



## **CITY OF GLENDALE, CALIFORNIA REPORT TO THE PLANNING COMMISSION**

### **AGENDA ITEM**

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**Report:** Use Variance

**Action:** Motion to Approve Use Variance Case No. PVAR 001880-2023

**Location:** 4444 Lowell Avenue

**Legal Description:** Lot 1, Tract 17100; Assessor Parcel No. 5604-011-023

**Case Number:** PVAR 001880-2023

**Applicant:** Rodney Khan, Khan Consulting

**Owner:** Western Prelacy of the Armenian Apostolic Church of America

<b>Approved for</b>	May 15, 2024
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### **ADMINISTRATIVE ACTION**

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**Prepared by:**  
Roger Kiesel, Senior Planner

**Reviewed by:**  
Erik Krause, Deputy Director of Community Development

### **SUMMARY**

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The applicant is requesting approval of a use variance to allow the continued operation of a private school (Chamlan Armenian School) at 4444 Lowell Avenue. No changes to the operation or enrollment of the school are proposed. The subject site is zoned R1 (Low Density Residential) and private schools are not a permitted use in this zone. On April 16, 2014, the

Planning Commission approved a use variance for the operation of Chamlian School. This approval expired on April 16, 2024, thus requiring the present use variance application.

### **APPLICANT PROPOSES:**

#### **Use Variance Request:**

1) A Use Variance to allow the (continued) operation of a private school in the R1 (Low Density Residential) zone.

#### **Code Requires:**

1) Private schools are not a permitted use in the R1 (Low Density Residential) zone (GMC 30.11.030, Table 30.11-A).

### **ENVIRONMENTAL DETERMINATION**

The Planning Commission adopted a Mitigated Negative Declaration (MND) for the previous use variance on April 16, 2014. The current use variance proposes no expansion or change to the enrollment or operation of the school. Because there are no substantial changes to the project or project circumstances, and there is no new information that could not have been known at the time the MND was adopted that would require major revisions to the previously approved MND because of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, no additional environmental review is required for the proposed use variance. (Pub. Res. Code § 21166; CEQA Guidelines §15162(a).)

### **RECOMMENDATION**

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Staff recommends that Use Variance PVAR 001880-2023 be approved subject to the attached conditions.

### **SITE CONTEXT**

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**General Plan:** Low Density Residential

**Zone:** R1 II – Low Density Residential Zone, Floor Area Ratio District II

#### **Description of Existing Property and Use:**

The subject site is located on the east side of Lowell Avenue between Foothill Boulevard and Abella Street. It is 4.59 acres and has approximately 328 feet of frontage on Lowell Avenue. A private school, Chamlian Armenian School, is located on the site. The campus includes an administration building, multi-purpose building, gymnasium, dining hall, classrooms and surface parking.

**NEIGHBORING ZONES AND USES:**

	Zoning	Existing Uses
North	CH (Commercial Hillside)	Commercial
South	R1 II (Low Density Residential)	Single-family residential
East	R1 II	Single-family residential
West	R1 II and CH	Commercial, church and single-family residential
Project Site	R1 II	Chamlian Armenian School

**Previous Permits for the Site:**

February 7, 1983	The Zoning Administrator granted Conditional Use Permit No 7345-CU to establish a parochial school on the site of a former elementary school constructed in 1960. Mitigated Negative Declaration 82-33 was incorporated into the conditional use permit approval.
May 18, 1984	The Zoning Administrator granted Conditional Use Permit No. 7578-CU to expand the existing parochial school. Mitigated Negative Declaration 82-33 was incorporated into the conditional use permit approval.
February 14, 1987	The Zoning Administrator granted Use Variance No. 8180-U to allow two temporary portable classroom buildings without providing additional on-site parking at the existing parochial school. Mitigated Negative Declaration 82-33 was incorporated into the use variance conditions.
July 30, 1991	The Zoning Administrator held a revocation hearing for Conditional Use Permit No 7578-CU due to violations of the conditions. The school was allowed to continue operation subject to compliance with the conditions of approval.
March 25, 1992	The Zoning Administrator partially granted Use and Standards Variance No. 8850-U&S to allow increased enrollment without providing required parking.
July 14, 1997	The Zoning Administrator granted Use and Standards Variance No. 9662-U&S to allow the school's continued operation without providing the required parking.
May 12, 2008	The Zoning Administrator granted Use Variance No. PVAR 2007-033 to allow the school's continued operation.
May 12, 2008	The Zoning Administrator granted Parking Reduction Permit No. PPR 2007-013 to allow the school's operation without providing the required parking.

