



CITY OF ALBANY  
Planning Commission

**MINUTES**

Monday, March 16, 2026  
Council Chambers – 5:15 p.m.  
Approved: March 30, 2026

Call to Order

Chair JoAnn Miller called the meeting to order at 5:15 p.m.

Pledge of Allegiance

Roll Call

Commissioners Present: JoAnn Miller, Tami Cockeram, Paul Spilsbury, Skylar Bailey (arrived at 5:27pm.)  
Kenny Larson, Remi Hill, Ron Green, Ted Bunch Jr.

Commissioners Absent: Stacey Bartholomew (excused)

Approval of Minutes for February 2, 2026

**5:15 p.m.**

**Motion:** Commissioner Larson moved to approve the meeting minutes from February 2, 2026. Commissioner Cockeram seconded the motion which passed 7-0.

Hearings Board Appointments

**5:16 p.m.**

Chair Miller shared that the Hearings Board needed two more members from this Commission. Chair Miller is currently the only board member. Miller asked for nominations to serve on that committee. Commissioners Cockeram and Larson volunteered. Commissioner Hill volunteered as alternate.

Public Comment

None.

Business from the Public

**5:17 p.m.**

Public Hearing on Planning Files SP-15-25, RL-08-25. And NR-03-35, Type III-Quasi-Judicial Process

Appeal of Director's decision regarding a Site Plan Review to construct a 108-unit multi-dwelling development, Natural Resource Impact Review for the encroachment into the Riparian Corridor, and Replat application to consolidate three lots into one unit of land.

***Chair Miller opened the public hearing at 5:19 p.m.***

Commission Declarations

No members declared a conflict of interest.

No members declared an ex-parte contact.

Commissioner Green reported a site visit.

No members abstained from participating in the proceedings.

No one challenged the Planning Commission's right to determine this matter.

No Commission members abstained from participating.

Current Planning Manager David Martineau read the hearing procedures.

Project Planner Jennifer Cepello provided the staff report on the applications sharing slides\*.

The Community Development Director issued the Notice of Decision on February 19, 2026. Roger Nyquist and Elaine Albrich, Legal Counsel with Davis Wright Termaine LLP appealed the Decision on March 3, 2026, and the second Notice of Appeal was received from Amanda Fee and Bill Gsell on March 5, 2026. Staff proposed 23 Conditions of Approval which were listed in the agenda packet and four options for the decision.

Questions for Staff

**5:27 p.m.**

Commissioner Hill had a list of questions to ask staff regarding the traffic study, availability of egress, capacity, endangered species, cultural resources, herbicide use, cell tower construction, soil runoff, and the radius used for the notice perimeter. Questions were addressed by Martineau, Cepello and Assistant City Engineer/Public Works Traffic Specialist, Aaron Heimstra.

Applicant Testimony

**5:47 p.m.**

Micheal M. Reeder, Legal Counsel for Schneider Homes Inc. testified on behalf of the applicant towards the issues that were raised in the Nyquist appeal. He also provided written materials\*. Reeder stated that the application had already been approved before the appeals. He noted that Nyquist had not provided a reciprocal easement to the property but argued this was irrelevant due to the application's merits. Reeder explained that Nyquist had been required under past land use decisions to provide access to his applicant's property.

Reeder on behalf of his client supported denying the appeal and approving the application, stating that the appeal does not justify the denial. He asked that the commission approve the application, affirming the Director's decision.

Commission Questions

**6:05 p.m.**

Commissioner Green asked for clarification of the village center, which staff advised and provided a map\* to show the boundaries which were part of the agenda packet.

Appellate I Testimony

**6:09 p.m.**

Roger Nyquist, Nyquist Ventures, began by noting a correction for the record regarding the easement. That the land use conditions note that the parties enter into a reciprocal agreement, not that he grant the easement. He agreed to negotiate the reciprocal agreement but there has been no progress.

Elaine Albrich, Attorney, outside council for Nyquist Ventures/Lakeshore Lanes stated that they will likely request additional briefing time depending on the direction of the questions. Albrich presented a PowerPoint presentation\* sharing appeal issues, history of Lakeshore Lanes, impacts to Nyquist Ventures and Lakeshore Lanes and their request to the Commission and legal justifications.

Albrich provided a copy of their pre-hearing submittal letter and a copy of DKS's Traffic Memo\* to enter into the record. Albrich discussed the traffic study findings and safety considerations.

She explained prior land use decisions about the property's configuration, development, and conditions include findings on the village center design, access connectivity and requirements the applicant had to meet prior to final plat or site plan approval. The city has reviewed and approved all of those actions. However, none of those decisions include a reciprocal access easement benefiting the applicant's property.

Albrich argues that the Director's decision was not based on substantial evidence related to connectivity, traffic and transportation safety. She concluded by expressing hope for a better solution to move this application forward.

Architect/Designer (retired) Bill Ryals provided history with the property and shared concerns about the easement going through the Lakeshore Lanes property and shared that he felt there was a lack of consideration for all the social impacts.

Roger Nyquist then provided a history of development in the area and the result of previous conflicts with apartment complexes nearby with noise levels associated with the recreation center.

