



CITY OF ALBANY
Planning Commission

MINUTES

September 29, 2025

Council Chambers – 5:15 p.m.

Approved: October 13, 2025

Call to Order

5:15 p.m.

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

Pledge of Allegiance

Roll Call

Commissioners Present: Stacey Bartholomew, Tami Cockeram, Ron Green, Ted Bunch Jr., Paul Spilsbury, Karen Cardosa, JoAnn Miller, Kenny Larson

Commissioners Absent: Skylar Bailey (excused)

Public Comment

None.

Scheduled Business

Public Hearing (continuance): Planning File PD-01-25 et al Type III Quasi-Judicial Process Application for planned development of an unassigned property as a senior housing community consisting of 98 duplex units, indoor and outdoor open space with a private road system. The proposal includes consolidation of two properties into one 147.01-acre parcel, a Site Plan Review for the felling of 21 trees, a Natural Resource Impact Review for the addition to the impervious area and the removal of vegetation within the riparian corridor and grading and paving of land within the Special Flood Hazard areas.

Chair Miller called the public hearing to order at 5:18 p.m.

Commission Declarations

Chair Miller asked if any members not present at the initial hearing had reviewed and familiarized themselves with the entire record and could make a fair and informed decision regarding this hearing. Commissioner Cardosa confirmed she reviewed the record.

No members declared a Conflict of Interest.

No members reported ex-parte contact. No members reported a site visit.

No members abstained from participating in the proceeding.

There were no challenges to the participation of any commissioners or their right to determine this matter.

Reading of Hearing Procedures

Jennifer Cepello, Planner, read the procedures.

Staff Report

5:19 p.m.

Project Planner Jennifer Cepello presented the staff report sharing slides*.

Matthew Ruettgers, Community Development Director, added that there were two modified conditions submitted by the applicant that the city agreed with removing. There was also a good amount of information regarding nexus and proportionality included and he wanted to advise the Commission that this body is not a courtroom where a debate on proportionality or nexus would be appropriate. He instructed commissioners to make their decision based upon the staff report, findings provided and the required code criteria.

Commission Questions

None.

5:25 p.m.

Mennonite Village Chief Executive Officer, Diane Hood, began by thanking the Commission for the continuance. She commented about some changes that have occurred since the last hearing. First, that in consultation with their civil engineering team they have relocated the road, so it is out of the wetlands. And suggested a change to the planned pathway eliminating the number of trees that would be removed down to just a few dead trees that exist in the wetland area. And ask for removal of the request for the multi-purpose public pathway through the property which dictated the location of the path felling of the trees and impacted the wetlands, among other reasons.

She shared the community's concern regarding providing a 10-foot-wide public use/multi-use pathway through the heart of the campus.

Attorney for Mennonite Village, Steve Holtberg, testified that they have modified the application request, moving the road and duplexes in response to the comments received. They believe that the city is required to make findings that there is a nexus and proportionality between the conditions imposed and impacts of this project.

Public Testimony

5:28 p.m.

Bob Nogash, spoke as a 10-year resident of Mennonite Village. He expressed his opinion about the public's negligence in adhering to signage and safe use of public areas He concluded by asking the Commissioners to help the elderly remain safe into the future.

Joe Whinnery, former public servant, shared his experience in reviewing land use planning. The path forward must stand the test of time calling for the terms of the permit to be altered to exclude the path requirement so reflecting an exploration of why here and not there.

Barbara Hauge, resident wanted to emphasize that construction of the path is not compatible with people living at Mennonite Village. She suggested that the trail be put on the south side of Oak Creek, that's where families and majority of the public use would find it the most effective. She also reiterated the safety issue and the unnecessary felling of trees.

George Sahlstrom read excerpts from his written testimony*. And stated that the residents of Mennonite Village stand adamantly opposed to this agreement, which requires this multi-public, multi-use path, and request removal of this requirement because of the adverse effects that it will have upon their community. He pointed out a chart that he included in his written letter documenting the speeds of the e-bikes, skateboards, etc. along with the names of 123 residents that had read his letter and agreed to its content.

Janice Rounds, resident, said that she chose Mennonite Village because it was a not-for-profit continuing care retirement community and when widowed she needed a place to feel safe. She testified as to worrying about her own personal safety and compromising the safety of other residents. She asked that the city remove the campus from the South Albany Plan.

David Mote shared that he was a cyclist for many years between Albany and Corvallis so he understands a lot of cyclists would love to have a cycling path to Lebanon, but the world has changed and motorized bikes, skateboards and the speeds they travel create a different situation. Another route could be found rather than through the Village.

Liz Englund, resident shared she had direct personal experience of being hit by a cyclist. Although it happened when she was younger, she is well aware of the increased danger for her as a senior and that providing bike access to the pathways will be certain to cause conflicts and injuries. She suggested a physically separate pathway for bike use.

Dennis Abean, resident, testified that as part of a Security Advisory Team for Mennonite Village he helped the administration with the homeless problem they had. Creation of the path will provide easy access to the Village and as it is a path, it is an unregulated environment. He added another concern for unleashed dogs interacting with resident pets or residents. The Village's reputation for security as his family has experienced it is at risk with this plan.

