

MINUTE ITEM
13.

11/21/83
PRC 5310.9
Townsend

TERMINATION OF GENERAL PERMIT -
PUBLIC AGENCY USE, AND RESCISSION OF
RECIPROCAL PARKING AGREEMENT
CITY OF HUNTINGTON BEACH
PRC 5310.9

Calendar Item 13 was pulled from the agenda prior to the meeting.

Attachment: Calendar Item 13.

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TERMINATION OF GENERAL PERMIT -
PUBLIC AGENCY USE, AND RESCISSION OF
RECIPROCAL PARKING AGREEMENT
CITY OF HUNTINGTON BEACH
PRC 5310.9

LESSEE: City of Huntington Beach
Mr. Charles Thompson, City Administrator
2000 Main Street
Huntington Beach, California 92648

AREA, TYPE LAND AND LOCATION:
A 0.6-acre parcel of filled tide and submerged
land, City of Huntington Beach; Orange
County.

LAND USE: Public parking for use in connection with
public beach and park area, and commercial
center.

TERMS OF ORIGINAL PERMIT:
Initial period: 49 years from June 1,
1977.

CONSIDERATION: Public use and benefit.

STATUTORY AND OTHER REFERENCES:
A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
B. Cal. Adm. Code: Title 2, Div. 3; Title 14,
Div. 6.

AB 884: N/A.

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OTHER PERTINENT INFORMATION:

BACKGROUND:

By Commission action of June 30, 1977, the State issued a 49-year Public Agency Permit to the City of Huntington Beach, for parking facilities in connection with a public beach and park area. Construction-limiting dates were from June 1, 1978, to June 1, 1979. On June 5, 1979, the Commission authorized the approval of a Reciprocal Parking Agreement, dated April 5, 1979, between the City and Harbour-Pacific, Ltd., an adjacent landowner, and approved an extension of the construction-limiting dates from July 1, 1980, to July 1, 1981.

The land owned by Harbour-Pacific was to be improved with commercial development and a marina in the water (PRC 5259.1). The Agreement provided parking for the commercial operation and the public park and beach, on an equal trade-off basis. Harbour-Pacific was to construct the parking facilities. Harbour-Pacific subsequently assigned its interest in the Reciprocal Parking Agreement to KTJ Properties, as recorded on July 9, 1980. This occurred at the same time as the sale of the surrounding upland from Harbour-Pacific to KTJ. Crocker Bank then acquired the surrounding uplands through foreclosure and is now in the process of concluding negotiations with a potential developer.

PRESENT SITUATION:

The City is presently contemplating development of the parking facilities, by the new developer, in connection with the park and beach area and the proposed residential development. The parking arrangement would also accommodate parking for a commercial/public marina in Bolsa Chica Channel. Future plans for the marina are not concrete, but may be approached as a joint venture between the developer and the City.

Staff recommends termination of Lease PRC 5310.9 to the City of Huntington Beach, together with rescission of the Reciprocal Parking Agreement, effective December 21, 1983, based on the following:

The City of Huntington Beach has been unable to improve the lease premises for its initially contemplated use as a parking lot in connection with a park and beach area. The State has accommodated

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the City by providing authorization for a Reciprocal Parking Agreement and extension of the construction-limiting dates. However, the allotted time period lapsed on July 1, 1981, and the developers, as well as the proposed use for the parking facilities and adjacent upland, have changed substantially.

Staff has advised the City of its recommendation to the Commission for termination of the Lease and the Reciprocal Parking Agreement, with formal notice to be on, and subject to, the Commission's approval on November 21, 1983. The termination would be without prejudice to any future application made by the City to the State Lands Commission for the subject parcel.

This activity is exempt from CEQA because it does not constitute a project pursuant to P.R.C. 21065, 14 Cal. Adm. Code 15378.

EXHIBITS: A. Land Description.
 B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY 21065 PRC AND 14 CAL. ADM. CODE 15378.
2. AUTHORIZE THE TERMINATION OF THE STATE'S LEASE PRC 5310.9, TO THE CITY OF HUNTINGTON BEACH, TOGETHER WITH RESCISSION OF THE RECIPROCAL PARKING AGREEMENT, EFFECTIVE DECEMBER 21, 1983; FOR THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
3. AUTHORIZE ACCEPTANCE OF A QUITCLAIM TO LEASE PRC 5310.9 AND THE RECIPROCAL PARKING AGREEMENT.

