SWL
<u>clay</u>	<u>0'</u>	<u>25'</u>	

RECEIVED  
MAR 08 2004  
WATER RESOURCES DEPT  
SALEM, OREGON

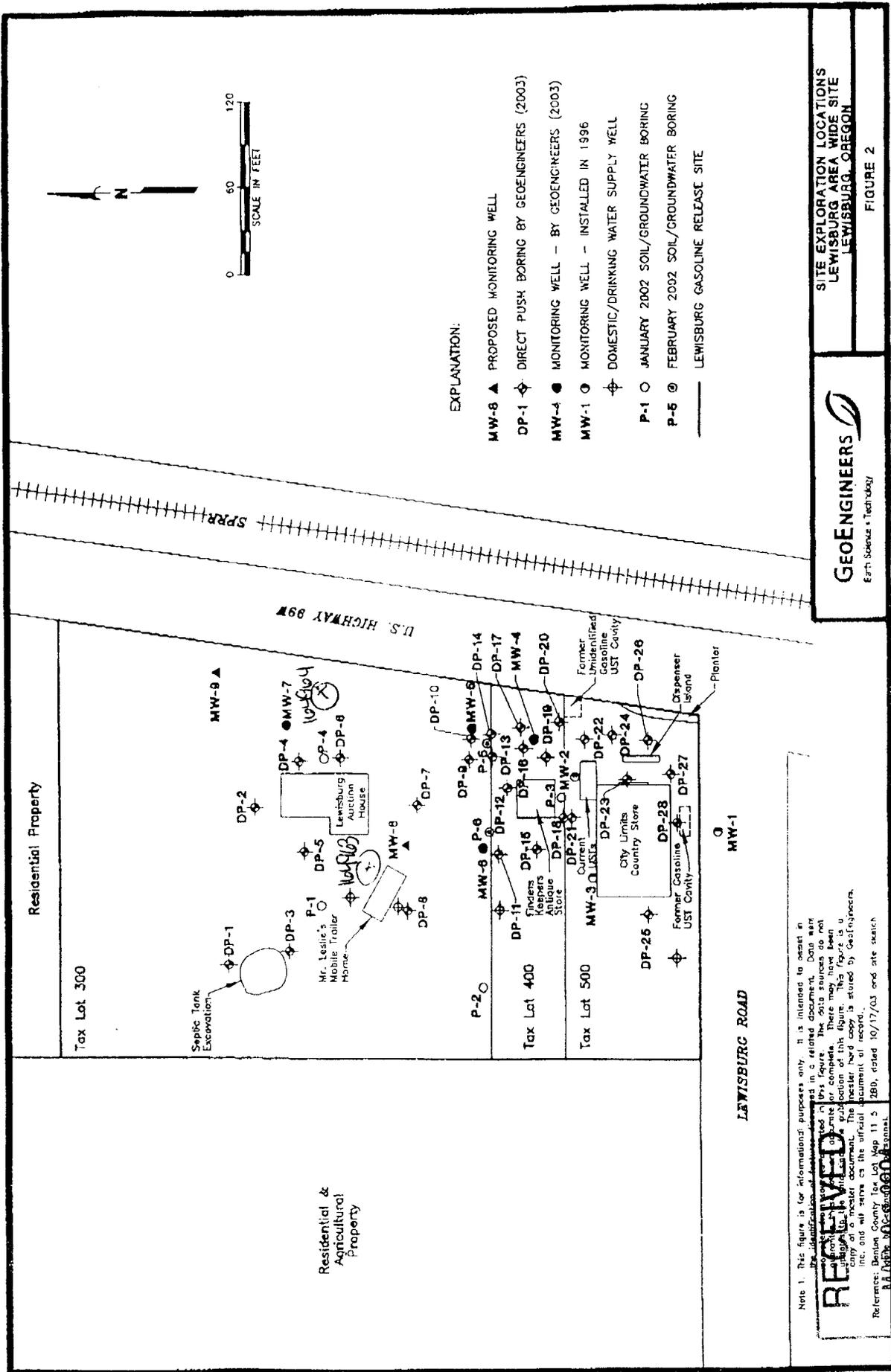
RECEIVED  
DEC 29 2004  
WATER RESOURCES DEPT  
SALEM, OREGON

Date started 16 Feb 04 Completed 16 Feb 04

(5) WELL TESTS:  
 Pump  Bailer  Air  Flowing Artesian  
Permeability \_\_\_\_\_ Yield \_\_\_\_\_ GPM  
Conductivity \_\_\_\_\_ PH \_\_\_\_\_  
Temperature of water 56 °F/C Depth artesian flow found \_\_\_\_\_ ft.  
Was water analysis done?  Yes  No  
By whom? \_\_\_\_\_  
Depth of strata to be analyzed. From \_\_\_\_\_ ft. to \_\_\_\_\_ ft.  
Remarks: \_\_\_\_\_  
Name of supervising Geologist/Engineer: \_\_\_\_\_

(unbonded) Monitor Well Constructor Certification:  
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.  
Signed Daniel Mathy MWC Number 10423 Date 16 Feb 04

(bonded) Monitor Well Constructor Certification:  
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.  
Signed \_\_\_\_\_ MWC Number 10024 Date 2.16.04



Note 1. This figure is for informational purposes only. It is intended to assist in the identification of exploration locations in a related document. Data were not verified for accuracy or completeness. The data sources do not warrant the accuracy or completeness of this figure. There may have been changes to the location of exploration locations since the date of the last published copy of a master document. The master document is stored by GeoEngineers, Inc. and will serve as the official record of exploration locations. Reference: DeWitt County for 01/11/03 and site search results for 01/11/03.

**RECEIVED**

WATER RESOURCES DEPT  
SALEM, OREGON

**From:** [KINGERY Sarah \\* DEQ](#)  
**To:** [david@wvporegon.com](mailto:david@wvporegon.com)  
**Cc:** [WOODS Ellen \\* DEQ](#); [GOMORI Justin \\* DEQ](#)  
**Subject:** RE: WR-needs site information  
**Date:** Friday, May 3, 2024 4:20:49 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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Hi David,

The leaking underground storage tank (LUST) file 02-91-4121 is still open and on our backlog list. In order to close this file the owner would need to enter into a cost recovery agreement with DEQ and hire a consultant to investigate the contamination on their property.

The cleanup file for the Lewisburg Area Gasoline Release (ECSI 3934) is still open and the environmental issue is unresolved. DEQ worked with a contractor to investigate the extent of contamination in the Lewisburg area using Orphan Funding in 2004. Investigations in 2004 identified a contaminated groundwater plume that contained concentrations of gasoline and diesel-range hydrocarbons, and benzene that are above risk-based concentrations (RBCs) for vapor intrusion for both commercial and residential receptors. Since 2004 many advances in the field of vapor intrusion science have been made and DEQ's risk-based standards (RBCs) have been reduced for many chemicals, including gasoline, diesel, and benzene. It is likely that these chemicals still exceed risk levels.

Buildings above groundwater plumes with contaminants exceeding vapor intrusion risk levels can be retrofitted to reduce risk and new construction can incorporate building designs that eliminate the potential for subsurface vapor migration into a future occupied structure. Vapor intrusion mitigation or remediation systems, whether passive or active in nature, should follow the procedures outlined in the United States Environmental Protection Agency's [OSWER Technical Guide for Assessing and Mitigating the Vapor Intrusion Pathway From Subsurface Vapor Sources to Indoor Air](#) (OSWER Publication 92002-154 dated June 2015). Vapor intrusion and mitigation systems need to be designed by a registered civil or environmental engineer.

Additional investigation of the groundwater and soil vapor conditions could assess current conditions and risk aiding in building design or potentially eliminating the need for vapor intrusion and mitigation systems depending on the results of additional investigations.

Use of the groundwater in the vicinity of the plume should be carefully monitored. Extensive use of a well can pull the contaminated plume towards it. Specially designed filtrations systems can be installed on wells to treat the water however these require monitoring to ensure there is no contaminant breakthrough of the system. Exposures to contaminants in well water can occur through drinking but also through inhalation during other uses such as bathing. We recommend that prior to any development in this area, you hire a knowledgeable

**ATTACHMENT N-1**

consultant with experience working on environmental investigations and remediations.

Project reports can be viewed at DEQ's environmental data management system also known as Your DEQ Online (YDO). Navigate to the public project records at <https://ordeq-edms-public.govonlinesaas.com/pub/pub-rcd/projects> and use search criteria: keywords 3934 and Lewisburg.



**Sarah Kingery**

Environmental Cleanup Project Manager  
Oregon Department of Environmental Quality  
Western Region

165 E. 7<sup>th</sup> Avenue, Suite 100  
Eugene, OR 97401

P: (541 )321-3687 | [Sarah.Kingery@deq.oregon.gov](mailto:Sarah.Kingery@deq.oregon.gov)

Pronouns: She/Her/Hers

---

**From:** david@wvporegon.com <david@wvporegon.com>

**Sent:** Friday, May 3, 2024 8:47 AM

**To:** GOMORI Justin \* DEQ <Justin.GOMORI@deq.oregon.gov>

**Cc:** WOODS Ellen \* DEQ <Ellen.Woods@deq.oregon.gov>; KINGERY Sarah \* DEQ <Sarah.KINGERY@deq.oregon.gov>

**Subject:** RE: WR-needs site information

Justin:

It's been over a week since you sent me this e-mail, so I thought I would circle back to see if the Lead Worker or Program Manager have looked into the status of either of these two DEQ projects.

All I need is an e-mail from someone at the DEQ implying there is a known groundwater impact plume that affected portions of the 2.87-acre tax lot 1200 on Assessor's Map 11-5-12BD, but no ongoing monitoring is being done by DEQ at this time.

Thanks,

David j. Dodson, AICP  
Willamette Valley Planning LLC  
<https://wvporegon.com/>  
541-231-6111

**From:** GOMORI Justin \* DEQ <[Justin.GOMORI@deq.oregon.gov](mailto:Justin.GOMORI@deq.oregon.gov)>  
**Sent:** Tuesday, April 23, 2024 3:26 PM  
**To:** [david@wvporegon.com](mailto:david@wvporegon.com)  
**Cc:** WOODS Ellen \* DEQ <[Ellen.Woods@deq.oregon.gov](mailto:Ellen.Woods@deq.oregon.gov)>; KINGERY Sarah \* DEQ <[Sarah.KINGERY@deq.oregon.gov](mailto:Sarah.KINGERY@deq.oregon.gov)>; GOMORI Justin \* DEQ <[Justin.GOMORI@deq.oregon.gov](mailto:Justin.GOMORI@deq.oregon.gov)>  
**Subject:** Re: WR-needs site information

Good afternoon, Dave,

Thank you for your patience while we continue to do some digging regarding your inquiry. The address 5800 NW Hwy 99W, Corvallis, OR 97330 does have a open LUST project #: 02-91-4121 that is currently on our backlog list. Additionally, this tax lot (500) as well as tax lots (400 & 1200 located north of the 5800 Hwy 99 property) are associated with an open Environmental Cleanup Site Investigation project #: 3934. There was groundwater impact with the plume contained on these three tax lots. We have reached out to our Lead Workers and Program Manager for historical information regarding the projects.

Regards,



**Justin Gomori (Mr./He/His)**

Administrative Specialist  
Oregon Department of Environmental Quality  
Environmental Cleanup Program  
4026 Fairview Industrial Dr. SE  
Salem, OR 97302

---

**From:** KINGERY Sarah \* DEQ <[Sarah.KINGERY@deq.oregon.gov](mailto:Sarah.KINGERY@deq.oregon.gov)>  
**Sent:** Tuesday, April 23, 2024 9:32 AM  
**To:** Unassigned LUST \* DEQ <[Unassigned.LUST@DEQ.oregon.gov](mailto:Unassigned.LUST@DEQ.oregon.gov)>  
**Cc:** [david@wvporegon.com](mailto:david@wvporegon.com) <[david@wvporegon.com](mailto:david@wvporegon.com)>  
**Subject:** WR-needs site information

Hello Justin,

Got a call from Dave Dodson (541) 231-6111 [ccd in email] who is a developer in the

**ATTACHMENT N-3**

Corvallis area (also an Allen Street Homeowner). He is working on a use change for a property North of a possible LUST site and the County is wanting some clarification that there are no impacts to the property.

The probable LUST project is located at 5800 Hwy 99 West and the Owner is Clive Harrison. Clive told Dave that he didn't know the status of his site as he hadn't heard from DEQ in quite a while. Questions: Is this a LUST project? What is its current status? Was ground water impacted? What are the contaminants of concern? If groundwater contaminated is there a known plume size? Groundwater flow direction?

FYI-there are two wells on the property that Dave is developing.

Thanks for your help on this. Let me know if you need help with any of the information you find. I'd also like to see how you search on the new database.



**Sarah Kingery**

Environmental Cleanup Project Manager

Oregon Department of Environmental Quality

Western Region

165 E. 7<sup>th</sup> Avenue, Suite 100

Eugene, OR 97401

P: (541 )321-3687 | [Sarah.Kingery@deq.oregon.gov](mailto:Sarah.Kingery@deq.oregon.gov)

Pronouns: She/Her/Hers

# Appendix

## Traffic Impact Study



November 22, 2023, **Revised March 07, 2024**

Vern and Priscilla Esplin  
6635 Prather Road  
Independence, Oregon 97351

Re: **5840 NW Highway 99W Comprehensive Plan Amendment and Zone Change – Corvallis, Oregon**  
*Traffic Impact Study*

C&A Project Number 20230806.00

Dear Mr. and Mrs. Esplin,

This Traffic Impact Study (TIS) supports the proposed Comprehensive Plan amendment and zone change of the property located at 5840 NW Highway 99W, Corvallis, (Benton County) Oregon. The following items are presented:

1. Property Description and Proposed Land Use Actions
2. Study Parameters
3. Corvallis Transportation System Plan (TSP)
4. Existing Conditions
5. Site Development
6. Transportation Analysis
7. Site Access
8. Summary

## **1. PROPERTY DESCRIPTION AND PROPOSED LAND USE ACTIONS**

The subject property is located at 5840 NW Highway 99W (OR 99W), Corvallis, (Benton County) Oregon. The property is identified as tax lot 1200 on Benton County Assessor's map 11-5-12BD and is approximately 2.87 acres. The property has frontage on, and access to OR 99W to the east. The site area is illustrated in the attached Figure 1.

The subject property is located outside the Corvallis City Limits (in Benton County) but is inside the Urban Growth Boundary (UGB), in the area referred to as the Urban Fringe. As such, all proposed land use actions are subject to the Corvallis Urban Fringe Management Agreement policies.

Proposed land use actions include a Corvallis Comprehensive Plan amendment and a plan designation change from Residential – Low Density to Mixed-Use Commercial and a corresponding Benton County zone change from Urban Residential (UR-5 and UR-10) to Urban Commercial (C) – noting the property will remain in the County following these land use actions.

It is further noted that the existing tree care business located on the property is a non-conforming use and that property redevelopment is not currently contemplated. As such, for transportation analysis purposes, reasonable worst-case development scenarios will be assumed in the current and proposed zone designations.

## 2. STUDY PARAMETERS

The subject land use action is for a Corvallis Comprehensive Plan amendment and a Benton County zone change and is subject to the Corvallis Urban Fringe Management Agreement policies. Therefore, the TIS addresses the following criteria:

- Transportation Planning Rule (TPR) criteria outlined in Oregon Administrative Rule (OAR) 660-012-0060
- Corvallis Land Development Code (LDC) Section 4.0.60 – Public and Private Street Requirements
- July 2019 Traffic Impact Study Requirements for Development within the City of Corvallis

### Transportation Planning Rule (TPR) Criteria

OAR 660-012-0060 (1) states, *“If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

*(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*

*(b) Change standards implementing a functional classification system; or*

*(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.*

*(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*

*(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or*

*(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.”*

OAR 660-012-0060 (9) states, *“Notwithstanding section (1) of this rule, a local government may find that an amendment to a zoning map does not significantly affect an existing or planned transportation facility if all of the following requirements are met.*

*(a) The proposed zoning is consistent with the existing comprehensive plan map designation and the amendment does not change the comprehensive plan map;*

*(b) The local government has an acknowledged TSP and the proposed zoning is consistent with the TSP; and*

*(c) The area subject to the zoning map amendment was not exempted from this rule at the time of an urban growth boundary amendment as permitted in OAR 660-024-0020(1)(d), or the area was exempted from this rule, but the local government has a subsequently acknowledged TSP amendment that accounted for urbanization of the area.”*

#### Corvallis Land Development Code (LDC) Criteria for Public and Private Streets

Corvallis LDC Section 4.0.60(a) states, *“Traffic evaluations shall be required of all development proposals in accordance with the TIS Guide and the following:*

*1. All development site proposals shall provide an estimate of site-generated trips based on ITE standards. A traffic impact analysis (TIA) is required for any proposal generating 30 or more peak hour trips to an intersection/access. A proposed TIA scope with preliminary trip estimates and trip distribution shall be prepared by a registered professional engineer and submitted to the City Engineer for review and approval based on established procedures. The applicant shall complete the evaluation consistent with the approved scope in accordance with accepted traffic engineering practices and present the results with the site development proposal.”*

#### July 2019 Traffic Impact Study Requirements

The July 2019 Traffic Impact Study Requirements for Development within the City of Corvallis Section III.F states, *“The study must cover the entire area of influence from the proposed development including any intersections or accesses receiving 30 or more trips [and have trip volumes increase by at least 10%], access points within 150 feet of any major street and any other items that need to be considered such as nearby school zones or transportation projects. A map and description/justification of the study area must be provided. For studies addressing the Transportation Planning Rule (TPR), the study area must include any transportation facilities that are significantly affected as defined in OAR 660-12.”*

Section V.A states, *“...For land use actions such as a zone change, annexation, or comprehensive plan amendment, the traffic forecasts and analysis must include the reasonable worst-case scenario of the area subject to the land use action, i.e., the total acres and maximum density. A proposed development plan, typically, doesn't provide the worst-case scenario. Per the LDC, a full range of development potential (min. to max.) under current vs. proposed land use designations must be addressed in the analysis. The reasonable worst-case analysis must have justification and should be based on maximum viable development. ODOT's Development Review Guidelines, 2005 and 2013 editions provide guidance on a reasonable worst-case analysis.”*

### Summary of Traffic Impact Study Criteria

The proposed land use actions include a Corvallis Comprehensive Plan amendment and a Benton County zone change requiring a TPR analysis.

The proposed land use actions do not include a specific development application. As such, the following analysis identifies reasonable worst-case development scenarios and identifies the development area of influence including intersections and accesses receiving  $\geq 30$  development trips and having a  $\geq 10\%$  trip volume increase, and other items that need to be considered.

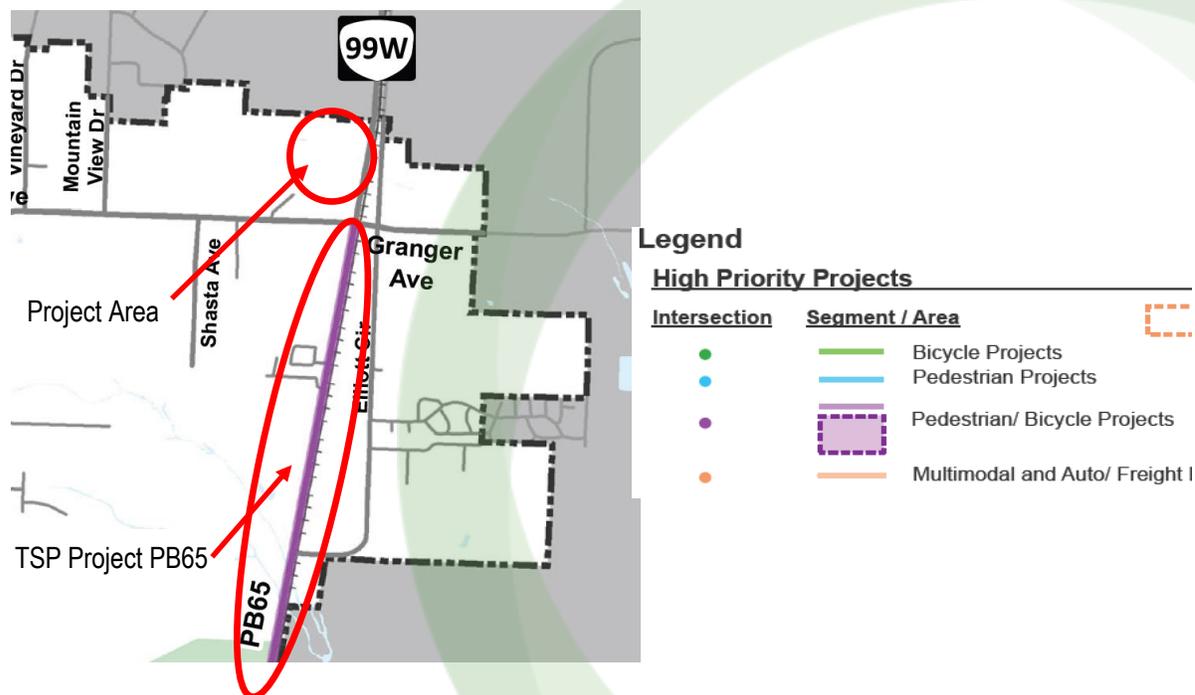
### 3. CORVALLIS TRANSPORTATION SYSTEM PLAN (TSP)

The Corvallis TSP does not identify any specific issues or transportation infrastructure deficiencies in the project area for any mode: pedestrian, bicycle, or motor vehicle; however, it is noted the TSP does identify several projects, including capacity improvements at the OR 99W / Lewisburg Road intersection.

#### Infrastructure Projects

The Corvallis TSP identifies one “High” priority project in the project area, TSP Project PB65 – OR 99W Multi-Use Path Extension; however, it is not “Financially Constrained” and is not assumed to be in place (constructed) during the 2040 planning period.

TSP Figure 36. High Priority Projects – North Extent (excerpt)



TSP materials specific to transportation projects in the project area include:

PROJECT ID	PROJECT TYPE	PROJECT NAME	COST ESTIMATE	PRIMARY FUNDING SOURCE	PRIORITY	SOURCE
PB65	New Multi-Use Path	OR 99W Multi-Use Path Extension	\$1,535,000	City/ODOT/Developers	High	Stakeholder Request
	Extend multi-use path starting at Elks Drive along OR 99W to Lewisburg Road.					
M90	New Roadway	West Elliot Circle Construction	\$22,965,000	City/Developer	Medium	North Corvallis Area Plan
	New roadway extension: Construct West Elliot Circle Extension, west of OR 99W, to collector standard between OR 99W and the north UGB. Project has potential impacts to or may be constrained by environmental resources.					
M139	Modernization	Elliot Circle Modernization	\$2,782,000	City/Developer/Assessments to property owners/County	Low	Project Team
	Modernization improvements along Elliot Circle between Granger Avenue and north UGB.					
A29	Intersection - Mobility	OR 99W/Lewisburg	\$2,206,000	ODOT/Developer	Low	North Corvallis Area Plan
	Intersection Improvements (capacity): Construct capacity improvements at the intersection. Options may include constructing an eastbound right-turn lane, eastbound left-turn lane, westbound right-turn lane, southbound right-turn lane, traffic signal modifications and rail crossing enhancements. Project is subject to ODOT approval.					
A37	Intersection - Mobility	Lewisburg/West Elliot Circle Signal	\$359,000	County/Developer	Medium	North Corvallis Area Plan
	Intersection Improvements (capacity): Options may include installing traffic signal, when warranted. Project has potential impacts to or may be constrained by environmental resources.					

Overall, in the study area, the TSP does not identify any specific transportation infrastructure deficiencies or funded projects; however, based on the project list presented above, it is apparent the City anticipates growth in the area during the planning period, including the need to construct capacity improvements at the OR 99W / Lewisburg Road intersection that are proposed to be funded by ODOT and developers.

**Roadway Considerations**

Along the eastern property frontage, the Corvallis TSP functionally classifies OR 99W as an *Arterial Highway* subject to ODOT standards.

It is anticipated the (future) applicant will construct any necessary frontage improvements at the time of development (as part of a future, specific development land use application).

#### 4. EXISTING CONDITIONS

##### *Roadway Facilities*

The following table summarizes existing roadway classifications and characteristics within the study area.

TABLE 1 – EXISTING ROADWAY CHARACTERISTICS						
Roadway	Functional Classification	Lanes	Speed Limit (MPH)	Sidewalks	Bicycle Lanes	On-Street Parking
OR 99W	Arterial Highway (City) Regional Highway (ODOT)	3	40	No	Shoulders >5'	No
NW Lewisburg Road	Arterial	2	45	No	Yes	No
NE Grainger Avenue	Arterial	2	25	No	Yes	No
NE Elliot Circle	Collector (south of Grainger) Neighborhood Collector (north of Grainger)	2	45	No	No	No

##### *Safety Analysis*

When evaluating roadway and intersection safety, consideration is given to the total number and types of crashes occurring, and the number of vehicles traveling on a roadway segment or entering the intersection. This leads to the concept known as the “crash rate.” Specific to intersections, it is typically expressed in terms of the number of crashes occurring per one million vehicles entering the intersection (CMEV). A critical crash rate analysis is then performed by comparing the subject intersection to the published statewide 90<sup>th</sup> percentile intersection crash rates at comparable/reference intersections. Crash rates close to or exceeding 1.0 CMEV or the 90<sup>th</sup> percentile rates require further analysis.

Study area crash data were obtained from the Oregon Department of Transportation (ODOT) for five years from January 1, 2018 through December 31, 2022. The following table presents the study intersection crash rates and critical crash analysis. Crash data and crash rate calculations are attached for reference.

TABLE 2 – INTERSECTION CRASH RATES										
Intersection	2018	2019	2020	2021	2022	Total	Crash Rate (CMEV)	Reference Population <sup>1</sup>	90 <sup>th</sup> percentile Crash Rate	Over or under Crash Rate?
OR 99W / NW Lewisburg Road / NE Granger Avenue	1	0	0	0	2	3 <sup>2</sup>	0.085	Rural 4SG	0.579	Under
NE Elliot Circle / NE Granger Avenue	0	0	0	0	0	0	0.000	Urban 4ST	0.408	Under

<sup>1</sup> 4SG is defined as a four-leg signalized intersection and 4ST is a four-leg m-nor stop-control intersection.

<sup>2</sup> While not assigned to the intersection, it is noted that within 500 feet of the intersection, there are five additional crashes.

The observed crash rates at the study intersections are less than the 1.0 CMEV threshold and the 90<sup>th</sup> percentile crash rate of the reference population. As such, the intersections are considered relatively safe, and further safety analysis is not warranted.

The most recent 2021 ODOT Safety Priority Index System (SPIS) data for OR 99W in the project area was obtained. The SPIS is a systemic scoring method that identifies potential safety problems and is based on three years of crash data considering frequency, rate, and severity. A roadway segment becomes a SPIS site if a location has three or more crashes or one or more fatal crashes over three years. It evaluates overlapping road segments, so an individual location may be reported in multiple segments. ODOT screens these segments annually to identify and prioritize sites and those with a SPIS score in the top 15% of sites within a Region merit further investigation to identify potential safety improvements. A copy of the SPIS data is attached for reference.

A review of the SPIS data for the OR 99W segment adjacent to the subject property finds SPIS scores ranging from 14.80 to 18.65 which are below the ODOT Region 2 top 15% SPIS score threshold of 37.79. As such, this roadway segment is considered relatively safe, and no further safety analysis is warranted.

### ***Existing Traffic Counts***

Existing traffic counts were obtained in November 2023 during the PM peak period. Traffic counts are attached for reference.

### ***Seasonal Adjustment and 30<sup>th</sup> Highest Hour Volumes***

Seasonal adjustments account for the variation in traffic volumes during the year. As required for intersections under ODOT jurisdiction, the November 2023 traffic counts were adjusted to the 30<sup>th</sup> highest hour volume (30HV) consistent with procedures identified in the ODOT Analysis Procedures Manual (APM) Version 2, Chapter 5.5.1 – On-Site Automatic Traffic Recorder (ATR) Method. This method is used when an ATR is within or near the project area.

In the study area, ATR 27-005 – Monmouth is located on OR 99W; Pacific Highway West No. 91; 0.23 miles south of Suver Road and 1.43 miles north of the Polk - Benton County Line. Using this ATR data, a seasonal adjustment of 1.06 was applied to the November 2023 Base traffic counts to obtain 2023 30HV volumes – noting that June is the peak ATR month. Seasonal adjustment assumptions are attached for reference.

### ***Background Growth***

As identified in the Corvallis Traffic Impact Study Requirements, the traffic growth rate assumption used in TSP Technical Memo 11 is 40% over 30 years, or 1.13% per year (p. 11, Table 3) for City facilities. The requirements further state that ODOT growth rates are to be used for ODOT facilities.

Based on information contained in the ODOT 2042 Future Highway Volume Table, the average annual compound growth rate on OR 99W north of Lewisburg Road is 1.51%, and to the south, it is 1.09%.

Considering the range of growth rates, an overall average annual compounded growth rate of 1.25% is assumed for all facilities. As a result, the 2023 30HV volumes were adjusted to the 2043 plan year using a 1.25% annual compounded growth rate for 20 years.

### ***Current Zone Designation Traffic Volumes***

Current zone designation traffic volumes for the 2023 30HV (Existing) and 2043 Plan Year PM peak hours are illustrated in Figure 2. Detailed background growth rate calculations are attached for reference.

