

enforceable when it comes to protecting designated land.

The covenants and restrictions, however, haven't been submitted — they will be submitted after the application is approved. "At which point they can do whatever they want," Brown says.

In April 2017 the city fined Dreyer \$4,320 for removing a small stand of trees without a permit in the vacant lot he owned across from his home, documents show.

"This is the kind of person we are dealing with," Brown says. "This isn't just character sniping. The PUD application is asking the community to trust that he will do certain things, because it's not in fact proposing to build them into the application in any kind of legal way."

Dreyer says that Brown and other neighbors are producing "Donald Trump facts" of their own. He explained that his development is small enough not to require a traffic study, but he conducted studies anyway, "showing the roads are perfectly adequate" to handle more traffic.

Branch Engineering conducted two traffic surveys for Dreyer. The first report was "built on the premise of more units," Carol Schirmer, Dreyer's landscape architect, said in an email to *EW*. "The revision [the one received by *EW*] was based on less units which, of course, concluded that there were no safety issues created by the development because there were less units than report 1."

The study evaluated three different sections of Capital Drive in order to determine current traffic levels and speeds. Tube counters — industry standard cameras used to measure traffic — were set up on Capital Drive in strategic areas.

Collected data showed that the development would add "roughly 141 daily trips, assuming full occupancy of the 31 new dwelling units."

Engineers requested crash data from the Oregon Department of Transportation for the section of Capital Drive between Spring Boulevard and Hendricks Park. The most recent five-year period data they received — Jan. 1, 2010 to Dec. 31, 2014 — did not include any crashes.

A reporting form only has to be filed with the DMV if damage in a crash exceeds \$1,500 or there is an injury or fatality.

ENCROACHING ON THE PARK

Noise and traffic in the neighborhood may affect visitors in the park as well. Dreyer has established a buffer zone between his development and the ribbon trail, but hikers value the solace the forest provides.

"The forest offers trails, hiking in the middle of the city, hiking through the woods," says Sandra Austin, a founding member of Friends of Hendricks Park.

Austin was asked by PUD opponents to have the board write a letter opposing Dreyer's project. She said she would take the idea to the board, but Friends wasn't ready to take a side.

"We aren't opposed to taking a stand, but we are waiting," says Jim Beyer, another longtime member of Friends. Beyer says the continued expanding of the development doesn't sit well with Friends, and the potential visual impact is even more concerning.

"The ribbon trail that goes from Hendricks Park to 30th Avenue is a sweet little trail. And for the most part, you have no idea that there's anyone around," he says. "If you had a whole hillside up there, that would take some of the sweetness of that particular thing away."

If the proposed PUD is approved, the park is at risk of more than just being an eyesore.

When trees grow in stands they protect one another from windthrow. As stands are thinned, large trees left behind — such as those in the buffer zone — are more susceptible to being toppled, as their roots haven't developed the strength to stand on their own in high winds.

"Harvesting the designated trees will significantly increase the risk of wind damage to the remaining trees," Mehrwein said in the letter from Brown to the city. "Trees not only on the CHPUD site, but also in adjacent private properties and in Hendricks Park would be vulnerable to being blown down or having tops broken."

Trees on private land contained in the PUD are vital to the stability of the eastern ridge of the park. Brown cites Mehrwein in his letter, writing that those potentially toppled trees in the PUD "significantly contribute to the risk of catastrophic landslide."

Whether it's trees above the park falling down and sliding into trails, or trees in the park that are no longer pro-

tected, critics argue that miscalculations by planners could have far reaching effects on the cherished land.

On one hand, Dreyer says he is looking to improve his own neighborhood. On the other, he says he is looking out for the best interests of the city.

"Eugene has a real and desperate need for housing," Dreyer says. "I'm a big advocate of the urban growth boundary. It prevents sprawl and keeps neighborhoods more compact."

The trouble with the boundary, however, is that once filled in, there aren't enough places to build, unless in-fill projects such as Dreyer's are allowed, he says.

