



City of Oceanside

Staff Report

File #: 25-860

Agenda Date: 8/6/2025

Agenda #: 26.

DATE: August 6, 2025

TO: Chairperson and Members of the Community Development Commission

FROM: Development Services Department

TITLE: CONSIDERATION OF DEVELOPMENT PLAN (RD23-00002), TENTATIVE MAP (RT23-00001), DENSITY BONUS (DB23-00005), AND REGULAR COASTAL PERMIT (RRP23-00002) TO ALLOW THE CONSTRUCTION OF A MIXED-USE DEVELOPMENT PROJECT COMPRISED OF 332 RESIDENTIAL UNITS, INCLUDING 34 LOW-INCOME UNITS, AND 18,682 SQUARE FEET OF COMMERCIAL FLOOR AREA ON A 2.72-ACRE SITE LOCATED AT 401 MISSION AVENUE - 401 MISSION AVENUE MIXED USE - APPLICANT: JH REAL ESTATE PARTNERS INC.

RECOMMENDATION

Staff recommends that the Community Development Commission (CDC) adopt a resolution approving a Development Plan (RD23-00002), Tentative Map (RT23-00001), Density Bonus (DB23-00005), and Regular Coastal Permit (RRP23-00002) to allow the construction of a proposed mixed-use development project comprised of 332 residential units, including 34 units reserved for low-income households, and 18,682 square feet of commercial floor area on a 2.72-acre site located at 401 Mission Avenue.

BACKGROUND AND ANALYSIS

The 2.72-acre project site is located at 401 Mission Avenue (APN 147-271-14) at the intersection of North Coast Highway and Mission Avenue, both major roadways within the City's downtown. A map of the project site and surrounding area is provided in Figure 1, below.

Figure 1 - Project Vicinity



Situated in the Townsite Neighborhood Planning Area, the site has a General Plan land use designation of Downtown (D) and a zoning designation of Downtown Subdistrict 1 which permits mixed-use development. The project is also located in the non-appealable area of the City's Coastal Zone. Currently, the project site is developed with the Ocean Place Center ("Center") comprised of the Regal Cinema theater, a number of retail suites, and a publicly-accessible plaza. Surrounding uses consist of mixed commercial development to the north and east, a church and mixed commercial development to the south, and five-story mixed-use (commercial and residential) building to the west.

Constructed in 1999, the existing development at 401 Mission is comprised of the Center, which is anchored by the 60,000-square foot 16-screen Regal Cinema theater and nearly 20,000 square feet of additional retail space (see Figure 2, below). The Center also includes a 15,462-square foot publicly-accessible central plaza, as regulated by an existing non-exclusive public easement for the "passage of pedestrians." The Center contains two larger retail tenant spaces along the North Coast Highway frontage (retail sales, restaurant) and eight smaller in-line shops that flank the theater entrance and encircle the plaza. Currently, four leasable spaces are unoccupied (former Breakwater Brewing Company restaurant space at North Coast Highway and Seagaze Drive; three in-line shop spaces).

Figure 2 - Project Site



PROJECT DESCRIPTION

The project application is comprised of four components including a Development Plan, Tentative Map, Density Bonus, and Regular Coastal Permit as follows:

Development Plan (RD23-00002) represents a request for the following:

To allow for demolition of the Center, as described above. According to its operator and as demonstrated by its current condition, the Center is struggling to operate as a thriving commercial complex. This is exemplified by the increasing number of vacant lease areas over recent years. For example, in the last two years the Center has experienced the closing of the Breakwater Brewing Company (still vacant), as well as three individual businesses that encircle the outdoor plaza. More significantly, the Center's anchor tenant, Regal Cinema, struggles to occupy its theatres with movie goers. In the event that Regal Cinema terminates operations, it is unlikely that another theater chain would step in and take over the space.

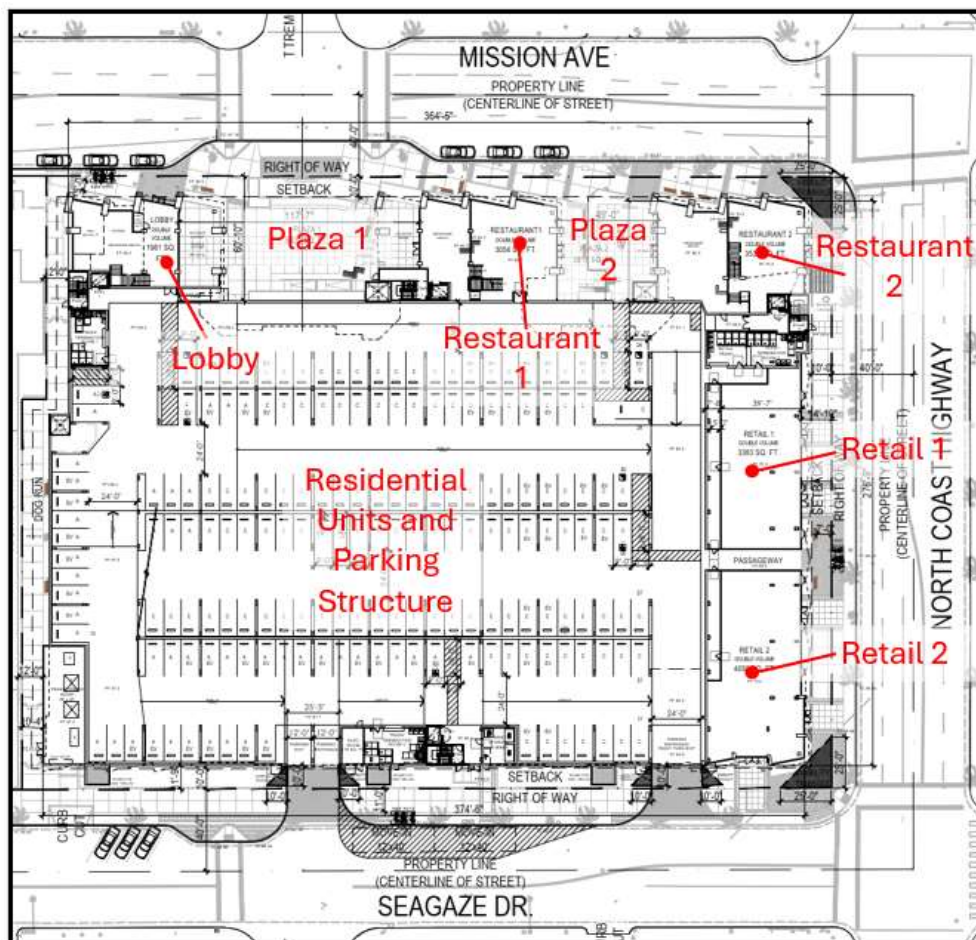
The movie theatre industry as a whole is experiencing a significant downturn in business due to the

pandemic and rising popularity of in-home movie streaming services. Business trends indicate that remaining tenants will also close in the coming years, which could create a blighted property in the center of Downtown Oceanside. Aside from the challenges presented relative to ongoing business operations, the design of the Center also presents problems. For example, the design of the theater space does not lend itself to other types commercial uses which could occupy that space should it be vacated, and the large public plaza is underutilized, often empty, and presents an uninviting, privatized feel with large planter buffers and signage. Most notably, there is no on-site parking as the Center was allowed to rely on downtown street parking through a previously approved parking agreement with the City (see Attachment 5).

The project applicant has owned and operated the Center for approximately 10 years and has invested significant resources in upgrades and maintenance of the property, including high-cost upgrades to the plaza in 2017. Given the Center's current state, it is apparent that theater and commercial spaces no longer represent the site's highest and best use. Rather than continuing to allow the Center to decline, the applicant proposes to redevelop this prominent Downtown location with a new seven-story mixed-use residential and commercial development, consistent with the renaissance of redevelopment that has occurred in the surrounding area.

The applicant's development proposal includes demolition of the existing site to facilitate construction of a seven-story, approximately 405,698-square foot vertical mixed-use project. The proposed development includes 332 dwelling units, 18,682 square feet of commercial/retail space for two restaurants and two retail suites, a parking structure containing 591 spaces, and two public plazas as depicted in the site plan in Figure 3, below.

Figure 3 - Site Plan



The proposed mixed-use building is designed with its primary elevation facing Mission Avenue. This side of the building provides double-volume glass storefront space at ground level (for the first two floors) to be developed with two separate restaurants and a residential lobby. The line of storefronts would be broken up by two separate outdoor public plazas, herein referred to as “Plaza 1” and “Plaza 2.” Plaza 1 would align with Tremont Street and be 6,633 square feet in size. Plaza 2 would be located between the restaurants and be 2,816 square feet in size. Five floors of dwelling units are proposed to be stacked upon ground-level storefronts (constituting the first two floors), thereby resulting in a total building height of seven stories. A perspective of the Mission Avenue frontage is depicted in Figure 4, below.

Figure 4 - Mission Street Frontage



Along the proposed project's North Coast Highway frontage, additional double-volume ground-level storefronts would contain two separate retail spaces separated by a pedestrian passageway that would connect the public sidewalk to the project's parking structure. Five stories of stacked residential units are also proposed above these retail spaces, thereby maintaining the same overall building height of seven stories found along Mission Avenue.

Parking for the proposed project would be provided in a four-story parking structure with two subterranean (Levels P0 and P1) and two above-ground levels (P2 and P3) forming the base of the building. It should be noted that the lowest level of subterranean parking (P0) is limited in size, containing only five parking stalls and a storage room. Parking is provided for residences at a rate of 1 stall for every studio and 1-bedroom unit and 1.5 stalls for every 2- and 3-bedroom units per State Density Bonus Law (SDBL) standards. The project requests a waiver of a modified parking standard for the proposed commercial uses of 1 stall for every 100 feet of restaurant serving area and 1 stall for every 200 square feet of retail floor area, for a total requirement of 537 parking stalls. The proposed structure would provide 591 parking stalls for apartment and commercial uses, thus exceeding the required parking amount by 54 stalls. In addition, the project has access to parking provided at the Oceanside Transit Center located across the street.

The parking structure would be accessible off Seagaze Drive via two driveway entrances. Along Seagaze Drive, two on-street loading areas are proposed between the driveway entrances. Commercial parking would be located at the ground level of the parking structure (Level P2) with remaining levels (P0, P1 and P3) reserved for residents. To optimize the use of stalls, residents of the project would be assigned parking by the apartment manager.

All residential units would have single-story floor plans accessible through interior hallways. The residential units would range in size from 564 square feet to 1,499 square feet. The studio and 1-bedroom units (54.5 percent of units) would be less than 788 square feet in area; the 2- and 3-bedroom units (45.5 percent of units) all exceed 1,000 square feet in area. Table 1 provides the unit mix summary of apartment sizes.

Table 1: Floor Plans

Unit Type	Area Range (SF)	Ave. Area (SF)	Units	Affordable Units
Studio	564	564	15 (4.5%)	2 (5.8%)
1BR/1BA	580-788	706	165 (50%)	17 (50%)
2BR/2BA	1,050-1,138	1,103	113 (34%)	11(32.3%)
3BR/2BA	1,267-1,499	1,338	39 (11.7%)	4 (11.7%)
		Total	332	34

The proposed project would be developed at a prominent location at the southwest corner of Mission Avenue and North Coast Highway, the heart of Oceanside's Downtown. As such, the applicant has taken extra consideration towards ensuring the proposed development reflects the City's arts and culture landscape. Designed with a modern contemporary coastal architectural theme, the proposed project's three street frontage elevations were designed to provide distinctive high-quality facades.

Ground level, double volume storefronts on Coast Highway and Mission Avenue would be affixed with angular walls. Decorative metal screening systems would front the parking garage on Seagaze Drive, creating an interesting decorative element and promoting air flow into the garage. Tower elements at the corners of the buildings and between the plazas would be covered with blue composite panels and angular rooflines evoking ocean waves. Elevations would be enhanced with numerous recesses and balcony pop-outs, glass railings, and simulated wood accents around the building's residence and ground floor windows, all working together to provide a high degree of visual interest, relief from massing, and articulation.

To complement these architectural elements, large murals would be created along both the Coast Highway and Seagaze frontages starting at sidewalk level and extended to the top of the building. The murals would reflect the City's efforts to create a distinctive and unique sense of place in its downtown, showcasing images that are representative of the City's coastal heritage. The applicant has committed to working with the local arts community in commissioning the work. Further details

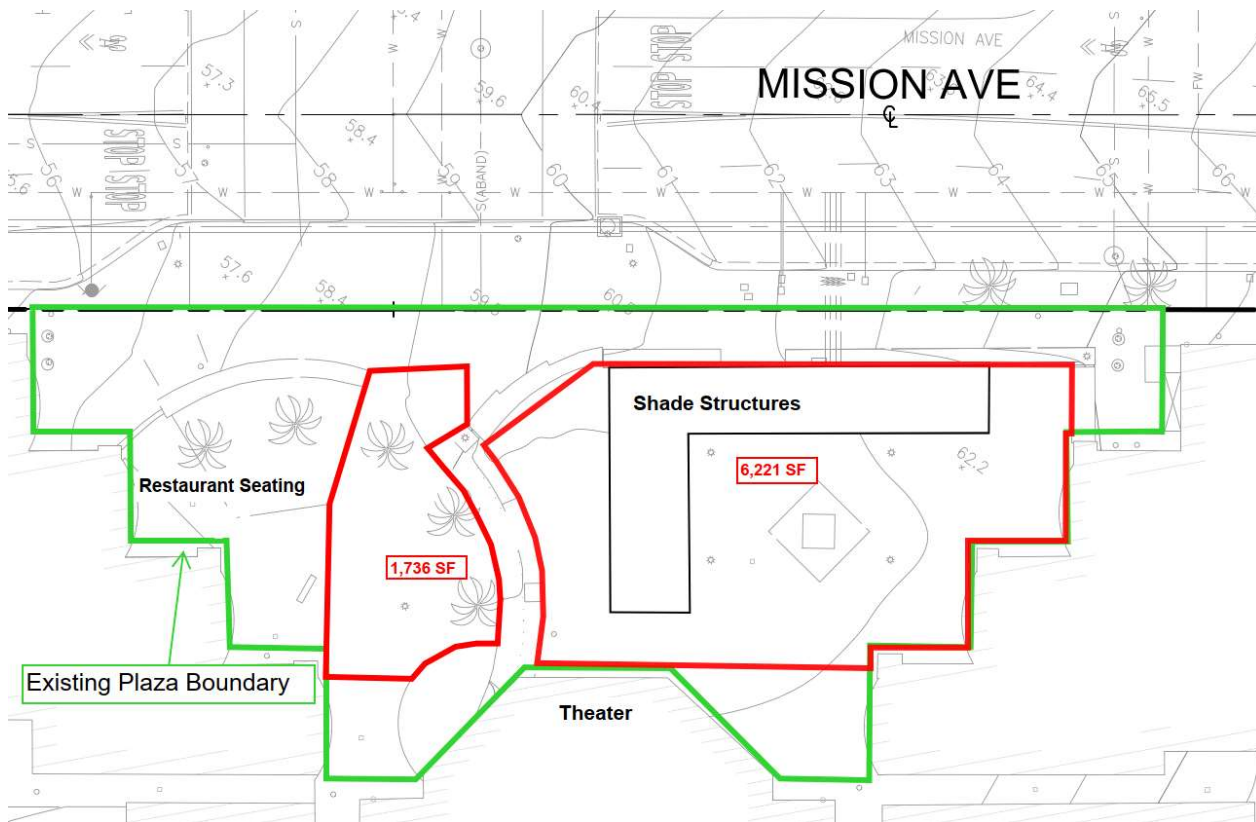
on the proposed project's design are included in the April 23, 2025 Downtown Advisory Committee (DAC) Staff Memorandum (Attachment 6).

Tentative Map (RT23-00001) represents a request for the following:

To subdivide the site by way of a Tentative Map for Condominium purposes to create condominium units, which would separate the commercial and residential use areas and subdivide dwelling units into separate residential condominium units. Pursuant to the existing Public Plaza Easement Agreement between the City and applicant (recorded in February 1999), the current 15,462-square foot central plaza contains a public easement in favor of the City for the "passage of pedestrians" (see Attachment 4). It is important to clarify that although the easement allows for pedestrian access, it does not expressly reserve the plaza for the same level of public use as a park. Specifically, with redevelopment of the project site, the existing plaza and easement would be eliminated and replaced with two smaller publicly-accessible plazas having a combined area of 9,449 square feet. The public easement on the existing plaza would be quit-claimed and replaced with a new public easement covering the proposed plazas, and fronting setback areas. The current public easement is set to expire in February 2034. Through a Condition of Approval, the proposed project would be required to extend the new public easement for an additional 30 years beyond the current expiration date, to the year 2064.

Although the combined 9,449 square feet of proposed plaza areas would not be as large in size as the current plaza, it should be noted that the existing 15,462-square foot plaza is not entirely usable today. It is estimated that, when omitting the outdoor restaurant seating areas, accessibility ramp, street setback area and unusable outer corners of the existing plaza, the publicly-accessible useable areas total approximately 7,957 square feet in size as shown in Figure 5, below. Moreover, as noted at the April 23, 2025 DAC meeting, the existing plaza is not heavily used by the public, possibly due to the declining viability of the theater, but also perhaps due to its excessive size and layout of such physical improvements as grand ground level Center signage, large-scale landscape planters, fenced outdoor seating areas, and signs stating "Tables and Chairs for Ocean Place Patrons Only."

Figure 5 - Existing Plaza



In comparison, the proposed plazas are designed to be highly useable spaces with ample seating, shading, and covered areas that are integrated into and surrounding the Center's buildings. The plazas are intentionally designed to operate as separate spaces unlike the current plaza that is bifurcated with a large accessibility ramp. Despite the reduced size, the proposed plazas would still accommodate events such as the annual Christmas tree lighting ceremony (Plaza 1) and allow for public use and hosting other future public events in an inviting setting (Plaza 2) as shown in Figure 6 below. In addition, final design of the publicly-accessible plaza areas would be coordinated with the City's two recent City Council-approved Capital Improvement Program (CIP) projects - Downtown Placemaking and Downtown Wayfinding and Entryway Signage.

Figure 6 - Plazas 1 and 2



Additional Project Alternatives

To address any remaining concerns with the size and design of proposed plazas the applicant has developed two alternate designs for the project that would bolster public activity the area of Plaza 1 or expand the plaza area further if deemed necessary. Alternate 1 would retain the configuration of buildings and plazas but convert the apartment lobby west of Plaza 1 to an additional restaurant space and relocate the lobby to the second floor above the original location. The proposed additional restaurant would allow the public to access this space instead of being exclusively used by project tenants as a way of attracting people to the plaza. A rendering of Alternate 1 is provided below in Figure 7, below.

Figure 7 - Alternate 1



Alternate 2 would include a lobby to restaurant conversion of Alternate 1, but converts the restaurant space located between Plaza 1 and Plaza 2 into additional (covered) plaza space eliminating the double volume storefront and second story terrace space. This change is depicted in Figure 8, below.

Figure 8 - Alternate 2



The change proposed under Alternate 1 provides an improved utilization of ground level floorspace with the expansion of visitor serving commercial uses and the associated increase in public activity. The change proposed under Alternate 2 would expand plaza space approximately 3,963 square feet for a combined total of approximately 13,412 square feet. However, the effects of losing the restaurant space at the center of the ground floor frontage under Alternative 2 could decrease public activity at the site creating an environment similar to that found at the current plaza.

Project Benefits

The proposed project is a significant development in Downtown Oceanside given its central location and scale. There are number of benefits provided by the project that are noteworthy. A summary of such distinct benefits is presented below:

- The proposed project would immediately address the Center's current state of decline, thereby redeveloping the site before its anchor theater and surrounding commercial lease spaces may be forced to shutter.
- The project proposes the development 332 dwelling units (122 dwelling units per acre) in very close proximity to the existing Oceanside Transit Center.
- The proposed project would add a significant number of residential units to the City's existing housing inventory, which is essential in fulfilling its Regional Housing Needs Allocation (RHNA) obligation.
- The proposed project would provide 34 affordable units for low-income households.
- The proposed project would replace the large underutilized plaza with two separate plazas promoting functional designs, a sense of place, and high-quality furnishings.
- The proposed project would extend the public pedestrian easement that expires in 2034 for an additional 30 years, to 2064.
- The proposed project would develop 591 parking stalls in the downtown for project residents and commercial uses (54 spaces beyond the required project amount), which do not exist today. The current parking agreement between the Center and the City never required the Center to provide its own parking spaces on-site; rather, the Center is allowed to rely on the Downtown's existing surrounding 779 public parking spaces. Development of an additional 591 parking stalls for the proposed project would be a tremendous asset for both residents

and visitors.

- The conceptual project design includes distinctive high-quality architecture and a significant public art component with sizable murals and public artwork within the proposed public plazas.
- The proposed project would provide increased property tax and sales tax, as well as additional funding of the City-wide Public Safety Community Facilities District.

Density Bonus (DB23-00005) per SDBL represents a request for the following:

To develop a 332-unit complex at a density of approximately 122 dwelling units per acre in exchange for reserving 10 percent of the units for qualifying low-income households. Although the City has adopted an 86 dwelling units per acre-density cap for mixed-use projects in the Downtown, this cap is not yet applicable to downtown areas within the Coastal Zone. The proposed Downtown Density Local Coastal Plan Amendment (LCPA) has been submitted to the Coastal Commission; however, Coastal Commission certification is required before it may be implemented in the portions of the Downtown District located in the Coastal Zone. Moreover, the applicant filed a Senate Bill (SB) 330 application prior to the adoption of the density cap, thus “locking in” development standards and fees in effect at the time the SB 330 application was deemed complete (November 21, 2023).

The City’s Density Bonus Ordinance requires that affordable units must be proportional to the overall project in terms of unit mix and square footage and must be reasonably dispersed throughout the development. In addition, the project’s 34 income restricted units must be at least 80 percent of the average square footage of all market rate units with the same bedroom count. The proposed project would comply with both requirements per the following low-income unit mix:

- 2 studio units (5.8%);
- 17 = 1-bedroom units (50%);
- 11 = 2-bedroom units (32.3%); and,
- 4 = 3-bedroom units (11.7%)

The Project Description and Justification package (Attachment 3) submitted by the applicant expressly states that all affordable units would adhere to the average square footage of the Density Bonus Ordinance and that affordable units would be dispersed throughout the project. This requirement would be enforced by staff through the plan check process.

By reserving 10 percent of the overall unit count for affordable housing, the developer is entitled to all benefits of SDBL, including incentives and/or concessions, as well as waivers from development standards that would physically preclude the development of the project at the density proposed and reduced parking ratios. The granting of waivers does not reduce the number of incentives allowed for a project, and the number of waivers that may be requested and granted is not limited. State

Law prohibits the City from denying any requested incentives/concessions or waivers unless findings are made that granting the requested incentive/concession or waiver would result in a “*Specific Adverse Impact*.” State law defines this term as “*a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.*” State law also provides that “the receipt of a density bonus, incentive, concession, waiver, or reduction of development standards shall not constitute a valid basis on which to find a proposed housing development project is inconsistent, not in compliance, or not in conformity, with an applicable plan, program, policy, ordinance, standard, requirement, or other similar provision”

The applicant is requesting one incentive/concession and ten waivers.

Incentive/Concession: In order to reduce costs, the applicant requests to utilize an incentive/concession that would alleviate requirements for undergrounding of above-ground electric utilities and related in-lieu fees and deferrals as required along all public streets and adjacent to project boundary. Because there are no above-ground utility lines along the project site’s street frontage, this concession is applicable to the above-ground utility lines that currently exist across Seagaze Drive from the project boundary. In accordance with SDBL, the applicant has provided “reasonable documentation” in the form of a cost estimate that shows the requested incentive/concession would result in identifiable and actual cost reductions of approximately \$354,600. The estimate has been included as part of Attachment 5 for reference.

