

Agenda

City of Loma Linda

From the Department of Community Development

PLANNING COMMISSION

REGULAR MEETING OF

July 17, 2013

7:00 p.m.

CITY COUNCIL CHAMBERS

A. CALL TO ORDER - Persons wishing to speak on an agenda item are asked to complete an information card and present it to the secretary. The Planning Commission meeting is recorded to assist in the preparation of the minutes, and you are, therefore, asked to give your name and address prior to offering testimony. All testimony is to be given from the podium.

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. ITEMS TO BE DELETED OR ADDED

E. ORAL REPORTS/PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (LIMITED TO 30 MINUTES; 3 MINUTES ALLOTTED FOR EACH SPEAKER) - This portion of the agenda provides opportunity to speak on an item, which is **NOT** on the agenda. Pursuant to the Brown Act, the Planning Commission can take no action at this time; however, the Planning Commission may refer your comments/concerns to staff, or request the item be placed on a future agenda.

F. NEW BUSINESS

1. **Consideration of adoption of ADMINISTRATIVE HEARING PROCEDURES FOR NUISANCE ABATEMENT AND OTHER CODE ENFORCEMENT PROCEEDINGS**

Staff Recommendation: Adoption of Administrative Hearing Procedures for Nuisance Abatement and other Code Enforcement Proceedings.

G. AGENDA (THREE MINUTES IS ALLOTTED FOR EACH SPEAKER PER AGENDA ITEM)

PUBLIC HEARING

1. PRECISE PLAN OF DESIGN (PPD) NO. 13-07, TENTATIVE PARCEL MAP 13-32 (NO. 19452), VARIANCE NO. 13-067 – A REQUEST TO DEVELOP AN 87-UNIT APARTMENT PROJECT FOR PROPERTY AT 25259-25303 VAN LEUVAN STREET, LOCATED IN THE R-3 HIGH DENSITY ZONE. THE PROJECT INCLUDES A REQUEST FOR A VARIANCE TO REDUCE TO THE REAR YARD SETBACK REQUIREMENT AND ALLOW A WALL THAT EXCEED 6-FEET IN HEIGHT ALONG THE REAR PROPERTY LINE AND A REQUEST TO CONSOLIDATE SEVEN PARCELS INTO ONE PARCEL. THE PROPERTY HAS A GENERAL PLAN LAND USE DESIGNATION OF VERY HIGH DENSITY RESIDENTIAL (0-20 DU/AC) AND IS LOCATED IN THE R-3 HIGH DENSITY ZONE. (PUBLIC HEARING. – LIMITED TO 30 MINUTES)

Staff Recommendation: Continue to August 7, 2013 Planning Commission Meeting

2. PUBLIC NUISANCE – A HEARING TO DETERMINE IF A PUBLIC NUISANCE EXISTS AT APN# 0281-091-22 (24800 REDLANDS BLVD), APN# 0281-091-32 (24816 REDLANDS BLVD), AND APN# 0281-091-40 (24818 REDLANDS BLVD); AND CONSIDERATION OF ADOPTION OF WRITTEN FINDINGS AND NOTICE TO ABATE. THE PROPERTIES ARE LOCATED IN THE EVC – GENERAL COMMERCIAL ZONE.

Staff Recommendation: Declare the property a public nuisance and proceed with abatement proceedings under the provisions of Loma Linda Municipal Code Chapter 9.12 by issuing Findings and Notice to Abate.

H. APPROVAL OF MINUTES – (LIMITED TO 5 MINUTES)

1. May 1, 2013
2. May 15, 2013

I. REPORTS BY THE PLANNING COMMISSIONERS

J. COMMUNITY DEVELOPMENT DIRECTOR REPORT

K. ADJOURNMENT - Reports and documents relating to each agenda item are on file in the Department of Community Development and are available for public inspection during normal business hours, Monday through Thursday, 7:00 a.m. to 5:30 p.m. The Loma Linda Branch Library can also provide an agenda packet for your convenience.



City of Loma Linda Official Report

PLANNING COMMISSION AGENDA: July 17, 2013

TO: Planning Commission

FROM: Konrad Bolowich, Assistant City Manager

SUBJECT: Adoption of Procedures for a Hearing to Determine Public Nuisance.

RECOMMENDATION

It is recommended that the Planning Commission adopt procedures for the conduct of a Hearing to Determine a Public Nuisance.

ANALYSIS

The Municipal Code for the City does not delineate procedures for the conduct of a Hearing to Determine Public Nuisance. Adoption of procedures for the conduct of a Hearing to Determine Public Nuisance will provide a fair and organized method to conduct such hearings.

EXHIBIT(S)

A – Administrative Hearing Procedures for Nuisance Abatement

ADMINISTRATIVE HEARING PROCEDURES FOR NUISANCE ABATEMENT AND OTHER CODE ENFORCEMENT PROCEEDINGS

1. Pursuant to appointment by the City Council, the Planning Commission shall act as the hearing board under the procedures set forth in LLMC Chapter 9.12.
2. Reasonable notice shall be given to the responding party prior to the hearing.
3. The responding party may appear at the hearing by counsel.
4. The representative of the city shall have the burden of proof to establish by a preponderance of the evidence the existence of a violation or nuisance condition.
5. Brief opening statements may be made.
6. The parties may submit written briefs, reports, legal arguments, witnesses, documentary evidence, photographs, and other relevant evidence.
7. The representative of the City shall present its evidence first, followed by the responding party. The City may provide rebuttal evidence.
8. The Chairman shall hear and rule on any evidentiary objections. However, the formal rules of evidence shall not apply and witnesses need not be sworn.
9. Each party and board member shall have the right to informally question witnesses, but formal cross-examination shall not be required.
10. At the conclusion of the evidence, the parties may present brief closing statements.
11. The hearing may be continued from time to time.
12. Following the hearing, the board shall consider all evidence and deliberate in open session.
13. If the board determines by a majority vote that a public nuisance does exist and that there is sufficient cause to abate the nuisance, written findings and notice to abate shall be issued pursuant to LLMC 9.12.060.

Staff Report

City of Loma Linda

From the Community Development Department

PLANNING COMMISSION MEETING OF JULY 17, 2013

TO: PLANNING COMMISSION

FROM: KONRAD BOLOWICH, ASSISTANT CITY MANAGER

SUBJECT: PRECISE PLAN OF DESIGN (PPD) NO. 13-07, TENTATIVE PARCEL MAP 13-32 (NO. 19452), VARIANCE NO. 13-067 – A REQUEST TO DEVELOP AN 87-UNIT APARTMENT PROJECT FOR PROPERTY AT 25259-25303 VAN LEUVAN STREET, LOCATED IN THE R-3 HIGH DENSITY ZONE. THE PROJECT INCLUDES A REQUEST FOR A VARIANCE TO REDUCE TO THE REAR YARD SETBACK REQUIREMENT AND ALLOW A WALL THAT EXCEED 6-FEET IN HEIGHT ALONG THE REAR PROPERTY LINE AND A REQUEST TO CONSOLIDATE SEVEN PARCELS INTO ONE PARCEL. THE PROPERTY HAS A GENERAL PLAN LAND USE DESIGNATION OF VERY HIGH DENSITY RESIDENTIAL (0-20 DU/AC) AND IS LOCATED IN THE R-3 HIGH DENSITY ZONE.

