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## Fate of Downtown Apartment Building Undecided

By Cathy Tyson



Proposed development behind Panda Express Illustration provided by Heller Manus Architects, San Francisco

The 1.47 acre gravel parking lot behind Panda Express may be ever so slowly progressing toward development. It's been a circuitous route for the proposed C-shaped, 87-unit apartment building with one, two, and three bedroom units, known as Town Center III. The preliminary plans, after the first go-round of review will definitely be adjusted, more on that below. But at the moment the project features parking on two levels, accessible from Dewing Avenue behind the Pet Food Express store. There is also a courtyard divided into public and private areas, with access to the public section from the BART pathway, and a 2,500 square foot community plaza/sculpture park.

At a recently held Joint Meeting with the City Council, Planning Commission, and Design Review Committee, representatives of KB Home, Inc and Lafayette Residential Partners were hoping to see if there was support for the project or not, which will determine if they file a formal application for development.

In general, city staff support a multi-family project at this location because of its proximity to BART, shopping, and parks and find it "an ideal site for higher density housing," said Niroop Srivatsa in a Staff Report.

Other plusses include providing affordable housing units, public open space, and improved access to BART. "However...as the marked up plans indicate, we cannot

as yet find the project to be consistent with the Settlement Agreement. This is a project of significant size and scale and more changes are needed to reduce its visual impact, ensure safe circulation and improve its exterior aesthetic. Therefore staff cannot recommend approval at this time," said Srivatsa.

Design Review Commissioner Bill Marquand echoes that sentiment, "I really do like the idea of density near BART - an excellent idea and a valiant effort. But I'm concerned with the monolithic mass." City Council Member Mike Anderson is also on the fence, "The building faces the back end of restaurants with dumpsters - not sure how these are going to relate. I like the public/private sharing of space. I think we're going in the right direction but we're not there yet." Planning Commissioner Tom Chastain said, "The whole bottom edge has presented itself as a series of afterthoughts. The towers are totally without value to me - this is not a hill town in Italy."

Public comment was less than supportive, "It's a huge building for Lafayette," said Marie Blits. "Now Lafayette has a fort," said Guy Atwood of the drawing's fortress-like appearance.

How did the City get to this point? Eleven years ago the City Council made an agreement with Lafayette Town Center Associates to redevelop 4.84 acres in the downtown core. Phase I and II were built and are now occupied. Moving on, the 2003 application of Lafayette Residential Partners, formerly Lafayette Town Center Associates for a 73-unit apartment building was found to be inconsistent with the BART Block Specific Plan, so that application was withdrawn. A couple of years later the property owner made a deal with KB Home to purchase the property, but shortly thereafter KB opted out.

A Settlement Agreement was entered by the City to resolve a dispute in May of 2006 in the Development Agreement. In February of 2008 amendments to the Settlement Agreement were made that spelled out details of the residential project: design, uses, affordable housing requirements and more. These specific terms of the amended Settlement Agreement were summed up in the Fourth Amendment to the Development Agreement that was approved in April of 2008. The Development Agreement freezes the city's rules and regulations to the original approval date - April 27, 1998. At that time there was no established height limit in the downtown, although the project is "governed by the BART Block Specific Plan which establishes a three story maximum limit," notes a staff report.

At this point architectural firm Heller Manus has received preliminary comments by the City Council, Planning Commission and Design Review, but a date has not been set for the next meeting. The Council requested that it be in late June or early July to give architects time to incorporate suggested changes.

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