## 5. SITE DEVELOPMENT

### *Development Assumptions*

The proposed land use actions do not include a specific development application and the property will remain in the County following these land use actions. As such, this transportation analysis evaluates reasonable worst-case development scenario impacts in the current Benton County UR-5 and UR-10 zone designations and the proposed C zone designation. For comparison purposes, this analysis also evaluates reasonable worst-case development scenario impacts in the (potential future) Corvallis RS-6 zone designation (which is equivalent to the current Benton County UR-5 and UR-10 zone designations) and the (potential future) Corvallis Commercial Mixed-Use 2 (CMU-2) and General Commercial (GC) zone designations (which are equivalent to the proposed Benton County C zone designation).

The attached Figure 3 illustrates the Benton County and the (potential future) city of Corvallis current and proposed zone designations.

### Current Benton County UR-5 and UR-10 Zone Assumptions

- The zones establish areas suitable for future urban density residential development and are applied in unincorporated areas inside an urban growth boundary.
- In the Corvallis UGB “UR-5” means one parcel or lot may be created per five (5) acres of gross area and “UR-10” means one parcel or lot may be created per ten (10) acres of gross area, subject to the Planned Unit Development standards in Benton County Development Code Chapter 100 - Planned Unit Development in the Corvallis Urban Fringe.
- The gross site area of tax lot 1200 is 2.87 acres.
- The maximum residential density is 1 unit per 5 acres – resulting in 1 single-family residence.

### Proposed Benton County C Zone Assumptions

- The zone establishes standards for commercial activity inside UGBs in Benton County.
- Higher trip-generating permitted uses include professional offices, clinics, restaurants, taverns, motels, hotels, service stations, or daycare for fewer than thirteen children.
- Given the geographic location, service/utility availability, and existing development types in north Corvallis, several of the permitted uses identified above are not practical/reasonable. As such, reasonable worst-case development is assumed to be a 15,000-square-foot general office building and a 10,000-square-foot animal hospital/veterinary clinic.

### (Potential Future) Corvallis RS-6 Zone Assumptions

- The RS-6 zone implements the Low-Density Residential Comprehensive Plan designation. It is intended to provide areas where single detached, duplex, triplex, fourplex, townhouses, and cottage clusters may be constructed under various ownership patterns.
- The minimum development density is 4 units per acre and the maximum density is 24 units per acre for townhouses, noting that duplex, triplex, fourplex, and cottage cluster developments are exempt from the maximum density standard.
- The area of tax lot 1200 that will eventually be zoned RS-6 is 2.78 acres.
- Reasonable worst-case development is assumed to be townhouses at 24 units/acre, resulting in 66 dwelling units.

### (Potential Future) Corvallis CMU-2 Zone Designation Assumptions

- The CMU-2 Zone implements the Mixed-Use Commercial Comprehensive Plan designation and is intended to form the commercial core of comprehensive neighborhoods as envisioned by the Comprehensive Plan. The zone is anticipated within Major Neighborhood Center Study Areas, although it can be appropriate in other areas as well.
- There is no minimum or maximum floor area ratio (FAR), there is a minimum of a 70% frontage occupation, there is a minimum building height of two stories, there is a 75-foot maximum building height, there is a maximum 55,000 square-foot gross floor area of non-residential space per tenant, and there is a height step-down requirement for abutting residential zones.
- While on-site parking provision is not required, given the geographic property location at the north edge of the UGB it is reasonable to assume on-site parking will be provided. As such the development FAR is assumed to be 0.25.
- The area of tax lot 1200 that will potentially be zoned CMU-2; i.e., the property that will be rezoned from Benton County C to Corvallis CMU-2 in the future when the property is annexed into the City, is 2.78 acres.
- The LDC allows a wide range of permitted commercial uses, wherein a number of smaller uses or a large individual use can be developed.
- A review of the ITE Trip Generation Manual data finds a Strip Retail Plaza (< 40,000 SF) (ITE Use Code 822), which includes many commercial land uses, to have the highest trip generation rate.
- Reasonable worst-case development is assumed to be a 30,275 square-foot shopping plaza (2.78 AC x 43,460 SF/AC x 0.25 FAR).

### (Potential Future) Corvallis GC Zone Designation Assumptions

- The GC Zone implements the Mixed-Use Commercial Comprehensive Plan designation and is intended for areas located outside the CMU-1 and CMU-2 zones. It is intended to provide areas for those commercial and related services and businesses that generally require extensive outside storage, are not Retail or Office Uses, or have characteristics with less pedestrian orientation than other commercial zones.
- The property must have frontage on an *Arterial* or *Collector* roadway, there is no minimum or maximum floor area ratio (FAR), there is a 45-foot maximum building height, and there is a maximum 55,000 square-foot gross building footprint.
- While on-site parking provision is not required, given the geographic property location at the north edge of the UGB it is reasonable to assume on-site parking will be provided.
- The area of tax lot 1200 that will potentially be zoned GC; i.e., the property that will be rezoned from Benton County C to Corvallis GC in the future when the property is annexed into the City, is 2.78 acres.
- The LDC allows a wide range of permitted commercial uses including fuel sales.
- A review of the ITE Trip Generation Manual data finds a convenience store with a gas station (ITE Use Code 945) to have the highest trip generation rate.
- Reasonable worst-case development is assumed to be a 4,000-square-foot convenience store with 12-vehicle fueling positions.

**Development Trip Generation**

Using the above-identified development assumptions, trip generation in the current and proposed Benton County zone designations is estimated using the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 11<sup>th</sup> Edition, and practices from the ITE *Trip Generation Handbook*, 3<sup>rd</sup> Edition. Trip generation in the Benton County zone designations is as follows:

TABLE 3A – DEVELOPMENT TRIP GENERATION – BENTON COUNTY ZONING						
Reasonable Worst-Case Development Assumption	ITE Code	Size	Daily Trips	PM Peak Hour		
				Enter	Exit	Total
<b>Current UR-5 and UR-10 Zone Designations</b>						
Single-Family Detached Housing <sup>1</sup>	210	1 DU	9	1	0	1
<b>Proposed C Zone Designation</b>						
General Office Building <sup>2</sup>	710	15,000 SF	163	6	28	34
Animal Hospital/Veterinary Clinic <sup>2</sup>	640	10,000 SF	215	16	25	41
<b>Change in Trip Generation with Zone Change</b>			<b>369</b>	<b>21</b>	<b>53</b>	<b>74</b>

<sup>1</sup> Trip generation estimated using the *Average Rate* per recommended practice in the ITE *Trip Generation Handbook*, 3<sup>rd</sup> Edition.

<sup>2</sup> Trip generation estimated using the *Fitted Curve* per recommended practice in the ITE *Trip Generation Handbook*, 3<sup>rd</sup> Edition.

As identified in the table above, reasonable worst-case development in the proposed Benton County C zone designation generates 369 daily and 74 PM additional trips over the current UR-5 and UR-10 zone designations.

For comparison purposes, the trip generation in the potential future Corvallis zone designations (when the property is annexed into the City) is as follows:

TABLE 3B – DEVELOPMENT TRIP GENERATION – POTENTIAL FUTURE CORVALLIS CMU-2 ZONING						
Reasonable Worst-Case Development Assumption	ITE Code	Size	Daily Trips	PM Peak Hour		
				Enter	Exit	Total
<b>(Potential Future) Corvallis RS-6 Zone Designation – Equivalent to Benton County UR-5 and UR-10</b>						
Single-Family Attached Housing <sup>1</sup>	215	66 DUs	452	21	15	36
<b>(Potential Future) Corvallis CMU-2 Zone Designation – Equivalent to Benton County C</b>						
Strip Retail Plaza (<40KSF) <sup>2</sup>	822	30,275 SF	1,507	100	100	200
<i>Pass-By / Diverted-Linked Trips (15% Daily / 34% PM) <sup>3</sup></i>			<i>(226)</i>	<i>(34)</i>	<i>(34)</i>	<i>(68)</i>
<b>Change in Trip Generation with Future Zone Change</b>			<b>829</b>	<b>45</b>	<b>51</b>	<b>96</b>

<sup>1</sup> Trip generation estimated using the *Fitted Curve* per recommended practice in the ITE *Trip Generation Handbook*, 3<sup>rd</sup> Edition.

<sup>2</sup> Trip generation estimated using the *Average Rate* per recommended practice in the ITE *Trip Generation Handbook*, 3<sup>rd</sup> Edition.

<sup>3</sup> Daily pass-by trips are estimated to be approximately 15%.

TABLE 3C – DEVELOPMENT TRIP GENERATION – POTENTIAL FUTURE CORVALLIS GC ZONING						
Reasonable Worst-Case Development Assumption	ITE Code	Size	Daily Trips	PM Peak Hour		
				Enter	Exit	Total
<b>(Potential Future) Corvallis RS-6 Zone Designation – Equivalent to Benton County UR-5 and UR-10</b>						
Single-Family Attached Housing <sup>1</sup>	215	66 DUs	452	21	15	36
<b>(Potential Future) Corvallis GC Zone Designation – Equivalent to Benton County C</b>						
Convenience Store/Gas Station - GFA (2-4k) <sup>2</sup>	945	12 VFP	3,181	111	110	221
Pass-By / Diverted-Linked Trips (56% Daily / 56% PM) <sup>3</sup>			(1,781)	(62)	(62)	(124)
<b>Change in Trip Generation with Future Zone Change</b>			<b>948</b>	<b>28</b>	<b>33</b>	<b>61</b>

<sup>1</sup> Trip generation estimated using the *Fitted Curve* per recommended practice in the ITE *Trip Generation Handbook*, 3<sup>rd</sup> Edition.  
<sup>2</sup> Trip generation estimated using the *Average Rate* per recommended practice in the ITE *Trip Generation Handbook*, 3<sup>rd</sup> Edition.  
<sup>3</sup> Daily pass-by trips are assumed to be approximately 56%. Per ITE, AM is 62% and PM is 56%.

As identified in the tables above, reasonable worst-case development in the (potential future) Corvallis CMU-2 and GC zone designations (which are equivalent to the proposed Benton County C zone designation) generates a maximum of 948 daily and 96 PM additional trips over the (potential future) current RS-6 zone designation (which is equivalent to the current Benton County UR-5 and UR-10 zone designations). It is further noted that no internal capture trip reductions are assumed between the commercial and adjacent residential uses; however, if the area develops with a connected roadway system there will be internal trip capture.

**Trip Distribution and Traffic Assignment**

Development trip distribution, resulting from increased trip generation in the proposed Benton County C zone, is based on existing traffic volumes, surrounding land uses, and engineering judgment. Trip distribution and traffic assignment for the PM peak hour are illustrated in the attached Figure 2.

**Proposed Designation Traffic Volumes**

2043 (plan year) proposed Benton County C zone designation traffic volumes are the sum of the 2043 current UR-5 and UR-10 zone designation volumes and the increased C zone designation trip generation and are illustrated in the attached Figure 2.

## 6. TRANSPORTATION ANALYSIS

### ***Corvallis Transportation Analysis Considerations***

The July 2019 Traffic Impact Study Requirements for Development within the City of Corvallis Section III.F states, “The study must cover the entire area of influence from the proposed development including any intersections or accesses receiving 30 or more trips [and have trip volumes increase by at least 10%], access points within 150 feet of any major street and any other items that need to be considered such as nearby school zones or transportation projects. A map and description/justification of the study area must be provided. For studies addressing the Transportation Planning Rule (TPR), the study area must include any transportation facilities that are significantly affected as defined in OAR 660-12.”

Based on the development trip generation and distribution described in the previous section, the following project area intersections are considered for analysis:

TABLE 4A – INTERSECTIONS CONSIDERED FOR ANALYSIS – PROPOSED BENTON COUNTY ZONING			
Intersection	PM Peak Hour		
	Development Trips	Trip Volume Increase	Analysis Criteria Met?
OR 99W / NW Lewisburg Road / NE Granger Avenue	52	2.1%	N
NE Elliot Circle / NE Granger Avenue	4	0.7%	N
OR 99W / Site Access	74	4.5%	N

As identified in the table above, the City trip threshold criterion requiring a TIS is not met. Further, because this land use action does not contemplate a specific development application, the OR 99W site access will be evaluated at the time of a future development application.

For comparison purposes, the following project area intersections are considered for analysis assuming the (potential future) Corvallis zone designations:

TABLE 4B – INTERSECTIONS CONSIDERED FOR ANALYSIS – (POTENTIAL FUTURE) CORVALLIS ZONING			
Intersection	PM Peak Hour		
	Development Trips	Trip Volume Increase	Analysis Criteria Met?
OR 99W / NW Lewisburg Road / NE Granger Avenue	67	2.7%	N
NE Elliot Circle / NE Granger Avenue	5	0.9%	N
OR 99W / Site Access	96	5.8%	N

As identified in the table above, the City trip threshold criterion requiring a TIS is not met assuming the (potential future) Corvallis zoning. Similar to the above finding, because this land use action does not contemplate a specific development application, the OR 99W site access will be evaluated at the time of a future development application.

### **Transportation Planning Rule Considerations**

Oregon Highway Plan Action 1F.5, states “For purposes of evaluating amendments to transportation system plans, acknowledged comprehensive plans, and land use regulations subject to OAR 660-12-0060, in situations where the volume-to-capacity ratio or alternative mobility target for a highway segment, intersection, or interchange is currently above the mobility targets in Table 6 or Table 7 or those otherwise approved by the Oregon Transportation Commission, or is projected to be above the mobility targets at the planning horizon, and transportation improvements are not planned within the planning horizon to bring performance to the established target, the mobility target is to avoid further degradation. If an amendment subject to OAR 660-012-0060 increases the volume-to-capacity ratio further or degrades the performance of a facility so that it does not meet an adopted mobility target at the planning horizon, it will significantly affect the facility unless it falls within the thresholds listed below for a small increase in traffic.

*In addition to the capacity-increasing improvements that may be required to mitigate impacts, other performance-improving actions to consider include, but are not limited to:*

- *System connectivity improvements for vehicles, bicycles, and pedestrians.*
- *Transportation demand management (TDM) methods to reduce the need for additional capacity.*
- *Multi-modal (bicycle, pedestrian, transit) opportunities to reduce vehicle demand.*
- *Operational improvements to maximize the use of the existing system.*
- *Land use techniques such as trip caps/budgets to manage trip generation.*

*In applying “avoid further degradation” for state highway facilities already operating above the mobility targets in Table 6 or Table 7 or those otherwise approved by the Oregon Transportation Commission, or facilities projected to be above the mobility targets at the planning horizon, a small increase in traffic does not cause “further degradation” of the facility.*

*The threshold for a small increase in traffic between the existing plan and the proposed amendment is defined in terms of the increase in total average daily trip volumes as follows:*

- *Any proposed amendment that does not increase the average daily trips by more than 400.*
- *Any proposed amendment that increases the average daily trips by more than 400 but less than 1,001 for state facilities where:*
  - *The annual average daily traffic is less than 5,000 for a two-lane highway.*
  - *The annual average daily traffic is less than 15,000 for a three-lane highway.*
  - *The annual average daily traffic is less than 10,000 for a four-lane highway.*
  - *The annual average daily traffic is less than 25,000 for a five-lane highway.*
- *If the increase in traffic between the existing plan and the proposed amendment is more than 1,000 average daily trips, then it is not considered a small increase in traffic and the amendment causes further degradation of the facility and would be subject to existing processes for resolution.*

*In applying OHP mobility targets to analyze mitigation, ODOT recognizes that there are many variables and levels of uncertainty in calculating volume-to-capacity ratios, particularly over a specified planning horizon. After negotiating reasonable levels of mitigation for actions required under OAR 660-012-0060, ODOT considers calculated values for v/c ratios that are within 0.03 of the adopted targets in the OHP to be considered in compliance with the target. The adopted mobility target still applies for determining significant affect under OAR 660-012-0060.*

The proposed zone changes from Benton County UR-5 and UR-10 to C result in a 369 daily trip increase which is less than the 1,000 average daily trip threshold identified in the OHP requiring a TPR analysis – noting that OR99W is a 3-lane highway with less than 15,000 AADT. Similarly, the (potential future) zone change from Corvallis RS-6 to GC results in a 948 daily trip increase which is also less than the 1,000 average daily trip threshold.

Overall, City criteria requiring a TIS are not met. It can be found that the proposed Comprehensive Plan amendment and zone change will not significantly affect an existing or planned transportation facility, and the TPR criteria outlined in OAR 660-012-0060 are satisfied without the need for additional transportation analysis.

## **7. SITE ACCESS**

The property has frontage on, and currently has direct access to OR 99W to the east. It is anticipated that future development on the property will also have direct access to OR 99W.

It is anticipated the (future) applicant will construct any necessary frontage improvements at the time of development (as part of a future, specific development land use application).

While not part of this land use action, it is recommended that all future access(es) be constructed consistent with requirements identified in Corvallis LDC Section 4.1.40 – Standards for Off-Street Parking and Access.

## **8. SUMMARY**

The following conclusions and recommendations are made based on materials contained in this analysis:

1. The subject property is located at 5840 NW Highway 99W (OR 99W), Corvallis, (Benton County) Oregon. The property is identified as tax lot 1200 on Benton County Assessor's map 11-5-12BD and is approximately 2.87 acres. The property has frontage on, and access to OR 99W to the east.
2. The subject property is located outside the Corvallis City Limits (in Benton County) but is inside the Urban Growth Boundary (UGB), in the area referred to as the Urban Fringe. As such, all proposed land use actions are subject to the Corvallis Urban Fringe Management Agreement policies.
3. Proposed land use actions include a Corvallis Comprehensive Plan amendment and a plan designation change from Residential – Low Density to Mixed Use Commercial and a corresponding Benton County zone change from Urban Residential (UR-5 and UR-10) to Urban Commercial (C) – noting the property will remain in the County following these land use actions.

4. For comparison purposes, this analysis also evaluates reasonable worst-case development scenario impacts in the (potential future) Corvallis RS-6 zone designation (which is equivalent to the current Benton County UR-5 and UR-10 zone designations) and the (potential future) Corvallis Commercial Mixed-Use 2 (CMU-2) and General Commercial (GC) zone designations (which are equivalent to the proposed Benton County C zone designation).
5. The Corvallis TSP does not identify any specific transportation infrastructure deficiencies or funded projects in the project area for any mode: pedestrian, bicycle, or motor vehicle; however, based on the list of unfunded and high-priority projects, it is apparent the City anticipates growth in the area during the planning period, including the need to construct capacity improvements at the OR 99W / Lewisburg Road intersection that are proposed to be funded by ODOT and developers.
6. Study area intersection crash rates are less than the 1.0 crashes/mev threshold and the 90<sup>th</sup> percentile crash rate of the reference population. As such, the intersections are considered relatively safe, and further safety analysis is not warranted.
7. SPIS data for the OR 99W segment adjacent to the subject property finds SPIS scores ranging from 14.80 to 18.65 which are below the ODOT Region 2 top 15% SPIS score threshold of 37.79. As such, this roadway segment is considered relatively safe, and no further safety analysis is warranted.
8. Reasonable worst-case development in the current UR-5 and UR-10 zones is assumed to be 1 single-family residence and in the proposed C zone it is assumed to be a 15,000-square-foot general office building and a 10,000-square-foot animal hospital/veterinary clinic.
9. Reasonable worst-case development in the proposed C zone generates 369 daily and 74 PM additional trips over the current UR-5 and UR-10 zones.
10. Reasonable worst-case development in the (potential future) Corvallis CMU-2 and GC zone designations (which are equivalent to the proposed Benton County C zone designation) generates a maximum of 948 daily and 96 PM additional trips over the (potential future) current RS-6 zone designation (which is equivalent to the current Benton County UR-5 and UR-10 zone designations). It is further noted that no internal capture trip reductions are assumed between the commercial and adjacent residential uses; however, if the area develops with a connected roadway system there will be internal trip capture.
11. City and OHP trip threshold criteria requiring a TIS or a TPR analysis are not met.
12. The proposed Comprehensive Plan amendment and zone change will not significantly affect an existing or planned transportation facility, and the TPR criteria outlined in OAR 660-012-0060 are satisfied without the need for additional transportation analysis. Further, because this land use action does not contemplate a specific development application, the OR 99W site access will be evaluated at the time of a future development application.

13. It is anticipated the (future) applicant will construct any necessary frontage improvements at the time of development (as part of a future, specific development land use application).
14. While not part of this land use action, it is recommended that all future access(es) be constructed consistent with requirements identified in Corvallis LDC Section 4.1.40 – Standards for Off-Street Parking and Access.

Sincerely,

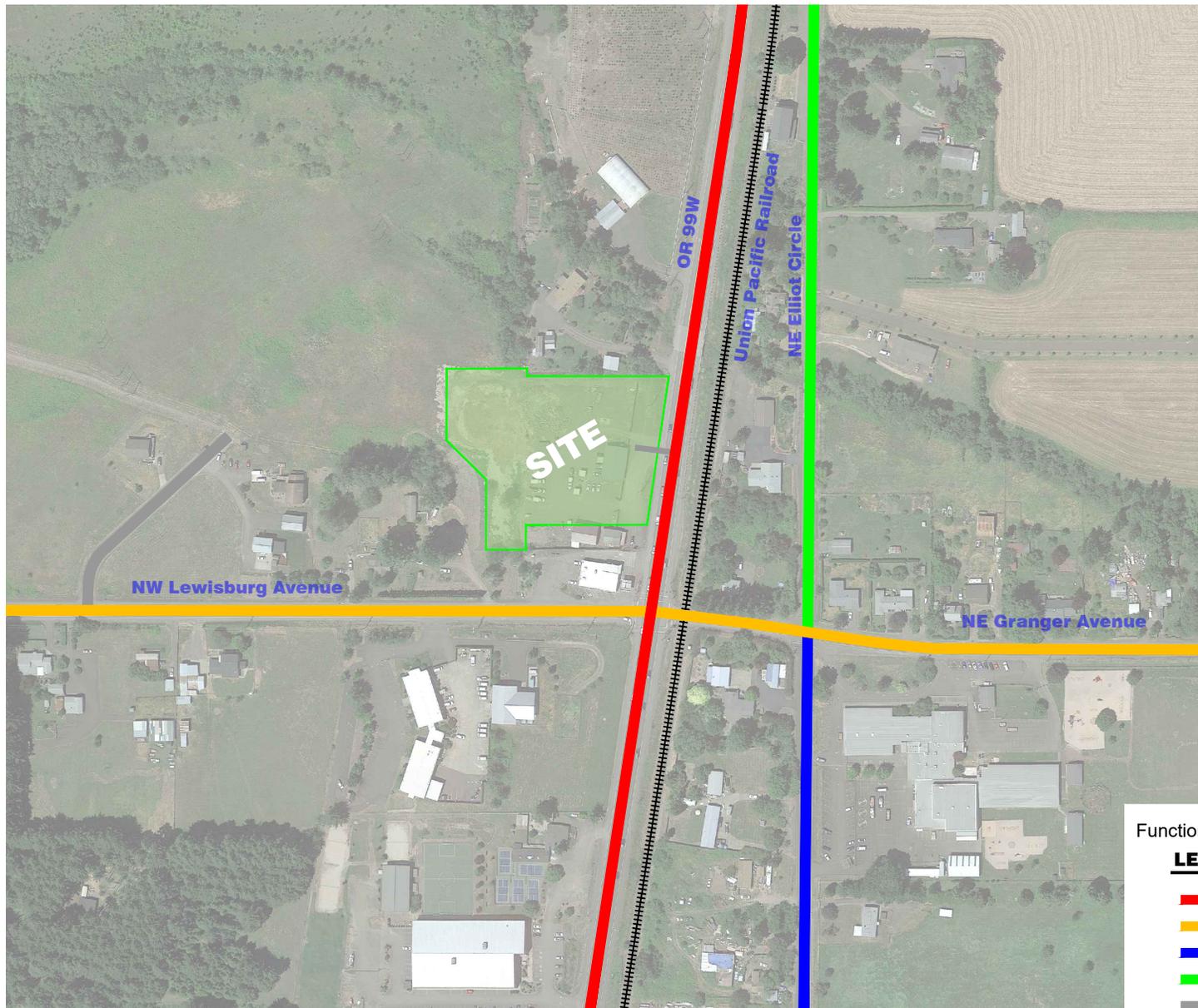


Christopher M. Clemow, PE, PTOE  
Transportation Engineer



RENEWS 31 DECEMBER 2025

Attachments: Figures 1, 2, and 3  
Crash and SPIS Data  
Traffic Counts



Functional Roadway Classifications

**LEGEND**

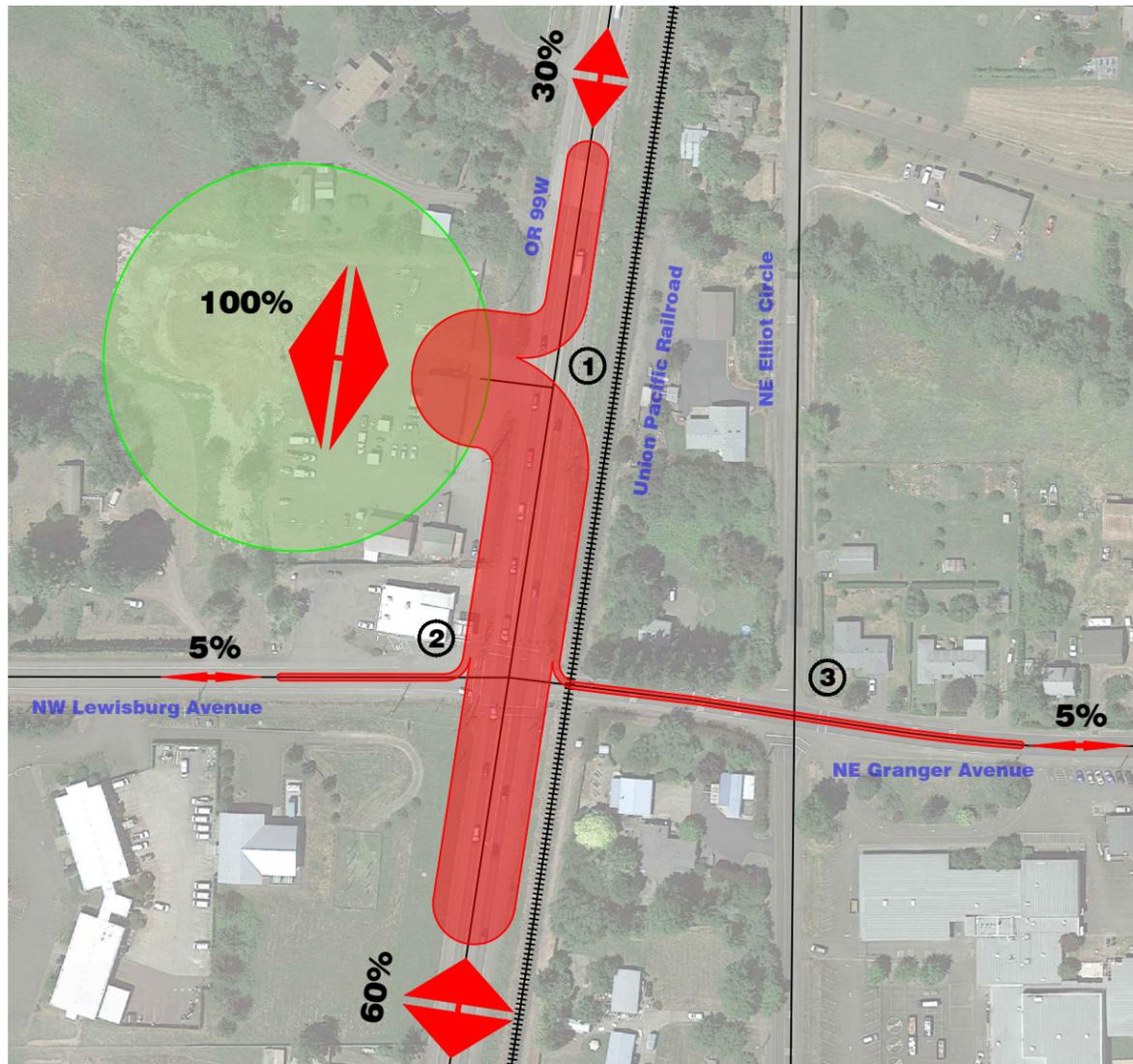
- █ Arterial Highway
- █ Arterial
- █ Collector
- █ Neighborhood Collector
- █ Local



2237 NW Torrey Pines Drive  
 Bend, Oregon 97703  
 541-579-8315  
 cclemow@clemow-associates.com

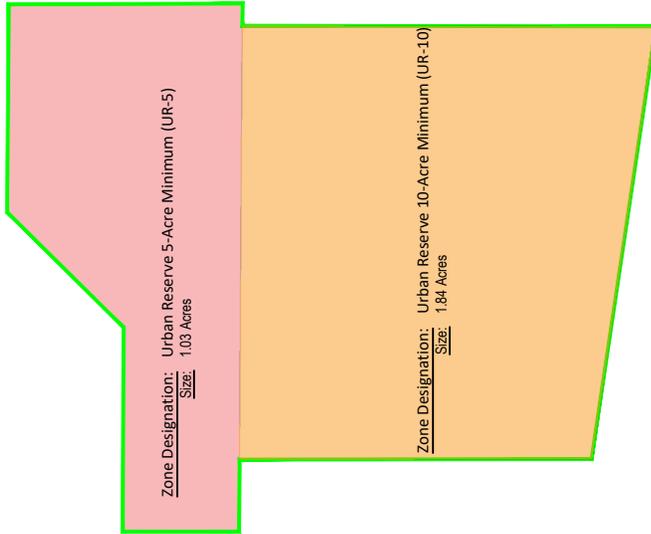
<b>SITE AREA</b>
5840 NW Highway 99W Comprehensive PA-ZC – Corvallis, Oregon
C&A Project No. 20230806.00

