



Laurel Hill Valley Citizens

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September 2, 2015

Mr. Fred Wilson, Hearings Official
c/o Gabriel Flock
Planning
City of Eugene
99 West 10th Ave.
Eugene OR 97401

Re: Z-15-005 - Laurel Hill Valley Citizen's Association 1st Open Record Submittal

Dear Mr. Wilson:

This letter and the attachments comprise the evidence submitted during the first open record period relating to the Zone Change application for the Laurel Ridge property. LHVC previously submitted written comments regarding this matter on August 14, 2015, and some additional information at the hearing on August 26th.

The Issue

As outlined in detail in the previously submitted evidence and during the presentations at the hearing, there are multiple issues with the registration of the property on the Metro Plan Diagram as presented on Applicant's Sheet ZC-4. These include variable north references for the two different layers that were superimposed to determine the location of the property boundaries relative to the zoning designations on the Metro Plan Diagram, and horizontal movement of property to the northwest, resulting in incorrect location of the City Limits relative to Spring Boulevard.

On Applicant's Sheet ZC-2, they show their property boundary (no other tax lots are shown), the partially coincident City Limits and UGB, and the centerline of 30th Avenue. Based on the orientation of these boundaries, the map is aligned with True North pointing straight up.

On Applicant's Sheet ZC-3, they show the Metro Plan Zoning Designations, the UGB from the Metro Plan, and 30th Avenue and Spring Boulevard as shown on the Metro Plan Diagram. Given the orientation of the north boundary of Bloomberg Park in the SE portion of this map, this diagram is aligned with Grid North in the State Plane Coordinate System and True North is rotated 2° clockwise from straight up.

On Applicant's Sheet ZC-4 they overlay the two maps, keeping the orientation of both maps identical to that of Sheets ZC-2 and ZC-3. As a result, the Metro Plan Diagram is oriented to Grid North, and the Property, City Limits, and UGB are aligned with True North.

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During the hearing the applicant repeatedly stated that they had indeed aligned both maps correctly (“kept north pointing north”) and to the same north datum. However, we disagree. We further postulate that the rotation of the layers relative to one another allows the applicant to slide the property to the northwest along the NW-SE alignment of 30th Avenue, further reducing the amount of POS zoning designation on the parcel.

New Evidence

In order to rectify the applicant’s error, LHVC has prepared five different maps, designated LHVC Sheet 9/2/15-01 through -05, which are attached. These maps use two different Metro Plan Diagram versions and the Applicant’s Sheets ZC-2 and ZC-3. The following section provides a short explanation for each of LHVC’s maps.

LHVC Sheet 9/2/15-01

This sheet is the correct overlay of Applicant’s Sheet ZC-2 onto ZC-3 (equivalent to Applicant’s Sheet ZC-4). The map portion of applicant’s Sheet ZC-2 (containing the property, City Limits, UGB and 30th Ave. Centerline) has been overlaid onto Applicant’s Sheet ZC-3 (Metro Plan Diagram). In order to align both maps to the same datum (State Plane Coordinate System) Applicant’s Sheet ZC-2 has been rotated 2° clockwise to match the Metro Plan Diagram. The North Arrow has been rotated to match. No other modifications have been made to the Applicant’s maps. It is immediately apparent that the 30th Avenue Registration fits better than the applicant’s version and that the City Limits are now correctly located on the east side of Spring Boulevard. The registration of the property on the Metro Plan Diagram on this version of the map looks remarkably similar to Applicant’s Sheet SA7.0 from the 2012 PUD application.

LHVC Sheet 9/2/15-02

This sheet is very similar to LHVC Sheet 9/2/15-01 except that the Applicant’s Sheets ZC-2 and ZC-3 have both been aligned with True North, which required 2° counter-clockwise rotation for Applicant’s Sheet ZC-3. Again the registration is nearly identical to Applicant’s Sheet SA7.0 from the previous PUD application.

LHVC Sheet 9/2/15-03

This sheet shows the to-scale overlay of the Applicant’s entire Sheet ZC-2 onto a high-resolution-scan of a printed copy of the adopted 2004 Metro Plan Diagram which LHVC obtained from City Planning Staff. The Applicant’s sheet was rotated 2° clockwise to account for the State Plane Coordinate System alignment of the Metro Plan Diagram. Due to the 1" = 7,000' scale on the diagram, the applicant’s map nearly vanishes at this scale.