October 12, 2010	The applicant applied for a use variance to allow construction of a school gymnasium in the R1 zone, standard variance to allow the gymnasium to exceed height standards and the site to exceed floor area ratio standards of the R1 zone, floor area ratio district II, a parking reduction permit to allow construction of the gymnasium without providing the minimum number of parking spaces and a design review application.
January 19, 2011	The Planning Commission denied Use Variance No. PVAR 2010-023 to allow construction of a gymnasium in the R1 zone and Standard Variance No. PVAR 2010-028 to allow the gymnasium to exceed the height limit in the R1 zone and for the site to exceed the floor area ratio in the R1 zone, floor area ratio district II.
February 2, 2011	The applicant filed an appeal regarding the Planning Commission's denial of the variances.
May 31, 2011	The City Council approved Use Variance No. PVAR 2010-023 and Standard Variance No. 2010-028.
July 27, 2012	The Planning Hearing Officer granted Parking Reduction Permit No. PPRP 2010-008.
January 26, 2012	The Design Review Board denied Design Review No. 2010-051 regarding constructing a gymnasium at the school.
February 7, 2012	The applicant filed an appeal regarding the Design Review Board's denial of the project.
February 28, 2012	The City Council approved Design Review No. 2010-051 on appeal.
April 16, 2014	The Planning Commission approved with conditions Use Variance No. 1403259, Standards Variance No. 1403260 and Parking Reduction Permit No. PPRP 1403257 and adopted a Mitigated Negative Declaration and addendum to increase the student enrollment at Chamlian School from 500 to 700 students.

#### **COMMENTS FROM OTHER CITY DEPARTMENTS**

The Police Department had no comments related to the request. The Neighborhood Services Division cited some open code violations on the site that have since been resolved.

#### **REQUIRED FINDINGS OF FACT**

Pursuant to Section 30.43.030 of the Glendale Municipal Code, a variance may be granted only if all of the following findings of fact can be made:

- A. The strict application of the provisions of any such ordinance would result in practical difficulties or unnecessary hardship inconsistent with the general purposes and intent of the ordinance;
- B. There are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood;
- C. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located; and
- D. The granting of the variance will not be contrary to the objectives or the ordinance.

## **BACKGROUND**

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The applicant is requesting approval of a use variance to allow the continued operation of a private school on the subject site, which is zoned R1 (Low Density Residential), where private schools are not a permitted use.

The subject site was developed as a public school, Lowell Elementary School, in the early 1960's. This school closed, the site was sold and the present private school, Chamlian School, was established in 1983. Since 1983, Chamlian School has received approval for a number of discretionary applications to allow for expansions to its enrollment and facilities, parking reductions, and its continued operation.

The school's previous requests included a use variance, a standards variance and a parking reduction permit generated by their desire to increase enrollment from 500 to 700 students. On April 16, 2014, the Planning Commission approved these discretionary applications with a number of conditions. One of the conditions of the use variance was its expiration on April 16, 2024, which is the reason for the present use variance application. Standard variance approvals "run with the land" and parking reduction permit approvals "run with the use" unless the operation or characteristics of the use change. Chamlian School is not requesting any changes to its enrollment or operation with the present application, and, therefore, new standard variance and parking reduction permit applications are unnecessary.