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Greg Olson, resident and retired nurse, shared that the Surgeon General recently said exercise is the number one prescription for everyone for all physical and mental functions. He shared his experience with walking his leashed dog, scaring another resident even though the dog was controlled. He understood that if residents are scared, they won't get out and use the trails.

Applicant Rebuttal**6:03 p.m.**

Steve Holtberg and Diane Hood came forward. Holtberg began by acknowledging the residents' concern for their safety but sees this as a procedural juncture. He emphasized their right to provide a final written argument for a 7-day period after the public hearing, and they reserved that right. They would like to provide draft findings that remove the trail provisions from the application which will include a legal basis for approval. He emphasized that no one is in support of a public path which is included only as required by old agreements consistent with the South Albany Plan. He urged the Commissioners to approve the applications modified by their request.

Staff Response**6:06 p.m.**

Assistant City Attorney, Aiden Harris, wanted clarification of what the applicant was requesting in terms of closing the hearing or another continuance. She believed that the applicant was requesting the record to close and provide final written rebuttal within seven days, providing findings that the commission could adopt.

Holtberg stated the provisions of law that applied. But he requested that the Commission deliberate so he could get some sense of the Commissioners' potential decision to form their final argument.

Commissioner Green had a background question for staff whether the path had originated in the South Albany Plan. Cepello answered that the part that is undeveloped was added to the Plan. The portion of the path developed was a part of the Master Plan bike path. Green surmised the path was to create alternative transportation options to area residents. Matthew Ruettgers, Community Development Director agreed that his understanding from Public Works as part of the annexation for Mennonite Village but was a condition of approval since unsatisfied.

Commissioner Bunch Jr. asked how long it would take the city to provide advice to the Commission in terms of the applicant's final legal argument. Harris responded that the decision shouldn't require the analysis of legal arguments, that the Commission's charge is only to decide to approve or deny the application and this is an evidentiary hearing where the public gets to provide testimony. Commissioners should decide based on findings from the staff report and decide whether the application meets the criteria basing their decision on the facts. Ruettgers reiterated that Holtberg on behalf of the Village has requested a delay on that decision to enable them to produce their final arguments and it is up to the commission whether or not to deliberate further at this hearing. He advised that they were welcome to postpone further deliberation until they receive the applicant's final argument, but the record will be closed and another hearing scheduled.

Chair Miller closed the hearing at 6:13 p.m.Commission Deliberation

Commissioner Green referencing his question on the origin of the path plan, asked what the original purpose was, whether it was for alternative transportation route. He also agreed that creating two separate lanes, keeping a speed limit for motorized equipment on one side, would be a solution.

Commissioner Bartholomew shared her experience in other communities and has seen a variety of combinations of pathway barriers, some just a painted line designating activity, also dedicated bike lanes on roadways to ensure protection of pedestrians.

Commissioner Larson stated that this the public's chance to speak in favor of a project plan, there was no testimony in favor of the path being included in the plan. He agreed that a lot had changed during the last 50 years but understands that there are pragmatic considerations to be in account. And there may be other transportation solutions that can be established in a different spot.

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Commissioner Spilsbury agreed with Commissioner Larson on the rapid changes and if so suggested it what is the burden on the city on what role that actually plays in our transportation plan.. His opinion was that the Commission should evaluate what is best for the community, especially as there was no one in favor of the application without its modification.

Commissioner Cockeram agreed as well and reiterated that the role of the Commission is to uphold the Development Codes and consider everything provided to us in upholding the code.

Ruettgers said that Mennonite Village was asking for the 7-day period to submit final arguments and offered to craft findings in support of the modifications which the Commission would be able to consider at that time. So, the Commission would not be making a decision at this meeting but there will be another continuation with the record closed during which you will receive their rebuttal and findings for review. Staff does not review or provide any additional comments or input on those final arguments.

Commissioner Cardosa didn't hear any testimony on whether the new housing is needed and whether they were comfortable with the new development, but no one commented on that.

Commissioner Cockeram asked for clarification of how they get to review the rebuttal. Cepello said they would just open the floor and move on to deliberation for approval, denial or modifications.

The record has been closed. No more evidence.

Setting to date and time certain for the hearing continuance to October 13, 2025, at 5:15 p.m.

Chair Miller thanked the attending public for their time and comments.

Business from the Commission

6:31 p.m.

Commissioner Green asked where to get background on this issue and transportation plan of that time. Staff will provide that. All plans are available on the website and staff can assist with what plan would answer his questions.

Staff Updates

6:32 p.m.

Cepello directed Commissioners to their packets where they provided two potential options for the Chair Guide. She invited their preferences for format or more simplified version. Chair Miller was in favor of the simpler version. Let the staff know if they want a paper copy versus electronic. Commissioner Cockeram and Bunch both favored the first option as it provides a better narrative guide.

Next Meeting Date

The next meeting is scheduled for October 13, 2025, at 5:15 p.m. to finish Continuance. Commissioner Cockeram had doubts about the authority of the Commission to consider findings. Harris interjected that they cannot discuss it further as the hearing has been closed.

Adjournment

Hearing no further business, Chair Miller adjourned the meeting at 6:38 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.