

MINUTE ITEM

C07

2/23/84
W 2453
Louie

GENERAL LEASE -
PUBLIC AGENCY USE AND
APPROVAL OF SUBLEASES

Calendar Item C07, attached, was pulled from the agenda prior to the meeting.

Attachment: Calendar Item C07.

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CALENDAR ITEM

C 07 4.

2/23/84
W 2453
Louie

GENERAL LEASE -
PUBLIC AGENCY USE AND
APPROVAL OF SUBLEASES

SUBLESSOR: City of Huntington Beach
P.O. Box 190
Huntington Beach, California 92648

SUBLESSEES: Ella Christenson and
Joy Smith
633 Hartford
Huntington Beach, California 92648

Roger Cowdrey
27621 Agrado
Mission Viejo, California

AREA, TYPE LAND AND LOCATION:
Four acres of tideland and submerged land
in the Pacific Ocean at City of Huntington
Beach, Orange County.

LAND USE: Public recreational use and related concessions.

TERMS OF PROPOSED LEASE:
Initial period: Thirty-five years from
February 1, 1984.

CONSIDERATION: The public use and benefit, with the State
reserving the right at any time to set
a monetary rental if the Commission finds
such action to be in the State's best interest.

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CALENDAR ITEM NO. 007 (CONTD)

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE TERMS, FEES AND EXPENSES:
Filing fee and processing costs have been received.

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.

OTHER PERTINENT INFORMATION:
1. The City of Huntington Beach presently operates an existing pier at Main Street and Pacific Coast Highway, Huntington Beach. Recent winter storms have damaged the pier and have required the City to replace portions of the pier that have been damaged as well as building structures on the pier. The City is presently replacing a restaurant that was destroyed during the March 1983 storms.
2. There are three existing subleases on the lease premises. The subleases along with the approximate revenues generated include the following:
(a). Captains Galley - \$9,395/year.
Sublessees: Ella Christenson
Roger Cowdrey.
(b). Neptune's Locker - \$27,976/year..
Sublessees: Ella Christenson.
Joy Smith.
(c). Tackle Box - \$10,138/year.
Sublessees: Ella Christenson.
Joy Smith.

CALENDAR ITEM NO. C 0 7 (CONT'D)

The City is planning to negotiate a fourth sublease once the replacement of the damaged restaurant has been completed. Past annual income from the restaurant facility was approximately \$21,468.

3. The annual rental value of the site is estimated to be \$62,000. The State's lease requires that the City submit an annual report covering income and expenses generated by operation of the pier. Should income exceed expenses for any given year, the State reserves the right to set a monetary rental for that year. Any income not paid to the State as rental shall be used exclusively for operation of the lease premises.
4. This project is exempt from CEQA pursuant to 2 CAC, Div. 3, Section 2905, Class 2 because it involves the reconstruction of a damaged structure.
5. This project is situated on lands identified as possessing significant environmental values pursuant to P.R.C. 6370.1 and is classified in a use category "C" which authorizes Multiple Use. The project as proposed will not have a significant effect upon the identified environmental values.

FURTHER APPROVALS REQUIRED:

California Coastal Commission for reconstruction of restaurant on pier.

EXHIBITS:

- A. Land Description.
- B. Location Map.

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CALENDAR ITEM NO. C 07 (CONT'D)

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH DOCUMENT IS NOT REQUIRED UNDER THE PROVISIONS OF P.R.C. 21084, 14 CAL. ADM. CODE 15300, ET SEQ., AND/OR 2 CAL. ADM. CODE 2905; AND FIND THAT THE PROJECT IS CONSISTENT WITH THE LAND'S USE CLASSIFICATION, PURSUANT TO PRC 6370.1.
2. AUTHORIZE ISSUANCE TO CITY OF HUNTINGTON BEACH OF A 35-YEAR GENERAL LEASE - PUBLIC AGENCY USE FROM FEBRUARY 1, 1984; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR A PUBLIC RECREATIONAL PIER AND RELATED CONCESSIONS ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.
3. APPROVE THE EXISTING SUBLEASES TO ELLA CHRISTENSON, JOY SMITH AND ROGER COWDREY ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION PROVIDED THAT THE SUBLESSEES EXECUTE AN APPROPRIATE DOCUMENT WITH THE STATE AGREEING TO BE BOUND BY THE PROVISIONS OF THE STATE LEASE TO THE CITY OF HUNTINGTON BEACH AND NAME THE STATE AS ADDITIONAL INSURED ON ANY LIABILITY INSURANCE POLICY REQUIRED BY THE SUBLEASES.