Waivers: In order to accommodate the proposed density and provide 332 residential units on the project site, the project cannot physically comply with all of the development standards that apply to non-density bonus projects. The applicant has requested waivers from the following development standards pursuant to SDBL:

1. Setbacks
2. Building Height
3. Architectural Feature and Equipment Height
4. Minimum Landscaping Standards
5. Private Outdoor Living and Open Space Requirements
6. Façade Modulation
7. Minimum Restaurant and Commercial Parking
8. Residential and Commercial Loading Space Standards
9. Parking Stall Width Next to Columns
10. Maximum Vehicular Access Width

The table below provides further details regarding the proposed waivers:

Table 2: 401 Mission Avenue Development Standards

Development Standard	Current Zoning (D-1) Standard	Proposed Project	Notes
Maximum Density	No Density Cap per Zoning Section 1232 (D)(2)	122 dwelling units/acre	Complies with code as there is no maximum density for D- District
Minimum Lot Area	5,000 square feet (sf)	188,484 sf	Complies with code
Minimum Lot Width	50'	277'	Complies with code
Minimum Setbacks			
Front In Addition N. Coast Highway ("NCHW")	10' Residential 10' Non-Residential 45' from center line (CL)	10' from property line 50' from CL of NCHW	Complies with code
Side	10' Residential 0' Non-Residential	Not Applicable	Not Applicable
Corner Side Seagaze Dr. In Addition Mission Avenue	10' 50' from CL	10' with balcony encroachments 50' with balcony & architectural encroachments	Waiver (W-1) Waiver (W-1)
Rear (north)	5' Residential 0' Non-Residential	10'-4"	Complies with code
Daylight Plane Setback	A 10' side or rear yard adjoining any residential area and structures shall not intercept a 1:1 or 45-degree daylight plane inclined inward from a height of 12' above existing grade at R district boundary.	Not Applicable	Not Applicable
Maximum Height Building Exceptions Roof enclosures Support structures Roof equipment	35' Residential 45' Non-Residential 140' with a CUP 10' above max height (55'-0")	85'-0" 94'-0"	Waiver (W-2) Waiver (W-3)
Minimum Site Landscaping	25% of the lot surface only. Planting on roofs, porches and planters above the lot surface does not qualify under this standard.	Total: 36,194 sf 27% to include planting areas, raised planters, and paving on patios, pools, and other outdoor amenities, including in public plazas, internal courtyards, rooftop decks	Waiver (W-4)

Total Open Space			
Open Space per unit	200 sf/unit in public or private areas (200 x 332 = 66,400)	123.8 sf/unit 41,107 sf Total 41,107 sf/332 = 123.8 sf	Waiver (W-5)
Private Outdoor Living Space	48 sf/unit 6'-0" minimum dimension (48 x 332 sf = 15,936 sf)	Average of 65.1 sf/unit with no min dimension; 15 units would have no private open space (65.1sf x 332= 21,615 sf)	Waiver (W-5)
Shared Open Space	44,785 sf (66,400 sf - 21,615 sf = 44,785)	19,492 sf	Waiver (W-5)
Courts Required	40' length minimum depth half the height of opposite wall but not less than 16 feet opposite a living room and 10 feet opposite a required window of any habitable room.	59' (74% of opposite courtyard wall)	Complies with code
Fence and Wall Height	Decorative Walls and Fencing: Maximum height of 6' / 3.5' in front yards Retaining Walls: Maximum height of 6'. Any retaining wall over 4' in height shall be a plantable wall.	Not Applicable	Not Applicable
Required Façade modulation	25% of front and side elevation horizontal and/or vertical must be set back at least 5' from setback line	• Min 25% of entire façade offset an average of 5' • Balcony structures and plaza recesses shall count toward modulation • Mission Ave: 63% • Coast Highway: 30% • Seagaze Drive: 32%	Waiver (W-6)
Underground Utilities	All existing and new utility lines shall be installed underground within the site and along the site's frontage in the public right-of-way	Incentive requested under SDBL for requirement to underground utility lines across Seagaze Drive from project site	Incentive 1

Renewable Energy	Per Section 3047 Residential Projects with 25 or more units shall install and maintain renewable energy facilities that supply at least 50% of forecasted electricity demand	Section 3047	Complies with code
EV Parking	Per state standard	Per state standard	Complies with code
Urban Forestry Program	Tree canopy: 12% Permeable surface area: 22%	Tree canopy: 14% with the inclusion of new street trees Permeable Surface Area: 24%	Complies with code
Garage Drive Aisle	24'	24'	Complies with code
Vehicular Access	24' Max	26'	Waiver (W-10)
Ramp Grades	Standards per Engineering Manual	Ramp grades 6.67%	Complies with code
Parking			
Parking Stall Offset	12" increase in width from walls or columns	All spaces adjoining a column or wall are increased by 6" on each obstructed side	Waiver (W-9)
Required Parking Spaces Residential Guests Restaurant Retail	SDBL: • 0 to 1 bedroom: 1 space • 2 to 3 bedroom: 1.5 spaces No requirement per Density Bonus Law 1/50 sf of seating area 1/250 sf over 5,000 sf	• 1 per 0 or 1 bedroom unit (180 units for 180 spaces) • 1.5 per 2 bedroom unit (152 units for 228 spaces) 0 1.0/100 sf of seating area excluding back of house space 1/200 sf excluding back of house	Complies with code Complies with code Complies with code Waiver (W-7) Waiver (W-7)
Loading Spaces	Residential: 3 off-street spaces Non-residential: 2 off-street spaces	2 on street spaces 0	Waiver (W-8)

Regular Coastal Permit (RRP23-00002) represents a request for the following:

To develop a mixed-use project within Local Coastal Plan (LCP) jurisdictional boundaries within the non-appealable area of the City's certified LCP.

Key Planning Issues

1. General Plan Conformance

The General Plan Land Use Map designation for the subject property is Downtown (D). The proposed project is consistent with this land use designation and the policies of the City's General Plan as follows:

A. Land Use Element**Goal 1.12 Land Use Compatibility**

Objective: To minimize conflicts with adjacent or related uses.

Policy B: The use of land shall not create negative visual impacts to surrounding land uses.

The 2.72-acre project site is currently developed with a commercial center containing the Regal Cinema theater, commercial shops, restaurants, and large outdoor plaza. The commercial center is in the stages of decline with at least three vacant tenant spaces and an older, economically struggling theater that no longer serves as the site's highest and best use. Rather than continuing to allow the commercial center to decline and potentially lead to creation of a blighted property in the center of Downtown Oceanside, the applicant is proposing to redevelop this key area with a seven-story mixed-use residential and commercial development. This type of project is consistent with the larger pattern of redevelopment in the downtown area, which includes a number of mid-rise mixed-use buildings and resort hotels/timeshare units. The current trend of redevelopment in Oceanside is intended to create synergies between the various commercial establishments in the downtown area and promote economic activity. The proposed project would be designed in distinctive and contemporary coastal architecture with quality materials, consistent with the architectural designs of newer developments constructed in the downtown area.

The project site is located in a highly urbanized area consisting of commercial visitor serving land uses. The proposed project, as designed and sited, would be consistent with the surrounding built environment and would enhance the area by bringing new residents and visitors to the downtown.

Goal 1.23 Architecture

Objective: The architectural quality of all proposed projects shall enhance neighborhood and community values and City image.

Policy A: Architectural form, treatment, and materials shall serve to significantly improve on the visual image of the surrounding neighborhood.

Policy B: Structures shall work in harmony with landscaping and adjacent urban and/or topographic form to create an attractive line, dimension, scale, and/or pattern.

The proposed project would significantly enhance and improve the visual image of the surrounding neighborhood. The project site is located at a prominent area in the heart of the downtown along the major corridors of Mission Avenue and Coast Highway. The site is currently developed with an

aging, often vacant commercial center that no longer represents the site's full economic potential. The proposed project would replace existing development with a modern, attractively designed, midrise building that would serve as a landmark within downtown Oceanside. Proposed redesigned plaza areas facing Mission Avenue would create an attractive, pedestrian friendly, environment with decorative paving and shaded seated areas. In addition, ground level landscape planters are utilized along buildings and the outer edge of the project site, thus providing a band of greenery around the entirety of the development.

B. Housing Element

The RHNA for the Sixth Housing Element Cycle (2021-2029) estimates that the City of Oceanside would experience demand for 5,443 new dwelling units, including 718 low-income units, over the next eight years. By contributing 332 rental dwelling units, including 34 units reserved for low-income households, to the City's existing housing stock, the proposed project would help to meet the projected housing demand and provide an opportunity for much needed work force housing within the downtown in proximity to a variety of transit options. The project is consistent with the following goals and policies of the Housing Element:

Goal 1: Produce opportunities for decent and affordable housing for all of Oceanside's citizens.

The proposed project would add 332 new dwelling units, including 34 units for low-income households, to the City's housing inventory. The City's Density Bonus Ordinance ensures quality by requiring that units must be proportional to the overall project in terms of unit mix, and square footage. The proposed 34 low-income units would be comprised of 2 studio units, 17 one-bedroom/one-bath units, 11 two-bedroom/two-bath units, and 4 three-bedroom/two-bath units equal to the overall unit mix. There is no distinction between the design of market rate and affordable units. As depicted in Table 1 of the staff report, studio units would have an area of 564 square feet, one-bedroom units would have an average area of 706 square feet, two-bedroom units would have an average area of 1,103, and three-bedroom units would have an average area of 1,338 square feet. All affordable units would be at least 80 percent of the average square footage of market rate units.

Policy 1.6: Encourage higher-density housing development along transit corridors and smart growth focus areas in order to encourage preservation of natural resources and agricultural land; reduce energy consumption and emissions of greenhouse gasses and other air pollutants; reduce water pollution occasioned by stormwater runoff; and promote active transportation with its associated health benefits.

The proposed project would result in a high-density mixed-use development with an effective density of 122 dwelling units per acres. Located along the transit corridor of North Coast Highway and less than 100 feet from the Oceanside Transit Center, the project site is located in a SANDAG designated Smart Growth Opportunity Area (identified as OC-1 on SANDAG's Regional Smart Growth Concept Map) which encourages the preservation of natural resources and agricultural land, limits environmental impacts, and promotes active transportation.

Goal 2: Encourage the development of a variety of housing opportunities, with special emphasis on providing:

- A broad range of housing types, with varied levels of amenities and number of bedrooms.
- Sufficient rental stock for all segments of the community, including families with children.
- Housing that meets the special needs of the elderly, homeless, farm workers, and persons with disabilities, and those with developmental disabilities.
- Housing that meets the needs of large families.

The proposed mixed-use project would include 332 apartments in a mid-rise building with a varied number of bedrooms (studio, 1, 2 and 3-bedroom units) that would also provide a number of indoor and outdoor amenity areas. In addition, the largest 2-bedroom and all 3-bedroom units are large enough to accommodate families, including those with children.

Policy 3.5 Encourage the development of housing for low and moderate-income households in areas with adequate access to employment opportunities, community facilities, and public services.

The proposed project would include 34 units reserved for low-income households in the Downtown, which provides adequate access to employment opportunities, community facilities such as the Civic Center and Library, and public transit services located at the Oceanside Transit Center.

Policy 3.7 Encourage the disbursement of lower and moderate-income housing opportunities throughout all areas of the City.

The proposed project would aid in the disbursement of lower and moderate-income housing opportunities in the City's downtown within a Smart Growth Opportunity Area. By including affordable units, the project would provide housing opportunities in an area of the City that would otherwise be unattainable for lower income households.

C. Economic Development Element

Policy EDE-1a-3 Encourage new development that provides for social interaction, cultural enrichment, and a strong sense of place including appropriate open space.

The proposed project is designed to encourage social interaction with the development of public plazas as well as several shared indoor and outdoor amenity areas for project residents. The larger

of the public plazas has enough area to hold public gatherings such as the City Christmas tree lighting ceremony and other civic events. In addition, the public plazas create a strong sense of place as they are the focal points of the project's Mission Avenue frontage.

Policy EDE-1b-1 Encourage efficient, transit-oriented development, walkability, parking efficiency, pedestrian and bicycle facilities, and a strong sense of place within the City's Smart Growth Opportunity Areas (SGOAs), as identified on the Regional Smart Growth Concept Map.

The project has an efficient, pedestrian-friendly design and proposes a high-density transit-oriented mixed-use development consisting of apartment, restaurants, and retail suites within one of the City's Smart Growth Opportunity Areas, with access to transit and within walking distance of existing public beach access and public facilities.

Policy EDE-1b-2 Encourage efficient use of land for employment and revenue generation.

The transit-oriented high-density mixed-use project proposes 332 apartment units on 2.72 acres in a City SGOA and is an excellent example of the efficient use of land. Project residents would have the opportunity to frequent surrounding downtown establishments, thereby generating revenue for businessowners and the City. In addition, increased demand for goods and services would in turn spur employment in response to this increased demand.

2. Downtown Zoning Ordinance Compliance

The proposed project is subject to the Downtown District land use and development standards within Article 12 of the Zoning Ordinance. The project is located within the Downtown Subdistrict 1, which allows for commercial/retail and office uses. Residential uses are encouraged as part of a mixed-use development project. The proposed project is consistent with Subdistrict 1 as it proposes a mixed-use project with 332 apartments and 18,682 square feet of commercial/retail space. The project also complies with the development standards of the City's Zoning Ordinance, except where the applicant is seeking waivers of the development standards consistent with SDBL, as previously highlighted in Table 2 of this report.

As previously noted, parking for the project would be provided via a subterranean and above-ground parking structure. The structure would offer 591 parking stalls for apartment residents and commercial uses. Parking for the apartments utilizes the ratio established under SDBL. Under this standard, 409 stalls are required; 409 are provided. There would be 6 additional stalls for leasing and mail, 127 stalls for the restaurants and retail areas (as proposed through waiver W-7), and 49 additional shared stalls for all uses, for a grand total of 591 parking stalls.

3. Local Coastal Program Consistency

The proposed development is consistent with applicable policies of the LCP. LCP Section II Recreation and Visitor Serving Facilities Policy 10 calls for the City to continue to promote coastal

tourism through the revitalization of the coastal area in upgrading visitor amenities. The redevelopment of the site with a new seven-story mixed use building with 332 apartments and 18,682 square feet of commercial space would promote the revitalization of the coastal area by bringing hundreds of new residents to the downtown and upgrading visitor serving amenities by replacing an aging commercial center with new restaurants, retail space and two public plazas. Policy 17 calls for the City to require residential development to provide adequate on-site parking. The project would provide the required amount of residential parking as established under SDBL.

In addition, in accordance with Section VI. Visual Resources and Special Communities Policy 8, the proposed project would be visually compatible with the character of surrounding areas found in the downtown, which includes several mid-rise hotels and vertical mixed-use buildings. The proposed project would not substantially alter or impact existing public views of the coastline nor would the proposed project obstruct any existing or planned public beach access, thereby conforming to the policies of Chapter 3 of the Coastal Act.

ENVIRONMENTAL REVIEW

Pursuant to the California Environmental Quality Act (CEQA), staff finds that the proposed project is Categorically Exempt pursuant to Article 19 Categorical Exemptions, CEQA Guidelines Section 15332 "In-fill Development Projects." The site is located in an urbanized area, and would not result in any significant environmental effects.

PUBLIC NOTIFICATION

The applicant posted a Notice of Project Application sign on the property and a legal notice was published in the newspaper and notices were sent to property owners within a 1500-foot radius and to tenants within a 100-foot radius of the subject property. Notices were also sent to individuals and/or organizations requesting notification, the applicant and other interested parties. In addition to satisfying notification requirements, two community outreach meetings were held at the project site on October 16, 2023, at the Civic Center Library community room and on June 19, 2024, at the Main Street Oceanside offices. The primary concerns raised by the public dealt with traffic and parking; however, a number of residents also expressed support for the project as it would greatly improve the appearance of the neighborhood. To address traffic concerns, the proposed project would construct a new traffic signal at the intersection of North Coast Highway and Neptune Way.

FISCAL IMPACT

The applicant has paid all development processing fees required for the consideration of this application.

COMMISSION OR COMMITTEE REPORT

On April 23, 2025, the DAC was presented with the proposed project. Committee members expressed some concern with reduced area of the public plaza. After due consideration, the DAC voted (5-1, 2 members absent) to recommend CDC approval of the proposed Tentative Map (RT23-00001), Development Plan (RD23-00002), Regular Coastal Permit (RRP23-00002), and Density

Bonus (DB23-00005).

CITY ATTORNEY'S ANALYSIS

The CDC is authorized to hold a public hearing in this matter. Consideration of the matter should be based on the testimony and evidence presented at the hearing. The supporting documents have been reviewed and approved as to form by the City Attorney.

Prepared by: Manuel Baeza, Principal Planner

Reviewed by: Darlene Nicandro, Development Services Director

Submitted by: Jonathan Borrego, City Manager

ATTACHMENTS:

1. Staff Report
2. Community Development Commission Resolution
3. Project Plans
4. 1999 Public Plaza Easement Agreement
5. 2001 Parking Agreement
6. Application materials (Description & Justification, Project Offsite Cost Estimate, Community Outreach Summary, Letters on Project, SB 330 Preliminary Application)
7. Downtown Advisory Committee Memorandum dated April 23, 2025
8. Notice of Exemption
9. Environmental Documents
 - a. CEQA Exemption Memo
 - b. Noise Study
 - c. Air Quality Report
 - d. Local Transportation Study
 - e. Preliminary SWQMP
 - f. CAP Checklist
 - e. Preliminary Geotechnical Investigation

4543

DOC # 1999-0095213

RECORDING REQUESTED BY: *Chicago Title* Feb 17, 1999 11:11 AM~~COMMUNITY DEVELOPMENT COMMISSION~~
~~OF THE CITY OCEANSIDE~~OFFICIAL RECORDS
SAN DIEGO COUNTY RECORDER'S OFFICE
GREGORY J. SMITH, COUNTY RECORDERFEES: 0.00
QC: NA

WHEN RECORDED MAIL TO:

CITY OF OCEANSIDE
Oceanside Civic Center
300 North Coast Highway
Oceanside, California 92054
Attention: Dana Whitson
Assistant City Manager

735 9496-15

147-271-014006, 114013

147-271-018006



1999-0095213

SPACE ABOVE THIS LINE FOR RECORDER'S USE
DOCUMENT ENTITLED TO FREE RECORDING
PER GOVERNMENT CODE SECTION 6103PUBLIC PLAZA EASEMENT AGREEMENT

For valuable consideration, DDR OLIVERMcMILLAN OCEANSIDE LLC, a Delaware limited liability company (the "Grantor"), does hereby grant to the City of Oceanside, a municipal corporation (the "Grantee"), a non-exclusive, public easement (the "Public Plaza Easement") over, along and across the land of Grantor situated in the County of San Diego, State of California, more particularly illustrated on Exhibit A and described on Exhibit B (attached hereto and by this reference made a part hereof (the "Easement Parcel"), for the passage of pedestrians.

Use of the Easement Parcel may be governed by reasonable rules and regulations of the Grantor, including without limitation, the right to hold special events and the right to designate specified areas for particular uses such as outside dining or beverage services, so long as such rules and regulations do not unduly interfere with the passage of pedestrians. Use of the Easement Parcel shall be available during daylight hours of each day, and also during nighttime hours of each day when any establishment in space located within the area bounded by Mission Avenue, Coast Highway, Seagaze Drive and Cleveland Street is open for business. The Grantor hereby reserves the right to eject or cause the ejection from the Easement Parcel of any person causing any public or private nuisance and/or violation of said permitted rules and regulations in the Easement Parcel.

This grant of Public Plaza Easement is made by the Grantor pursuant to that certain Disposition and Development Agreement (the "DDA") dated July 2, 1998, between DDR OliverMcMillan LP, a

Delaware limited partnership, the Grantor's predecessor-in-interest, and the Community Development Commission of the City of Oceanside (the "Commission") as recorded TODAY against the Easement Parcel by reference in that certain Grant Deed recorded in the Office of the San Diego County Recorder ~~as follows~~. ~~1999-11-11~~ concurrently herewith.

Pursuant to the DDA, the Commission shall construct, or cause to be constructed, certain improvements (including, without limitation, hardscape, landscape and fixtures) within the Easement Parcel, pursuant to plans and specifications prepared by the Grantor and approved by the Commission. At all times following completion of construction and installation of such improvements, the Grantor shall operate and maintain the Easement Parcel in a safe manner, and in good repair and condition, at its own cost and expense. Such operation and maintenance shall include, without limitation, all operating administrative responsibilities (e.g. security, utilities, insurance, taxes, etc.), maintenance, replacement, reconstruction and all other costs and expenses whatsoever related to the Easement Parcel. Any material change in the improvements within the Easement Parcel shall require the prior written reasonable consent of the Grantee, which consent shall be deemed granted unless the Grantee disapproves such proposed change in writing within twenty (20) days after submission to the Grantee of the plans and specifications for such proposed change. The Grantor and the Grantee agree that, following completion of construction of the initial improvements by the Commission, neither the Grantee, nor the Commission, shall be responsible for, or bear any costs or expenses with respect to, the Easement Parcel and/or the improvements thereon.

Grantor shall at all times maintain bodily injury and property damage liability insurance covering the Easement Parcel, with coverage of at least \$3,000,000.00 combined single limit. Such insurance shall name the Grantee, the Commission, and their respective officers and employees as additional insureds. The Grantor shall furnish, or cause to be furnished, to the Grantee duplicate originals or appropriate certificates of such insurance to demonstrate that such insurance is continuously in effect.

In amplification and not in restriction of the provisions set forth hereinabove, it is intended and agreed that the Grantee shall be deemed a beneficiary of the covenants provided for in this Public Plaza Easement Agreement both for and in its own right and also for the purposes of protecting the interests of the community. All covenants without regard to technical classification or designation shall be binding for the benefit of the Grantee and such covenants shall run in favor of the Grantee for the entire period during which such covenant shall be in force and effect, without regard to whether the Grantee is or remains an owner of any land or interest therein to which such covenants relate. The

Grantee shall have the right, in the event of any breach of any such covenant, agreement or condition, to exercise all the rights and remedies, and to maintain any actions at law or suit in equity or other proper proceedings to enforce the curing of such breach of covenant, agreement or condition.

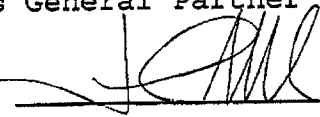
This Public Plaza Easement shall remain in effect for a period ending thirty-four (34) years after the earlier of (1) the opening date of any theater constructed adjacent to the Easement Parcel pursuant to the DDA, or (2) the ninety-first (91st) day after the Grantor provides the theater tenant with written notice of substantial completion of required work on such theater, but not exceeding thirty-five (35) years after recordation of this Public Plaza Easement Agreement. Upon the expiration of such period, the Grantor and the Grantee shall promptly execute and record a written notice memorializing the termination of this Public Plaza Easement Agreement.

IN WITNESS WHEREOF, this Public Plaza Easement Agreement is executed as of this 16th day of February, 1999.

DDR OLIVERMcMILLAN OCEANSIDE LLC,
a Delaware limited liability company

By: DDR OliverMcMillan LP,
a Delaware limited partnership
Its Sole Member

By: DDR OliverMcMillan Inc.,
a Delaware corporation
Its General Partner

BY: 
Print Name: JAMES L. McMILLAN
Title: PRESIDENT

By: _____
Print Name: ~~JAMES L. McMILLAN~~
Title: ~~PRESIDENT~~

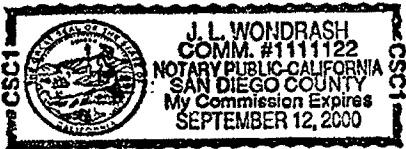
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4546

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On Feb. 16, 1999, before me, the undersigned, personally appeared James L. McMillan, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



J. L. Wondrash
Notary Public

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

On _____, before me, _____, personally appeared _____, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

J.
Notary Public

4547

CERTIFICATE OF ACCEPTANCE
(Government Code Section 27281)

This is to certify that the interest in real property conveyed by the foregoing instrument to the City of Oceanside, a municipal corporation, is hereby accepted by the undersigned officer on behalf of the City of Oceanside, pursuant to authority conferred by Resolution No. R98-134, adopted by the Council of the City of Oceanside on July 1, 1998, and the Grantee consents to recordation thereof by its duly authorized officer.

