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## Tepid Response to More Downtown Art

*By Cathy Tyson*

A proposed change in the threshold for public art didn't receive a warm welcome from the Lafayette Planning Commission. The city is getting feedback to change the public art ordinance and lower the requirement to pay 1 percent of a project's cost for public art from 10,000-square-foot spaces to 5,000 square feet, and clarify terms about the cost of construction and the cost of the artwork. Only commercial and multi-family residential projects are at issue; nonprofits could request exemptions. A lower threshold could impact more projects and potentially beautify the city, creating even more reasons to love Lafayette.

Unfortunately, in the 10 years since the current public art requirement has been on the books, the number of projects it has impacted is a total of six. Only two of the six are available for the public to enjoy now - the lovely fountain at the Mercantile building, and the steel "Over Easy" sculpture in the townhouse development at the corner of Pleasant Hill Road and Mt. Diablo Boulevard. In the pipeline are a fountain at Merrill Gardens, a sculpture and wall panels at Town Center III, which will be located behind Panda Express, and as yet undecided art at the Woodbury development that has just broken ground. Whole Foods is more than 10,000 square feet but opted to pay an in-lieu fee instead of paying for actual art.

The proposal the planning commissioners were reviewing would apply to new construction creating a building of 5,000 square feet or more and any building larger than 5,000 square feet that will have an addition, renovation or alteration to 50 percent of its area.

Planning commissioners had a variety of concerns. "I can't approve these changes as they are currently written," said commissioner Tom Chastain explaining the 5,000 foot threshold is, in his opinion, too low and too automatic. Tenant improvements were included in the proposed change, which commissioner Will Lovitt clearly didn't agree with. "I think it's worth re-thinking that. The threshold should remain where it is."

There was a consistency of comments that this lower threshold could be an impediment to smaller development, give rise to 4,999 foot projects and possibly create a series of art tchotchkes with no cohesiveness across the downtown.

Does the city need to beautify the downtown, or should artistic additions be only required for large and transformational projects? Recent buildings like Fresh Connection near the Veterans Hall and the Cooperage, along with the Plaza Way shops, didn't have to meet the art requirement due to their size.

Staff will take into account the planning commissioners' comments and come back to them with a modified proposal. Upon review of the modified ordinance, the commission will forward its recommendation to the City Council, which will have the final say on the matter.

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