RECOMMENDATION

Staff and the applicant request a continuance of this public hearing to August 7, 2013 to allow for further study to review recent minor changes to the proposed project.



City of Loma Linda Official Report

PLANNING COMMISSION AGENDA: July 17, 2013

TO: Planning Commission

FROM: Konrad Bolowich, Assistant City Manager

SUBJECT: **PUBLIC NUISANCE – HEARING TO DETERMINE IF A PUBLIC NUISANCE EXISTS AT APN 0281-091-22 (24800 REDLANDS BLVD), APN 0281-091-32 (24816 REDLANDS BLVD), APN 0281-091-40 (REDLANDS BLVD.)**

RECOMMENDATION

It is recommended that the Planning Commission declare that a public nuisance exists at APN# 0281-091-22 (24800 Redlands Blvd), APN# 0281-091-32 (24816 Redlands Blvd), and APN# 0281-091-40 (24818 Redlands Blvd) and to find that there is sufficient cause to abate the nuisance. Staff has prepared a draft FINDINGS OF NUISANCE AND NOTICE TO ABATE for consideration by the Commission that sets forth the specific conditions constituting the nuisance and the methods of abatement required to remediate the property.

BACKGROUND

The above referenced properties are contiguous parcels located within the EVC General Commercial Zone. There is one existing non-conforming residence, one building in use as a commercial book store, and two buildings not in current use or occupancy.

Between September 22, 1992 and September 28, 1993 a hearing was held and continued multiple times to declare the subject property a nuisance. The continuances allowed the property owner and the City to develop a cooperation agreement resulting in a two phased plan to remediate the issues. Phase I of the agreement was completed. However, it appears that phase II was not completed as the property owner never obtained a Redevelopment Agency grant for repairs, and did not complete replacement of the fencing on the south side of the property. On-site inspections were not allowed by the property owner as required by the agreement. The prior agreement does not give the property owner any right to maintain the violations that currently exist.

In 2012, annual city wide spring weed abatement inspections identified the property as having numerous fire code and vegetation related violations. A follow up inspection on or about August 22, 2012 identified the property as having multiple Fire Code, Health and Safety Code, Zoning, and nuisance violations.

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Between August 22, 2012 and April 03, 2013, City Staff attempted to develop an action plan with the property owner to remediate the issues, however the property owner has not been able to agree on an action plan to remediate the violations found upon the premises.

On April 1, 2013, the Fire Department sent a Notice to Clean Property, and on April 3, 2013, A Notice of Violation was sent to the property owner delineating the known violations and requesting compliance with the Municipal Code.

The property owner contacted the City on April 14, 2013, and informed Staff that he would be contracting a vendor to begin remediation of the tree and vegetation related issues on April 22, 2013. In light of remediation attempts by the property owner, all enforcement efforts were suspended pending a reinspection of the property to determine which issues remained and to develop an action plan to complete remediation. The reinspection was scheduled for May 29, 2013.

City Staff attempted to reinspect the property on the morning of May 29, 2013 and was denied entry to the premises or access to any of the buildings. It was however observed that unpermitted electrical work had been completed in the book store and unpermitted roof repairs were made to one of the vacant buildings. In light of the inability or refusal of the property owner to show that remediation had properly occurred, Staff resumed enforcement efforts and violations were sent to the owners of record.

On July 2, 2013 Staff scheduled a reinspection of the property with the owner. Representatives from Building, Fire, Code, and community Development were present. Staff was led around the perimeter of the property, but not allowed to enter the property or buildings to confirm what, if any, remediation had occurred. Staff attempted to develop a remediation plan with the owner relative to the violations that were still visible, and were unable to come to an agreement as to actions to be taken.

ANALYSIS

In 1992, and 1993, the remediations required by the cooperation agreements between the City and the property owner were never completed. The sheet metal fencing is still in place and the horse fence and vines have not installed.

Joint inspections performed by the City Fire, Code Enforcement, and Building Department on or about August 22, 2012 found the following violations requiring the specified remediation:

LLMC or other Code Section

Nuisance Violation:

9.12.030(B)(4)
9.12.030(B)(17)
9.12.030(B)(1)
10.34.010
9.12.030(B)(6)
9.12.030(B)(2)(a)

Nuisance--Trash & Debris
Nuisance--Dilapidated structures
Nuisance--Dead, Overgrown Vegetation
Nuisance--Inoperative vehicles
Nuisance--Unsafe wiring
Nuisance--Abandoned, broken equipment, tools

Health & Safety Code (Building Code) Violations:

17920.3(a)(13)	Extensive termite damage to fascia boards and eaves on store
17920.3(g)(1,2,3,4)	Dilapidated roofs on bookstore and all accessory structures
17920.3(b)(4,7)	Vehicular damage to NW corner walls of old garage, end of wall off foundation
17920.3(b)(1)	Inadequate footing for most structures Unsafe wiring—Extension cords used as permanent wiring to, through and between buildings neither buriable material nor in conduit
17920.3(d)	Unsafe, exposed wiring and open junction boxes
17920.3(b)(2)	Lack of flooring in at least one accessory structure
17920.3(g)(1)	Defective weather protection due to cracked, missing plaster
17920.3(b)(6)	Structural members inadequate, causing roof sagging

Zoning Violations:

17.46.040(B)	Outside storage of building materials
17.46.040(A)	Auto Storage Yard (at least 6 registered & unregistered vehicle)
17.46.040(E)	Industrial & commercial material & goods storage

California Fire Code:

2010 CFC 304.1.2	Numerous Dead bushes on property
2010 CFC 605.5	Extension Cords being used as permanent wiring
2010 CFC 605.1	Open wiring connections, junction boxes, outlets
2010 CFC 605.6	Open wiring connections, junction boxes, outlets

Remediation of the existing violations would require:

- Removal of trash and debris to the extent that the Fire Marshal and Code Enforcement are satisfied with the remediation.
- Removal or repair of dilapidated structures, damage to structures, foundations, footings and structural members, inadequate or unpermitted roofing, and obtaining all necessary engineering reports, permits and inspections.
- Removal of dead, overgrown vegetation to the extent that the Fire Marshal and Code Enforcement are satisfied with the remediation.
- Removal or repair and register inoperative vehicles.

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- Removal or repair of unsafe wiring and obtaining all necessary permits and inspections.
- Remove abandoned or broken equipment and tools to the extent that Code Enforcement is satisfied with the remediation.
- Repair or replace and bring into California Building Code compliance all missing or damaged or inadequate structural members and obtaining all necessary engineering reports, permits and inspections.
- Cease outdoor storage of and remove building, industrial and commercial material goods storage to Fire Department and Code Enforcement satisfaction.
- Remove or replace and bring into California Building Code compliance all unsafe, exposed wiring and open junction boxes and obtaining all necessary permits and inspections.

As of July 10, 2013, the property owner has not given Staff permission to access the property to determine whether any of these violations have been addressed. Observations made from outside of the property show that some effort has been made to remediate some of the dead vegetation; however there are numerous stumps and dead plants in evidence.

It appears that electrical repairs were made to the store, but no permits were obtained, and no inspections are on record, and consequently it is impossible to determine if these repairs are in compliance with Municipal Codes. It appears that one of the small buildings was reroofed, but once again, no permits were obtained, and no inspections are on record, and consequently it is impossible to determine if these repairs are in compliance with Municipal Codes.