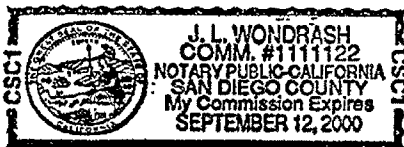
Dated: 2-16-99

By: Thomas J. Wilson

STATE OF CALIFORNIA)
) ss.
COUNTY OF SAN DIEGO)

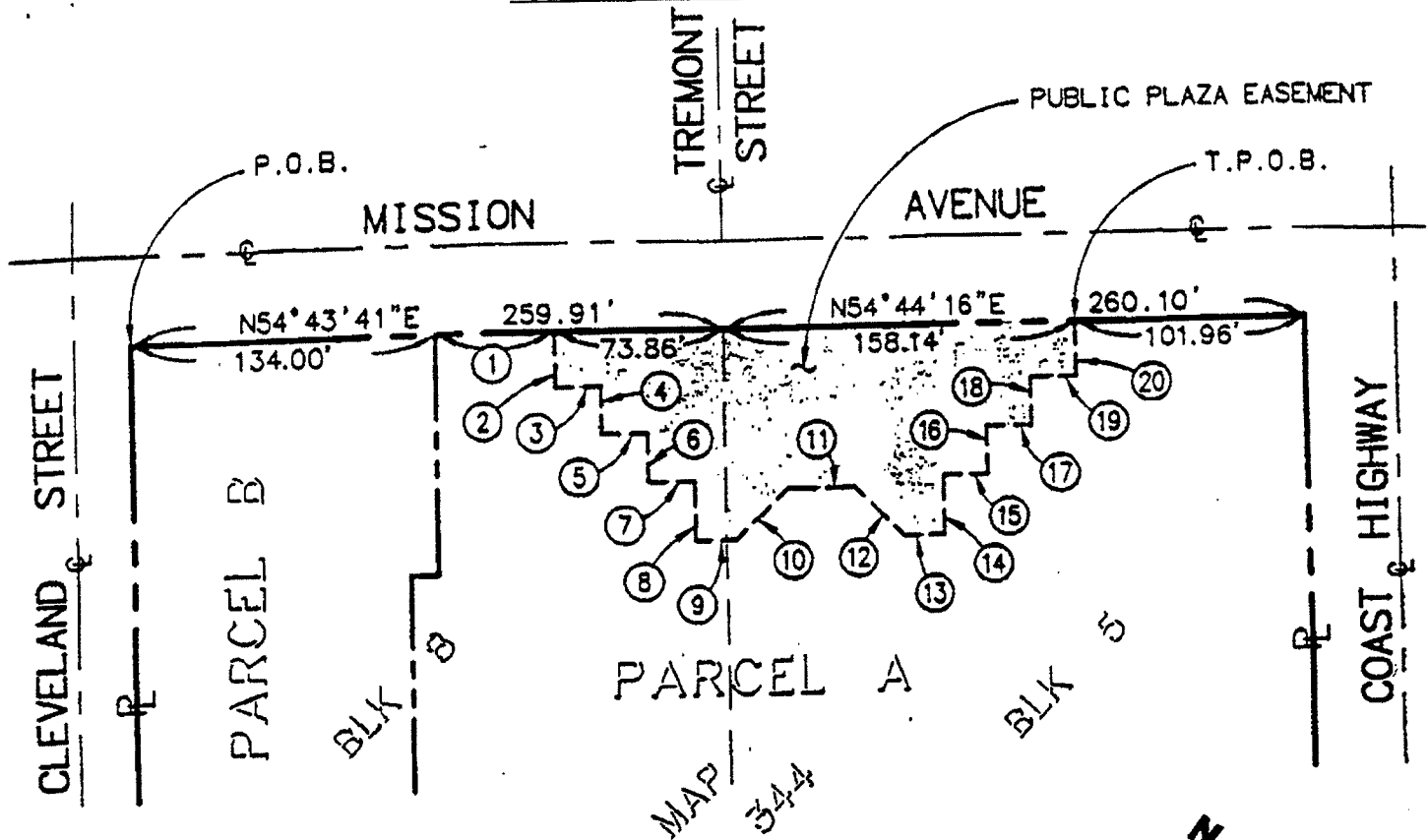
On February 16, 1999, before me, the undersigned, a Notary Public in and for said State, appeared Thomas J. Wilson, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



J. L. Wondrash
Notary Public

MAP OF EASEMENT PARCEL



[---] DENOTES PUBLIC PLAZA EASEMENT

SCALE: 1"=80'

①	N54°43'41"E	52.05'	⑪	N54°43'25"E	29.99'
②	N35°16'35"W	25.48'	⑫	N80°16'35"W	32.12'
③	N54°43'25"E	20.00'	⑬	N54°43'25"E	18.29'
④	N35°16'35"W	22.00'	⑭	N35°16'35"W	27.17'
⑤	N54°43'25"E	20.00'	⑮	N54°43'25"E	20.00'
⑥	N35°16'35"W	22.00'	⑯	N35°16'35"W	22.00'
⑦	N54°43'25"E	20.00'	⑰	N54°43'25"E	20.00'
⑧	N35°16'35"W	27.17'	⑱	N35°16'35"W	22.00'
⑨	N54°43'25"E	18.29'	⑲	N54°43'25"E	20.00'
⑩	N09°43'25"E	32.12'	⑳	N35°16'35"W	25.44'

EXHIBIT B

DESCRIPTION OF EASEMENT PARCEL

THOSE PORTIONS OF BLOCKS 5 AND 8 OF OCEANSIDE TOWNSITE, IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF NO. 344, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY JULY 1, 1885, DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST WESTERLY CORNER OF SAID BLOCK 8; THENCE NORTH 54°43'41" EAST 259.91 FEET ALONG THE NORTHERLY LINE OF SAID BLOCK TO THE CENTERLINE OF TREMONT STREET; THENCE NORTH 54°44'16" EAST 260.10 FEET ALONG THE NORTHERLY LINE OF SAID BLOCK 5 TO THE MOST NORTHERLY CORNER OF SAID BLOCK; THENCE RETURNING ALONG SAID NORTHERLY LINE OF BLOCK 5 SOUTH 54°44'16" WEST 101.96 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 35°16'35" EAST 25.44 FEET; THENCE SOUTH 54°43'25" WEST 20.00 FEET; THENCE SOUTH 35°16'35" EAST 22.00 FEET; THENCE SOUTH 54°43'25" WEST 20.00 FEET; THENCE SOUTH 35°16'35" EAST 22.00 FEET; THENCE SOUTH 54°43'25" WEST 20.00 FEET; THENCE SOUTH 35°16'35" EAST 27.17 FEET; THENCE SOUTH 54°43'25" WEST 18.29 FEET; THENCE NORTH 80°16'35" WEST 32.12 FEET; THENCE SOUTH 54°43'25" WEST 29.99 FEET; THENCE SOUTH 9°43'25" WEST 32.12 FEET; THENCE SOUTH 54°43'25" WEST 18.29 FEET; THENCE NORTH 35°16'35" WEST 27.17 FEET; THENCE SOUTH 54°43'25" WEST 20.00 FEET; THENCE NORTH 35°16'35" WEST 22.00 FEET; THENCE SOUTH 54°43'25" WEST 20.00 FEET; THENCE NORTH 35°16'35" WEST 22.00 FEET; THENCE SOUTH 54°43'25" WEST 20.00 FEET; THENCE NORTH 35°16'35" WEST 25.48 FEET TO A POINT ON THE NORTHERLY LINE OF SAID BLOCK 8; THENCE NORTH 54°43'41" EAST 73.86 FEET ALONG SAID NORTHERLY LINE; THENCE NORTH 54°44'16" EAST 158.14 FEET ALONG THE NORTHERLY LINE OF SAID BLOCK 5 TO THE TRUE POINT OF BEGINNING.

FIRST AMENDED AND RESTATED
PARKING AGREEMENT

This First Amended and Restated Parking Agreement (the "Parking Agreement") is entered into by and between the COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF OCEANSIDE (the "Commission") and DDR OCEANSIDE LLC, a Delaware limited liability company (the "Developer").

I. [§100] PURPOSE OF PARKING AGREEMENT

The Commission and DDR OliverMcMillan LP, a Delaware limited partnership, the Developer's predecessor-in-interest, have heretofore entered into that certain Disposition and Development Agreement dated July 2, 1998 (the "DDA"), to effectuate the Redevelopment Plan for the Downtown Redevelopment Project in the City of Oceanside (the "City"), by providing for the disposition of that certain real property illustrated and designated as "Parcel A" on the Map of Parcel A (which is attached hereto and unincorporated herein as Exhibit A), and the development and operation on Parcel A of a theater complex, restaurant/entertainment uses, food court establishments, and retail commercial activities. Pursuant to the DDA: (1) the Commission has conveyed title to Parcel A to the Developer (under its former name of DDR OliverMcMillan Oceanside LLC) by Grant Deed recorded concurrently with execution of the Parking Agreement; and (2) the Developer has constructed on Parcel A a first-class, 16-plex theater of approximately 68,000 square feet (approximately 2,907 seats), approximately 7,500 to 10,000 square feet of restaurant use, approximately 6,500 to 10,000 square feet of food court establishments, and approximately 3,900 square feet of retail commercial uses (along Coast Highway), collectively approximately 19,440 square feet of restaurant, food court and Coast Highway commercial uses.

The Commission is undertaking activities necessary and appropriate to redevelop the central part of downtown Oceanside around the Site. In connection with those activities the Commission, directly and/or in cooperation with the City, has undertaken to provide, or cause to be provided, various public parking facilities for the use of the general public, and employees, patrons, customers and invitees of the businesses, institutions and recreation facilities within and near the downtown area. The Commission and the Developer have determined that public parking facilities located within a certain perimeter around Parcel A, illustrated and designated as the "Parking Perimeter" on the Map of Parking Perimeter (which is attached hereto and incorporated herein as Exhibit B), will adequately serve the proposed uses on Parcel A.

The purpose of this Parking Agreement is to set forth the terms and conditions in accordance with which the Commission will provide, or cause to be provided, such public parking facilities.

II. [§200] PROVISION OF PARKING AREAS

The Commission agrees to provide, or cause to be provided, within the Parking Perimeter, public parking facilities containing parking spaces at least equal in number to: (1) one parking space per every four auditorium seats within theaters on Parcel A (up to 726 parking spaces); plus (2) 2.7 parking spaces per every 1,000 square feet of gross leasable area of restaurant/entertainment uses, food court establishments and retail commercial uses on Parcel A; but not exceeding a combined total of 779 parking spaces for (1) and (2). Two hundred seventy (270) of the parking spaces may be provided west of the railroad right-of-way within the Parking Perimeter, and the remainder shall be provided east of the railroad right-of-way. Notwithstanding the foregoing, the Commission shall also have the right to provide, from time-to-time, on a temporary basis (not exceeding the period, up to ninety (90) days, but not between the Friday before Memorial Day through Labor Day or between December 15 and January 5 of any year unless reasonably approved by the Developer, reasonably necessary to complete installation of the equivalent number of public parking facilities initially designated, or subsequently designated as replacement parking spaces, within the Parking Perimeter), as parking spaces meeting the requirements of this Section, up to 235 parking spaces open to the general public (excluding reserved parking spaces) within the Civic Center parking structure located south of Civic Center Drive and east of the Oceanside Public Library. The public parking facilities which the Commission provides, or causes to be provided, from time to time in the above amounts are referred to herein as the "Parking Areas".

The parking spaces which comprise the Parking Areas shall be designated in writing by the Commission upon the Commission obtaining and documenting the rights to provide, or cause to be provided, such parking spaces, and from time to time thereafter. Any such designation provided after the initial designation shall also designate the parking spaces being replaced, in which case the designated replaced parking spaces shall no longer be part of the Parking Areas. Without being a condition to the effectiveness of any such designation, the Developer agrees to provide estoppel certificates or similar documents as from time to time requested by the Commission to evidence that specified parking spaces are not a part of the Parking Areas. The designated replacement parking spaces shall be provided without delay within the Parking Perimeter, and equivalent to the number replaced, in which case the designated replacement parking spaces shall become part of the Parking Areas.

The Parking Areas shall be improved to customary City standards for public parking facilities (including without limitation, adequate security lighting), at the sole capital cost and expense of the Commission or others than the Developer. The Parking Areas may be surface parking lots and/or in a structure or structures at the election of the Commission. Any parking structure constructed as part of the Parking Areas may stand alone or be part of a development mixed with other uses.

In addition to the initial capital costs and expenses, the Commission, or others than the Developer, shall be responsible, at their respective cost and expense, for any capital replacement and/or restoration required within the Parking Areas due to damage or destruction.

In the event the Commission elects to reconfigure parking spaces in any part of the Parking Areas (including without limitation the construction or remodeling of a parking structure or structures therein), which the Commission may elect to do at any time and from time to time in its sole discretion, then any such reconfiguration shall be accomplished, and the capital costs and expenses thereof shall be borne, by the Commission, or others than the Developer.

During any such reconfiguration, but only for a period reasonably necessary to complete such reconfiguration and not exceeding in any event six (6) months, the Commission shall be excused from providing, or causing to be provided, the number of parking spaces made unavailable by such reconfiguration.

III. [§300] USE AND OPERATION OF PARKING AREAS

The Parking Areas shall be operated in accordance with customary City standards for public parking facilities, for the non-exclusive use of the general public, and employees, patrons, customers and invitees of the businesses, institutions and recreation facilities within and near the downtown area. The employees, patrons, customers and invitees of the Developer and its tenants with uses on Parcel A shall be provided access to the Parking Areas, or designated portions thereof sufficient to adequately serve the uses on Parcel A, during all periods when such uses on Parcel A are open for business.

If the operation of the Parking Areas, or any portion thereof, includes the imposition of any parking fee or charge for the use thereof, which imposition may only be made with the prior written consent of the Developer, any such parking fee or charge shall be consistent with the general policies and practices of the City at the time any such fee or charge is imposed, and shall not be discriminatory against the Developer and its tenants, or their

respective employees, patrons, customers and invitees of uses on Parcel A. The Developer agrees to cooperate reasonably with the Commission to institute such parking fees or charges (with validation procedures) as may be appropriate to manage the use of the Parking Areas for the purposes herein provided. Any and all receipts from such a parking fee or charge system shall be retained by the Commission (and/or City as applicable) as its property.

The Commission and the Developer by this Parking Agreement do not intend to create a possessory interest by the Developer in the Parking Areas, or any portion thereof, but only a covenant by the Commission to provide the Parking Areas for the general public, including the uses on Parcel A. Nevertheless, in accordance with California Revenue and Taxation Code Section 107.6(a), the Commission states that by entering into this Parking Agreement, a possessory interest subject to property taxes could be determined to be created. In such case, the Developer or other party in whom the possessory interest might be determined to be vested could be subject to the payment of property taxes levied on such interest.

IV. [§400] MAINTENANCE OF PARKING AREAS

The Commission, at its sole cost and expense (except as expressly provided in Article V. below), shall perform, or cause to be performed, all maintenance of the Parking Areas. The Commission shall keep the same in good condition and repair, well striped and without potholes, and clean and free of rubbish and other hazards to persons using the Parking Areas. Maintenance as used herein shall include (without limitation) the repair of improvements and landscaping on the Parking Areas, and the replacement thereof, due to ordinary wear and tear.

V. [§500] PARKING AREA MAINTENANCE EXPENSES

1. [§501] Payment Amount

The Developer shall use its diligent and good faith efforts to obtain in each lease (including each renewal or subsequent lease) for tenants occupying space within Parcel A, a payment toward the cost of Parking Area Maintenance Expenses (as defined in Section 502), provided, however, that any leases between the Developer and Regal Cinemas shall be excluded. Such payment may be based upon some amount per square foot of gross leasable area of the tenant, or other customary measure, except that the Developer shall not be required to negotiate such parking reimbursement to the extent that tenant forces such reimbursement to result in a reduction of rent from the Developer's pro forma levels or reduces the Developer's ability to recover legitimate common area maintenance charges otherwise payable by such tenant. The total amount of such payments, if any, received by the Developer each fiscal year

attributable to space within Parcel A is referred to herein as the "PAM Charge". The Developer shall attempt to require any such payments from tenants be collectable at times corresponding to its collection of common area maintenance charges attributable to the operation and maintenance on Parcel A. In any event, all such payments on account of the PAM Charge shall be paid by the Developer to the Commission within fifteen (15) days after the end of the month in which the Developer has collected them from the applicable tenants.

The Developer agrees to conduct itself in the attribution of receipts, payments and off-sets from and to tenants as provided for in its leases (as to "rent", "common area maintenance charge", "PAM Charge", "tenant improvement allowance", and other categories), and in the computation of the amounts referred to in this Section, in a reasonable manner that is consistent with the then current prevailing market conditions in the local area, so as not to cause a distortion of revenue to the detriment of the Commission in obtaining in its leases, and calculating for payment to the Commission, the amounts referred to in this Section.

The Commission shall have the right to inspect and/or audit the books and records of the Developer from time to time as reasonably necessary to monitor the determination of the PAM Charges for any fiscal year (but limited to the preceding two (2) fiscal years).

Any amount payable toward the PAM Charge which is not paid when due, shall earn interest at the Bank of America reference rate on the due date plus three percent (3%), or the maximum rate permitted by applicable law, whichever is lesser, from the date due until paid.

2. [§502] Definition of Maintenance Expenses

The term "Parking Area Maintenance Expenses" shall mean all sums reasonably incurred in connection with the operation and maintenance of the Parking Areas, including, but not limited to, the costs and expenses of:

(a) operation and maintenance of the utilities serving Parking Areas, including storm and sanitary facilities, water and sewer service, electrical, gas, steam, water, telephone systems, lighting system (including poles, bulbs, and fixtures) and other utility systems;

(b) trash and garbage removal, pest control, and cleaning, painting, and sweeping of the Parking Areas;

(c) operation and maintenance of all utility systems, emergency water and sprinkler, security, and life safety systems, pumping systems, and all other items, facilities, equipment and systems furnished by the Commission as part of the Parking Areas;

(d) operation and maintenance of decorative features, fencing and similar items located within the Parking Areas, slurry sealing or other maintenance of the parking surface, and planting, replanting and replacing of all flowers, shrubbery, plants, trees and other landscaping within the Parking Areas;

(e) maintenance and depreciation of all machinery and equipment used in the operation or maintenance of the Parking Areas including, but not limited to, all security vehicles and equipment serving the Parking Areas;

(f) the cost of providing security including security personnel and equipment for Parking Areas, including, without limitation, uniforms, transportation and surveillance equipment;

(g) the cost of insurance for Parking Areas;

(h) the Commission's supervisory charge for operating and maintaining the Parking Areas and management charge which together shall not exceed five percent (5%) of the other Parking Area Maintenance Expenses.

The Parking Area Maintenance Expenses shall not include:

(a) payments of principal, interest or other costs of money charges on any debt, or the amortization of any funds borrowed by the Commission;

(b) costs incurred in connection with the sale, financing, mortgaging, selling or change of ownership of the Parking Areas;

(c) any expense for which the Commission receives reimbursement from insurance, condemnation awards, or other sources;

(d) any capital expenditures for Parking Areas whether incurred in the original construction or in changes to the Parking Areas;

(e) depreciation (other than depreciation as above specified).

The Commission may cause any or all maintenance and/or operation services for the Parking Areas to be provided by an independent contractor or contractors or others.

VI. [§600] GENERAL PROVISIONS

A. [§601] Effective Date and Duration of Parking Agreement

This Parking Agreement shall be effective upon February 17, 1999. This Parking Agreement shall be for a term ending December 10, 2033, at which time this Parking Agreement shall automatically terminate; except that the provision of the Parking Areas, and each portion thereof, hereunder, shall continue only as long as such Parking Areas, and each portion thereof, is used by the Developer and its tenants on Parcel A, as measured by the number of theater seats and the number of square feet of gross leasable area of restaurant/entertainment uses, food court establishments and retail commercial uses that are actually open and being operated on Parcel A, and this Parking Agreement shall terminate with respect to the number of parking spaces over and above the number in use as measured by application of the ratios set forth in the first paragraph of Section 200 of this Parking Agreement to the uses that are actually open and being operated on Parcel A, where the non-use continues for any consecutive twelve (12) month period, unless notice has been given by the Developer to the Commission during such period of its intention to resume use within eighteen (18) months following the respective date upon which the applicable non-use commenced. The Commission shall designate the location of the parking spaces which are so removed from the Parking Areas.

B. [§602] Severability

If any clause, sentence, or other portion of the terms, conditions, covenants, and restrictions of this Parking Agreement becomes or is declared to be illegal, null, or void for any reason, or be held by any court of competent jurisdiction to be so, the remaining portions of this Parking Agreement shall remain in full force and effect.

C. [§603] Notices

All notices, statements, demands, approvals, or other communications to be given under or pursuant to this Parking Agreement shall be in writing, addressed to the parties at their respective addresses as provided below, and will be delivered in person, or by certified or registered mail, postage pre-paid, or by telegraph or cable, charges pre-paid. If mailed or telegraphed, the notice will be deemed to have been given twenty-four (24) hours after the date of mailing or the date of delivery to the telegraph

or cable company. The address of the parties to which such notices are to be sent, until further notice, are as follows:

Commission:
Community Development Commission
of the City of Oceanside
300 North Coast Highway
Oceanside, CA 92054
Attention: Executive Director

Developer:
DDR Oceanside LLC
3300 Enterprise Parkway
Beachwood, Ohio 44122
Attention: Scott Wolstein and
General Counsel

D. [\$604] Non-Discrimination

By its signature on this Parking Agreement, each party covenants for itself, and its successors and assigns, and all persons claiming under and through them, that there shall be no discrimination or segregation of any person or group of persons on account of sex, marital status, race, color, creed, religion, national origin, or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure or enjoyment of any portion of the Parking Areas, nor shall any occupant of any portion of the Parking Areas, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendors in any portion of the Parking Areas.

E. [\$605] Assignment of Parking Agreement; Obligation of Successors

This Parking Agreement may only be assigned, and shall be assigned, to any grantee of the Developer's entire fee title interest in Parcel A and the improvements thereon. The Developer covenants that in each instance in which the Developer ever conveys Parcel A to a grantee who will become thereby a new party, the Developer in such instance shall require the prospective new party to agree not to use, occupy, or allow any lessees of such to use or occupy Parcel A in any manner which would constitute a violation or breach of any of the covenants or conditions in this Parking Agreement, and require the new party to assume and agree to perform each and all of the obligations of the Developer under this Parking Agreement, in each case by a written instrument satisfactory to the Commission. Notice of each such conveyance and agreement shall be given to the Commission at least ten (10) days before making, which notice is to be accompanied by a copy of the proposed conveyance

and agreement. On such assumption by a new party and notice of such, the Developer shall thereafter be released from any further obligation under this Parking Agreement.

F. [\$606] Agreement for Exclusive Benefit of Parties

The provisions of this Parking Agreement are for the exclusive benefit of the Commission and the Developer, and not for the benefit of any other person, nor shall this Parking Agreement be deemed to have conferred any rights, express or implied, upon any other person.

G. [\$607] Application of Terms to Tenancy Agreements

All lease agreements, tenancy agreements, license agreements or similar arrangements concerning all or part of Parcel A (each a "tenancy agreement") entered into by the Developer and any third party shall be subject to the provisions of this Parking Agreement. In case of a conflict in the provisions of this Parking Agreement and any such tenancy agreement, this Parking Agreement shall prevail and control. Each tenancy agreement shall contain a provision that it is subject in all respects to the terms and conditions of this Parking Agreement.

