

Landslide Brings Us Down

NEIGHBORHOOD FIGHT CONTINUES AGAINST A DEVELOPMENT NEAR HENDRICKS PARK

By Henry Houston

An ongoing conflict between neighbors regarding a 34-lot planned unit development near Hendricks Park continues after the Land Use Board of Appeals (LUBA) remanded one point of contention back to the Eugene Planning Commission: concerns about the geotechnical matter of the application.

Neighbors of the development argue that the Capital Hill Planned Unit Development (PUD) should be denied based on the concern that 12 plots on the eastern slope — near Hendricks Park — are susceptible to landslides. This could potentially impact residents in the development and those living on Floral Hill Drive.

Rebecca Dorsey, a professor in the Department of Earth Sciences at the University of Oregon, is one of the neighbors concerned with the project. Dorsey created a map with a geotechnical engineer named Gunnar Schlieder based on data from a 2018 report by Oregon Department of Geology and Mineral Industries (DOGAMI) that shows the plots are within a quasi-stable landslide area.

In the report, DOGAMI says the information on hazards in Eugene-Springfield is to inform planning to avoid “life-threatening hazard areas.”

Dorsey says stormwater runoff amplified by construction of impervious roads, driveways and houses would add water to the soils, thus reducing the friction that holds the soil to the slope.

“The development simultaneously increases the driving load and decreases the frictional resistance,” she says. “It’s a one-two punch.”

A little bit of nature — like prolonged rainfall and/or a little bit of seismic shaking — could result in a landslide on the eastern slope of the proposed development, she adds.

Eugene Planning Commission approval of the Capital Hill PUD despite dangers brought up by neighbors would violate Eugene City Code, Dorsey says, specifically EC. 9.8320.

The code states that a PUD cannot be a significant risk to public health and safety, which includes soil erosion, slope failure, storm-water flood hazard or the impeding of emergency response.

“I am concerned that it doesn’t meet the code,” she says. “The burden of proof is on the applicant to show that the development would not pose a significant risk to public health and safety. If they do not meet this requirement, and so far they have not, then the development should be denied.”

LUBA rejected the neighbors’ claim that Capital

Hill PUD would impede emergency response based on a narrow road up to the development because the Oregon fire marshal said a “No Parking” statute would allow a fire truck to access that development.

Mounting a challenge to the PUD has been costly for neighbors. The neighbors hired legal help to challenge it at the Planning Commission and LUBA. They also paid for specialists — such as Schlieder.

Nat Teich, a neighbor who opposes the proposed development, says collectively the neighbors have spent \$30,000 to challenge Capital Hill PUD over the past 15 months.

He says he’s aware that the neighbors are in a more privileged place in life: They’re highly educated, wealthy and retired.

But he says opposing Capital Hill PUD is necessary.

“We’re trying to save the city — that’s the whole point. We’re trying to save the Ridgeline, and we’re trying to save meaningful neighborhood environmental standards,” he adds.

Teich says opposition to Capital Hill PUD isn’t a NIMBY issue. The applicant hasn’t proposed any buildings but is instead “staking out lots.”

The application maps out lots, and future residents (or developers) would buy the plots to build a single-family houses on them. If the PUD is approved, only the infrastructure would be installed, Teich says.

The process of challenging Capital Hill PUD isn’t close to ending. The Eugene Planning Commission will have three open-record periods.

Dorsey and Teich say they aren’t positive the Planning Commission will reject the proposal based on technical matters, so it’ll likely go to LUBA again. ■

The Eugene Planning Commission is only accepting written testimonies regarding the technical matters of Capital Hill PUD until 5 pm Tuesday, June 18. Send written comments to NGioello@eugene-or.gov or hand deliver to the city’s Planning Division, located at 99 W. 10th Avenue.

**Oregon
Country Fair**

JULY 12 • 13 • 14 2019

DON'T MISS A MINUTE! GET YOUR TICKETS TODAY. TICKETSWEST.COM OR 800 992 8499
ENTERTAINMENT SCHEDULES AND MORE INFORMATION AVAILABLE AT OREGONCOUNTRYFAIR.ORG