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LHVC Sheet 9/2/15-04

This map is a cropped enlargement of the section of the Metro Plan Diagram with the Applicant's Sheet ZC-2 overlaid which was presented as LHVC 9/2/15/-03. Its similarity with all the other sheets and Applicant's Sheet SA7.0 is again obvious. Moreover, it should be pointed out that the enlargement results in some fuzziness of the Metro Plan Diagram, which, for some reason is not present on the Applicant's maps (Sheets ZC-3 and ZC-4).

LHVC Sheet 9/2/15/-05

Although the applicant maintains in their testimony that tax lot maps are highly inaccurate and unreliable, this map shows that the applicant's lot can be placed on the Metro Plan Diagram using unmodified tax lot maps. Two maps were necessary for this purpose, as the applicant's property is not in one piece on any of the tax lot maps that also have the applicant's other referents. These tax lot maps have been scaled using the applicant's scale from their Sheet ZC-3 (which forms the base) and lengths of property lines as indicated on the tax lot maps. The resulting registration of the centerline of 30th Avenue and Spring Boulevard is at least as good if not better than the applicant's version (Sheet ZC-4). Also the boundaries of Bloomberg Park coincide with the boundaries of TL 800 on the tax lot map. Moreover, the applicant's property from the tax lot maps once again fits on the Metro Plan Diagram very similarly to all the other maps presented here as attachments.

The quality of the registration achievable with just the tax lot maps should not be surprising given the fact that LCOG indicates that these have the best control of all layers in LCOG's GIS. This is due to the fact that these maps are based entirely on field-surveyed data.

Other Considerations

Applicant's counsel maintained during the hearing that he had checked the Land Use ORSs and had not found any requirements to present maps oriented to the State Plane Coordinate System. This is because this requirement is in ORS 93.312, where it states unequivocally:

- ... (2) A description of land that contains coordinates associated with the position of a point on a land boundary must:
 - (a) Use the Oregon Coordinate System;
 - (b) Use one specified zone and system for the entire description;...

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The statute can be accessed at the following URL:

<http://www.oregonlaws.org/ors/93.312>

Conclusions

The attached maps, prepared by LHVC, show unequivocally that excellent registration can be achieved using the Applicant's own materials, which Applicant insisted were either based on actual survey data, or scanned from an original copy of the Metro Plan Diagram. This registration requires a 2° clockwise rotation of the applicant's surveyed map of the property and accompanying 30th-Avenue centerline "referent". The relationship of the property's boundaries to the Zoning Designations on the Metro Plan Diagram map is then for all practical purposes identical to Applicant's Sheet SA 7.0 from the previous application (on which all layers are, however, oriented to True North).

Recommendation

Laurel Hill Valley Citizens strongly recommends rejection of the applicant's version of the overlay of the property onto the Metro Plan Diagram (Applicant's Sheet ZC-4). In addition to the obvious errors on ZC-4 pointed out by LHVC, we have submitted several more accurate registrations of the property, both on the applicant's scan of the Metro Plan Diagram, and on an independently scanned version. The application should be denied on the basis of not being consistent with the Metro Plan Diagram, thus failing to meet approval criterion EC 9.8865(1).

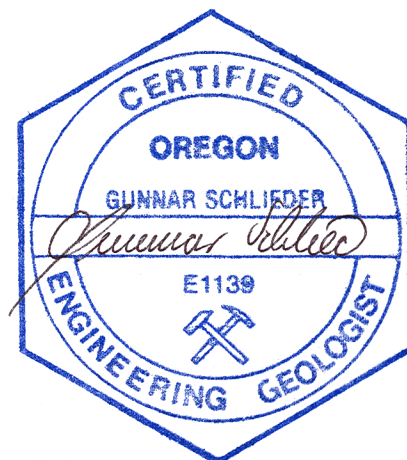
Alternatively, the application could be amended by the applicant by substituting a map with better registration for the Applicant's Sheet ZC-4. Ideally, this new map would be verified by an independent entity such as LCOG.