## **DISCUSSION/ANALYSIS**

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Chamlian School is a private school located at 4444 Lowell Avenue in the R1 zone. Private schools are not a permitted use in the R1 zone and require approval of a use variance from the Planning Commission. The school has received approvals of several use variances over the years, the last of which allowed expansion of the school from 500 to 700 students. This use variance expired on April 16, 2024. The present use variance application seeks to "continue" the use of the subject site as a private school. No enrollment or building expansions or

changes to the operation of the school are contemplated. The school's enrollment for the 2023 – 2024 year is 697 students. Since approval of the use variance to increase Chamlian Schools' enrollment, it has ranged from 493 students in the 2013 – 2014 school year to 700 students during the last two pandemic years of 2021 – 2022 and 2022 – 2023.

The R1 zone allows single-family residential uses, domestic violence shelters, limited residential congregate care facilities, public parks and playgrounds and certain accessory uses. Permitted uses in the R1 zone are limited because the primary intent of this zone is for development of low-density residential use and to protect this type of use from excessive noise, traffic, pollution and other deleterious impacts.

Strictly applying the regulations regarding permitted uses to the subject site will result in practical difficulties and unnecessary hardship inconsistent with the intent of the ordinance. The subject site was developed as the public Lowell Elementary School in the early 1960's, then sold and established as the present Chamlian School in 1983. It would be an unnecessary hardship to deny the continued use of the subject site as a private school given that no expansion in enrollment to or changes in operation of the school are being requested, no new buildings on the school campus are proposed, that a school use has been located on the site for the past 60 years, it will not create additional vehicular trips related to the present condition and will comply with the intended use of the site as a school.

There are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other properties in the same zone or neighborhood because the site has been used as a school for 60 years and its topography and size. The subject site is zoned R1, which allows development of single-family residences and a very limited number of other uses, mostly residential in nature. Although a private school located in the R1 zone is not a permitted use, many public schools are located in residential zones and Chamlian School functions similar to a public school. The subject site has contained a school for 60 years and Chamlian School has been located on the site since 1983. Since that time, a number of discretionary applications have been approved to allow changes to Chamlian School and its continued operation. The size of the subject site is 4.5 acres, which is unique for the R1 zone. The topography of the surrounding area is such that the land terraces down from the commercial neighborhood along Foothill Boulevard to the school site, at a lower elevation. The area further terraces down to the single-family neighborhood immediately south, which is at a lower elevation compared with the school. The area's topography and the large site size (along with the conditions of approval) allow the existing school to operate with fewer impacts in close proximity to houses. These facts are the exceptional circumstances regarding the subject site and the surrounding neighborhood, which warrants granting the use variance.

The granting of the variance would not be detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located. The subject site has contained a school use since 1960 and Chamlian School has been located on the site since 1983. The school does not propose increases in enrollment, additional buildings or changes in operation as a result of the present use variance request. Approval of the use variance will not result in new or additional traffic- or parking-related concerns compared with the present conditions. The current variance request is simply to “continue” the present use of the site as a private school. Lowell Avenue, a minor arterial street carries approximately 16,000 vehicles per day, significantly less than the 30,000 vehicles per day that this type of street is designed to accommodate. The school currently has no open code violations.

Use Variance Case No. PVAR 1403259 was approved with a number of conditions, some of which the school has not strictly followed. Condition No. 3 requires that grades taught at Chamlian School be limited to kindergarten through eighth grade. Currently, the school is offering transitional kindergarten (TK), which occurs the year before kindergarten. TK is a relatively new “grade” that did not exist when the use variance was approved in 2014, and is offered at the majority of Glendale Unified School District’s elementary schools. Staff does not have concerns related to including this grade at Chamlian School as long as the overall cap of 700 students is not exceeded and recommends amending this condition in the present approval to state that grades taught shall be limited to TK through eighth grade.

Condition No. 4 states, “That the number of students enrolled in the eighth grade shall not exceed the number of students enrolled in the seventh grade.” This condition was placed on Use Variance Case No. PVAR 2010-023, which requested construction of a school gymnasium and was eventually approved by City Council on appeal. Restrictions limiting enrollment of seventh and eighth graders has occurred since inception of Chamlian School. Staff does not know the genesis or reason why this condition (and similar one) was placed on the project and recommends eliminating this condition on the present use variance request.

