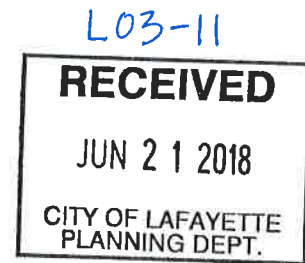


# O'Brien Land Company, LLC

June 21, 2018

Niroop Srivatsa, Director, Planning & Building Services Department  
City of Lafayette  
3675 Mt. Diablo Blvd., Suite 210  
Lafayette, CA 94549



Re: Continuation of City Processing of Apartment Project

Dear Niroop:

Thank you and thanks to Steve Falk and Mala Subramanian for meeting with us at the City offices on June 19, 2018 regarding our Apartment Project. In our meeting, the City Staff confirmed that the City already resumed processing the Apartment Project pursuant to the Process Agreement the City Council approved in January 2014. The City Staff's confirmation was/is consistent with the terms of the Process Agreement and with City Attorney's published e-mail dated June 15, 2018, which states:

"City Staff will immediately resume processing the Apartment Project as provided in the Process Agreement."

Further in our meeting, City Staff confirmed that the Apartment Project application was determined to be "complete" in 2011, when the Apartment Project property had a General Plan and Zoning designation of APO. Again, the City Staff's confirmation was/is consistent with the Planning Staff and City Attorney's statement in her June 11 and June 13 staff reports, as follows:

"The [Apartment] project application was deemed complete in 2011, when the property had a general plan and zoning designation of Administrative/Professional Office (APO). Therefore, no subsequent change to the zoning, nor the change to the General Plan (including the change from APO to the current SFR-LD designation), would be a basis for denial of the project under Government section 65589.5(d) of the Housing Accountability Act." (Staff Reports dated June 11, 2018 and June 13, 2018.)

In our meeting, City Staff listed the prior hearings for the Apartment Project and confirmed that we would proceed therefrom. No new application is required to resume processing the Terraces of Lafayette Apartment Project (referenced by the City as L03-11, HDP06-11, DR03-11, TP07-11). However, the City requires a \$15,000 deposit for further processing of the application.

Based on all of the above, and in reliance thereon, Dettmer/O'Brien have retained consultants and started work on the further processing of the application. Dettmer/O'Brien hereby submits the \$15,000 deposit requested by the City.

Very truly yours,



Dennis O'Brien