Sincerely,

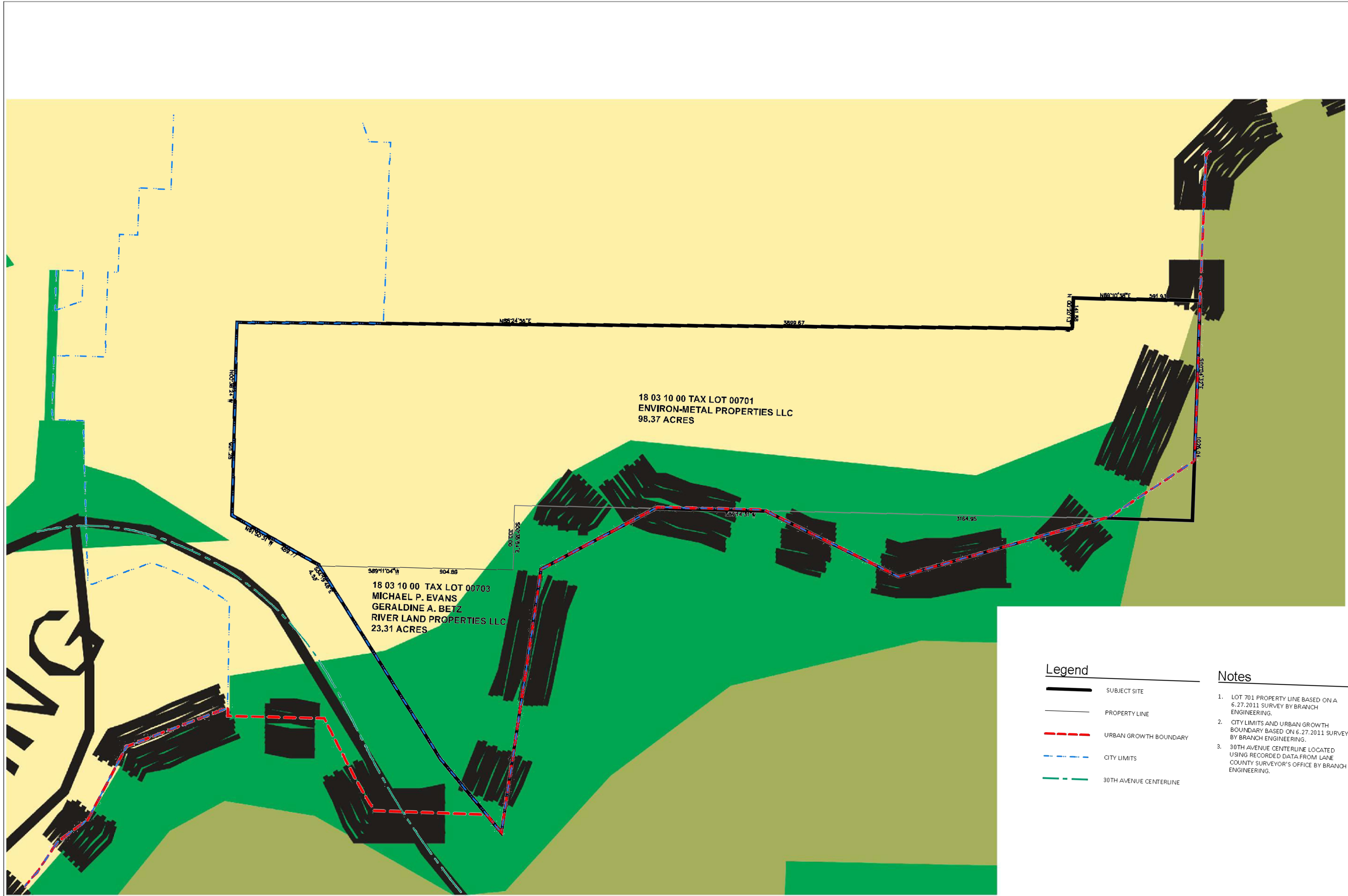


Gunnar Schlieder, Ph.D., CEG
Jan Wostmann
Co-Chairs, Laurel Hill Valley Citizens

Att: LHVC Sheets 9/2/15-01 through -05



Expires 12/31/2015



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ZONE CHANGE: ADOPTED
2004 METRO PLAN DIAGRAM
LAURELRIDGE
MAP 18-03-10-00, LOTS 701 & 703
 NEAR 30TH AVENUE AND SPRING BLVD., EUGENIE OREGON