H. [\$608] Governing Laws

This Parking Agreement shall be construed, interpreted, governed and enforced in accordance with the laws of the State of California.

I. [\$609] No Partnership, Joint Venture or Principal-Agent Relationship

Nothing contained in this Parking Agreement shall be deemed or construed by the parties hereto, or any of them, or by any third person, to create the relationship of principal and agent, or of joint venture, or a partnership between or among any of the parties under this Parking Agreement.

J. [\$610] Successors

This Parking Agreement shall be binding upon and insure to the benefit of the parties hereto and the respective successors and assigns of the parties.

K. [\$611] Waivers and Amendments

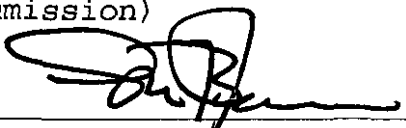
All waivers of the provisions of this Parking Agreement must be in writing and signed by the appropriate authorities of the Commission or the Developer, and all amendments hereto must be in

writing and signed by the appropriate authorities of the Commission and the Developer.

IN WITNESS WHEREOF, the parties hereto have caused this Parking Agreement to be executed as of the day set forth opposite their signatures.

COMMUNITY DEVELOPMENT COMMISSION
OF THE CITY OF OCEANSIDE
(Commission)

Date: 4/27/01

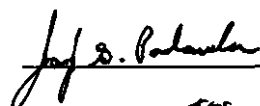
By: 

Steven R. Jepsen
Executive Director

DDR OCEANSIDE LLC,
a Delaware limited liability company

By: Developers Diversified Realty
Corporation,
an Ohio corporation
Its Sole Member

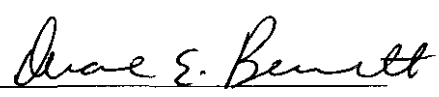
Date: 3-23-01

By: 

Print Name: Joseph G. Padanilam

Title: Vice President

APPROVED AS TO FORM AND
LEGALITY:
DUANE E. BENNETT
Commission General Counsel

By: 

Date: 4-3-01

[Signature page continued from page 10]

APPROVED:

KANE, BALLMER & BERKMAN
Commission Special Counsel

By: Bruce D. Ballmer
Bruce D. Ballmer

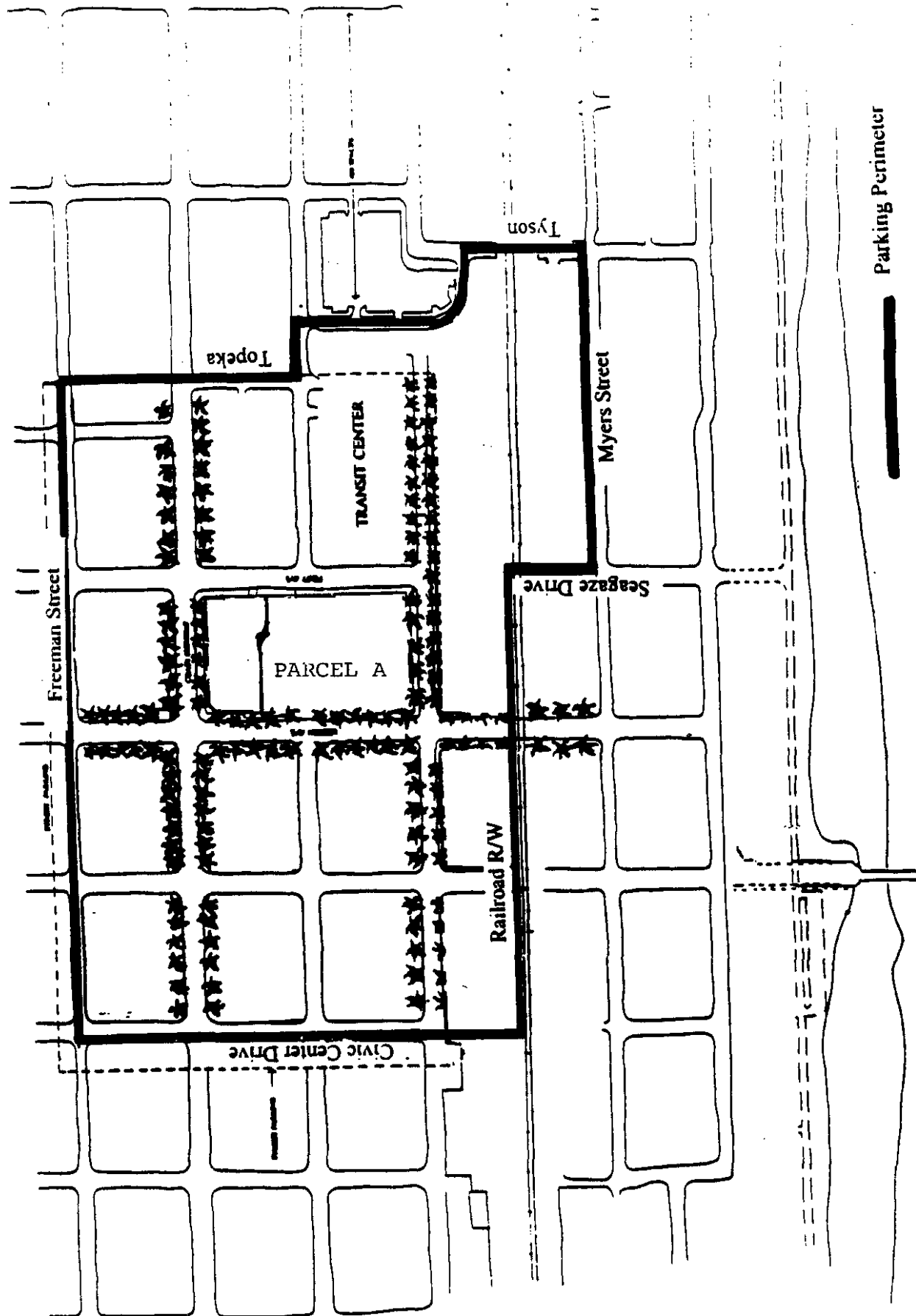
Date: 3/20/01

MAP OF PARCEL A



PARCEL A

MAP OF PARKING PERIMETER



401 MISSION MIXED-USE DEVELOPMENT PROJECT

Mixed-Use Development Plan with Density Bonus, Regular Coastal Permit

DESCRIPTION & JUSTIFICATION UPDATED PLAN SEPTEMBER 2025

Project Setting and Overview

This application proposes a contemporary mixed-use building to revitalize a prominent downtown block of Coast Highway situated between Mission Avenue and Seagaze Drive. The 401 Mission project will provide much-needed housing on an infill site with 326 residential apartments complemented by approximately 26,490 square feet of commercial space and approximately 15,439 square feet of open plaza that contribute to urban public open space. Adjoining offsite ROWs fronting the property will be indistinguishable from the overall plaza in design, increasing the experienced public open space. Significant revisions were made to the proposed plan in September 2025, but the current project is within 20% of both the original residential unit count and the original square footage, so the accepted SB330 application for this project is still valid. The entitlement application for this project presents a Mixed-Use Development Plan with Density Bonus, a Tentative Tract Map for Condominium purposes, and a Regular Coastal Permit to create a transformative project serving as a gateway to Oceanside's downtown core, beach and pier areas with strong connectivity to the surrounding area provided along all three adjacent streets.

The 2.72-acre site is a single parcel (APN 147-271-14) located in Subdistrict D-1 of the Downtown District within the Coastal Zone, immediately north of the Oceanside Transit Center and within the central hub of downtown activity. The existing 6-story mixed-use building occupying the western end of this block is located outside the proposed development footprint. Recently constructed mixed-use commercial and apartment buildings are located nearby, along with a wide variety of commercial uses and restaurants, especially concentrated along the main corridors of Coast Highway and Mission Avenue. Some single-family homes are located to the south near the transit center; however, most homes are generally located west of the railroad tracks or east of Coast Highway. The project site is currently developed with the "Ocean Place Center", anchored by a Regal Cinema theater and approximately 15,462 square feet of existing public plaza space fronting Mission Avenue that is edged by several small retail shops and restaurants. One store, a restaurant, and the solid waste storage area for the center face Coast Highway. There are no uses along Seagaze Drive other than back entries to the buildings and minimal landscaping.

Steps away from the surf, sand, dining, and entertainment, future residents will be able to embrace the beach town atmosphere in this 21st century urban seaside community. The project would replace the existing center with a striking new podium-style building with 5 floors of apartment residences over commercial uses and a parking garage. It reimagines the public plaza space and creates an opportunity for more local residents to live within easy walking distance of downtown amenities and to support local businesses. The site located across Seagaze Drive from the Oceanside Transit Center provides convenient, direct access to much of San Diego County,

along with Orange County, Los Angeles, and points north via multiple bus routes and train lines, including the Coaster, Sprinter, Metrolink, and Amtrak. The connectivity of the site promotes a live-work-play environment that is highly desirable and contributes to the vibrancy of downtown.

Mixed-Use Development Plan & Regular Coastal Permit

In accordance with Downtown District Property Development Regulations [Section 1232 Additional Regulation (KK)], any mixed-use development with commercial and residential land uses combined requires a Mixed-Use Development Plan to establish site-specific property development regulations for the project. As noted in the zoning regulations, the purpose and intent of mixed-use development regulations is to allow increased density and flexibility, while maintaining ground floor pedestrian orientation and activation through design rather than only type of use.

Exhibit “A” as attached provides the Mixed-Use Development Plan standards proposed for 401 Mission. The development standards incorporate the Base District Regulations for Residential and Non-residential land uses as a guideline, and modify provisions in accordance with State Density Bonus Law related to density, parking, and design, which are also specified in Exhibit “A.”

The proposed project is designed to provide a new mix of resident- and visitor-supporting commercial uses and increase the number of residences downtown to support these local businesses and contribute to an active and exciting community. The existing public plaza space, well-used in this pedestrian-oriented area, will be redesigned with both physical and visual connectivity along Mission Avenue, providing a public benefit that allows public use of the outdoor setting and connects project residents with their community. The sidewalk pop-outs at the crosswalks on Mission Avenue are maintained to facilitate safe pedestrian movement to adjacent areas including the weekly Sunset Market event. The building setback along this frontage meets typical development standards except for minor encroachments for architectural elements. These design features and the full height windows orient the project restaurants and leasing office to public areas and provide additional landscaping at the ground level without impacting public walkways. Along Coast Highway, commercial uses extend across the entire project facade, including in the center of the block, activating the currently underutilized street frontage. The Seagaze Drive frontage is enhanced with landscaped areas and contains the two garage entries for the project. South-facing resident balconies on upper levels also serve to activate the Seagaze corridor and enhance community safety elements by promoting “eyes on the street” design principles.

The Project would provide 293 market rate apartments and 33 apartments (10% of the total units) designated as low-income affordable homes for residents who want the benefits of downtown Oceanside living, such as access to multiple transit options, the beach, and the variety of downtown businesses within walking distance. Apartment homes can provide this lifestyle with onsite amenities for social gathering opportunities and fitness at a rate that is more attainable for a broader part of the population.

Architecture

401 Mission evokes a contemporary coastal ambiance with modern architecture influenced by the local seaside lifestyle. Care was taken in developing the architectural design to present an interesting and modern aesthetic along this prominent downtown node on the Coast Highway corridor. Design elements were considered from all three public viewsheds along adjacent streets to ensure building facades present a distinctive high-quality design. Ground level, over-height windows fronting the commercial spaces on Coast Highway and Mission Avenue are outlined with angular walls that delineate window sections and provide some shading to the ground level. Decorative metal screening systems clad the parking garage on Seagaze Drive and create an interesting decorative element that also permits air flow into the garage. Located above the commercial ground floor areas, residential level façades incorporate painted stucco in white and sand colors in strong horizontal pattern that transitions to the vertical features along Coast Highway. Tower elements at the corners of the buildings and in the plaza are surfaced in blue composite panels with angular rooflines providing a modern interpretation of a wave pattern. Elevations are enhanced with numerous recesses and balcony pop-outs, glass railings, and simulated wood accents around windows at residences and the ground floor, all working together to provide a high degree of visual interest, relief and articulation. Additionally, through integration of varied materials, colors, accent elements and façade details, the building is designed to complement and enhance coastal architecture in downtown Oceanside.

The project complements the walkable urban environment providing a use-mix with approximately 26,490 square feet of double volume retail and restaurant storefronts, an increase of 5,828 sf over the original plan, and a mezzanine-level leasing office. The total amount of commercial space provided is also more than the currently available space of 19,630 square feet, not including the large movie theater space, maintaining the potential for retail/restaurant revenue coming into the City. One restaurant on the ground floor at the western end of the building at Mission Avenue extends the commercial activity along this key public pathway. An inviting plaza available for resident and public use along Mission Avenue draw visitors into the project, activating the area and establishing a metropolitan vibe. A rooftop deck above the plaza and two large, internal courtyards above the parking levels further provide outdoor open living space for residents of the project. The courtyards connect to interior resident amenity spaces that could accommodate a variety of uses, including fitness studios, clubrooms, and other activity zones.

A summary of the amenity and usable open space areas for the project is provided in Table 1 below.

Table 1 - Usable Open Space & Indoor Amenity Areas

LOCATION OF OPEN SPACE	OPEN SPACE AREA (SQUARE FEET)
Common Open Space	
Central Courtyards	14,151
Roof Deck	2,100
Dog Run	3,400
Total Shared Open Space	19,651 <i>(35,090 including adjacent 15,439 sf public plaza space)</i>
Private Open Space	
Balconies	21,662
Total Private Open Space	21,662
Total Usable Outdoor Open Space (Common and Private)	41,313 <i>(56,752 including adjacent public plaza)</i>
Total Usable Open Space per Unit (326 units)	Approx. 126 sf per unit <i>(Approx. 174 sf per unit including adjacent public plaza space)</i>
Common Indoor Amenity Areas	
Indoor Amenity above Plaza	777
Indoor Amenity at Pool Courtyard A	1,134
Indoor Amenity at Pool Courtyard A	1,251
Indoor Amenity at Courtyard B	1,251
Indoor Co-Work Space	867
Bike Storage	320
Total Shared Indoor Space	5,600
Total Common Space (Indoor and Outdoor) per Unit (326 Units)	<i>Common Open Space 19,651 Common Indoor Space 5,600</i> 25,251 sf 77.5 sf/unit

The residential component of the project features a mix of open concept floorplans arranged in a “stacked flat” configuration. Each unit is accessed via an interior hallway and open to the outdoors for natural ventilation along the perimeter of the building or via the central courtyards. A residential unit summary is provided in Table 2 below.

Table 2 – Residential Unit Summary

PLAN TYPE	SQ. FT. (average)	DESIGNATED AFFORDABLE UNITS (LOW)*	% OF DESIGNATED AFFORDABLE UNITS	MARKET RATE UNITS	TOTAL UNITS	% OF TOTAL NUMBER OF UNITS
Studio	564	2	6%	13	15	4.6%
1BR/1BA	580 - 788	17	51.5%	159	176	54%
2BR/2BA	1,050 – 1,154	11	33.3%	89	100	30.7%
3BR/2BA	1,267 – 1,499	3	9%	32	35	10.7%
TOTAL		33		293	326	

**All units designated as affordable will be proportional to the size of market rate units in accordance with OZO 3032 (M)(2), which defines “proportional” for the purposes of this section to be at least 80% of the average square footage (shown in the table above) of all market rate units with the same bedroom count. Affordable units will be dispersed throughout the project.*

Sustainability and environmental consciousness are key components of the project. The design incorporates features like solar panels and energy-efficient appliances that contribute to reducing the carbon footprint of the development. Under the City’s Zoning Code Section 3047 for the requirement to provide a minimum 50% renewable energy onsite, the project will determine output of the rooftop solar panel array and work with staff to determine an acceptable alternative to make up any shortfall in renewable energy production.

Landscaping

The landscape concept for 401 Mission is designed to enhance the visual character of the project, complement the building form, soften the perimeter area around the building, and create an attractive, inviting environment that enhances the quality of life for residents and visitors to the site. The streetscape design provides landscape elements to enhance the pedestrian experience along all public rights-of-way adjacent to the site.

The conceptual design for the project embraces low impact landscaping that supports the modern architecture of the project and beautifies a space currently dominated by paved parkways. Most existing palm trees along the three adjacent streets will be maintained as part of the iconic streetscapes of downtown Oceanside, but additional shade trees including Chinese Elms and Crape Myrtles are specified for the plaza and residential outdoor spaces to provide shade at a pedestrian level. The public plaza incorporates decorative concrete paving design that extends out to the curb, inviting the public into areas with soft seating and additional shading under umbrellas. Adjacent parkways will be reconstructed to significantly increase the low-water use landscaping along the streets. Additional low planters against the building and in the public plaza will contain the same drought-tolerant vegetation and bring nature into the site, with benches strategically placed for pedestrian resting places serving the local community. Interior courtyards and the roof deck for residents incorporate more landscaped planters, with lounge seating, and dining areas appropriate for resident use.

All onsite landscaping and landscape in the adjacent rights-of-way will be maintained by the project.

Access and Transit

401 Mission is located in the Downtown Transit Oriented District (TOD) across Seagaze Drive from the Oceanside Transit Center (OTC). The OTC includes bus and train options via Amtrak, Metrolink lines that travel north to Los Angeles and Orange County, Coaster lines that travel south to San Diego, and the Sprinter line that runs eastward to Escondido. The proximity to transit options along with the availability of bicycle parking within the project garage supports usage of transportation alternatives and allows residents the opportunity to travel throughout the region without reliance on individual vehicles.

For residents with vehicles, access to the parking garage is provided from Seagaze Drive, with resident parking provided at subterranean levels. Parking for residents will be assigned and managed as a part of the overall building management. Commercial uses and guest parking are primarily located on the ground level (P2). A dedicated loading area large enough for two trucks is proposed on Seagaze Drive near the garage entries allowing off-street loading/unloading activities. It will be shared by all tenants, including commercial and residential, with an elevator located near the loading space that allows easy access to all residential levels of the building. Collection of solid waste and recyclables will be provided by a trash chute system in three areas provided on each residential floor. There are trash termination rooms for the chute systems at the ground level of the garage structure that also contain bins for organic waste. A centrally located and separate collection area is assigned to commercial operators.

City Parking Agreement Termination

The current Ocean Place Center includes a parking agreement granted to the development by the City to allow the use of 975 public parking spaces within a specified area of downtown by the theater and other commercial establishments in the center. The proposed project will relinquish the parking agreement in consideration of the onsite parking provided for each use, resulting in a public benefit from the increase of overall vehicle space availability in the downtown area.

Affordable Housing Density Bonus Provisions

The State of California's Density Bonus Law (Government Code §65915-65918) was established to promote the construction of affordable housing units and allows projects to exceed the maximum designated density and to use development standard waivers, or incentives and concessions, in exchange for providing affordable housing units in compliance with all current density bonus regulations. The City of Oceanside zoning regulations implement the state requirements.

401 Mission proposes 326 total apartment units. Of that total, the project will designate 10% (33 units) to be affordable units at the low-income level, with the remaining 293 units as market rate residences, which complies with the City's Inclusionary Housing Ordinance and meets the provisions of Density Bonus Law regarding affordable housing. Affordable units will be

proportional to the overall project in unit size, dispersed throughout the project, and have access to all amenities available to market rate units. Table 3 below provides a summary of the project unit distribution, and Table 2 in the section above details the number of units and percentage of overall units by bedroom count.

Table 3 - Summary of Project Unit Distribution

TYPE OF UNITS	CALCULATIONS	PROPOSED
Total Units	No density limit per downtown zoning code	326 units
Affordable Units (Low-Income)	10% units reserved for low-income households	33 units
Market Rate Units		293 units

Permitted Incentives / Concessions and Development Waivers

In addition to the density bonus units and the parking standards specified in State Density Bonus Law (SDBL), the project is also entitled to certain incentives or concessions. Cities are required to grant these incentives/concessions and waivers to encourage the construction of housing projects. These can include, for example, a reduction in site development standards or a modification of zoning code or architectural design requirements. By providing 10% low-income units, this project is entitled to receive one incentive/concession. The incentive/concession that will be applied to this project, where the cost-savings of not implementing certain improvements would support provision of the low-income affordable units, are noted below. The applicant will provide staff with a cost analysis for the incentive/concession item to show how it results in identifiable and actual cost reductions.

Incentives / Concessions

One incentive (Incentive 1) is requested to waive undergrounding of above ground electric utilities and related in-lieu fees and deferrals as required along all public streets and adjacent to project boundary, applicable to the above-ground utility lines across Seagaze Drive from the project boundary. An estimate has been provided to the City in separate documents showing an identifiable cost reduction to the project of \$354,600 with the approval of this incentive.

SDBL also provides for waivers to be applied to development projects. The granting of waivers does not reduce the number of incentives allowed on a project, and the number of waivers that may be requested and granted is not limited. In order to accommodate the project as proposed and as allowed under SDBL, the project cannot physically comply with all of the development standards that apply to standard projects. Based on the proposed design to accommodate the affordable and market-rate units, the project seeks a waiver of the development standards listed below for the proposed mixed-use development project pursuant to SDBL.

Table 4 - Waivers Requested for Project

WAIVER #	WAIVER DESCRIPTION
W-1	Waiver to corner side setbacks on Seagaze Drive and Mission Avenue under standards OZO 1232 and OZO 1232 (H) to allow encroachments of private patios or balcony structures, architectural features including landscaping elements, and public plaza features into setback space (per Mixed-Use Development Standards)
W-2	Waiver to maximum building height of 45 feet (or 140 feet with a CUP for certain circumstances) under OZO 1232 and OZO 1232 (N) to allow for 85-foot height (per Mixed-Use Development Standards)
W-3	Waiver to exceptions to maximum height under OZO 3018 to permit additional exceptions for all architectural design features and other mechanical equipment including solar panels (per Mixed-Use Development Standards)
W-4	Waiver to landscaping standards under OZO 1232 and 1232 (P, R, S) to permit the overall landscape percentage to include planting areas, raised planters, patios, pool areas, and other outdoor recreational facilities including onsite public plaza, internal courtyards, and rooftop decks (per Mixed-Use Development Standards)
W-5	Waiver to open space requirements under OZO 1232 (FF) to reduce overall usable open space minimum requirements from 200 sf per dwelling unit to at least 120sf per dwelling unit inclusive of private open space, and to eliminate private open space requirements of a minimum 48sf under OZO 1232 and eliminate the dimensional requirements of 6 feet under OZO 1232 (FF)(2) (per Mixed-Use Development Standards)
W-6	Waiver to amend required façade modulation under OZO 1232 to allow the minimum percentage to be met by an average 5-foot setback across the façade from ground level to top of parapet, and to allow balcony structures and plaza recesses to count towards modulation requirements (per Mixed-Use Development Standards)
W-7	Waiver to reduce parking standards for commercial uses under OZO 3103 to 1 per 100 square feet of seating area for restaurants and to exclude any back of house or storeroom area square footages used to calculate parking requirements for all commercial uses including retail (per Mixed-Use Development Standards)
W-8	Waiver to amend loading zone requirements under OZO 3103 to permit two off-site spaces for the project and to allow those spaces to be shared among all users of the project (commercial and residential)
W-9	Waiver to reduce dimensional requirements to the required increase in parking space width next to a wall or column under OZO 3110 (B.1) to 6 inches on each obstructed side, and to reduce the increase to a drive aisle extension under OZO 3110 (B.2) (per Mixed-Use Development Standards)
W-10	Waiver to increase maximum driveway width for residential projects under 1232 from 24 feet to up to 26 feet

“Exhibit “A” – Mixed-Use Development Plan”, as attached, provides a detailed summary table of the mixed-use development standards and typical city zoning regulations as established for the site in the Downtown District (D1). The table provides project information to demonstrate compliance with the standards or to indicate a standard for which a waiver is requested.