**FIGURE**  
**1**

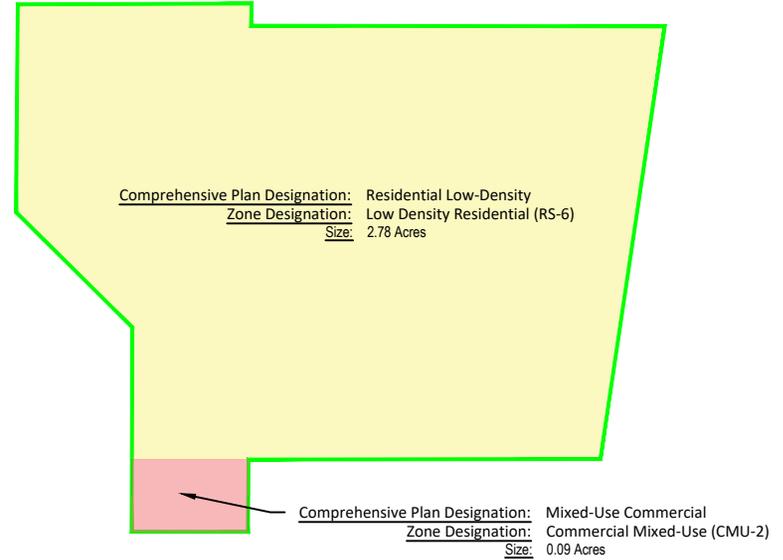


	OR 99W / Site Access	OR 99W / NW Lewisburg Avenue / NE Granger Avenue	NE Elliot Circle / NE Granger Avenue																																																																																										
<b>2023 PM 30HV (Existing)</b>	<p>①</p> <table border="1"> <tr><td>0</td><td>L</td><td>0</td></tr> <tr><td>0</td><td>T</td><td>443</td></tr> <tr><td>0</td><td>R</td><td>0</td></tr> <tr><td colspan="3">R   T   L</td></tr> <tr><td colspan="3">↓ ↓ ↓</td></tr> <tr><td colspan="3">↑ ↑ ↑</td></tr> <tr><td colspan="3">L   T   R</td></tr> <tr><td>0</td><td>L</td><td>0</td></tr> <tr><td>0</td><td>T</td><td>853</td></tr> <tr><td>0</td><td>R</td><td>0</td></tr> </table> <p>PHF=0.90</p>	0	L	0	0	T	443	0	R	0	R   T   L			↓ ↓ ↓			↑ ↑ ↑			L   T   R			0	L	0	0	T	853	0	R	0	<p>②</p> <table border="1"> <tr><td>67</td><td>L</td><td>29</td></tr> <tr><td>70</td><td>T</td><td>81</td></tr> <tr><td>71</td><td>R</td><td>106</td></tr> <tr><td colspan="3">R   T   L</td></tr> <tr><td colspan="3">↓ ↓ ↓</td></tr> <tr><td colspan="3">↑ ↑ ↑</td></tr> <tr><td colspan="3">L   T   R</td></tr> <tr><td>81</td><td>L</td><td>166</td></tr> <tr><td>764</td><td>T</td><td>166</td></tr> <tr><td>166</td><td>R</td><td>166</td></tr> </table> <p>PHF=0.94</p>	67	L	29	70	T	81	71	R	106	R   T   L			↓ ↓ ↓			↑ ↑ ↑			L   T   R			81	L	166	764	T	166	166	R	166	<p>③</p> <table border="1"> <tr><td>6</td><td>L</td><td>2</td></tr> <tr><td>206</td><td>T</td><td>157</td></tr> <tr><td>21</td><td>R</td><td>13</td></tr> <tr><td colspan="3">R   T   L</td></tr> <tr><td colspan="3">↓ ↓ ↓</td></tr> <tr><td colspan="3">↑ ↑ ↑</td></tr> <tr><td colspan="3">L   T   R</td></tr> <tr><td>19</td><td>L</td><td>29</td></tr> <tr><td>1</td><td>T</td><td>29</td></tr> <tr><td>29</td><td>R</td><td>29</td></tr> </table> <p>PHF=0.92</p>	6	L	2	206	T	157	21	R	13	R   T   L			↓ ↓ ↓			↑ ↑ ↑			L   T   R			19	L	29	1	T	29	29	R	29
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# Benton County

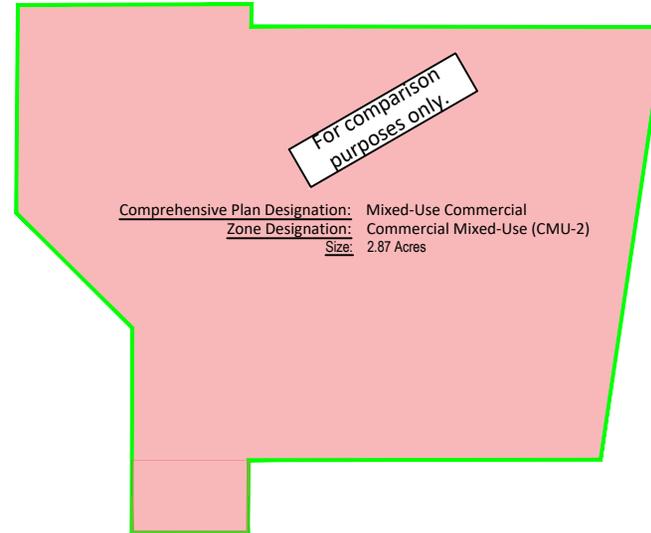
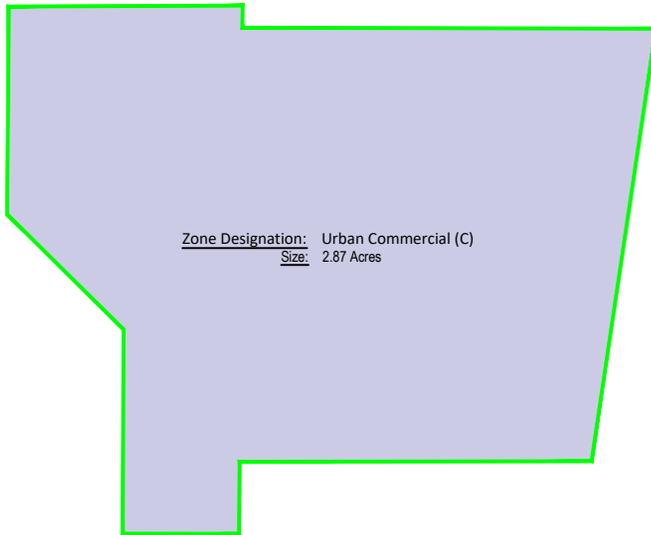


# City of Corvallis



CURRENT

PROPOSED



2237 NW Torrey Pines Drive  
Bend, Oregon 97703  
541-579-8315  
cclemow@clemow-associates.com

<b>CURRENT and PROPOSED ZONE DESIGNATIONS</b>	
5840 NW Highway 99W Comprehensive PA-ZC – Corvallis, Oregon	
C&A Project No. 20230806.00	

**FIGURE**  
**3**

January 1, 2018 through December 31, 2022

INTERSECTION CRASH RATES

Intersection	Crashes						PM Entering Volume	ADT (10xPM)	AADT (365xADT)	Annual Crashes	Crash Rate (crashes/MEV)	Reference Population	90th%ile Crash Rate	Over or Under Crash
	2018	2019	2020	2021	2022	Total								
OR 99W / NW Lewisburg Avenue / NE Granger Avenue	1	0	0	0	2	3	1,928	19,280	7,037,200	0.60	0.085	Urban 4SG	0.860	Under
NE Elliot Circle / NE Granger Avenue	0	0	0	0	0	0	460	4,600	1,679,000	0.00	0.000	Urban 4ST	0.408	Under



091: PACIFIC HIGHWAY WEST

Highway 091 ALL ROAD TYPES, MP 78.88 to 78.96 01/01/2018 to 12/31/2022, Both Add and Non-Add mileage



091: PACIFIC HIGHWAY WEST

Highway 091 ALL ROAD TYPES, MP 78.88 to 78.96 01/01/2018 to 12/31/2022, Both Add and Non-Add mileage



BENTON COUNTY



BENTON COUNTY

## ACTION CODE TRANSLATION LIST

ACTION CODE	SHORT DESCRIPTION	LONG DESCRIPTION
000	NONE	NO ACTION OR NON-WARRANTED
001	SKIDDED	SKIDDED
002	ON/OFF V	GETTING ON OR OFF STOPPED OR PARKED VEHICLE
003	LOAD OVR	OVERHANGING LOAD STRUCK ANOTHER VEHICLE, ETC.
006	SLOW DN	SLOWED DOWN
007	AVOIDING	AVOIDING MANEUVER
008	PAR PARK	PARALLEL PARKING
009	ANG PARK	ANGLE PARKING
010	INTERFERE	PASSENGER INTERFERING WITH DRIVER
011	STOPPED	STOPPED IN TRAFFIC NOT WAITING TO MAKE A LEFT TURN
012	STP/L TRN	STOPPED BECAUSE OF LEFT TURN SIGNAL OR WAITING, ETC.
013	STP TURN	STOPPED WHILE EXECUTING A TURN
014	EMR V PKD	EMERGENCY VEHICLE LEGALLY PARKED IN THE ROADWAY
015	GO A/STOP	PROCEED AFTER STOPPING FOR A STOP SIGN/FLASHING RED.
016	TRN A/RED	TURNED ON RED AFTER STOPPING
017	LOSTCTRL	LOST CONTROL OF VEHICLE
018	EXIT DWY	ENTERING STREET OR HIGHWAY FROM ALLEY OR DRIVEWAY
019	ENTR DWY	ENTERING ALLEY OR DRIVEWAY FROM STREET OR HIGHWAY
020	STR ENTR	BEFORE ENTERING ROADWAY, STRUCK PEDESTRIAN, ETC. ON SIDEWALK OR SHOULDER
021	NO DRVR	CAR RAN AWAY - NO DRIVER
022	PREV COL	STRUCK, OR WAS STRUCK BY, VEHICLE OR PEDESTRIAN IN PRIOR COLLISION BEFORE ACC. STABILIZED
023	STALLED	VEHICLE STALLED OR DISABLED
024	DRVR DEAD	DEAD BY UNASSOCIATED CAUSE
025	FATIGUE	FATIGUED, SLEEPY, ASLEEP
026	SUN	DRIVER BLINDED BY SUN
027	HDLGHTS	DRIVER BLINDED BY HEADLIGHTS
028	ILLNESS	PHYSICALLY ILL
029	THRU MED	VEHICLE CROSSED, PLUNGED OVER, OR THROUGH MEDIAN BARRIER
030	PURSUIT	PURSUIT OR ATTEMPTING TO STOP A VEHICLE
031	PASSING	PASSING SITUATION
032	PRKOFFRD	VEHICLE PARKED BEYOND CURB OR SHOULDER
033	CROS MED	VEHICLE CROSSED EARTH OR GRASS MEDIAN
034	X N/SGNL	CROSSING AT INTERSECTION - NO TRAFFIC SIGNAL PRESENT
035	X W/ SGNL	CROSSING AT INTERSECTION - TRAFFIC SIGNAL PRESENT
036	DIAGONAL	CROSSING AT INTERSECTION - DIAGONALLY
037	BTWN INT	CROSSING BETWEEN INTERSECTIONS
038	DISTRACT	DRIVER'S ATTENTION DISTRACTED
039	W/TRAF-S	WALKING, RUNNING, RIDING, ETC., ON SHOULDER WITH TRAFFIC
040	A/TRAF-S	WALKING, RUNNING, RIDING, ETC., ON SHOULDER FACING TRAFFIC
041	W/TRAF-P	WALKING, RUNNING, RIDING, ETC., ON PAVEMENT WITH TRAFFIC
042	A/TRAF-P	WALKING, RUNNING, RIDING, ETC., ON PAVEMENT FACING TRAFFIC
043	PLAYINRD	PLAYING IN STREET OR ROAD
044	PUSH MV	PUSHING OR WORKING ON VEHICLE IN ROAD OR ON SHOULDER
045	WORK ON	WORKING IN ROADWAY OR ALONG SHOULDER
046	W/ TRAFIC	NON-MOTORIST WALKING, RUNNING, RIDING, ETC. WITH TRAFFIC
047	A/ TRAFIC	NON-MOTORIST WALKING, RUNNING, RIDING, ETC. FACING TRAFFIC
050	LAY ON RD	STANDING OR LYING IN ROADWAY
051	ENT OFFRD	ENTERING / STARTING IN TRAFFIC LANE FROM OFF ROAD
052	MERGING	MERGING
055	SPRAY	BLINDED BY WATER SPRAY

ACTION CODE TRANSLATION LIST

ACTION CODE	SHORT DESCRIPTION	LONG DESCRIPTION
088	OTHER	OTHER ACTION
099	UNK	UNKNOWN ACTION

CAUSE CODE TRANSLATION LIST

CAUSE CODE	SHORT DESCRIPTION	LONG DESCRIPTION
00	NO CODE	NO CAUSE ASSOCIATED AT THIS LEVEL
01	TOO-FAST	TOO FAST FOR CONDITIONS (NOT EXCEED POSTED SPEED)
02	NO-YIELD	DID NOT YIELD RIGHT-OF-WAY
03	PAS-STOP	PASSED STOP SIGN OR RED FLASHER
04	DIS SIG	DISREGARDED TRAFFIC SIGNAL
05	LEFT-CTR	DROVE LEFT OF CENTER ON TWO-WAY ROAD; STRADDLING
06	IMP-OVER	IMPROPER OVERTAKING
07	TOO-CLOS	FOLLOWED TOO CLOSELY
08	IMP-TURN	MADE IMPROPER TURN
09	DRINKING	ALCOHOL OR DRUG INVOLVED
10	OTHR-IMP	OTHER IMPROPER DRIVING
11	MECH-DEF	MECHANICAL DEFECT
12	OTHER	OTHER (NOT IMPROPER DRIVING)
13	IMP LN C	IMPROPER CHANGE OF TRAFFIC LANES
14	DIS TCD	DISREGARDED OTHER TRAFFIC CONTROL DEVICE
15	WRNG WAY	WRONG WAY ON ONE-WAY ROAD; WRONG SIDE DIVIDED ROAD
16	FATIGUE	DRIVER DROWSY/FATIGUED/SLEEPY
17	ILLNESS	PHYSICAL ILLNESS
18	IN RDWY	NON-MOTORIST ILLEGALLY IN ROADWAY
19	NT VISBL	NON-MOTORIST NOT VISIBLE; NON-REFLECTIVE CLOTHING
20	IMP PKNG	VEHICLE IMPROPERLY PARKED
21	DEF STER	DEFECTIVE STEERING MECHANISM
22	DEF BRKE	INADEQUATE OR NO BRAKES
24	LOADSHFT	VEHICLE LOST LOAD OR LOAD SHIFTED
25	TIREFAIL	TIRE FAILURE
26	PHANTOM	PHANTOM / NON-CONTACT VEHICLE
27	INATTENT	INATTENTION
28	NM INATT	NON-MOTORIST INATTENTION
29	F AVOID	FAILED TO AVOID VEHICLE AHEAD
30	SPEED	DRIVING IN EXCESS OF POSTED SPEED
31	RACING	SPEED RACING (PER PAR)
32	CARELESS	CARELESS DRIVING (PER PAR)
33	RECKLESS	RECKLESS DRIVING (PER PAR)
34	AGGRESV	AGGRESSIVE DRIVING (PER PAR)
35	RD RAGE	ROAD RAGE (PER PAR)
40	VIEW OBS	VIEW OBSCURED
50	USED MDN	IMPROPER USE OF MEDIAN OR SHOULDER
51	FAIL LN	FAILED TO MAINTAIN LANE
52	OFF RD	RAN OFF ROAD

COLLISION TYPE CODE TRANSLATION LIST

COLL CODE	SHORT DESCRIPTION	LONG DESCRIPTION
&	OTH	MISCELLANEOUS
-	BACK	BACKING
0	PED	PEDESTRIAN
1	ANGL	ANGLE
2	HEAD	HEAD-ON
3	REAR	REAR-END
4	SS-M	SIDESWIPE - MEETING
5	SS-O	SIDESWIPE - OVERTAKING
6	TURN	TURNING MOVEMENT
7	PARK	PARKING MANEUVER
8	NCOL	NON-COLLISION
9	FIX	FIXED OBJECT OR OTHER OBJECT

CRASH TYPE CODE TRANSLATION LIST

CRASH TYPE	SHORT DESCRIPTION	LONG DESCRIPTION
&	OVERTURN	OVERTURNED
0	NON-COLL	OTHER NON-COLLISION
1	OTH RDWY	MOTOR VEHICLE ON OTHER ROADWAY
2	PRKD MV	PARKED MOTOR VEHICLE
3	PED	PEDESTRIAN
4	TRAIN	RAILWAY TRAIN
6	BIKE	PEDALCYCLIST
7	ANIMAL	ANIMAL
8	FIX OBJ	FIXED OBJECT
9	OTH OBJ	OTHER OBJECT
A	ANGL-STP	ENTERING AT ANGLE - ONE VEHICLE STOPPED
B	ANGL-OTH	ENTERING AT ANGLE - ALL OTHERS
C	S-STRGHT	FROM SAME DIRECTION - BOTH GOING STRAIGHT
D	S-1TURN	FROM SAME DIRECTION - ONE TURN, ONE STRAIGHT
E	S-1STOP	FROM SAME DIRECTION - ONE STOPPED
F	S-OTHER	FROM SAME DIRECTION-ALL OTHERS, INCLUDING PARKING
G	O-STRGHT	FROM OPPOSITE DIRECTION - BOTH GOING STRAIGHT
H	O-1 L-TURN	FROM OPPOSITE DIRECTION-ONE LEFT TURN, ONE STRAIGHT
I	O-1STOP	FROM OPPOSITE DIRECTION - ONE STOPPED
J	O-OTHER	FROM OPPOSITE DIRECTION-ALL OTHERS INCL. PARKING

DRIVER LICENSE CODE TRANSLATION LIST

LIC CODE	SHORT DESC	LONG DESCRIPTION
0	NONE	NOT LICENSED (HAD NEVER BEEN LICENSED)
1	OR-Y	VALID OREGON LICENSE
2	OTH-Y	VALID LICENSE, OTHER STATE OR COUNTRY
3	SUSP	SUSPENDED/REVOKED
4	EXP	EXPIRED
8	N-VAL	OTHER NON-VALID LICENSE
9	UNK	UNKNOWN IF DRIVER WAS LICENSED AT TIME OF CRASH

DRIVER RESIDENCE CODE TRANSLATION LIST

RES CODE	SHORT DESC	LONG DESCRIPTION
1	OR<25	OREGON RESIDENT WITHIN 25 MILE OF HOME
2	OR>25	OREGON RESIDENT 25 OR MORE MILES FROM HOME
3	OR-?	OREGON RESIDENT - UNKNOWN DISTANCE FROM HOME
4	N-RES	NON-RESIDENT
9	UNK	UNKNOWN IF OREGON RESIDENT

ERROR CODE TRANSLATION LIST

ERROR CODE	SHORT DESCRIPTION	FULL DESCRIPTION
000	NONE	NO ERROR
001	WIDE TRN	WIDE TURN
002	CUT CORN	CUT CORNER ON TURN
003	FAIL TRN	FAILED TO OBEY MANDATORY TRAFFIC TURN SIGNAL, SIGN OR LANE MARKINGS
004	L IN TRF	LEFT TURN IN FRONT OF ONCOMING TRAFFIC
005	L PROHIB	LEFT TURN WHERE PROHIBITED
006	FRM WRNG	TURNED FROM WRONG LANE
007	TO WRONG	TURNED INTO WRONG LANE
008	ILLEG U	U-TURNED ILLEGALLY
009	IMP STOP	IMPROPERLY STOPPED IN TRAFFIC LANE
010	IMP SIG	IMPROPER SIGNAL OR FAILURE TO SIGNAL
011	IMP BACK	BACKING IMPROPERLY (NOT PARKING)
012	IMP PARK	IMPROPERLY PARKED
013	UNPARK	IMPROPER START LEAVING PARKED POSITION
014	IMP STRT	IMPROPER START FROM STOPPED POSITION
015	IMP LGHT	IMPROPER OR NO LIGHTS (VEHICLE IN TRAFFIC)
016	INATTENT	INATTENTION (FAILURE TO DIM LIGHTS PRIOR TO 4/1/97)
017	UNSF VEH	DRIVING UNSAFE VEHICLE (NO OTHER ERROR APPARENT)
018	OTH PARK	ENTERING/EXITING PARKED POSITION W/ INSUFFICIENT CLEARANCE; OTHER IMPROPER PARKING MANEUVER
019	DIS DRIV	DISREGARDED OTHER DRIVER'S SIGNAL
020	DIS SGNL	DISREGARDED TRAFFIC SIGNAL
021	RAN STOP	DISREGARDED STOP SIGN OR FLASHING RED
022	DIS SIGN	DISREGARDED WARNING SIGN, FLARES OR FLASHING AMBER
023	DIS OFCR	DISREGARDED POLICE OFFICER OR FLAGMAN
024	DIS EMER	DISREGARDED SIREN OR WARNING OF EMERGENCY VEHICLE
025	DIS RR	DISREGARDED RR SIGNAL, RR SIGN, OR RR FLAGMAN
026	REAR-END	FAILED TO AVOID STOPPED OR PARKED VEHICLE AHEAD OTHER THAN SCHOOL BUS
027	BIKE ROW	DID NOT HAVE RIGHT-OF-WAY OVER PEDALCYCLIST
028	NO ROW	DID NOT HAVE RIGHT-OF-WAY
029	PED ROW	FAILED TO YIELD RIGHT-OF-WAY TO PEDESTRIAN
030	PAS CURV	PASSING ON A CURVE
031	PAS WRNG	PASSING ON THE WRONG SIDE
032	PAS TANG	PASSING ON STRAIGHT ROAD UNDER UNSAFE CONDITIONS
033	PAS X-WK	PASSED VEHICLE STOPPED AT CROSSWALK FOR PEDESTRIAN
034	PAS INTR	PASSING AT INTERSECTION
035	PAS HILL	PASSING ON CREST OF HILL
036	N/PAS ZN	PASSING IN "NO PASSING" ZONE
037	PAS TRAF	PASSING IN FRONT OF ONCOMING TRAFFIC
038	CUT-IN	CUTTING IN (TWO LANES - TWO WAY ONLY)
039	WRNGSIDE	DRIVING ON WRONG SIDE OF THE ROAD (2-WAY UNDIVIDED ROADWAYS)
040	THRU MED	DRIVING THROUGH SAFETY ZONE OR OVER ISLAND
041	F/ST BUS	FAILED TO STOP FOR SCHOOL BUS

ERROR CODE TRANSLATION LIST

ERROR CODE	SHORT DESCRIPTION	FULL DESCRIPTION
042	F/SLO MV	FAILED TO DECREASE SPEED FOR SLOWER MOVING VEHICLE
043	TOO CLOSE	FOLLOWING TOO CLOSELY (MUST BE ON OFFICER'S REPORT)
044	STRDL LN	STRADDLING OR DRIVING ON WRONG LANES
045	IMP CHG	IMPROPER CHANGE OF TRAFFIC LANES
046	WRNG WAY	WRONG WAY ON ONE-WAY ROADWAY; WRONG SIDE DIVIDED ROAD
047	BASCRULE	DRIVING TOO FAST FOR CONDITIONS (NOT EXCEEDING POSTED SPEED)
048	OPN DOOR	OPENED DOOR INTO ADJACENT TRAFFIC LANE
049	IMPEDING	IMPEDING TRAFFIC
050	SPEED	DRIVING IN EXCESS OF POSTED SPEED
051	RECKLESS	RECKLESS DRIVING (PER PAR)
052	CARELESS	CARELESS DRIVING (PER PAR)
053	RACING	SPEED RACING (PER PAR)
054	X N/SGNL	CROSSING AT INTERSECTION, NO TRAFFIC SIGNAL PRESENT
055	X W/SGNL	CROSSING AT INTERSECTION, TRAFFIC SIGNAL PRESENT
056	DIAGONAL	CROSSING AT INTERSECTION - DIAGONALLY
057	BTWN INT	CROSSING BETWEEN INTERSECTIONS
059	W/TRAF-S	WALKING, RUNNING, RIDING, ETC., ON SHOULDER WITH TRAFFIC
060	A/TRAF-S	WALKING, RUNNING, RIDING, ETC., ON SHOULDER FACING TRAFFIC
061	W/TRAF-P	WALKING, RUNNING, RIDING, ETC., ON PAVEMENT WITH TRAFFIC
062	A/TRAF-P	WALKING, RUNNING, RIDING, ETC., ON PAVEMENT FACING TRAFFIC
063	PLAYINRD	PLAYING IN STREET OR ROAD
064	PUSH MV	PUSHING OR WORKING ON VEHICLE IN ROAD OR ON SHOULDER
065	WORK IN RD	WORKING IN ROADWAY OR ALONG SHOULDER
070	LAY ON RD	STANDING OR LYING IN ROADWAY
071	NM IMP USE	IMPROPER USE OF TRAFFIC LANE BY NON-MOTORIST
073	ELUDING	ELUDING / ATTEMPT TO ELUDE
079	F NEG CURV	FAILED TO NEGOTIATE A CURVE
080	FAIL LN	FAILED TO MAINTAIN LANE
081	OFF RD	RAN OFF ROAD
082	NO CLEAR	DRIVER MISJUDGED CLEARANCE
083	OVRSTEER	OVER-CORRECTING
084	NOT USED	CODE NOT IN USE
085	OVRLOAD	OVERLOADING OR IMPROPER LOADING OF VEHICLE WITH CARGO OR PASSENGERS
097	UNA DIS TC	UNABLE TO DETERMINE WHICH DRIVER DISREGARDED TRAFFIC CONTROL DEVICE

## EVENT CODE TRANSLATION LIST

EVENT CODE	SHORT DESCRIPTION	LONG DESCRIPTION
001	FEL/JUMP	OCCUPANT FELL, JUMPED OR WAS EJECTED FROM MOVING VEHICLE
002	INTERFER	PASSENGER INTERFERED WITH DRIVER
003	BUG INTF	ANIMAL OR INSECT IN VEHICLE INTERFERED WITH DRIVER
004	INDRCT PED	PEDESTRIAN INDIRECTLY INVOLVED (NOT STRUCK)
005	SUB-PED	"SUB-PED": PEDESTRIAN INJURED SUBSEQUENT TO COLLISION, ETC.
006	INDRCT BIK	PEDALCYCLIST INDIRECTLY INVOLVED (NOT STRUCK)
007	HITCHIKR	HITCHHIKER (SOLICITING A RIDE)
008	PSNGR TOW	PASSENGER OR NON-MOTORIST BEING TOWED OR PUSHED ON CONVEYANCE
009	ON/OFF V	GETTING ON/OFF STOPPED/PARKED VEHICLE (OCCUPANTS ONLY; MUST HAVE PHYSICAL CONTACT W/ VEHIC
010	SUB OTRN	OVERTURNED AFTER FIRST HARMFUL EVENT
011	MV PUSHD	VEHICLE BEING PUSHED
012	MV TOWED	VEHICLE TOWED OR HAD BEEN TOWING ANOTHER VEHICLE
013	FORCED	VEHICLE FORCED BY IMPACT INTO ANOTHER VEHICLE, PEDALCYCLIST OR PEDESTRIAN
014	SET MOTN	VEHICLE SET IN MOTION BY NON-DRIVER (CHILD RELEASED BRAKES, ETC.)
015	RR ROW	AT OR ON RAILROAD RIGHT-OF-WAY (NOT LIGHT RAIL)
016	LT RL ROW	AT OR ON LIGHT-RAIL RIGHT-OF-WAY
017	RR HIT V	TRAIN STRUCK VEHICLE
018	V HIT RR	VEHICLE STRUCK TRAIN
019	HIT RR CAR	VEHICLE STRUCK RAILROAD CAR ON ROADWAY
020	JACKNIFE	JACKKNIFE; TRAILER OR TOWED VEHICLE STRUCK TOWING VEHICLE
021	TRL OTRN	TRAILER OR TOWED VEHICLE OVERTURNED
022	CN BROKE	TRAILER CONNECTION BROKE
023	DETACH TRL	DETACHED TRAILING OBJECT STRUCK OTHER VEHICLE, NON-MOTORIST, OR OBJECT
024	V DOOR OPN	VEHICLE DOOR OPENED INTO ADJACENT TRAFFIC LANE
025	WHEELOFF	WHEEL CAME OFF
026	HOOD UP	HOOD FLEW UP
028	LOAD SHIFT	LOST LOAD, LOAD MOVED OR SHIFTED
029	TIREFAIL	TIRE FAILURE
030	PET	PET: CAT, DOG AND SIMILAR
031	LVSTOCK	STOCK: COW, CALF, BULL, STEER, SHEEP, ETC.
032	HORSE	HORSE, MULE, OR DONKEY
033	HRSE&RID	HORSE AND RIDER
034	GAME	WILD ANIMAL, GAME (INCLUDES BIRDS; NOT DEER OR ELK)
035	DEER ELK	DEER OR ELK, WAPITI
036	ANML VEH	ANIMAL-DRAWN VEHICLE
037	CULVERT	CULVERT, OPEN LOW OR HIGH MANHOLE
038	ATENUATN	IMPACT ATTENUATOR
039	PK METER	PARKING METER
040	CURB	CURB (ALSO NARROW SIDEWALKS ON BRIDGES)
041	JIGGLE	JIGGLE BAR OR TRAFFIC SNAKE FOR CHANNELIZATION
042	GDRL END	LEADING EDGE OF GUARDRAIL
043	GARDRAIL	GUARD RAIL (NOT METAL MEDIAN BARRIER)
044	BARRIER	MEDIAN BARRIER (RAISED OR METAL)
045	WALL	RETAINING WALL OR TUNNEL WALL
046	BR RAIL	BRIDGE RAILING OR PARAPET (ON BRIDGE OR APPROACH)
047	BR ABUTMNT	BRIDGE ABUTMENT (INCLUDED "APPROACH END" THRU 2013)
048	BR COLMN	BRIDGE PILLAR OR COLUMN
049	BR GIRDR	BRIDGE GIRDER (HORIZONTAL BRIDGE STRUCTURE OVERHEAD)
050	ISLAND	TRAFFIC RAISED ISLAND
051	GORE	GORE
052	POLE UNK	POLE - TYPE UNKNOWN
053	POLE UTL	POLE - POWER OR TELEPHONE
054	ST LIGHT	POLE - STREET LIGHT ONLY
055	TRF SGNL	POLE - TRAFFIC SIGNAL AND PED SIGNAL ONLY
056	SGN BRDG	POLE - SIGN BRIDGE
057	STOPSIGN	STOP OR YIELD SIGN
058	OTH SIGN	OTHER SIGN, INCLUDING STREET SIGNS
059	HYDRANT	HYDRANT