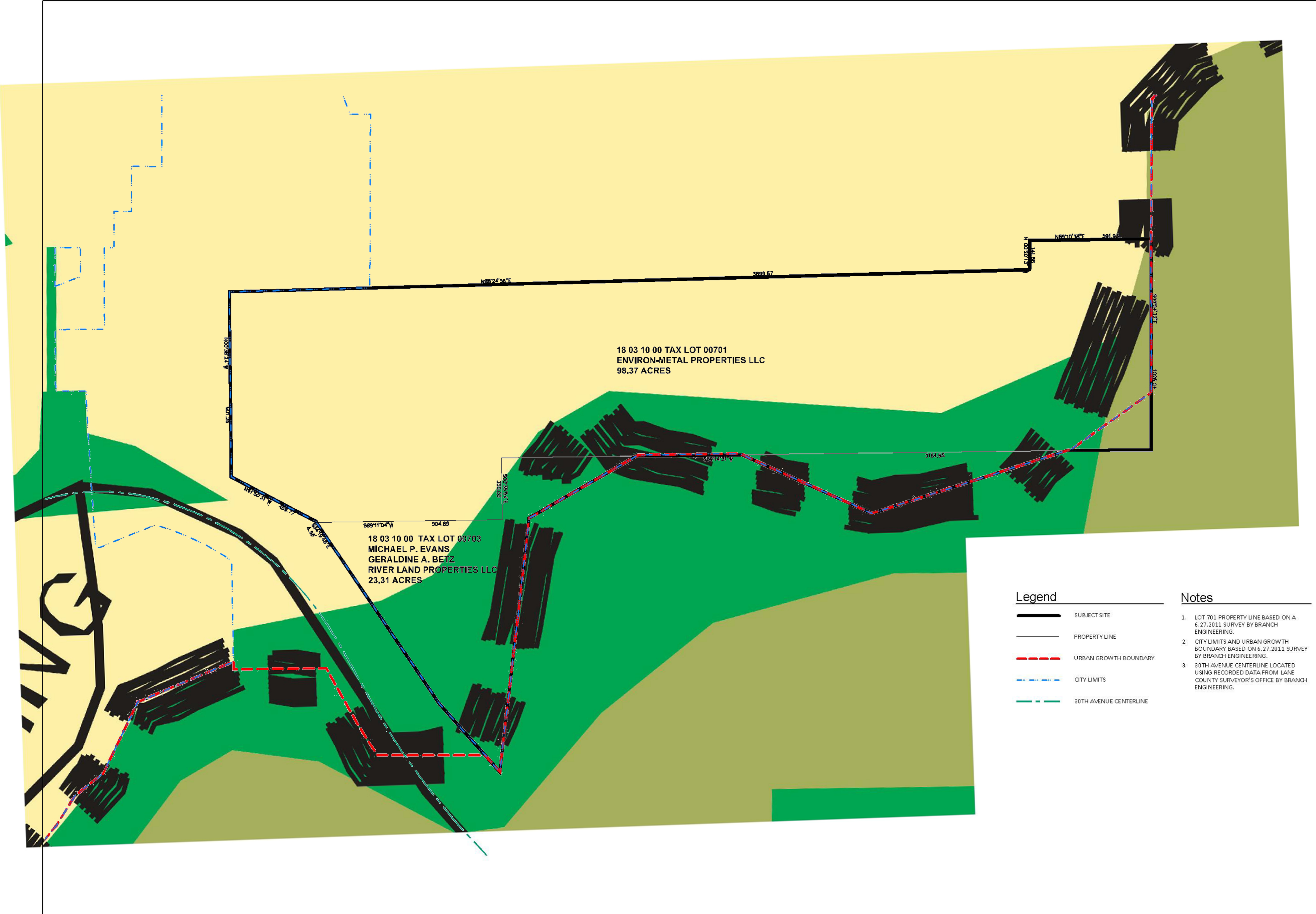
Revisions	#	Date	Description

Project Number	1506
Drawn By	JSE
Checked	RMS
Date	5-15-2015
Phase	ZONE CHANGE

ZC-3

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LHVC Sheet 9/2/15-01



18 03 10 00 TAX LOT 00701
 ENVIRON-METAL PROPERTIES LLC
 98.37 ACRES


18 03 10 00 TAX LOT 00703
 MICHAEL P. EVANS
 GERALDINE A. BETZ
 RIVER LAND PROPERTIES LLC
 23.31 ACRES

Legend


- SUBJECT SITE
- PROPERTY LINE
- URBAN GROWTH BOUNDARY
- CITY LIMITS
- 30TH AVENUE CENTERLINE

Notes

1. LOT 701 PROPERTY LINE BASED ON A 6-27-2011 SURVEY BY BRANCH ENGINEERING.
2. CITY LIMITS AND URBAN GROWTH BOUNDARY BASED ON 6-27-2011 SURVEY BY BRANCH ENGINEERING.
3. 30TH AVENUE CENTERLINE LOCATED USING RECORDED DATA FROM LANE COUNTY SURVEYOR'S OFFICE BY BRANCH ENGINEERING.



