

Developer Furious When Planners Deny Live Oak Townhouse Project

Two proposed townhouse developments, both in the Chanticleer Avenue area of Live Oak, received different fates Wednesday at a meeting of the county Planning Commission.

One was unanimously denied, and the other postponed for re-design — also on a unanimous vote.

The denial, of an Aptos Development Company's proposal of a 14-unit townhouse, appeared to also be headed for a re-design continuance until the applicant's representative, George Jercich, blew up when it became evident commissioner's weren't going to approve his 14 townhouses.

Jercich was asking for a rezoning from the single-family residential, 6,000-square-foot minimum, to a district that would have reduced the minimum lot size to 3,500 square feet.

"You have approved 4,000-square-foot minimums for this area before. We're even offering 25 percent for low and moderate-income," he charged. "What are you making this, a lily white neighborhood?"

Commissioner John Dixon, who was in the process of attempting to get a continuance so Jercich wouldn't have to apply all over again, took particular exception to the remarks. He told Jercich the commission didn't appreciate being "brow beaten." Jercich responded angrily to Dixon's statements.

Dixon then responded by moving

for denial. His motion was quickly passed.

The re-design continuance commissioners were discussing would have reduced the project to the low end of the medium density in the General Plan, which called for eight to 14 units per acre.

The parcel is located on the south side of Harper Street, near Live Oak School, just east of the intersection of Chanticleer and Harper.

Seven residents of the area spoke in opposition to the proposal. A petition containing 72 signatures, representing about 90 percent of the residents, was presented in opposition.

Testimony centered on the narrowness of Harper Street (one paved portion was less than 16 feet wide, according to a resident), as well as additional traffic, impact on schools and the single-family residential character of the neighborhood.

Commissioner Ivan "Skip" Eberly was the most outspoken in opposition. "I feel this would be a precedent-setting development for the entire area," he said. "We would be faced with five other parcels, if they are developed at this same density, that could put up to 75 other units in the neighborhood."

Eberly asked that the 6,000-square-foot minimum be maintained, as well as keeping them single-family residences instead of townhouses.

At one point, staff planner Susan Blair clarified that the commission

has recommended to the Board of Supervisors that the area be rezoned to 4,000-square-foot minimums. Eberly replied that had been a mistake and he would tell his supervisor so.

The other development in question was proposed by Karl Rigor on the west side of Chanticleer Avenue, near Rodriguez Street. It is several blocks north of the other one.

Rigor was asking for 16 single-story townhouses with 25 percent slated for low and moderate-income households. His rezoning request was to cut the 6,000-square-foot minimum in half. Unlike the Aptos Development Co. application, however, Rigor's parcel is already zoned for multiple family residences.

Eberly repeated his opinion that this development would also change the character of the neighborhood. Part of Rigor's development would face on the existing eight residences on Juan Pablo Lane.

Commissioner Ivan Gotthold questioned whether there really was an established neighborhood already there. Commissioner Marilyn Hummel, alternate for Celia Von Der Muhll, earlier had supported the application.

Both, however, went along with the continuance for re-design. Eberly asked staff look into the possibility of allowing a maximum of five single-family residences on the section of the parcel facing the existing residences.