## EVENT CODE TRANSLATION LIST

EVENT CODE	SHORT DESCRIPTION	LONG DESCRIPTION
060	MARKER	DELINEATOR OR MARKER (REFLECTOR POSTS)
061	MAILBOX	MAILBOX
062	TREE	TREE, STUMP OR SHRUBS
063	VEG OHED	TREE BRANCH OR OTHER VEGETATION OVERHEAD, ETC.
064	WIRE/CBL	WIRE OR CABLE ACROSS OR OVER THE ROAD
065	TEMP SGN	TEMPORARY SIGN OR BARRICADE IN ROAD, ETC.
066	PERM SGN	PERMANENT SIGN OR BARRICADE IN/OFF ROAD
067	SLIDE	SLIDES, FALLEN OR FALLING ROCKS
068	FRGN OBJ	FOREIGN OBSTRUCTION/DEBRIS IN ROAD (NOT GRAVEL)
069	EQP WORK	EQUIPMENT WORKING IN/OFF ROAD
070	OTH EQP	OTHER EQUIPMENT IN OR OFF ROAD (INCLUDES PARKED TRAILER, BOAT)
071	MAIN EQP	WRECKER, STREET SWEEPER, SNOW PLOW OR SANDING EQUIPMENT
072	OTHER WALL	ROCK, BRICK OR OTHER SOLID WALL
073	IRRGL PVMT	OTHER BUMP (NOT SPEED BUMP), POTHOLE OR PAVEMENT IRREGULARITY (PER PAR)
074	OVERHD OBJ	OTHER OVERHEAD OBJECT (HIGHWAY SIGN, SIGNAL HEAD, ETC.); NOT BRIDGE
075	CAVE IN	BRIDGE OR ROAD CAVE IN
076	HI WATER	HIGH WATER
077	SNO BANK	SNOW BANK
078	LO-HI EDGE	LOW OR HIGH SHOULDER AT PAVEMENT EDGE
079	DITCH	CUT SLOPE OR DITCH EMBANKMENT
080	OBJ FRM MV	STRUCK BY ROCK OR OTHER OBJECT SET IN MOTION BY OTHER VEHICLE (INCL. LOST LOADS)
081	FLY-OBJ	STRUCK BY ROCK OR OTHER MOVING OR FLYING OBJECT (NOT SET IN MOTION BY VEHICLE)
082	VEH HID	VEHICLE OBSCURED VIEW
083	VEG HID	VEGETATION OBSCURED VIEW
084	BLDG HID	VIEW OBSCURED BY FENCE, SIGN, PHONE BOOTH, ETC.
085	WIND GUST	WIND GUST
086	IMMERSED	VEHICLE IMMERSED IN BODY OF WATER
087	FIRE/EXP	FIRE OR EXPLOSION
088	FENC/BLD	FENCE OR BUILDING, ETC.
089	OTHR CRASH	CRASH RELATED TO ANOTHER SEPARATE CRASH
090	TO 1 SIDE	TWO-WAY TRAFFIC ON DIVIDED ROADWAY ALL ROUTED TO ONE SIDE
091	BUILDING	BUILDING OR OTHER STRUCTURE
092	PHANTOM	OTHER (PHANTOM) NON-CONTACT VEHICLE
093	CELL PHONE	CELL PHONE (ON PAR OR DRIVER IN USE)
094	VIOL GDL	TEENAGE DRIVER IN VIOLATION OF GRADUATED LICENSE PGM
095	GUY WIRE	GUY WIRE
096	BERM	BERM (EARTHEN OR GRAVEL MOUND)
097	GRAVEL	GRAVEL IN ROADWAY
098	ABR EDGE	ABRUPT EDGE
099	CELL WTNSD	CELL PHONE USE WITNESSED BY OTHER PARTICIPANT
100	UNK FIXD	FIXED OBJECT, UNKNOWN TYPE.
101	OTHER OBJ	NON-FIXED OBJECT, OTHER OR UNKNOWN TYPE
102	TEXTING	TEXTING
103	WZ WORKER	WORK ZONE WORKER
104	ON VEHICLE	PASSENGER RIDING ON VEHICLE EXTERIOR
105	PEDAL PSGR	PASSENGER RIDING ON PEDALCYCLE
106	MAN WHLCHR	PEDESTRIAN IN NON-MOTORIZED WHEELCHAIR
107	MTR WHLCHR	PEDESTRIAN IN MOTORIZED WHEELCHAIR
108	OFFICER	LAW ENFORCEMENT / POLICE OFFICER
109	SUB-BIKE	"SUB-BIKE": PEDALCYCLIST INJURED SUBSEQUENT TO COLLISION, ETC.
110	N-MTR	NON-MOTORIST STRUCK VEHICLE
111	S CAR VS V	STREET CAR/TROLLEY (ON RAILS OR OVERHEAD WIRE SYSTEM) STRUCK VEHICLE
112	V VS S CAR	VEHICLE STRUCK STREET CAR/TROLLEY (ON RAILS OR OVERHEAD WIRE SYSTEM)
113	S CAR ROW	AT OR ON STREET CAR OR TROLLEY RIGHT-OF-WAY
114	RR EQUIP	VEHICLE STRUCK RAILROAD EQUIPMENT (NOT TRAIN) ON TRACKS
115	DSTRCT GPS	DISTRACTED BY NAVIGATION SYSTEM OR GPS DEVICE
116	DSTRCT OTH	DISTRACTED BY OTHER ELECTRONIC DEVICE
117	RR GATE	RAIL CROSSING DROP-ARM GATE

## EVENT CODE TRANSLATION LIST

EVENT CODE	SHORT DESCRIPTION	LONG DESCRIPTION
118	EXPNSN JNT	EXPANSION JOINT
119	JERSEY BAR	JERSEY BARRIER
120	WIRE BAR	WIRE OR CABLE MEDIAN BARRIER
121	FENCE	FENCE
123	OBJ IN VEH	LOOSE OBJECT IN VEHICLE STRUCK OCCUPANT
124	SLIPPERY	SLIDING OR SWERVING DUE TO WET, ICY, SLIPPERY OR LOOSE SURFACE (NOT GRAVEL)
125	SHLDR	SHOULDER GAVE WAY
126	BOULDER	ROCK(S), BOULDER (NOT GRAVEL; NOT ROCK SLIDE)
127	LAND SLIDE	ROCK SLIDE OR LAND SLIDE
128	CURVE INV	CURVE PRESENT AT CRASH LOCATION
129	HILL INV	VERTICAL GRADE / HILL PRESENT AT CRASH LOCATION
130	CURVE HID	VIEW OBSCURED BY CURVE
131	HILL HID	VIEW OBSCURED BY VERTICAL GRADE / HILL
132	WINDOW HID	VIEW OBSCURED BY VEHICLE WINDOW CONDITIONS
133	SPRAY HID	VIEW OBSCURED BY WATER SPRAY
134	TORRENTIAL	TORRENTIAL RAIN (EXCEPTIONALLY HEAVY RAIN)

FUNCTIONAL CLASSIFICATION TRANSLATION LIST

FUNC CLASS	DESCRIPTION
01	RURAL PRINCIPAL ARTERIAL - INTERSTATE
02	RURAL PRINCIPAL ARTERIAL - OTHER
06	RURAL MINOR ARTERIAL
07	RURAL MAJOR COLLECTOR
08	RURAL MINOR COLLECTOR
09	RURAL LOCAL
11	URBAN PRINCIPAL ARTERIAL - INTERSTATE
12	URBAN PRINCIPAL ARTERIAL - OTHER FREEWAYS AND EXP
14	URBAN PRINCIPAL ARTERIAL - OTHER
16	URBAN MINOR ARTERIAL
17	URBAN MAJOR COLLECTOR
18	URBAN MINOR COLLECTOR
19	URBAN LOCAL
78	UNKNOWN RURAL SYSTEM
79	UNKNOWN RURAL NON-SYSTEM
98	UNKNOWN URBAN SYSTEM
99	UNKNOWN URBAN NON-SYSTEM

HIGHWAY COMPONENT TRANSLATION LIST

CODE	DESCRIPTION
0	MAINLINE STATE HIGHWAY
1	COUPLET
3	FRONTAGE ROAD
6	CONNECTION
8	HIGHWAY - OTHER

INJURY SEVERITY CODE TRANSLATION LIST

CODE	SHORT DESC	LONG DESCRIPTION
1	KILL	FATAL INJURY
2	INJA	INCAPACITATING INJURY - BLEEDING, BROKEN BONES
3	INJB	NON-INCAPACITATING INJURY
4	INJC	POSSIBLE INJURY - COMPLAINT OF PAIN
5	PRI	DIED PRIOR TO CRASH
7	NO<5	NO INJURY - 0 TO 4 YEARS OF AGE
9	NONE	PARTICIPANT UNINJURED, OVER THE AGE OF 4

LIGHT CONDITION CODE TRANSLATION LIST

CODE	SHORT DESC	LONG DESCRIPTION
0	UNK	UNKNOWN
1	DAY	DAYLIGHT
2	DLIT	DARKNESS - WITH STREET LIGHTS
3	DARK	DARKNESS - NO STREET LIGHTS
4	DAWN	DAWN (TWILIGHT)
5	DUSK	DUSK (TWILIGHT)

MEDIAN TYPE CODE TRANSLATION LIST

CODE	SHORT DESC	LONG DESCRIPTION
0	NONE	NO MEDIAN
1	RSDMD	SOLID MEDIAN BARRIER
2	DIVMD	EARTH, GRASS OR PAVED MEDIAN

MILEAGE TYPE CODE TRANSLATION LIST

CODE	LONG DESCRIPTION
0	REGULAR MILEAGE
T	TEMPORARY
Y	SPUR
Z	OVERLAPPING

**MOVEMENT TYPE CODE TRANSLATION LIST**

CODE	SHORT DESC	LONG DESCRIPTION
0	UNK	UNKNOWN
1	STRGHT	STRAIGHT AHEAD
2	TURN-R	TURNING RIGHT
3	TURN-L	TURNING LEFT
4	U-TURN	MAKING A U-TURN
5	BACK	BACKING
6	STOP	STOPPED IN TRAFFIC
7	PRKD-P	PARKED - PROPERLY
8	PRKD-I	PARKED - IMPROPERLY
9	PARKNG	PARKING MANEUVER

**NON-MOTORIST LOCATION CODE TRANSLATION LIST**

CODE	LONG DESCRIPTION
00	AT INTERSECTION - NOT IN ROADWAY
01	AT INTERSECTION - INSIDE CROSSWALK
02	AT INTERSECTION - IN ROADWAY, OUTSIDE CROSSWALK
03	AT INTERSECTION - IN ROADWAY, XWALK AVAIL UNKNWN
04	NOT AT INTERSECTION - IN ROADWAY
05	NOT AT INTERSECTION - ON SHOULDER
06	NOT AT INTERSECTION - ON MEDIAN
07	NOT AT INTERSECTION - WITHIN TRAFFIC RIGHT-OF-WAY
08	NOT AT INTERSECTION - IN BIKE PATH OR PARKING LANE
09	NOT-AT INTERSECTION - ON SIDEWALK
10	OUTSIDE TRAFFICWAY BOUNDARIES
13	AT INTERSECTION - IN BIKE LANE
14	NOT AT INTERSECTION - IN BIKE LANE
15	NOT AT INTERSECTION - INSIDE MID-BLOCK CROSSWALK
16	NOT AT INTERSECTION - IN PARKING LANE
18	OTHER, NOT IN ROADWAY
99	UNKNOWN LOCATION

**ROAD CHARACTER CODE TRANSLATION LIST**

CODE	SHORT DESC	LONG DESCRIPTION
0	UNK	UNKNOWN
1	INTER	INTERSECTION
2	ALLEY	DRIVEWAY OR ALLEY
3	STRGHT	STRAIGHT ROADWAY
4	TRANS	TRANSITION
5	CURVE	CURVE (HORIZONTAL CURVE)
6	OPENAC	OPEN ACCESS OR TURNOUT
7	GRADE	GRADE (VERTICAL CURVE)
8	BRIDGE	BRIDGE STRUCTURE
9	TUNNEL	TUNNEL

**PARTICIPANT TYPE CODE TRANSLATION LIST**

CODE	SHORT DESC	LONG DESCRIPTION
0	OCC	UNKNOWN OCCUPANT TYPE
1	DRVR	DRIVER
2	PSNG	PASSENGER
3	PED	PEDESTRIAN
4	CONV	PEDESTRIAN USING A PEDESTRIAN CONVEYANCE
5	PTOW	PEDESTRIAN TOWING OR TRAILERING AN OBJECT
6	BIKE	PEDALCYCLIST
7	BTOW	PEDALCYCLIST TOWING OR TRAILERING AN OBJECT
8	PRKD	OCCUPANT OF A PARKED MOTOR VEHICLE
9	UNK	UNKNOWN TYPE OF NON-MOTORIST

**TRAFFIC CONTROL DEVICE CODE TRANSLATION LIST**

CODE	SHORT DESC	LONG DESCRIPTION
000	NONE	NO CONTROL
001	TRF SIGNAL	TRAFFIC SIGNALS
002	FLASHBCN-R	FLASHING BEACON - RED (STOP)
003	FLASHBCN-A	FLASHING BEACON - AMBER (SLOW)
004	STOP SIGN	STOP SIGN
005	SLOW SIGN	SLOW SIGN
006	REG-SIGN	REGULATORY SIGN
007	YIELD	YIELD SIGN
008	WARNING	WARNING SIGN
009	CURVE	CURVE SIGN
010	SCHL X-ING	SCHOOL CROSSING SIGN OR SPECIAL SIGNAL
011	OFCCR/FLAG	POLICE OFFICER, FLAGMAN - SCHOOL PATROL
012	BRDG-GATE	BRIDGE GATE - BARRIER
013	TEMP-BARR	TEMPORARY BARRIER
014	NO-PASS-ZN	NO PASSING ZONE
015	ONE-WAY	ONE-WAY STREET
016	CHANNEL	CHANNELIZATION
017	MEDIAN BAR	MEDIAN BARRIER
018	PILOT CAR	PILOT CAR
019	SP PED SIG	SPECIAL PEDESTRIAN SIGNAL
020	X-BUCK	CROSSBUCK
021	THR-GN-SIG	THROUGH GREEN ARROW OR SIGNAL
022	L-GRN-SIG	LEFT TURN GREEN ARROW, LANE MARKINGS, OR SIGNAL
023	R-GRN-SIG	RIGHT TURN GREEN ARROW, LANE MARKINGS, OR SIGNAL
024	WIGWAG	WIGWAG OR FLASHING LIGHTS W/O DROP-ARM GATE
025	X-BUCK WRN	CROSSBUCK AND ADVANCE WARNING
026	WW W/ GATE	FLASHING LIGHTS WITH DROP-ARM GATES
027	OVRHD SGNL	SUPPLEMENTAL OVERHEAD SIGNAL (RR XING ONLY)
028	SP RR STOP	SPECIAL RR STOP SIGN
029	ILUM GRD X	ILLUMINATED GRADE CROSSING
037	RAMP METER	METERED RAMPS
038	RUMBLE STR	RUMBLE STRIP
090	L-TURN REF	LEFT TURN REFUGE (WHEN REFUGE IS INVOLVED)
091	R-TURN ALL	RIGHT TURN AT ALL TIMES SIGN, ETC.
092	EMR SGN/FL	EMERGENCY SIGNS OR FLARES
093	ACCEL LANE	ACCELERATION OR DECELERATION LANES
094	R-TURN PRO	RIGHT TURN PROHIBITED ON RED AFTER STOPPING
095	BUS STPSGN	BUS STOP SIGN AND RED LIGHTS
099	UNKNOWN	UNKNOWN OR NOT DEFINITE

VEHICLE TYPE CODE TRANSLATION LIST

CODE	SHORT DESC	LONG DESCRIPTION
00	PDO	NOT COLLECTED FOR PDO CRASHES
01	PSNGR CAR	PASSENGER CAR, PICKUP, LIGHT DELIVERY, ETC.
02	BOBTAIL	TRUCK TRACTOR WITH NO TRAILERS (BOBTAIL)
03	FARM TRCTR	FARM TRACTOR OR SELF-PROPELLED FARM EQUIPMENT
04	SEMI TOW	TRUCK TRACTOR WITH TRAILER/MOBILE HOME IN TOW
05	TRUCK	TRUCK WITH NON-DETACHABLE BED, PANEL, ETC.
06	MOPED	MOPED, MINIBIKE, SEATED MOTOR SCOOTER, MOTOR BIKE
07	SCHL BUS	SCHOOL BUS (INCLUDES VAN)
08	OTH BUS	OTHER BUS
09	MTRCYCLE	MOTORCYCLE, DIRT BIKE
10	OTHER	OTHER: FORKLIFT, BACKHOE, ETC.
11	MOTRHOME	MOTORHOME
12	TROLLEY	MOTORIZED STREET CAR/TROLLEY (NO RAILS/WIRES)
13	ATV	ATV
14	MTRSCTR	MOTORIZED SCOOTER (STANDING)
15	SNOWMOBILE	SNOWMOBILE
99	UNKNOWN	UNKNOWN VEHICLE TYPE

WEATHER CONDITION CODE TRANSLATION LIST

CODE	SHORT DESC	LONG DESCRIPTION
0	UNK	UNKNOWN
1	CLR	CLEAR
2	CLD	CLOUDY
3	RAIN	RAIN
4	SLT	SLEET
5	FOG	FOG
6	SNOW	SNOW
7	DUST	DUST
8	SMOK	SMOKE
9	ASH	ASH



Rte	Rdwy	BMP	EMP	ADT	Crash	Fatal	A	B	C	City	County	Connection	Percent	SPIS
<b>091 Pacific Highway West</b>														
OR-99W	1	70.67	70.76	6,876	3	1	0	2	0		Polk		75	30.94
OR-99W	1	73.66	73.75	6,876	2	0	1	1	0		Benton	LEG (FROM W CAMP ADAIR RD.)	60	26.64
OR-99W	1	73.67	73.77	6,811	2	0	1	1	0		Benton	LEG (FROM W CAMP ADAIR RD.)	60	26.66
OR-99W	1	73.68	73.78	6,747	2	0	1	1	0		Benton	LEG (FROM W CAMP ADAIR RD.)	60	26.69
OR-99W	1	73.69	73.79	6,683	2	0	1	1	0		Benton	LEG (TO COFFIN BUTTE RD.)	60	26.71
OR-99W	1	73.70	73.81	6,618	2	0	1	1	0		Benton	W CAMP ADAIR RD.	60	26.74
OR-99W	1	73.71	73.82	6,554	2	0	1	1	0		Benton	W CAMP ADAIR RD.	60	26.77
OR-99W	1	73.72	73.84	6,490	2	0	1	1	0		Benton	W CAMP ADAIR RD.	60	26.78
OR-99W	1	73.73	73.85	6,425	2	0	1	1	0		Benton	W CAMP ADAIR RD.	60	26.81
OR-99W	1	73.74	73.86	6,361	2	0	1	1	0		Benton	W CAMP ADAIR RD.	60	26.84
OR-99W	1	73.75	73.88	6,297	2	0	1	1	0		Benton	W CAMP ADAIR RD.	60	26.87
OR-99W	1	76.92	77.01	7,733	1	0	1	0	0		Benton		40	21.46
OR-99W	1	76.93	77.02	7,733	1	0	1	0	0		Benton		40	21.46
OR-99W	1	76.94	77.03	7,733	1	0	1	0	0		Benton		40	21.46
OR-99W	1	76.95	77.04	7,733	1	0	1	0	0		Benton		40	21.46
OR-99W	1	76.96	77.05	7,733	1	0	1	0	0		Benton		40	21.46
OR-99W	1	76.97	77.06	7,733	1	0	1	0	0		Benton		40	21.46
OR-99W	1	76.98	77.07	7,733	1	0	1	0	0		Benton		40	21.46
OR-99W	1	76.99	77.07	7,733	1	0	1	0	0		Benton		40	21.46
OR-99W	1	77.00	77.08	7,733	1	0	1	0	0		Benton		40	21.46
OR-99W	1	77.01	77.09	7,733	1	0	1	0	0		Benton		40	21.46
OR-99W	1	78.80	78.89	9,368	3	0	0	0	3		Benton		10	14.99
OR-99W	1	78.81	78.90	9,368	3	0	0	0	3		Benton		10	14.99
OR-99W	1	78.82	78.91	9,368	4	0	0	0	4		Benton		25	18.65
OR-99W	1	78.83	78.92	9,368	4	0	0	0	4		Benton		25	18.65
OR-99W	1	78.84	78.93	9,368	3	0	0	0	3		Benton	GRANGER AVE.	10	14.99
OR-99W	1	78.85	78.94	9,601	3	0	0	0	3		Benton	GRANGER AVE.	10	14.92
OR-99W	1	78.86	78.95	9,834	3	0	0	0	3		Benton	GRANGER AVE.	10	14.87
OR-99W	1	78.87	78.96	10,068	3	0	0	0	3		Benton	GRANGER AVE.	10	14.80
OR-99W	1	79.67	79.77	11,468	2	0	1	1	0		Benton	NE ELLIOTT CIR.	55	25.58
OR-99W	1	79.68	79.78	11,670	2	0	1	1	0		Benton	NE ELLIOTT CIR.	55	25.56
OR-99W	1	79.69	79.79	11,873	2	0	1	1	0		Benton	NE ELLIOTT CIR.	55	25.53
OR-99W	1	79.71	79.80	12,076	2	0	1	1	0		Benton	NE ELLIOTT CIR.	55	25.50
OR-99W	1	79.72	79.81	12,279	2	0	1	1	0		Benton	NE ELLIOTT CIR.	55	25.48
OR-99W	1	79.73	79.82	12,482	2	0	1	1	0		Benton	NE ELLIOTT CIR.	55	25.45
OR-99W	1	79.74	79.83	12,685	3	0	1	1	1		Benton	NE ELLIOTT CIR.	70	29.26

Top 15% SPIS Score: >37.79

Subject Property Frontage

## 30 HV Using On-Site ATR Method (APM V2 5.5.1)

Monmouth

ATR 27-005

OR99W; PACIFIC HIGHWAY WEST NO. 91; 0.23 miles south of Suver Road and 1.43 miles north PolkBenton County Line

Year	June (Peak Month) AWDT				November (Count Month) AWDT				Notes:
	Average Weekday Traffic	% of AADT	Annual Change Previous Year	Annual Change 2018 to 2022	Average Weekday Traffic	% of AADT	Annual Change Previous Year	Annual Change 2018 to 2022	
2018	9,071	108	—		8,531	102	—		
2019	8,955	108	-1.28%		8,680	105	1.75%		
2020	7,512	109	-16.11%	0.00%	7,021	102	-19.11%	-0.53%	
2021	8,943	112	19.05%		8,715	109	24.13%		
2022	9,071	110	1.43%		8,350	101	-4.19%		
<b>Average % of AADT</b>		<b>109</b>			<b>103</b>		High and low %s eliminated. The average % is the		
<b>Seasonal Adjustment = June / November</b>					<b>1.06</b>		remaining 3 years.		

Intersection 1	OR 99W	Lewisburg/Granger Avenue	2043
Intersection 2	NE Elliot Circle	NE Granger Avenue	30HV
Intersection 3	OR 99W	Site Access	
Intersection 4	OR 99W	Lewisburg/Granger Avenue	2023
Intersection 5	NE Elliot Circle	NE Granger Avenue	30HV
Intersection 6	OR 99W	Site Access	
Intersection 7			
Intersection 8			
Intersection 9			
Intersection 10			
Intersection 11			
Intersection 12			
Intersection 13			
Intersection 14			
Intersection 15			
<b>Roadway 1</b>		<b>Roadway 2</b>	

## Master Intersection List

Intersection 1		OR 99W			Lewisburg/Granger Avenue			System PM peak hour 4:30-5:30									
ALL-VEHICLE VOLUMES		PHF = 0.94											Hourly	All			
Time Period	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	Total	Totals	Ints	Cells shaded this color have manual inp	
4:00 PM	16	154	23	3	102	11	14	12	19	28	21	6	409	1680	2109		
4:15 PM	25	158	30	4	89	11	18	13	19	26	22	8	423	1658	2088		
4:30 PM	15	159	40	5	112	12	12	17	12	27	17	9	437	1676	2126		
4:45 PM	24	173	40	5	84	12	17	19	21	25	20	7	447	1716	2196		
5:00 PM	18	176	41	6	103	5	19	14	23	22	19	5	451	1758	2246		
5:15 PM	19	213	36	2	109	11	15	16	11	26	20	6	484	1819	2310		
5:30 PM	16	197	35	5	90	11	18	14	10	10	19	7	432	1814	2274		
5:45 PM	17	153	21	6	83	7	22	12	12	11	14	5	363	1730		1.06 30HV Seasonal Adjustment	
2023 30HV PM Vs	81	764	166	19	432	42	67	70	71	106	81	29				2023 Traffic Count Base Year	
Background Growth	23	215	47	5	122	12	19	20	20	30	23	8				1.25% Background Growth Rate	
2043 Current ZD Vs	104	979	213	24	554	54	86	90	91	136	104	37				2043 Pre-Development Year	
Total Net New Dev Vs	13			31			3			3					2,472	Entering Intersection Volume	
% of Dev	60%			60%			5%			5%					50	Development Trips	
P-B/D-L Vs															2.02%	Trip Volume Increase	
2043 Proposed ZD Vs	104	992	213	24	585	54	89	90	91	136	104	40					

Intersection 2		NE Elliot Circle			NE Granger Avenue			System PM peak hour 4:30-5:30									
ALL-VEHICLE VOLUMES		PHF = 0.92											Hourly	All			
Time Period	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	Total	Totals	Ints	Cells shaded this color have manual inp	
4:00 PM	6	0	5	0	0	3	2	36	1	5	46	0	104	429			
4:15 PM	2	0	6	0	0	1	1	44	2	2	52	1	111	430			
4:30 PM	5	0	9	0	0	1	0	59	3	3	52	0	132	450			
4:45 PM	5	1	10	1	0	3	1	51	8	6	47	0	133	480			
5:00 PM	5	0	6	0	0	1	4	56	3	2	35	0	112	488			
5:15 PM	3	0	7	0	0	1	0	47	6	2	48	0	114	491			
5:30 PM	6	0	6	0	0	0	1	52	4	3	27	2	101	460			
5:45 PM	2	0	4	0	0	1	3	35	1	6	28	1	81	408		1.06 30HV Seasonal Adjustment	
2023 30HV PM Vs	19	1	29	1	0	5	6	206	21	13	157	2				2023 Traffic Count Base Year	
Background Growth	5	0	8	0	0	1	2	58	6	4	44	1				1.25% Background Growth Rate	
2043 Current ZD Vs	24	1	37	1	0	6	8	264	27	17	201	3				2043 Pre-Development Year	
Total Net New Dev Vs							3			1					589	Entering Intersection Volume	
% of Dev							5%			5%					4	Development Trips	
P-B/D-L Vs															0.68%	Trip Volume Increase	
2043 Proposed ZD Vs	24	1	37	1	0	6	8	267	27	17	202	3					

2043 30 HV

Intersection 3		OR 99W			Site Access			System PM peak hour 4:30-5:30							
ALL-VEHICLE VOLUMES		PHF = 0.90											Total	Hourly	
Time Period	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR	Total	Totals	
4:00 PM		174			116								290		
4:15 PM		184			104								288		
4:30 PM		180			129								309		
4:45 PM		197			101								298		
5:00 PM		200			114								314		
5:15 PM		234			122								356		
5:30 PM		222			106								328		
5:45 PM		180			96								276		
2023 30HV PM Vs	0	853	0	0	443	0	0	0	0	0	0	0		2023 Traffic Count Base Year	
Background Growth	0	241	0	0	125	0	0	0	0	0	0	0		1.3% Background Growth Rate	
2043 Current ZD Vs	0	1094	0	0	568	0	0	0	0	0	0	0		2043 Pre-Development Year	
Total Net New Dev Vs	15					6	16		37					1662 Entering Intersection Volume	
% of Dev	70%					30%	30%		70%					74 Development Trips	
P-B/D-L Vs														4.45% Trip Volume Increase	
2043 Proposed ZD Vs	15	1094	0	0	568	6	16	0	37	0	0	0			

Cells shaded this color have manual inp

2023 Traffic Count Base Year  
 1.3% Background Growth Rate  
 2043 Pre-Development Year  
 1662 Entering Intersection Volume  
 74 Development Trips  
 4.45% Trip Volume Increase

# Appendix

## Septic Records and Correspondence

## **TURKISHER Robert**

---

**From:** TURKISHER Robert  
**Sent:** Tuesday, November 14, 2023 9:35 AM  
**To:** WRIGHT James  
**Cc:** LEWIS Toby A; WILLIAMS Inga; SLATER Webster; NICHOLS Darren; GJOVIK Lars; DAILEY Marcy; WATTS Megan; DETTRICH Ron; Benton Permit Check  
**Subject:** VP Real Estate (11-5-12-BD Tax Lot 400 & 1200) - SEPTIC RECORDS/ZONE CHANGE  
**Attachments:** 138-16-000096-EVAL - ESPLIN.pdf

James,

Attached are the septic records associated with proposed zone change 11-5-12-BD Tax Lot 400 & 1200 (VP Real Estate). Toby Lewis & Greg Verret commented on the current limitations for the property on page 2 of the attachment.

