

MINUTE ITEM

This Calendar Item

16

to 0 at its 3-30-78 meeting.

CALENDAR ITEM

16.

GENERAL LEASE  
COMMERCIAL USE

3778  
WP 1395  
Atkins  
PRC 1395

CURRENT LESSEE: Hollywood Turf Club  
P. O. Box 369  
Inglewood, California 90306

NEW LESSEE: Hanna-Barbera Marineland  
c/o Mr. Howard Wien  
Youngman, Hungate and Leopold  
1801 Century Park East #1801  
Los Angeles, California 90067

AREA, TYPE LAND AND LOCATION:  
A 0.501 acre parcel of tide and submerged  
land in the Pacific Ocean at Long Point,  
Palos Verde Peninsula, Los Angeles County.

LAND USE: A pier for boat docking and salt water  
intake system.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years from November 22,  
1950.

Renewal options: 2 successive periods  
of 10 years each.

Surety bond: \$5,000.

Consideration: \$100. per year.

TERMS OF CURRENT LEASE (Renewal under prior lease):

Initial period: 10 years from June 10,  
1969.

Renewal options: One successive period  
of 10 years.

Surety bond: \$5,000.

Public liability insurance: \$600,000 per  
occurrence for bodily  
injury and \$100,000 for  
property damage.

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Consideration: \$737.10.

Special: One-half of the lessee's gross income over \$5,434. from the sublease of the pier as approved by the State Lands Commission at its May 27, 1971 meeting.

TERMS OF PROPOSED LEASE:

Initial period: 15 years from December 1, 1977.

Renewal options: Two successive periods of 10 years each.

Surety bond: \$5,000.

Public liability insurance: \$500,000 per occurrence for bodily injury and \$100,000 for property damage.

CONSIDERATION: \$2,960 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:

8% of appraised value of land.

PREREQUISITE TERMS, FEES AND EXPENSES:

Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code: Div. 6, Parts 1 & 2.

B. Administrative Code: Title 2, Div. 3, Arts. 1, 2, 6.5, 10 & 11.

OTHER PERTINENT INFORMATION:

1. The current lease is with the Hollywood Turf Club and is scheduled to expire June 9, 1979. The lease was originally issued to Marineland of the Pacific Inc. for a period of 15 years beginning on June 10, 1954. It was renewed under the first 10 year option starting on

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June 10, 1969 and assigned to Hollywood Turf Club effective November 10, 1971. Hollywood Turf Club has sold the upland property to Hanna-Barbera Marineland who is requesting a lease for pier and intake lines. The Commission approved an assignment of an amended lease from Hollywood Turf Club to Hanna-Barbera at it's January meeting. The assignment has not yet been executed. The staff feels that it would be in the best interest of the state to terminate the existing lease with the Hollywood Turf Club or Hanna-Barbera under an assigned lease, and issue instead a new lease to Hanna-Barbera Marineland. This arrangement is acceptable to the private parties.

2. An EIR is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907, Class 1B, which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.
3. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class A which authorizes Restricted Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

4. This structure has been in existence and under lease since November 22, 1954, and for this reason is exempt from Coastal Commission Guidelines.

EXHIBITS:

- A. Land Description. B. Location Map.

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IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN EIR HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. DETERMINE THAT THIS PROJECT IS EXEMPT FROM THE REQUIREMENTS OF ARTICLE 6.5, OF TITLE 2 OF THE CALIFORNIA ADMINISTRATIVE CODE BECAUSE THIS PROJECT IS NOT A DEVELOPMENT WITHIN THE MEANING OF SECTION 2503 OF TITLE 2, OF THE CALIFORNIA ADMINISTRATIVE CODE AND SECTION 30105 OF THE PUBLIC RESOURCES CODE.
3. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
4. AUTHORIZE TERMINATION OF ANY AND ALL PRIVATE RIGHTS UNDER COMMERCIAL LEASE PRC 1395.1 AND THE ISSUANCE OF A NEW LEASE BEGINNING DECEMBER 1, 1977; A 15-YEAR GENERAL LEASE - COMMERCIAL USE WITH LESSEE'S OPTION TO RENTW FOR TWO SUCCESSIVE PERIODS OF 10 YEARS; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$2,960; WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$5,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$600,000 PER OCCURRENCE FOR BODILY INJURY AND \$100,000 FOR PROPERTY DAMAGE FOR A PIER FOR BOAT DOCKING AND SALT WATER INTAKE SYSTEM ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

WP 1395

A strip of tide and submerged land 56 feet in width, in Los Angeles County, California, and lying 28 feet on each side of the following described centerline:

COMMENCING at U.S.C. & G.S. Station "NA REAR", said station having California Coordinate System Zone 5 coordinates, Y=88,075.17 and X=1,880,592.14; thence S 06° 10' 49" E, 897.57 feet to the POINT OF BEGINNING of the herein described centerline; thence S 13° 27' 05" W, 490.00 feet to the end of the herein described centerline.

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

END OF DESCRIPTION

Prepared John K. Kessler Checked Fred T. Carr  
Reviewed A. A. Kunnicker Date 10/26/77  
SJS