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Terraces court battle ends; project to proceed

By Jennifer Wake

After more than two years, litigation against the city of Lafayette and developer O'Brien Land Company (O'Brien) regarding the city's approval of the 315-unit Terraces of Lafayette development project has ended and is in favor of the city and O'Brien.

In 2020, Save Lafayette, a citizens group, sued the city and O'Brien to overturn the city's approval of the Terraces of Lafayette. In November 2021, the Contra Costa County Superior Court rejected Save Lafayette's claims and upheld the city's approval of the Terraces of Lafayette. Save Lafayette appealed the Superior Court's decision.

In November 2022, the Court of Appeal issued a unanimous opinion holding that the city's environmental review complied with the California Environmental Quality Act (CEQA) and that the city properly followed the Housing Accountability Act in approving the project. Save Lafayette requested that the California Supreme Court exercise its discretion and review the Court of Appeal's decision.

On Wednesday, March 15, the California Supreme Court denied Save Lafayette's request for review, making the Court of Appeal opinion in favor of the city the final word in the long-running dispute.

"The courts have once again affirmed that the city complied with the Housing Accountability Act and the California Environmental Quality Act in its environmental review and approval of this 20%-affordable housing project. The litigation is over, and we should now focus on welcoming new residents to our community," said Lafayette Mayor Carl Anduri.

Now that litigation has ended, O'Brien will be able to proceed with the development of 315 for-rent apartments, including 63 below-market-rate units on a vacant a 22-acre site at the southwest corner of Pleasant Hill and Deer Hill Roads, adjacent to Highway 24 in Lafayette.

For more information, visit <https://www.lovelafayette.org/terraces>.

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