Rob T.

Robert N. Turkisher  
Environmental Health Specialist  
Benton County Environmental Health  
4500 Research Way  
Corvallis, OR 97333  
541-766-6841 (Office)  
541-766-6169 (Direct)

Cc: septic file

## TURKISHER Robert

---

**From:** WILLIAMS Inga  
**Sent:** Tuesday, June 28, 2022 8:44 AM  
**To:** TURKISHER Robert  
**Subject:** RE: VP Real Estate (Vernon & Priscilla Esplin) - Allowed uses at 5820 NW Hwy 99W  
**Attachments:** LU-20-069 Notice of Decision.pdf

Rob,

**No, they didn't get a zone change.** They did get a PLA. Check out the advisory in the Decision.

Inga

---

**From:** TURKISHER Robert <Robert.TURKISHER@Co.Benton.OR.US>  
**Sent:** Monday, June 27, 2022 11:57 AM  
**To:** WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>  
**Cc:** \*Benton Community Development <CommDev@co.Benton.OR.US>; \*Benton Public Works Engineering and Surveying <BPWES@CO.Benton.OR.US>; \*Benton Health EH All <BCEH@co.Benton.OR.US>  
**Subject:** FW: VP Real Estate (Vernon & Priscilla Esplin) - Allowed uses at 5820 NW Hwy 99W

Inga,

1. Was Vern Esplin (VP Real Estate) able to obtain a zone change from residential to commercial for 11-5-12-BD Tax Lot 300 (now Tax Lot 1200 through a property line adjustment)? See Greg Verret's comments below. Kristin Anderson may have handled this property in the past.
2. If a zone change was achieved, what are the allowed uses? Are there any restrictions?

Thanks.

Rob T.

Robert N. Turkisher  
Environmental Health Specialist  
Benton County Environmental Health  
4077 Research Way  
Corvallis, OR 97333  
541-766-6841 (Office)  
541-766-6248 (Fax)

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## TURKISHER Robert

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**From:** LEWIS Toby A  
**Sent:** Tuesday, June 28, 2022 10:35 AM  
**To:** VERRET Greg J; KURTZ Gordon P; TURKISHER Robert; WILLIAMS Inga  
**Cc:** \*Benton Community Development; \*Benton Public Works Engineering and Surveying;  
\*Benton Health EH All  
**Subject:** RE: VP Real Estate (Vernon & Priscilla Esplin) - Allowed uses at 5820 NW Hwy 99W

Zoning compliance (ZC) for a septic feasibility permit (138-16-000096-EVAL) for a "future dwelling"\* only, (not for any type of commercial use) was approved for 11512BD01200 (filed under former Tax Lot number 11512BD00300) in 2016 and the file was scanned over to Environmental Health to finish being processed. There are notes on the ZC sheet documenting this.

\* "Future dwelling" is the adjusted use that Mr. Esplin wrote on the septic application after he was informed that the original commercial use identified on the application would not be approvable.

To my knowledge, processing of the 2016 septic feasibility permit has not been fully approved by Environmental Health.

### Toby Lewis, CFM

Floodplain Manager | CRS Coordinator | Associate Planner  
Benton County Community Development Dept. | 360 SW Avery Ave | Corvallis, OR 97333  
Phone: 541-766-6819

Note: Messages to and from this e-mail address may be subject to disclosure under Oregon public records law.

**From:** VERRET Greg J <Greg.J.VERRET@co.benton.or.us>  
**Sent:** Tuesday, June 28, 2022 10:10 AM  
**To:** KURTZ Gordon P <Gordon.P.KURTZ@co.benton.or.us>; TURKISHER Robert <Robert.TURKISHER@Co.Benton.OR.US>; WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>  
**Cc:** \*Benton Community Development <CommDev@co.Benton.OR.US>; \*Benton Public Works Engineering and Surveying <BPWES@CO.Benton.OR.US>; \*Benton Health EH All <BCEH@co.Benton.OR.US>  
**Subject:** RE: VP Real Estate (Vernon & Priscilla Esplin) - Allowed uses at 5820 NW Hwy 99W

Tax Lot 1200 remains Urban Residential-10 zoning. (Tax Lots 400 and 500 to the south were rezoned to Urban Commercial). The land uses that I have observed on Tax Lot 1200 (landscaping services) are not allowed in the Urban Residential zone, so at this point Planning would not sign off on a septic permit. If they are proposing a different land use that *is* allowed in the UR zone, Planning could sign off.

-Greg

**From:** KURTZ Gordon P <Gordon.P.KURTZ@co.benton.or.us>  
**Sent:** Monday, June 27, 2022 3:11 PM  
**To:** TURKISHER Robert <Robert.TURKISHER@Co.Benton.OR.US>; WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>  
**Cc:** \*Benton Community Development <CommDev@co.Benton.OR.US>; \*Benton Public Works Engineering and Surveying <BPWES@CO.Benton.OR.US>; \*Benton Health EH All <BCEH@co.Benton.OR.US>  
**Subject:** RE: VP Real Estate (Vernon & Priscilla Esplin) - Allowed uses at 5820 NW Hwy 99W

Just FYI.

**From:** TURKISHER Robert <Robert.TURKISHER@Co.Benton.OR.US>

**Sent:** Monday, June 27, 2022 11:57 AM

**To:** WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>

**Cc:** \*Benton Community Development <CommDev@co.Benton.OR.US>; \*Benton Public Works Engineering and Surveying <BPWES@CO.Benton.OR.US>; \*Benton Health EH All <BCEH@co.Benton.OR.US>

**Subject:** FW: VP Real Estate (Vernon & Priscilla Esplin) - Allowed uses at 5820 NW Hwy 99W

Inga,

1. Was Vern Esplin (VP Real Estate) able to obtain a zone change from residential to commercial for 11-5-12-BD Tax Lot 300 (now Tax Lot 1200 through a property line adjustment)? See Greg Verret's comments below. Kristin Anderson may have handled this property in the past.
2. If a zone change was achieved, what are the allowed uses? Are there any restrictions?

Thanks.

Rob T.

Robert N. Turkisher  
Environmental Health Specialist  
Benton County Environmental Health  
4077 Research Way  
Corvallis, OR 97333  
541-766-6841 (Office)  
541-766-6248 (Fax)

**From:** VERRET Greg J <Greg.J.VERRET@co.benton.or.us>

**Sent:** Monday, May 10, 2021 1:18 PM

**To:** TURKISHER Robert <Robert.TURKISHER@Co.Benton.OR.US>; ANDERSON Kristin <Kristin.Anderson@Co.Benton.OR.US>

**Cc:** WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>; LEWIS Toby A <Toby.A.LEWIS@co.benton.or.us>; HARRIS Ned <ned.harris@Co.Benton.OR.US>; MARDIS Joe L <Joe.L.MARDIS@co.benton.or.us>; HAMMOND D'Anne <Danne.Hammond@Co.Benton.OR.US>; SACKINGER Douglas A <Douglas.A.SACKINGER@Co.Benton.OR.US>; GJOVIK Lars <Lars.Gjovik@Co.Benton.OR.US>; EMMINGER Bill <Bill.EMMINGER@Co.Benton.OR.US>; TAYLOR Rebecca <Rebecca.Taylor@CO.Benton.OR.US>

**Subject:** RE: VP Real Estate (Vernon & Priscilla Esplin) - Allowed uses at 5820 NW Hwy 99W

Thanks, Rob, for directing them back to Planning to address what uses they wish to establish. Reminder to everyone, the northerly tax lot (300) is still zoned residential and the business that is operating there is not authorized. **For any use to be approved, and for alteration or expansion of the septic system to receive land use approval, they will need to have a legitimate use per the zoning (or complete a zone change/comp plan map amendment).**

-Greg

**From:** TURKISHER Robert <Robert.TURKISHER@Co.Benton.OR.US>

**Sent:** Monday, May 10, 2021 10:21 AM

**To:** ANDERSON Kristin <Kristin.Anderson@Co.Benton.OR.US>

**Cc:** VERRET Greg J <Greg.J.VERRET@co.benton.or.us>; WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>;

LEWIS Toby A <Toby.A.LEWIS@co.benton.or.us>; HARRIS Ned <ned.harris@Co.Benton.OR.US>; MARDIS Joe L <Joe.L.MARDIS@co.benton.or.us>; HAMMOND D'Anne <Danne.Hammond@Co.Benton.OR.US>; SACKINGER Douglas A <Douglas.A.SACKINGER@Co.Benton.OR.US>; GJOVIK Lars <Lars.Gjovik@Co.Benton.OR.US>; EMMINGER Bill <Bill.EMMINGER@Co.Benton.OR.US>

**Subject:** VP Real Estate (Vernon & Priscilla Esplin) - Allowed uses at 5820 NW Hwy 99W

**Importance:** High

Kristin,

Attached are the septic records for **5820, 5830, & 5840 NW Hwy 99W** (11-5-12-BD Tax Lot 300 & 400) for VP Real Estate (Vernon & Priscilla Esplin).

As you know, the Esplins recently completed a property line adjustment to allow for either a septic repair or a septic expansion. I don't believe I'm in a position to determine what type of land uses are allowed on this property as they move forward with their development.

You might consider another pre-application meeting to discuss what uses are allowed on the property. I anticipate you will be receiving a septic application for either a Repair Permit (no expansion) or a Site Feasibility (expansion) for this property in the near future. Please refer to the attached e-mail on page 5 or 6.

Priscilla has contacted me about future plans for the property. I will be directing her to your office to determine what activities are allowed on the property which will determine what type of septic application will be necessary.

Thanks you for your assistance with this project.

Rob T.

Robert N. Turkisher  
Environmental Health Specialist  
Benton County Environmental Health  
4077 Research Way  
Corvallis, OR 97333  
541-766-6841 (Office)  
541-766-6248 (Fax)

Cc: septic file

**TURKISHER Robert**

---

**From:** WATTS Megan  
**Sent:** Thursday, June 23, 2022 11:03 AM  
**To:** 'captainvernonespain@gmail.com'; 'Lisette Hamer'  
**Cc:** DAILEY Marcy  
**Subject:** Septic Records  
**Attachments:** 138-16-000096-EVAL.pdf; P-34-79.pdf

I have attached the septic records that Rob Turkisher requested I send to you.

Thanks.

Megan Watts  
Permits Clerk  
Benton County Environmental Health  
541-766-6841

Vernon ESPIN 6/24/22  
541-990-1773

5820  
5830 } Hwy 99W  
5840 }

Tank in  
Easement for  
Drainfield

Sold to LIBERTY

UP Real Estate

Captain Vernon ESPIN e-journal

## **TURKISHER Robert**

---

**From:** VERRET Greg J  
**Sent:** Monday, May 10, 2021 1:18 PM  
**To:** TURKISHER Robert; ANDERSON Kristin  
**Cc:** WILLIAMS Inga; LEWIS Toby A; HARRIS Ned; MARDIS Joe L; HAMMOND D'Anne; SACKINGER Douglas A; GJOVIK Lars; EMMINGER Bill; TAYLOR Rebecca  
**Subject:** RE: VP Real Estate (Vernon & Priscilla Esplin) - Allowed uses at 5820 NW Hwy 99W

Thanks, Rob, for directing them back to Planning to address what uses they wish to establish. Reminder to everyone, the northerly tax lot (300) is still zoned residential and the business that is operating there is not authorized. **For any use to be approved, and for alteration or expansion of the septic system to receive land use approval, they will need to have a legitimate use per the zoning (or complete a zone change/comp plan map amendment).**

-Greg

---

**From:** TURKISHER Robert <Robert.TURKISHER@Co.Benton.OR.US>  
**Sent:** Monday, May 10, 2021 10:21 AM  
**To:** ANDERSON Kristin <Kristin.Anderson@Co.Benton.OR.US>  
**Cc:** VERRET Greg J <Greg.J.VERRET@co.benton.or.us>; WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>; LEWIS Toby A <Toby.A.LEWIS@co.benton.or.us>; HARRIS Ned <ned.harris@Co.Benton.OR.US>; MARDIS Joe L <Joe.L.MARDIS@co.benton.or.us>; HAMMOND D'Anne <Danne.Hammond@Co.Benton.OR.US>; SACKINGER Douglas A <Douglas.A.SACKINGER@Co.Benton.OR.US>; GJOVIK Lars <Lars.Gjovik@Co.Benton.OR.US>; EMMINGER Bill <Bill.EMMINGER@Co.Benton.OR.US>  
**Subject:** VP Real Estate (Vernon & Priscilla Esplin) - Allowed uses at 5820 NW Hwy 99W  
**Importance:** High

Kristin,

Attached are the septic records for **5820, 5830, & 5840 NW Hwy 99W** (11-5-12-BD Tax Lot 300 & 400) for VP Real Estate (Vernon & Priscilla Esplin).

As you know, the Esplins recently completed a property line adjustment to allow for either a septic repair or a septic expansion. I don't believe I'm in a position to determine what type of land uses are allowed on this property as they move forward with their development.

You might consider another pre-application meeting to discuss what uses are allowed on the property. I anticipate you will be receiving a septic application for either a Repair Permit (no expansion) or a Site Feasibility (expansion) for this property in the near future. Please refer to the attached e-mail on page 5 or 6.

Priscilla has contacted me about future plans for the property. I will be directing her to your office to determine what activities are allowed on the property which will determine what type of septic application will be necessary.

Thanks you for your assistance with this project.

Rob T.

Robert N. Turkisher  
Environmental Health Specialist



**Benton  
County**

**COMMUNITY DEVELOPMENT  
DEPARTMENT**

**Planning Division**

Office: (541) 766-6819

360 SW Avery Ave.  
Corvallis, OR 97333  
co.benton.or.us/cd

File No. LU-20-069

**NOTICE OF DECISION**

NATURE OF APPLICATION:	<p><b>Property Line Adjustment</b> transferring approximately 1.0 acre from Property 2 to Property 1.</p> <table border="1"> <thead> <tr> <th>Property</th> <th>Current Size</th> <th>Resultant Size</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>1.87 acres</td> <td>2.87 acres</td> </tr> <tr> <td>2</td> <td>33.18 acres</td> <td>32.18 acres</td> </tr> </tbody> </table>	Property	Current Size	Resultant Size	1	1.87 acres	2.87 acres	2	33.18 acres	32.18 acres
Property	Current Size	Resultant Size								
1	1.87 acres	2.87 acres								
2	33.18 acres	32.18 acres								
APPLICABLE CRITERIA:	Benton County Code (BCC) Sections 94.010, 94.200, 94.300, 94.450, 94.500, 94.550, 83.605, and 99.305 through 99.405.									
PROPERTY LOCATION:	<p><b>Property 1:</b> 5840 NW Hwy 99W, Corvallis; T11S R5W Section 12BD, Tax Lot 300</p> <p><b>Property 2:</b> 151 NW Lewisburg Ave, Corvallis; T11S R5W Section 12BD, Tax Lot 900</p>									
APPLICANT/ PROPERTY OWNER:	<p><b>Property 1:</b> VP Real Estate, LLC</p> <p><b>Property 2:</b> Green Community Development, LLC</p>									
ZONE DESIGNATION:	<p><b>Property 1:</b> UR, 10 acre minimum (UR-10)</p> <p><b>Property 2:</b> UR, 5 acre minimum (UR-5)</p>									
City of Corvallis COMP. PLAN DESIGNATION:	Low Density Residential and Mixed Use Commercial									
CAC PLANNING AREA:	North Benton (not active)									
STAFF CONTACT:	Inga Williams, Associate Planner									

**DECISION**

Based on the findings in the staff report, as well as information in the file, the application meets the requirements identified in the Benton County Development Code and the above-referenced Property Line Adjustment is granted **preliminary approval** subject to the conditions listed below.

**Preliminary approval is effective for a period of one year from the date of decision.** Upon written request submitted prior to the expiration of the preliminary approval period, the Planning Official may extend the expiration date for one additional six-month period.

**Final approval will be granted upon completion of the conditions listed below.** The Community Development Department will objectively determine compliance with all conditions of approval. Physical development of the property is not authorized except as specified to satisfy conditions set forth herein. All development on the property must be consistent with approved plans and the construction conditions set forth herein:

**CONDITIONS OF APPROVAL**

The following conditions shall be imposed at the time of preliminary approval and all conditions must be met prior to issuance of final approval:

1. The scope of approval shall be limited to the adjustment of property lines, as described in this decision and application. Each resulting parcel shall be of the general dimensions shown on the plot plan submitted with the application, and of these approximate acreages:
  - 2.87 acres for Property 1
  - 32.18 acres for Property 2
2. The applicants shall submit, to the County Surveyor for review, a **draft plat** for the resulting properties that conforms to the standards of the County Surveyor to the County Surveyor for review. The plat shall show the current and adjusted property lines and establish monuments to mark the adjusted line. The plat shall show the septic easement per M-214466-96 and the drainage easement per M-214467-96.
3. The applicants shall submit, to the Community Development Department for review, **draft deeds** consistent with ORS 92.190(4), the Benton County Surveyor, and BCC 94.550(2)(a), which contain the legal descriptions of each of the area(s) to be transferred.
  - (a) All legal descriptions provided for compliance with this condition shall be prepared by a registered professional land surveyor.
  - (b) All deeds prepared for compliance with this condition shall reference “**Planning File No. LU-20-069**”.
  - (c) The deed(s) describing the area to be transferred shall state “***This conveyance is made solely as an adjustment of the boundary between adjacent properties and does not create a separate property that can be conveyed independently***”.
  - (d) Each deed shall include a scale-drawn map that accurately depicts the adjusted property line and resultant properties.
4. Once the Community Development Department and County Surveyor have reviewed and approved the legal descriptions, deed(s), scale-drawn map, and plat, the appropriate parties may sign and notarize the documents and then submit them to the Community Development Department. If a plat has been provided to and approved by the County Surveyor, it will be signed by the Planning Official after the notarized deeds are received and approved. Once all of the above documentation has been submitted and approved, staff will record the deeds and plat, thereby completing the property line adjustment.
5. The owner of Property 1 shall sign a deed restriction agreeing that no parcels will be created by partitioning along the zone line unless each parcel resulting from such a division would be consistent with the applicable minimum parcel or lot size. The deed restriction form will be provided by the Community Development Department for signature by the property owner, who will be responsible for fees for document preparation and recording.
6. The applicant shall fence the area of the septic easement identified in record M-214466-96, in a manner to prevent vehicular traffic and livestock from entering the easement area. This fence shall be maintained until the easement is removed. The septic easement area shall not be subjected to vehicular traffic, livestock, covering the area with asphalt or concrete, filling, cutting, or other soil modification that will adversely affect the soil.
7. The use of and access to the area of expansion shall not interfere with the storm drainage easement identified in record M-214467-96.
8. The applicant shall pay to the Community Development Department the fee for recording any documents in addition to the **three (3)** documents and the survey or plat covered by the property line adjustment application fees.

**Advisory Information:**

- ***The owner of Property 1 is advised that*** as determined by LU-20-021, a request for an interpretation of the Benton County Code, **the uses currently occurring on the subject property, described as the operation of Buena Vista Arbor Care company and a landscape**

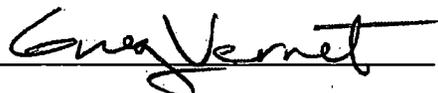
**company, are inconsistent with uses allowed** in the Urban Residential zoning. The approval of LU-20-069, in no way shall constitute land use approval for the operation of Buena Vista Arbor Care company and a landscape company on the property or the resultant configuration of such property identified as 5840 NW Hwy 99W, Corvallis; T11S R5W Section 12BD, Tax Lot 300. With the inclusion of this Advisory the owner of Property 1 is advised that the continued operation of these listed commercial uses on the subject property constitute a violation of Benton County Code. It is the responsibility of the property to ensure that all development and uses on the subject property comply with all applicable rules and regulations. The County reserves the right to take enforcement action pursuant to Benton County Code Chapter 31, including issuance of fines to resolve code violations. **The unauthorized activities currently occurring on Property 1 shall not be expanded onto the land added to Property 1 through this property line adjustment** unless and until a zone change or other action establishes that those activities are allowed.

- **The owner of Property 2 is advised that** the Corvallis Land Development Code regulations indicate the presence of Highly Protected Significant Vegetation and a Collector Street (shown in our Transportation System Plan) on Property 2, so transferring the area of expansion to the owner of Property 1 will result in less developable area to account for the protected vegetation and future street.
- **Wetlands.** The applicant is responsible for identifying any wetlands on the subject properties. If wetlands exist on either property, it is the applicant's responsibility to comply with all requirements of the Department of State Lands.
- **Endangered Species Act.** The applicant shall comply with the federal Endangered Species Act and shall be responsible for obtaining any required permit approvals from the U.S. Fish and Wildlife Service. Failure to do so may be a violation of federal law.
- **General Development Activities.** All permits required for development activities on the resulting parcels shall be obtained prior to initiating development activity. Such permits may include, but are not necessarily limited to: building, electrical, plumbing, septic system, and road approach permits.

**Attachments:**

A - Site map indicating proposed property line adjustment

B - Memo from Robert Turkisher, Environmental Health Specialist

PLANNING OFFICIAL:  Date of Decision: January 6, 2021

THIS DECISION MAY BE APPEALED TO THE PLANNING COMMISSION BY FILING AN APPEAL FORM AND PAYING THE APPEAL FEE BY 5:00P.M. ON **January 20, 2021** (THE 14<sup>TH</sup> CALENDAR DAY AFTER THE DATE OF THE DECISION). You may obtain an appeal form, and you may submit the completed form and the appeal fee, at the Community Development Department, 360 SW Avery Avenue, Corvallis. A person receiving this notice by mail may appeal this decision only to the Planning Commission and may not appeal directly to the Oregon Land Use Board of Appeals.

This decision will not become final until the 14-day appeal period has elapsed. The findings of fact relied upon in making this decision are available for review at the Community Development Department. A copy will be provided at a reasonable cost.

**NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER:**

ORS 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE IT MUST BE PROMPTLY FORWARDED 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.





## ENVIRONMENTAL HEALTH DIVISION

4077 SW Research Way  
P.O. Box 3020  
Corvallis, OR 97339-3020

(541) 766-6841 FAX (541) 766-6248 TTY (541) 766-6835 [www.co.benton.or.us](http://www.co.benton.or.us)

12/10/2020

Vernon & Priscilla Esplin  
VP Real Estate Investments  
6635 Prather Road  
Independence, OR 97351

Subject: Property Line Adjustment (PLA) LU-20-069  
Site: 5840 NW Hwy 99W, Corvallis, OR 97330  
T11, R5, S12 BD, TL 300 (**VP Real Estate Investments**) – **Property 1**  
T11, R5, S12 BD, TL 900 (**Green Community Development**) – **Property 2**  
T11, R5, S12 BD, TL 500 (**City Limits Country Store**) – **Septic Easement**  
**(This letter is not a notice of approval)**

Benton County Environmental Health completed its review of the proposed property line adjustment LU-20-069 for the properties listed above. Thank you for your willingness to protect the septic easement (M214466-96) that benefits City Limits Country Store owned by Clive Harrison.

Oregon Administrative Rule (OAR 340-71-0130(12)) states that the initial and repair areas shall not be subjected to vehicular traffic, livestock, covering the area with asphalt or concrete, filling, cutting, or other soil modification that will adversely affect the soil.

- Our office recommends that you permanently fence the septic easement prior to completion of the property line adjustment to protect the septic system.
- Another option may be to reconfigure the property line adjustment to exclude the septic easement.

You indicated that the additional land acquired through the PLA will be used to upgrade your septic system at 5840 NW Hwy 99W, Corvallis. At least two options may be available to you depending on the land use allowed by the Benton County Planning Department:

OPTION 1 (No increase in flow): Major Repair Permit to replace existing septic system with no increase in sewage flow. A Holding Tank may be used under OAR 340-071-0340 for small commercial uses.

OPTION 2 (Increase in flow): A Site Feasibility to expand the existing use meeting all requirements of Oregon Administrative Rules (OAR) Chapter 340, Divisions 071 and 073 apply. The previous Site Feasibility (138-16-000096-EVAL) was denied by Gordon Brown on October 27, 2016. Two additional test pits were evaluated by Gordon Brown on the Green Community Development property (11-5-12 BD Tax Lot 900) to the west but represent a very limited area and were never formalized. A new Site Feasibility application with test pits will be required.

Please note that the PLA area has been recently filled with soil and debris. The filled area may not be suitable for a septic system under OAR 340-71-0220(f) which states that the soil has not been modified in a way that would adversely affect functioning of the system. You may want to discontinue filling the PLA area to ensure adequate room for a future septic installation.

If you have any questions, please contact our office at (541) 766-6841.

Sincerely,



Robert N. Turkisher, R.E.H.S.  
Environmental Health Specialist  
Benton County Environmental Health

Enc: PLA Map LU-20-069, Septic Easement Diagram M214466-96, Potential Easement, Aerial Photo  
Cc: Inga Williams, Benton County Associate Planner  
Greg Verret, Benton County Planning Official  
Ron Dettrich, Benton County Building Official  
Clive Harrison, City Limits Country Store, 5800 NW Hwy 99W, Corvallis, OR 97330

TENTATIVE PROPERTY LINE ADJUSTMENT  
 FOR  
 VP REAL ESTATE INVESTMENT SERVICES, LLC  
 AND GREEN DEVELOPMENT, LLC

LOCATED IN  
 TAX LOT 300 + 900 OF MAP 11512BD  
 IN THE  
 BENTON COUNTY, OREGON  
 OCTOBER 14, 2020

**APPLICANT:** VERN ESPLIN  
 6635 PRATHER RD.  
 INDEPENDENCE, OR 97351

**SURVEYOR:** K+D ENGINEERING, INC.  
 276 NW HICKORY ST.  
 ALBANY, OR 97321

**NARRATIVE:**  
 THE APPLICANT IS PROPOSING A PROPERTY LINE ADJUSTMENT TO RELOCATE THE COMMON BOUNDARY LINE BETWEEN THE SUBJECT PROPERTIES, AS SHOWN ON THE TENTATIVE MAP. PROPERTY "1" IS ONE UNIT OF LAND, TAX LOT 300 OF ASSESSORS MAP 115-5W-12BD AND IS IN A UR-10 ZONE. PROPERTY "2" IS ONE UNIT OF LAND, TAX LOT 900 OF ASSESSORS MAP 115-5W-12BD AND IS IN A UR-5 ZONE. THE TRANSFER AREA FROM PROPERTY "2" TO PROPERTY "1" IS 1.00 ACRES, AS SHOWN ON THE MAP.

