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Plot lines redrawn, but what of the crosses memorial?

By Pippa Fisher



Google Maps satellite image with overlaid lot plan

Planning commissioners unanimously agreed to allow the landowner of the controversial Lafayette crosses memorial to reconfigure his property into two parcels, each with a home on it, causing concerns about development and once again calling into question the future of the crosses.

The roughly 5-acre parcel sits between Oak Hill Road and North Thompson Road, with the crosses memorial opposite BART on Deerhill Road. Currently there are two vacant homes on one lot. The owner, Charles Clark, intends to reconfigure the lot lines to allow for one home on each of the two lots, allowing him to more easily sell the land.

Residents spoke out at the Jan. 16 planning commission meeting of their concern for the future of the site, fearing loss of the open space and the possibility of further subdivision and subsequent higher-density

development of the land. The land is currently zoned for single-family units and is further regulated by hillside restrictions.

The crosses themselves have always been controversial. Started by Jeff Heaton and the applicant's mother, Louise Clark, as an anti-war protest in 2006, the memorial has now become a peace symbol that people either love or hate.

Last year Clark offered the land containing the crosses to the city, either as a park or as a possible site for city offices. Both offers were rejected by the city.

After hearing public comment, which was overwhelmingly against the proposed plot revision, Clark said that he is just trying to sell his parents' property. "I can't sell two houses on one piece of land," adding, "I'm not trying to redevelop the whole town."

Planning Commissioner Gary Huisinh reminded the audience of the commission's task - to act within its boundaries - which he said seemed simple, having had a satisfactory environmental report on the land and having met all requirements for a lot line adjustment on the property in question. Commissioner Will Lovitt agreed and made the point that neither motivation for selling nor future development is their concern. "It is private property and if it complies with the law then our constraints are clear."

Lafayette resident Mike Munnely, who lives next door to the plot, says there will be a public outcry once word of this gets out, given the notoriety of land containing the crosses memorial.

Happy Valley Improvement Association President Peter Clark does not see how the plots can be addressed without further discussion of the crosses. "Given the obvious physical presence of the crosses, and the depth of emotion surrounding them, it was surprising that the planning commission didn't include them in the discussion," he said after the meeting.

"After thinking about it," Clark continues, "I've come to the conclusion that the commissioners made a mistake. Currently, part of both lots have a nonconforming use - 'War Memorial with Too Many Signs.' The Lafayette municipal code requires that the lots resulting from a lot line adjustment be in conformance, which was not done."

Munnely would like to see the lot preserved for open space.

"I believe these disputably historic and rural lots ... with stunningly close proximity to our city center, have great potential to our city and residents," Munnely says. "Personally, I think this land would make a beautiful 'Deer Hill' city nature park. I'm aware other residents have different opinions or ideas for its uses and benefits to the community, but the city would serve its residents better by taking pause on this action and scheduling an open-forum discussion of ideas."

The Lafayette resident is critical of the 300-foot radius notification to residents saying that informing just a few residents concerning a property of such magnitude and notoriety is deceit. "A hearing room filled to capacity would have been reality had planning served our community as one would expect in a democracy."

Munnely wrote a detailed letter to the commission that was received too late to be included in the staff

report. "I feel disenfranchised that my comments were not referenced," he said. "Transparency; that's what the people of Lafayette expect and demand!"

Munnely also questions the negative finding of the environmental report saying that the lot line adjustment will facilitate rapid development of the hillside properties, wildlife will be severely impacted as a result and that development and hardscape will result in more erosions and storm water runoff.

"If the lot line revision is granted," adds Munnely, "the opportunity to benefit our community will be more costly to implement at best, or at worst, lost forever."

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