

## **401 MISSION MIXED-USE DEVELOPMENT PROJECT**

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

### **DESCRIPTION & JUSTIFICATION**

**JUNE 2025, UPDATED**

#### **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 332 residential apartments complemented by approximately 18,682 square feet of commercial space and approximately 9,449 square feet of open plazas that contribute to urban public open space. Adjoining public spaces include the onsite plaza connectors and the offsite ROW fronting the property that will be indistinguishable from the overall plaza areas in look and feel increasing the experienced public open space on and adjacent to the site to 16,201 square feet. 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 21<sup>st</sup> 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 replaced by two open-air plazas with 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-out at the crosswalks on Mission Avenue is 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 298 market rate apartment homes and 34 apartments designated as low-income affordable homes (10% of the total reserved for low-income households) 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 between the plazas are surfaced in blue composite panels with angular rooflines, 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. 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 18,682 square feet of double volume retail and restaurant storefronts inclusive of a 750 square foot roof deck, potential sidewalk café space, and a leasing office. The total amount of commercial space provided is similar to 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. The leasing office on the ground floor at the western end of the building at Mission Avenue extends the storefront appearance along this key public pathway. Inviting courtyards available for resident and public use along Mission Avenue draw visitors into the project, while podium decks for project resident use overlook both plazas, activating the area and establishing a metropolitan vibe. Rooftop decks over Plaza 1 at the foot of Tremont Street and two large, internal courtyards above the parking levels further provide outdoor open living space for residents of the project. The courtyards are connected to each other and to Plaza 1 via 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)
<b>Common Open Space</b>	
Central Courtyards	12,589
Roof Deck (west deck for residents)	750
Podium Decks	2,753
Dog Run	3,400
Total Shared Open Space	19,492 <i>(28,941 including adjacent 9,449 sf public plaza space)</i>
<b>Private Open Space</b>	
Balconies and Patios	21,615
Total Private Open Space	21,615
<b>Total Usable Outdoor Open Space (Common and Private)</b>	<b>41,107</b> <i>(50,556 including adjacent public plazas)</i>
<b>Total Usable Open Space per Unit (332 units)</b>	<b>Approx. 123 sf per unit</b> <i>(Approx. 152 sf per unit including adjacent public plaza space)</i>
<b>Common Indoor Amenity Areas</b>	
Indoor Amenity at Plaza 1	1,134
Indoor Amenity at Pool Courtyard A	1,134
Indoor Amenity at Pool Courtyard A	1,498
Indoor Amenity at Courtyard B	1,498
Co-work Mezzanine at Leasing Office	1,228
Bike Storage	284
Total Shared Indoor Space	6,776
<b>Total Common Space (Indoor and Outdoor) per Unit (332 Units)</b>	<i>Common Open Space 19,492 Common Indoor Space 6,776</i>  <b>26,268 sf 79 sf/unit</b>

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	4.5%
1BR/1BA	580 - 788 average 706	17	50%	148	165	50%
2BR/2BA	1,050 – 1,138 average 1,103	11	32%	102	113	34%
3BR/2BA	1,267 – 1,499 average 1,338	4	12%	35	39	11.5%
<b>TOTAL</b>		<b>34</b>		<b>298</b>	<b>332</b>	

*\*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. Existing palm trees along the three adjacent streets will be maintained as part of the iconic streetscapes of downtown Oceanside. Parkway 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 nature into the site, with benches strategically placed for pedestrian resting places serving the local community. 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.

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 on the below-grade level (P1) and the second-floor level (P3) and managed as a part of the overall building management. Ground level spaces (P2) will be reserved for commercial uses and guest parking associated with the apartments. 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 332 total apartment units. Of that total, the project will designate 10% (34 units) to be affordable units at the low-income level, with the remaining 298 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	332 units
Affordable Units (Low-Income)	10% units reserved for low-income households	34 units
Market Rate Units		298 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 incentives/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 plazas, 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 537 spaces. The project exceeds this standard and provides all required parking and circulation areas within the three-level above- and below-ground garage on-site. 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	165	1.0/unit	165	165
2BR/2BA	113	1.5/unit	170	170
3BR/2BA	39	1.5/unit	59	59
Guest		0	0	0
Restaurant	8,999 sq. ft. of seating area (excluding back- of-house space)	1.0/100 sq. ft. of seating area (per Mixed-Use Stds.)	90	90
Retail	7,433 sq. ft. (excluding back- of-house space)	1.0/200 sq. ft.	37	37
Leasing Office		0	0	5
Additional Available Spaces inc. one for postal delivery			1	50
	<b>TOTAL</b>		<b>537</b>	<b>591</b>  Includes 257 spaces reserved for EV use with at least 53 equipped with EV chargers

