



**PLANNING COMMISSION  
Draft Meeting Notes March 4 2026**

**Commissioners present:** Kathryn Schulte-Hillen, David D. Jones, Gary Walvatne, Kris Kachirisky, Liz Dietz, and Tom Watton. Jason Evans arrived late.

**Staff present:** Community Development Director Steve Koper, City Attorney, Josh Soper, Planning Manager Darren Wyss, Associate Planner Aaron Gudelj, Management Analyst Lynn Schroder

**Applicant Present:** Mike Kapigian

**Council Liaison:** Carol Bryck

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The meeting video is available on [here](#).

**1. Call To Order and Roll Call**

Chair Schulte-Hillen called the meeting to order at 6:00pm. Management Analyst Schroder called the roll.

**2. Public Comment related to Land Use Items not on the agenda**

None.

**3. Public Hearing (Quasi-Judicial) Continued from Feb. 18, 2026: [CUP-25-02/DR-25-02/WAP-25-01 Proposal for New City of West Linn Operations Support Facility at the vacant parcel east of the Salamo Road/Greene Street intersection](#)**

Chair Schulte Hillen opened deliberations in the matter of a Conditional Use Permit, Class 2 Design Review, and Water Resource Area Permit at 23800 and 23834 Salamo Road for construction of an operations complex servicing the City of West Linn's public works, environmental services, parks and recreation, and water and streets departments. Public hearings on the matter were previously held on 02/04/2026 and 02/18/2026. The Planning Commission closed the public hearing on the application at the 02/18/2026 meeting and kept the written record open until 02/25/2026. The applicant submitted their final legal argument by 03/04/2026. She stated that no further testimony or evidence would be accepted.

Chair Schulte Hillen recognized a point of order from a member of the public, Michael Kapigian, regarding information included in the applicant's final legal argument dated February 27, 2026, which referenced the prior undergrounding of power lines along Salamo Road. Mr. Kapigian asserted that this constituted new information and should not be considered by the Commission.

City Attorney Soper advised the Commission to either continue the hearing to a date certain or strike the new information from the record and proceed with deliberations. The Commission elected to strike the information related to the status of underground power lines from the applicant's February 27, 2026, final legal argument and proceeded with deliberations.

City Attorney Soper addressed legal standards and appeal rights. He noted that the decision must be made based on the substantive criteria in the Community Development Code (CDC) that apply to the application.

Soper addressed Planning Commission conflicts of interest, ex-parte contacts, jurisdiction, and bias challenges. No member declared conflicts of interest, or bias. Commissioner Watton declared that he did visit the site. He declared that that he could make an unbiased decision on the matter. Soper asked if any

audience member wished to challenge the PC's jurisdiction, impartiality, or ex-parte disclosures of any members of the PC. No challenges were made.

During deliberations, the Commissioners debated whether a secondary access point was necessary for safety and emergency operations, despite it not being required by code. Commissioner Walvatne acknowledged that the facility is needed and that the buildings are well designed. However, he was significantly concerned about the site's location and the geotechnical stability of the surrounding slopes. Additionally, he noted that if the facility is intended to function as an emergency operations center, potential slope failures could compromise both the structure and the buried utilities, which could fail in such an event. As a result, he considered the site to be unsuitable for use as an emergency operations center.

The Applicant's geotechnical report was discussed in detail, including its evaluation of site conditions and proposed mitigation measures for seismic and slope-related risks. Commissioners Dietz and Walvatne raised concerns about the Applicant's Geotechnical Engineering Report, particularly regarding site suitability considering the previous human-made landslide, as well as zoning issues related to the portion of the property that is not shaded on the City's Zoning Map. Commissioner Jones stated that the application does not comply with Goal 7 of the Comprehensive Plan and similarly questioned the site's suitability given the prior landslide and the proposed use.

Legal counsel stressed that any decision must be based on the applicable approval criteria and supported by substantial evidence in the record. He explained that while development code regulations are adopted to implement the Comprehensive Plan and its goals, the Plan and goals themselves are not directly applicable criteria. Therefore, decisions should rely on the development code provisions that implement those policies, rather than on the general statements of the Plan or goals.

He further emphasized that decisions must be grounded in both the criteria and the evidence. In the absence of a contrary report or testimony from a similarly qualified expert, an expert's report or testimony cannot be disregarded simply because one disagrees with its conclusions. To challenge a report, specific issues or flaws must be identified that call its reliability or accuracy into question.

Commissioner Evans reiterated that the Applicant's Geotechnical Engineering Report was prepared by a licensed engineer and referenced the City's findings, as outlined in the Staff Report and memoranda, that the zoning of the property complies with the CDC. Commissioner Kachirisky and Chair Schulte Hillen acknowledged the prior landslide and its impact on the site but stated that the Applicant's report provided sufficient evidence to support the site's suitability for the proposed use. Commissioner Watton concurred, finding the report sufficient to demonstrate site suitability.

Commissioner Evans moved to approve CUP-25-02/DR-25-02/WAP-25-01 as presented and directed staff to prepare a Final Decision and Order based on the findings in the written record, hearings, Staff Report, deliberations, exhibits, and Supplemental Memorandums. Commissioner Watton seconded. **Ayes: Evans, Kachirisky, Watton, and Schulte-Hillen. Nays: Dietz, Jones, and Walvatne. Abstentions: None. The motion passed 4-3-0.**

#### 4. Planning Commission Announcements

Commissioner Walvatne expressed concerns about the ongoing development of the subdivision at the end of Cornwall Street, which was previously approved by the Planning Commission. He stated that the current

development does not appear to align with the approved plans and requested additional information regarding the subdivision, specifically the development of Lot 7.

Commissioner Watton moved to put the matter on an upcoming Planning Commission agenda. Schulte Hillen seconded. **Ayes: Walvatne, Jones, Watton, Dietz, Kachirisky, Evans, and Schulte-Hillen. Nays: None. Abstentions: None. The motion passed 7-0-0.**

**5. Staff Announcements**

Principal Planner Wyss announced that the next meeting will be a quasi-judicial hearing for a Conditional Use Permit. He requested that Commissioner respond to quorum counts for the meeting.

**6. Adjourn**

Chair Schulte-Hillen adjourned the meeting at 7:55pm.