Density Bonus Parking Standards

Parking spaces for the project have been provided based on the city's base parking standards and applicable density bonus provisions for the 401 Mission Mixed-Use project. SDBL establishes a parking ratio for use on Density Bonus projects, inclusive of guest and handicapped parking. These parking standards establish lower parking ratios than the typical Oceanside standard for residential units with no separate guest parking requirement. The project parking summary is detailed in Table 5, including amended mixed-use development standards for the commercial uses, and shows a required total of 545 spaces. The project exceeds this standard and provides all required parking and circulation areas within the three-level above- and below-ground garage onsite. Although guest parking is not required on density bonus projects, the project could make guest parking available through a shared parking use of the additional available spaces between guests and commercial users.

Table 5 -Density Bonus Parking Calculations

TYPE OF UNIT / USE	NUMBER OF UNITS / S.F.	PARKING REQUIRED (PER SDBL RATES FOR RESIDENTIAL UNITS & PROJECT MIXED-USE STANDARDS)		PROJECT PARKING PROVIDED
		Rate by Use	Spaces by Use	
Studio	15	1.0/unit	15	15
1BR/1BA	176	1.0/unit	176	176
2BR/2BA	100	1.5/unit	150	150
3BR/2BA	35	1.5/unit	53	53
Guest		0	0	0
Restaurant	8,911 sq. ft. of seating area (excluding back- of-house space)	1.0/100 sq. ft. of seating area (per Mixed-Use Stds.)	89	89
Retail	12,281 sq. ft. (excluding back- of-house space)	1.0/200 sq. ft.	61	61
USPS and Leasing Office		1	1	6
Additional Available Spaces			0	13* (garage and on street spaces)
	TOTAL		545	563 Includes spaces reserved for EV use with EV chargers provided per code.

**OZO 1232(W)(4): Within the Transit Overlay District east of the railway corridor, street parking spaces on the contiguous street frontage of the site may be counted toward the total number of parking spaces required for commercial uses with a Mixed-Use Development Plan. There are 9 spaces adjacent to the project plus 4 additional unallocated spaces in the garage for a total of 13 spaces.*

Engineering

The entire project site is currently comprised of one assessor's parcel. A tentative tract map for condominium purposes is included to separate the uses of the building into commercial and residential uses. Existing easements will remain or be quitclaimed as noted on the civil plans associated with this project. The entire site will be graded to allow for the proposed project and underground parking. A construction-level shoring plan for the grading will be prepared during final engineering drawing preparations to address potential effects of construction on the nearby buildings and adjacent public rights-of-way. As typically conditioned by the City upon project approval, the timeline and project information will be sent in a notification letter to nearby residents and business owners.

Stormwater Management – The existing site development directs onsite runoff to four storm drains that discharge directly to the Pacific Ocean. The Project adds Biofiltration BMPs along the north and south perimeters to treat runoff before it is discharged from the site. A portion of the rooftop runoff would be conveyed to the southern BMPs, and the rest conveyed to the northern BMPs along with area drain flow from the plaza. Treated runoff is then directed to the storm drain laterals for discharge to the ocean.

Public Plaza Open Space Easement – The existing single plaza with approximately 15,462 sq. ft. opening onto Mission Avenue will be replaced with 15,439 sq. ft. The plaza is in the same general location as the existing plaza at the intersection with Tremont Street and has been designed to accommodate the City's annual Christmas Tree and decorations. The public easements on the existing plaza space will be quit-claimed and replaced with a new public easement placed on the proposed plaza and setback areas in front of the plaza.

Summary

The proposed 401 Mission project reimagines a highly visible downtown Oceanside site, adding significant new housing while preserving public space central to downtown activity and events. The dynamic architecture draws residents and visitors into the site and along adjacent streetscapes, supporting local businesses and contributing to an exciting urban lifestyle. Reserving 10% of the total units for low-income housing allows residents of various income levels to benefit from living next to the transit center and within walking distance of the beach and downtown amenities. 401 Mission implements the goals, intents, and objectives of the City's General Plan, Zoning Ordinance, and the Local Coastal Plan.

FINDINGS

MIXED-USE DEVELOPMENT PLAN

The City of Oceanside Downtown Zoning Ordinance stipulates that the following be shown for a Mixed-Use Development Plan:

1. *That the total number of dwelling units in the Downtown District shall not exceed 5,500 (or any future limit established by the City's General Plan Housing Element).*

In August 2019, City staff estimated approximately 2,300 residential units existed in the Downtown District. The 326 dwelling units proposed for the 401 Mission project would be approximately 14% of the remaining units and combined with the recently approved projects would not cause the total number of dwelling units in the Downtown District to exceed 5,500.

2. *That the Mixed-Use Development Plan will enhance the potential for superior urban design in comparison with development under the regulations that exist if the Development Plan were not approved;*

The 401 Mission Mixed-Use Development Plan will allow for a pedestrian-friendly, transit-oriented, and sustainable mixed-use development project that maximizes the amount of much needed rental housing units to help activate the downtown area with full-time residents. The plan incorporates design features to maintain commercial uses at the ground level along Mission Avenue and Coast Highway, with pedestrian orientation, connectivity and activation through design and use. Parking is located within a garage structure that includes subterranean and above-ground levels screened from public view by the structure on Mission Avenue and Coast Highway, and with decorative cladding on Seagaze Drive to enhance the pedestrian experience at the street level. 401 Mission implements the City's goals to reach the critical residential mass needed to create a vibrant downtown and support downtown businesses.

3. *That the Mixed-Use Development Plan is consistent with the adopted Land Use Element of the Redevelopment Plan and other applicable policies, and that is compatible with development in the area it will directly affect;*

The project is consistent with the General Plan Land Use designation. The site will accommodate the proposed mixture of commercial use at the ground level, apartments with the associated amenities, and required parking onsite. The site design reinforces the urban nature of downtown with a similar height and project siting on the property as seen in other mixed-use projects in downtown, including the adjacent building to the immediate west that is 75 to 85 feet high. It redesigns the existing public plaza that maintains public gathering spaces and connections to the Sunset Market event.

4. *That the Mixed-Use Development Plan includes adequate provisions for utilities, services, and emergency access, and public service demands will not exceed the capacity of existing systems;*

The area covered by the Mixed-Use Development Plan is an already developed downtown location and can be adequately and conveniently served by existing and planned public services, utilities and public facilities. All water, wastewater, and electrical services are available within the surrounding developed public roadway systems and within existing public utility easements.

5. *That the traffic expected to be generated by development in accord with the Mixed-Use Development Plan will not exceed the capacity of affected streets; and*

401 Mission trip generation is consistent with the City's General Plan and within a Transit Priority Area. There is no VMT impact with the proposed project.

6. *That the Mixed-Use Development Plan will not significantly increase shading of adjacent land in comparison with shading from development under regulations that would exist if the Mixed-Use Development Plan were not approved.*

Shading on the adjacent site would occur to some extent under the proposed height. Given the proximity of the adjacent structure to the immediate west to the project structure (approximately 12 feet), the adjacent building would be impacted by shading even if the proposed project were built using typical development standard height limitations.

7. *That the benefits derived from the Mixed-Use Development Plan include but are not limited to traffic capture and pedestrian activity, by way of "active" street frontages and provision of flexible nonresidential use spaces at street level, where appropriate.*

The Mixed-Use Development Plan incorporates design features to maintain the existing street-level commercial character along Mission Avenue and Coast Highway, with ground floor pedestrian orientation, connectivity, and activation through design and use, consistent with other mixed-use development downtown. The project contributes to the critical mass of local residents needed to support a vibrant urban community with a mix of businesses providing goods and services downtown, while retaining public plaza space for an active, outdoor gathering space available to the general public. The project will enhance the public sidewalk views with the planting of additional trees, low shrubs, and groundcover in the parkways and the plaza, and includes planters next to the building to add greenery to the street frontages for a more pleasant pedestrian experience and more attractive streetscape. Parking, not currently available on the site, will be included in the 401 Mission project with an onsite garage that accommodates residents and commercial users.

Exhibit "A" 401 Mission Mixed-Use Development Plan Development Standards / Regulations with typical standards listed for reference			
Standard / Regulation	Typical City Standards / Regulations under Downtown Subdistrict 1	Mixed-Use Plan Standards / Regulations and Notes	401 Mission Project as Proposed
Note: This table presents the Mixed-Use Development Plan and waiver requests. All references to Sections or Articles are from the City of Oceanside Zoning Ordinance (OZO), as applicable within the D District, Subdistrict 1.			
OZO 1232 (F) <u>OZO 1232 (KK)</u> Maximum Density	None for mixed-use projects in the Downtown Zone	n/a	n/a
Minimum Lot Area	5,000 square feet	5,000 square feet	118,484 square feet 2.72 acres
Minimum Lot Width	50 feet	50 feet	Approx. 277 feet
<u>OZO 1232 and OZO 1232(H)</u>			
Minimum Setbacks			
Front (N. Coast Hwy)	10 feet (residential) 10 feet (non-residential) In addition: 45 ft. from street centerline on North Coast Highway.	10 feet 10 feet 45 feet	Approx. 50 feet from centerline of North Coast Highway; 10 feet from front property line.
Side	10 feet one side for lots over 75' ft. wide (residential) 0 feet (non-residential)	10 feet	Not applicable
Corner Side (Mission Ave. and Seagaze Drive) Waiver W-1	10 feet (residential) 10 feet (non-residential) In addition: 50 ft. from street centerline on Mission Avenue. Amended under Mixed-Use Development Standards and with Waiver under density bonus to accommodate development at density proposed.	10 feet Note: Private patios or balcony structures, architectural features including landscaping elements, architectural structural elements, and public plaza may encroach into setback areas as shown on plans.	10 feet from side/corner side property lines with encroachments as permitted by MUDP.

Exhibit "A" 401 Mission Mixed-Use Development Plan Development Standards / Regulations with typical standards listed for reference			
Standard / Regulation	Typical City Standards / Regulations under Downtown Subdistrict 1	Mixed-Use Plan Standards / Regulations and Notes	401 Mission Project as Proposed
Note: This table presents the Mixed-Use Development Plan and waiver requests. All references to Sections or Articles are from the City of Oceanside Zoning Ordinance (OZO), as applicable within the D District, Subdistrict 1.			
Rear	5 feet (residential) 0 feet (non-residential)	5 feet (residential) 0 feet (non-residential)	7 to 12 feet from rear property lines.
<u>OZO 1232 (I)</u> Daylight Plane	A 10-foot side or rear yard shall adjoin any residential area, and structures shall not intercept a 1:1 or 45-degree daylight plane inclined inward from a height of 12 feet above existing grade at R district boundary line.	0 feet	Not applicable as site is not adjacent to any R district.
Height:			
OZO 1232 <u>OZO 1232 (N)</u> Maximum Height of Structures Waiver W-2	35 feet (residential) 45 feet (non-residential) 140 feet maximum under certain circumstances with a CUP Amended under Mixed-Use Development Standards and with Waiver under density bonus to accommodate development at density proposed.	85 feet Note: Height as measured from finish grade to the ceiling of the uppermost story on a warped plane around the structure perimeter, consistent with the Coastal Zone.	Approximately 73 feet (Coast Hwy) to 82 feet (alley), as measured in the Coastal Zone. Heights vary at each corner of the building as shown on plans.
OZO 3018 and <u>OZO 1232 (O)</u> Exceptions to maximum height of certain elements Waiver W-3	10 feet above applicable mixed-use limit Amended under Mixed-Use Development Standards and with Waiver under density bonus to accommodate development at density proposed.	Exceptions as permitted per OZO 3018, with additional exceptions with no limit for all architectural design features and other mechanical equipment including solar panels.	Up to approximately 94 feet as shown on plans.

Exhibit "A" 401 Mission Mixed-Use Development Plan Development Standards / Regulations with typical standards listed for reference			
Standard / Regulation	Typical City Standards / Regulations under Downtown Subdistrict 1	Mixed-Use Plan Standards / Regulations and Notes	401 Mission Project as Proposed
Note: This table presents the Mixed-Use Development Plan and waiver requests. All references to Sections or Articles are from the City of Oceanside Zoning Ordinance (OZO), as applicable within the D District, Subdistrict 1.			
OZO 1232 OZO 1232 (P)(R) Minimum Site Landscaping Waiver W-4	25% lot surface (residential) 15% lot surface (non-residential) Amended under Mixed-Use Development Standards and with waiver under density bonus to accommodate development at density proposed.	25% for overall mixed-use project onsite area planting areas, raised planters, and paving on patios, pools, and other outdoor recreational facilities, including in public plaza, internal courtyards, rooftop decks.	Total: 36,194 sq. ft. Approx. 27% of total site Additional offsite parkway improvements including 2,512 sq. ft. of planting areas and 10,878 of paving areas not included in total above
<u>OZO 1232</u> <u>OZO 1232 (FF)</u> <u>OZO 1232 (FF)(2)</u> Open Living Space Waiver W-5	200 sq. ft. per unit of total open space inclusive of 48 sq. ft. minimum of private open space per unit and shared open space on non-street side yards (residential) No minimum (non-residential) Amended under Mixed-Use Development Standards and with waiver under density bonus to accommodate development at density proposed.	Residential: 120 sq. ft. per unit of total usable open space inclusive of private open space and required street yards (not including public plaza) with a minimum total of 14,000 sq. ft. of common outdoor open space. Not all individual units will be provided with private open space. No minimum square footage or dimensional requirements for private outdoor space.	19,651 sq. ft. of shared outdoor open space is provided, including 14,151 sq. ft. in courtyards, 2,100 sq. ft. on roof deck, and 3,400 sq. ft. of dog run space, but not including an additional 15,439 sq. ft. in onsite public plaza. An additional 21,662 sq. ft. of private patio and balcony space is also provided. Total usable outdoor open space of 41,313 sq. ft. = approx. 126 sq. ft./unit
<u>OZO 1232 (EE)</u> Courts Required	See Section 1232 (EE) for courts (residential) No courts required (non-residential)	Per standard Interior walls are approx. 80 ft. high and require 40 ft. wide courtyards.	Central courtyards minimum is approximately 59 feet wide.

Exhibit "A" 401 Mission Mixed-Use Development Plan Development Standards / Regulations with typical standards listed for reference			
Standard / Regulation	Typical City Standards / Regulations under Downtown Subdistrict 1	Mixed-Use Plan Standards / Regulations and Notes	401 Mission Project as Proposed
Note: This table presents the Mixed-Use Development Plan and waiver requests. All references to Sections or Articles are from the City of Oceanside Zoning Ordinance (OZO), as applicable within the D District, Subdistrict 1.			
<u>OZO 1232</u> Required Façade Modulation Waiver W-6	25% of front and side street elevation horizontal and/or vertical must be set back at least 5 feet from setback line (residential) No modulation required (non-residential) Amended under Mixed-Use Development Standards and with waiver under density bonus to accommodate development at density proposed.	Minimum 25% of overall façade to be offset from setback line, averaging a 5-foot offset across the entire façade (ground level to top of parapet). In addition, balcony structures and plaza recesses shall count toward modulation requirements.	Mission Avenue: 57% Coast Highway: 30% Seagaze Drive: 32%
<u>OZO 3103, OZO 3105 and State Density Bonus</u> Off Street Parking Spaces Required			
Residential Guest Restaurant Retail Loading Areas Waiver W-7 Waiver W-8	1.0/unit for studio/ 1-bed. 1.5/unit for 2-/3-bed. in accordance with SDBL None in accordance with SDBL 1/ 50 sf seating area 1/ 200 sf Per OZO 3103 Residential parking - No waiver is required to apply SDBL standards.	1.0/unit for studio/ 1-bed (191 spaces for 191 units) 1.5/unit for 2-/3-bed (203 spaces for 135 units) None required but spaces in excess of minimum required may be designated guest or shared by guest/ commercial. 1/100 sf of seating area 1/200 sf Two loading areas minimum permitted to be shared among all users All commercial parking (restaurant / retail)	554 spaces provided in parking garage, inclusive of one space designated for USPS delivery and five designated for leasing office visitors, plus 9 on-street spaces adjacent to project frontage permitted to be counted toward commercial parking requirements on this project location. Total: 563 spaces

Exhibit "A" 401 Mission Mixed-Use Development Plan Development Standards / Regulations with typical standards listed for reference			
Standard / Regulation	Typical City Standards / Regulations under Downtown Subdistrict 1	Mixed-Use Plan Standards / Regulations and Notes	401 Mission Project as Proposed
Note: This table presents the Mixed-Use Development Plan and waiver requests. All references to Sections or Articles are from the City of Oceanside Zoning Ordinance (OZO), as applicable within the D District, Subdistrict 1.			
	Commercial parking - Amended under Mixed-Use Development Standards and with waiver under density bonus to accommodate development at density proposed.	calculations exclude back of house or storeroom area square footages. Total Required under Mixed-Use Plan Standards: 545 spaces inclusive of one USPS space	
<u>OZO 3110 (B.1)</u> <u>OZO 3110 (B.2)</u> Parking Space Dimensional Requirement Waiver W-9	Each parking space adjoining a wall, column, or other obstruction higher than 0.5 feet shall be increased by 1 foot on each obstructed side. At the end of a parking bay, an aisle providing access to a parking space perpendicular to an aisle shall extend 2 feet beyond the required width of the parking space. Amended under Mixed-Use Development Standards and with waiver under density bonus to accommodate development at density proposed.	Each parking space adjoining a wall or other obstruction higher than 0.5 feet shall be increased by 6 inches on each obstructed side. No additional width required at the end of an aisle providing access to a parking space perpendicular to an aisle.	All spaces adjoining a column or wall are increased by 6 inches on each obstructed side.
<u>OZO 1232</u> Maximum Driveway Width Waiver W-10	Maximum driveway width in residential project not to exceed 24-foot width, unless approved by Community Development Commission.	Width permitted as on plans to provide safe access to multi-family parking garage.	Approximately 26 feet wide.

Exhibit "A" 401 Mission Mixed-Use Development Plan Development Standards / Regulations with typical standards listed for reference			
Standard / Regulation	Typical City Standards / Regulations under Downtown Subdistrict 1	Mixed-Use Plan Standards / Regulations and Notes	401 Mission Project as Proposed
Note: This table presents the Mixed-Use Development Plan and waiver requests. All references to Sections or Articles are from the City of Oceanside Zoning Ordinance (OZO), as applicable within the D District, Subdistrict 1.			
<u>OZO 3021</u> Screening of Mechanical Equipment	Per standard	Per standard	Meets standard requirements
<u>OZO 3023</u> Underground Utilities Incentive 1	Per standard	Per standard	Incentive requested under SDBL for requirement to underground utility lines across Seagaze Drive from project site.
<u>OZO 3047</u> Renewable Energy Facilities	Per standard	Per standard	Project will meet requirements with onsite roof top solar panels or will work with staff to determine an acceptable alternative to make up shortfalls in onsite generation to meet the 50% renewable energy.
<u>OZO 3048</u> Electric Vehicle Parking and Charging Facilities	Per standard	Per updated state standard	Project meets updated state requirements
<u>OZO 3049</u> Urban Forestry Program	Tree Canopy Min. – 12% of site area Permeable Surface Area – 22% of site area	12% of site area 22% of site area Landscaping trees interior to the project, such as within courtyards and on roof decks, and trees within adjacent rights-of-way shall be counted towards the minimum requirement for tree replacement.	Project meets mixed-use standard for minimum tree canopy with 15% using alternative with trees in adjacent public parkways, interior courtyards, and roof decks. Project meets mixed-use standard minimum permeable surface with 23% of site area designed with pervious concrete and permeable paving, and 31% when onsite planting areas are included in permeable area.



4429 Morena Boulevard
San Diego, California 92117
858.581.2250

November 21, 2024

JH Real Estate Partners, Inc.

Daniel Ward
520 Newport Center Dr, Suite 780
Newport Beach, CA 92660

RE: 401 Mission Ave – Seagaze Dr Conversion – Due Diligence

Daniel,

The following information is provided to identify the major dry utility issues in relation to the Mission Ave project. This scope of due diligence focuses primarily on the overhead system along Seagaze Dr. This study highlights:

- Constraints and estimated costs for converting overhead lines in compliance with Oceanside city requirements.
- Probably dry utility relocations along Seagaze Dr that will conflict with the proposed site plan.

Seagaze Dr Overhead Conversion:

- Refer to the final page of this study to see our opinion of costs for the conversion. We estimate SDG&E fees and contractor costs to total \$354,600.00.
 - SDG&E conversion will require significant traffic control on Seagaze Dr and N. Coast Highway
 - Conversion removes one pole but adds a new one on the northeast side of N. Coast Highway. The existing pole on the alleyway corner will need to remain as an anchor for the line extending down the alleyway.
- Section 4.f. of the Oceanside Subdivision Ordinance specifies that the planning commission may defer all or a portion of the requirement to underground existing facilities if Seventy percent (70%) or more of the facilities required to be undergrounded exist on the opposite side of the existing abutting street. In this case 100% of the facilities are located across Seagaze Dr.
- The opinion of costs is based on the included proposed SDG&E conversion design.

Existing Overhead on Seagaze Dr:



Dry Utility Relocations – New Development:

- There is an SDG&E fuse cabinet located on Seagaze Dr that may conflict with the proposed site plan. This is a distribution structure that cannot be removed like the transformers onsite. We propose to locate it in the ROW along Seagaze Dr. Approximate cost of this relocation is estimated to be \$60k-\$75k
- There is an AT&T SAI cabinet located along Seagaze Dr. We estimate it would cost close to \$250k to relocate this facility.
- These two structures appear to be located far enough into the site that relocating them may be unavoidable.
- Potholing along Seagaze Dr is recommended at any proposed driveways or wet utility laterals to identify conflicts with existing SDG&E and communication conduit packages.

SDG&E Fuse cabinet & AT&T SAI cabinet to be relocated:



If you have any questions on this study please let me know.

Respectfully,
UTILITY SPECIALISTS SOUTHWEST, INC.

A handwritten signature in black ink, appearing to read 'Michael Pinzini'.

