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Lafayette Civic News

Public Meetings

City Council

Tuesday, October 11, 7:00 pm
Lafayette Library & Learning Center,
Community Hall, 3491 Mt. Diablo Blvd

Planning Commission

Monday, October 3, 7:00 pm
Lafayette Library & Learning Center,
Community Hall, 3491 Mt. Diablo Blvd

Design Review

Tuesday, October 11, 7:00 pm
Lafayette Library & Learning Center
in the Arts & Science Discovery
Center at 3491 Mt. Diablo Blvd.

School Board Meetings

Acalanes Union High School District

Wednesday, October 5, 7:30 pm
Board Room AUHSD Office
1212 Pleasant Hill Rd, Lafayette
www.acalanes.k12.ca.us

Lafayette School District

Wednesday, October 12, 7:00 pm
LAFSD Office
3477 School Street, Lafayette
www.lafsd.k12.ca.us

Check online for agendas, meeting notes and announcements

City of Lafayette:

www.ci.lafayette.ca.us

Chamber of Commerce:

www.lafayettechamber.org

Zoning Issue Heading to Home Stretch

By Cathy Tyson

Discussion on the controversial proposed downzoning of the acreage commonly known as the Christmas Tree Lot is slowly moving toward a conclusion. With two distinct groups at a recent City Council meeting, those in favor and those against, and a concerned City Council that has to decide the matter, the long simmering debate is reaching a head. Because of recently received documents from attorney for the landowner and developer, Allan Moore, the City Council wanted to take a time out so legal counsel could review and analyze the situation. At the meeting those in attendance were invited to offer comments on the matter, which will be open for more discussion, and ultimately a decision, at a later date.

For the first time ever, the landowner, Anna Maria Dettmer who flew down from the northwest to attend, gave emotional testimony: "I plan to fight to protect my prop-

erty rights." She grew up in Lafayette, went to Acalanes High School and called the matter "critically important."

"What you are proposing is unconstitutional," declared Moore, attorney for Dettmer and the developer, O'Brien Land Company. Back in March, an application for a 315 unit multi-family housing complex was submitted to the City, additional information was requested and the application was deemed complete in July of this year. The zoning for the parcel is currently APO – Administrative Professional Office that allows up to 35 units per acre to be built. The City is working through the process of changing it to LR-5 – one unit per five acres of land.

The City of Lafayette has been considering re-zoning the parcel, and four others along Deer Hill Road, for some time and finally directed staff to start the process in late

April of 2010. Directing the process to start and completing the process are two different things – to date the downzoning has not been finalized.

A number of representatives from area homeowners associations including Springhill Valley, Secluded Valley and Silver Dell stated there was broad support of the proposed downzoning among their many members. Marie Blitz of the Lafayette Homeowners Council noted that since the matter is being continued to a later date, they will comment next time. A parade of residents came forward reiterating the concerns they've had all along about traffic, the visibility of the parcel, aesthetics and the affect on property values.

Longtime opponent Eliot Hudson called the proposed project not consistent with the character of Lafayette and sited case law about a similar matter in Morgan Hill where attorneys decided that maintaining a

unique character was a rational reason for re-zoning.

In a dramatic highlight of the evening a resident and land use attorney stated, "I am really unhappy the City is gambling with our tax dollars," he predicted the matter will "go down in flames" for a number of reasons. He advised the City to take careful steps, adding, "you will lose this case," and pointed out the City of Half Moon Bay ended up paying \$50 million in damages.

A quick check reveals the final judgment of a very convoluted case was rendered in federal court by Judge Vaughn Walker for \$36.8 million plus legal fees against the city of Half Moon Bay in 2007 for a dispute over a 24-acre parcel purchased by a developer who planned to build an 83-unit subdivision. That City Council eventually decided to settle with developer Keenan Land Company for \$18 million.

Toasty Crowds Gather on the Boulevard for Art and Wine Festival

After two ridiculously hot days, the popular Art and Wine festival came to a close without any major incidents, besides schvitzing. Taking advantage of social networking, there was a lot of Tweeting and Facebook messaging going on this year to promote the annual fundraiser. "It was very successful – tons of people took BART and over 100 cyclists per day used the bicycle garage," said chief organ-

izer and Executive Director of the Chamber of Commerce Jay Lifson. He had a litany of compliments for the army of volunteers who made it all possible and the fabulous musical talent that graced the multiple stages over the weekend. "It was great to watch the City turn into a village overnight, and back to business as usual by Monday morning," said Lifson. C. Tyson

Unstoppable force meets moveable object, 9/12/11 Two cars got car-rumpled when they both failed to yield before making their turn.

Oh, so petty, 9/12/11 Petty Theft: Is that you behind those Foster Grants? Just who stole a pair of \$200 sunglasses from a Lafayette business? We may never know.

Sleep Driving? 9/13/11 It is so annoying to park your car overnight and come out the next morning to find it gone. A Lafayette resident is hoping the missing 1996 Honda comes home soon.

A Petition Against Petitioners, 9/13/11 An elderly woman complained to police that she was being harassed by petitioners, whom she described as "unreasonable." After a stern talking-to by police, the petitioners left the area, presumably to find a more receptive audience.



Police Report



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RICK ASHBURN, CFA is Chief Investment Officer of CREEKSIDE PARTNERS in Lafayette.

He was a recent guest on CNBC's *Power Lunch*, and has also appeared on Fox Business News and the Fox Radio Network. He has been a featured columnist on *Forbes.com* and Reuters News and was featured in the San Francisco Chronicle and Dallas Morning News in September 2011.

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