Condition No. 5 requires the school to institute an incentive-based carpool/rideshare program, offering an incentive of at least \$50.00 a month per family. JB and Associates LLC. has performed traffic studies for Chamlian School from 2014 through 2019 (prior to the COVID pandemic) and based on these studies, a significant portion of the student body arrives to and departs from the campus in automobiles containing more than one student. It is unclear; however, whether these multi-student cars contain siblings or whether traditional carpooling is taking place, as the data does not break this down.

Regardless, the school currently offers a \$40.00 incentive to carpool. In the 2014 use variance approval, this incentive was required to be \$50.00. To provide additional incentive for carpooling at the school and reduce traffic impacts, staff is proposing to amend this condition to increase the financial incentive to \$75.00 for carpooling.

Start and end times for students at Chamlian School are dependent upon their grade level. Phasing of these times, as stated in Condition No. 8, is the following:

**First and second grades:** 8:30 am (start time) and 2:45 pm (end time)

**Third grade:** 8:30 am (start time) and 3:15 pm (end time)

**Fourth through eighth grades:** 8:00 am (start time) and 3:15 pm (end time)

No beginning and ending times were stipulated for kindergarten.

Presently, student start and end times at the school day are as follows:

**TK through second grades:** 8:35 am (start time) and 2:45 pm (end time)

**Third through fifth grades:** 8:20 am (start time) and 3:00 pm (end time)

**Sixth through eighth grades:** 8:20 am (start time) and 3:20 pm (end time)

As noted from the above information, the current start and end times are slightly divergent with the requirements of the condition. The range of start times presently is only 15 minutes (8:20 am – 8:35 am) whereas the condition from the 2014 use variance approval was 30 minutes (8:00 am – 8:30 am). This condensed start time schedule may result in greater concentration of automobile traffic during the morning period. The afternoon pick-up period is extended slightly from 30 minutes (as required) to 35 minutes (as currently operating).

Condition No. 8 also dictates recess times for younger students (10:25 am to 10:45 am) and lunch times for younger students (12:30 pm to 1:00 pm) and older students (1:00 pm to 1:30 pm).

Staff is suggesting modifications to the present Condition No.8, allowing for less specificity in terms of beginning and ending school day times, recess times and lunch times, while maintaining that a minimum of at least 30 minutes occurs between the range of beginning and ending times for the various grade levels, flattening peak traffic times.

In implementing the increase in enrollment, Chamlian School was to maintain automobile trips such that at no point shall the number of trips to and from the campus exceed the total number of existing trips during the base 2014 year.



JB and Associates undertook traffic surveys for the years 2015 through 2019. Because of the COVID pandemic, surveys were not taken from 2020 through 2023. Chamlian School did not operate as normal during these years. The school closed in March 2020, due to the pandemic. For the 2020 - 2021 school year, the school opened two “pods” with 20 students for kindergarten and first grade and March 2021 – June 2021, a hybrid program operated with 200 students. The 2021 – 2022 school year operated with a modified instructional program with distance learning and 50% of the student body attending school in person. The 2022 – 2023 school year operated in a similar manner, with 80% of the student body attending school in person. The current school year (2023 – 2024), Chamlian School has operated normally and a traffic survey for this school year will be forthcoming.

The base 2014 year survey counted an average of 342 cars at drop off and 309 cars at pick up. The traffic counts for the 2015 through 2019 surveys found as follows:

**2015**

288 cars at drop off

286 Cars at pick up

**2016**

335 cars at drop off

**334** cars at pick up

**2017**

322 cars at drop off

**312** cars at pick up

**2018**

335 cars at drop off

288 cars at pick up

**2019**

**352** cars at drop off

**354** cars at pick up.

The bolded car counts are those that exceed the base 2014 year counts and, therefore, are inconsistent with condition requiring traffic counts to be maintained at 2014 levels.

