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## Lawsuit Against the City of Lafayette

By Cathy Tyson

At the Sept. 14 city council meeting in closed session, which is not open to the public, city council members held a conference with legal counsel about a recently filed action by a group of residents called Save Lafayette. The group is suing the city along with the developer O'Brien Land Company and property owner Anna Maria Dettmer. The matter argues that the certification of the environmental report prepared for the Homes at Deer Hill was flawed.

Also at issue is the group's opposition to the requested amendment to the General Plan that allows a zoning change permitting lower density development with a maximum of two homes per acre, instead of the prior zoning classification of APO (administrative/office professional) uses, which allows up to 35 dwelling units per acre.

At the same city council meeting, Ordinance 641, which covers a number of items related to the Homes at Deer Hill including the zoning change, was officially adopted.

Ironically, the ordinance explains the zoning amendment as follows: "This lower density and change to single family residential, better protects the character of neighboring residential neighborhoods and is consistent with the pattern of single family development north of Highway 24. ... The change also better preserves the scenic quality and natural environment with a less intense potential for development."

Lafayette resident Michael Griffiths is spearheading the grassroots Save Lafayette effort. Aiming to retain Lafayette's charm, he and a group of like-minded residents banded together, and filed this suit on Sept. 8, seeking to protect the town's semi-rural character.

Their goal is to give the community a voice in the process to achieve a better use of the property. The group feels the city council has ignored public comment, and is biased and one-sided. "When government fails to protect its citizens, then those citizens must act to protect their community. We are doing so by the only means left available to us, namely corrective action," said Griffiths in a statement. "Save Lafayette's position regarding the Homes at Deer Hill project is that the current combination of homes and huge sports complex has far too many negative impacts upon the surrounding community and city as a whole."

Negative impacts such as severe traffic congestion, destruction of the hillsides, harmful air quality on residents and the violation of the city's General Plan and Hillside Ordinance "need to be adequately mitigated and corrected by the city, not ignored by citing other so-called benefits," he added.

In addition to the lawsuit, the group is planning on gathering signatures on a referendum petition, to pause the development while city leaders reconsider their approval or bring the matter to voters. Save Lafayette would need to collect signatures from 10 percent of voters within a 30-day time frame.

## Creeks

After issuing request for proposals, and going through a selection process, Gates and Associates, a landscape architecture, urban design and land planning firm, was selected to prepare the plan. They will be working with ENGEO, a firm of engineering professionals, environmental scientists and hydrologists, and with Environmental Collaborative. The team started its geological assessments in August and should wrap up that initial part of the study in October.

Looking for input on the creeks plan, the first of a series of community workshops to brainstorm ways to preserve and celebrate downtown creeks will occur from 7 to 9 p.m. Oct. 6 at the Veteran's Memorial Hall.

The project schedule is slated to take a year to complete and will include public participation throughout. Development of concepts and options will be followed by a draft plan and implementation strategy and finally California Environmental Quality Act review before the final plan document will be produced and presented to the city council for approval.

Lafayette resident Austin Payne, ... continued from page A2

a civil engineer who works for Ducks Unlimited, the world's largest waterfowl and wetlands conservation organization, is one of the seven volunteer members of the Creeks Committee. He said it is important to have a plan in place that provides consistent requirements to developers to preserve and restore the creeks.

Another interested party in the project is the Contra Costa County Flood Control District; it is responsible for the channelized, or concrete sections of creek. Those channels were installed in the 1960s, said Payne, and they are at the end of their 50-year useful life. Although it would be a challenge, he would like to see those areas restored to a more natural state. The district is aware of the situation and is interested in opportunities to improve outdated sections. It has a 50-year plan, "From Channels to Creeks," that envisions converting concrete channels into natural systems that can safely convey flood waters. Defining goals for Lafayette's creeks via the Downtown Creeks Plan will help garner funding from potential grants to make improvements.

### Creek Day This Weekend!

Now in its fourth year, family-friendly Lafayette Creek Day is scheduled from 10 a.m. to 2 p.m. Sunday, Sept. 27 at the brand new Jennifer Russell Building, formerly known as the Manzanita Room at the Lafayette Community Center, 500 St. Mary's Road. There will be opportunities to learn how drought affects creeks, and to dive in to help care for the Las Trampas Creek, along with guided hikes along the creek and giveaways.

## 'Green' Lights Go In at Town Hall Theatre

Submitted by Lewis Fone

In an effort to reduce its carbon footprint, Town Hall Theatre Company launched a campaign last year called Project Green Light – a vast, multi-media effort to raise money to switch over its energy-guzzling halogen lamps to energy-efficient, brilliant LEDs.

Thanks to the campaign, the new LED lights now use 60 percent less energy than before, according to Town Hall Theatre Artistic Director Joel Roster. When asked what's next for the theater, Roster simply smiled and said, "Everything else."

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