

LATE DISTRIBUTION OF MATERIALS

DATE: October 1, 2025

TO: Honorable Mayor and Councilmembers

FROM: Maddison Zafra, City Manager's Office

SUBJECT: 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 326 RESIDENTIAL UNITS, INCLUDING 33 LOW-INCOME UNITS, AND 26,490 SQUARE FEET OF COMMERICAL FLOOR AREA ON A 2.72-ACRE SITE LOCATED AT 401 MISSION AVENUE - 401 MISSION AVENUE MIXED USE - APPLICANT: JH REAL ESTATE PARTNERS INC.

Item #15 – A memo has been added to the report by staff.

MEMORANDUM

DATE: October 1, 2025

TO: Chairperson of the Community Development Commission and Commission Members

FROM: Development Services Department Staff

SUBJECT: **401 Mission Avenue Mixed Use Project - Item #15 - Public Easement Condition of Approval**

After publication of the staff report for the 401 Mission Avenue Mixed Use project, City staff and the Applicant saw the need for amending Engineering Condition of Approval 94 establishing a public easement for the proposed plaza in order to address both the City's and the applicant's interest. The current text of Condition 94 is provided below:

Current Conditions

94. Owner/developer shall process a separate easement dedication application for public recreational purposes located as part of the proposed project plaza on the property. The application shall be submitted prior to the issuance of a grading permit, and shall be recorded prior to grading plan As-Builts. Additionally, the easement shall be identified on the map as "To Be Dedicated by Separate Instrument".

Staff is recommending that the text of Condition 94 be amended with the following language:

Proposed Amended Text

Owner/developer shall process an amendment to the existing Public Plaza Easement Agreement for the passage of pedestrians reflecting the new plaza area, confirming the parties' rights to use the easement area for special events, and extending the term to October 1, 2064. The amended easement shall be submitted prior to the issuance of a grading permit, and shall be recorded prior to grading plan As-Builts. Additionally, the amended easement shall be identified on the map as "To Be Dedicated by Separate Instrument".