The publicly visible inoperative vehicles have been moved. Staff is unable to determine if additional vehicles are located in other portions of the property.

Any other remediations cannot be determined without an inspection of the property and an evaluation of the conditions, which the owner has refused.

As of July 11, 2013, City staff has not had access to the property since the initial inspection of August 22, 2012.

CONCLUSION

Since the August 22, 2012 inspection, the property owner has denied Staff access to his property to confirm whether remediation has occurred. Furthermore, Staff has met with the property owner to formulate a remediation action plan, however, as of July 11, 2013, the property owner has not agreed on any action plan. In light of the inability or refusal of the property owner to show that remediation has occurred or his agreement to a remediation action plan, Staff has resumed enforcement efforts.

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EXHIBITS

- A. Initial Inspection Observation – August 22, 2012
- B. Fire Department – Notice to Clean Property – April 1, 2013 (APN 0281 09 132)
- C. Fire Department – Notice to Clean Property – April 1, 2013 (APN 0281 09 122)
- D. Fire Department – Notice to Clean Property – April 1, 2013 (APN 0281 09 140)
- E. Code Enforcement – Notice of Violation – April 3, 2013
- F. Multi Department – Notice of Violation – April 30, 2013
- G. Administrative Citation # 2013-0014 – May 29, 2013
- H. Administrative Citation # 2013-0016 – June 5, 2013
- I. Notice of Hearing – July 1, 2013
- J. Notice of Public Hearing Posting – July 8, 2013
- K. Cooperation agreement.
- L. City Council and Redevelopment Agency meeting and public hearing minutes from September 22, 1992 to September 28, 1993, relating to the subject property

John VanDoren

From: John VanDoren
Sent: Wednesday, August 22, 2012 10:36 AM
To: James Gray
Subject: RE: Joint inspection of Mr. Lubinsky's property, 24818 Redlands Blvd.

Jamie,

Here are my initial observations of code violations at the subject property zoned Commercial Freeway Zone

- Unpermitted uses
 - Outside storage of building materials (not pertaining to any current building permits)
 - Auto Storage Yard at least six registered and unregistered (inop) vehicles.
 - Industrial and warehousing uses, other than storage of merchandise or products for sale at retail on the premises.
Only the book store is operational, so book storage is OK, but not the storage of building materials strewn about, and industrial supplies in open bins or enclosed structures.
 - Combination of Residential and Non-Residential uses (Possibly a legal non-conforming use, if residence was at some point legal and permitted)
 - Front setback probably deemed legal non-conforming, as Redlands Blvd gradually encroached towards front of long-existing buildings.
Not sure when garage was moved onto the property, or under what permit or planning approval, but most likely before we were a City.
- Nuisance violations:
 - Outside storage of building materials
 - Trash & Debris (broken appliances, rusted-out steam engine, plumbing fixtures and fittings including brass, cast iron, and copper, wooden doors)
 - Inops (unregistered Jeep on flatbed trailer, Dodge Ram and Mitsubishi pickups)
 - Dead and OGV (Overgrown Vegetation) including fallen trees in low-voltage lines, and elsewhere on property
 - Graffiti on buildings and on cactus
 - Dilapidated fences
 - Dilapidated structures
- Building Code violations (to be augmented or superseded by Jim Barrett's report)
 - Extensive termite damage to at least the outside trim of store—suspect more to be found upon proper inspection
 - Dilapidated roofs on bookstore and virtually all accessory structures, except main residence
 - Over-spanned timber/beams in some accessory structures
 - Old garage (previously moved onto the site) with vehicular damage to NW corner walls, and inadequate footings about
 - Extension cords used as permanent outside and inside wiring and from building to building on the ground, not in conduit or buriable material
 - Extension cords run through holes in walls or through door openings, risking pinch failure, short-circuit, and fire.
 - Exposed wiring and open j-boxes
 - Lack of flooring in at least one accessory structure

Please let me know when you are available to discuss these and other observations, including comments made by the CBO and CA on-site.

John Van Doren
Code Enforcement Officer

From: James Gray
Sent: Tuesday, August 14, 2012 1:22 PM
To: Jim Barrett; Jim Shea; John VanDoren
Cc: Jarb Thaipejr; 'reh_robbinsholdaway@verizon.net'
Subject: Joint inspection of Mr. Lubinsky's property, 24818 Redlands Blvd.

Guys,

I have confirmed with Rich Holdaway, our City Attorney, that we will conduct a joint inspection of Mr. Lubinsky's property on August 22nd at 8:00 am. He has agreed to and has facilitated this inspection, with hopeful compliance to issues that come about as a result. He will meet us in front of his book store. The City has a long history in regards to Mr. Lubinsky's property and how it is kept. I would recommend that we not get into any confrontations or debating type discussions regarding our findings during this inspection. Mr. Lubinsky has requested that the City Attorney be present during our inspection, and as I stated has worked with Mr. Holdaway's office in setting up this evaluation. After the property has been evaluated for Building, Municipal Code, and Fire Safety issues I ask that each of you give me your noted violations and appropriate code references and I will prepare a report to the City Council and the City Attorney for what I hope will be a mutually agreed upon resolution to the various problems noted.

Given Mr. Lubinsky's previous history and some rather contentious meetings that I have had with him regarding weed abatement Fire safety issues, both the City Attorney and I feel the best course of action to take would be for the three impacted departments to send a single representative along with the City Attorney to conduct a comprehensive inspection and prepare a final report that can be presented to Mr. Lubinsky by the City Attorney via the City Manager and City Council at a not too distant later date. If you have any questions regarding what we are trying to achieve here please call me.

Thank you guys,
Jamie



Loma Linda Fire Department

FIRE PREVENTION BUREAU

25541 Barton Rd, Loma Linda, California 92354 • (909) 799-2859 • Fax: (909) 799-2891

NOTICE TO CLEAN PROPERTY

4/1/2013

LUBINSKY, NORMAN B TR (N & M TRUST)
24818 REDLANDS BLVD
LOMA LINDA CA 92354-4002

Parcel Number: 028109132
Location: 24816 E REDLANDS BLVD

Under the provisions of the California Fire Code, 2010 edition, Section 304.1.2 adopted and amended by Loma Linda Municipal Code Chapter 15.28, an inspection of the property listed above has been performed by this Department. Based upon the inspection, a fire hazard, or potential fire hazard has been determined to exist on this property. Notice is hereby given that **any weeds, tumbleweeds, dead grasses, vines, dead shrubs, dead trees, trimmings, or other combustible materials or debris present on your lot, field or parcel of land** are a fire hazard or in all probability will become a fire hazard, and as such must be removed or abated. In addition, any weeds or combustible materials must be **cleared away from any road or street for a distance of 10 ft.** See **NOTES for special remarks concerning this parcel.**

NOTES: Also remove any dead trees, dead bushes.

Any weeds or other fire hazards as listed above on this property must be removed or abated in an acceptable manner by **April 15, 2013.** Failure to remove or abate by this date will be cause for the City of Loma Linda or its designated contractor to enter onto the property to accomplish the abatement. In addition to the costs for cleaning, you will also be assessed an administrative fee of 30% of the cost of the work or \$100, whichever is greater. Failure to pay all charges will cause a tax assessment and lien to be placed against the property.