To offset trips created by the increase in student enrollment from 500 to 700 students, Chamlian School is required to provide a student shuttle service. There are currently two such services operating in association with the school. A bus service departs St. Mary's Armenian Apostolic Church at 500 S. Central Avenue. A vanpool, operated by a private entity, shuttles students from the Pasadena area to and from the school. The condition required the school to operate these services free of charge; however, both services described above, have fees associated with them above the tuition cost for Chamlian School.

Public and private schools present amenities and challenges to the neighborhoods that they surround. Chamlian School is an important facility within Glendale and for families residing in the city and nearby areas. However, the school has not fully implemented conditions of the 2014 use variance approval as required. As the school rebounds from the recent pandemic where normal operations were prevented (and which largely resulted in less impact to the surrounding neighborhood), Chamlian School needs to redouble their efforts to comply with new and amended conditions of approval such that detrimental impacts related to the school are reduced.

Staff periodically receives complaints from area residents regarding quality-of-life issues, including blocking of driveways, litter and speeding in the neighborhood, as well as other concerns. As a new condition of approval to help address these issues, staff recommends the school designate an employee as a "point person"/an e-mail address for neighborhood residents to contact when concerns arise. To disseminate this contact information, the school shall send a letter to property owners and occupants within 500 feet of the school prior to the 2024 – 2025 school year. Additional letters shall be sent when the school point person/e-mail address changes.

Amended conditions include increasing the financial incentive for carpooling and documenting the school's drop-off routine and procedures.

Conditions of approval for the project, including capping student enrollment, limiting grades taught at the school, undertaking traffic management during drop off and pick up times, phasing student start and end times and providing enhanced shuttle service/carpooling programs, and fully implementing these conditions will ensure operation of the school is smooth and detrimental impacts related to it will be minimized.

## **EXHIBITS**

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1. Location Map
2. Site Map
3. Planning Commission packet from April 16, 2014
4. Correspondence



**CITY OF GLENDALE, CALIFORNIA**

Community Development  
Planning

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May 23, 2024

Rodney Khan  
Khan Consulting Inc.  
2033 Oak Valley Drive  
Glendale, CA 91208

&

Ms. T. Kargodorian  
Principal – Chamlian School  
4444 Lowell Avenue  
Glendale, CA 91214

Owner: Western Prelacy of the Armenian Apostolic Church of America

**RE: 4444 LOWELL AVENUE**  
USE VARIANCE CASE NO. PVAR 1880-2023

Dear Mr. Khan:

The Planning Commission of the City of Glendale, at its meeting held on May 15, 2024, conducted a public hearing for Use Variance Case No. PVAR 1880-2023, whereby the applicant is requesting approval of a Use Variance to allow the continued operation of a private school (Chamlian Armenian School), in the "R1" - (Low-Density Residential) Zone, described as Lot 1, Tract 17100; Assessor Parcel No. 5604-011-023, located at **4444 Lowell Avenue**, in the City of Glendale, County of Los Angeles.

No changes to the operation or enrollment of the school are proposed.

On April 16, 2014, the Planning Commission approved a Use Variance for the operation of Chamlian School. This approval expired on April 16, 2024, thus requiring the present use variance application.

Environmental Determination

The Planning Commission adopted a Mitigated Negative Declaration for the previous use variance on April 16, 2014. The current use variance proposes no expansion or change to the enrollment or operation of the school. Because there are no substantial changes to the project or project circumstances, and there is no new information that could not have been known at the time the

MND was adopted that would require major revisions to the previously approved MND because of new significant environmental effects or a substantial increase in the severity of previously identified significant effects, no additional environmental review is required for the proposed use variance. (Pub. Res. Code § 21166; CEQA Guidelines §15162(a).)

After due consideration, the Planning Commission, **APPROVED WITH CONDITIONS (26 Conditions)** Use Variance Case No. PVAR 1880-2023.

A motion adopted by the Planning Commission are attached.