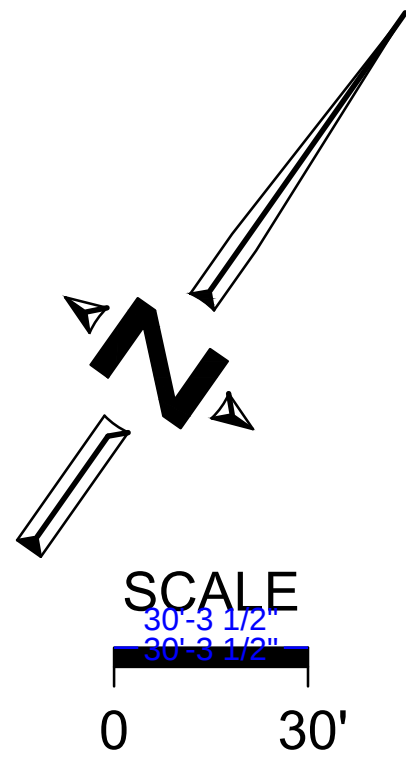
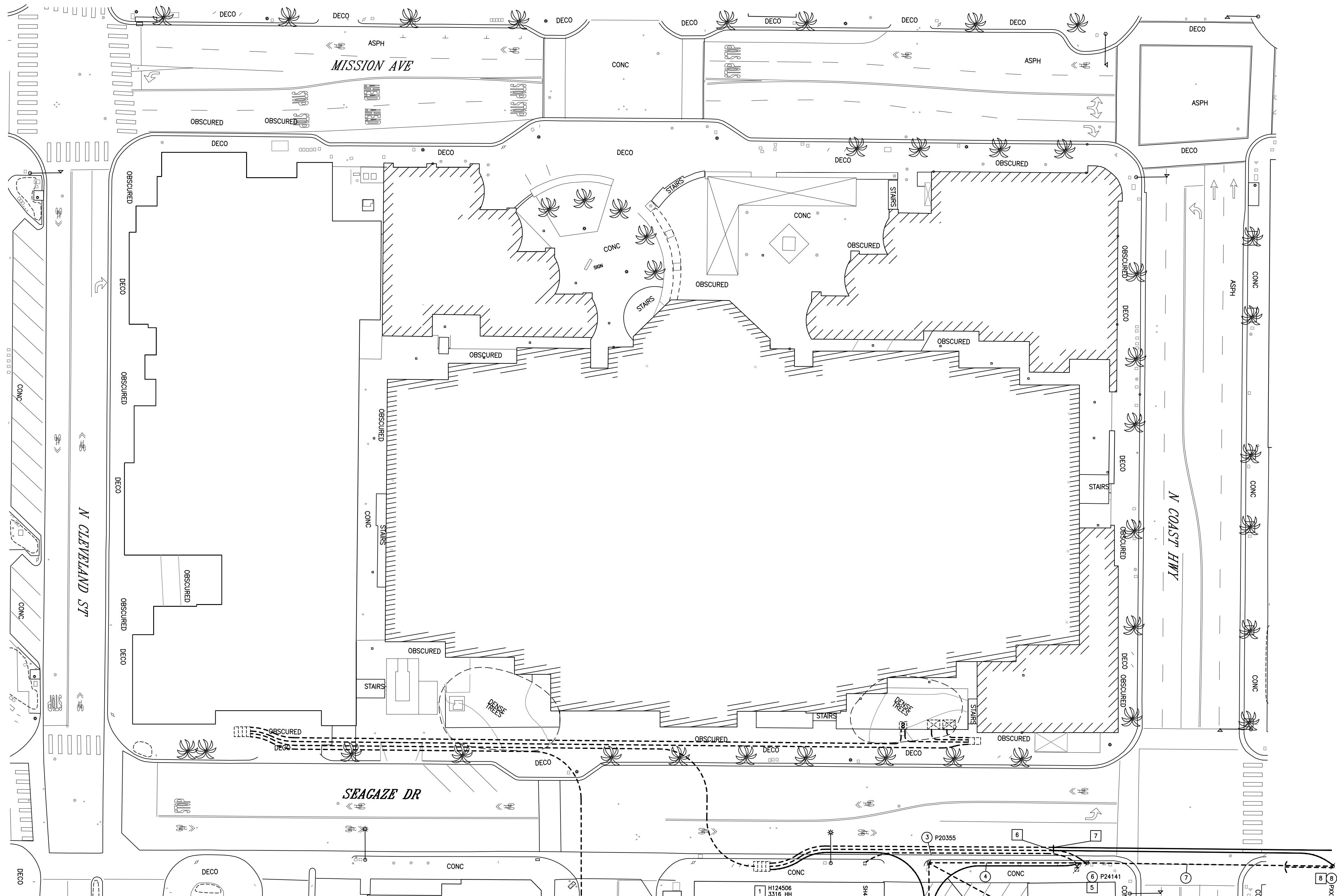
Michael Pinzini
Project Manager



JH Real Estate Partners - Mission Ave		
OPINION OF PROBABLE COSTS		
November 20, 2024		
	Seagaze Dr Conversion	
LF	375	
UNITS	n/a	Totals
SDG&E ELECTRIC (R20 Conversion)	\$ 193,900	\$ 193,900
SDG&E ELECTRIC (Removals)	\$ -	\$ -
SDG&E ELECTRIC (New Business)	\$ -	\$ -
SDG&E GAS (Removals)	\$ -	\$ -
SDG&E GAS (Relocations)	\$ -	\$ -
SDG&E GAS (New Business)	\$ -	\$ -
AT&T (Conversion)	\$ -	\$ -
AT&T (Removals)	\$ -	\$ -
Cox (Conversion)	\$ -	\$ -
Cox (Removals)	\$ -	\$ -
TRENCHING CONTRACTOR - CONVERSION	\$ 160,700	\$ 160,700
TRENCHING CONTRACTOR - RELOCATIONS	\$ -	\$ -
TRENCHING CONTRACTOR - MAIN	\$ -	\$ -
TRENCHING CONTRACTOR - SERVICES	\$ -	\$ -
<i>Sub-Total Costs</i>	<i>\$ 354,600</i>	<i>\$ 354,600</i>
ANTICIPATED ELEC. REFUNDS	\$ -	\$ -
<i>Sub-Total Refunds</i>	<i>\$ -</i>	<i>\$ -</i>
Net Totals	\$ 354,600	\$ 354,600
ASSUMPTIONS		

401 MISSION AVE CONVERSION

UNDERGROUND ELECTRIC



- UG CONVERSION CONST
- 1 REM 3-INS REG & 3-LBE
INST 6 LBE
 - 2 130' PRI TRENCH (DWNTN)
66" CONCRETE SAWCUT & REPAIR
64" ASPHALT SAWCUT & REPAIR
1-DB4" PRI COND - 130'
180' #2/0 AL P&CN CBL
 - 3 INST 3PH PRI CBL POLE MAT'L
 - 4 90' SEC TRENCH (DWNTN) TO SH474565
30" CONCRETE SAWCUT & REPAIR
60" ASPHALT SAWCUT & REPAIR
1-DB3" SEC COND - 115'
150' #3/0 AL USA CBL
 - 5 REM CBL POLE MAT'L
REM SEC CBL TO SH474565
 - 6 150' PRI TRENCH (DWNTN)
10" CONCRETE SAWCUT & REPAIR
140" ASPHALT SAWCUT & REPAIR
INT & EXT 1-DB4" PRI CONDUIT (150')
REM 3PH #2/0 AL P&CN CBL (242')
INST 3PH #2/0 AL P&CN CBL (395')

- 7 INT & EXT 3-EB5" PRI CONDUIT (150')
- 8 INST 3PH PRI CBL POLE MAT'L (2/0 AL)

- OH CONVERSION CONST
- 1 EX. POLE TO REMAIN
INST CP MAT'L
LEAVE ALL GUYING TO P20355
 - 2 REM PRI #4 CU 3PHN
REM SEC 3/C #2 SSCOU
 - 3 EX. POLE TO REMAIN
REM PRI & SEC X-ARMS
TOP POLE ABOVE GUYING TO P36744
 - 4 REM PRI #4 CU 3PHN
REM SEC 3/C #2 SSCOU
 - 5 REROUTE EX SVC FROM P20355 TO P36744
 - 6 RFS EX POLE & CP MAT'L
 - 7 REM PRI #4 CU 3PHN
 - 8 INTERSET NEW PRI CP
INST 25' ANC & GUY



Call 811: Two Working Days Before You Dig!

SDGE San Diego Gas & Electric
Design & Project Management

PROJECT MGR/PLANNER NAME & PHONE:

DESIGNED BY:
DAVE WARNER, AD

REVIEWED BY:

PROJECT NOTIFICATION # 300000XXXXXX	
JOB NOTIFICATION # 300000XXXXXX	
DATE: 11/15/2024	2:45pm
SHEET UD-1	FCO 0
SHT 1 OF 1	

401 Mission Avenue A Mixed Use Development

Written Plan for Community Outreach (Council Policy 300-14) Application Number

The JH Real Estate Partners, Inc. (JHREP) team has engaged the residents of the City of Oceanside and obtained their input and involvement in the planning process.

JHREP plans to redevelop 401 Mission Avenue, a mixed-use community, at the Southwest corner of Pacific Coast Highway and Mission Avenue. Coastal Community Commercial Zone. The site is currently the Ocean Place Center, consisting of primarily the Regal Movie Theatre and various retail stores and restaurants.

Project Description:

The development will be a contemporary mixed-use building to revitalize a prominent downtown block of Coast Highway situated between Mission Avenue and Seagaze Drive. The 401 Mission project will provide much-needed housing on an infill site with 332 residential apartments complemented by approximately 19,420 square feet of commercial space and 7,149 square feet of open plazas available for use by the general public. The entitlement application for this project presents a Mixed-Use Development Plan with a Density Bonus and a Regular Coastal Permit to create a transformative project serving as a gateway to Oceanside's downtown core, beach and pier areas with strong connectivity to the surrounding area provided along all three adjacent streets.

WHO IS AFFECTED:

The primary people who may be affected by this application will be the downtown residents of Oceanside along with the local businesses. Notices were sent to property owners within a radius of 1,500 feet and tenants within a radius of 100 feet, in accordance with the Oceanside City Council Policy. Interested parties on the mailing list will also be sent notices.

WHO ENGAGED:

The applicant engaged and conducted a community meeting on October 30, 2023. The meeting was held in the community room located in the Oceanside Public library. A presentation of the project applicant informing the community of their plans for the site and progress to date. Following the presentation, the community will be encouraged to ask questions and submit ideas so that the applicant may address the affected persons concerns and incorporate appropriate elements into the project plans. At the meeting, it was determined the condominiums located next door had a significant representation and requested the applicant to meet with them to discuss several of their concerns. The public was notified 15 days before the meeting date.

On November 16, 2023, the JHREP team along with the architects, meet with numerous residents of the Oceanside Terraces including the President of the HOA. Our team spent several hours at their complex and listened to their concerns and comments.

In conclusion to the Oceanside Terraces meeting, JHREP has made several modifications to the plan that will accommodate the issues and concerns that were discussed.

The modifications included:

1. A sound buffering metal screen system to minimize the noise and auto lights
2. We made placement adjustments to the balconies as discussed and depicted on the plan
3. The balconies facing the courtyard and building were designed as solid stucco, so privacy is enhanced.
4. A decorative strip was added facing the courtyard
5. A dog park was added between the Oceanside Terraces and the development depicted on the plan with possible murals.
6. Set back the security gates on the side facing the Oceanside Terraces to better restrict loitering.

In addition to the community meetings, the applicant has already met with numerous business owners, Chamber of Commerce, Mainstreet Oceanside

RECORD:

1. A record of individuals who attend the community meetings was generated for follow-up.
2. A record of individuals indicating a desire to be kept informed on the process will be maintained.

Advance Mail Notification (Notice of Application) and On-site Signage was mailed and posted in accordance with the requirements of Council Policy 300-14 and any applicable Municipal Code requirements. **MAILER ATTACHED**

Reviewed and Approved by:

Manuel Baeza

Principal Planner

July 25, 2024

Date

PROJECT INFORMATION MEETING

401 MISSION MIXED-USE DEVELOPMENT

The 401 Mission Mixed-Use Development with density bonus is a proposed project along Coast Highway between Mission Avenue and Seagaze Drive that includes residential apartments and commercial spaces with an associated parking garage, along with two public plazas fronting Mission Avenue. You should have received the notice of application sent by the City of Oceanside this last summer. This meeting will provide information about the project and give you a chance to ask questions and discuss the proposal with the applicant team. If you aren't able to attend and would like to review the current submittal documents and drawings, they have been posted by the City and available for viewing on the City's eTrakit website (<https://crw.cityofoceanside.com/etrakit3/>) by searching under the project number "RT23-00001".

401 Mission modernizes this prominent location in downtown Oceanside to create a more vibrant space for living, shopping, dining, and passive recreation for the entire Oceanside community. Two public plazas, one at the end of Tremont Street and one between Tremont Street and Coast Highway, maintain open-air space with seating available for public use. Over 19,000 square feet of commercial space for shops and restaurants on the ground floor preserves the generation of tax revenue that support City services while improving the public connectivity to the commercial spaces along the entire Coast Highway and Mission Avenue frontages. Rental housing options with 332 apartments, inclusive of 34 units reserved for low-income households under State density bonus law provisions, allow more residents to support downtown in a location near transit and bicycle paths. Accompanying the alternative transit possibilities and for visitors from outside of downtown, a parking garage accessed from Seagaze Drive includes 595 spaces allocated for residents, guests, and commercial uses.

We look forward to discussing the project and hearing what you have to say. Information about the public meeting, including a general location map of the meeting site, is below. If you are not able to attend the meeting, please feel free to contact the applicant's representative or the planner at the City as listed below.

Thank you.

When: **Monday, October 23, 2023**
6:00 pm – 7:00 pm

Where: Oceanside Civic Center Community Rooms
(accessible through courtyard adjacent to Library)
300 N. Coast Highway
Oceanside, CA

Contact: *Applicant's Representative*
JH Real Estate Partners, Inc.
Ernie Rivas
erivas@jhrep.com
(949) 723-8989, x.104

City Planning Department
Manuel Baeza, Principal Planner
MBaeza@oceansideca.org
(760) 435-3519





View from Coast Highway and Mission Drive looking south into project site



View from Mission Avenue looking east near the Tremont Street plaza

PROJECT INFORMATION MEETING

401 MISSION MIXED-USE DEVELOPMENT

The 401 Mission Mixed-Use Development with density bonus is a proposed project along Coast Highway between Mission Avenue and Seagaze Drive that includes residential apartments and commercial spaces with an associated parking garage, along with two public plazas fronting Mission Avenue. You should have received the notice of application sent by the City of Oceanside last year, and an invitation to an earlier neighborhood outreach meeting last October. This meeting will again provide information about the project and give you another chance to ask questions and discuss the proposal with the applicant team. An update to the project schedule will also be provided. If you aren't able to attend and would like to review the current submittal documents and drawings, they have been posted by the City and available for viewing on the City's eTrakit website (<https://crw.cityofceanside.com/etrakit3/>) by searching under the project number "RT23-00001".

401 Mission modernizes this prominent location in downtown Oceanside to create a more vibrant space for living, shopping, dining, and passive recreation for the entire Oceanside community. Two public plazas, one at the end of Tremont Street and one between Tremont Street and Coast Highway, maintain open-air space with seating available for public use. Over 19,000 square feet of commercial space for shops and restaurants on the ground floor preserves the generation of tax revenue that support City services while improving the public connectivity to the commercial spaces along the entire Coast Highway and Mission Avenue frontages. Rental housing options with 332 apartments, inclusive of 34 units reserved for low-income households under State density bonus law provisions, allow more residents to support downtown in a location near transit and bicycle paths. Accompanying the alternative transit possibilities, a parking garage accessed from Seagaze Drive includes ample spaces allocated for residents, guests, and commercial uses.

We look forward to discussing the project and hearing what you have to say. Information about the public meeting, including a general location map of the meeting site, is below. If you are not able to attend the meeting, please feel free to contact the applicant's representative or the planner at the City as listed below.

Thank you.

When: **June 19th, 2024**
6:00 pm – 7:00 pm

Where: Main Street Oceanside Meeting Room
(accessed through main door on Mission Avenue)
102 N. Ditmar Street
Oceanside, CA

Contact: *Applicant's Representative*
JH Real Estate Partners, Inc.
Ernie Rivas
erivas@jhrep.com
(949) 723-8989, x.104

City Planning Department
Manuel Baeza, Principal Planner
MBaeza@oceansideca.org
(760) 435-3519





View from Coast Highway and Mission Drive looking south into project site



View from Mission Avenue looking east near the Tremont Street plaza

NAME	ADDRESS	EMAIL	TELEPHONE
SANDIE & BILL McGINNESS	400 N. MYERS ST. # 29 OCEANVIEW	SANDIE BILL McGINNESS - US	760-791-3119
LIZ & BILL Shuefler	707 SAN LEUIS REY DR. STOES		760 415-5687
Tim & Teresa Montgomery	801 Mission Ave	thomasmc@cox.net	760 501 6924
Manuel Baeza	City of Ocean side		
Brian & Paula Kaugon	301 Mission Ave	paalakau2012@gmail.com	702 449-6688
AK De	301 MISS	m file	
Gene & Brenda Batelli	301 Mission Ave	brock@batelli.com	
JEFFER + PAT Rusc	301 Mission Ave	jerryrusc1@gmail.com	
JANE MANSFIELD	302 S. FREEMAN	jmarshak@bpc.net	
GREGG Mc GINNESS	400 N MYERS	mcgregg2012@gmail	
ILANA KASS	301 Mission Ave.		
Polly ROSE	1016 LEONARD	pollyrose18@gmail	
Ken Rodriguez	212 S. DITMAR	kenrodriguez@gmail	949-675-2552

Manuel Baeza

From: George N. Misleh <mislehproperties@aol.com>
Sent: Friday, September 29, 2023 11:56 AM
To: Manuel Baeza
Subject: Re: 401 Mission Avenue Mixed-use Project

Warning: External Source

Good Day Manuel,

How's it going? I did receive the notice of application for the Mixed-use project on 401 Mission Avenue.

Manuel, I cant make the up coming meeting, But i do fully Support the Project. It's sounds like a beautiful Project.

We are the Proud owners of the 201 N. Coast highway Building (the Verizon Building) since 1977..

Sincerely,

George N. Misleh
Misleh Brothers LLC
11172 Corte Cangrejo
Del Mar ,Ca 92130-2637
Ph-858-754-7463
fax-858-755-3340
www.mislehproperties.com

DISCLAIMER: The Information in this Transmission(including any Attachment) is privileged and Confidential and intended only for the recipient listed above. If you are not the intended recipient, please advise the sender immediately by reply e-mail and delete this message and any attachments without retaining a copy.

Manuel Baeza

From: elaine elainemurray.com <elaine@elainemurray.com>
Sent: Sunday, October 29, 2023 4:05 PM
To: Manuel Baeza; erivas@jhrep.com; BARKy; elaine elainemurray.com
Subject: Slight modification to plans for accessibility

Warning: External Source

Hi Ernie and Manuel.

I love the high density mixed use 401 Mission Ave redevelopment, especially the plaza idea. Hopefully the plaza can accommodate activities beyond sitting such as art fairs, live music, acting etc. I hope the plaza in reality doesn't sit empty as that open patio area does today. Is there a plan to keep it lively?

My most important question is about access to the next block. The building today and in the redevelopment plans is effectively cutting off Seagaze from downtown.

This makes it more difficult to get to the transit center. It also makes Seagaze dark, un inviting and possibly unsafe.

Creating a thoroughfare under the 2nd floor of the building extending Tremont to Seagaze solves those issues. It also extends a walkable downtown.

I know in planning "access is key"
Is there a way to create better Seagaze access?

Elaine Murray
212 N Tremont St

Elaine Murray
(435) 659-9066

Manuel Baeza

From: Dane Thompson
Sent: Monday, October 23, 2023 10:51 AM
To: Manuel Baeza
Subject: RT23-00001 Public Comment

fyi

From: SeamlessDocs <noreply@seamlessdocs.com>
Sent: Sunday, October 22, 2023 9:52 PM
To: *Oceanside Customer Care* <CustomerCare@oceansideca.org>
Subject: Contact City Staff

Dear City Manager Borrego, My name is Zoey Paine and I am a senior at Sage Creek high school in Carlsbad. As a lifetime resident of Carlsbad and with family and friends in Oceanside, both cities are very close to my heart. From the pier to artist alley, I have always found Oceanside to be charming in its unique architectural styles that represent the communities that inhabit it, along with the comparably affordable living that it provides its residents. This is why it saddens me to hear that there is talk of taking down the Regal Oceanside complex in order to replace it with a 7-story combination of residences and restaurants. I write hoping that there is any way this can be put on hold, as the theater is a staple of the Oceanside experience. Since its establishment in 1999, the center has been a place for people to come together and enjoy the restaurants and movies offered. That older charm and affordability I mentioned have been drifting away from the city as it becomes both a tourist destination and a hotspot for the construction of high-density housing as apartments and resorts are being put up all along the coastline. This gentrification of Oceanside takes away the unique culture of the city while also squeezing out the locals who can no longer afford to live here and enjoy the area. While I am aware that no buildings can be taken down, I ask that no more be put up, specifically in place of the Regal theater. Best wishes, Zoey Paine



Dane Thompson, Planner II

City of Oceanside

Planning Division

300 North Coast Highway

Oceanside, CA 92054

Phone: (760) 435-3562

dthompson@oceansideca.org

All voicemail to and e-mail to and from the City of Oceanside may be considered public information and may be disclosed upon request.

Manuel Baeza

From: Kim Hunt <kimhunt888@gmail.com>
Sent: Tuesday, October 24, 2023 9:06 AM
To: Manuel Baeza
Subject: Mission Avenue Mixed Use Project

Warning: External Source

Hi Manny,

I live at 301 Mission Avenue #608. I was at the meeting last night and must say I am impressed by this development. I know my neighbors want "nothing to change" but I see this as being a gem in Oceanside's crown. I appreciate the design and attention to detail that has gone into this project. I'm sure that objections raised in the meeting will be taken into consideration.

I am hopeful that Oceanside will continue to approve projects in the downtown area of this. It just make O'side better and better. Oceanside is the "last frontier".

There are a few projects that I believe have not been well thought out. One is the transit project. The other is the 8 story building on Seagaze that has not yet broken ground.

That being said. Thumbs up on the Mission Avenue Mixed Use Project.

Thank you.

Kim K Hunt
760-978-2203

Manuel Baeza

From: Kimmy the Kid Scatoni <kimscatoni56@gmail.com>
Sent: Thursday, February 29, 2024 4:51 PM
To: Manuel Baeza
Subject: Proposal

Warning: External Source

Dear planning staff:

I propose the apartments from happening in Oceanside at the movies theater. The staff who works at the movie theater upgraded their promotions refreshments and game room too. They are making a lot more money and they have more business than ever. Regale movie theater is one of my favorites I go there all the time. As well as the restaurants too. It's a God given shame you are going to put everyone out of business you should be a shamed of your selves. They have a family to feed and a living to make. All you care about is money more money for the rich and middle class citizens of this Country of the United States of America they don't matter to you. So you are going to make all apartments in that areas Domino's pizza, frozen yogurt, and exedra. You are going to put all those people out of jobs. I don't want and everyone else too is apartments there. Why so the Taurus could have them during the summer time? All you are going to have is more money more expensive shops along the strip of the sidewalks yeah 150.00 for one hand bag I could buy one for 20.00 just exactly like the same item. How selfish can you get. It's observe. We have awesome businesses there that everyone loves in Oceanside we don't want that to change so please by all means put my request in deep consideration please. For everyone's sake don't make these apartments by all means middle class citizens needs to work it's a must. Thank you so very much

Yours Sincerely:

Kimmy Scatoni

kimscatoni56@gmail.com

760 575 8856

Manuel Baeza

From: Ken Rodriguez <kenrodriguez@gmail.com>
Sent: Monday, June 10, 2024 2:28 PM
To: Manuel Baeza
Subject: 401 Mission Development - Local Resident

Warning: External Source

Hello Mr. Baeza,

We received the letter regarding the development on 401 Mission. Thank you for the update and we support the progress happening in our community. Our family has owned in downtown Oceanside (Ditmar and Topeka) for almost 20 years and it is good to see new projects to sustain the positive growth for years to come.

Thank you!

Ken Rodriguez
(949) 275-2552

Gene and Brenda Batali
301 Mission Avenue, #504
Oceanside, CA 92054
Friday, June 21, 2024

Oceanside Planning Department
300 N. Coast Highway
Oceanside, CA 92054

Dear City Planners,

You are well aware of the project proposed at 401 Mission Avenue to replace the Regal Theatre complex. Well I am aware that the project will go forward, I am appalled with their proposal to build a structure with 10 vertical blue spikes similar to spikes on a dinosaur. (See attachment below.) The look created not only adds unnecessary height but would be an eyesore located in the very heart of our city. I'm sure the architect could easily modify the structure by lowering and leveling the peaks while keeping the central glass structures, thus creating a more appealing look.

You are to be commended with your guidance of the growth and look of our city, but this structure does not fit with what you have created. If constructed as now planned it would be an embarrassment to our city and downgrade the look of our beach town.

Please request a modification of the structure before giving any approval to the project and/or forward this letter to the appropriate department which would best be able to help, if it is other than your department.

Respectfully submitted,

Brenda Batali
Concerned Citizen and neighbor to the proposed structure

NOTE THE 10 VERTICAL BLUE SPIKES ADDING UNNECESSARY HEIGHT NOT FITTING TO THE CONSERVATION ARCHITECTURAL THEME OF OCEANSIDE. THIS WOULD BE AN EYESORE IN THE HEART OF OUR CITY.



