

**CALENDAR ITEM**

**C39**

A 74

09/1/11

S 38

PRC 8716.1

M. Andersen

**REVISION OF RENT**

**LESSEE:**

Las Brisas Condominium Association, LLC

**AREA, LAND TYPE, AND LOCATION:**

0.004 acre, more or less, of sovereign land in the Pacific Ocean, Solana Beach San Diego County.

**AUTHORIZED USE:**

Continued use and maintenance of an existing seawall and seacave notch infill as shown on Exhibit A.

**LEASE TERM:**

Ten years, beginning October 12, 2006.

**CONSIDERATION:**

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease, and recommends that the rent be revised from \$1,128 per year to \$1,312 per year, effective October 12, 2011.

**OTHER PERTINENT INFORMATION:**

1. The Lessee has the right to use the uplands adjoining the lease premises.
2. On November 1, 2006, the Commission authorized a General Lease - Protective Structure Use to Las Brisas Condominium Association, LLC for the construction and maintenance of a seawall and seacave notch infill. That lease will expire on October 11, 2016. The 120-foot long by 35-foot high existing protective structure was constructed to provide bluff support for the upland condominium development and prevent further bluff erosion.

CALENDAR ITEM NO. **C39** (CONT'D)

**EXHIBIT:**

- A. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

**CEQA FINDING:**

Find that the activity is not subject to the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15060(c)(3) because the activity is not a project as defined by Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

**AUTHORIZATION:**

Approve the Revision of Rent for Lease No. PRC 8716.1 from \$1,128 per year to \$1,312 per year, effective October 12, 2011.