Under the provisions of Chapter 2.88 of the Glendale Municipal Code, any person affected by the decision of the Planning Commission has the right to appeal said determination to the City Council if it is believed that the decision is in error or that procedural errors have occurred, or if there is substantial new evidence which could not have been reasonably presented at the hearing. Any appeal must be filed within fifteen days, following the actual date of such action, as outlined by the Chairman of the Planning Commission at the public hearing. Information regarding appeals and the appeal forms will be provided upon request and must be filed in the Building and Safety Division, 633 East Broadway, Room 101, together with the required filing fee for such appeal, no later than 3:00 p.m. on **MAY 30 , 2024.**

***All appeals must be filed using the City's online permit portal: [www.glendaleca.gov/Permits](http://www.glendaleca.gov/Permits). Click "Appeals," "Planning/Zoning." Any appeal must be filed within fifteen (15) days following the actual date of the decision with the prescribed fee prior to the expiration of the 15-day appeal period, on or before MAY 30, 2024. Information regarding appeals and appeals and fees may be obtained by calling the Community Development Department staff at 818.937.2140 or contacting the case planner, Roger Kiesel at [rkiesel@glendaleca.gov](mailto:rkiesel@glendaleca.gov) or 818.937.8152.***

If you have any questions, please do not hesitate to call me at (818.937.8152).

Sincerely,  
B. Calvert  
Director of Community Development Department



Roger Kiesel  
Senior Planner  
RK:sm

CC: City Clerk (K. Cruz); Police Dept. (A. Krikorian/Z. Avila); Police Dept (Lt. T.Topadzhikyan) City Attorney's Dept. (G. Van Muyden/Y. Neukian); Fire Prevention Engineering Section-(J. Diaz/S. Partamian/D. Stimson); Traffic & Transportation Section (P. Casanova/S. Roudsari); Dir. of Public Works; General Manager for Glendale Water and Power (M. Young); Glendale Water & Power--Water Section (S. Boghosian/E. Hakoupiani/ /K. Runzer); Glendale

Water & Power--Electric Section (C. Babakhanlou/S. Boghosian/E. Hakoupiani); Parks, Recreation and Community Services Dept. (T. Aleksanian/A. Limayo); Neighborhood Services Division (J. Sada); Integrated Waste Management Admin. (D. Hardgrove); Maintenance Services/Street and Field/Urban Forester (L Klick/, C. Linares/ O. Urquidez); Engineering and Land Development (A. Avazian/S. Oganesyany/R. Villaluna); J. Baghdanian; and case planner Roger Kiesel.



MOTION

Moved by Planning Commissioner Chraghchian, and seconded by Planning Commissioner Fuentes, that upon review and consideration of all materials and exhibits of current record relative to Use Variance Case No. PVAR 001880-2023, located at 4444 Lowell Avenue, and after having conducted a hearing on said matter, that the Planning Commission hereby **APPROVES WITH CONDITIONS**, said Use Variance Case No. PVAR 001880-2023 in accord with the findings set forth below:

**A. That the strict application of the provisions of any such ordinance would result in practical difficulties or unnecessary hardship inconsistent with the general purposes and intent of the ordinance.**

Strictly applying the permitted uses to the subject site, which is zoned R1 will result in practical difficulties and unnecessary hardship inconsistent with the intent of the ordinance because the site has been a school use for over 60 years and there are no proposed changes to the operation or the school campus or increases in enrollment of Vahan and Anoush Chamlian Armenian School ("Chamlian School"). The general purpose of the R1 zone and the ordinances which regulate the development and uses in this zone is to provide a high-quality residential environment for a "traditional low density residential zone". The zone includes development standards that "allow new low-density development in order to promote the public health, safety and general welfare." The subject site has existed as a school use since 1960. Initially, the site was developed as a public school, Lowell Elementary School. Since 1983, Chamlian School, a private school, has operated on the site after the public school closed and the site was sold. While continuation of the existing private school, as contemplated in the requested use variance, is not a typical use in the R1 zone, the school's maximum enrollment of 700 students will be consistent with the intended use of the site when it was first developed. The enrollment will be similar to most public elementary schools, which are commonly located in residential zones. Also, the school proposes no increases in the maximum enrollment allowed nor changes to the operation of the school as a result of the use variance application. Conditions of approval, including limitations on enrollment and grades taught at the school, traffic management, phasing student start and end times and designating a school employee/school e-mail for area residents to contact with concerns, will ensure that the quality of the surrounding neighborhood will be maintained.