LANDSCAPE ARCHITECTS



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REGISTERED
 LANDSCAPE ARCHITECT
 RICHARD SATRE
 OREGON

**ZONE CHANGE:
 SUBJECT PROPERTY**

LAURELRIDGE
 MAP 18-03-10-00, LOTS 701 & 703
 NEAR 30TH AVENUE AND SPRING BLVD., EUGENE, OREGON

Scale 1" = 20'

Revisions		
#	Date	Description

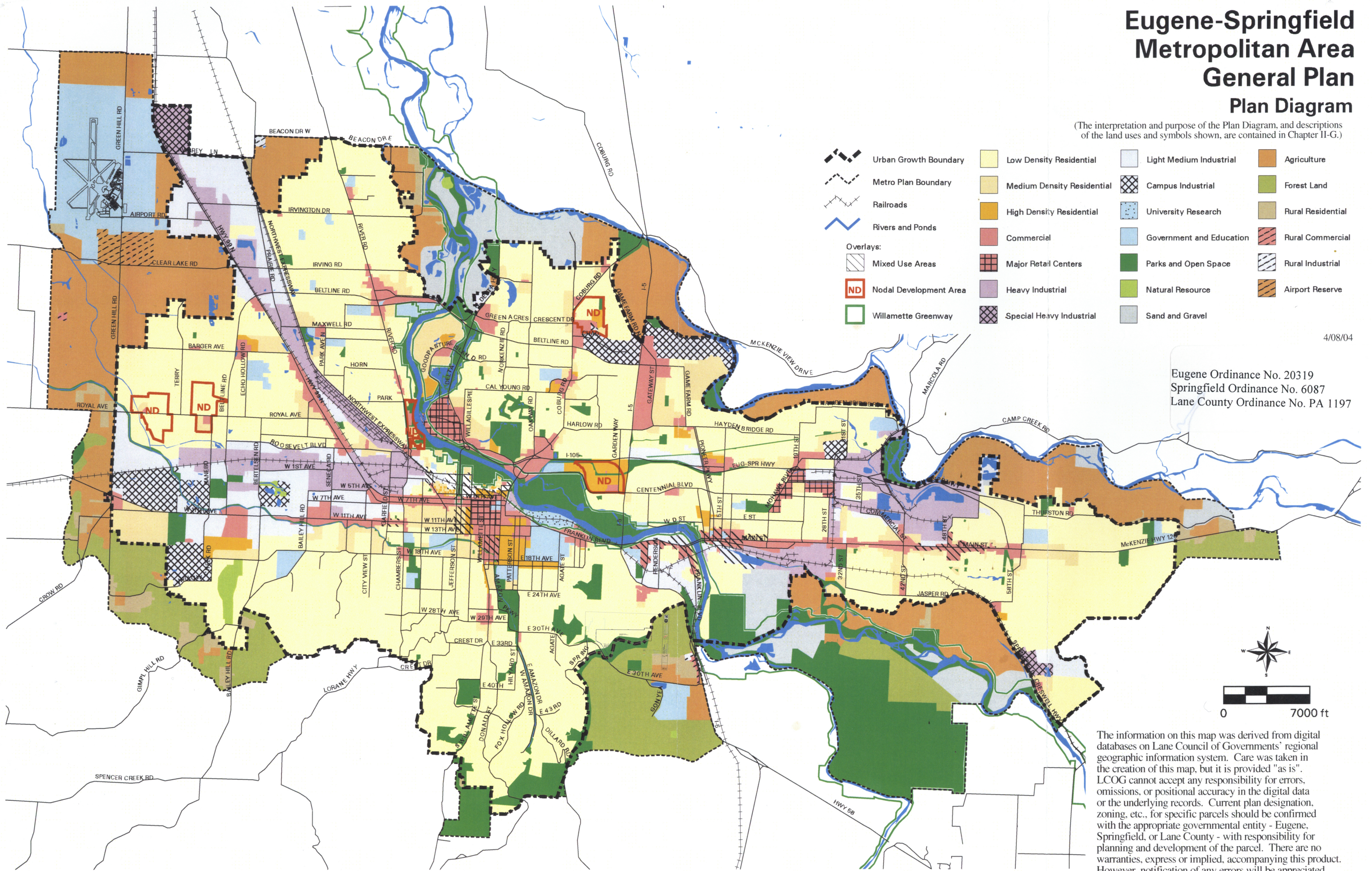
Project Number	1104
Drawn By	JSB
Checked	RMS
Date	5-15-2015
Phase	ZONE CHANGE

