

## **MOTION**

Moved by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, that upon review and consideration of all documents, materials and exhibits relative to the appeal of the Design Review Board approval with conditions of Design Review Case No. PDR 2210249, located at 3967 San Augustine Drive, ("Design Review Case"), and after having conducted a public hearing on said appeal pursuant to the Glendale Municipal Code, 1995, and receiving testimony, the City Council of the City of Glendale, California, based upon all of the evidence in the record, hereby **SUSTAINS** the Design Review Board's decision to **APPROVE** the Design Review Case with condition(s)/consideration(s) ("Project"), based on the findings and conclusions set forth in the July 25, 2023 staff report from the Director of Community Development, including any attachments thereto, and including additional condition(s)/consideration(s) set forth below in this motion. Further, the Council hereby adopts, and incorporates herein by this reference, the analysis, findings, conclusions and condition(s)/consideration(s) of the Design Review Board in its Record of Decision dated December 8, 2022 (Exhibit 3 to the staff report to Council).

### **DRB CONDITIONS:**

1. The driveway areas shall be reduced in area to clearly delineate a walkway to the front door and increase the amount of landscaping, while maintaining the existing fountain.
2. The location of the stone cladding material shall be restudied to highlight this material, and ensure that its placement is logical and terminates appropriately.
3. Incorporate permeable paving into the design of the driveway.
4. Use darker finish color for the lintel elements.
5. Restudy proportions of the master bathroom windows at the front elevation.

### **DRB CONSIDERATION:**

6. Distinguish the porch openings from the garage openings.

### **ADDITIONAL COUNCIL-IMPOSED CONDITON(S):**

7. Armen Tutundzhyan and/or Avetis Tashyan (Applicant/Owner), and their respective successors; owners by deed, deed-in-lieu of foreclosure, foreclosure or otherwise; assigns; and/or any real party in interest with an interest in the property that is the subject of this approval and/or with an interest in the Project site, that is named as a

party in any suit (hereinafter, collectively, the “Developer”), agree to and shall defend, indemnify, and hold harmless the City of Glendale (the “City”), and each of its agents, officers, council members, commissioners, attorneys, employees and representatives (the “Indemnitees”) from any claim, action or proceeding brought against the City and/or the Indemnitees to attack, set aside, void or annul any City land use or California Environmental Quality Act approval for the Project. The Developer agrees to use legal counsel reasonably acceptable to the City. The foregoing shall include, without limitation, payment of all damages awarded against the City and/or the Indemnitees, if any, costs of suit, attorney’s fees, and other costs and expenses incurred in connection with such action or proceeding. In the event that a claim, action or proceeding referenced herein is brought, the City shall promptly notify the Developer of the existence of the claim, action or proceeding and will cooperate fully in the defense of such claim, action or proceeding. As used herein, “land use approval” shall refer to decisions of the City approving requests of applicants for planning permits, including, but not limited to, general plan amendments, annexations, zone changes, zoning ordinance text amendments, tentative maps, vesting tentative maps, tentative parcel maps, reversions to acreage, final maps, final modifications or amendments, time extensions, parcel map waivers, lot line adjustments, boundary line adjustments, certificates of compliance, conditional certificates of compliance, design review approval(s), development agreements, conditional use permits, conditional use permit modifications, conditional use permit extensions, variances, variance modifications, precise plan of design, specific plans, density bonus review/housing plan applications, sign permits, parking reduction permits, site plans, temporary use permits, any administrative or discretionary permit pertaining to a land use approval, and/or any accompanying California Environmental Quality Act determination(s) pertaining to the type of approval referred to in this section, and any other similar approval.

Vote as follows:

Ayes:

Noes:

Absent:

Abstain: