



CITY PLANNING APPLICATION

THIS BOX FOR CITY PLANNING STAFF USE ONLY

ED1 Eligible AB 2097 Eligible

Case Number:

Env. Case Number:

Application Type:

Case Filed With (Print Name): Date Filed:

Application includes letter requesting:

Waived Hearing Concurrent hearing Hearing not to be scheduled on a specific date (e.g. vacation hold)

Related Case Number(s):

THIS SECTION TO BE COMPLETED BY THE APPLICANT

Provide all information requested. Missing, incomplete or inconsistent information will cause delays. All terms in this document are applicable to the singular as well as the plural forms of such terms. Refer to the City Planning Application Filing Instructions (CP-7810) for more information.

1. PROJECT LOCATION

Street Address1: 3345 West Wilshire Boulevard (3345-51 W Wilshire Blvd.; 634-42 S Kenmore Ave.) Unit/Space Number: 150

Legal Description2 (Lot, Block, Tract): Lots 1-4; Block 1; Chapman Park TR

Assessor Parcel Number: 5502028020 Total Lot Area: 30,020.4 SF

2. PROJECT DESCRIPTION

Present Use: Bar

Proposed Use: Bar

Project Name (if applicable): Bar Memento

1 Street Addresses must include all addresses on the subject/application site (as identified in ZIMAS—http://zimas.lacity.org). 2 Legal Description must include all contiguously owned properties (even if they are not a part of the proposed project site).

**Describe in detail the characteristics, scope and/or operation of the proposed project:**

A Conditional Use Permit to allow the sale of beer & wine only for on-site consumption in conjunction with a 1,727.2 SF bar w/ 43 seats from 11:00am-1:00am daily.

Additional Information Attached:

YES  NO

**EXISTING SITE CONDITIONS**

**Complete and check all that apply:**

- Site is undeveloped or unimproved (i.e., vacant)
- Site has existing buildings (provide copies of building permits)
- Site is/was developed with uses that could release hazardous materials on soil and/or groundwater (e.g., dry cleaning, gas station, auto repair, industrial)
- Site is located within 500 feet of a freeway or railroad
- Site is located within 500 feet of a sensitive use (e.g., school, park)
- Site has special designation (e.g., National Historic Register, Survey LA)

**PROPOSED PROJECT INFORMATION**

**Check all that apply or could apply:**

- Demolition of existing buildings/structures
- Relocation of existing buildings/structures
- Removal of any on-site tree
- Removal of any street tree
- Removal of protected trees onsite/in public right-of-way
- Grading
- Haul Route
- New construction: 0 square feet
- Additions to existing buildings
- Interior tenant improvement
- Exterior renovation or alteration
- Change of use and/or hours of operation
- Uses or structures in public right-of-way
- Phased project

**HOUSING COMPONENT INFORMATION**

Number of Residential Units: Existing 0 - Demolish(ed)<sup>3</sup> 0 + Adding 0 = Total 0

Number of Affordable Units<sup>4</sup>: Existing 0 - Demolish(ed) 0 + Adding 0 = Total 0

Number of Market Rate Units: Existing 0 - Demolish(ed) 0 + Adding 0 = Total 0

Mixed Use Projects, Amount of Non-Residential Floor Area: 0 square feet

<sup>3</sup> Number of units to be demolished and/or which have been demolished within the last five years.

<sup>4</sup> As determined by the Los Angeles Housing Department.

## PARKING INFORMATION

Is the project utilizing AB 2097?

YES

NO

If Yes, provide a date-stamped ZIMAS Parcel Profile Report including AB 2097 Eligibility information.

Provided # of Parking Spaces: 0 Required # of Parking Spaces: 0

### Parking Minimum Checklist

The following checklist will determine if parking minimums can be imposed on a Project under AB 2097. Parking minimums cannot be imposed if the proposed project meets any of the following criteria.

Check all that apply:

- Include a minimum of 20 percent of the total dwelling units for Very Low, Low, or Moderate-Income households, students, the elderly, or persons with disabilities
- Contain fewer than 20 dwelling units
- Are subject to parking reductions of any other applicable law (by satisfying the applicable eligibility requirements)

## PUBLIC RIGHT-OF-WAY INFORMATION

Have you submitted the [Planning Case Referral Form](#) to BOE? (if required)

YES

NO

Is the project required to dedicate land to the public right-of-way?

YES

NO

If so, what is/are the dedication requirement(s)? 0 feet

If dedications are required on multiple streets, identify as such: N/A

## 3. ACTION(S) REQUESTED

Provide the Los Angeles Municipal Code (LAMC) Section that authorizes the request and (if applicable) the LAMC Section or the Specific Plan/Overlay Section from which relief is sought, and follow with a description of the requested action.