**B. That there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other property in the same zone or neighborhood.**

There are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property that do not apply generally to other properties in the same zone or neighborhood because an elementary school has existed on the site for 60 years and the site exhibits unique characteristics. The subject site has contained an elementary school for approximately 60 years. Chamlian School has operated on the site for approximately 40 years. The subject site is zoned R1. It is unique to have a private school located in this zone. The size of the subject site is 4.5 acres, which is rare for the R1 zone. The topography of the surrounding area is such that land terraces down from the commercial neighborhood along Foothill Boulevard to the school site. The area further terraces to the single-family neighborhood immediately south, which is at a lower elevation compared with the school. The area's topography and the large site size allow the existing school to operate with fewer impacts in close proximity to residential uses.

**C. That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.**

The granting of the variance would not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located because a school has operated on the site for over 60 years, no changes are proposed in the operation of Chamlian School, nor in enrollment requested, and no new buildings are proposed and conditions of approval of the project will address adverse impacts. The requested use variance is simply to "renew" the existing use variance, which recently expired (but the application for renewal was timely). The operation of the school will remain the same as present. Enrollment at the school is presently capped at 700 students. The present use variance request does not seek to change this. No new buildings are proposed on the site. A school has been located on the site since 1960, first as the public Lowell Elementary School and, since 1983, as the private Chamlian School. Schools have certain impacts on the surrounding neighborhood, unique to their use. Given the length of time the subject site has been utilized as a school, these impacts, to varying degrees, have been around for a long time. Chamlian School does an admirable job mitigating these impacts. Conditions of approval assist in reducing, regulating, and smoothing the flow of traffic created by dropping off/picking up students from the school campus. These conditions of approval include: limiting grades taught at the school from transitional kindergarten to eighth grade, undertaking morning and afternoon traffic management, offering incentive-based carpooling/ridesharing programs (which are proposed to be enhanced), phasing student start and end times and providing student shuttle services. Additionally, a school



employee/school e-mail shall be designated for the surrounding community should concerns arise related to the operation of Chamlian School.

**D. That the granting of the variance will not be contrary to the objectives of the ordinance.**

The granting of the variance would not be contrary to the objectives of the ordinance because objectives of this zone include protecting single-family residences from deleterious impacts and promoting the health, safety and welfare of residential neighborhoods and the conditions of approval will address this. To protect single-family residences in the R1 zone from adverse impacts, uses allowed in this zone are very limited. The request to renew the existing use variance seeks no changes to the enrollment or operation of the school and no new buildings will be constructed. The school will run the same as it has the past 10 years, since approval of the previous use variance (PVAR 1403259). Conditions of approval including, limitations on enrollment and grades taught at the school, undertaking morning and afternoon traffic management, implementing car-pooling/ridesharing/shuttle programs, phasing student start and end times, and providing a school point person/e-mail for neighborhood concerns will ensure smooth school operations and meeting the objectives of the R1 zone.

**APPROVAL** of the Use Permit shall be subject to the following conditions:

1. That the development shall be in substantial accord with the plans submitted with the application and presented at the hearing except for any modifications as may be required to meet specific Code standards or other conditions stipulated herein.
2. That Chamlian School enrollment is limited to a maximum of seven hundred (700) students.
3. That grades taught shall be limited to transitional kindergarten through eighth grade only.
4. That in order to document and monitor compliance with student enrollment maximums and grade level limitations, the Chamlian School and/or its Board of Directors shall furnish the Director of Community Development with attendance records and attendance affidavit(s) by grade once a year for each school year. Such attendance records/affidavit(s) shall contain a signed declaration under penalty of perjury that the information is true and correct to the best of the declarant's knowledge.
5. That Chamlian School shall continue to undertake afternoon pick-up traffic management through the walkie-talkie/bullhorn system instituted in the 1991-92 school year, including sending parents out of the circular driveway to try again if the child has not arrived when the parent is ready. In addition, for the first four (4) to six (6) weeks of each semester, parents shall place an index card on their dashboard, visible through the front window, with the

student name (or names) clearly visible in large block letters, to assist school staff in matching students with parents during the afternoons.