## 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 plazas. 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 9,449 sq. ft. in two public plazas and an additional 2,876 sq. ft. of plaza connection space adjacent to the public sidewalk fronting Mission Avenue. The larger plaza is at the intersection with Tremont Street for the Thursday night Sunset Market 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 new public easements placed on the proposed plazas and setback areas in front of each 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 332 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 replaces the existing public plaza with two smaller plazas that provide 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 in 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 in downtown, while retaining public plaza space in two smaller plazas 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 plazas, 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.



<b>Exhibit "A"</b> <b>401 Mission Mixed-Use Development Plan</b> <b>Development Standards / Regulations with typical standards listed for reference</b>			
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)  <b>Waiver W-1</b>	10 feet (residential)  10 feet (non-residential)  In addition: 50 ft. from street centerline on Mission Avenue.  <b>Amended under Mixed-Use Development Standards and with Waiver under density bonus to accommodate development at density proposed.</b>	10 feet  Note: Private patios or balcony structures, architectural features including landscaping elements, architectural structural elements, and public plazas may encroach into setback areas as shown on plans.	10 feet from side/corner side property lines with encroachments as permitted by MUDP.

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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  <b>Waiver W-2</b>	35 feet (residential)  45 feet (non-residential)  140 feet maximum under certain circumstances with a CUP  <b>Amended under Mixed-Use Development Standards and with Waiver under density bonus to accommodate development at density proposed.</b>	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  <b>Waiver W-3</b>	10 feet above applicable mixed-use limit  <b>Amended under Mixed-Use Development Standards and with Waiver under density bonus to accommodate development at density proposed.</b>	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.

<p align="center"><b>Exhibit "A"</b>  <b>401 Mission Mixed-Use Development Plan</b>  <b>Development Standards / Regulations with typical standards listed for reference</b></p>			
Standard / Regulation	Typical City Standards / Regulations under Downtown Subdistrict 1	Mixed-Use Plan Standards / Regulations and Notes	401 Mission Project as Proposed
<p>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.</p>			
<p>OZO 1232  OZO 1232  (P)(R)  Minimum Site Landscaping    <b>Waiver W-4</b></p>	<p>25% lot surface (residential)    15% lot surface (non-residential)    <b>Amended under Mixed-Use Development Standards and with waiver under density bonus to accommodate development at density proposed.</b></p>	<p>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 plazas, internal courtyards, rooftop decks.</p>	<p>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</p>
<p><u>OZO 1232</u>  <u>OZO 1232 (FF)</u>  <u>OZO 1232 (FF)(2)</u>    Open Living Space    <b>Waiver W-5</b></p>	<p>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)    <b>Amended under Mixed-Use Development Standards and with waiver under density bonus to accommodate development at density proposed.</b></p>	<p>Residential: 120 sq. ft. per unit of total usable open space inclusive of private open space and required street yards (not including public plazas) 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.</p>	<p>19,492 sq. ft. of shared outdoor open space is provided, including 12,589 sq. ft. in courtyards, 750 sq. ft. on roof deck, 2,753 in two podium decks, 3,400 sq. ft. of dog run space, but not including an additional 12,325 sq. ft. in two onsite public plazas.    An additional 21,615 sq. ft. of private patio and balcony space is also provided.    Total usable outdoor open space of 41,107 sq. ft. = approx. 123 sq. ft./unit</p>
<p><u>OZO 1232 (EE)</u>  Courts  Required</p>	<p>See Section 1232 (EE) for courts (residential)    No courts required (non-residential)</p>	<p>Per standard    Interior walls are approx. 80 ft. high and require 40 ft. wide courtyards.</p>	<p>Central courtyards minimum is approximately 59 feet wide.</p>

<b>Exhibit "A"</b> <b>401 Mission Mixed-Use Development Plan</b> <b>Development Standards / Regulations with typical standards listed for reference</b>			
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  <b>Waiver W-6</b>	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)  <b>Amended under Mixed-Use Development Standards and with waiver under density bonus to accommodate development at density proposed.</b>	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: 63%  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  <b>Waiver W-7</b> <b>Waiver W-8</b>	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  <b>Residential parking - No waiver is required to apply SDBL standards.</b>	1.0/unit for studio/ 1-bed (180 units for 180 spaces) 1.5/unit for 2-/3-bed (152 units for 228 spaces)  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)	591 spaces provided in parking garage, inclusive of one space designated for USPS delivery.