**SUBJECT PROPERTIES**

PROPERTY 1	PROPERTY 2
TAX LOT 300	TAX LOT 900
(MAP 115-05W-12BD)	(MAP 115-05W-12BD)
5840 NW HWY 99W	151 NW LEWISBURG AVE.
CORVALLIS OR. 97330	CORVALLIS, OR 97330
ZONING: UR-10	ZONING: UR-5
<b>OWNER:</b> VP REAL ESTATE INVESTMENT SERVICES, LLC 6635 PRATHER RD. INDEPENDENCE, OR 97351	<b>OWNER:</b> GREEN COMMUNITY DEVELOPMENT, LLC 525 NW MOUNTAIN LAUREL CIR. CORVALLIS OR. 97330

**ADJUSTMENT STATS:**

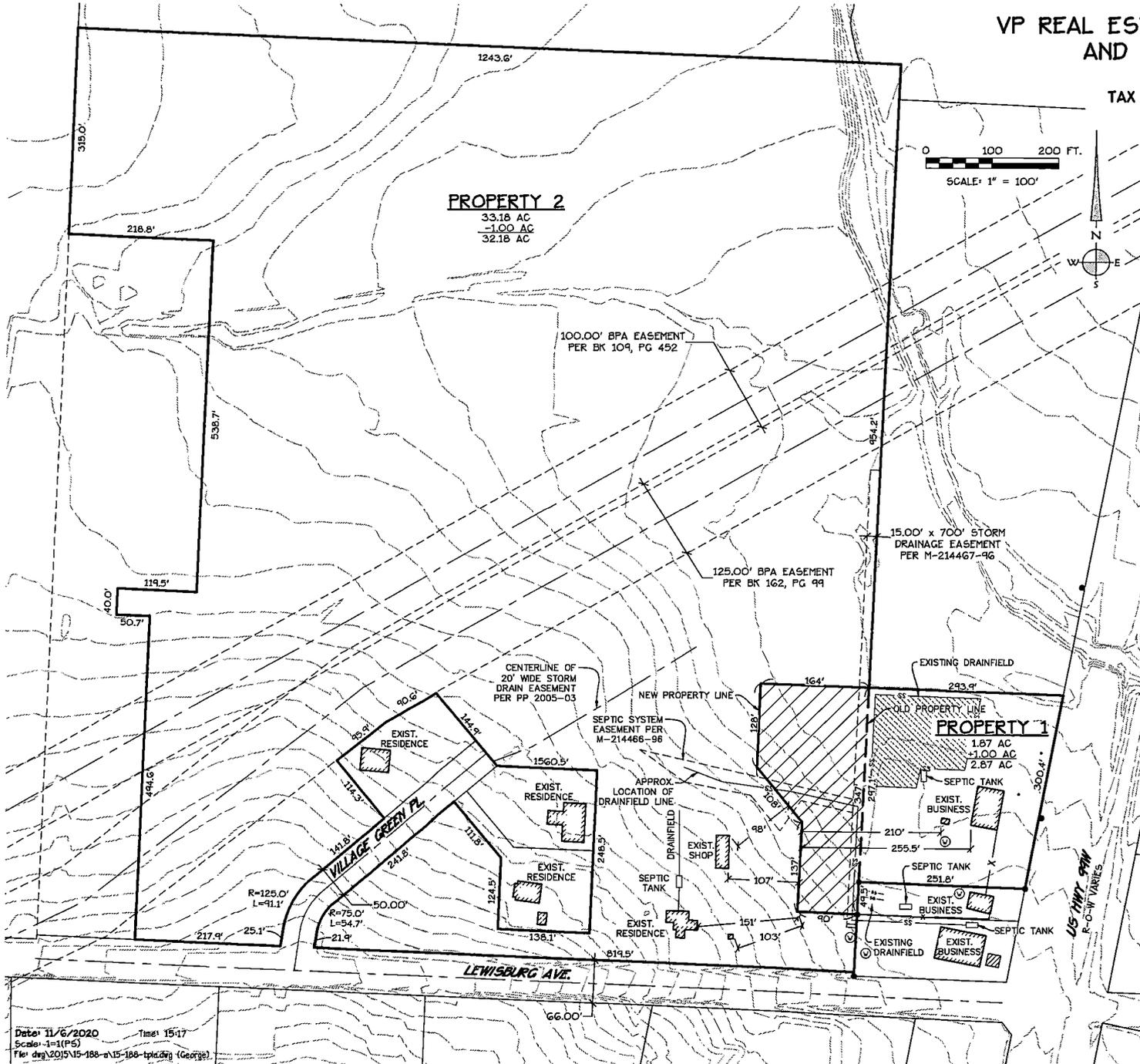
PROPERTY 1	PROPERTY 2
ORIGINAL AREA: 1.87 ACRES*	ORIGINAL AREA: 33.18 ACRES*
ADJUSTMENT: +1.00 ACRES	ADJUSTMENT: -1.00 ACRES
NEW AREA: 2.87 ACRES	NEW AREA: 32.18 ACRES

\* PER COUNTY ASSESSOR

**LEGEND:**

-  AREA TO BE TRANSFERRED FROM PROPERTY "2" TO PROPERTY "1". 1.00 ACRES.
- X- FENCE LINE
- R-O-W RIGHT-OF-WAY
- FOUND SURVEY MONUMENT
- ⊙ APPROXIMATE WATER WELL LOCATIONS
- S- SEPTIC AREA OR SEWER LINE

**NOTE:**  
 DATA SHOWN ON THIS MAP FROM THE BENTON COUNTY GIS DATABASE, AERIAL PHOTOGRAPHS, ASSESSOR RECORDS, RECORD DEED INFORMATION AND RECORD SURVEY INFORMATION.

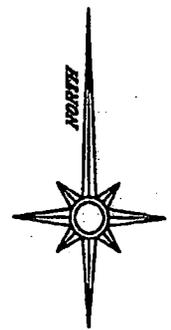
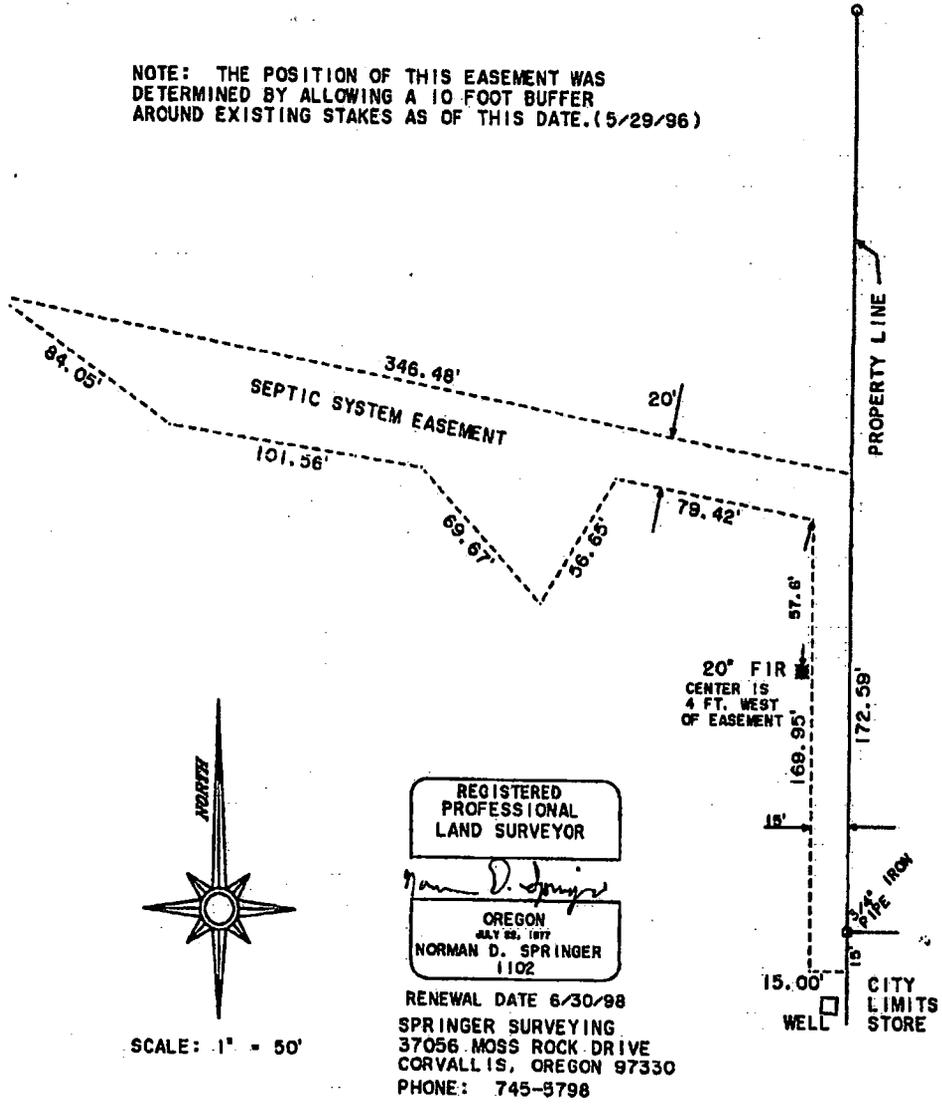


Date: 11/6/2020 Time: 15:17  
 Scale: 1"=100'  
 File: dwg\201515-188-a15-188-tp1.dwg (George)

**K+D** K & D ENGINEERING, Inc.  
 276 N.W. Hickory Street P.O. Box 726  
 Albany, Oregon 97321  
 (541) 928-2585

MAP OF SEPTIC SYSTEM EASEMENT  
 FOR CITY LIMITS COUNTRY STORE  
 T 11 S, R 5 W, SECTION 128D  
 TAX LOT 200  
 MAY 29, 1996

NOTE: THE POSITION OF THIS EASEMENT WAS  
 DETERMINED BY ALLOWING A 10 FOOT BUFFER  
 AROUND EXISTING STAKES AS OF THIS DATE. (5/29/96)



SCALE: 1" = 50'

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*Norm D. Springer*

OREGON  
 JULY 29, 1897  
 NORMAN D. SPRINGER  
 1102

RENEWAL DATE 6/30/98  
 SPRINGER SURVEYING  
 37056 MOSS ROCK DRIVE  
 CORVALLIS, OREGON 97330  
 PHONE: 745-8798

STATE OF OREGON } ss. 205642  
 County of Benton }

I hereby certify that the within instrument  
 was received for record.

'96 JUN 7 AM 11 32

AND ASSIGNED No 214466 1996

In the microfilm records of said county  
 Witness My Hand and Seal of County Affixed

DANIEL G. BURK  
 Director of Records & Elections

By *LIS* Deputy

15615

**BENTON COUNTY ENVIRONMENTAL HEALTH  
ON-SITE SEWAGE DISPOSAL SYSTEM PLOT PLAN**

SITE #: 138---000---EVAL

PERMIT #: 138-\_\_\_\_\_PRMT

Name:

Date: --/--

Assessor's Map and Tax Lot Numbers: T, R, Sec, TL

Scale: 1 inch = 50 feet

Summary of system specifications, see accompanying documents for complete details:

Initial System:

Replacement System:

Septic Tank Minimum: gallons

Trench Length: feet

Depth Min/Max inches

inches

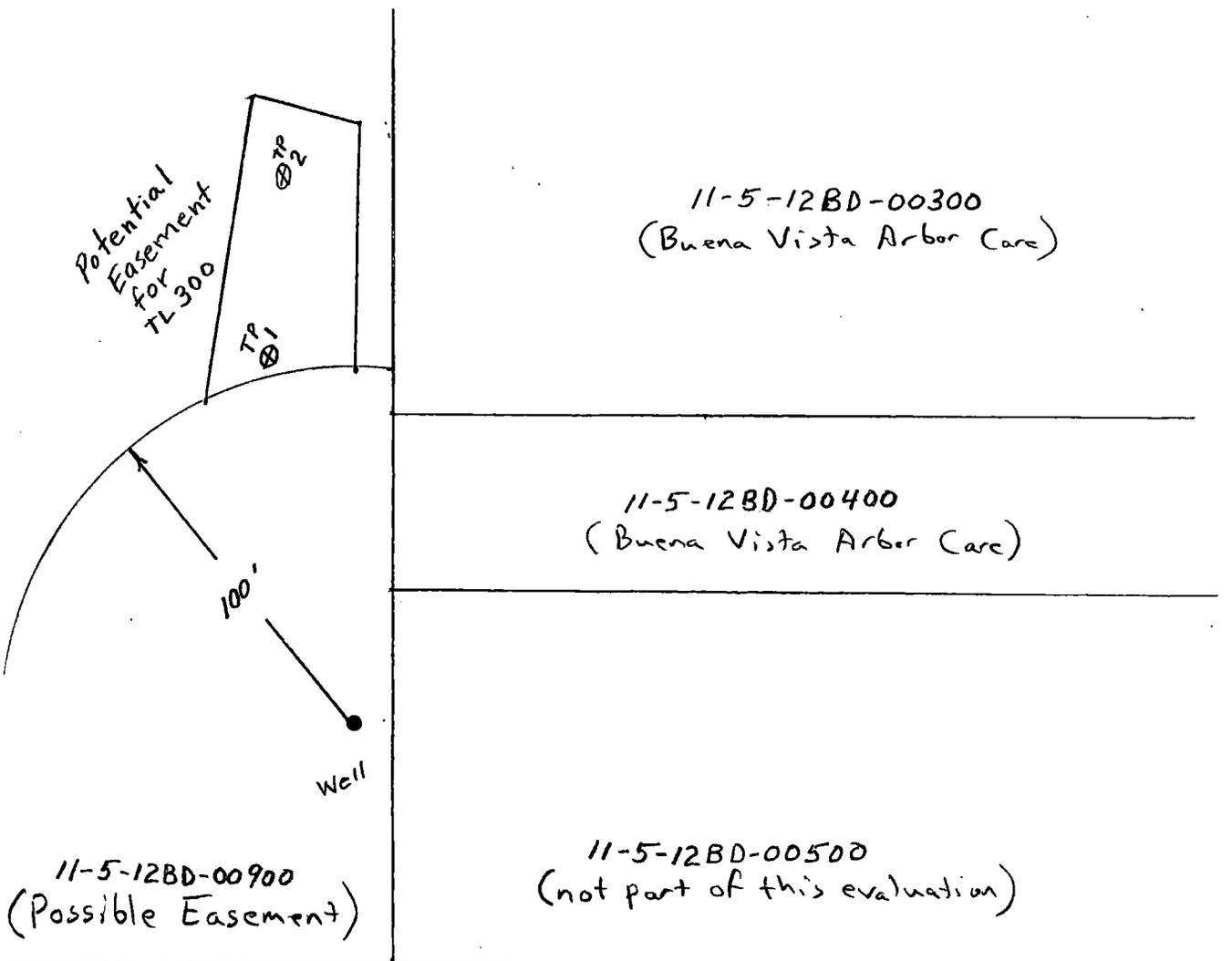
Media Depth: inches

inches

Curtain Drain:

All requirements of OAR 340-071 and 073 apply.

1 inch



Hwy 99W

Lewisburg Ave.



## **TURKISHER Robert**

---

**From:** VERRET Greg J  
**Sent:** Thursday, December 10, 2020 5:42 PM  
**To:** TURKISHER Robert  
**Subject:** fencing easement

Rob, your idea to recommend the parties fence the easement sounds fine. We can discuss further whether to include it as a condition of approval, but at least it's in there as a recommendation.

**Greg Verret, Director**

*Benton County Community Development Dept*  
360 SW Avery Ave., Corvallis, OR 97333  
541-766-6819 | [www.co.benton.or.us/cd](http://www.co.benton.or.us/cd)

**COVID Update 11/18/20: In-Person services are by appointment only.**

While our office is closed to drop-ins, we are still available by email and phone. Our website can answer many of your questions and guide you through the process of submitting land use applications and building permits.

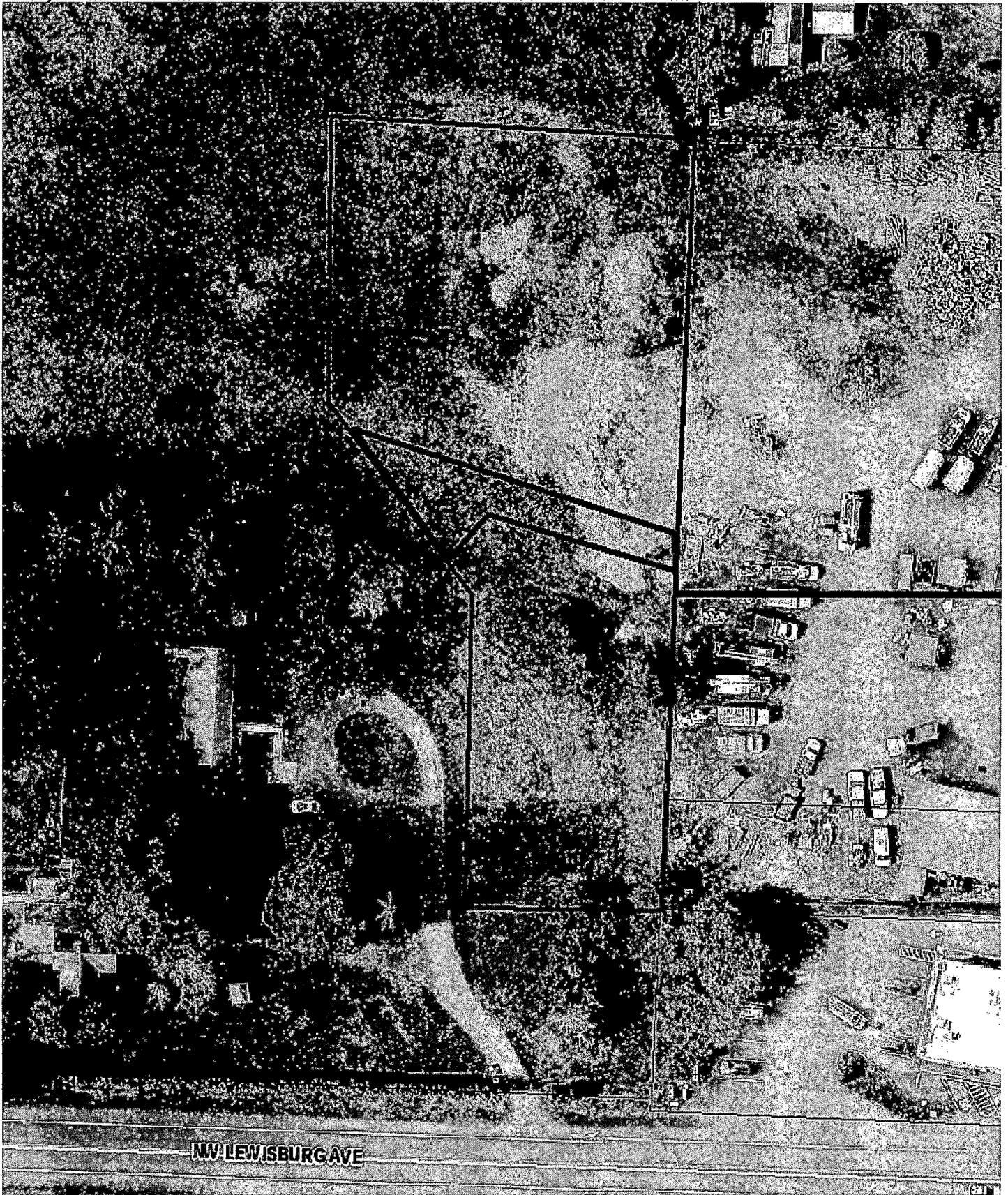
Website: <https://www.co.benton.or.us/cd>  
Email: [comdevinfo@co.benton.or.us](mailto:comdevinfo@co.benton.or.us)  
Phone: 541-766-6819

**TURKISHER Robert**

---

**From:** WILLIAMS Inga  
**Sent:** Thursday, December 3, 2020 12:03 PM  
**To:** TURKISHER Robert  
**Subject:** overlay of expansion area - VP Real Estate

This is as close as I can get it. A fairly accurate guesstimate.



Inga Williams, Associate Planner  
Benton County Community Development Dept.  
360 SW Avery, Ave., Corvallis, OR 97333  
(541) 766-6819

[www.co.benton.or.us/cd](http://www.co.benton.or.us/cd)

**COVID Update 11/18/20: In-Person services are by appointment only.**

While our office is closed to drop-ins, we are still available by email and phone. Our website can answer many of your questions and guide you through the process of submitting land use applications and building permits.

Website: <https://www.co.benton.or.us/cd>

Email: [comdevinfo@co.benton.or.us](mailto:comdevinfo@co.benton.or.us)

Phone: 541-766-6819

## **TURKISHER Robert**

---

**From:** WILLIAMS Inga  
**Sent:** Tuesday, December 1, 2020 4:34 PM  
**To:** 'Priscilla Colleen Esplin'; TURKISHER Robert  
**Subject:** RE: Questions on the PLA application

So I am going to chime in here now.

Priscilla, Rob knows you are purchasing the property. He is aware that this is a property line adjustment.

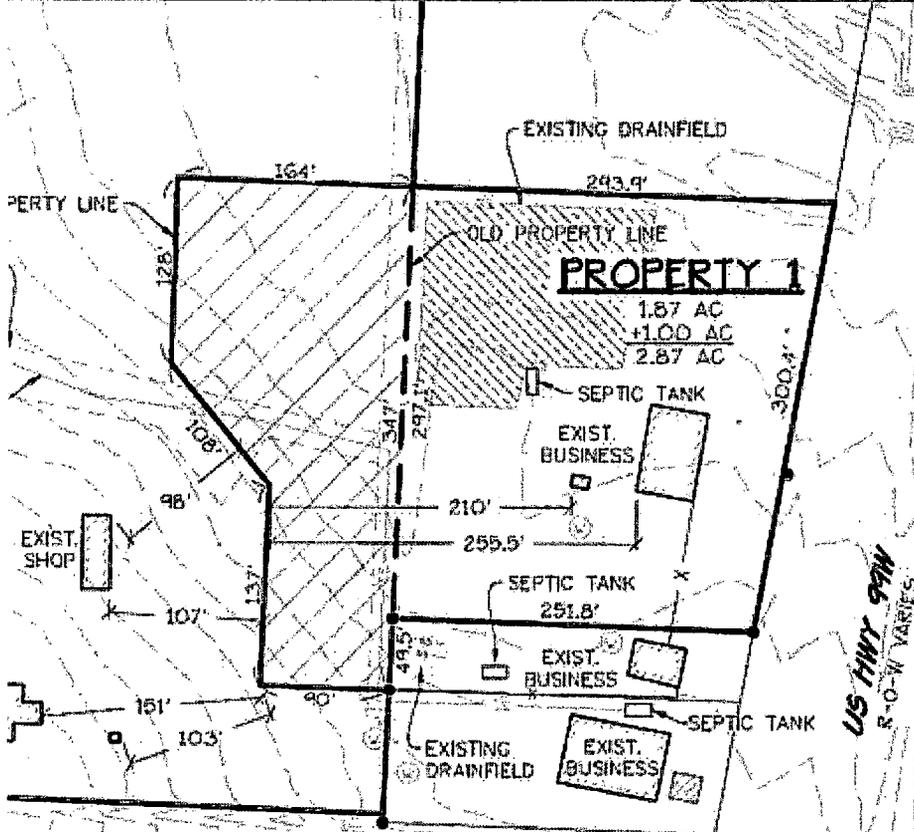
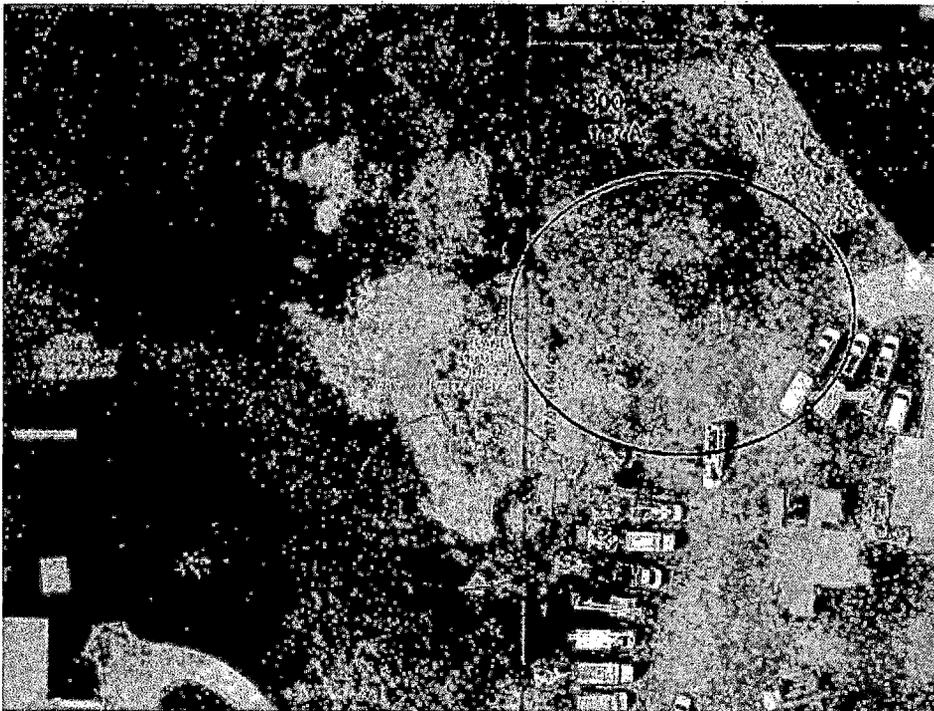
He, and I, are wondering what you are planning to use the expanded area for (if you have already stated this I apologize, the email thread is getting long). One big reason for the concern is that according to the new 2020 aerials, you are already impacting the area of the easement by placing fill dirt(?) on top of it (yellow outline) – the same as you have done with your existing drainfield (red outline). Also, as this easement is in the middle of the expansion area, there is the concern that you will be running heavy equipment over it to get from the north side of the property to the south side, or in this case, scooping up dirt. As Rob has stated, nothing should be placed on top of the easement area.

Also, you say you need the expanded area to protect this easement, but the area of expansion does not cover the entire area of the easement so it is not really protecting it.

So one option is to reconfigure the area of expansion to cover the entire easement and then provide fencing to keep it protected. If you have some other options, please chime in.

Rob, does this capture the essence?

Inga



**From:** Priscilla Colleen Esplin <priscillao3@cs.com>  
**Sent:** Tuesday, December 1, 2020 3:42 PM  
**To:** TURKISHER Robert <Robert.TURKISHER@Co.Benton.OR.US>; WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>  
**Subject:** Re: Questions on the PLA application

We are purchasing the property behind us that's why we need the lot line adjustment. Sorry, I thought that information was shared with you.

Priscilla Esplin  
541-619-7075

-----Original Message-----

From: TURKISHER Robert <[Robert.TURKISHER@Co.Benton.OR.US](mailto:Robert.TURKISHER@Co.Benton.OR.US)>  
To: 'Priscilla Colleen Esplin' <[priscillao3@cs.com](mailto:priscillao3@cs.com)>; WILLIAMS Inga <[Inga.Williams@Co.Benton.OR.US](mailto:Inga.Williams@Co.Benton.OR.US)>  
Sent: Tue, Dec 1, 2020 3:29 pm  
Subject: RE: Questions on the PLA application

Why the property line adjustment? What will the area be used for?

**From:** Priscilla Colleen Esplin <[priscillao3@cs.com](mailto:priscillao3@cs.com)>  
**Sent:** Tuesday, December 1, 2020 1:30 PM  
**To:** TURKISHER Robert <[Robert.TURKISHER@Co.Benton.OR.US](mailto:Robert.TURKISHER@Co.Benton.OR.US)>; WILLIAMS Inga <[Inga.Williams@Co.Benton.OR.US](mailto:Inga.Williams@Co.Benton.OR.US)>  
**Subject:** Re: Questions on the PLA application

Ok, spoke with Vernon. Where the septic system easement is located there is nothing there, nothing planned to be there, no grade will change, no use will change. His plan is to keep it as it is and continue to mow over the area. We will be fencing the area at some point. What do you need from me to move forward?

Priscilla

-----Original Message-----

From: TURKISHER Robert <[Robert.TURKISHER@Co.Benton.OR.US](mailto:Robert.TURKISHER@Co.Benton.OR.US)>  
To: 'Priscilla Colleen Esplin' <[priscillao3@cs.com](mailto:priscillao3@cs.com)>; WILLIAMS Inga <[Inga.Williams@Co.Benton.OR.US](mailto:Inga.Williams@Co.Benton.OR.US)>  
Sent: Tue, Dec 1, 2020 11:40 am  
Subject: RE: Questions on the PLA application

Priscilla,

1. Ideally there shouldn't be any conflicting uses over the septic easement.
2. One approach would be to permanently fence around the septic easement to protect it and absolve you of any future liability.

Rob T.

Robert N. Turkisher  
Environmental Health Specialist  
Benton County Environmental Health  
4077 Research Way  
Corvallis, OR 97333  
541-766-6841 (Office)  
541-766-6248 (Fax)

**From:** Priscilla Colleen Esplin <[priscillao3@cs.com](mailto:priscillao3@cs.com)>  
**Sent:** Monday, November 30, 2020 3:23 PM  
**To:** WILLIAMS Inga <[Inga.Williams@Co.Benton.OR.US](mailto:Inga.Williams@Co.Benton.OR.US)>  
**Cc:** TURKISHER Robert <[Robert.TURKISHER@Co.Benton.OR.US](mailto:Robert.TURKISHER@Co.Benton.OR.US)>  
**Subject:** Re: Questions on the PLA application

Thank you. Yes, we want the septic easement protected. I hope he can tell me what I need to do to make that happen and get this going.

Priscilla

-----Original Message-----

From: WILLIAMS Inga <[Inga.Williams@Co.Benton.OR.US](mailto:Inga.Williams@Co.Benton.OR.US)>  
To: 'Priscilla Colleen Esplin' <[priscillao3@cs.com](mailto:priscillao3@cs.com)>  
Cc: TURKISHER Robert <[Robert.TURKISHER@Co.Benton.OR.US](mailto:Robert.TURKISHER@Co.Benton.OR.US)>  
Sent: Mon, Nov 30, 2020 3:20 pm  
Subject: RE: Questions on the PLA application

I believe he mostly would like to know that you will be protecting the septic easement, and wants to know how you will be doing that. I have cc'ed him so that he can speak for himself.