View from Coast Highway and Mission Drive looking south into project site



View from Mission Avenue looking east near the Tremont Street plaza

Manuel Baeza

From: Manuel Baeza
Sent: Friday, April 25, 2025 10:10 AM
To: Manuel Baeza
Subject: Email from T. Farley 4.22.25

From: Tim Farley <farleyt@gmail.com>
Sent: Tuesday, April 22, 2025 3:13 PM
To: Downtown Advisory Committee <dac@oceansideca.org>
Subject: Downtown Advisory Committee Regal Cinema Developemnt

Warning: External Source

Dear Members of the Downtown Advisory Committee,

I hope this message finds you well, and thank you for your continued efforts to guide the future of downtown Oceanside in a thoughtful and inclusive manner.

I'd like to respectfully ask: **Has the Downtown Advisory Committee considered reaching out to the current tenants of Ocean Place Retail**—those who have operated businesses in the building for many years—as part of your evaluation process?

Given the committee's purpose is to advise the Community Development Commission on matters of policy, practice, and technical guidance, it seems both timely and valuable to hear directly from the businesses most affected by the proposed redevelopment. Tenants like Regal Cinemas, Wings, Asylum Skate Shop, Knockout Pizza, and Cold Stone Creamery could offer relevant insight into the property's recent history, as well as how they've been treated during this period of transition.

The DAC plays a vital role in facilitating development in a way that reflects community values while supporting responsible progress. Reaching out to long-standing tenants would align with that mission by ensuring the voices of those who have invested in downtown Oceanside are included in the conversation.

Thank you again for your commitment to our city and your work in shaping its future.

Sincerely,
Timothy Farley
Knockout Pizza – Downtown Oceanside

Manuel Baeza

From: Manuel Baeza
Sent: Friday, April 25, 2025 9:39 AM
To: Manuel Baeza
Subject: Email from A. Keshavan 4.23.25

From: Angela L Keshavan <angiekesh@yahoo.com>
Sent: Thursday, April 24, 2025 3:11 PM
To: Downtown Advisory Committee <dac@oceansideca.org>
Subject: Meeting on 4/23/25

Warning: External Source

Hello

I unfortunately couldn't attend yesterday's meeting.
My grievance is about the apartment project at 401 Mission.
I live at 301 Mission Ave. Here's a list of my concerns

1. Traffic is already bad, not to mention a hotel going up on Seagaze transit center will cause more. These downtown roads are not capable of this much extra traffic. I already have issues exiting my garage on Seagaze.
2. My bldg backs to this project and it's very close. The dust and noise are gonna be there insane. I'll also be able to see right into the apts. I think bldg needs to be backed up farther.
3. It will be ruining the nostalgic feel of Oceanside. The movie theatre is a gem that's being destroyed. Along with my favorite pizza place. I've heard people say they can't believe it's being torn down.

Who else should I send my grievances too?

Thank you,

Angela Keshavan
2813899243

[Sent from Yahoo Mail for iPad](#)

Manuel Baeza

From: Manuel Baeza
Sent: Friday, April 25, 2025 9:34 AM
To: Manuel Baeza
Subject: Email from Schuyler Engel 4.23.25

-----Original Message-----

From: Schuyler Engel <schuylerengel@hotmail.com>
Sent: Wednesday, April 23, 2025 8:43 AM
To: Downtown Advisory Committee <dac@oceansideca.org>
Subject: regal cinema site

Warning: External Source

NO PROJECT THIS BIG SHOULD BE DOWNTOWN. DO NOT DESTROY THE CITY CHARACTER... which is why people come here!!!!!!!!

look at Harvard Square in Cambridge MA. they wrecked it. LOOK AROUND THE COUNTRY TO SEE HOW THIS WORKS!!!!!!!!

Sent from my slave-made environment-destroying iphone (envoyé depuis mon iphone destructeur d'environnement et fabriqué par des esclaves) (Enviado desde mi iPhone hecho por esclavos, y que destruye el medio ambiente)

HOUSING CRISIS ACT of 2019 – SB 330
PRELIMINARY APPLICATION FORM

PURPOSE

This form serves as the preliminary application for housing development projects seeking vesting rights pursuant to SB 330, the Housing Crisis Act of 2019.

GENERAL INFORMATION

An applicant for a housing development project that includes (1) residential units (2) a mix of commercial and residential uses with two-thirds of the project's square footage used for residential purposes; or (3) transitional or supportive housing, shall be deemed to have submitted a preliminary application upon provision of all of the information listed in this Preliminary Application form and payment of the permit processing fee to the agency from which approval for the project is being sought.

After submitting this Preliminary Application to the local agency, an applicant has 180 days to submit a full application or the Preliminary Application will expire.

Submittal Date Stamp*1,2:

Received

NOV 21 2023

**City of Oceanside
Development Services**

*1 Submittal of all the information listed and payment of the permit processing fee freezes fees and development standards as of this date, unless exceptions per Government Code § 65889.5(o) are triggered.

*2 Note: Record keeping pertaining to which standards and fees apply at date of submittal is imperative, as penalties may apply for imposing incorrect standards

Notes:

1. California Environmental Quality Act (CEQA) and Coastal Act standards apply.
2. After submittal of all of the information required, if the development proponent revises the project to change the number of residential units or square footage of construction changes by 20 percent or more, excluding any increase resulting from Density Bonus Law, the development proponent must resubmit the required information so that it reflects the revisions.

SITE INFORMATION

- 1. PROJECT LOCATION** - The specific location, including parcel numbers, a legal description, and site address, if applicable.

Street Address 401 Mission Avenue

Unit/Space Number _____

Legal Description (Lot, Block, Tract)

Attached? YES ☒ NO ☐

Parcel A of Parcel Map No. 19233, in the City of Oceanside, County of San Diego, State of California, as filed in the office of the County Recorder of San Diego County, on May 16, 2003 as instrument No. 2003-0574372 of official records.

Assessor Parcel Number(s) 147-271-14

2. **EXISTING USES** - The existing uses on the project site and identification of major physical alterations to the property on which the project is to be located.

The site is the location of the Ocean Place Center, containing a Regal movie theater, a public plaza, and various small retail shops and restaurants. The entire site is to be replaced with the proposed mixed-use project.

3. **SITE PLAN** - A site plan showing the building(s) location on the property and approximate square footage of each building that is to be occupied.

Attached? YES ☒ NO ☐

- 4. ELEVATIONS** - Elevations showing design, color, material, and the massing and height of each building that is to be occupied.

Attached? YES ☒ NO ☐

5. **PROPOSED USES** - The proposed land uses by number of units and square feet of residential and nonresidential development using the categories in the applicable zoning ordinance.

The proposed project is for a mixed-use density bonus development to include the following:

- Residential Apartments: 301,778 sf in units ranging from studio to 3-bedrooms, 10% of which will be reserved for low-income households
- Public Plazas: 8,018 sf in two spaces
- Restaurant: 10,109 sf, excluding back of house space
- Retail: 7,461 sf, excluding back of house space

a. RESIDENTIAL DWELLING UNIT COUNT:

Please indicate the number of dwelling units proposed, including a breakdown of levels by affordability, set by each income category.

	Number of Units
Market Rate	298
Managers Unit(s) – Market Rate	
Extremely Low Income	
Very Low Income	
Low Income	34
Moderate Income	
Total No. of Units	332
Total No. of Affordable Units	34
Total No. of Density Bonus Units	

Other notes on units:

Downtown zones do not have a density cap, therefore 10% of the total units are proposed as affordable to meet the City's inclusionary housing standard and the State's density bonus requirement for a density bonus project.

6. **FLOOR AREA** - Provide the proposed floor area and square footage of residential and nonresidential development, by building (attach relevant information by building and totals here):

	Residential	Nonresidential	Total
Floor Area (Zoning)	405,698 sf	19,420sq ft	425,118 sq ft
Square Footage of Construction			

7. **PARKING** - The proposed number of parking spaces:

595 total

8. **AFFORDABLE HOUSING INCENTIVES, WAIVERS, CONCESSIONS and PARKING REDUCTIONS** - Will the project proponent seek Density Bonus incentives, waivers, concessions, or parking reductions pursuant to California Government Code Section 65915?

YES ☒ NO ☐

If "YES," please describe:

Please see the project description and justification submitted with the project for details on density bonus incentives/concessions, waivers, and parking standards. An incentive is included for undergrounding adjacent utility lines, and waivers include, but are not limited to, setbacks, height, landscaping and open space, facade modulation, parking space widths, tree canopy, and permeable surface. (Response for question 8 is duplicated at question 9 but n/a for question 9).

9. **SUBDIVISION** – Will the project proponent seek any approvals under the Subdivision Map Act, including, but not limited to, a parcel map, a vesting or tentative map, or a condominium map?

NOTE: The program automatically duplicates the response to question 8 here at question 9 and is n/a to question 9.

YES ☐ NO ☒

If "YES," please describe:

Please see the project description and justification submitted with the project for details on density bonus incentives/concessions, waivers, and parking standards. An incentive is included for undergrounding adjacent utility lines, and waivers include, but are not limited to, setbacks, height, landscaping and open space, facade modulation, parking space widths, tree canopy, and permeable surface. (Response for question 8 is duplicated at question 9 but n/a for question 9).

10. **POLLUTANTS** – Are there any proposed point sources of air or water pollutants?

YES ☐ NO ☒

If "YES," please describe:

11. **EXISTING SITE CONDITIONS** – Provide the number of existing residential units on the project site that will be demolished and whether each existing unit is occupied or unoccupied. Provide attachment, if needed.

	Occupied Residential Units	Unoccupied Residential Units	Total Residential Units
Existing	0	0	0
To Be Demolished			

12. **ADDITIONAL SITE CONDITIONS** –

- a. Whether a portion of the property is located within any of the following:

- i. A very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection, pursuant to Section 51178?

YES ☐ NO ☒

- ii. Wetlands, as defined in the United States Fish and Wildlife Service Manual, Part 660 FW 2 (June 21, 1993)?

YES ☐ NO ☒

- iii. A hazardous waste site that is listed pursuant to Section 65962.5, or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code?

YES ☐ NO ☒

- iv. A special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by any official maps published by the Federal Emergency Management Agency?

YES ☐ NO ☒

- v. A delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2?

YES ☐ NO ☒

- vi. A stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code?

YES ☐ NO ☒

If "YES" to any, please describe:

- b. Does the project site contain historic and/or cultural resources?

YES ☐ NO ☒

If "YES," please describe:

- c. Does the project site contain any species of special concern?

YES ☐ NO ☒

If "YES," please describe:

- d. Does the project site contain any recorded public easement, such as easements for storm drains, water lines, and other public rights of way?

YES ☒ NO ☐

If "YES," please describe:

Easements for public utilities, public passage, construction and underground improvements are shown and/or described in the submitted civil plan sheet C-1.

- e. Does the project site contain a stream or other resource that may be subject to a streambed alteration agreement pursuant to Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code? Provide an aerial site photograph showing existing site conditions of environmental site features that would be subject to regulations by a public agency, including creeks and wetlands.

YES ☐ NO ☒

If "YES," please describe and depict in attached site map:

13. **COASTAL ZONE** - For housing development projects proposed to be located within the coastal zone, whether any portion of the property contains any of the following:

- a. Wetlands, as defined in subdivision (b) of Section 13577 of Title 14 of the California Code of Regulations.

YES ☐ NO ☒

- b. Environmentally sensitive habitat areas, as defined in Section 30240 of the Public Resources Code.

YES ☐ NO ☒

- c. A tsunami run-up zone.

YES ☐ NO ☒

- d. Use of the site for public access to or along the coast.

YES ☐ NO ☒

14. **PROJECT TEAM INFORMATION** - The applicant's contact information and, if the applicant does not own the property, consent from the property owner to submit the application.

Applicant's Name Ernie Rivas

Company/Firm JH Real Estate Partners, Inc.

Address 520 Newport Center Drive Unit/Space Number 780

City Newport Beach State CA Zip Code 92660

Telephone 949-723-8989 ext 104 Email _____

Are you in escrow to purchase the property?

YES ☐ NO ☒

Property Owner of Record ☐ Same as applicant ☒ Different from applicant
Name (if different from applicant) Ocean Place Retail VII, LLC, a Delaware limited liability company
Address 520 Newport Center Drive Unit/Space Number 780
City Newport Beach State CA Zip Code 92660
Telephone 949-723-8989 ext 104 Email erivas@jhrep.com

Optional: Agent/Representative Name _____
Company/Firm _____
Address _____ Unit/Space Number _____
City _____ State _____ Zip Code _____
Telephone _____ Email _____

Optional: Other (Specify Architect, Engineer, CEQA Consultant, etc.) _____
Name _____
Company/Firm _____
Address _____ Unit/Space Number _____
City _____ State _____ Zip Code _____
Telephone _____ Email _____

Primary Contact for Project: ☐ Owner ☒ Applicant ☐ Agent/Representative ☐ Other

PROPERTY OWNER AFFIDAVIT

Before the application can be accepted, the owner of each property involved must provide a signature to verify the Preliminary Application is being filed with their knowledge. Staff will confirm ownership based on the records of the City Engineer or County Assessor. In the case of partnerships, corporations, LLCs or trusts, the agent for service of process or an officer of the ownership entity so authorized may sign as stipulated below.

- **Ownership Disclosure.** If the property is owned by a partnership, corporation, LLC or trust, a disclosure identifying the agent for service of process or an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25 percent interest or greater). The signatory must appear in this list of names. A letter of authorization, as described below, may be submitted provided the signatory of the letter is included in the Ownership Disclosure. Include a copy of the current partnership agreement, corporate articles, or trust document as applicable.
- **Letter of Authorization (LOA).** A LOA from a property owner granting someone else permission to sign the Preliminary Application form may be provided if the property is owned by a partnership, corporation, LLC or trust, or in rare circumstances when an individual property owner is unable to sign the Preliminary Application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized to file, their relationship to the owner or project, the site address, a general description of the type of application being filed and must also include the language in items 1-3 below. In the case of partnerships, corporations, LLCs or trusts, the LOA must be signed by the authorized signatory as shown on the Ownership Disclosure or in the case of private ownership by the property owner. Proof of Ownership for the signatory of the LOA must be submitted with said letter.
- **Grant Deed.** Provide Copy of the Grant Deed if the ownership of the property does not match local records. The Deed must correspond exactly with the ownership listed on the application.
- **Multiple Owners.** If the property is owned by more than one individual (e.g., John and Jane Doe, or Mary Smith and Mark Jones) signatures are required of all owners.

1. I hereby certify that I am the owner of record of the herein previously described property located in the City of Oceanside which is involved in this Preliminary Application, or have been empowered to sign as the owner on behalf of a partnership, corporation, LLC, or trust as evidenced by the documents attached hereto.
2. I hereby consent to the filing of this Preliminary Application on my property for processing by the Department of Planning, City of Oceanside for the sole purpose of vesting the proposed housing project subject to the Planning and Zoning ordinances, policies, and standards adopted and in effect on the date that this Preliminary Application is deemed complete.
3. Further, I understand that this Preliminary Application will be terminated and vesting will be forfeited if the housing development project is revised such that the number of residential units or square footage of construction increases or decreases by 20 percent or more, exclusive of any increase resulting from the receipt of a density bonus, incentive, concession, waiver, or similar provision, and/or an application requesting approval of an entitlement is not filed with the City of Oceanside within 180 days of the date that the Preliminary Application is deemed complete.
4. By my signature below, I certify that the foregoing statements are true and correct.

Signature 
Printed Name GARY OTTO
Date 6/20/23

Signature 
Printed Name Enix Rivas
Date 6/20/23

City of Oceanside
Development Services Department
Memorandum

DATE: April 23, 2025

TO: Downtown Advisory Committee

FROM: Manuel Baeza, Principal Planner

SUBJECT: CONSIDERATION OF A TENTATIVE MAP (RT23-00001), DEVELOPMENT PLAN (RD23-00002), DENSITY BONUS (DB23-00005) AND REGULAR COASTAL PERMIT (RRP23-00002) FOR THE DEVELOPMENT OF A MIXED-USE DEVELOPMENT PROJECT COMPRISED OF 332 APARTMENT UNITS, INCLUDING 34 LOW-INCOME UNITS, AND 18,682 SQUARE FEET OF COMMERCIAL FLOOR AREA AT 401 MISSION AVENUE – 401 MISSION AVENUE MIXED USE – APPLICANT: JH REAL ESTATE PARTNERS INC.

Location & Background

The project site is located at 401 Mission Avenue (APN 147-271-14). Situated within the Townsite Neighborhood Planning Area, the site has a General Plan land use designation of Downtown (D) and a zoning designation of Downtown Subdistrict 1 and is located on the south side of Mission Avenue, west side of N. Coast Highway, and the north side of Seagaze Drive, and east of Cleveland Street. The project has an area of 2.72 acres and is developed with the Ocean Place Center comprised of the Regal Cinema theater, a number of retail suites and 15,462 square foot public plaza. Surrounding uses consist of mixed commercial development to the north and east, a church and mixed commercial development to the south and five-story mixed use (commercial and residential) building to the west. A map of the project site and surrounding area is provided in Figure 1 below.

On June 20, 2023 Planning Division staff received an application for a Tentative Map (RT23-00001) Development Plan (RD23-00002), a Regular Coastal Permit (RRP23-00002), and a Density Bonus (DB23-00005).

Figure 1



Project Description

The project application is comprised of four components: A Tentative Map, Regular Coastal Permit, Development Plan, and Density Bonus as follows:

Tentative Map (RT23-00001) represents a request for the following:

The project site is currently comprised of one 2.72 acre parcel. The project application includes a Tentative Map for Condominium Purposes to create condominium units, which will separate the commercial and residential use areas as separate units. The existing 15,462 square foot central plaza contains a public easement in favor of the City. With the redevelopment of the project site the existing plaza and easement will be eliminated and replaced with two smaller public plazas having a combined area of 9,449 square feet. The public easement on the existing plaza will be quit claimed and replaced with a new public easement placed on the proposed plazas and setback areas in front of each plaza. The current public easement is set to expire in February of 2034. The City through the Conditions of Approval will require that the new public easement extend beyond the current date of 2034 for an additional 30 years to 2064.

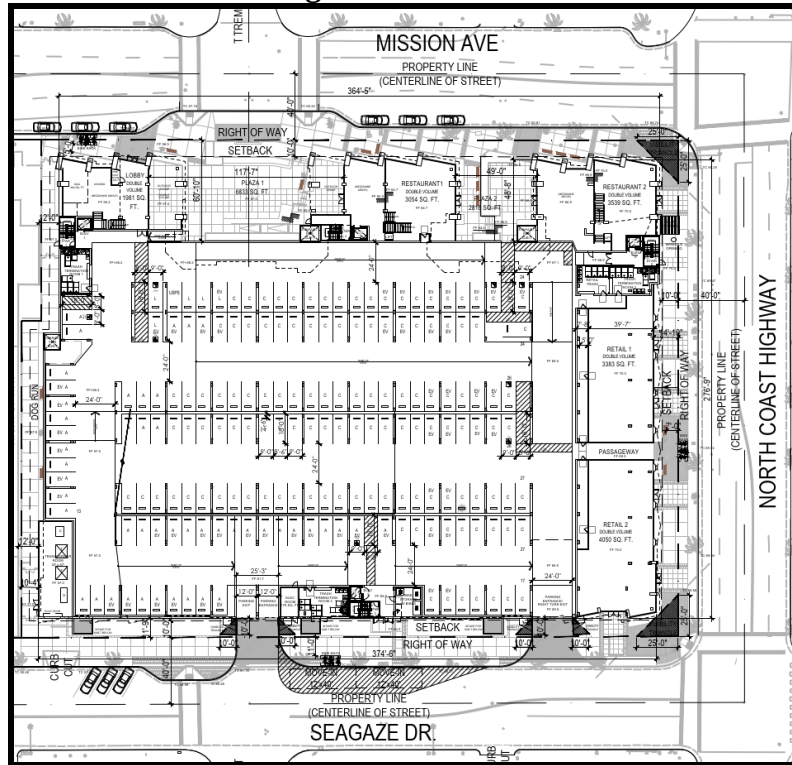
Regular Coastal Permit (RRP23-00002) represents a request for the following:

To develop a mixed-use project within Local Coastal Plan (LCP) jurisdictional boundaries within the non-appealable area of LCP.

Development Plan (RD23-00002) represents a request for the following:

To allow the demolition of an existing commercial center developed with a movie theater complex, inline shops and outdoor public plaza and approve the construction of a seven-story, approximately 405,698 square foot vertical mixed-use project. The development includes 332-unit apartments, 18,682 square feet of commercial/retail space for two restaurants and two retail suites and two public plazas as depicted in the site plan in Figure 2 below.

Figure 2 – Site Plan



The main elevation of the proposed mixed-use building is designed to face Mission Avenue. This side of the building has been designed with double volume glass storefront space at ground level (for the first two floors) to be developed with two separate restaurants and an apartment lobby. The line of storefronts is broken up by two separate outdoor public plazas. Plaza 1 is aligned with Tremont Street and has an area of 6,633 square feet. Plaza 2 located between the restaurants has an area of 2,816 square feet. Above ground level storefronts, five floors of apartments are proposed for a total height of seven stories. A perspective of the Mission Avenue frontage is depicted in Figure 3 below.

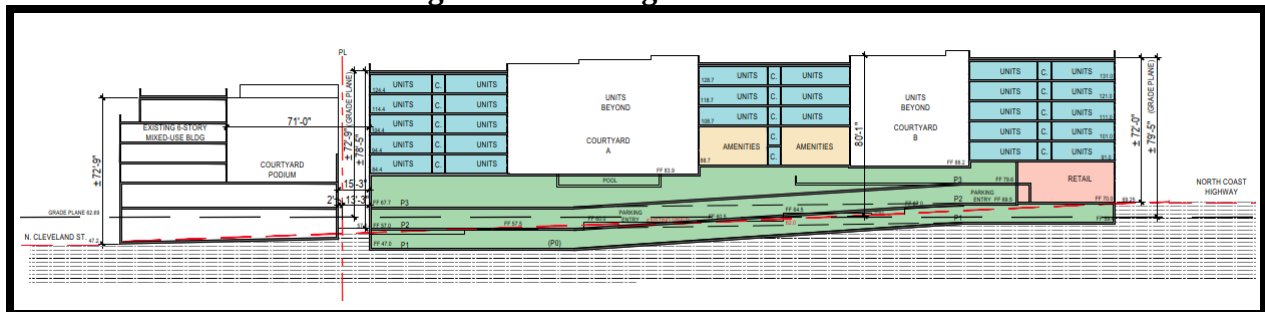
Figure 3 – Mission Street Frontage



Along the project's North Coast Highway frontage additional double volume storefronts are proposed containing two separate retail spaces separated by a pedestrian passageway that connects the public sidewalk to the project's parking structure. Five stories of stacked apartments are proposed above these retail spaces maintaining the same overall building height found along Mission Avenue.

Parking for the project is provided in a three-story parking structure with two subterranean and two above ground levels forming the base of the building. The structure will offer 591 parking stalls for the apartments and commercial uses. Access to the parking structure will be taken off Seagaze Drive via two driveway entrances. Along Seagaze drive two on street loading areas are proposed between the driveway entrances. Commercial parking will be located at the ground level of the parking structure (Level P2) with remaining levels (P0, P1 and P3) reserved for project residents. Residents of the project will be assigned parking by the apartment manager to optimize the use of stalls. Figure 4 below depicts the subterranean parking structure.

Figure 4 – Building Cross-Section



facades. Ground level, double volume storefronts on Coast Highway and Mission Avenue are outlined with angular walls that delineate window sections and provide some shading to the ground level. Decorative metal screening systems clad the parking garage on Seagaze Drive and create an interesting decorative element that also permits (required) air flow into the garage. Located above the commercial ground floor areas, residential level façades incorporate painted stucco in white and sand colors in strong horizontal pattern that transitions to the vertical features along Coast Highway. Tower elements at the corners of the buildings and between the plazas are surfaced in blue composite panels with angular rooflines evoking ocean waves, repeating the ground level theme. Elevations are enhanced with numerous recesses and balcony pop-outs, glass railings, and simulated wood accents around windows at residences and the ground floor, all working together to provide a high degree of visual interest, relief and articulation. Apart from these architectural elements, along both Coast Highway and Seagaze frontages, large murals are proposed starting at sidewalk level and extending all the way up to the top of the building. Two additional smaller murals are also proposed facing the interior lot line along the dog run. These murals acknowledge the City's efforts to create a distinctive appearance for the downtown by adding to the collection of murals found in this area as well as providing images that reflect the City's coastal heritage. In addition, the mural found along Coast Highway could potentially become a landmark in and of itself in the heart of the downtown. Figure 5 below depicts the proposed building from the perspective at the corner of Mission Avenue and Coast Highway.