<b>Exhibit "A"</b> <b>401 Mission Mixed-Use Development Plan</b> <b>Development Standards / Regulations with typical standards listed for reference</b>			
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.			
	<b>Commercial parking - Amended under Mixed-Use Development Standards and with waiver under density bonus to accommodate development at density proposed.</b>	calculations exclude back of house or storeroom area square footages.  <b>Total Required under Mixed-Use Plan Standards: 537 spaces inclusive of one USPS space</b>	
<u>OZO 3110 (B.1)</u> <u>OZO 3110 (B.2)</u> Parking Space Dimensional Requirement  <b>Waiver W-9</b>	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.  <b>Amended under Mixed-Use Development Standards and with waiver under density bonus to accommodate development at density proposed.</b>	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  <b>Waiver W-10</b>	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.

<b>Exhibit "A"</b> <b>401 Mission Mixed-Use Development Plan</b> <b>Development Standards / Regulations with typical standards listed for reference</b>			
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  <b>Incentive 1</b>	Per standard	Per standard	Incentive requested under State Density Bonus Law 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 either meet requirements with onsite roof top solar panels or will work with staff to determine an acceptable alternative to make up any shortfall in onsite generation to meet the minimum 50% renewable energy use.
<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 of 14% using alternative to include trees in adjacent public parkways, interior courtyards, and roof decks.  Project meets mixed-use standard minimum of permeable surface with 24% of site area designed with pervious concrete, permeable paving and planting areas.