ZC-2

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Eugene-Springfield Metropolitan Area General Plan Plan Diagram

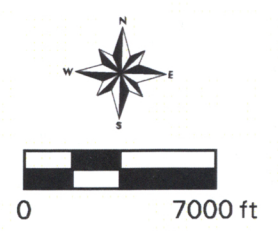
(The interpretation and purpose of the Plan Diagram, and descriptions of the land uses and symbols shown, are contained in Chapter II-G.)



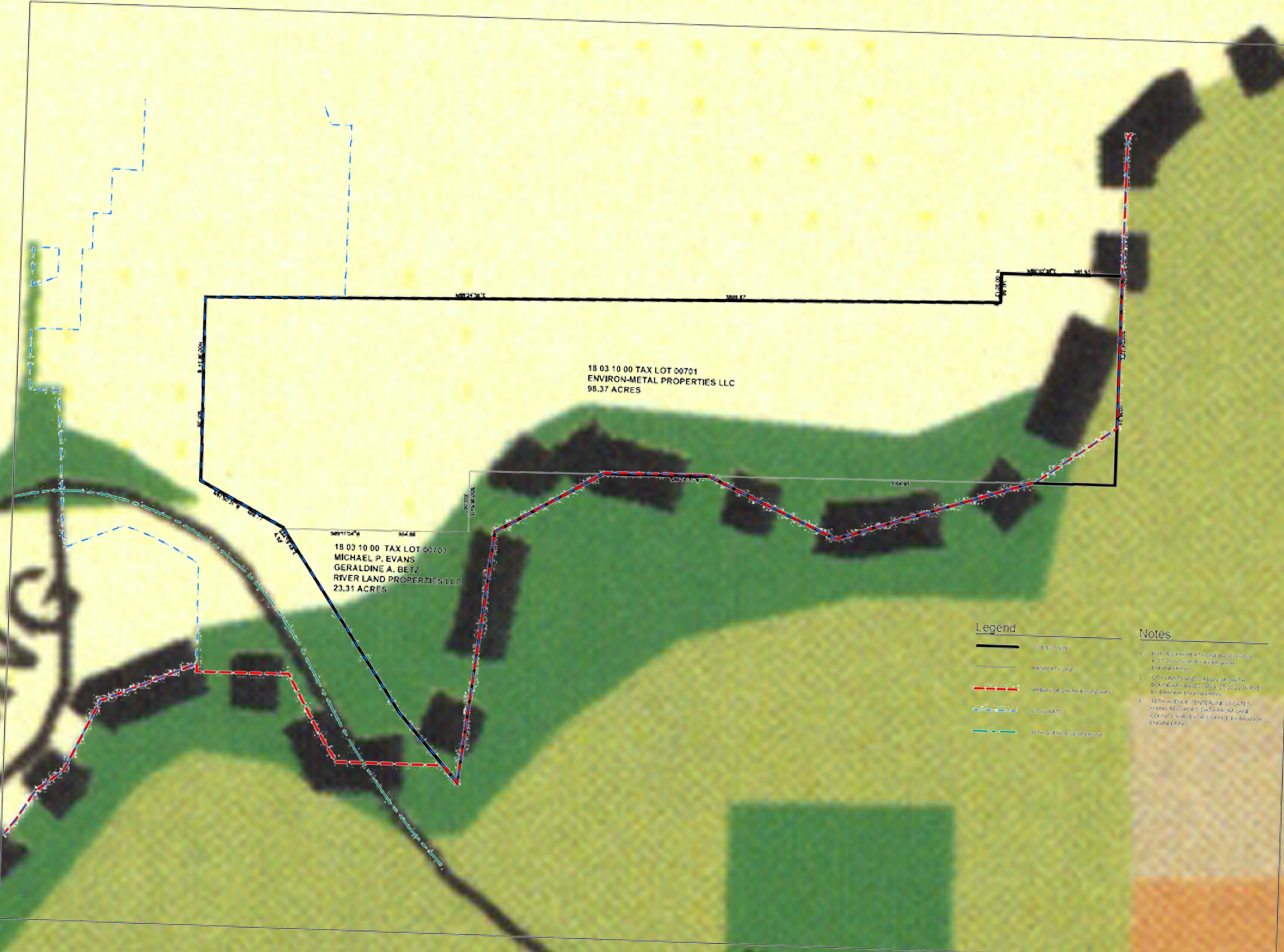
- | | | | |
|------------------------|----------------------------|--------------------------|-------------------|
| Urban Growth Boundary | Low Density Residential | Light Medium Industrial | Agriculture |
| Metro Plan Boundary | Medium Density Residential | Campus Industrial | Forest Land |
| Railroads | High Density Residential | University Research | Rural Residential |
| Rivers and Ponds | Commercial | Government and Education | Rural Commercial |
| Overlays: | Major Retail Centers | Parks and Open Space | Rural Industrial |
| Nodal Development Area | Heavy Industrial | Natural Resource | Airport Reserve |
| Willamette Greenway | Special Heavy Industrial | Sand and Gravel | |