Does the project include Multiple Approval Requests per LAMC Section 13A.2.10?

YES

NO

Authorizing Code Section: 12.24-W1

Code Section from which relief is requested (if any): N/A

Action Requested: A CUP to allow the sale and on-site consumption of beer & wine only in conjunction with a 1,727.2 SF bar w/ 43 seats from 11:00am-1:00am daily.

**Authorizing Code Section:** \_\_\_\_\_

**Code Section from which relief is requested (if any):** \_\_\_\_\_

**Action Requested:** \_\_\_\_\_

Additional Requests Attached:  YES  NO

#### 4. RELATED CITY PLANNING CASES

Are there previous or pending cases/decisions/environmental clearances on the project site?  YES  NO

If YES, list all case number(s): ZA-2015-548-ZV, ZA-2015-1220-ZAD-ZAA, ENV-2019-4121-ND, ENV-2018-6006-CE, ENV-2015-549-EAF, ENV-2013-3170-CE, ENV-2002-1131-ND, ND-79-345-ZC

If the application/project is directly related to one of the above cases, list the pertinent case numbers below and complete/check all that apply (provide copy).

Case No.: \_\_\_\_\_ Ordinance No.: \_\_\_\_\_

- |  |   |
|--|---|
| <input type="checkbox"/> Condition Compliance Review | <input type="checkbox"/> Clarification of Q (Qualified) Condition         |
| <input type="checkbox"/> Modification of Conditions  | <input type="checkbox"/> Clarification of D (Development) Limitation      |
| <input type="checkbox"/> Revision of Approved Plans  | <input type="checkbox"/> Amendment to T (Tentative) Classification        |
| <input type="checkbox"/> Renewal of Entitlement      | <input type="checkbox"/> Plan Approval subsequent to Main Conditional Use |

For purposes of environmental (CEQA) analysis, is there intent to develop a larger project?  YES  NO

Have you filed, or is there intent to file, a Subdivision with this project?  YES  NO

If YES, to either of the above, describe the other parts of the projects or the larger project below, whether or not currently filed with the City:

N/A

#### 5. RELATED DOCUMENTS / REFERRALS

To help assigned staff coordinate with other Departments that may have a role in the proposed project, provide a copy of any applicable form and reference number if known.

Are there any recorded Covenants, affidavits or easements on this property?

YES (provide copy)  NO

## 6. PROJECT TEAM INFORMATION (COMPLETE ALL APPLICABLE FIELDS)

### APPLICANT

**Applicant<sup>5</sup> Name:** Brian Lee  
**Company/Firm:** Bar Memento, LLC  
**Address:** 3333 Wilshire Boulevard **Unit/Space Number:** 607  
**City:** Los Angeles **State:** CA **Zip Code:** 90010  
**Telephone:** 213-200-0613 **E-mail:** publicartla@gmail.com

**Are you in escrow to purchase the subject property?:**  YES  NO

### PROPERTY OWNER OF RECORD Same as applicant Different from applicant

**Name (if different from applicant):** THOUSAND GOLD LLC  
**Address:** 3470 Wilshire Boulevard **Unit/Space Number:** 700  
**City:** Los Angeles **State:** CA **Zip Code:** 90010  
**Telephone:** N/A **E-mail:** N/A

### AGENT / REPRESENTATIVE NAME: Eddie Navarrette

**Company/Firm:** FE Design & Consulting  
**Address:** 327 East Second Street **Unit/Space Number:** 222  
**City:** Los Angeles **State:** CA **Zip Code:** 90012  
**Telephone:** 213-687-6963 **E-mail:** matthew@fedesignandconsulting.com

<sup>5</sup> An applicant is a person with a lasting interest in the completed project such as the property owner or a lessee/user of a project. An agent/representative is someone filing an application on behalf of a client.

**OTHER (E.G. ARCHITECT, ENGINEER, CEQA CONSULTANT):** Architect

**Name:** Gunther Motz

**Company/Firm:** N/A

**Address:** 8821 Ashcroft Avenue **Unit/Space Number:** N/A

**City:** West Hollywood **State:** CA **Zip Code:** 90048

**Telephone:** 310-859-8920 **E-mail:** gmotz@ix.netcom.com

**Primary Contact for Project Information<sup>6</sup>**

**(Select only one. Email address and phone number required.)**

Owner  Applicant  Agent/Representative  Other: \_\_\_\_\_

To ensure notification of any public hearing as well as decisions on the project, make sure to include an individual mailing label for each member of the project team in both the Property Owners List and the Abutting Property Owners List.