Due to uncontrolled regrowth, a second or third clean up of the property may be necessary during the year. Property owners are advised that it is their responsibility to maintain their property in good condition and that any re-growth during the year may be subject to removal without further notice if determined to be a fire hazard.

This Notice is given pursuant to the provision of the California Fire Code Section 109.2 authorizing action to remove any hazard deemed unsafe. The Fire Department maintains a consistent and impartial position in the application and enforcement of the California Fire Code. For further information, please call (909) 799-2859.

You as owner, occupant or person otherwise in charge of the property may appeal to the Fire Marshal of the City of Loma Linda any of the requirements of this Notice pursuant to Loma Linda Municipal Code Section 2.08.030. Such an appeal shall be in writing and shall be submitted only after all reasonable efforts to resolve the matter have been exhausted with the staff of this Department. Said appeal may include any arguments why the property should not be declared a fire hazard and abated by the City. Any appeal shall be submitted to this Department within ten (10) calendar days from the date of this Notice.

If you are no longer the owner of this property or are in the process of selling it, please inform the new owner of this Notice, and advise this Department in writing of the date the title change occurred. All address information used to mail Notices has been provided by the San Bernardino County Assessor's Office.

James Gray
Fire Marshal

By: *James Shea*
James Shea
Fire Prevention Inspector

Exhibit B



Loma Linda Fire Department

FIRE PREVENTION BUREAU

25541 Barton Rd, Loma Linda, California 92354 • (909) 799-2859 • Fax: (909) 799-2891

NOTICE TO CLEAN PROPERTY

4/1/2013

LUBINSKY, NORMAN B TR (N & M TRUST)
24818 REDLANDS BLVD
LOMA LINDA CA 92354-4002

Parcel Number: 028109122
Location: 24800 E REDLANDS BLVD

Under the provisions of the California Fire Code, 2010 edition, Section 304.1.2 adopted and amended by Loma Linda Municipal Code Chapter 15.28, an inspection of the property listed above has been performed by this Department. Based upon the inspection, a fire hazard, or potential fire hazard has been determined to exist on this property. Notice is hereby given that **any weeds, tumbleweeds, dead grasses, vines, dead shrubs, dead trees, trimmings, or other combustible materials or debris present on your lot, field or parcel of land** are a fire hazard or in all probability will become a fire hazard, and as such must be removed or abated. In addition, any weeds or combustible materials must be **cleared away from any road or street for a distance of 10 ft.** See **NOTES** for special remarks concerning this parcel.

NOTES: Also remove any dead trees, dead bushes. Also skirt up all palm trees 8 feet.

Any weeds or other fire hazards as listed above on this property must be removed or abated in an acceptable manner by **April 15, 2013**. Failure to remove or abate by this date will be cause for the City of Loma Linda or its designated contractor to enter onto the property to accomplish the abatement. In addition to the costs for cleaning, you will also be assessed an administrative fee of 30% of the cost of the work or \$100, whichever is greater. Failure to pay all charges will cause a tax assessment and lien to be placed against the property.

Due to uncontrolled regrowth, a second or third clean up of the property may be necessary during the year. Property owners are advised that it is their responsibility to maintain their property in good condition and that any re-growth during the year may be subject to removal without further notice if determined to be a fire hazard.

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If you are no longer the owner of this property or are in the process of selling it, please inform the new owner of this Notice, and advise this Department in writing of the date the title change occurred. All address information used to mail Notices has been provided by the San Bernardino County Assessor's Office.

James Gray
Fire Marshall

By: *James Shea*
James Shea
Fire Prevention Inspector

Exhibit C



Loma Linda Fire Department

FIRE PREVENTION BUREAU

25541 Barton Rd, Loma Linda, California 92354 • (909) 799-2859 • Fax: (909) 799-2891

NOTICE TO CLEAN PROPERTY

4/1/2013

LUBINSKY, NORMAN B TR (N & M TRUST)
24818 REDLANDS BLVD
LOMA LINDA CA 92354-4002

Parcel Number: 028109140
Location: 24818 REDLANDS BLVD

Under the provisions of the California Fire Code, 2010 edition, Section 304.1.2 adopted and amended by Loma Linda Municipal Code Chapter 15.28, an inspection of the property listed above has been performed by this Department. Based upon the inspection, a fire hazard, or potential fire hazard has been determined to exist on this property. Notice is hereby given that **any weeds, tumbleweeds, dead grasses, vines, dead shrubs, dead trees, trimmings, or other combustible materials or debris present on your lot, field or parcel of land** are a fire hazard or in all probability will become a fire hazard, and as such must be removed or abated. In addition, any weeds or combustible materials must be **cleared away from any road or street for a distance of 10 ft.** See **NOTES for special remarks concerning this parcel.**

NOTES: Also remove all dead trees; also skirt up all palm trees 8 feet. Also remove any dead bushes etc...

Any weeds or other fire hazards as listed above on this property must be removed or abated in an acceptable manner by **April 15, 2013**. Failure to remove or abate by this date will be cause for the City of Loma Linda or its designated contractor to enter onto the property to accomplish the abatement. In addition to the costs for cleaning, you will also be assessed an administrative fee of 30% of the cost of the work or \$100, whichever is greater. Failure to pay all charges will cause a tax assessment and lien to be placed against the property.

Due to uncontrolled regrowth, a second or third clean up of the property may be necessary during the year. Property owners are advised that it is their responsibility to maintain their property in good condition and that any re-growth during the year may be subject to removal without further notice if determined to be a fire hazard.

This Notice is given pursuant to the provision of the California Fire Code Section 109.2 authorizing action to remove any hazard deemed unsafe. The Fire Department maintains a consistent and impartial position in the application and enforcement of the California Fire Code. For further information, please call (909) 799-2859.

You as owner, occupant or person otherwise in charge of the property may appeal to the Fire Marshal of the City of Loma Linda any of the requirements of this Notice pursuant to Loma Linda Municipal Code Section 2.08.030. Such an appeal shall be in writing and shall be submitted only after all reasonable efforts to resolve the matter have been exhausted with the staff of this Department. Said appeal may include any arguments why the property should not be declared a fire hazard and abated by the City. Any appeal shall be submitted to this Department within ten (10) calendar days from the date of this Notice.

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James Gray
Fire Marshall

By: *James Shea*
James Shea
Fire Prevention Inspector

Exhibit D



City of Loma Linda

25541 Barton Road, Loma Linda, CA 92354 ☎ (909) 799-2850 📠 (909) 799-2894

Community Development Department

April 3, 2013

Lubinsky Family Trust
1930 Columbia Rd NW
Washington, DC 20009
APN: 0281-091-32

Lubinsky Family Trust
1708 Casita Court
Santa Rosa, CA 95409
APN: 0281-091-40

Lubinsky Family Trust
805 S. Center Street
Redlands, CA 92373
APN: 0281-091-22

Leland Lubinsky
24818 Redlands Blvd
Loma Linda, CA 92354

Notice of Violation

RE: 24800-24818 Redlands Blvd, Loma Linda, CA 92354

Dear Property Owner:

Current records show you or your organization is the owner of the above-referenced properties.

