



## APPLICATION FOR

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Certificate of Compliance             | <input type="checkbox"/> Exception                        | <input type="checkbox"/> Sign Review                        |
| <input type="checkbox"/> Pre-Application/Concept Design Review | <input type="checkbox"/> General Plan Amendment           | <input checked="" type="checkbox"/> Use Permit              |
| <input checked="" type="checkbox"/> Design Review              | <input type="checkbox"/> Lot Line Adjustment              | <input type="checkbox"/> Variance                           |
| <input checked="" type="checkbox"/> Development Agreement      | <input checked="" type="checkbox"/> Subdivision/Tent. Map | <input checked="" type="checkbox"/> Zone Change/Planned Dev |
| <input checked="" type="checkbox"/> Environmental Review       | <input type="checkbox"/> Sign Program/Amendment           | <input type="checkbox"/> Other                              |

## REVIEW/HEARING BODIES

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Design Review Board  | <input type="checkbox"/> Zoning Administrator    | <input checked="" type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Staff/Administration | <input checked="" type="checkbox"/> City Council |   |

## APPLICATION FOR

STREET ADDRESS: 5800 Northgate Drive	ASSESSOR'S PARCEL NO(S): 175-060-12; 40; 59; 61; 66-67
EXISTING ZONING: General Commercial	GENERAL PLAN DESIGNATION: General Commercial
PRESENT USE OF PROPERTY: Shopping Mall/Retail/Commercial	SIZE OF PROPERTY: 44.76 ac.

## APPLICANT INFORMATION

PROPERTY OWNER NAME: Merlone Geier Partners, LLC	TELEPHONE/FAX: 415-693-9000
ADDRESS: 425 California St., Tenth Floor	EMAIL:
CITY/ZIP: San Francisco, CA 94104	
AUTHORIZED AGENT/APPLICANT NAME:	TELEPHONE/FAX:
ADDRESS:	EMAIL:
CITY/ZIP:	
CONTACT (if different from above):	TELEPHONE/ EMAIL:

## DETAILED DESCRIPTION OF PROJECT

See attached Project Description.

## DO NOT WRITE BELOW THIS LINE: See Conditions of Application on Reverse

### FILL OUT UPON RECEIPT

APPLICATION DATE: \_\_\_\_\_  
 RECEIVED BY: \_\_\_\_\_  
 FEES: \$ \_\_\_\_\_  
 STAFF PERSON: \_\_\_\_\_  
 COMPLETENESS DATE: \_\_\_\_\_  
 CEQA ASSMT: \_\_\_\_\_  
 DATE: \_\_\_\_\_

### ACTION BY:

STAFF: _____	DATE: _____
ZA: _____	DATE: _____
PC: _____	DATE: _____
CC: _____	DATE: _____
CDD: _____	DATE: _____

CONDITIONS OF APPLICATION

- 1) All materials submitted in conjunction with this form shall be considered a part of this application.
2) This application will not be considered filed and processing may not be initiated until the Planning Division determines that the submittal is complete with all necessary information and is "accepted as complete." The City will notify the applicant of all application deficiencies no later than 30 days following application submittal.
3) The property owner authorizes the listed authorized agent(s)/contact(s) to appear before the City Council, Planning Commission, Design Review Board and Zoning Administrator and to file applications, plans, and other information on the owner's behalf.
4) The Owner shall inform the Planning Division in writing of any changes.
5) INDEMNIFICATION: As a condition of this application, applicant agrees to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities ("indemnities"), the purpose of which is to attack, set aside, void or annul the approval of this application or the adoption of any environmental document which accompanies it.

In the event that any claim, action or proceeding as described above is brought, the City shall promptly notify the applicant of any such claim, action or proceeding, and the City will cooperate fully in the defense of such claim, action, or proceeding. In the event the applicant is required to defend the City in connection with any said claim, action or proceeding, the City shall retain the right to (1) approve the counsel to so defend the City, (2) approve all significant decisions concerning the manner in which the defense is conducted, and (3) approve any and all settlements, which approval shall not be unreasonably withheld.

- 6) ATTORNEY'S EXPENSES COST REIMBURSEMENT: As a condition of this application, applicant agrees to be responsible for the payment of all City Attorney expenses and costs, both for City staff attorneys and outside attorney consultants retained by the City, associated with the reviewing, process and implementing of the land use approval and related conditions of such approval.
7) RECOVERY OF ATTORNEY'S FEES BY PREVAILING PARTY: In any action brought to enforce the applicant's obligations, including the Indemnification and Attorneys' Expenses Cost Reimbursement conditions set forth above, the prevailing party shall be entitled to an award of reasonable litigation costs, including attorneys' fees and costs.
8) COST BASED FEE SYSTEM (not applicable to flat fee applications): Applicant agrees to pay to the City all incurred costs, both direct and indirect, including State-mandated costs, associated with review and processing of the accompanying application for land use approval(s), even if the application is withdrawn or not approved.

Reimbursable costs include all staff and overhead costs as established in the City's adopted Cost Recovery Fee Program Master Fee Schedule, as well as the cost of required professional consultants to assist in environmental, engineering or legal review.

If expenditures exceed 75% of the deposit amount required by the Cost Recovery Fee Program, additional deposits will be requested. Applicant understands and agrees that nonpayment of deposit requests within the time period specified in the request shall be deemed a withdrawal of the application. Any unexpended funds will be refunded by the City after completion of application processing.

I have read and agree with all of the above. I declare under penalty of perjury that the information contained in this application is true and correct to the best of my knowledge.

Property Owner: [Signature: David Geiser]
DocuSigned by:
4C01DF8EEF604DD...

Dated: March 10, 2021

Authorized Agent/Applicant: \_\_\_\_\_

Dated: \_\_\_\_\_