



CITY OF West Linn

Memorandum

Date: June 30, 2026

To: Public Hearings Officer, Tommy A. Brooks

From: Aaron Gudelj, Associate Planner

Subject: AP-26-01 – Appellant Email – 06.26.2026

The Appellant sent the following email to the Hearings Officer and City Staff after the closing of the public record and Applicant Rebuttal Period ending on June 24, 2026.

As always, please contact me with any questions at agudelj@westlinnoregon.gov or 503-742-6057

From: [Roberta Schwarz](#)
Sent: Friday, June 26, 2026 2:19 PM
To: tbrooks@cablehouston.com
Cc: [Gudelj, Aaron](#); [Schwarz, Ed](#)
Subject: FW: AP-26-01 - Applicant Final Rebuttal 06.24.2026

CAUTION: External Email – Confirm legitimacy before clicking, opening attachments, or following instructions.

Hello Mr. Brooks,

I was previously advised by Mr. Gudelj that I was not supposed to send you anything directly. However, something has come to our attention that warrants your immediate attention.

Ed and I received the below email yesterday from Mr. Gudelj, the city planner who was assigned to the Operations Complex application.

Please look at the screen shot below from the applicant's Final Rebuttal. It shows that the West Linn City Attorney was consulting with the attorney representing the Applicant on the Final Rebuttal document (I do not believe the applicant or city staff realized that this note was still included in the Final Rebuttal document). The part in yellow shows the city's attorney openly working with the applicant's attorney. This was also posted on the city webpage for the appeal.

We were told by the city that, even though the city is the applicant in this appeal hearing, the city attorney was not supposed to be helping the applicant's attorney to work on this case. But here they are doing just that.

And look what the city attorney (Kaylie Klein) is asking the applicant's attorney (Zoe Lynn Powers): should they **discredit an expert** in noise if we have one for our (the neighbor's) side? Not discredit the testimony, but the actual person. We are led to believe that they did the same thing when they tried to discredit JB Rupert who has fifty years of experience and a very impressive list of clients among the over one thousand he has worked with in his career. After JB Rupert offered written testimony for the neighbors in this appeal it was stated in the hearings by our opponents that he wasn't the proper kind of engineer for this case but is "only" a structural engineer and civil engineer. That was such Hogwash! This is very upsetting.

What will you do with this information now that you have it, Mr. Brooks? What do your legal ethics call upon you to do?

In my testimony I said that you had been set up as the "fall guy" in this appeal. Don't be that person.

Respectfully submitted,
Roberta and Ed Schwarz

D. Privacy and noise.

[...]

4. *Businesses or activities that can reasonably be expected to generate noise in excess of the noise standards contained in West Linn Municipal Code Section 5.487 shall undertake and submit appropriate noise studies and mitigate as necessary to comply with the code. (See CDC 55.110(B)(11) and 55.120(M).)*

Finding 28: [Noise]

The Project cannot reasonably be expected to generate noise in excess of the City's noise standards. Nevertheless, the Applicant has voluntarily provided a noise study into the record, starting at Page 66 of Exhibit HO-H and resubmitted with an engineering stamp at Exhibit HO-M, starting at page 4 (the "Noise Study"). I find that ABD and the authors of the Noise Study are qualified to provide expert testimony in this land use matter, particularly Benjamin Wolf, who holds a license from the Institute of Noise Control Engineering as a Senior Acoustical Consultant. Exhibit HO-H, page 66.

The Noise Study, which provides expert testimony, confirms that, without any needed mitigation, the Project will not generate noise in excess of the standards contained in West Linn Municipal Code Section 5.487 or any other applicable standards. Exhibit HO-H, pages 75, 90. Condition of Approval Number 4 would additionally require compliance with Section 5.487. **This standard is met.**

I. Public facilities.

.....

3. *Storm detention and treatment and geologic hazards. Per required by CDC 55.130 and 92.010(E), all proposed storm detention and treatment facilities must comply with the standards for the public and private drainage systems located in the West Linn Design Standards, there will be no adverse off-site impacts on development (including impacts from increased intensity of runoff or constrictions causing ponding upstream), and the applicant must provide sufficient factual data to support the conclusions of the study.*

Klein, Kaylie
Zoe: did opponents offer a noise "expert" that we want to discredit?

Page 25 of 37

4937-0047-1473, v. 4

From: Gudelj, Aaron <agudelj@westlinnoregon.gov>

Sent: Wednesday, June 24, 2026 5:27 PM

To: Schwarz, Ed <ed.schwarz@gmail.com>; 'Roberta Schwarz' <roberta.schwarz@comcast.net>; Savanna Oaks Neighborhood Association President <savannaoaksna@westlinnoregon.gov>

Cc: Koper, Steve <skoper@westlinnoregon.gov>

Subject: AP-26-01 - Applicant Final Rebuttal 06.24.2026

Hi Ed and Roberta-

The applicants Final Rebuttal has been received and is posted on the project page.....'Applicant Final Rebuttal Memo - 06.24.2026 - AP-26-01 (1 MB)'

Additionally, we received a comment from a member of the public at the end of day today that has also been put into the record. This was submitted outside of the open record period but we have included it in the record.'Public Comments - 06.24.2026 - Applicant Final Rebuttal Period (124 KB)'

[23800 & 23834 Salamo Road - an Appeal of an Approval for a Conditional Use Permit, Class 2 Design Review, and Water Resource Area Permit for the City Operations Center | City of West Linn Oregon Official Website](#)

Please reach out if there are any questions,

Aaron Gudelj

Planner; Community Development Department

agudelj@westlinnoregon.gov; (503) 742-6057

<https://westlinnoregon.gov/>

Aaron Gudelj

Associate Planner

Planning

22500 Salamo Rd.
West Linn, Oregon 97068
agudelj@westlinnoregon.gov
westlinnoregon.gov
503-742-6057



*****CONFIDENTIALITY NOTICE*****
This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law.
If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, you are hereby notified that the sender has not waived any privilege, and that you may not read, disclose, copy, distribute, use or take action based upon this transmission or any accompanying documents.
If you have received this transmission in error, please immediately notify this office, keep the contents confidential, and immediately delete the message and any attachments from your system.

Please consider the impact on the environment before printing a paper copy of this email.
This e-mail is subject to the State Retention Schedule and may be made available to the public