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## Much Smaller Terraces Development

*Proposed Plan includes deal with city for park facilities*

*By Cathy Tyson*



With great anticipation, a crowd at the Dec. 9 City Council meeting was eager to hear what city manager Steven Falk had to say about the ominously-titled agenda item "Option to Settle Potential Litigation Regarding the Proposed Terraces of Lafayette Development." There had been an avalanche of negative feedback about the proposed 315-unit multi-family project since it was introduced years ago. Litigation would have made it even less attractive.

Much to everyone's surprise, the proposal outlined a completely re-organized, massively smaller project that essentially divides the parcel into two sections, with the developer situating a maximum of 45 single family homes, representing an 85 percent reduction, clustered near the center of the property and the city purchasing land around the perimeter for a soccer and lacrosse field, much needed parking lot, a dog park, tot lot and bike path.

"We think this is a great alternative," said attorney Allan Moore, who represents the landowner and developer. "We've been listening."

Longtime resident and parks, trails and recreation commissioner Carol Singer heartily thanked the City Council,

Image provided

noting she was "flabbergasted," and "completely amazed,"

describing all of the amenities the new proposal offers that are top priority items for the parks and recreation commission. Another thank you came from Kendra Loveless who appreciated all the hard work and the developer being flexible, "this is so much better."

Not everyone was thrilled with the proposal. Resident Eliot Hudson pointed out how this represents a failure of the city, on land that should have been zoned LR-5, Low-Density Residential District, one house per five acres. Another person speculated whether the original controversial 315-unit version was simply a maneuver to make this iteration all the more attractive.

For roughly the last month the developer, O'Brien Land Company, and city leaders have had a series of meetings about the developer suing the city if the original project was denied. This new option-to-settle proposal seems like an elegant solution for the city, "given the risks to the city presented by that potential lawsuit, and particularly with California's Housing Accountability Act, which limits the ability of cities to deny an affordable housing proposal unless that proposal is inconsistent with both the General Plan land use designation and zoning ordinance that existed at the time the application was deemed complete," said Falk.

The signs of a pending denial were hard to miss. Recently the Design Review Commission sent their recommendation not to support the project to the Planning Commission; that, coupled with the 13 significant and unavoidable impacts noted in the Environmental Impact Report, made an official denial of the project, and thus the possible lawsuit, a near guarantee.

Looking for a better solution, the developer and the City Council came together to find something that would be acceptable to all parties, including community members. What they came up with delivers single family homes that are consistent with the neighborhood north of the freeway, preserves open space, continues to route traffic away from the Pleasant Hill Road bottleneck, and creates significant public benefit.

Many residents at the meeting were smitten with the Christmas list of public benefit items, especially the all-weather sports field, given the growing number of players in Lafayette and limited existing fields. Additional parking right at the corner of Deer Hill and Pleasant Hill Road is also sorely needed for pick up and drop off of students and for users of the park facilities.

Deal points include the city purchasing Parcel B for \$1.8 million, "not coincidentally" said Falk, this is the amount the city has already set aside in its parkland acquisition fund. The developer, O'Brien, would use that money to build the above-ground all weather soccer/lacrosse field, dog park, tot-lot and parking lot. The park improvements become the property of the city. Still unanswered is who will pay for maintenance of the amenities.

The alternative plan Falk introduced will be discussed more thoroughly in public meetings on Jan. 13 and 22 at the Veterans Memorial Building. At that juncture, if the City Council wishes to pursue it further, the new proposal will go through the regular review process that includes the Circulation Commission, Design Review, Parks Trails and Recreation Commission and Planning Commission. Councilmember and immediate past mayor Mike Anderson was open to explore this option. "It's foolish not to give this alternative an opportunity." Falk's presentation, deal points, and maps are now posted on [www.lovelafayette.org](http://www.lovelafayette.org) under Hot Topics.

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