

MINUTE ITEM

15.

5/24/84
PRC 5310.5

TERMINATION OF GENERAL PERMIT
PUBLIC AGENCY USE, AND RESCISSION OF APPROVAL OF
RECIPROCAL PARKING AGREEMENT
CITY OF HUNTINGTON BEACH
Townsend

During consideration of Calendar Item 15, attached, testimony was heard from the following parties interested in Calendar Items 14 and 15 due to their relative nature:

1. Robert Holland, representing KTJ
2. Jack Chalabian, representing KTJ
3. Robert Harlow, representing Mola Development Corp.
4. James Palin, representing City of Huntington Beach

Upon conclusion of testimony, no motion being made, Acting Chairman McCarthy directed staff to reschedule Calendar Items 14 and 15 for consideration on the agenda of the next Commission meeting.

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05/24/84
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TERMINATION OF GENERAL PERMIT -
PUBLIC AGENCY USE, AND RESCISSION OF APPROVAL OF
RECIPROCAL PARKING AGREEMENT
CITY OF HUNTINGTON BEACH
PRC 5310.9

APPLICANT: City of Huntington Beach
Mr. Charles Thompron, 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 park and beach 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.

CALENDAR ITEM NO. 15 CONT'D

OTHER PERTINENT INFORMATION:

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 park and beach area. Construction limiting dates were from June 1, 1978, to June 1, 1979. On June 5, 1979, the Commission approved 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. Ownership of the upland parcel has recently passed to a new owner/developer, following foreclosure by the lender.

The City is now contemplating development of the parking facilities to accommodate the public park and beach area, and a recently proposed city-operated marina in the Bolsa Chica Channel.

Staff recommends termination of Lease PRC 5310.9, to the City of Huntington Beach, together with rescission of approval of the Reciprocal Parking Agreement, effective May 7, 1984, 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 the City by providing authorization for a Reciprocal Parking Agreement and extension of the construction-limiting dates. However, the allocated 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.

CALENDAR ITEM NO. 15 CONT'D

The termination would be without prejudice to any future application made by the City to the State Lands Commission for the subject parcel.

Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA, because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Adm. Code 15378.

This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370 et seq. but will not affect those significant lands.

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061, BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY 21065 PRC AND 14 CAL. ADM. CODE 15378.
2. FIND THAT THIS ACTIVITY WILL INVOLVE LANDS IDENTIFIED AS POSSESSING SIGNIFICANT ENVIRONMENTAL VALUES PURSUANT TO P.R.C. 6370 ET SEQ. BUT THAT SUCH ACTIVITY WILL HAVE NO DIRECT OR INDIRECT EFFECT ON SUCH LANDS.
3. AUTHORIZE THE TERMINATION OF THE STATE'S LEASE PRC 5310.9, TO THE CITY OF HUNTINGTON BEACH, TOGETHER WITH RESCISSION OF APPROVAL OF THE RECIPROCAL PARKING AGREEMENT, EFFECTIVE MAY 24, 1984; FOR THE LAND DESCRIBED IN EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF
4. AUTHORIZE THE EXECUTIVE OFFICER OR HER DESIGNEE AND THE OFFICE OF THE ATTORNEY GENERAL TO TAKE ALL STEPS NECESSARY TO TERMINATE LEASE PRC 5310.9 AND TO RESCIND APPROVAL OF THE RECIPROCAL PARKING AGREEMENT, INCLUDING THE ACCEPTANCE OF A QUITCLAIM DEED FOR THE LEASE AND RECIPROCAL PARKING AGREEMENT, OR RECORDATION OF A NOTICE OF TERMINATION.