<sup>6</sup> As of June 8, 2022, the Primary Contact for Project is required to have an Angeleno Account and register with the Ethics Commission for Significant Project Entitlements, as defined in LAMC Section [49.7.37\(A\)\(6\)](#). An email address and phone number shall be required on the DCP Application Form, and the email address provided shall match the email address used to create the Angeleno Account.

## PROPERTY OWNER AFFIDAVIT

Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the 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 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 an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% 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).** An LOA from a property owner granting someone else permission to sign the 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 application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized the 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 A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized 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 a Copy of the Grant Deed If the ownership of the property does not match City Records and/or if the application is for a Coastal Development Permit. 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) notarized signatures are required of all owners.
  - a. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this 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.
  - b. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.
  - c. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.
  - d. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

*Property Owner's signatures must be signed/notarized in the presence of a Notary Public.  
The City requires an original signature from the property owner with the "wet" notary stamp.  
A Notary Acknowledgement is available for your convenience on following page.*

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

## SPACE BELOW FOR NOTARY'S USE

### CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

CIVIL CODE '1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of \_\_\_\_\_

On \_\_\_\_\_ before me, \_\_\_\_\_  
(Insert Name of Notary Public and Title)

personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature

(Seal)

## APPLICANT DECLARATION

A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.

- a. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
- b. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
- c. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.
- d. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
- e. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
- f. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
- g. I understand that if this application is denied, there is no refund of fees paid.
- h. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City"), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions")), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but is not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this

paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.

- i. I understand that the City is protected by numerous statutory immunities from liability for damages that may be caused by its land use regulatory actions, as set forth in Government Code, section 818, et seq. For instance, the City cannot be held liable for personal or property injuries or damages allegedly caused by its approval and issuance of any discretionary permit, entitlement or approval (Gov. Code § 818.4), or its failure to inspect or its negligence in inspecting a property for the purpose of determining whether the property complies with or violates any permit, entitlement or approval or contains or constitutes a hazard to health or safety (Gov. Code § 818.6).
- j. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

*The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.*

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

## NEIGHBORHOOD CONTACT SHEET (OPTIONAL)

### 7. SIGNATURES

Signatures of adjoining or neighboring property owners in support of the request are not required but are helpful, especially for projects in single-family residential areas. Signatures may be provided below (attach additional sheets if necessary).

NAME (Print)	SIGNATURE	ADDRESS	KEY # ON MAP

**REVIEW** of the project by the applicable Neighborhood Council is not required but is helpful. If applicable, describe, below or separately, any contact you have had with the Neighborhood Council or other community groups, business associations and/or officials in the area surrounding the project site (attach additional sheets if necessary).

## PROPERTY OWNER AFFIDAVIT

Before the application can be accepted, the owner of each property involved must provide a notarized signature to verify the 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 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 an officer of the ownership entity must be submitted. The disclosure must list the names and addresses of the principal owners (25% 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).** An LOA from a property owner granting someone else permission to sign the 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 application form. To be considered for acceptance, the LOA must indicate the name of the person being authorized the 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 A-D below. In the case of partnerships, corporations, LLCs or trusts the LOA must be signed and notarized 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.
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  - a. I hereby certify that I am the owner of record of the herein previously described property located in the City of Los Angeles which is involved in this 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.
  - b. I hereby consent to the filing of this application on my property for processing by the Department of City Planning.
  - c. I understand if the application is approved, as a part of the process the City will apply conditions of approval which may be my responsibility to satisfy including, but not limited to, recording the decision and all conditions in the County Deed Records for the property.
  - d. By my signature below, I declare under penalty of perjury under the laws of the State of California that the foregoing statements are true and correct.

Property Owner's signatures must be signed/notarized in the presence of a Notary Public.  
The City requires an original signature from the property owner with the "wet" notary stamp.  
A Notary Acknowledgement is available for your convenience on following page.

Signature:  \_\_\_\_\_

Date: 2/16/24

Print Name: In Young Kim, Thousand Gold, LLC

Signature:  \_\_\_\_\_

Date: 2/16/24

Print Name: Phillip Lee, 15000 Crenshaw, LLC

SPACE BELOW FOR NOTARY'S USE

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

CIVIL CODE '1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Los Angeles

On Feb. 16, 2024 before me, Min Hye Wang, Notary Public

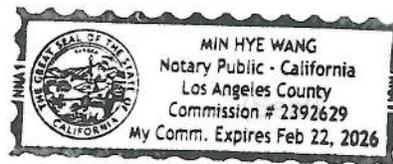
(Insert Name of Notary Public and Title)

personally appeared In Young Kim, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf on which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Min Hye Wang  
Signature



# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of LOS ANGELES }

On FEB. 16, 2024 before me, MIN HYE WANG, NOTARY PUBLIC,  
(Here insert name and title of the officer)