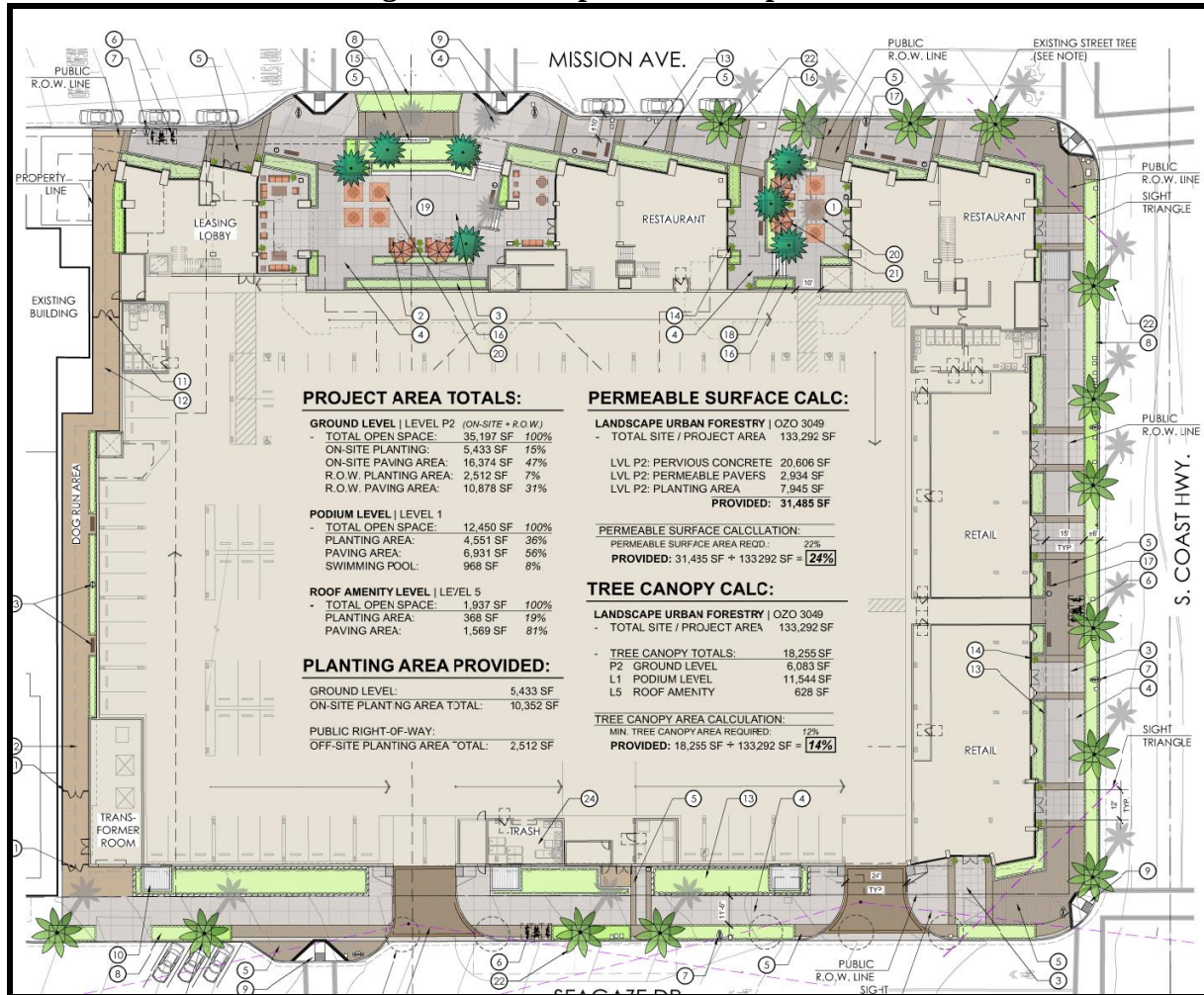
Figure 5 – Project Rendering as Viewed from Coast Highway



The landscape concept for 401 Mission is designed to enhance the visual character of the project, complement the building form, soften the perimeter area around the building, and create an attractive, inviting environment. Existing palm trees along the three adjacent streets will be maintained as part of the streetscape of downtown street frontages. Parkways along Coast Highway and Seagaze Drive that are now brick-paved will be reconstructed to allow for low water use landscaping along the streets. Additional low planters against the building and in the public plazas will contain the same drought-tolerant vegetation and bring greenery to these areas, with benches strategically placed for pedestrian resting places for the public. The public plazas incorporate decorative concrete paving designs, inviting the public into areas with soft seating and umbrella shading. Interior courtyards and the roof decks incorporate shade trees, landscaped

planters, lounge seating, and dining areas appropriate for resident use. The conceptual landscape plan is depicted in Figure 5 below.

Figure 5 – Conceptual Landscape Plan



For the apartment component of the proposed development, the project includes 19,492 square feet of common open space within two large courtyards, podium decks and roof decks facing Mission Avenue, and a dog run. There will also be a number of common indoor amenity spaces in five separate spaces providing more than 6,000 square feet of area.

A “Mixed-Use Development Plan” is required for any proposal to establish commercial and residential uses together as a single project. The subject development plan has been prepared pursuant to Articles 12, 30, 31, and 43 of the Oceanside Zoning Ordinance. The Mixed-Use Plan is provided as Exhibit “A” to the project’s Description and Justification document (Attachment 1), which details how the project addresses applicable development standards for both commercial and residential components of the project.

Density Bonus (DB23-00005) per State Law represents a request for the following:

To develop a 332-unit apartment complex at a density of approximately 122 dwelling units per acre in exchange for reserving 10% of the apartments for qualifying low-income households. Although the City has adopted a density cap for mixed-use projects in the downtown of 86 dwelling units per acre, this cap is not yet applicable to downtown areas in the Coastal Zone, as it requires Coastal Commission certification before it can be implemented in the portions of the Downtown District that are located in the Coastal Zone. Moreover, the applicant filed the an SB330 application prior to the adoption of the density cap thus locking in development standards and fees in effect at the time the SB330 application was deemed complete (November 21, 2023).

The City's Density Bonus Ordinance states that affordable units must be proportional to the overall project in terms of unit mix, and square footage and must be reasonably dispersed throughout the development. In addition, the project's income restricted units must be at least 80% of the average square footage of all market rate units with the same bedroom count. The proposed 34 low-income apartments will be 2 studio units (6%), 17 one-bedroom units (50%), 11 two-bedroom units (34%) and 4 three-bedroom units (12%) with the unit mix generally equal to the unit mix within the overall project. The submitted Description and Justification for the project expressly states that all affordable units will adhere to the average square footage of the Density Bonus Ordinance and that affordable units will be dispersed throughout the project. This requirement will be enforced by staff through the plan check process.

State Density Bonus Law entitles projects to certain incentives and/or concessions and also provides for waivers from development standards that would physically preclude the development of the project at the density proposed. The granting of waivers does not reduce the number of incentives allowed for a project, and the number of waivers that may be requested and granted is not limited. State Law prohibits the City from denying any requested incentives/concessions or waivers unless findings are made that granting the requested incentive/concession or waiver would result in a "*Specific Adverse Impact*," which is defined as "*a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. Inconsistency with zoning ordinance or general plan land use designation shall not constitute a specific, adverse impact on public health or safety,*" is identified.

By providing 10% low-income units, this project is entitled to one incentive/concession, as outlined below:

Incentive/Concession No. 1: In order to reduce cost, the applicant requests to eliminate the requirement for the undergrounding of above ground electric utilities as required along all public streets and adjacent to project boundary, applicable to the above-ground utility lines across Seagaze Drive from the project boundary.

The applicant has provided "reasonable documentation", in the form of an estimate that shows the requested concession results in identifiable and actual cost reductions. The estimate has been included as Attachment 3 for reference.

In order to accommodate the proposed density and provide 332 residential units, the project cannot physically comply with all of the development standards that apply to non-density bonus projects. The applicant has requested waivers from the following development standards pursuant to Density Bonus law:

1. Setbacks
2. Building Height
3. Architectural Feature and Equipment Height
4. Minimum landscaping standards
5. Private Outdoor Living and Open Space Requirements
6. Façade Modulation
7. Minimum Restaurant and Commercial Parking
8. Residential and Commercial Loading Space Standards
9. Parking stall width next to columns
10. Maximum vehicular access width

The project's Mixed-Use Development Plan, included within the Description and Justification, explains why the project cannot physically comply with the above-mentioned development standards. The following table is provided to illustrate the development standards applicable to the project and to identify the standards proposed to be waived as a part of the Density Bonus application

Table 2: 401 Mission Avenue Development Standards

Development Standard	Current Zoning (D-7B) Standard	Project as Proposed	Notes
Maximum Density	No Density Cap per Zoning Section 1232 (D)(2)	122 DU/Acre	Complies with code as there is no maximum density for D- District.
Minimum Lot Area	5,000 sf	188,484 sf	Complies with code
Minimum Lot Width	50'	277'	Complies with code
Minimum Setbacks			
Front In Addition N. Coast HW (NCHW)	10' Residential 10' Non-Residential 45' from CL	10' from PL 50' from CL of NCHW	Complies with code
Side	10' Residential 0' Non-Residential	Not Applicable	Not Applicable
Corner Side Seagaze Dr. In Addition Mission Avenue	10 feet 50' from CL	10 feet w balcony encroachments 50' w balcony & architectural encroachments	Waiver (W-1) Waiver (W-1)
Rear (north)	5' Residential 0' Non-Residential	10'-4"	Complies with code
Daylight Plane Setback	A 10' side or rear yard adjoining any residential area and	Not Applicable	Not Applicable

Development Standard	Current Zoning (D-7B) Standard	Project as Proposed	Notes
	structures shall not intercept a 1:1 or 45 degree daylight plane inclined inward from a height of 12' above existing grade at R district boundary.		
Maximum Height Building	35' Residential 45' Non-Residential 140' with a CUP	85'-0"	Waiver (W-2)
Exceptions Roof enclosures Support structures Roof equipment	10' above max height (55'-0")	94'-0"	Waiver (W-3)
Minimum Site Landscaping	25% Exclusive of planting on roofs, porches and planters above the lot surface.	Total: 36,266 sf 27.2% of total site planting, decorative paving and pool	Waiver (W-4)
Total Open Space			
Open Space per unit	200 sf/unit in public or private areas	123sf/unit	Waiver (W-5)
Private Outdoor Living Space	48 sf/unit 6'-0" minimum dimension	65 sf average No min. dimension 15 units no private open space	Waiver (W-5)
Shared Open Space	50,464 sf	19,492 sf	Waiver (W-5)
Courts Required	40' length Minimum depth half the height of opposite wall but not less than 16 feet opposite a living room and 10 feet opposite a required window of any habitable room.	59' (74% of opposite courtyard wall)	Complies with code
Fence and Wall Height	Decorative Walls and Fencing: Maximum height of 6' / 3.5' in front yards Retaining Walls:	Not Applicable	Not Applicable

Development Standard	Current Zoning (D-7B) Standard	Project as Proposed	Notes
	Maximum height of 6'. Any retaining wall over 4' in height shall be a plantable wall.		
Required Façade modulation	25% of front and side elevation horizontal and/or vertical must be set back at least 5 ft from setback line	Min 25% of entire façade offset an ave of 5'-0". Balcony structures and plaza recesses shall count toward modulation. Mission Ave: 63% Coast Highway: 30% Seagaze Drive: 32%	Waiver (W-6)
Underground Utilities	All existing and new utility lines shall be installed underground within the site and along the site's frontage in the public right-of-way	Incentive requested under State Density Bonus Law for requirement to underground utility lines across Seagaze Drive from project site.	Incentive 1
Renewable Energy	Per Section 3047 Residential Projects with 25 or more units shall install and maintain renewable energy facilities that supply at least 50% of forecasted electricity demand	Section 3047	Complies with code provisions of Section 3047
EV Parking	Per state standard	Per state standard	Complies with code
Urban Forestry Program	Tree canopy: 12% Permeable surface area: 22%	Tree canopy: 14% with the inclusion of new street trees Permeable Surface Area: 24%	Complies with code
Garage Drive Aisle	24'	24'	Complies with code

Development Standard	Current Zoning (D-7B) Standard	Project as Proposed	Notes
Vehicular Access	24' Max	26'	Waiver (W-10)
Ramp Grades	Standards per Engineering Manual	Ramp grades 6.67%	Complies with code
Parking			
Parking Stall Offset	12" increase in width from walls or columns	All spaces adjoining a column or wall are increased by 6 inches on each obstructed side.	Waiver (W-9)
Required Parking Spaces	State Density Bonus Law		
Residential	0 to 1 bedroom: 1 space 2 to 3 bedroom: 1.5 spaces	1 per 0 or 1 bedroom unit (180 units for 180 spaces) 1.5 per 2 bedroom unit (152 units for 228 spaces)	Complies with code Complies with code
Guests	No requirement per Density Bonus Law	0	Complies with code
Restaurant	1/50 sf of seating area	1.0/100 sf of seating area excluding back of house space	Waiver (W-7)
Retail	1/250 sf over 5,000 sf	1/200 sf excluding back of house	Waiver (W-7)
Loading Spaces	Residential: 3 off-street spaces Non-residential: 2 off-street spaces	2 on street spaces 0	Waiver (W-8)

ANALYSIS

KEY PLANNING ISSUES

1. GENERAL PLAN CONFORMANCE

The General Plan Land Use Map designation for the subject property is Downtown (D). The proposed project is consistent with this land use designation and the policies of the City's General Plan as follows:

A. Land Use Element

Goal 1.12 Land Use Compatibility

Objective: To minimize conflicts with adjacent or related uses.

Policy B: The use of land shall not create negative visual impacts to surrounding land uses.

The 2.72-acre project site is currently developed with a commercial center containing the Regal Oceanside theater, commercial shops and restaurants and large outdoor plaza. The center is in the stages of decline with at least three vacant tenant spaces and an older struggling theater that no longer continue to be the site's highest and best use. Rather than continuing to allow the center to decline, the applicants are proposing to make a new investment into this key area of the downtown with the development of a seven-story mixed use residential and commercial development. This type of project is consistent with the larger pattern of redevelopment in the downtown area, which includes a number of mid-rise mixed-use buildings and resort hotels/timeshare units. It would also add a significant number of residential units, which are essential to the dynamic development of the downtown. The current trend of redevelopment in Oceanside is intended to create synergies between the various commercial establishments in the downtown area and promote economic activity. The project would be designed in distinctive and contemporary coastal architecture with quality materials and distinctive design that is in keeping with the architectural designs of newer development found in the downtown area.

The project is in a highly urbanized area consisting of commercial visitor serving land uses. The project, as designed and sited, would be consistent with the surrounding built environment and would enhance the area by bringing new residents and visitors to the downtown.

Goal 1.23 Architecture

Objective: The architectural quality of all proposed projects shall enhance neighborhood and community values and City image.

Policy A: Architectural form, treatment, and materials shall serve to significantly improve on the visual image of the surrounding neighborhood.

Policy B: Structures shall work in harmony with landscaping and adjacent urban and/or topographic form to create an attractive line, dimension, scale, and/or pattern.

The project will significantly enhance and improve on the visual image of the surrounding neighborhood. The project site is located at a key area in the heart of the downtown along the major corridors of Mission Avenue and Coast Highway. The site is currently developed with an aging and struggling commercial center that no longer represents the site full economic potential. The project will replace existing development with a modern, attractively designed, midrise

building that will serve as a landmark within downtown Oceanside. Proposed redesigned plaza areas facing Mission Avenue will create an attractive, pedestrian friendly, environment with decorative paving and shaded seated areas. Existing fan palms that are to be preserved in place. In addition, ground level landscape planters are utilized along buildings and the outer edge of the project site providing a band of greenery around the entirety of the development.

B. Housing Element

The Regional Housing Needs Assessment (RHNA) for the Sixth Housing Element Cycle (2021-2029) estimates that the City of Oceanside would experience demand for 5,443 new dwelling units, including 718 low-income units, over the next eight years. By contributing 332 rental dwelling units, including 34 units reserved for low-income households, to the City's existing housing stock, the proposed project would help to meet the projected housing demand and provide an opportunity for much needed work force housing within the downtown in proximity to a variety of transit options. The project is consistent with the following goals and policies of the Housing Element:

Goal 1: Produce opportunities for decent and affordable housing for all of Oceanside's citizens.

The proposed project would develop 332 new apartments and, through a density bonus request, include 34 units for low-income households to the housing inventory. The City's Density Bonus Ordinance ensures quality by requiring that units must be proportional to the overall project in terms of unit mix, and square footage. The proposed 34 low-income apartments would be comprised of 2 studio units, 17 one-bedroom/one-bath units, 11 two-bedroom/two-bath units and 4 three-bedroom/two-bath units equal to the overall unit mix. There is no distinction between the design of market rate and affordable units. Studio units have an area of 564 square feet, one-bedroom apartments have an average area of 706 square feet, two-bedroom apartments have an average area of 1,103 and three-bedroom apartments have an average area of 1,338 square feet and all affordable units will be at least 80% of the average square footage of market rate units.

Policy 1.6: Encourage higher-density housing development along transit corridors and smart growth focus areas in order to encourage preservation of natural resources and agricultural land; reduce energy consumption and emissions of greenhouse gasses and other air pollutants; reduce water pollution occasioned by stormwater runoff; and promote active transportation with its associated health benefits.

The proposed project would result in a high-density mixed-use development with an effective density of 122 dwelling units per acres. Located along the transit corridor of North Coast Highway, the project site is located in a SANDAG designated Smart Growth Opportunity Area (identified as OC-1 on SANDAG's Regional Smart Growth Concept Map) which encourages the preservation of natural resources and agricultural land, limits environmental impacts, and promotes active transportation.

Goal 2: Encourage the development of a variety of housing opportunities, with special emphasis on providing:

- A broad range of housing types, with varied levels of amenities and number of bedrooms.
- Sufficient rental stock for all segments of the community, including families with children.
- Housing that meets the special needs of the elderly, homeless, farm workers, and persons with disabilities, and those with developmental disabilities.
- Housing that meets the needs of large families.

The proposed mixed-use project would include 332 apartments in a mid-rise building with a varied number of bedrooms (studio, 1, 2 and 3-bedroom units) that will also provide a number of indoor and outdoor amenity areas. In addition, the largest 2-bedroom as well all 3-bedroom units are large enough to accommodate families, including those with children.

Policy 3.5 Encourage the development of housing for low and moderate-income households in areas with adequate access to employment opportunities, community facilities, and public services.

The proposed project would include 34 units reserved for low-income households in the downtown, which provides adequate access to employment opportunities, community facilities such as the Civic Center and Library, and public transit services located at the Oceanside Transit Center.

Policy 3.7 Encourage the disbursement of lower and moderate-income housing opportunities throughout all areas of the City.

The proposed project would aid in the disbursement of lower and moderate-income housing opportunities in the City's downtown within a Smart Growth Opportunity Area. By including affordable units, the project would provide housing opportunities in an area of the City that would otherwise be unattainable for lower income households.

C. Economic Development Element

Policy EDE-1a-3 Encourage new development that provides for social interaction, cultural enrichment, and a strong sense of place including appropriate open space.

The project is designed to encourage social interaction with the development of public plazas as well as several shared indoor and outdoor amenity areas for project residents. The larger of the public plazas has enough area to hold public gatherings such as the City Christmas tree lighting ceremony and other civic events. In addition, the public plazas create a strong sense of space as they are the focal points of the project's Mission Avenue frontage.

Policy EDE-1b-1 Encourage efficient, transit-oriented development, walkability, parking efficiency, pedestrian and bicycle facilities, and a strong sense of place within the City's Smart Growth Opportunity Areas (SGOAs), as identified on the Regional Smart Growth Concept Map.

The project has an efficient design as proposes a high-density transit-oriented mixed-use development consisting of apartment, restaurants and retail suites within one of the City's Smart Growth Opportunity Areas, with access to transit and within walking distance of public beach access and public facilities.

Policy EDE-1b-2 Encourage efficient use of land for employment and revenue generation.

The transit oriented high-density mixed-use project proposes 332 apartment units on 2.72 acres in a City Smart Growth Opportunity Area and is an excellent example of the efficient use of land. Project residents will frequent downtown establishments generating revenue for businessowners and the City. In addition, increased demand for goods and services will in turn spur employment in response to this increased demand.

2. ZONING ORDINANCE COMPLIANCE

The proposed project is subject to the Downtown District land use and development standards within Article 12 of the Zoning Ordinance. The project is located within the Downtown Subdistrict 1, which allows for commercial/retail and office uses. Residential uses are encouraged as part of a mixed-use development project. The project is consistent with Subdistrict 1 as it proposes a mixed-use project with 332 apartments and 18,682 square feet of commercial/retail space. The project also complies with the development standards of the City's Zoning Ordinance, except where the applicant is seeking waivers of the development standards consistent with State Density Bonus Law, as previously highlighted in Table 2 of this report.

As previously noted, parking for the project is provided a subterranean and above-ground parking structure. The structure will offer 591 parking stalls for apartment residents and commercial uses. Parking for the apartments utilizes the ratio established under State Density Bonus Law. Under this standard, 409 stalls are required and 409 are provided. There will 6 additional stalls for leasing and mail, 127 stalls for the restaurants and retail areas (as proposed through waiver W-7) and 49 additional shared stalls for all uses for a grand total of 591 parking stalls.

3. LOCAL COASTAL PROGRAM CONSISTENCY

The proposed development is consistent with applicable policies of the Local Coastal Program (LCP). LCP Section II Recreation and Visitor Serving Facilities Policy 10 calls for the City to continue to promote coastal tourism through the revitalization of the coastal area in upgrading visitor amenities. The redevelopment of the site with a new seven-story mixed use building with 332 apartments and 18,682 square feet of commercial space will promote the revitalization of the coastal area by bringing hundreds of new residents to the downtown and upgrading visitor serving amenities by replacing an aging commercial center with new restaurants, retail space and two public plazas. Policy 17 calls for the City to require residential development to provide adequate on-site parking. The project will provide the required amount of residential parking as established under State Density Bonus Law.

In addition, in accordance with Section VI. Visual Resources and Special Communities Policy 8, the project is visually compatible with the character of surrounding areas found in the downtown, which includes several mid-rise hotels and vertical mixed-use buildings. The proposed project

would not substantially alter or impact existing public views of the coastline nor would the proposed project obstruct any existing or planned public beach access, thereby conforming to the policies of Chapter 3 of the Coastal Act.

Environmental Review

Pursuant to the California Environmental Quality Act (CEQA), staff finds that the proposed project is categorically exempt pursuant to Article 19 Categorical Exemptions, Section 15332 “In-fill Development Projects” of the California Environmental Quality Act. The site is located in an urbanized area and would not result in any significant environmental effects.

Recommendation

Staff recommends that the Downtown Advisory Committee (DAC) recommend to the Community Development Commission (CDC) approval of the Tentative Map, Development Plan, Regular Coastal Permit, and Density Bonus request to allow the demolition of an existing commercial center and for the construction of a seven-story vertical mixed-use project consisting of a 332-unit apartment building including 34 low-income units and 18,682 square feet of commercial space at 401 Mission Avenue.

Attachments:

1. Description and Justification Letter (Online)
2. Project Plans (Online)
3. Project Offsite Cost Estimate (Online)