EXHIBIT A DRAFT CONDITIONS OF APPROVAL

PV-203 / 4267 Churchill Drive

Reduce Street-Side Yard Setback

February 9, 2011

- 1. The project shall conform substantially to the approved site plan and narrative, marked Exhibit B, dated "Received October 15, 2010," on file at the Planning Division. Minor changes to the plans may be allowed subject to the review and approval of the Director of Community Development.
- 2. The applicant and/or responsible party shall submit a complete Administrative Design Review application, to the satisfaction of the Director of Community Development, for the proposed garage and any other related site improvements to the Planning Division for processing.
- 3. This Variance shall become void one year following the effective date of approval, unless a building permit is issued for the garage and construction is diligently pursued or an extension has been approved by the City.
- 4. The driveway serving the existing garage shall be removed and replaced with curb, gutter, and sidewalk matching the existing curb, gutter, and sidewalk along the project frontage. Said improvements shall be shown on the plans submitted for Administrative Design Review approval of the new garage and shall be installed prior to receiving a final inspection for the garage by the Building and Safety Division.
- 5. To the extent permitted by law, the project applicant shall defend (with counsel reasonable acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.



