

# HOUSING CRISIS ACT of 2019 – SB 330

## PRELIMINARY APPLICATION FORM - TEMPLATE

### PURPOSE

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

Although this Preliminary Application is not required for housing development projects, an agency must accept it if submitted. Agencies may customize this application; however, any revised form must include only the 17 provisions as required by the Housing Crisis Act. The Preliminary Application must be made available in print and on the agency's website.

### 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\*<sup>1,2</sup>:

\*<sup>1</sup>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.

\*<sup>2</sup>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

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

Street Address 358 East Sailer Drive, San Mateo, CA 94403 Unit/Space Number \_\_\_\_\_

Legal Description (Lot, Block, Tract)

Attached? YES  NO

Please see Legal Description included in attached plan set.

Assessor Parcel Number(s) 039-490-170, 039-490-050, 042-121-060

- 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.

Existing uses include 1,490,331 sq ft (as calculated per San Mateo Municipal Code Floor Area definition excluding underground parking) of commercial retail space and its supporting above-ground covered parking. Additionally, there is uncovered parking of the top level of the parking structures and uncovered surface parking primarily south of Hillsdale Blvd. The commercial space is comprised of an indoor mall, large department stores, two-level structured parking, and large-format retail. No existing residential uses exist on the site.

The proposed project would entail the demolition and removal of all of the existing uses. The project proposes replacing the existing uses with approximately 3,964,000 sq ft of new space (as calculated per San Mateo Municipal Code Floor Area definition excluding underground parking), of which approximately 2,059,000 sq ft is proposed as commercial space including retail, office/lab, and above-grade covered parking and the remainder is proposed as approximately 1,392 new residential units including apartments and townhouses. The proposed project also includes the introduction of new streets, sidewalks, parks, and other open spaces where none currently exist.

When calculated as "square footage of construction" (inclusive of underground parking levels), existing uses total 1,848,331 gsf, and the project proposes replacing that space with approximately 5,422,000 gsf of new construction, of which 3,246,000 is proposed to be commercial space. The proposed residential unit count remains the same independent of how the square footage is calculated.

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 includes a total of approximately 3,964,000 sq ft of new space, of which approximately 2,059,000 sq ft is commercial and approximately 1,905,000 sq ft is residential. The proposed residential count equates to approximately 1,392 units. (Square footage is calculated per San Mateo Municipal Code Floor Area definition excluding underground parking)

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	1,183
Managers Unit(s) – Market Rate	0
Extremely Low Income	0
Very Low Income	0
Low Income	201
Moderate Income	8
Total No. of Units	1,392
Total No. of Affordable Units	209
Total No. of Density Bonus Units	n/a

Other notes on units:

The proposed approximately 1,392 residential units include 1,338 multifamily rental homes and 54 for-sale homes. The proposed Low Income unit count is generated by taking 15% of 1,338 units = 200.7 units and rounding up to 201 units. The proposed Moderate Income unit count is generated by taking 15% of 54 units = 8.1 units and proposing to pay an in lieu fee for the partial unit under 0.5.

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>	1,905,000	2,059,000	3,964,000
<b>Square Footage of Construction</b>	2,176,000	3,246,000	5,422,000

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

5,390 (net increase of 1,991 above the existing 3,339 parking space count)

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 attached SB 330 Vesting Letter.

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?

YES  NO

If “YES,” please describe:

Vesting tentative map will be submitted with the full application materials.

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	N/A	N/A	N/A

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:

Laurel Creek runs along the southeastern edge of the main parcel and contains wetlands, results in a portion of the site being in a flood zone, and may possibly be subject to a streambed alteration agreement. All of these factors are noted on Sheet G1.03 of the attached Plan Set.

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:

Please see attached Plan Set sheet G1.02.

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:

Please see Sheet G1.03 for notation about Laurel Creek being potentially subject to a streambed alteration agreement. Please refer to Sheet G1.01 for an aerial site photograph showing existing site conditions of this environmental feature.

**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** HSC Property Owner LLC

Company/Firm c/o Bohannon Companies

Address 60 E 31<sup>st</sup> Avenue Unit/Space Number

City San Mateo State CA Zip Code 94403

Telephone 650-358-3220 / 650-377-5808 Email [david.bohannon@dbbo.com](mailto:david.bohannon@dbbo.com) / [aturco@sranc.com](mailto:aturco@sranc.com)

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) \_\_\_\_\_

Address \_\_\_\_\_ Unit/Space Number \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Telephone \_\_\_\_\_ Email \_\_\_\_\_

**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 or 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 538 East Sailer Drive, San Mateo, CA 94403 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 Community Development 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 San Mateo 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 Please see attached Signature Page Signature \_\_\_\_\_  
Printed Name \_\_\_\_\_ Printed Name \_\_\_\_\_  
Date \_\_\_\_\_ Date \_\_\_\_\_

**– SIGNATURE PAGE –**

Department of Housing and Community Development  
Preliminary Application Form

**HSC Property Owner, LLC,**  
a Delaware limited liability company

By: David Copeland

Name: Dave Copeland

Title: Managing Director

Date: 1/27/2025