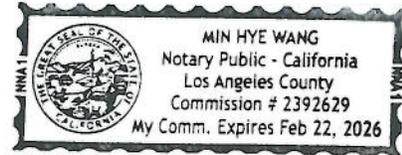
personally appeared PHILLIP LEE,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) (s) are subscribed to the within instrument and acknowledged to me that he she/they executed the same in his her/their authorized capacity(ies), and that by his her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public Signature

(Notary Public Seal)



## ADDITIONAL OPTIONAL INFORMATION

### DESCRIPTION OF THE ATTACHED DOCUMENT

\_\_\_\_\_  
(Title or description of attached document)

\_\_\_\_\_  
(Title or description of attached document continued)

Number of Pages \_\_\_\_\_ Document Date \_\_\_\_\_

### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)  
 Corporate Officer

\_\_\_\_\_  
(Title)

- Partner(s)  
 Attorney-in-Fact  
 Trustee(s)  
 Other \_\_\_\_\_

## INSTRUCTIONS FOR COMPLETING THIS FORM

*This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.*

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he~~/she/~~they~~, -is /are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

## APPLICANT DECLARATION

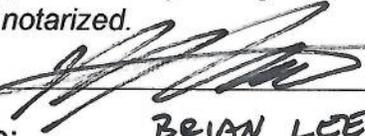
A separate signature from the applicant, whether they are the property owner or not, attesting to the following, is required before the application can be accepted.

- a. I hereby certify that the information provided in this application, including plans and other attachments, is accurate and correct to the best of my knowledge. Furthermore, should the stated information be found false or insufficient to fulfill the requirements of the Department of City Planning, I agree to revise the information as appropriate.
- b. I hereby certify that I have fully informed the City of the nature of the project for purposes of the California Environmental Quality Act (CEQA) and have not submitted this application with the intention of segmenting a larger project in violation of CEQA. I understand that should the City determine that the project is part of a larger project for purposes of CEQA, the City may revoke any approvals and/or stay any subsequent entitlements or permits (including certificates of occupancy) until a full and complete CEQA analysis is reviewed and appropriate CEQA clearance is adopted or certified.
- c. I understand that the environmental review associated with this application is preliminary, and that after further evaluation, additional reports, studies, applications and/or fees may be required.
- d. I understand and agree that any report, study, map or other information submitted to the City in furtherance of this application will be treated by the City as public records which may be reviewed by any person and if requested, that a copy will be provided by the City to any person upon the payment of its direct costs of duplication.
- e. I understand that the burden of proof to substantiate the request is the responsibility of the applicant. Additionally, I understand that planning staff are not permitted to assist the applicant or opponents of the project in preparing arguments for or against a request.
- f. I understand that there is no guarantee, expressed or implied, that any permit or application will be granted. I understand that each matter must be carefully evaluated and that the resulting recommendation or decision may be contrary to a position taken or implied in any preliminary discussions.
- g. I understand that if this application is denied, there is no refund of fees paid.
- h. I understand and agree to defend, indemnify, and hold harmless, the City, its officers, agents, employees, and volunteers (collectively "City), from any and all legal actions, claims, or proceedings (including administrative or alternative dispute resolution (collectively "actions")), arising out of any City process or approval prompted by this Action, either in whole or in part. Such actions include but are not limited to: actions to attack, set aside, void, or otherwise modify, an entitlement approval, environmental review, or subsequent permit decision; actions for personal or property damage; actions based on an allegation of an unlawful pattern and practice; inverse condemnation actions; and civil rights or an action based on the protected status of the petitioner or claimant under state or federal law (e.g. ADA or Unruh Act). I understand and agree to reimburse the City for any and all costs incurred in defense of such actions. This includes, but is not limited to, the payment of all court costs and attorneys' fees, all judgments or awards, damages, and settlement costs. The indemnity language in this

paragraph is intended to be interpreted to the broadest extent permitted by law and shall be in addition to any other indemnification language agreed to by the applicant.

- i. I understand that the City is protected by numerous statutory immunities from liability for damages that may be caused by its land use regulatory actions, as set forth in Government Code, section 818, et seq. For instance, the City cannot be held liable for personal or property injuries or damages allegedly caused by its approval and issuance of any discretionary permit, entitlement or approval (Gov. Code § 818.4), or its failure to inspect or its negligence in inspecting a property for the purpose of determining whether the property complies with or violates any permit, entitlement or approval or contains or constitutes a hazard to health or safety (Gov. Code § 818.6).
- j. By my signature below, I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents are true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of license or permit.

*The City requires an original signature from the applicant. The applicant's signature below does not need to be notarized.*

Signature:  \_\_\_\_\_  
Print Name: BRIAN LEE

Date: 2/12/24