EXHIBIT "A"

A parcel of land in Huntington Harbour, situated in protracted fractional Section 19, T5S, R11W, SEM, County of Orange, State of California, said parcel more particularly described as follows:

COMMENCING at the intersection of the centerline of the State of California channel 400 feet wide described as "Strip A" in a deed recorded in Book 6368, page 411, Records of Orange County, California, with the southwesterly prolongation of the compromise boundary line between Rancho Los Alamitos and Rancho Las Bolsa Chica per instrument recorded in Book 115, page 254, Records of Los Angeles County, California, said compromise boundary line bearing N 50°30'20"E; thence along said prolongation of said compromise boundary line N 50°30'20"E; 957.19 feet; thence S39°29'40"E, 270.00 feet to the POINT OF BEGINNING; thence S79°30'31"E, 81.93 feet; thence S39°48'20"W, 203.07 feet; thence S 67°26'34"W, 140.77 feet; thence S 78° 53' 29" W, 125.03 feet; thence parallel with and 270 feet southwesterly of said prolongation of said compromise boundary line N 50°30' 20" E, 391.52 feet to the true point of beginning.

The basis of bearings for the above descriptions is the California Lambert Coordinate grid system, Zone 6.

END OF DESCRIPTION

Prepared *M. L. ...* Checked *Frank T. Cooney*
 Reviewed *...* Date *5/19/77*
2/83

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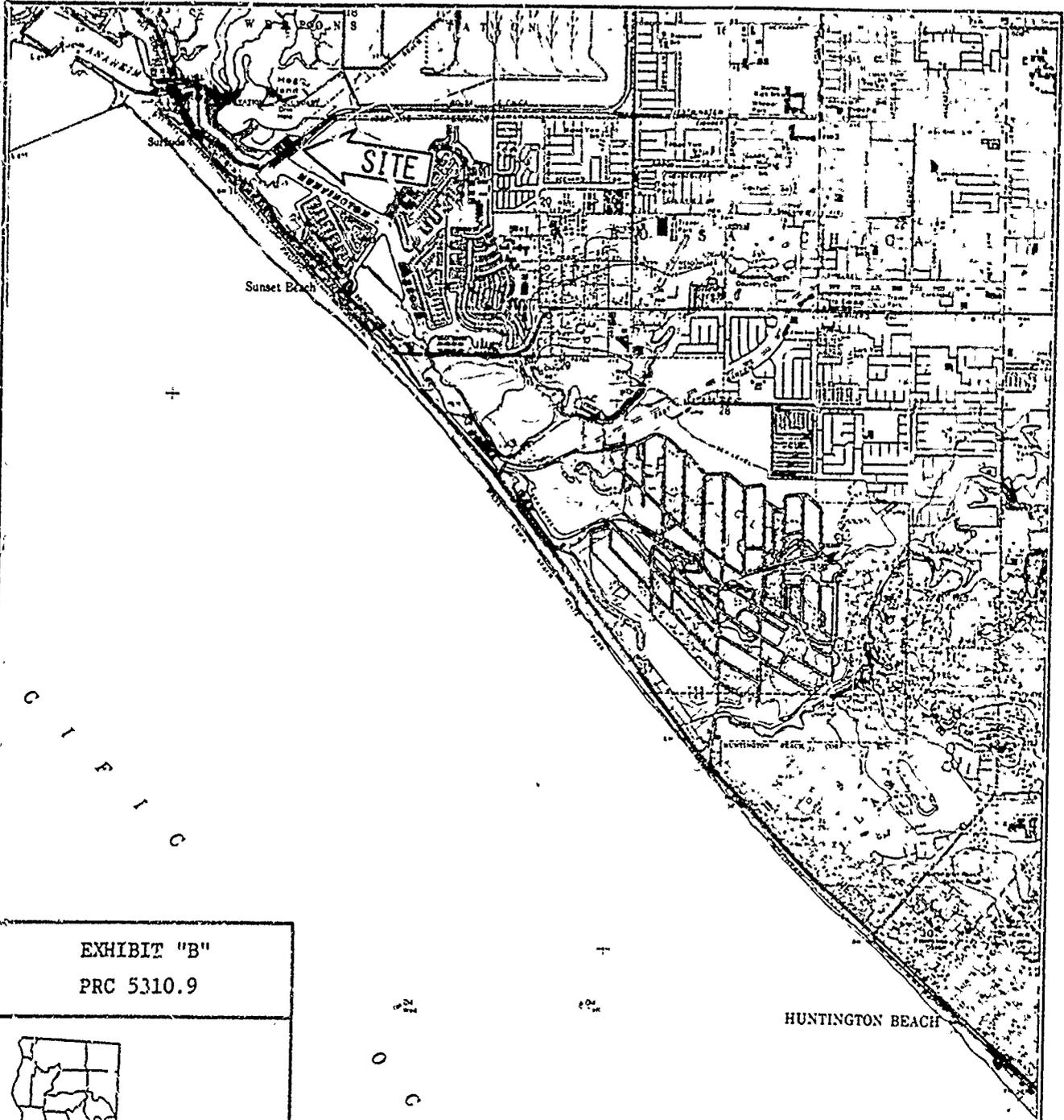


EXHIBIT "B"
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