4/08/04

Eugene Ordinance No. 20319
Springfield Ordinance No. 6087
Lane County Ordinance No. PA 1197



The information on this map was derived from digital databases on Lane Council of Governments' regional geographic information system. Care was taken in the creation of this map, but it is provided "as is". LCOG cannot accept any responsibility for errors, omissions, or positional accuracy in the digital data or the underlying records. Current plan designation, zoning, etc., for specific parcels should be confirmed with the appropriate governmental entity - Eugene, Springfield, or Lane County - with responsibility for planning and development of the parcel. There are no warranties, express or implied, accompanying this product. However, notification of any errors will be appreciated.



18 03 10 00 TAX LOT 00701
 ENVIRON-METAL PROPERTIES LLC
 98.37 ACRES

18 03 10 00 TAX LOT 00703
 MICHAEL P. EVANS
 GERALDINE A. BETZ
 RIVER LAND PROPERTIES LLC
 23.31 ACRES

Legend

- DISTRICT BOUNDARY
- ADJACENT BOUNDARY
- - - - VISIBLE SURVEY BOUNDARY
- - - - CITY LIMITS
- - - - SUBMITTED CORRECTION

Notes

1. LOT 18 03 10 00 TAX LOT 00701 AND 00703 SURVEY BY BRADSHAW ENGINEERING.
2. CITY LIMITS AND ADJACENT BOUNDARY BASED ON 2011 SURVEY BY BRADSHAW ENGINEERING.
3. BOTH LOTS ARE LOCATED WITHIN RIVERLAND COMMUNITY DEVELOPMENT AREA. CITY OF LAUREL RIDGE COUNTY SUPERVISOR'S OFFICE BY BRADSHAW ENGINEERING.



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**ZONE CHANGE:
 SUBJECT PROPERTY**

LAUREL RIDGE
 MAP 18-03-10-00, LOTS 701 & 703
NEAR 10TH AVENUE AND 85TH STREET, BOSSIERE, LOUISIANA



Project Name	Client	City	County	Parcel No.	Map No.

Prepared By	Checked By	Date	Project	Scale

ZC-2



REVISIONS:
4/21/2010 - LCAT115 - CONVERT MAP TO GIS
7/28/2010 - LCAT114 - MEC MAP CORR TO TL 1400
9/15/2010 - LCAT115 - ADDED LANDHOOK TO TL 703

