

# No on L

## Major Issues to Consider When Voting NO on Measure L – Deer Hill Homes Development

In 2015, the City of Lafayette denied the referendum signed by 2000+ citizens to vote on the “Homes at Deer Hill” development, resulting in litigation against the City. In February, 2018, the Court determined that the *City violated State law* and ordered the City to put the referendum to a vote. Although the November general election date was anticipated, the City purposely rushed the process in order to limit voter’s ability to obtain critical information necessary for an informed decision. **MEASURE L** gives voters, on **June 5<sup>th</sup>**, the opportunity to approve or reject City Ordinance No. 641, approving 44 homes, a dog park, ‘tot-lot’, sports field, and 78-spaces lighted parking lot at the intersection of Deer Hill and Pleasant Hill Roads near Highway 24 and Acalanes High School.

### Here are 5 important facts you should consider when Voting NO on Measure L:

*The City is not working in  
your family’s best interest.*

*The Deer Hill project has  
been seriously mishandled  
by the City.*

#### **FACT 1:** Air Pollution Associated with the Project will cause Significant Health Hazards



The BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD), which regulates all of Bay Area air quality, identifies the Deer Hill site as an area “with elevated levels of air pollution”. On April 2, 2018 pollution expert James Leach of Sustainable Lafayette - in a letter to the City Council - voiced his objections to the construction of a sports field and play area at Deer Hill, stating that “*the level of air pollution close to Hwy 24, Pleasant Hill Road, and Deer Hill Road is unhealthy for such activities...Exposure to so much auto emissions causes respiratory and cardiovascular diseases, various cancers and developmental disorders...There is no mistaking the fact that medical research clearly identifies these risks in spite of the unfortunate reality that most people are yet unaware of them.*” In addition, he stated, children are particularly vulnerable to poor air quality. The bottom line is that exposure of a few hours when active in sport or play activities can easily increase the volume of fine particulates and other pollution by a factor of **10**. ***It would be irresponsible to lure unsuspecting parents and children to breathe the hazardous air at this site especially under the guise of a safe location for healthful athletic activity.*** The complete text of James Leach’s report and PowerPoint presentation are available on our website: [www.savelafayette.org](http://www.savelafayette.org).

The residents of the proposed tract home units (44 units on 8 acres, with 4500 sq. ft. lots/one tenth of an acre) face the same serious health hazards due to traffic pollution. All housing on the project requires extensive health warnings to project residents: - keep windows closed, stay inside and utilize special air filters that need to be changed every three months, limit outside exposure to 1 hour a day due to acknowledged health risks associated with Highway 24 and related street traffic. Children or others using the sports field and tot-lot will have no such warning or protection! The City mismanaged the analysis of air pollution risk to children using the tot lot and sports field.

Although state law (2003, SB352, Education Code 17213) restricts *new public school facilities* - including school sports fields - within 500 feet of freeways and busy traffic corridors and requires consultation with “any air pollution control district or air quality management district having jurisdiction” for these sites. However, the City did not apply the state’s school standards regarding health risks to the tot lot and sports field, nor did it consult with BAAQMD which has jurisdiction in Lafayette.

**On June 5<sup>th</sup> – Vote NO on Measure L!**

**FACT 2: Traffic Congestion and Safety Issues will Increase**



Deer Hill Road will be completely SHUT to all traffic for months during construction. The completed project will generate 1,224 vehicle trips per day, merging into the already most gridlocked intersection in the City. The congestion will be even worse during commute hours. The two proposed roundabouts are not necessary, will actually slow traffic and are the reason that Deer Hill Road will be completely CLOSED IN BOTH DIRECTIONS for months. The roundabout at the Homes entrance will still be on a steep hill, exceeding *all national and state transportation guidelines*. Why would the Council unnecessarily risk the safety of all drivers on this road?

**FACT 3: The City has Mishandled the Deer Hill Development**

Our General Plan describes Deer Hill as the eastern gateway to the City and the “most significant undeveloped property in the community”, deserving of a “careful and detailed analysis” regarding land use decisions. On April 26, 2010 the City Council unanimously approved to significantly down-zone the property, with a majority voting for 1 home per 5 acres (i.e. 4 homes on this site) and directed Staff to do the necessary work to initiate the zoning change. In subsequent months the staff did not complete this work in a timely fashion and the developer took the opportunity to present its Deer Hill plans, first the Apartments and then the Homes.

The City approved the Homes project - despite documented environmental impacts identified in the EIR - because of “overriding considerations”, namely the ‘amenities’ (sports field, dog park and tot lot) and in spite of the health and safety hazards of those amenities.

**FACT 4: The 315 Apartments can be voted on by Lafayette Citizens**

The City is under no obligation to approve the 315 Terraces apartment proposal. It is unconscionable for the supporters of Measure L to use that threat to get your vote for the hazardous, ill-conceived Homes project. The truth, however, is that the apartment project has never been approved; and it would face the same extreme obstacles as before, if the developer elects to resurrect it – including but not limited to the People’s referendum power. The EIR cites 13 significant and unavoidable adverse impacts. Thus, both the Council and the citizens have ample authority to deny the 315 apartments proposal.

**FACT 5: Viable Alternate Sports Field Sites Exist Within Lafayette**

The proposed sports field will cost the City up to \$3,000,000 under a “Development Agreement” with the Developer. Although six alternative Lafayette sites have been presented to Lafayette’s Mayor that meet his own criteria, a majority of the council has refused to even allow sufficient time to consider them. Our tax money should be used for a safer, healthier sports field in a less congested area.

**Lafayette Can Do Better —  
Our Families Deserve Better!**



[www.SaveLafayette.org](http://www.SaveLafayette.org)

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