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

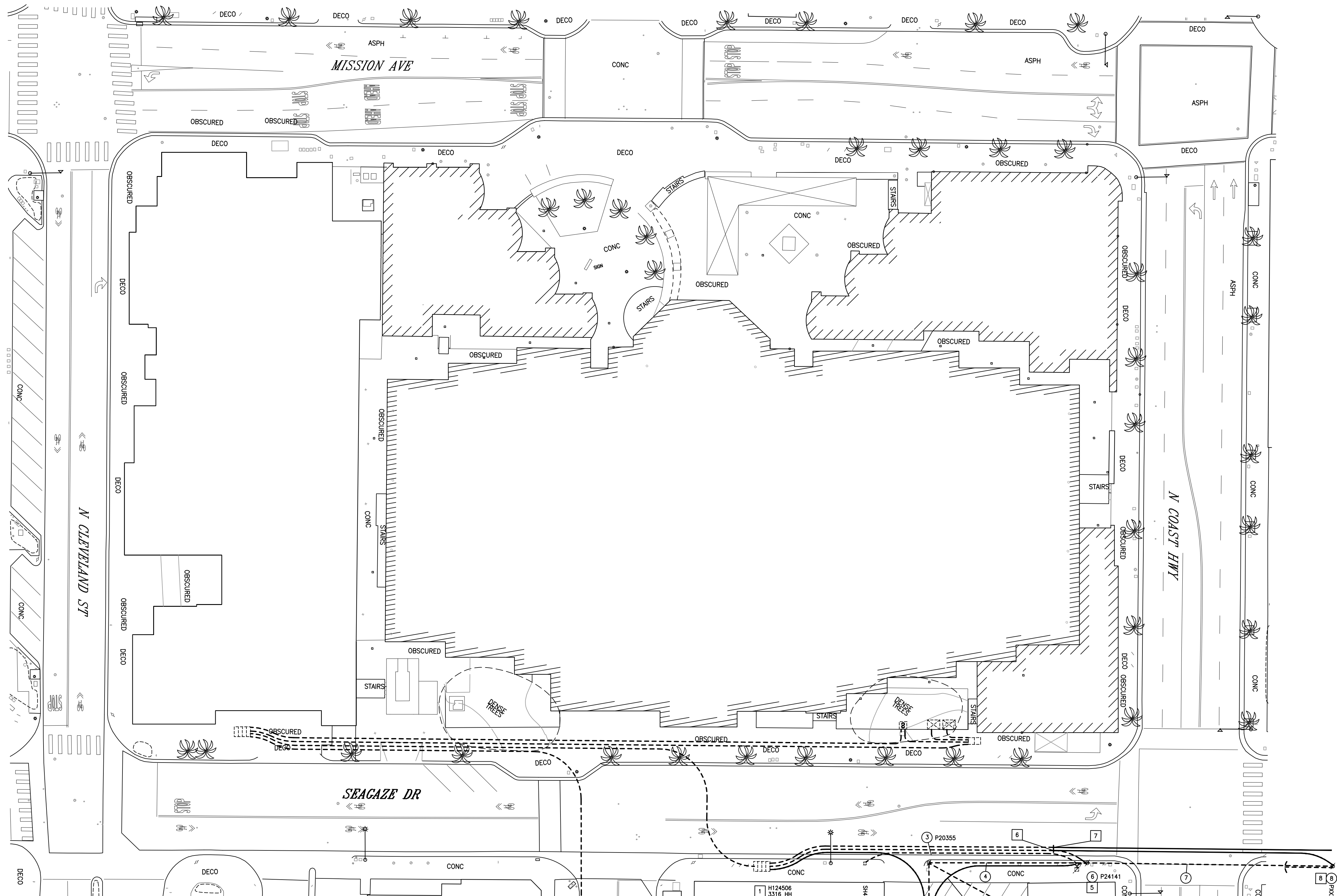




JH Real Estate Partners - Mission Ave		
OPINION OF PROBABLE COSTS		
November 20, 2024		
	Seagaze Dr Conversion	
LF	375	
UNITS	n/a	Totals
SDG&E ELECTRIC (R20 Conversion)	\$ 193,900	\$ 193,900
SDG&E ELECTRIC (Removals)	\$ -	\$ -
SDG&E ELECTRIC (New Business)	\$ -	\$ -
SDG&E GAS (Removals)	\$ -	\$ -
SDG&E 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>
<b>Net Totals</b>	<b>\$ 354,600</b>	<b>\$ 354,600</b>
<b>ASSUMPTIONS</b>		

# 401 MISSION AVE CONVERSION

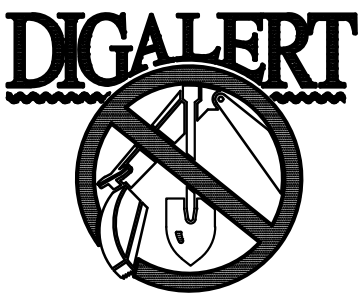
## UNDERGROUND ELECTRIC



- UG CONVERSION CONST
- 1 REM 3-IN-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/O 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/O 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/O AL P&CN CBL (242)  
INST 3PH #2/O AL P&CN CBL (395)

- 7 INT & EXT 3-EB5" PRI CONDUIT (150')
- 8 INST 3PH PRI CBL POLE MAT'L (2/O 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 <b>UD-1</b>	FCO <b>0</b>
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.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 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@ceansideca.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.cityofoceaside.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](mailto:erivas@jhrep.com)  
(949) 723-8989, x.104

*City Planning Department*  
Manuel Baeza, Principal Planner  
[MBaeza@oceasideca.org](mailto:MBaeza@oceasideca.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 Schuchla	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	paubkaugon2012@gmail.com	702 449-6688
AK De	301 MISS	m file	
Gene & Brenda Batelli	301 Mission Ave	brockebatelli@comcast.net	
JEFFER + PAT RUC	301 Mission Ave	jerryruvg1@gmail.com	
JANE MANSFIELD	302 S. FREEMAN	jmanshak@bpc.net	
GREGG Mc GINNESS	400 N MYERS ST	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**

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**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](http://www.mislehproperties.com)

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## Manuel Baeza

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**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

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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](mailto: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

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

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**Warning: External Source**

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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

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

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**Warning: External Source**

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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](mailto:kimscatoni56@gmail.com)

760 575 8856

## Manuel Baeza

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

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**Warning: External Source**

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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

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**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](mailto:farleyt@gmail.com)>  
**Sent:** Tuesday, April 22, 2025 3:13 PM  
**To:** Downtown Advisory Committee <[dac@oceansideca.org](mailto:dac@oceansideca.org)>  
**Subject:** Downtown Advisory Committee Regal Cinema Developemnt

**Warning: External Source**

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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

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**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](mailto:angiekesh@yahoo.com)>  
**Sent:** Thursday, April 24, 2025 3:11 PM  
**To:** Downtown Advisory Committee <[dac@oceansideca.org](mailto:dac@oceansideca.org)>  
**Subject:** Meeting on 4/23/25

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**Warning: External Source**

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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

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**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

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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
<b>Floor Area (Zoning)</b>	405,698 sf	19,420sq ft	425,118 sq ft
<b>Square Footage of Construction</b>			

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 Ernie Rivas  
Date 6/20/23