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**Lafayette Civic News**

**Public Meetings**

**City Council**

Monday, July 8, 7 p.m.  
Lafayette Library & Learning Center,  
Community Hall, 3491 Mt. Diablo Blvd.

**Planning Commission**

Monday, July 15, 7 p.m.  
Lafayette Library & Learning Center,  
Community Hall, 3491 Mt. Diablo Blvd.

**Design Review**

Monday, July 8, 7 p.m.  
Lafayette Library & Learning Center,  
Arts & Science Discovery Center,  
3491 Mt. Diablo Blvd.

Check online for agendas, meeting notes and announcements

**City of Lafayette:**

www.ci.lafayette.ca.us  
Phone: (925) 284-1968

**Chamber of Commerce:**

www.lafayettechamber.org

# Hurry Up and Wait at City Council Meeting

*Lawyers for Terraces project ask for a change in protocol*

By Cathy Tyson

“We’d like a streamlined, expeditious process that is fundamentally fair,” said David Bowie, one of the attorneys for the project applicant, regarding the Terraces Project on Pleasant Hill Road near Acalanes.

What Bowie and fellow attorney Allan Moore—who together represent the landowners, the Anna Marie Dettmer Family Trust and the O’Brien Land Company, LLC—would like and what the city council may offer could be two entirely different things.

It’s a little convoluted, but the attorneys would like to defer the certification of the environmental impact report to later in the review process. Bowie claims the process has been so expensive and time consuming that they would prefer to move on to hearings on the merits of the project—specifically an alternative project that could clarify a number of the issues raised.

How did the city of Lafayette get to this point? On March 4, the Environmental Impact Report prepared by The Planning Center / Design, Community and Environment (DC&E) and paid for by the potential developer of the parcel was certified by the Planning Commission. Just two weeks later, on March 18, attorneys representing the applicants (the AMD Family Trust and the O’Brien Land Company) appealed that decision.

On April 29 the City Council held a new public hearing to consider the appeal; at that time the council requested a laundry list of additional information on everything from soup to nuts from the EIR consultant and the applicants. To accommodate this request, those involved had until the June 24 council meeting to flesh out specific answers to these questions.

Some of the key issues included changes made by city staff to what the attorneys claimed were expert

conclusions, traffic impacts, loss of mature oak trees, grading and much more.

City staff recommended that none of the additional information provided “necessitates changes to the Final EIR or indicates that the EIR is inadequate,” and suggested denying the appeal.

A full house of concerned citizens made their discomfort with the project known at the June 24 meeting. “This emperor has no clothes, this is a horrible project,” said Eliot Hudson. Other attendees chimed in about traffic impacts, possible earthquake worries and beyond.

Despite assurances from the developer about the ancillary benefits of the project, including a new bicycle path, installation of sidewalks on Pleasant Hill Road, and adding another lane to accommodate traffic, residents weren’t buying it, and at points laughed at testimony from experts.

Bowie asked about deferring cer-

tification to later in the process, citing insufficient factual evidence to document the EIR’s significant and unavoidable impacts on the Terraces’ proposed 315-unit development.

Ultimately he asked the City Council to either remove the impact findings or table the EIR as the project makes headway through the planning process on its merits alone. “We disagree with some of those impacts. We think you can adopt the EIR without certifying those particular conclusions,” said Bowie.

Towards the end of the meeting, Mayor Mike Anderson asked the consultant who prepared the EIR, Steve Noack, about the alleged changes in the document. “Absolutely we stand behind this...it is always an interactive process,” he replied.

For now it looks like the City Council isn’t budging – they closed the meeting with requests for more information and plans to reconvene again on Aug. 12.

# Cell Equipment Getting Schooled

By Cathy Tyson

Although the city of Lafayette approved a wireless communication facility near Happy Valley Elementary School, it didn’t approve of more equipment than originally bargained for. Back in 2008, AT&T replaced two antennas on an existing utility pole and installed a new cabinet on the ground; no problem there.

Fast forward four years and astute Code Enforcement Officer Mark Robbins issued a Notice of

Violation for “significantly more equipment associated with the wireless communications facility than was approved.” He noted that exposed wires were a particular concern and had photos to prove it.

What’s the penalty for failure to comply with the Municipal Code? It can get serious fast, vaulting from revocation of a land use permit, to abatement, to criminal prosecution and/or civil litigation.

Two nearby homes were considered for the cell equipment, but one had dense vegetation and the other would have required at 50-foot tower that the owner was not interested in. Just down the block at Happy Valley Elementary School is a feasible site that would have a 9-foot-high fence to match the neighboring enclosure that contains a garbage compactor.

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**Lafayette Police Department Crime Statistics**

**June 9-22**

- Alarm responses (71)**
- Traffic Stops (176)**
- Assault**  
Moraga Rd/Mt Diablo Bl
- Auto Burglary**  
St Mary’s Rd  
Walnut Ln (3)  
Little Ln (2)  
Sweet Dr (2)  
Victoria Av  
Springhill Ct (2)  
Springhill Rd (3)  
Olympic/Reliez Station
- Stolen Vehicle**  
Deer Hill Rd  
Carol Ln
- Commercial Burglary**  
Mt Diablo Bl (2)
- Residential Burglary**  
Deer Hill Rd  
Rose Ln  
Fiora Pl
- DUI**  
Chapel Dr
- Fireworks**  
1st St/Monroe Av
- Hazmat**  
Hwy 24/Central Laf exit
- Hit & Run**  
Mt Diablo Bl (2)  
Dewing/Mt Diablo
- Promiscuous Shootings**  
Viola Ct  
Old Tunnel Rd
- Prowler**  
Mountain View Dr  
Brook St
- Petty Theft**  
Mt Diablo Bl (8)  
Silverado Ct/N Silverado Cr  
Orchard Rd  
Thompson Rd  
Springhill Ct  
Old Tunnel Rd  
Lafayette Cr
- Grand Theft**  
Lafayette Cir  
East St
- Reckless Driving**  
Olympic/Pleasant Hill Rd
- Vandalism**  
Pleasant Hill Rd (2)  
Silver Springs Ct (2)  
Peacock Bl  
S Thompson Rd

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