7. That the Board of Directors/School Principal of Chamlian School shall institute an incentive-based car-pooling/ride-sharing program, offering an incentive of at least \$75.00 a month per family for a two-household carpool and at least \$100.00 a month per family for a three-household carpool.
8. That there shall be a minimum of 30 minutes between the first student start times and the last student start times and the first student end times and the last student end times in the school day phasing schedule. There shall be phased recess times and lunch times such that no more than 50% of the maximum enrollment is permitted outside at any one time.
9. That the Board of Directors/School Principal of Chamlian School shall designate a school employee as the "point person" (and provide contact information for such person) and/or shall designate a dedicated school e-mail address for neighborhood residents to contact when concerns arise. The school shall send letters to property owners and occupants within 500 feet of the school by the beginning of the 2024 – 2025 school year announcing this point person/e-mail and its purpose. Additional letters shall be sent when the school point person/e-mail changes.
10. That the two slope/irrigation access openings in the south side playground perimeter block wall shall be equipped with locked gates of opaque and durable material, satisfactory to the Director of Community Development.
11. That the premises be maintained in a clean and orderly condition, free of weeds, trash, and graffiti.
11. That landscaping areas shall be maintained in good condition with live plants and a functioning irrigation system. Drainage devices shall be kept clean and all weeds and trash rapidly eliminated.
12. That any proposed exterior lighting shall be directed away from adjacent properties and the public right-of-way to the satisfaction of the Director of Community Development.
13. That the four (4) parking spaces in front on the northwest corner of the site and the proposed fifty-three (53) parking spaces in the eastern portion of the site shall be for staff use only during school hours. The four (4) parking spaces with access directly from the drop off/pick up driveway shall be used for visitors. The School Principal shall continuously encourage all staff to use the on-site parking at all times.
14. That the facilities shall not be rented, leased or otherwise occupied by any use other than a private school for grades transitional kindergarten through eighth only.

15. That there shall be no expansion of facilities or enrollment without reconsideration of this variance and its conditions by reapplication.
16. That all licenses and permits as required or approvals from Federal, State, County or City authorities including the City Clerk shall be obtained and kept current at all times.
17. That, with the exception of an on-site caretaker household, no sleeping accommodations shall be permitted for children or adults.
18. That all accessory activities on the premises shall be clearly incidental to the school's primary educational function and shall be limited to back-to-school night for parents, open house events, graduation programs, two to three special holiday programs annually, sporting events and two to three annual fund-raising events. The abovementioned activities shall not be permitted to continue beyond 10:00 p.m. in any instance.
19. That access from Second Avenue shall be limited to maintenance vehicles and pedestrians only.
21. That Chamlian School shall provide parking attendants to safely direct cars to the surface parking lot and asphalt play area when events, such as graduations, parent meetings, opening ceremonies, sports tournaments, school festivals and similar gatherings are scheduled for exclusive use by Chamlian School. Refer to conditions No. 18 above.
22. That Chamlian School shall comply with the mitigation measures contained in the Mitigation Monitoring and Reporting Program, dated March 26, 2014 for the project.
24. That Chamlian School shall use its best efforts to implement other programs, including, but not limited to, "walk to school" events, aimed at decreasing traffic and/or parking impacts.
25. That Chamlian School shall annually publish (including online/on their website) and distribute to parents and students of the school, guidelines and rules regarding traffic, parking and safety issues.
26. That Chamlian School shall explore the effectiveness and feasibility of a mid-block crossing of Lowell Avenue adjacent to the school with the City's Public Works Department. Should this mid-block crossing be found potentially effective and feasible, the school shall implement this crossing.

Adopted this 15th day of May 2024.

VOTE AS FOLLOWS

Ayes: Chraghchian, Fuentes, Minassian, Shahbazian  
Noes: None  
Absent: Lee  
Abstain: None