The City strives to maintain the high quality of life for our residents and business owners. In that regard, we have received and investigated complaints about code violations at these properties, as during your permitted joint inspection of same on August 22, 2012. Listed below are the Loma Linda Municipal Code sections in violation. Please take the necessary steps to abate the violations within the time frame shown on page two of this notice.

LLMC or other Section

- 9.12.030(B)(4)
- 9.12.030(B)(17)
- 9.12.030(B)(1)
- 10.34.010
- 9.12.030(B)(6)
- 9.12.030(B)(8)
- 9.12.030(B)(2)(a)

Nuisance Violations:

- Nuisance--Trash & Debris
- Nuisance--Dilapidated structures
- Nuisance--Dead, Overgrown Vegetation
- Nuisance--Inoperative vehicles
- Nuisance--Unsafe wiring
- Nuisance--Graffiti on buildings and on cacti
- Nuisance--Abandoned, broken equipment, tools

Health & Safety Code (Building Code) Violations:

- 17920.3(a)(13) Extensive termite damage to fascia boards and eaves on store
- 17920.3(g)(1,2,3,4) Dilapidated roofs on bookstore and all accessory structures
- 17920.3(b)(4,7) Vehicular damage to NW corner walls of old garage, end of wall off foundation
- 17920.3(b)(1) Inadequate footings for most structures
- 17920.3(d) Unsafe wiring--Extension cords used as permanent wiring to, through, and between buildings neither buriable material nor in conduit
- 17920.3(d) Unsafe, exposed wiring and open junction boxes
- 17920.3(b)(2) Lack of flooring in at least one accessory structure
- 17920.3(g)(1) Defective weather protection due to cracked, missing plaster
- 17920.3(b)(6) Structural members inadequate, causing roof sagging

Zoning Violations:

- 17.46.040(B) Outside storage of building materials
- 17.46.040(A) Auto Storage Yard (at least 6 registered & unregistered vehicles)
- 17.46.040(E) Industrial & commercial material & goods storage
- 17.46.040(C) Combination of Residential and Non-Residential uses

Due Date

Corrective action required

Immediately	Comply with any and all orders of the Fire Marshall.
Immediately	Remove all unpermitted electrical installations and all temporary wiring in, through, between, and among all structures. Remove all exposed wiring.
4-15-13	Remove all accumulated inoperative vehicles and/or parts thereof.
4-15-13	Remove all trash & debris.
4-22-13	Remove all graffiti.
4-22-13	Remove all abandoned, unused tools, equipment, and appliances.
4-29-13	Remove all indoor and outdoor storage of tools, parts, plumbing fixtures.
4-29-13	Apply for demolition permits for all dilapidated structures.
5-15-13	Demolish all dilapidated structures and fences.
5-31-13	Verify legal non-conforming residential use of land.

Note: the only storage permissible is that which is directly related to the permitted retail sale of books, provided a valid, current business license exists for said retail book sales.

If we can provide any assistance or accommodations, please do not hesitate to contact us.

Please call my office at (909) 799-2861 for a compliance inspection so we can close our file with compliance noted, and without further enforcement actions.

Thank you for helping to keep our community a beautiful place to live and work.

Very truly yours,



John Van Doren
Code Enforcement Officer
909-799-2861

cc: City Manager
City Attorney
Community Development Director
Fire Marshall



City of Loma Linda

25541 Barton Road, Loma Linda, California 92354-3160 • (909) 799-2800 • FAX (909) 799-2890
Sister Cities: Manipal, Karnataka, India - Libertador San Martin, Argentina • www.lomalinda-ca.gov

April 30, 2013

COPY

Lubinsky Family Trust
1930 Columbia Rd. NW
Washington, DC 20009

Lubinsky Family Trust
1708 Casita Court
Santa Rosa, Ca. 95409

Lubinsky Family trust
805 S. Center Street
Redlands, Ca. 92373

Leland Lubinsky
24818 Redlands Blvd.
Loma Linda, Ca. 92354

Notice of Violation

RE: 24800-24818 Redlands Blvd., Loma Linda, California 92354
APN#: 0281-091-32; 0281-091-40; 0281-091-22

Dear Property Owner:

Current records show that you or your organization is the owner of the above referenced properties. An extensive site inspection by the City of Loma Linda's Building, Fire and Community Development Departments took place on August 22, 2012 at the above referenced addresses to evaluate the stability, safety and fire danger of the structures located on the parcels. Representatives of each of these departments including, per your request, the City Attorney walked the property and observed a number of structures in various stages of disrepair, lack of maintenance and general dilapidation.

To date, we are not aware of any action on your part as the property owner of record to initiate any repair, replacement or demolitions of these unsafe and dilapidated structures. Multiple City of Loma Linda Municipal Code violations, California Building Code violations, California Fire Code violations were observed and recorded during the site inspection. Three of the four structures inspected on August 22, 2012 meet the criteria set forth in the California Health and Safety Code, California Building Code, and the California Fire Code to be considered substandard, dangerous, structurally unsafe structures. These structures must be abated by one of the following options.

1. Abate the violations by obtaining a building permit to repair each violation. Prior to obtaining a permit, plans prepared by an architect or engineer licensed by the State of California must be submitted. The architect or engineer must submit a complete structural investigation justifying the feasibility of repairing said structures with the plans.
2. Obtain a permit to demolish the structures including all underground utilities and foundations. Prior to obtaining a demolition permit a complete asbestos report must be performed and all asbestos removed in compliance with the South Coast Air Quality Management District (S.C.A.Q.M.D.) Rule 1403.

Please take all necessary steps to abate the violations by obtaining these appropriate permits and complete required repairs or demolitions within the time frame delineated in this Notice of Violation.

LLMC or other Section

Nuisance Violations:

9.12.030(B)(17)
9.12.030(B)(6)

Nuisance- Dilapidated structures
Nuisance- unsafe wiring

17920.3(a)(13)
17920.3(g)(1,2,3,4)
17920.3(b)(4,7)

17920.3(b)(1)
17920.3(d)

17920.3(d)
17920.3(b)(2)
17920.3(g)(1)
17920.3(b)(6)

Health and Safety Code (Building Code) Violations

Extensive termite damage to fascia boards and eaves on store
Dilapidated roofs on bookstore and all accessory structures
Vehicular damage to NW corner walls of old garage, end of wall off foundation
Inadequate or nonexistent footings for most structures
Un-safe wiring—Extension cords used as permanent wiring to, through, and between buildings neither buriable material nor in conduit
Unsafe, exposed wiring and open junction boxes
Lack of flooring in at least one accessory structure
Defective weather protection due to cracked, missing plaster
Structural members inadequate in more than one structure causing instability and much of the roof dilapidation and lack of needed roof support

California Fire Code Violations

110.1.1

Unsafe Conditions. In part: *Structures that become unsafe, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare or inadequate maintenance, shall be deemed an unsafe condition*

110.3

Summary Abatement. In part: *Where conditions exist that are deemed hazardous to life and property, the fire code official is authorized to abate summarily such hazardous conditions that are in violation of this code.*

110.4

Abatement. *The owner, operator or occupant of a building or premises deemed unsafe by the fire code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action. (All actions will require Building permits)*

(All actions will require Building permits)

The abatement of these unsafe structures shall take place in an acceptable manner within 15 days upon receipt of this notice. Failure to abate unsafe structures within this time frame will be cause for the City of Loma Linda or its designated contractor to enter onto the property to accomplish the abatement. In addition to the costs for abatement, you will also be assessed an administrative fee of 30% of the cost of the work or \$100, whichever is greater. Failure to pay all charges will cause a tax assessment/lien to be placed against the properties.