Elaine Albrich concluded the testimony requested the Planning Commission overturn the Director's decision and deny the application for lack of substantial evidence in the record. They are ready to work with the applicant and their attorney to resolve the traffic and safety issues as stated in the appeal.

#### Commission Questions

**6:27 p.m.**

Commissioner Bailey asked Nyquist if it is a requirement that the easement goes through the Lakeshore Lanes parking lot, and if there would be opposition to it being on the north end of 1400 or 1401 or 1402 as opposed to driving in between the bowling alley and mini golf. Nyquist responded that he is open to having conversations with the applicant and city council.

Bailey also noted that since neither the applicant nor Bowling Center want the easement to go through that area he questioned why the city requires it. Cepello responded that it is part of the code but has options to be waived. A waiver would need to fulfill the existing requirements of the conditions of approval from their previous land use reviews.

Commissioner Larson also asked about the need to use the easement, which Cepello addressed.

Commissioner Hill asked staff about the location of the easement and options to relocate them, which staff provided additional clarifications.

Discussion continued between Commissioner Hill, Mr. Nyquist and Albrich regarding options to move the process forward.

Commissioner Larson noted how there seems to be two rules that contradict each other, based on wording "requiring" versus "ability to waive" requirements. Cepello explained that development in a Climate-Friendly zone is more restrictive.

Commissioner Green asked about amending the Village Center plan to include the vacant South Pacific site to provide connection to 99, due to traffic concerns and the Climate Friendly concept for the area.

#### Appellant 2 Testimony

**6:57 p.m.**

Amanda Fee, neighbor and frequent customer of Lakeshore Lanes testified that after reviewing the plans and considering the increase of traffic her concerns (and through her experienced opinion as member of the board for the Oak Creek Meadows Home Owners Association) were safety issues with traffic, emergency access and daily travel concerns of adding additional residential units and putting a strain on parking availability. Fee then shared concerns over the impacts of construction on wildlife and wetlands. As a resident of the area, she disagreed that the apartments were the best use of the property.

#### Additional Questions

**7:09 p.m.**

Commissioner Hill had an additional question for Nyquist regarding alternatives to the access road, which Mr. Nyquist responded that he was more comfortable discussing those with the applicant.

Chair Miller called for a recess at 7:10 p.m.

Chair Miller reconvened the meeting at 7:20 p.m.

#### Public Testimony

**7:20 p.m.**

Eddie Merrifield, Albany resident, shared many of the same concerns about traffic and suggested that if approved there should be an additional turn lane built in off 53rd.

Bill Allison offered his view that Albany needs additional housing but it must be without negative impacts to the current residents and businesses. His other concern is for the riparian area and potential erosion into that area, as well as human incursions there that may disturb wildlife and increase erosion.

Shannon Stephen shared the concern with the traffic on 53rd and pedestrian safety. And the slow-down of egress/access with the additional residential units. She agrees with the housing needs but doesn't agree that this is the best location.

Applicant Rebuttal Testimony

7:31 p.m.

Mike Reeder responded that the applicant had provided a traffic study scoped by the city. The technical memo from Nyquist does support the conclusion of the traffic engineer that the intersection of 53rd and Hwy. 99 meets the mobility standards and shows that this project will be safe. He went on to equate that badly needed housing is a health, safety and general welfare and livability issue. This property was planned and zoned for residential. When the city adopts those rules without clear standards that relate to housing those standards should be waived. He concluded by reiterating that the Commission should affirm the Director's decision. He then outlined out the justification for the approval.

Commissioner Bailey asked about removing trees to create the turn lane and who would pay. Cepello indicated that the site plan that was submitted provided for mitigating measures for the left turn lane.

Commissioner Hill asked what the average predicted cost of homes would be relative to the average median income for this area. Reeder did not have this information but provided that the state statute for needed housing requires that there be clear and objective standards for needed housing at all income levels.

Commissioner Green asked Mr. Reeder about the idea of developing the South Pacific property into a Village Center as an alternative. Reeder would approach the client about this.

The Chair asked if the applicant agreed to waive the seven-day period to submit additional written argument. Reeder referred to the appellate lawyer, Albrich to respond. Albrich requested additional opportunity to deal with the procedural considerations by leaving the record open. And asked for a continuance to a date certain for anyone to submit additional evidence or answer argument to the Planning Commission to make a decision at the next hearing date. A continuance will give the appellate and applicants and community to have further discussions that may lead to a good path forward.

Cepello directed the Chair on the process for continuance.

**Motion:** Commissioner Hill motioned to leave record open and continue hearing to a date certain March 30, 2026, at 5:15 p.m. Commissioner Bailey seconded the motion, which passed 8-0.

Next meeting date

March 30, 2026, at 5:15 p.m. The following meeting date is April 13, 2026,

Adjournment

Hearing no further business, Chair Miller adjourned the meeting at 7:50 p.m.

Respectfully submitted,

*Signature on file*

Susan Muniz  
Recorder

Reviewed by,

*Signature on file*

David Martineau  
Current Planning Manager

*\*Documents discussed at the meeting that are not in the agenda packet are archived in the record. The documents are available by emailing [cdaa@albanyoregon.gov](mailto:cdaa@albanyoregon.gov).*