**From:** Priscilla Colleen Esplin <[priscillao3@cs.com](mailto:priscillao3@cs.com)>  
**Sent:** Monday, November 30, 2020 3:04 PM  
**To:** WILLIAMS Inga <[Inga.Williams@Co.Benton.OR.US](mailto:Inga.Williams@Co.Benton.OR.US)>; [Priscillao3@cs.com](mailto:Priscillao3@cs.com)  
**Subject:** Re: Questions on the PLA application

Below...

I am not sure what you are asking. Can you explain?  
The area is used to store wood chips, vehicles, and need the space for our septic.

-----Original Message-----

From: WILLIAMS Inga <[Inga.Williams@Co.Benton.OR.US](mailto:Inga.Williams@Co.Benton.OR.US)>  
To: 'Priscillao3@cs.com' <[Priscillao3@cs.com](mailto:Priscillao3@cs.com)>  
Sent: Tue, Nov 24, 2020 3:45 pm  
Subject: Questions on the PLA application

Priscilla,

I received these questions from Robert Turkisher at Environmental Health.

1. What will be the proposed use of the area of transfer?
2. How will the septic easement in the area of transfer be protected from future use?

He suggests that if there is a conflicting use that will adversely impact the septic easement in the area of transfer then the boundary of the transfer area should be adjusted to better protect the septic easement.  
Inga

---

**From:** Priscilla Esplin <[Priscillao3@cs.com](mailto:Priscillao3@cs.com)>  
**Sent:** Monday, November 9, 2020 4:15 PM  
**To:** WILLIAMS Inga <[Inga.Williams@Co.Benton.OR.US](mailto:Inga.Williams@Co.Benton.OR.US)>  
**Subject:** RE:

Got it. Thank you.



Priscilla C. Esplin (*She, Her, Hers*)  
Certified Arborist #PN-6820  
**Buena Vista Arbor Care Co., Inc.**  
\*NEW LOCATION (Lewisburg; next to Chevron)  
5820 NW Hwy 99w, Corvallis, OR 97330



Priscilla C. Esplin, Co-Founder CCB#46-1177550  
**VP Real Estate Investment Services LLC.**  
6635 Prather Road, Independence, OR. 97351  
Cell 541.619.7075



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**From:** WILLIAMS Inga <[Inga.Williams@Co.Benton.OR.US](mailto:Inga.Williams@Co.Benton.OR.US)>  
**Sent:** Monday, November 9, 2020 4:06 PM  
**To:** 'Priscillao3@cs.com' <[Priscillao3@cs.com](mailto:Priscillao3@cs.com)>  
**Subject:** RE:

Now I get comments from other departments and write my staff report. Probably 2 to 3 weeks to get the report completed and approved.

---

**From:** Priscilla Esplin <[Priscillao3@cs.com](mailto:Priscillao3@cs.com)>  
**Sent:** Monday, November 9, 2020 2:22 PM  
**To:** WILLIAMS Inga <[Inga.Williams@Co.Benton.OR.US](mailto:Inga.Williams@Co.Benton.OR.US)>  
**Subject:** RE:

Wonderful. Please let me know what else you might need. What are the next steps?



Priscilla C. Esplin (*She, Her, Hers*)  
Certified Arborist #PN-6820  
**Buena Vista Arbor Care Co., Inc.**  
\*NEW LOCATION (Lewisburg; next to Chevron)  
5820 NW Hwy 99w, Corvallis, OR 97330



Priscilla C. Esplin, Co-Founder CCB#46-1177550  
**VP Real Estate Investment Services LLC.**  
6635 Prather Road, Independence, OR 97351  
Cell 541.619.7075



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**From:** WILLIAMS Inga <[Inga.Williams@Co.Benton.OR.US](mailto:Inga.Williams@Co.Benton.OR.US)>  
**Sent:** Monday, November 9, 2020 1:27 PM  
**To:** 'Priscilla Esplin' <[priscillao3@cs.com](mailto:priscillao3@cs.com)>  
**Subject:** RE:

Yes, that is it.  
Thank you.

---

**From:** Priscilla Esplin <[priscillao3@cs.com](mailto:priscillao3@cs.com)>  
**Sent:** Monday, November 9, 2020 1:15 PM  
**To:** WILLIAMS Inga <[Inga.Williams@Co.Benton.OR.US](mailto:Inga.Williams@Co.Benton.OR.US)>  
**Subject:**

Is this what you are looking for? Please let me know.

Sent from Mail for Windows 10

## TURKISHER Robert

---

**From:** TURKISHER Robert  
**Sent:** Tuesday, November 3, 2020 5:49 PM  
**To:** WILLIAMS Inga; \*Benton Public Works Engineering and Surveying; DALE Dawn; GJOVIK Lars; HARTSTEIN Sara; STEBBINS Adam; TRACY Tami; Prechel, Jeffrey; Douglas Baumgartner; Duane Liner; ODOT; Manley, Aaron; Amiton, Rian; Kristen Larson; Yaich, Jason  
**Cc:** VERRET Greg J; DETTRICH Ron  
**Subject:** RE: Request for Comments, Property Line Adjustment LU-20-069

Inga,

1. What will be the proposed use of the highlighted area?
2. How will the septic easement be protected from future use in the highlighted area?
3. The drainfield easement shall not be subject to livestock, vehicular traffic, or other activity that will adversely affect the soil.
4. Any cuts or fills in or around the septic easement may violate DEQ setback requirements.

If there is a conflicting use that will adversely impact the septic easement then the highlighted area should be adjusted to better protect the septic easement.

Rob T.

Robert N. Turkisher  
Environmental Health Specialist  
Benton County Environmental Health  
4077 Research Way  
Corvallis, OR 97333  
541-766-6841 (Office)  
541-766-6248 (Fax)

---

**From:** WILLIAMS Inga <Inga.Williams@Co.Benton.OR.US>  
**Sent:** Tuesday, November 3, 2020 9:09 AM  
**To:** \*Benton Public Works Engineering and Surveying <BPWES@CO.Benton.OR.US>; DALE Dawn <Dawn.Dale@CO.Benton.OR.US>; GJOVIK Lars <Lars.Gjovik@Co.Benton.OR.US>; HARTSTEIN Sara <Sara.Hartstein@CO.Benton.OR.US>; STEBBINS Adam <Adam.Stebbins@CO.Benton.OR.US>; TRACY Tami <Tami.Tracy@co.benton.or.us>; TURKISHER Robert <Robert.TURKISHER@Co.Benton.OR.US>; Prechel, Jeffrey <Jeffrey.Prechel@corvallisoregon.gov>; Douglas Baumgartner <douglas.g.baumgartner@odot.state.or.us>; Duane Liner <duane.j.liner@odot.state.or.us>; ODOT <odotr2planmgr@odot.state.or.us>; Manley, Aaron <Aaron.Manley@corvallisoregon.gov>; Amiton, Rian <rian.amiton@corvallisoregon.gov>; Kristen Larson <coordinator@luckiamutelwc.org>; Yaich, Jason <Jason.Yaich@corvallisoregon.gov>  
**Subject:** Request for Comments, Property Line Adjustment LU-20-069

Property 1: 11512BD00300 – UR10  
Property 2: 11512BD00900 – UR5  
Highlighted area is being transferred from Property 2 to Property 1

## TURKISHER Robert

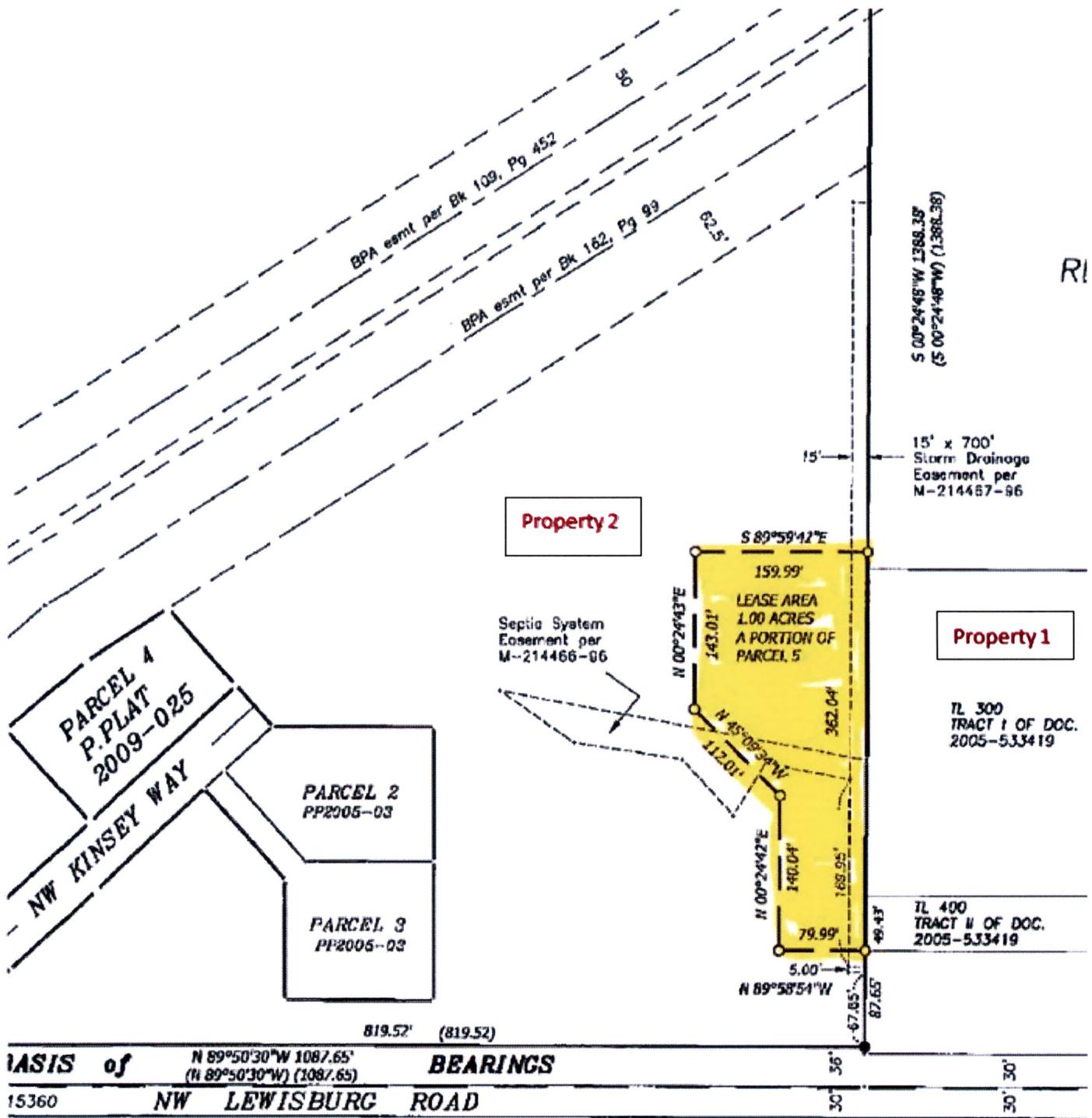
---

**From:** WILLIAMS Inga  
**Sent:** Tuesday, November 3, 2020 9:09 AM  
**To:** \*Benton Public Works Engineering and Surveying; DALE Dawn; GJOVIK Lars; HARTSTEIN Sara; STEBBINS Adam; TRACY Tami; TURKISHER Robert; Prechel, Jeffrey; Douglas Baumgartner; Duane Liner; ODOT; Manley, Aaron; Amiton, Rian; Kristen Larson; Yaich, Jason  
**Subject:** Request for Comments, Property Line Adjustment LU-20-069  
**Attachments:** Property2Septic&Well.JPG; Property1Well.JPG

Property 1: 11512BD00300 – UR10

Property 2: 11512BD00900 – UR5

Highlighted area is being transferred from Property 2 to Property 1

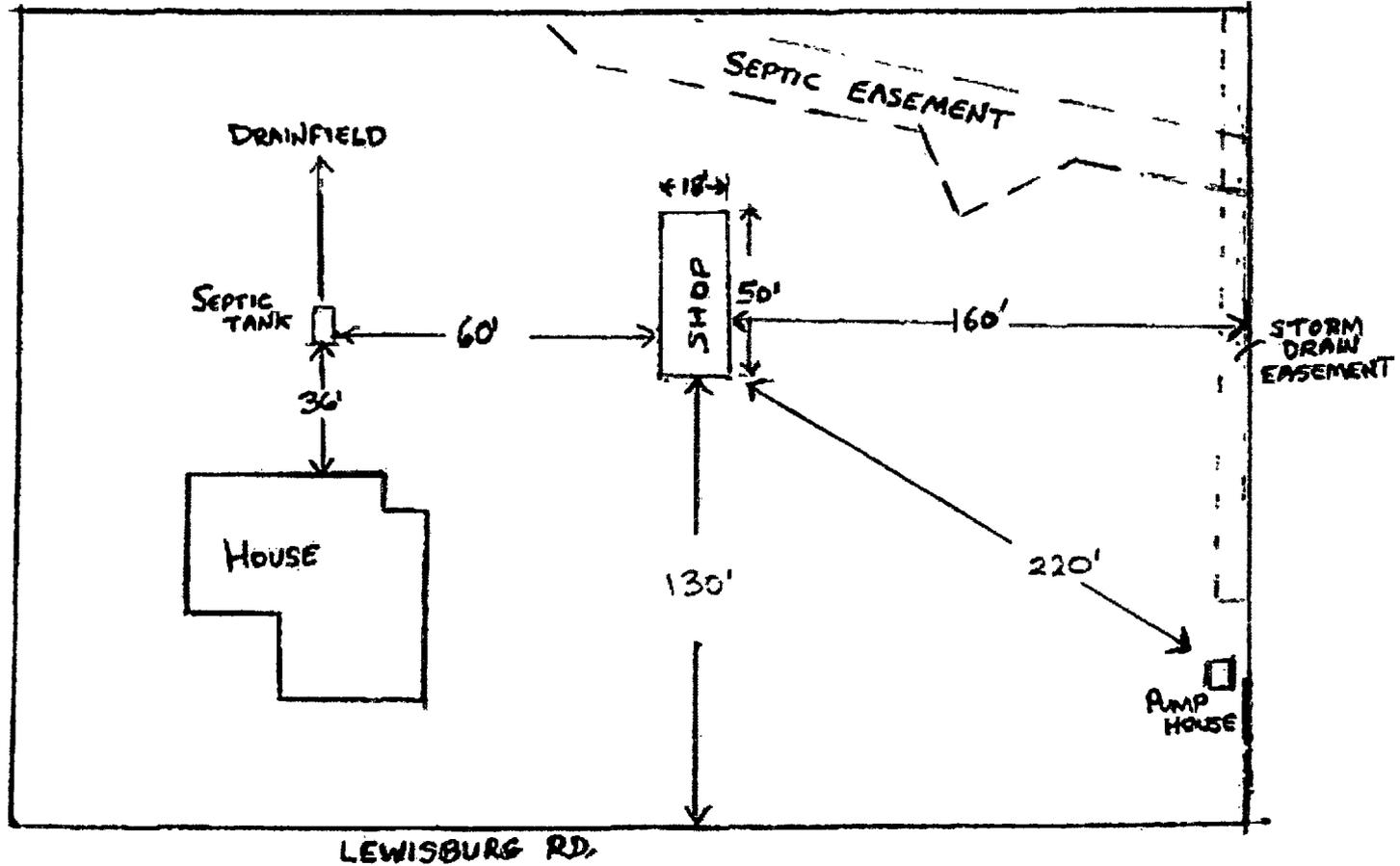


Inga Williams, Associate Planner  
 Benton County Community Development Dept.  
 360 SW Avery, Ave., Corvallis, OR 97333  
 (541) 766-6819  
[www.co.benton.or.us/cd](http://www.co.benton.or.us/cd)

**COVID-19 Update:** Beginning May 26, 2020, our office will be open for in-person meetings by appointment only. Phone or electronic communication is still encouraged for all customers who can avoid an in-person visit. Please call (541-766-6819) or email ([comdevinfo@co.benton.or.us](mailto:comdevinfo@co.benton.or.us)) for assistance, or visit our website ([www.co.benton.or.us](http://www.co.benton.or.us)) for information about submitting permit applications.

Property 2

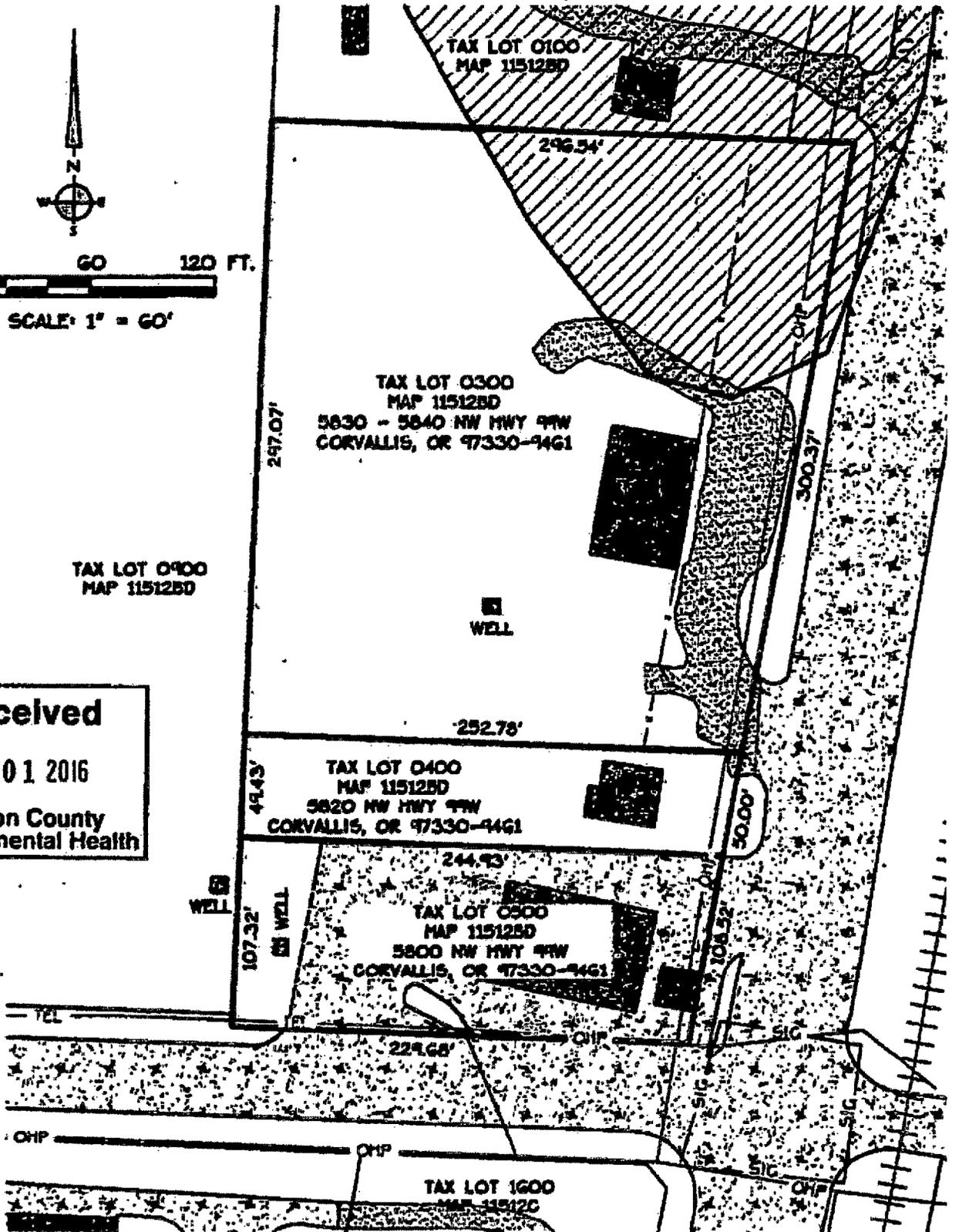
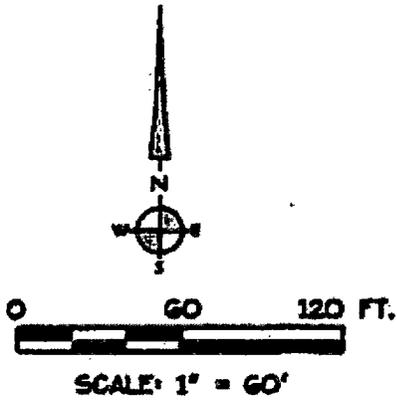
BENTON COUNTY  
ENVIRONMENTAL HEALTH  
ON-SITE SEWAGE DISPOSAL PLOT PLAN



KINSEY GREEN  
T 11 S R 5 W  
Sec. 12 BD TL 200

AREA PLOT PLAN  
1" = 50'  
151 LEWISBURG RD.

Property 1



**Received**  
MAR 01 2016  
Benton County  
Environmental Health

**BENTON COUNTY ENVIRONMENTAL HEALTH  
ON-SITE SEWAGE DISPOSAL SYSTEM PLOT PLAN**

SITE #: 138---000---EVAL

PERMIT #: 138-\_\_\_\_\_PRMT

Name:

Date: --/--

Assessor's Map and Tax Lot Numbers: T, R, Sec, TL

Scale: 1 inch = 50 feet

Summary of system specifications, see accompanying documents for complete details:

Initial System:

Replacement System:

Septic Tank Minimum: gallons

Trench Length: feet

Depth Min/Max inches

Media Depth: inches

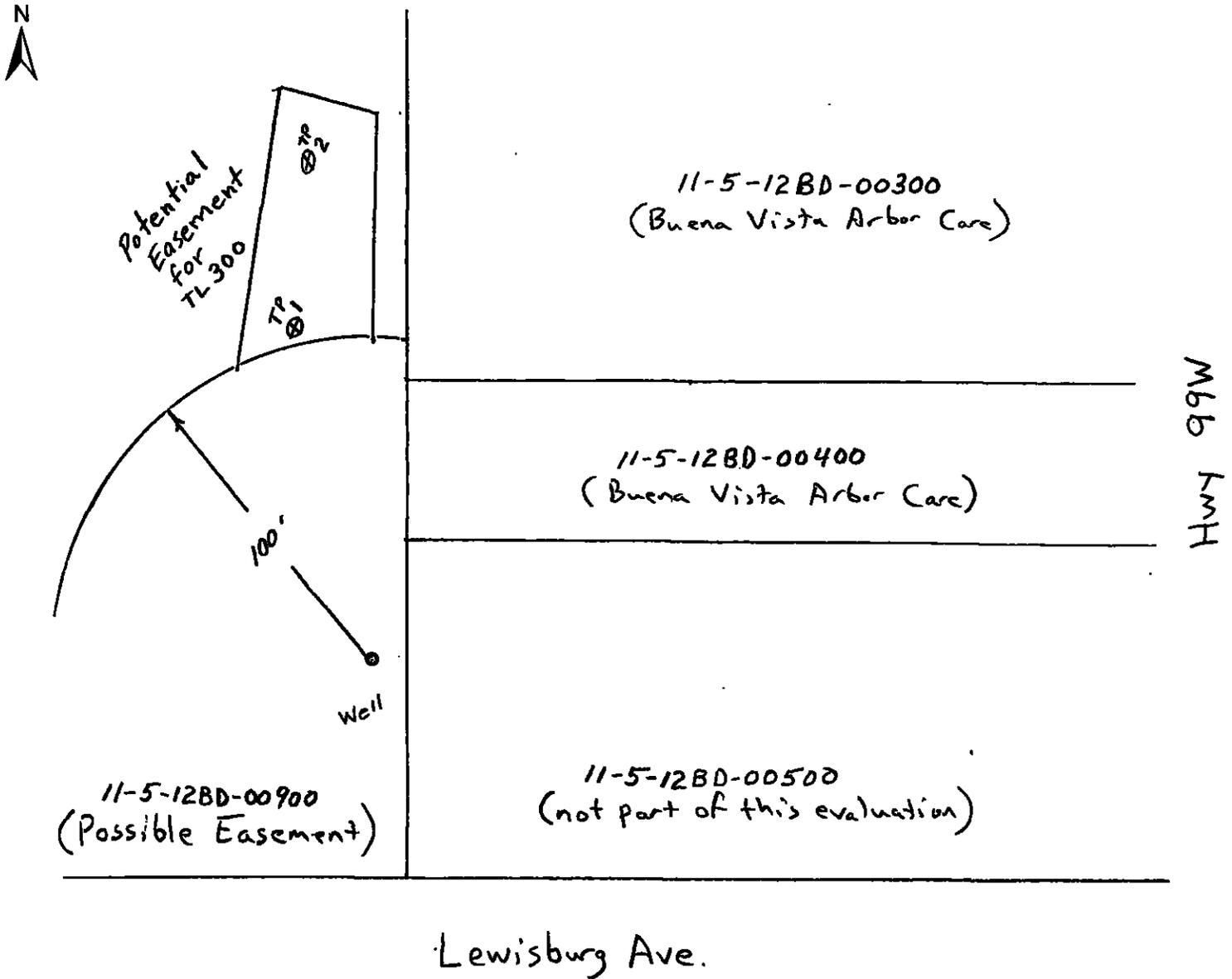
Curtain Drain:

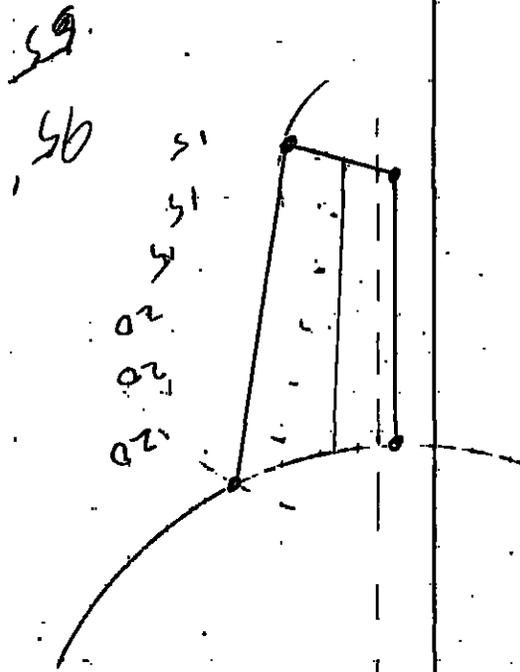
inches

inches

1 inch

All requirements of OAR 340-071 and 073 apply.





Lewisburg Ave.

