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# Lafayette

## Civic News

### Public Meetings

#### City Council

Tuesday, October 9, 7:00 pm  
Lafayette Library & Learning Center,  
Community Hall, 3491 Mt. Diablo Blvd

#### Planning Commission

Monday, October 1, 7:00 pm  
Lafayette Library & Learning Center,  
Community Hall, 3491 Mt. Diablo Blvd

#### Design Review

Tuesday, October 9, 7:00 pm  
Lafayette Library & Learning Center,  
Arts & Science Discovery Center,  
3491 Mt. Diablo Blvd.

#### School Board Meetings

##### Acalanes Union High School District

Wednesday, October 3, 7:30 pm  
Board Room AUHSD Office  
1212 Pleasant Hill Rd, Lafayette  
www.acalanes.k12.ca.us

##### Lafayette School District

Wednesday, October 10, 7:00 pm  
Regular Board Meeting  
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  
Phone: (925) 284-1968

#### Chamber of Commerce:

www.lafayettechamber.org

## Controversial Downtown Specific Plan Given Okay

By Cathy Tyson

The Community Hall was half empty by the time City Council members finally unanimously approved the controversial Downtown Specific Plan after six years of passionate discussion and conflicting views of the future of Lafayette. The Downtown Specific Plan is meant to supplement and specify goals and policies spelled out in the General Plan – clarifying for potential developers what’s allowable.

City Manager Steven Falk pointed out in a recent edition of *Vistas* that there is a substantial amount of common ground on the majority of the Plan: downtown parks, sustainability, convenient housing for young and old, walkways, and preservation of historic Plaza Way. Major friction, however, surrounded downtown building heights. Despite the debate, building heights up to 45 feet and a maximum of three stories were approved and will be added to the Gen-

eral Plan as an amendment, with two significant strings attached - only with City Council permission and with strict benefit requirements will a project be given a green light. Ultimately the City Council certified the Final Environmental Impact Report, amended the General Plan and adopted the Downtown Specific Plan.

“It’s been interesting,” said Special Projects Manager Ann Merideth, “a complex but enlightening process.” Residents once again offered input, both pro and con for roughly two hours prior to the final decision. Council members were well aware of the chasm the Downtown Specific Plan has caused among residents and tried to be conciliatory.

To set the stage for the final decision, Planning and Building Services Manager Nitroop Srivatsa explained Housing Element requirements. Cities across California are required to have a fixed number of housing

units available for low and moderate income families available through an inventory of sites that have the potential for development. The Association of Bay Area Governments is responsible for the Regional Housing Needs Allocation, or RHNA, which spells out exactly how many very low to moderate income housing units the city must provide. The Downtown Specific Plan will support the city’s ability to provide that mandated low income housing.

The requirement for the 2007-2014 cycle is 361 units spread across a range of low income categories. At one point in the long, multi-year process, the Lafayette Homeowners Council proposed a 25-foot height limit. City staff crunched the numbers and found, “it poses a significant obstacle in the delivery of affordable units,” concluded the staff report prepared for the September 10, 2012 meeting.

If the city does not meet its housing numbers, it’s deemed not in compliance. City Attorney Mala Subramanian described legal and monetary ramifications, calling them “significant.” She explained that the City of Pleasanton was recently sued for not complying; the global settlement included \$2 million in attorneys’ fees and several civic impacts.

Some residents complained that they were deeply concerned that the housing numbers are driving the Downtown Specific Plan. Others, like Larry Blodgett who was on the original Advisory Committee at the beginning of the process, said that there was input from all community groups up front; he called the Downtown Specific Plan, “necessary to fine tune our General Plan” and noted future projects, especially those with heights between 35 and 45 feet will be under a microscope.

## Commission Recommends Denial of Tall Condo Project

By Cathy Tyson

Looks like the gravel parking lot behind Panda Express is going to stay there – at least for now. At last week’s Planning Commission meeting the applicant, KB Home, had a public hearing on its proposed five-story, 74-unit condominium project called Town Center III.

For a variety of reasons, Planning Commissioners couldn’t support the project as is. Their primary concerns were the reconfigured fifth story and circulation in and out of the parking area. While all Commissioners agreed that multi-family housing at this site is the best use of the parcel with its prox-

imity to BART, many believe that this proposed structure is still too high, measuring 71 feet tall at its apex.