You as owner, occupant or person otherwise in charge of the property may appeal to the City of Loma Linda any of the requirements of this Notice pursuant to the Loma Linda Municipal Code Section 2.08.030. Such an appeal shall be in writing. Said appeal may include any arguments why structures on these properties should not be declared unsafe and abated by the City. Any appeal shall be submitted to the City Clerk within ten (10) calendar days from the date of this notice.

By order of the City of Loma Linda Departments:



City Manager:
Jarb Thaipetr



Community Development Department:
Konrad Bolowich



City of Loma Linda Building Official:
James Barrett



Loma Linda Fire Department:
James Gray



City of Loma Linda

25541 Barton Road, Loma Linda, California 92354-3160
 Code Enforcement (909) 799-2861 FAX (909) 799-2894

Administrative Citation # 2013-0014

Date first observed: 08-22-12 **Last Inspection Date:** 05-29-13 **Issue date:** 05-29-13

Citation issued to: **Property Owner** **Tenant** **Business Owner** **Other:**

Last name: Lubinsky **First Name:** Leland **Middle name or initial:**

Mailing Address: 24818 Redlands Blvd **City:** Loma Linda **State:** CA **Zip Code:** 92354

Violation Location: **Same as mailing address or:**

24800-24818 Redlands Blvd Loma Linda, CA 92354

Violations:	Description	Violation #	\$ Fine
L.L.M.C. section 9.12.030(B)(4)	Nuisance-Trash & Debris	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$100
L.L.M.C. section 9.12.030(B)(17) and HS Code 17920.3(g)(1-4)	Nuisance-Dilapidated Structures 2 counts--unsafe roof & floor members.	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200
L.L.M.C. section 9.12.030(B)(1)	Nuisance-Dead, Overgrown Vegetation	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$100
L.L.M.C. section 10.34.010	Nuisance-Inoperative vehicles 2 counts	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200
L.L.M.C. section 9.12.030(B)(6) and HS Code 17920.3(d)	Nuisance-unsafe wiring Note: only exterior wiring replaced. No evidence of interior wiring compliance.	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$100
L.L.M.C. section 9.12.030(B)(8)	Nuisance-graffiti on buildings and cacti	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$100
L.L.M.C. section 9.12.030(B)(2)(a)	Nuisance-Abandoned, broken equipment, tools	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$100
H&S Code section 17920.3(a)(13)	Extensive termite damage to fascia boards & eaves on store	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$100
H&S Code section 17920.3(b)(4,7)	Vehicular damage to NW corner walls of old garage. End of wall off foundation.	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$100
H&S Code section 17920.3(b)(1)	Inadequate footings for most structures 2 counts cited at this time	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200
H&S Code section 17920.3(d)	Unsafe, exposed wiring and open junction boxes	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$100
H&S Code section 17920.3(b)(2)	Lack of flooring in at least one structure	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$100
H&S Code section 17920.3(g)(1)	Defective weather protection due to cracked, missing plaster or stucco cement	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$100
H&S Code section 17920.3(b)(6)	Structural members inadequate causing roof sagging	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$100

L.L.M.C. section 17.46.040(B)	Zoning violation: Outside storage of building materials	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$100
L.L.M.C. section 17.46.040(A)	Zoning violation: Auto Storage	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$100
L.L.M.C. section 17.46.040(E)	Zoning violation; Industrial & commercial material and goods storage	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$100
L.L.M.C. section 17.46.040(C)	Zoning violation: Combination of Residential and Non-Residential uses	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$100
L.L.M.C. section 9.24.100	Administrative Collection Cost Recovery		\$ 28.11
Nuisance Abatement Cost Recovery per schedule attached:			\$ TBD
Total fines and cost recovery:			\$ 2,128.11

Action Date	Required Corrective Action(s)
Immediately	Obtain building permits for unpermitted electrical work at book store
Immediately	Remove all exposed wiring and all unpermitted electrical installations in buildings
6-4-13	Remove all trash & debris
6-4-13	Remove all graffiti
6-4-13	Remove all inoperative vehicles and parts thereof
6-4-13	Remove all abandoned, unused tools, equipment, and appliances
6-4-13	Remove all indoor and outdoor storage of tools, parts, plumbing fixtures
6-4-13	Obtain demolition permits for dilapidated structures
6-4-13	Demonstrate legal non-conforming residential land use,
OR:	Cease residential use of land
6-11-13	Demolish all dilapidated structures, lean-tos, and fences.
6-11-13	Call for compliance inspection, to be performed no later than 6-18-13

Note: Every day each violation continues to exist constitutes another violation, subject to additional, incremental citation. Non-payment of fines will incur additional penalties per LLMC section 9.24.100(F).

John Van Doren
Name of Issuing Officer



Signature of Issuing Officer

Without admitting guilt, I acknowledge that I have received this citation:

Signature

Date

The law requires that you take steps to either: (1) COMPLY with this citation, or (2) CONTEST the violation. To COMPLY with this citation, correct the violation and pay the required fine. If you need further information about abating these violations, please contact the issuing officer.

TO CONTEST THIS CITATION, FOLLOW THE APPEAL PROCEDURES SET FORTH BELOW.

ADMINISTRATIVE CITATIONS

Loma Linda Municipal Code (LLMC) Section 9.24.030 provides for the issuance of administrative citations for Municipal or other Code violations. There are three levels of citations that can be issued progressively for a violation. The fines as indicated on the front of the citation are \$100.00 for the first citation, \$200.00 for the second citation, and \$500.00 for the third and subsequent citations for violations of the same code(s) within one year. LLMC Section 9.24.100 also provides for the recovery of Late Payment Penalties and all Administrative Costs associated with bringing your property into compliance.

These fines are cumulative; citations may be issued each day the violation exists.

Rights of Appeal

Any recipient of an administrative citation may contest the citation by completing a request for hearing form and returning it to the address below within fifteen (15) days from the date of the administrative citation, together with an advance deposit of the fine or notice that a request for advance deposit hardship waiver has been filed pursuant to subsection (E) of this section. A request for hearing form may be obtained from the public safety department. Please write your citation number on your written appeal, and include a check or money order as a deposit for the total amount of the fine as shown on the front side of the citation. Any person who intends to request a hearing to contest that there was a violation of the code or that he or she is the responsible party, and who is financially unable to make the advance deposit of the fine as required, may file a request for an advance deposit hardship waiver. The request shall be filed within fifteen (15) days of the date of the administrative citation on an advance deposit hardship waiver application form available from the public safety department. Appeals received without the full deposit, or an approved advance deposit hardship waiver, cannot be accepted. If your appeal is successful in full or in part, the fine amount placed on deposit for violations dismissed will be refunded to you. Mail the above items to:

**Citation Processing Center / City of Loma Linda
P.O. Box 7275
Newport Beach, CA 92658-7275**

How to pay fine

The total amount of the fine is indicated on the front of this Administrative Citation and is due immediately. Payment must be in the form of a money order or cashier's check payable to the City of Loma Linda. **Please write the citation number on your check or money order and mail it to the City of Loma Linda at the above address, or you may pay on-line by using a credit/debit card at www.CitationProcessingCenter.com or by calling (800) 969-6158.** If the citation is not paid or appealed within the statutory time, you will receive a reminder with penalties assessed. LLMC Section 9.24.100(F) provides for the issuance of assessed late fees for non-payment; at 50% of the original fine after 30 days late and another 50% of the original fine after 60 days. **Payment of the fine shall not excuse failure to correct the violation nor shall it bar further enforcement action by the City of Loma Linda.**

Consequences of Failure to pay the fine

The failure of any person to pay the fines assessed by an administrative citation within the time specified on the citation may result in the city referring the fine to a private collection agency, filing a claim with the small claims court, attaching the fine as a special assessment against the property on which the violation occurred, or any other legal means necessary to collect the fines.