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EXHIBIT "A"

A parcel of land in Huntington Harbour, situated in protracted fractional Section 19, T5S, R11W, SBM, 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 Alimitos and Rancho Las Bolsa Chica per instrument recorded in Book 115, page 284, 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. Strick Checked Frank T. Coney
Reviewed D. K. Summecke Date 5/19/77
SJB

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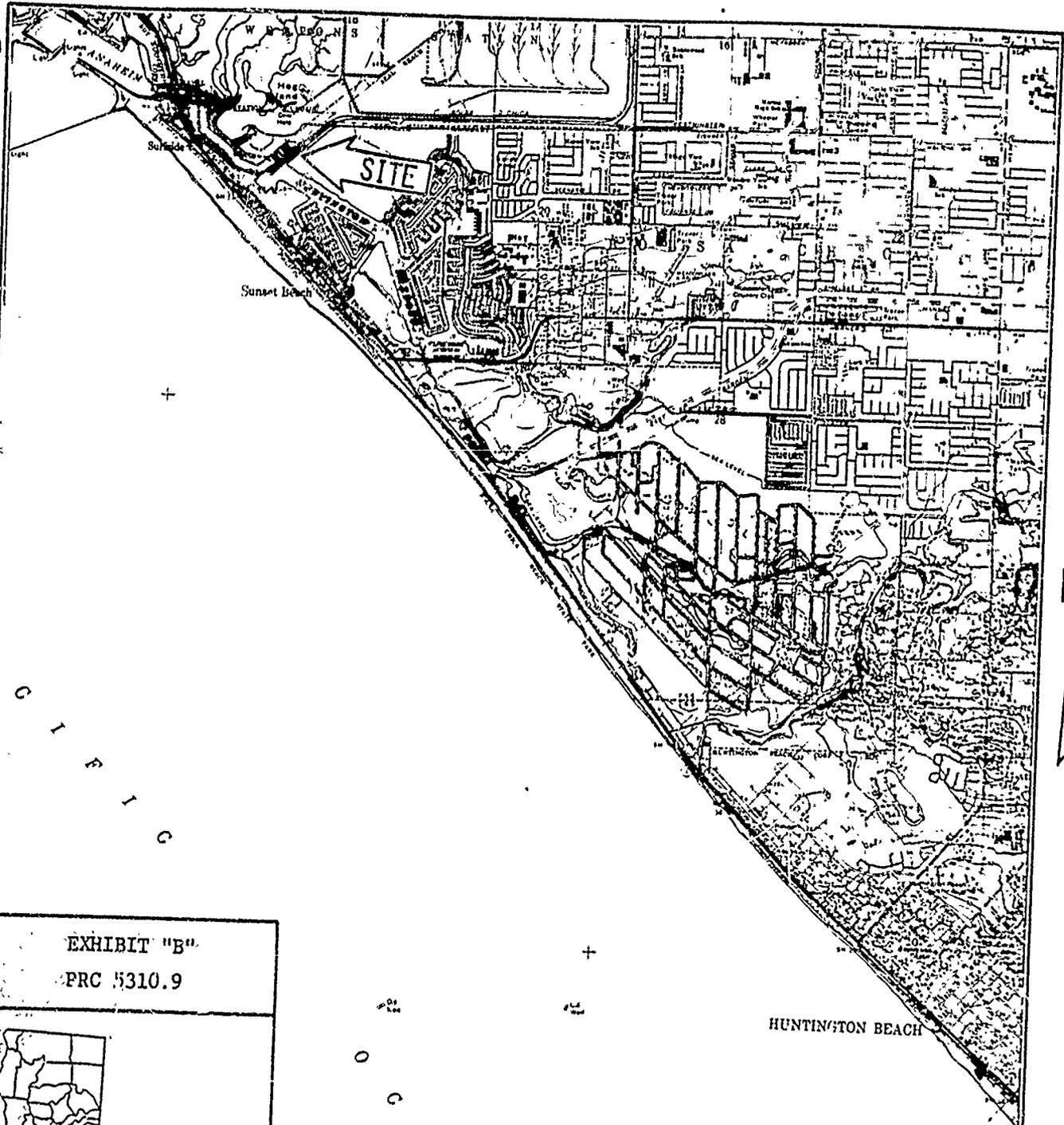


EXHIBIT "B"
 PRC 5310.9



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