KB Home Senior Vice President Ray Panek recapped the project’s journey as it went through several Design Review sessions and was scaled back in response to concerns about height and mass. Originally the project had 81 condominium units, this last version had shrunk to 74 with high quality finishes and more parking stalls than required. “We worked with the Design Review Commission

to understand what is approvable,” said Panek, summarizing KB Home’s position.

While there are several documents governing this contentious parcel, City Attorney Mala Subramanian, who unfortunately had a conflict and couldn’t be in attendance, prepared a letter outlining the City’s legal responsibilities, given its convoluted history with a Settlement Agreement, Development Agreement and Process Agreement.

Senior Planner Christine Sinnette

summed up the situation in a staff report, “What this means is that this current project is to be reviewed based on the 1974-2002 General Plan which does not establish a height limit for development in the Downtown, 1998 Zoning Ordinance (through Ord. 468) which does not require grading or tree permits, and 1986 BART Block Specific Plan (BBSP) which established a three-story maximum height limit.”

Not all of the Planning Commissioners saw eye to eye on the governing documents. ... continued on page A8

## Police Report



### Lafayette Police Summary

#### Week of September 9-15, 2012

- Animal:**  
3500 block Mt. Diablo Blvd  
Pleasant Hill Rd. @ Taylor Blvd
- Battery:**  
1000 block 2nd St  
3500 block Moraga Blvd
- Burglary:**  
900 block Leland Dr  
1000 block Dolores Dr (proowler heard)  
4000 block Mt. Diablo Blvd—twice (auto)  
3400 block School St (auto)
- Disturbances:**  
Boswells  
100 block Reliez Valley Ct  
500 block Arrowhead Dr (harassment)  
800 block Acalanes Rd (juvenile)  
3300 block Woodview Dr (juvenile)  
3200 block Elvia St  
Rahara Dr @ Upper Happy Valley Rd (music)  
3600 block Mt. Diablo Blvd  
Old Tunnel Rd @ Pleasant Hill  
100 block Olde Creek Pl  
900 block Leland Dr  
Mt. Diablo Blvd @ Thompson Rd (party)  
3300 block Springhill Rd  
2700 block Roher Dr  
Deer Hill Rd @ N Thompson Rd  
1000 block Brown Ave  
1000 block 2nd Street  
900 block Dewing Ave (fight)  
1000 block Rahara Dr
- Fraud:**  
3300 block Las Huertas Rd  
3900 block Woodside Ct

- Hit and Run:**  
900 Block Moraga Rd
- Shooting:**  
1600 block Springbrook Rd
- Suspicious:**  
3100 block Rohrer Dr  
700 block St. Mary’s Rd (vehicle)  
Linda Vista Lane @ Old Tunnel Rd (subject)  
Condit Court @ Condit Rd (circumstances)  
600 block Los Palos Dr (circumstances)  
3600 block Mt. Diablo Blvd (vehicle)  
Bradbury @ Silverado Dr (vehicle)  
3900 block Happy Valley Rd (subject)  
3200 block Mt. Diablo Ct (vehicle)  
El Curtola Bl @ Hwy 24 (subject)  
El Nido Ranch Rd @ Pine Ln (vehicle)  
Camino Diablo @ Stanley Blvd (circumstance)  
3300 block Mt. Diablo Blvd (subject)  
El Charro parking lot (subject)  
700 block Moraga Rd (circumstance)  
100 block W Arbor Wy—twice (vehicle)  
Acalanes Av @ Nogales St (vehicle)  
Buchan Dr @ Old Tunnel Rd (vehicle)  
Acalanes @ El Nido Ranch Rd—twice (vehicle)  
Mt. Diablo Blvd (subject)  
800 block Reliez Station Rd (subject)  
Brook St. @ Hough Ave (subject)  
500 block St. Mary’s Rd (vehicle)
- Theft:**  
3200 block Camino Colorados (access card)  
900 block Acalanes Rd  
1000 block 2nd St (vehicle)  
3600 block Mt. Diablo Blvd (vehicle)
- Vandalism:**  
100 block Cricket Hill Rd  
3200 block Marlene Dr  
3500 block Mt. Diablo Blvd  
3600 block Bickerstaff St
- Traffic Stops:**  
Over 92 traffic stops logged within the week.

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**SALE!**  
Fri-Sun, Oct. 5-7, 10am-6pm

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