Consequences of failure to correct violations

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to: criminal citation, court-ordered abatement warrant and tax lien on property, or receivership. The enforcement officer may also record with the county recorder's office a notice against a property which is the subject of an administrative enforcement action pending with the City of Loma Linda.



City of Loma Linda

25541 Barton Road, Loma Linda, California 92354-3160
 Code Enforcement (909) 799-2861 FAX (909) 799-2894

Administrative Citation # 2013-0016

Date first observed: 08-22-12 **Last Inspection Date:** 06/05/13 **Issue date:** 06/05/13

Citation issued to: **Property Owner** **Tenant** **Business Owner** **Other:**

Last name: Lubinsky **First Name:** Leland **Middle name or initial:**

Mailing Address: 24818 Redlands Blvd **City:** Loma Linda **State:** CA **Zip Code:** 92354

Violation Location: **Same as mailing address or:**

24800-24818 Redlands Blvd Loma Linda, CA 92354

Violations:	Description	Violation #	\$ Fine
L.L.M.C. section 9.12.030(B)(4)	Nuisance-Trash & Debris	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200
L.L.M.C. section 9.12.030(B)(17) and HS Code 17920.3(g)(1-4)	Nuisance-Dilapidated Structures 2 counts--unsafe roof & floor members.	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$ 400
L.L.M.C. section 9.12.030(B)(1)	Nuisance-Dead, Overgrown Vegetation	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200
L.L.M.C. section 10.34.010	Nuisance-Inoperative vehicles 2 counts	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$400
L.L.M.C. section 9.12.030(B)(6) and HS Code 17920.3(d)	Nuisance-unsafe wiring Note: only exterior wiring replaced. No evidence of interior wiring compliance.	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200
L.L.M.C. section 9.12.030(B)(8)	Nuisance-graffiti on buildings and cacti	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200
L.L.M.C. section 9.12.030(B)(2)(a)	Nuisance-Abandoned, broken equipment, tools	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200
H&S Code section 17920.3(a)(13)	Extensive termite damage to fascia boards & eaves on store	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200
H&S Code section 17920.3(b)(4,7)	Vehicular damage to NW corner walls of old garage. End of wall off foundation.	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200
H&S Code section 17920.3(b)(1)	Inadequate footings for most structures 2 counts cited at this time	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$400
H&S Code section 17920.3(d)	Unsafe, exposed wiring and open junction boxes	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200
H&S Code section 17920.3(b)(2)	Lack of flooring in at least one structure	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200
H&S Code section 17920.3(g)(1)	Defective weather protection due to cracked, missing plaster or stucco cement	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200
H&S Code section 17920.3(b)(6)	Structural members inadequate causing roof sagging	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200

L.L.M.C. section 17.46.040(B)	Zoning violation: Outside storage of building materials	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200
L.L.M.C. section 17.46.040(A)	Zoning violation: Auto Storage	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200
L.L.M.C. section 17.46.040(E)	Zoning violation; Industrial & commercial material and goods storage	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200
L.L.M.C. section 17.46.040(C)	Zoning violation: Combination of Residential and Non-Residential uses	<input type="checkbox"/> 1 <input checked="" type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> Continuing	\$200
L.L.M.C. section 9.24.100	Administrative Collection Cost Recovery		\$ 28.11
Nuisance Abatement Cost Recovery per schedule attached:			\$ TBD
Total fines and cost recovery:			\$4,228.11

Action Date	Required Corrective Action(s)
Immediately	Obtain building permits for unpermitted electrical work at book store
Immediately	Remove all exposed wiring and all unpermitted electrical installations in buildings
6-13-13	Remove all trash & debris
6-13-13	Remove all graffiti
6-13-13	Remove all inoperative vehicles and parts thereof
6-13-13	Remove all abandoned, unused tools, equipment, and appliances
6-13-13	Remove all indoor and outdoor storage of tools, parts, plumbing fixtures
6-13-13	Obtain demolition permits for dilapidated structures
6-13-13	Demonstrate legal non-conforming residential land use,
OR:	Cease residential use of land
6-18-13	Demolish all dilapidated structures, lean-tos, and fences.
6-18-13	Call for compliance inspection, to be performed no later than 6-18-13

Note: Every day each violation continues to exist constitutes another violation, subject to additional, incremental citation. Non-payment of fines will incur additional penalties per LLMC section 9.24.100(F).

John Van Doren
Name of Issuing Officer



Signature of Issuing Officer

Without admitting guilt, I acknowledge that I have received this citation:

Signature _____

Date _____

The law requires that you take steps to either: (1) COMPLY with this citation, or (2) CONTEST the violation. To COMPLY with this citation, correct the violation and pay the required fine. If you need further information about abating these violations, please contact the issuing officer.

TO CONTEST THIS CITATION, FOLLOW THE APPEAL PROCEDURES SET FORTH BELOW.

ADMINISTRATIVE CITATIONS

Loma Linda Municipal Code (LLMC) Section 9.24.030 provides for the issuance of administrative citations for Municipal or other Code violations. There are three levels of citations that can be issued progressively for a violation. The fines as indicated on the front of the citation are \$100.00 for the first citation, \$200.00 for the second citation, and \$500.00 for the third and subsequent citations for violations of the same code(s) within one year. LLMC Section 9.24.100 also provides for the recovery of Late Payment Penalties and all Administrative Costs associated with bringing your property into compliance.

These fines are cumulative; citations may be issued each day the violation exists.

