

Eminent domain, Dutch Harbor on council's Tuesday agenda

Contributed by Elizabeth Larson
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LAKEPORT ‐ The Lakeport City Council will consider modifying the city's redevelopment plan to allow for the use of eminent domain, and may approve moving forward with the due diligence to sell its Dutch Harbor property to the city's Redevelopment Agency at its meeting Tuesday.

The meeting will begin at 6 p.m. at Lakeport City Hall, 225 Park St.

Sitting jointly as the council and redevelopment agency board, members will consider authorizing the process to amend the Lakeport Redevelopment Agency's plan to add the use of eminent domain of non-owner occupied properties, according to a report from Redevelopment Manager Richard Knoll.

Currently, the plan ‐ adopted in 1999 ‐ excludes the use of eminent domain, but Redevelopment Agency staff is proposing that be changed in order to assist in assembling land for redevelopment projects, according to Knoll.

“The inability of the Redevelopment Agency to use eminent domain limits the ability to assemble parcels of land for Redevelopment in the Project Area; it stifles the Agency in carrying out Redevelopment activities,” Knoll's report says. “The Agency with eminent domain authority will be able to have another tool to assemble land (if needed) on non-owner occupied properties in order to implement the Redevelopment Plan.”

He said there will be costs associated with the Redevelopment Plan amendment process (legal and technical), which will be covered by agency funds. Much of the initial work will be completed by city and agency staff, Knoll writes.

Considering the Dutch Harbor acquisition

Also on the redevelopment agenda Tuesday, the council and redevelopment board will look at beginning the process to sell the Dutch Harbor property to the agency.

Dutch Harbor is a vacant parcel located a 910 N. Main St, purchased by the city in 1993 for \$500,000.

Knoll's report states, “It is proposed that the Redevelopment Agency initiate the process to consider acquisition of the property so that the unique powers and procedures set forth in the California Redevelopment Law may be utilized to facilitate development of the property consistent with the General Plan, Zoning Ordinance and Redevelopment Plan.”

Knoll's report explains that the city has attempted to market the property for years but, while there is interest in developing it, “there seems to be a need to expand the marketing efforts and develop more specificity with respect to intended land uses.”

He notes there also have been recent attempts to contact the Lakeport Unified School District regarding consideration of a lot line adjustment to incorporate the already developed portions of Natural High into the Dutch Harbor property to enhance its development potential for a large hotel project.

The Redevelopment Agency's due diligence will include needing to address an option agreement with developer Matt Boeger in conjunction with the City of Lakeport Municipal Sewer District development project, according to Knoll's report.

“Mr. Boeger has indicated his willingness to work with the City in addressing the Dutch Harbor Right of First Refusal provisions,” Knoll states.

Knoll said by initiating due diligence, it's not a final decision to acquire the property, some of the proposes uses for which have included a marina.

In other redevelopment matters, the council and Redevelopment Agency Board will accept an engineering study for the S. Main Street Project and proceed with the plan concept, authorize preparation of construction plans and bid documents, and put the project out to bid as a Redevelopment Agency capital project.

Public hearings look at bed and breakfast issues

Two public hearings also are planned for Tuesday evening.

In the first, the much-discussed Ordinance 874, which will modify various sections of the Lakeport Municipal Code regarding the establishment and operation of bed and breakfast inns in the city, will once again be discussed.

The issue has come up at several previous council meetings, with the council sending it back either to staff or to the Lakeport Planning Commission for further revision. The ordinance was meant to put back in the word “maximum,” which was mistakenly omitted during a previous Zoning Ordinance revision, when referring to the number of guest bedrooms allowed.

Five would be the maximum number of guest bedrooms, with new language also added to limit the maximum number of guests per room to four, according to a staff report by city Planning Services Manager Andrew Britton.

The council also will consider an application from Gregory Gill, who wants to operate a bed and breakfast and 2-16th Street.

The Planning Commission voted on the matter in April, but due to one member having to recuse himself because he owns property nearby, the vote resulted in a tie, Britton reported. According to city code, a tie results in an automatic denial, and Gill is appealing to the council.

Britton's report said city staff had recommended the Planning Commission approve Gill's use permit, although neighbors in the area are concerned about operation of a business in a low-density residential neighborhood.

Applications, delegate appointments also on agenda

In other business Tuesday, the council will consider applications from the Rotary Club of Lakeport for the annual Konocti Challenge Bicycle Event on Oct. 3, Sponsoring Survivorship for their annual walk to assist Lake County women in their battle against breast cancer to be held on Oct. 4 and the Lake County Arts Council for Art in the Park on Aug. 30.

The council also will nominate a voting delegate and two alternates for the annual League of California Cities conference; and receive and file a business plan report from City Engineer Scott Harter regarding a list of projects for the Pavement Management Plan, and appoint two council members to work with Harter to define the plan's direction.

Following the public portion of the meeting the council will meet in closed session to discuss a case of pending litigation, Superior Acquisitions versus the City of Lakeport. That suit was filed regarding the sale of the Vista Point Shopping Center late last year.

E-mail Elizabeth Larson at el Larson@lakeconews.com.

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