State law requires cities to keep a 20-year inventory of developable residential land. For years, Eugene has classified the in-fill pockets in the south hills as such, Dreyer says.

"But people have had trouble developing it," he adds. "If the city doesn't allow development in those areas, then they don't have their 20-year inventory and at some point the state will say, 'You've got to do something.'"

Dreyer says he fears that "something" will mean expanding the urban growth boundary and contributing to sprawl along riparian areas and the rivers.

Opponents to the development acknowledge the difficulties of their position. They don't want to propose what happens to the land, but they don't want to see it developed according to this proposal.

Brown would like to see the land donated to the park but worries about crossing the line between being a neighbor concerned about the legality of the proposal and an activist converting private property into public land.

As a group however, opponents have made a concerted effort to raise money and buy the land from Dreyer rather than see it developed and harm the park.

"If it weren't for the park system, I just wouldn't care," Brown says. "I'm certain that 30 years from now, people will say, 'Why was that allowed to happen?'" ■

The public hearing will take place on Wednesday, March 7 at 5:30 p.m. at Harris Hall, 125 E. 8th Ave. Both the developer and response committee will offer final arguments for their cases. The meeting is open to the public.

SLANT

• **Cougar Dam** on the South Fork of the McKenzie River creates a quandary that government agencies and environmental geeks have been puzzling over for decades. The dam is too high for a fish ladder and blocks migrating fish both upriver and downriver. Capturing salmon and steelhead below the dam and hauling them by truck above the dam works, but is very expensive. Even more costly is the construction and operation of elaborate floating fish collectors in the reservoir. We can spend \$100 million to build a mechanical contraption that makes so much noise fish won't go anywhere near it. It's time to take seriously the once-considered-silly idea of draining the reservoir and allowing the river to run free except for times when flood control is needed. The downside is lost power generation and recreational lake boating, but the mostly free-flowing South Fork idea might just pencil out economically and environmentally.

• Eugene was chosen from **47 cities that competed to be the next Mozilla Gigabit City**. That was the prize that kicked off the Feb. 23 City Club of Eugene program. It meant that winners received national recognition and grants totaling \$300,000 "for projects utilizing emerging technology to improve education and expand workforce development." A big deal. Speakers were: Matt Sayre, vice president of Technology Association of Oregon; Craig Wiroll, Mozilla portfolio manager in Eugene; Eric Braman, Lane Arts Council Gigabit residences; Jon Bellona, Harmonic Laboratory, City Synth; and Erin Maloney, Lane Stem, Coder in Residence. After this excellent educational program, we found ourselves wondering if the tech geniuses of America are smart enough to keep foreign powers from infiltrating and weakening our democracy. We can only hope.

• **Tony Corcoran's Hot Air Society** column about upcoming elections, "Lane County Commission Needs Estrogen Therapy," hit a nerve last week. Looks like election season is heating up! (Though it's hard to say what readers were madder about in last week's issue — Corcoran's opinions or the fact that the Jonesin' Crossword was missing a bunch of down clues. *Nostra culpa*, we've posted the missing clues online.)

• Thursday, March 1, marks **the first day of the rest of the life of The Register-Guard**, which is now officially owned by GateHouse Media Inc. instead of Eugene's Baker family, which owned and operated the paper for 91 years. It was still unclear this week entirely what that means for the *RG* and its staff. Three employees were let go Feb. 21; numerous sources told *EW* that most of the paper's eight copy editors face losing their jobs, with copy editing being outsourced to GateHouse's design hub in Austin, Texas. Publisher Logan Molen has also been let go, according to reports, and managing editor Dave Baker has retired. Reporters and photographers, though, are being kept on, at least for the moment.

• Last week's announcement that *EW*'s arts editor Bob Keefer and theater and film critic Rick Levin have filed for **the 2018 gubernatorial race in Kansas** drew nationwide publicity when the Topeka *Capitol-Journal* wrote about their candidacy ("Two artsy guys from Oregon assume roles in Kansas' political theater") that was then sent out by Associated Press. Keefer and Levin are sequestered in a smoke-filled back room with big-money backers to plan their next campaign move.