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Potential park land acquisition in Lafayette moves into negotiations

By Lou Fancher

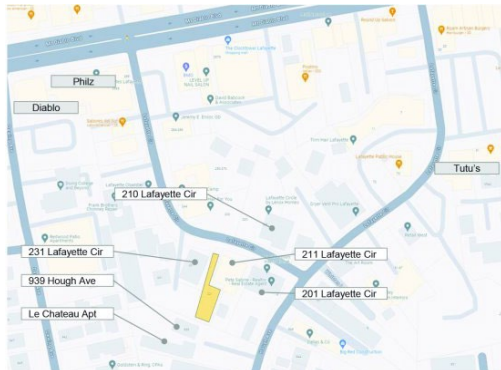


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parcels in similarly zoned areas do include parks. According to Katayanagi, this makes the parcel at 221 Lafayette Circle a potential park development site.

The property first became an item of consideration for purchase by the City in December 2023. The property owner expressed to Parks, Trails, and Rec Commission (PTR) Commissioner Grace Dixon that they were interested in selling the property to the City for parkland development, but would simultaneously proceed with applying to develop the site for a single-family home. That application is currently being processed by the City Planning Department while the PTR department continues its review and the council determines its interest in acquiring the land.

Importantly, Lafayette's Downtown Specific plan calls for three parks in the downtown area. Gazebo Park and Town Green are under consideration or envisioned, respectively: the Lafayette Circle site is not listed in the 2012 plan.

The staff report Katayanagi used during his presentation to council also included relevant PTR information that could prove vital to the council's evaluation of the purchase:

"The 2009 Parks and Recreation Facilities Master Plan does not specifically mention a park in Lafayette Circle; however, the City is still over 25 acres short of the plan's goal of 5 acres of land for every 1,000 residents. The plan calls for downtown parks and provides needs such as off-leash dog areas and neighborhood parks, with a potential size from 0.1 acres to two acres."

The PTR Commission has reviewed the site and following a 7-2 vote, Katayanagi said the recommendation to council was to engage in a negotiation process with the property owner. The recommendation did not come with a proposal or advice to develop the site specifically as parkland; only to begin discussions. While considering different uses prior to coming to the council, the commission determined the small size of the parcel to be the most limiting factor in terms of development.

Katayanagi presented a list of pros and cons to council to aid in the decision about whether or not to enter the negotiation process. Included in the pros were a property owner willing to negotiate with the city, funds available that can only be used for Parkland purchases, a location immediately adjacent to 66 apartments, and existing utilities. He said parcels that become available often "sell faster than I could even get them to the Parks Commission, so having a property owner that is willing to negotiate with the city is a key feature in this property."

Among the cons are the maintenance and facility costs (the General Fund has a deficit and negative balance in the Parks Facilities Fund), inability to count on timing for development fees owed to the city that might be used to offset budget challenges, and the specific site is not listed in the City's official park opportunities. Ironically, the lot's diminutive size landed in both pro and con columns: while the best design and use as a park is made more complex by size limitations, the smaller footprint would mean maintenance and development come at a lower price point for the City's already challenged parks budget.

With an approved motion to proceed with negotiations, the city would not be making a decision to acquire the property, he emphasized. The urgency of moving into closed session is accelerated by the history of potential sites selling quickly before the city can enter negotiations, and the property owner's dual track plans that have potential single-home development running parallel to the city's interest in acquisition. Katayanagi reiterated that, although there are many factors to weigh in determining the site's eventual use, opportunities for parks in the downtown core "come and go very quickly" and expediency is encouraged.

Council member John McCormick asked about a mention in the PTR report of Native American artifacts found in the 1960s, but Katayanagi quickly clarified the matter. He said the report stated that the items were found at an adjacent site, not on the parcel at 221 Lafayette Circle. If such items were to be found, consultations with the tribes involved would be held and such action is built into the process for any development project.

A California Government Code that is common but rarely known by members of the general public lent special importance to Parks and Recreation Director Jonathan Katayanagi's report to council on May 13. The report centered on potential acquisition of a property at 221 Lafayette Circle. The code allows legislative bodies such as a city council to discuss price and terms of payment for property negotiations in a closed session, but only after naming and considering a property in open session and deciding if it intends to negotiate. If a majority of its members agree, the Council can conduct a closed session to discuss price and terms of payment.

"I come to you this evening with two things," Katayanagi said. "The first is a parkland opportunity and the second is a difficult decision."

The .13-acre parcel is currently a private parking lot with 10 spaces. It is zoned for special retail business and not parkland, although Katayanagi noted other land

□ A second question concerned allowing for adequate public comment about the best use of the parcel, which Katayanagi said would occur and be a priority. Council member Carl Anduri asked about the PTR commissioners' discussions of ideas for uses other than a park. Katayanagi said the commissioners were "conflicted" and considered alternatives such as a small off-leash dog space, passive green space, a half-court basketball court, and other options. Even so, the recommendation remained for council to move forward to initiate negotiations.

□ Public comment included one man who supported the value of parks to community and individual health. "We are under-indexed on park space," he said. He added that a small park would add excitement and vigor to that location in the downtown core.

□ Council member Susan Candell supported the idea of a park in that area, if there is community input indicating interest, despite the parcel's small size. Council member McCormick said whatever is determined to be the use must be something the community can "really rally behind."

□ Mayor Gina Dawson expressed concern about the city's limited resources and funding the project. The negotiation process involves the City Manager, and the public engagement process would be extensive and use considerable staff time. Additionally, the exact price of the parcel is estimated only, and would be clarified by appraisals that begin only after entering the negotiation process.

□ This topic brought up the closed session that is the council's next step and would allow in the early stages for an appraisal to be compared to previous estimates. Anduri made a motion "to declare our intention to negotiate for the purchase of (the parcel) at 221 Lafayette Circle and schedule a closed session to discuss price and terms of payment."

□ The motion passed 4-1, with Mayor Dawson the one "nay" based on budget concerns she would prefer are resolved prior to moving forward.

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