18031000
EUGENE

GIS DATA
9/15/2010 8:36:05 AM : lcatcab

FOR ASSESSMENT AND TAXATION ONLY

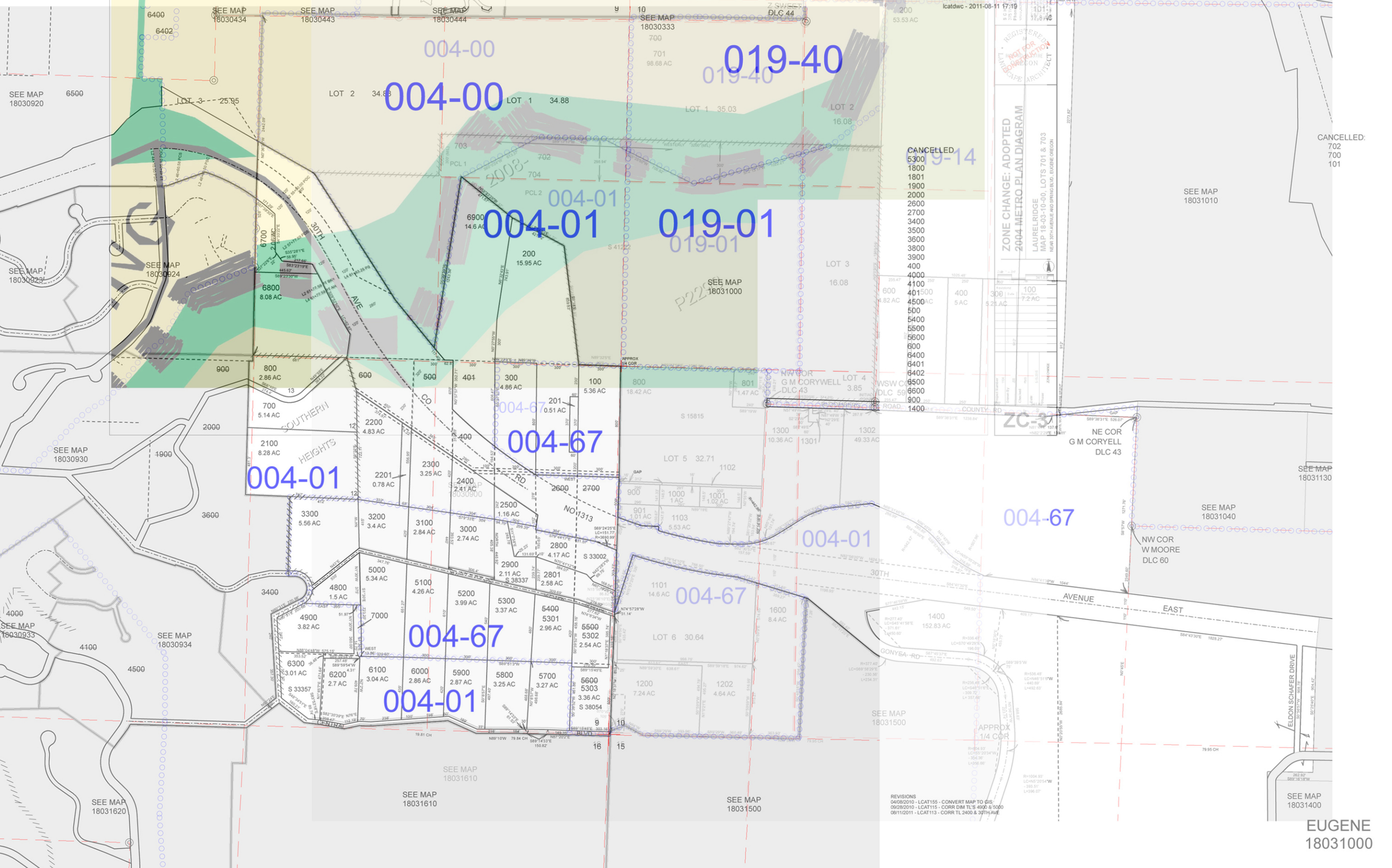
FOR ASSESSMENT AND TAXATION ONLY

SECTION 10 T.18S. R.3W. W.M.
Lane County
1" = 400'

SECTION 9 T.18S. R.3W. W.M.
Lane County
1" = 400'

18030900
EUGENE

SEE MAP 18030340



REGISTERED
LANDSCAPE ARCHITECT
LAUREL RIDGE
MAP 18-03-10-00, LOTS 701 & 703
NEAR 30TH AVENUE AND SPRING BLVD, EUGENE, OREGON

CANCELLED
9-14

CANCELLED:
702
700
101

EUGENE
18030900

EUGENE
18031000

LHVC Sheet 9/2/15-05