EXHIBIT "A"

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Land Description

A strip of tide and submerged land 120 feet wide situate within the City of Huntington Beach, Orange County, State of California, the centerline of said strip being described as follows:

BEGINNING at the intersection of the northeasterly line of Ocean Avenue with the centerline of Main Street, thence S 41° 41' 37" W 2,065.92 feet to the end of said centerline of said strip of tide and submerged land.

EXCEPTING THEREFROM all that portion lying landward of the ordinary high water mark of the Pacific Ocean.

END OF DESCRIPTION

REVISED JANUARY 26, 1984, BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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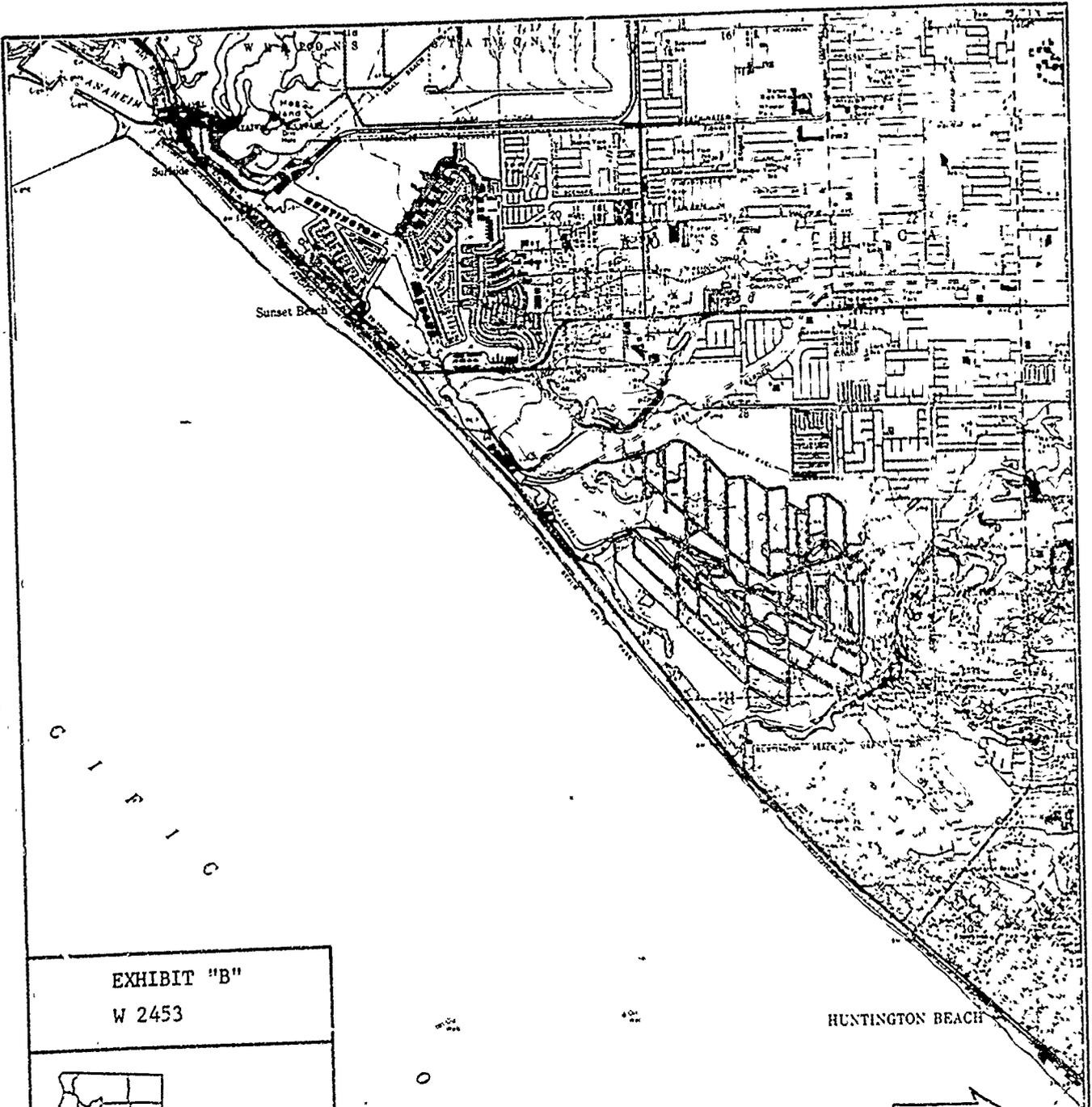


EXHIBIT "B"
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HUNTINGTON BEACH

SITE

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