LOT PLAN  
ZPFZ

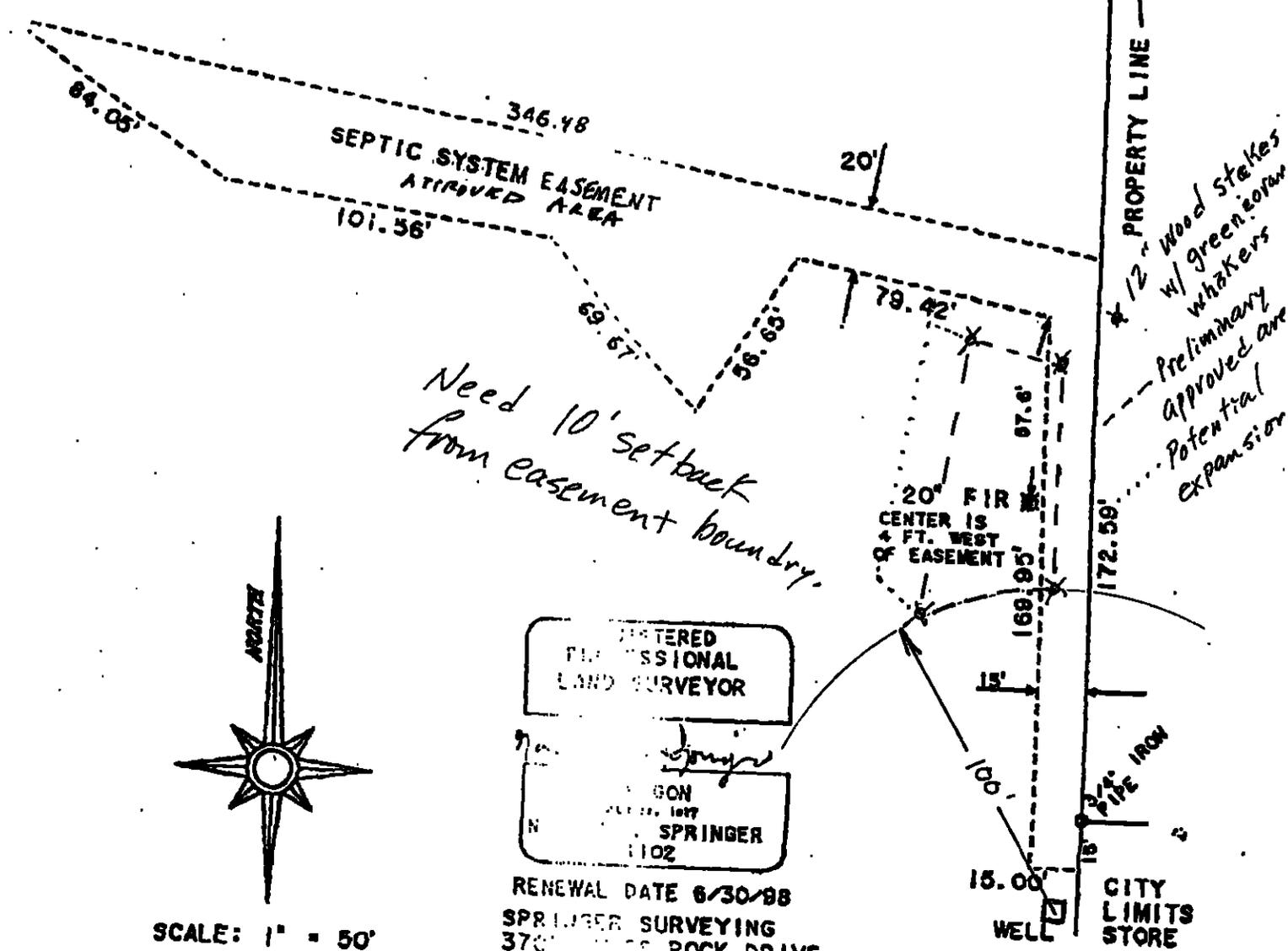
MAP OF SEPTIC SYSTEM EASEMENT  
FOR CITY LIMITS COUNTRY  
T 11 S, R 5 W, SECTION 1  
TAX LOT 200  
MAY 29, 1996

Post-It® Fax Note	7671	Date	10/27/16	# of pages	1
To	Vernon E.	From	Gordon B.		
Co./Dept.		Co.	Benton County		
Phone #		Phone #	541-766-6170		
Fax #	503-606-9317	Fax #			

6-16-97

EXPIRATION DATE

NOTE: THE POSITION OF THIS EASEMENT WAS  
DETERMINED BY ALLOWING A 10 FOOT BUFFER  
AROUND EXISTING STAKES AS OF THIS DATE. (5/29/96)



REGISTERED PROFESSIONAL LAND SURVEYOR

GON  
1977  
SPRINGER  
1102

RENEWAL DATE 6/30/98  
SPRINGER SURVEYING  
3700 ROCK DRIVE  
CORVALLIS, OREGON 97330  
PHONE: 541-55-5798

BENTON COUNTY ENVIRONMENTAL HEALTH SOILS NOTES

Evaluator: Gordon Brown

Map#/TL: 11-5-12BD-00300 File#: 16-0000096-EVAL

Applicant: V.P. Realestate

Date: 10/21/16

Proposed GPD: 450

Test Pit #	Slope	Eff Soils	Ground Wtr	Aspect	Land Form	Config	Type	Dist	Depth	Sizing	GW/
1	3-5	48	Temp	NE	Terrace	Concave	Stand	Serial	24	150	Recommended

Depth	CF	Texture	Matrix Color			Structure	Redox/Clay Skins/Fe Stains			Comments
			Hue	Value	Chroma		Hue	Value	Chroma	
0-18	None	Sil	10YR	2	2	mcsbk				
18-28		SICI	10YR	3	2	mcsbk				
28+			7.5YR	4	6	mcsbk				

Test Pit #	Slope	Eff Soils	Ground Wtr	Aspect	Land Form	Config	Type	Dist	Depth	Sizing	GW/
2	3-5		Temp	NE	Terrace	Concave	Cap-fill	Serial	12	150	Recommended

Depth	CF	Texture	Matrix Color			Structure	Redox/Clay Skins/Fe Stains			Comments
			Hue	Value	Chroma		Hue	Value	Chroma	
0-18	None									Similar to #1
18-28										Similar to #1
28 +										Water

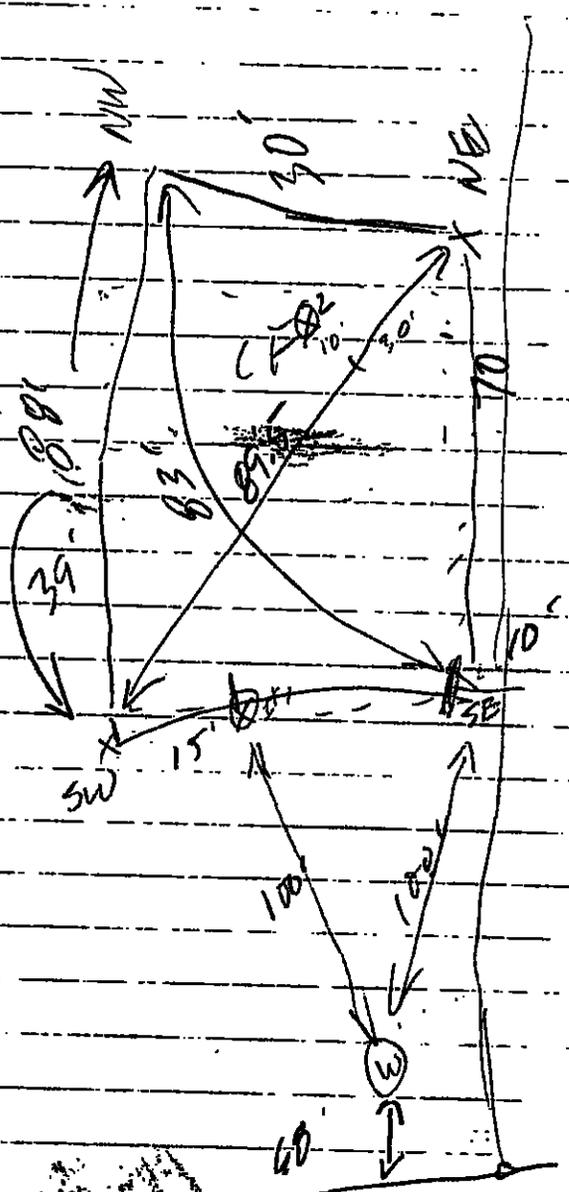
Approved Initial: Type Stand Sizing GW/

Approved Reserve: Cap-fill Serial Serial Serial Serial

None None None



onsited online w. Cam





## Benton County Health Department

### Environmental Health

4077 SW Research Way

P.O. Box 3020

Corvallis, OR 97339-3020

Main Line: 541-766-6841 • FAX: 541-766-6248

Health Department: 530 NW 27<sup>th</sup> Street, Corvallis OR 97333 • 541-766-6835

Developmental Disabilities: 541-766-6847

Telecommunications Relay Service: TTY 1-800-735-2900 • Website: [www.co.benton.or.us/health](http://www.co.benton.or.us/health)

Person-Centered Behavioral & Physical Health Care   Public Health & Prevention   Regulatory and Population Health   Health Management Services

October 27, 2016

Vernon and Pricilla Esplin  
VP Real Estate Investment Services  
6635 Prather Road  
Independence, Oregon 97351-9716

Subject: Site Evaluation Report of Onsite Wastewater System Site Feasibility 138-16-000096-EVAL/11-5-12BD-00300/5840 NW Highway 99W, Corvallis, Oregon 97330

Mr. and Mrs. Esplin,

On September 7, 2016, Benton County Environmental Health conducted a site feasibility study for the subject parcel.

Based on the study, the site is deemed to be not suitable for any type of current onsite wastewater treatment system. Reasons for the denial are:

1. Temporary ground water table within 12 inches of the surface of the native soil as indicated by conditions associated with saturation as per OAR 340-071-0100 (33).
2. The fill soil above the native soil is not suitable as it is not uniform, has not formed structure, and is more than one textural class (sandy clay loam) away from the native soil (silty clay).

As we have discussed there are options for you to consider.

1. An easement agreement to allow the placement of an onsite wastewater system on an adjoining parcel.
2. A holding tank in accordance with OAR 340-071-0340 for a commercial only facility of no more than 200 gallons per day. For a commercial office facility, this would represent no more than 13 persons per shift (15 gallons/day/person/shift).

Under OAR 340-071-0150 (5) you may file for a review of this site evaluation within 60 days of the issue date of this report. The current fee for this review is \$640 Review. Contact me if you would like to pursue this option.

Sincerely,

Gordon D. Brown, REHS

---

9/28/16

Vernon looking  
for easement to  
West. May dig  
new holes on  
property of old  
auction yard. So  
far all TP's ~~to~~  
are denied.

43

---

Gordon

9/22/16

Please call Vernon  
641-990-1773

Regards to the  
Lewisberg Auction  
Site.

Thanks.

Megan

BENTON COUNTY ENVIRONMENTAL HEALTH SOILS NOTES

Proposed GPD: 450

Map#TL: 11-5-12BD-00300 File#: 16-0000096-EVAL Applicant: V.P. Realestate Date: 9/7/16

Test Pit #	Slope	Eff Soils	Ground Wtr	Aspect	Land Frm	Config	Type	Dist	Depth	Sizing	GWl
1	0-3	36	Temp	N	Terrace	Linear					

Depth	CF	Texture	Matrix Color		Structure	Redox/Clay Skins/Fe Stains			Comments		
			Hue	Value		Chroma	Hue	Value		Chroma	Depth
0-20	None	Sci	7.5YR	2.5	2	wcsbk				Fill, not suitable cap.	
20-36	None	SiC	10YR	4	4	mvc <b>sbk</b>	10YR	5	2	21	Depletions Fe masses Mn
36-48	None	SiC	7.5YR	3	2	mvc <b>sbk</b>	7.5YR	5	1		Depletions

Test Pit #	Slope	Eff Soils	Ground Wtr	Aspect	Land Frm	Config	Type	Dist	Depth	Sizing	GWl
											None

Depth	CF	Texture	Matrix Color		Structure	Redox/Clay Skins/Fe Stains			Comments
			Hue	Value		Chroma	Hue	Value	
Remaining test pits are similar.									

Approved Initial:  
Approved Reserve:

Site is denied.





# On-Site Sewage Disposal Application

## (Residential & Commercial)

**DIRECTIONS:** Please mark the appropriate application type. Fill in each blank on this form. Applications other than residential use must be reviewed by Environmental Health prior to submittal. When completed, mail or deliver the application form and an accurate plot plan to the Development Department. Fees are payable through checks, money orders or credit cards.

Applications are considered incomplete until the Environmental Health Division receives a favorable Land Use Compatibility Statement with this application from the Development Department. For more information please call the Benton County Environmental Health Division at 541-766-6841.

Site Feasibility .....  Each Lot \$987\*

Installation Permit NEW .....  Standard, Saprolite, Steep Slope, Seepage Trenches \$1,254\*

.....  Sand Filter, ATT, Capping Fill, Tile Dewater & Pressure Distribution \$1,809\*

Repair Permit .....  Major \$615\* .....  Minor \$405\*

Authorization Notice ✓ .....  Field visit required \$812\* .....  No field visit required \$388\*

Alteration Permit .....  Major \$1,305\* .....  Minor \$812\*

System Evaluation ✓ .....  Field visit required \$737\* .....  No field visit required \$313\*

Permit Renewal/Transfer .....  Field visit required \$735\* .....  No field visit required \$300\*

Medical Hardship RENEWAL .....  Field visit required \$405\* .....  No field visit required \$222\*

\* Fees may include the following charges: \$100 State DEQ surcharge fee, a \$30 Building Department processing fee, and/or a \$75 Development Department planning review fee.

✓ Mark each drain line and expose septic tank and first drop box or distribution box for inspection.

Owner's name: VP Real Estate Investment Services Phone: 541. 990.1773 Email: Priscillao3@cs.com

Mailing address: 6635 Prather Road, Indep, OR 97351-9716

Applicant name: Vernon & Priscilla Eplin Phone: 541 990.1773 Email: Priscillao3@cs.com

Mailing address: 6635 Prather Road, Independence, OR 97351-9716

Site address: 5840 NW Hwy 99, Corvallis, OR 97330

Installer: Self Phone: 541 990.1773 DEQ license #: N/A Exp. date: N/A

Assessor's Map and Tax Lot #'s: T 11, R 5, S 12BD TL 300 Parcel size in acres: 1.87

Building use: Office - future residence Drinking water source: Well  
(home, shop, business, etc.) (private well, public utility, developed spring, etc.)

Any bodies of water on site? NO. Encumbrances: YES  
(intermittent or year round stream, creek, lake, pond, spring, etc.) (easements, right-of-ways, flood plain, etc.)

Number of bedrooms 0 ; or employees, seating, etc. N/A  
(residential) (commercial)

If you are remodeling or replacing a home, do you plan on adding or deleting bedrooms? N/A

If yes, current # of bedrooms: N/A Proposed # of bedrooms (after remodel/replacement): N/A

For site feasibility or repair, date test holes ready: 8/8/16 or write "WILL CALL" when ready.

\*From November through April please call 541-766-6841 to coordinate digging time with a Sanitarian in inclement weather.

**PERMIT REQUIREMENTS FOR ALBANY RESIDENTS ONLY:** The City of Albany Development Department must complete a Land Use Compatibility Statement. Call 541-917-7553 for further directions. Proposal has been reviewed and found to be: Compatible or; \_\_\_\_\_ Not compatible \_\_\_\_\_ with LCDC Acknowledged Comprehensive Plan.

Signed: \_\_\_\_\_ Jurisdiction: \_\_\_\_\_ Date: \_\_\_\_\_

Please make checks payable and deliver completed applications to: Benton County Development Department  
 360 SW Avery Ave., Corvallis, Oregon 97333 (Located at Avery Park, Public Works Building) M-F, 9am-1pm

# SEPTIC ZONING COMPLIANCE SHEET

File Number: 138-16-000096-EVAL

Type: Site Feasibility

Map & Tax Lot Number(s): 11512BD00300

Date Applied: 08/09/2016

***This application has been reviewed by the Development Department for compatibility with the Benton County Development Code and has been found to be:***

Zoning: UR-10 Inside a UGB?  Yes  No

Compatible with the uses allowed in the zone(s) identified above:  Yes  No

Comments/Allowed Use Info: The Urban Residential zone allows for "One dwelling per parcel. ..." [BCC 64.105(1)]. Property owner Vernon Esplin has been informed (by e-mail, 8/18/16) that the current zoning does not allow for "office space" as originally stated on the application form. On 8/23/16, Mr. Esplin changed the proposed use identified on the septic application form to "future residence".

Parcel legally created:  Yes  Not Determined

Created by: Deed

Document/File number(s): Bk 199, Pg 548

Current Deed Number: 2015-533419 (Tract I)

Dwelling allowed?  Yes  No  See additional comments below.

300 Foot Setback:  Yes  No Applies to the \_\_\_\_\_ property line(s)

Pending Land Use Applications:  Yes  No

File number: \_\_\_\_\_

Floodplain in vicinity of septic work:  Yes  No  See Floodplain Requirements on next page.

Comments: The conditions on the next page apply to any portion of the septic system located within the floodplain.

SHPO:  Yes  No If yes, property is within 985 feet of:  Willamette River,  Marys River,  Long Tom River,  Muddy Creek,  Soap Creek, or  South Fork Alsea

**NOTICE: Potential archaeological site.** This property may contain archaeological sites and/or human remains. Impacting an archaeological site or Native American grave, or removing archaeological objects without a permit from the State Historic Preservation Office (SHPO), may be prosecuted as a Class C Felony. If any cultural material is discovered, all work must cease until a professional archaeologist can assess the discovery. For more information, contact SHPO: 503-986-0690.

Mapped wetlands on property:  Yes  No  DSL Notification sent on Click here to enter a date.

Location: \_\_\_\_\_

Corvallis UGB "Natural Features" on property:  Yes  No

Type & Location: Floodplain Hazard Area identified at northern end of property

**NOTE:** Excavation (including septic system installation) is prohibited or limited in all natural hazard and natural resource areas.

Fenders Blue Butterfly Habitat:  Yes  No

Comments: \_\_\_\_\_

**Additional Comments:** The zoning compliance approval for 138-16-000096-EVAL is only for use of the septic system in conjunction with a dwelling. No other uses have been authorized at this time. Should additional uses be authorized by the Benton County Community Development Department for this property in the future, it is possible that the septic system might be used for those as well.

Reviewed By: Toby Lewis

Date: 08/23/2016

Additional Info/Permits in:  PP  PR  SP  W Comments: \_\_\_\_\_

## SEPTIC ZONING COMPLIANCE SHEET (page 2)

**File Number:** 138-16-000096-EVAL

**Type:** Site Feasibility

**Map & Tax Lot Number(s):** 11512BD00300

**Date Applied:** 08/09/2016

**Floodplain Development Permit Number:** FPD160085

---

### ***Floodplain Requirements:***

The term "floodplain" as used below refers to the Special Flood Hazard Area (also known as the 100-year floodplain), as identified on the Benton County Flood Insurance Rate Maps.

- Floodplain Requirement: General.** All new and replacement water supply and sanitary sewer systems shall be designed to minimize or eliminate infiltration of flood waters and discharge into floodwaters. [BCC 83.210(5)]
- Floodplain Requirement: Location.** On-site wastewater treatment systems shall be located outside of floodplain on properties where land outside the floodplain is comparable to or better than land located within the floodplain with regard to soil conditions, topography, and unencumbered area in accordance with the Oregon Department of Environmental Quality rules. [BCC 83.210(6)]

**NOTE:** *If siting the septic system outside of the floodplain would eliminate the ability to also site (or relocate) the dwelling outside of the floodplain, then the septic system must be located within the floodplain. [BCC 83.215(1), BCC 83.225(1)]*

- Floodplain Requirement: Anchoring.** All construction (i.e. holding tanks, etc.) located within the floodplain shall be anchored to prevent floatation, collapse, or lateral movement during conditions of flooding. [BCC 83.210(2)]



# Written Directions to Property

Good directions help eliminate possible delays. Include distinguishing landmarks or features such as house color (if a developed lot), mailboxes, significant trees, miles off main roads, etc.

This ~~property~~<sup>permit</sup> is for the long building along side the small, potential <sup>future site of</sup> professional office <sup>building</sup> of Buena Vista Arbor Care Co., Inc. and consulting services.

**Road Map to Property** (Use additional paper if necessary; indicate north with an arrow.)

See Attached...

To the best of my knowledge, the above information is correct. I understand that it is my responsibility to provide information on well locations, easements, or other encumbrances that may affect the approval of this property for on-site sewage disposal. By my signature, I allow access to the above referenced property.

Signature of Owner: Priscilla Espin

Print Name: Priscilla Espin Date: 8/8/16

11512AC00200

zone A

11512BD00100

100-year flood plain

5940 NE ELLIOTT CIR

11512AC00300

11512BD00900

5860 HWY 99W

zone A

FIRM Panel: 41003C0100E

11512BD00300

5840 HWY 99W

HWY 99W

11512AC00600

5830 HWY 99W

5870 NE ELLIOTT CIR

151 NW LEWISBURG AVE

zone X

5820 HWY 99W

11512BD00400

11512AC00800

235 NE GRANGER AVE

5800 HWY 99W

11512BD00500

NW LEWISBURG AVE

NE GRANGER AVE

11512C001700

11512C001600

150 NW LEWISBURG AVE

11512C001601

11512C000101

5785 NE ELLIOTT CIR

## LEWIS Toby A

---

**From:** LEWIS Toby A  
**Sent:** Thursday, August 18, 2016 11:52 AM  
**To:** 'priscillao3@cs.com'  
**Cc:** VERRET Greg J; ANDERSON Kristin  
**Subject:** Septic Feasibility Application; Permit No. 138-16-000096-EVAL  
**Attachments:** 20150713 Letter\_11512BD00300.pdf

Mr. & Mrs. Esplin,

I spoke with Greg Verret regarding your septic feasibility application and, at this time, I am not able to approve the zoning compliance for this permit. This is due to the fact that the zoning for the property is currently Urban Residential (UR) and the proposed building use listed on the septic application form is "Office Space". The permitted uses allowed in the UR zone are identified in Section BCC 64.105 and do include office space.

I have attached to this e-mail a copy of a letter dated July 13, 2015 that was sent to you. The letter identifies the options available to you and it is my understanding from my conversation with Greg that, until a land use approval is issued for your property that would authorize office space, the zoning compliance for the septic permit cannot be approved. I have placed your permit on hold for now.

I have also copied Greg on this e-mail in case any of the information here needs clarifying and Kristin because she is listed as the point of contact in the letter for land use questions on your property.

In case it is helpful to you, here is the link to Chapter 64 of the Benton County Development Code:  
[https://www.co.benton.or.us/sites/default/files/fileattachments/planning/page/2908/dc\\_ch\\_64\\_000.pdf](https://www.co.benton.or.us/sites/default/files/fileattachments/planning/page/2908/dc_ch_64_000.pdf)

**Toby Lewis**

Associate Planner, CFM  
Benton County Community Development Dept.  
360 SW Avery Ave. | Corvallis, OR 97333  
Phone: 541-766-6819 | Fax: 541-766-6891

---

Note: Messages to and from this e-mail address may be subject to disclosure under Oregon public records law.



**COMMUNITY DEVELOPMENT DEPARTMENT**

360 SW Avery Avenue  
Corvallis, OR 97333-1139  
(541) 766-6819  
FAX (541) 766-6891

July 13, 2015

Vernon Esplin  
6635 Prather Road  
Independence, OR 97351

**RE: Development Options; Property at Assessment Map 11-5-12BD Tax Lots 300 and 400.**

Mr. Esplin,

You contacted this office regarding a desire to change the zoning on the properties identified above, potentially in combination with the neighboring property to the south. There are a number of considerations I want you to be aware of in deciding how to proceed. This department is supportive of your desire to rehabilitate this property and will work with you to try to find solutions.

As you know, the zoning of this property is Urban Residential, which does not allow a business other than a small-scale business operated by the resident of a home on the property (a home occupation). Given that situation, there are two potential ways to establish a business at this location. One is to change the zoning to a zone that allows the business; the other is to demonstrate that there continues to be a lawfully established nonconforming use, and obtaining approval for an alteration to that nonconforming use.

Zone change

The first step is to identify a zone you could change to—a zone that would allow all of the activities you intend for the property. I know you mentioned the Urban Commercial zone; that might work, but it's important to be sure that all your activities will be allowed before you go to the effort of a zone change. If you send us a detailed list of the activities you desire to establish on the property, we can help with identifying potential zones.

There is a significant hurdle to changing the zoning to a non-residential zone: the Comprehensive Plan designation (which represents the long-term plan for the area) for the northern property is low-density residential. A zone change to a commercial or industrial zone would likely be in conflict with that Comprehensive Plan designation, and therefore could only be approved if an amendment to the Comprehensive Plan map were also approved. The Comprehensive Plan is jointly established by Benton County and the City of Corvallis. Amending the Comprehensive Plan would require application to the City as well as the County. At a joint hearing, the Corvallis Planning Commission and the Benton County Planning Commission would consider the matter and form recommendations to the Corvallis City Council and the Benton County Board of Commissioners. A second set of hearings would be held before the City Council and Board of Commissioners. Both would have to approve the proposal in order to change the zoning.

I recommend that you contact the Corvallis Planning Division (541-766-6908) and discuss the likelihood that the City Council would approve a Comprehensive Plan map amendment for this site.

The likelihood of approval would rest in part on your ability to demonstrate that this site is more appropriate for commercial or industrial uses than for housing.

A zone change and Comprehensive Plan map amendment are complex land use actions; I encourage you to engage the services of a land use professional—either a planning consultant or a land-use attorney. Understand that the public hearings process takes several months from the time we have a complete application.

#### Nonconforming Use Alteration

If you can demonstrate that a lawfully established use that does not conform with the current zoning has been maintained on the property without interruption of more than one year, you could apply for an alteration of a nonconforming use. Your application would need to demonstrate the lawful establishment of the use, the continuity of that use to the present time (with no more than a 1-year hiatus), and that the proposed alteration of that use will have no greater adverse impact on the neighborhood than did the use at the time it became nonconforming.

#### ODOT

With either of the above courses of action, I recommend you contact the Oregon Department of Transportation to determine how they will view your access points to the highway. Typically, with a change of use on a property, ODOT reviews access to ensure compatibility with their plans and regulations. I believe the point-of-contact would be ODOT's Region 2 office (503-986-2600).

#### Next Steps

Kristin Anderson will be your main point-of-contact with my department. She is very knowledgeable regarding the Corvallis Urban Fringe and coordination with the City.

As discussed above, I suggest you:

- Consider engaging the services of a land-use professional;
- Send us a list of the activities you want to establish at the site;
- Contact the City of Corvallis regarding the potential for an amendment to the Comprehensive Plan Map;

When you have decided on a course of action and are preparing a land-use application (e.g., a zone change or an alteration of nonconforming use), contact us to request a pre-application conference. We will organize a meeting with relevant staff to discuss your proposal with you and point out elements you should address in order to have the best chance of success with your application. Because of the amount of staff time involved, we charge a fee of \$280 for this conference.

I hope this is useful information as you set your plans for this property.

Sincerely,



Greg Verret  
Community Development Director

copy: Kristin Anderson, Benton County Planning  
Kevin Young, City of Corvallis Planning

# Floodplain Development Permit Application

Jurisdiction name: **Benton County**  
 Address: **360 SW Avery Ave, Corvallis OR 97333**  
 Phone: **541-766-6819** Fax: **541-766-6891**  
 Web Site: **www.co.benton.or.us**



**DEPARTMENT USE ONLY**  
 Permit No.: **FPD 160085**  
 Date: **8/11/16**  
 Staff Initials: **(TL)**  
 Fee: **FREE**

**LOCATION / DESCRIPTION OF SUBJECT PROPERTY**

Property address: **5840 NW Hwy 99W**  
 City: **Corvallis** State: **OR** ZIP: **97330**  
 Map and Tax Lot #: **11512BD00300**

**APPLICANT INFORMATION**

Name: **Vernon & Priscilla Esplin**  
 Address: **6635 Prather Rd**  
 City: **Independence** State: **OR** ZIP: **97351**  
 Phone: **541-990-1773** Fax: \_\_\_\_\_  
 E-mail: **priscillao3@cs.com**

**OWNER INFORMATION**  Check here if same as applicant

Name: **VP Real Estate Investment Services**  
 Address: **(same as applicant)**  
 City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
 Phone: - - - - - Fax: - - - - -  
 E-mail: \_\_\_\_\_

**DESCRIPTION OF WORK**

**Septic Feasibility permit**

**STRUCTURAL DEVELOPMENT (Check all that apply)**

- Dwelling:  New  Replacement  Addition  Remodel
- Accessory Structure:  New  Replacement  Addition  Remodel
- Demolition  Other Structural Development

**OTHER DEVELOPMENT ACTIVITIES (Check all that apply)**

- Mechanical  Electrical  Plumbing
- Fill / Excavation / Grading (Amount: \_\_\_\_\_ cu.yds.)
- Vegetation / Tree / Debris Removal
- Stream Bank Alteration / Stabilization
- Fence / Retaining Wall
- Other Development Activity (specify) **Septic feasibility permit**

**SUBSTANTIAL IMPROVEMENT / SUBSTANTIAL DAMAGE**

*Fill out lines a) and b) only*

a) Cost to repair structure to pre-damage condition:	\$ _____
b) Cost of all proposed improvements (not repair):	\$ _____
c) Sub-Total:	\$ _____
d) Current Market Value of Structure:	\$ _____
e) Sub-Total ÷ by Market Value x 100:	_____ %

If line e) is 50% or greater, the project is a substantial improvement.  
 Substantial Improvement:  Yes  No  New Structure

Applicant Signature: \_\_\_\_\_

**EXISTING STRUCTURE INFORMATION**

What year was the structure constructed? **N/A**

**OTHER REQUIRED STATE / FEDERAL PERMITS**

Required for proposed work?:  Yes  No

Requiring Agency(ies): \_\_\_\_\_

Permit Number(s): \_\_\_\_\_

Permit Status (attach a copy of permit):  Applied  Approved

**FIRM PANEL INFORMATION**

Community Name: **Benton County** Community No: **410008**

Panel Number: **41003C 0100F** Effective Date: **June 2, 2011**

Flood Zone(s) on the Subject Property: **A, X**

Flood Zone at Project Site: **A & X**

Is the Project Site in a Floodway?  Yes  No

**DEPARTMENT USE ONLY**

**ELEVATION & VENTING INFORMATION (For Structures)**

Base Flood Elevation (BFE): \_\_\_\_\_  NGVD 29  NAVD 88

Lowest Floor Elevation: \_\_\_\_\_  NGVD 29  NAVD 88

First Habitable Floor Elevation: \_\_\_\_\_  NGVD 29  NAVD 88

Enclosed Area Below First Habitable Floor:  Yes  No

Area Enclosed: \_\_\_\_\_ square feet

Number of Flood-Specific Vents: \_\_\_\_\_

Total Area of Flood-Specific Vents: \_\_\_\_\_ square inches

**ASSOCIATED PERMIT NUMBERS**

Elevation Certificates: \_\_\_\_\_

Building, Mechanical, Plumbing, Electrical Permits: \_\_\_\_\_

Land Use Applications: \_\_\_\_\_

Other Permits / Applications: \_\_\_\_\_

**138-16-000096-EVAL**

**PERMIT ISSUANCE**

Permit No. \_\_\_\_\_ OK to Issue:  Yes  N/A

**138-16-000096-EVAL** OK to Final:  Yes  N/A

Permit No. \_\_\_\_\_ OK to Issue:  Yes  N/A

OK to Final:  Yes  N/A

Permit No. \_\_\_\_\_ OK to Issue:  Yes  N/A

OK to Final:  Yes  N/A

Permit No. \_\_\_\_\_ OK to Issue:  Yes  N/A

OK to Final:  Yes  N/A

*see attached AP conditions*