Rights of Appeal

Any recipient of an administrative citation may contest the citation by completing a request for hearing form and returning it to the address below within fifteen (15) days from the date of the administrative citation, together with an advance deposit of the fine or notice that a request for advance deposit hardship waiver has been filed pursuant to subsection (E) of this section. A request for hearing form may be obtained from the public safety department. Please write your citation number on your written appeal, and include a check or money order as a deposit for the total amount of the fine as shown on the front side of the citation. Any person who intends to request a hearing to contest that there was a violation of the code or that he or she is the responsible party, and who is financially unable to make the advance deposit of the fine as required, may file a request for an advance deposit hardship waiver. The request shall be filed within fifteen (15) days of the date of the administrative citation on an advance deposit hardship waiver application form available from the public safety department. Appeals received without the full deposit, or an approved advance deposit hardship waiver, cannot be accepted. If your appeal is successful in full or in part, the fine amount placed on deposit for violations dismissed will be refunded to you. Mail the above items to:

**Citation Processing Center / City of Loma Linda
P.O. Box 7275
Newport Beach, CA 92658-7275**

How to pay fine

The total amount of the fine is indicated on the front of this Administrative Citation and is due immediately. Payment must be in the form of a money order or cashier's check payable to the City of Loma Linda. **Please write the citation number on your check or money order and mail it to the City of Loma Linda at the above address, or you may pay on-line by using a credit/debit card at www.CitationProcessingCenter.com or by calling (800) 969-6158.** If the citation is not paid or appealed within the statutory time, you will receive a reminder with penalties assessed. LLMC Section 9.24.100(F) provides for the issuance of assessed late fees for non-payment; at 50% of the original fine after 30 days late and another 50% of the original fine after 60 days. **Payment of the fine shall not excuse failure to correct the violation nor shall it bar further enforcement action by the City of Loma Linda.**

Consequences of Failure to pay the fine

The failure of any person to pay the fines assessed by an administrative citation within the time specified on the citation may result in the city referring the fine to a private collection agency, filing a claim with the small claims court, attaching the fine as a special assessment against the property on which the violation occurred, or any other legal means necessary to collect the fines.

Consequences of failure to correct violations

There are numerous enforcement options that can be used to encourage the correction of violations. These options include, but are not limited to: criminal citation, court-ordered abatement warrant and tax lien on property, or receivership. The enforcement officer may also record with the county recorder's office a notice against a property which is the subject of an administrative enforcement action pending with the City of Loma Linda.



City of Loma Linda

25541 Barton Road, Loma Linda, California 92354-3160 • (909) 799-2830 • FAX (909) 799-2894

From the Department of Community Development

Sister Cities: Manipal, Karnataka, India – Libertador San Martin, Argentina • www.lomalinda-ca.gov

NOTICE OF HEARING

FILE COPY

July 1, 2013

Lubinsky Family Trust 1930 Columbia Rd NW Washington, DC 20009 APN: 0281-091-32	Lubinsky Family Trust 1708 Casita Court Santa Rosa, CA 95409 APN: 0281-091-40	Lubinsky Family Trust 805 S. Center Street Redlands, CA 92373 APN: 0281-091-22	Leland Lubinsky 24818 Redlands Blvd Loma Linda, CA 92354
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RE: APN: 0281-091-32 APN: 0281-091-40 APN: 0281-091-22

This is to inform you that the following conditions currently exist on the property listed above:

Nuisance violations: Dilapidated structures, unsafe wiring, dead and overgrown vegetation, graffiti, abandoned broken tools and or equipment.

Health and Safety (Building Code) Violations: Infestation, vehicular damage, inadequate footings, exposed wiring, lack of flooring, defective weather protection, weakened structural members.

Zoning violations: Outside storage of building materials, industrial and commercial goods.

The existence of such conditions on any property can be reason for the *City Planning Commission*, acting as Hearing Board, to declare this property a public nuisance and order abatement under the provisions of Loma Linda Municipal Code Chapters 9.12. As owner, occupant or person otherwise in charge of the property, you have the right to appear at a hearing before the Hearing Board to explain why these conditions should not be found a public nuisance and an Abatement Notice issued for the property.

The hearing will be conducted on **Wednesday, July 17, 2013 at 7:00 p.m.** in the City Council Chambers located in the Loma Linda Civic Center, 25541 Barton Road.

Our most recent records list you as the owner or trustee of this property. If you are no longer owner of this property please forward this Notice to the new owner, and advice the Department of Community Development of the date the title change occurred and the name and address of the new owner.

Sincerely,

Konrad Bolowich
Director of Community Development



CITY OF LOMA LINDA

Community Development Department
25541 Barton Road, Loma Linda, CA 92354
(909) 799-2830; FAX (909) 799-2894

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Loma Linda **Planning Commission** will hold a public hearing on **Wednesday, July 17, 2013, at 7:00 p.m.**, in the Council Chambers at 25541 Barton Road, Loma Linda, California, on the item described below.

DECLARATION OF PUBLIC NUISANCE AND ABATEMENT ORDER – A request for determination of and declaration of the existence of a public nuisance on property located at 24800-24818 Redlands Boulevard (APN 0281-091-22, 32 and 40) and Abatement Order under the provisions of Loma Linda Municipal Code Chapters 9.12.

A copy of all relevant materials regarding the Public Nuisance Declaration and Abatement Order are on file in the Community Development Department at Loma Linda City Hall, 25541 Barton Road, Loma Linda, CA 92354.

The Planning Commission welcomes your participation in evaluating the above-mentioned action and the public is welcome to speak at the public hearing. If you challenge the resultant action of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Community Development Department at, or prior to, the public hearing.

BY ORDER OF THE
COMMUNITY DEVELOPMENT DIRECTOR
CITY OF LOMA LINDA

Dated: July 8, 2013

Lubinsky Property
Redlands Blvd. W/O Anderson St.
Proposed 6-Month Mitigation-Plan Cooperation Agreement

Phase I (3 Months, March 1, 1993 to June 1, 1993)

1. Sort all stored items on all three parcels (281-091-22, 281-091-32, 281-091-40) for the purpose of determining what is to be saved and what is to be removed from the premises.
2. Remove/relocate all stored items adjacent to north and west property lines. Provide a minimum clearance of 5 feet from property line.
3. Remove existing scrap/junk piles as identified by the Department of Public Safety at the January 26, 1993 inspection.
4. Prepare a visual screening plan; submit to the Community Development Department and the Department of Public Safety for review and approval mutual agreement. (For north, west and east property lines.)
5. Plant vegetation for screening of site. (As seen from north, west and east viewpoints.)
6. Obtain a business license for resale of items. (Note: salvage yards are not permitted within the existing zone designation.)
7. Remove-the-semi-trailer-and-travel-trailer-from-the-premises. Mr. Leland Lubinsky and Mr. Moore (tenant) will meet with the Department of Public Safety to discuss the City's request to have the travel and semi trailers removed/relocated during the scope of this plan. If agreement is not reached as a result of this discussion, the Department will separately pursue removal of the trailers from the premises.

Phase II (3 Months, June 1, 1993 to September 1, 1993)

1. Apply for CRA grant, and complete work under the grant for the residential property (281-091-40). (Relocate to Phase I above.)
2. Haul accumulated remaining scrap/junk from entire site. (All three parcels.)
3. Apply for CRA storefront rebates, and complete work under the rebate program for the following: 24800 Redlands Blvd. (281-091-22), building and west fence; 24810 Redlands Blvd. (281-091-32), building.
4. Finish existing storefront improvement project at 24814 Redlands Blvd. (Applicant must obtain necessary permits to correct and finish the structure.)
5. Replace south sheet metal fence with horse fence and vines.

Property owners shall agree to monthly site inspections during the scope of this plan. Inspections and follow-up meetings shall be conducted on a set schedule as established at the onset of the plan. This plan may be updated, altered and/or refined during time of inspections.

September 8, 1993

TO: PETER R. HILLS, DIRECTOR OF PUBLIC SAFETY/FIRE CHIEF
FROM: GERALD F. PATTERSON, COMMUNITY SERVICE OFFICER
SUBJECT: LUBINSKY PROPERTY, 24800 - 24818 REDLANDS BLVD.

This report is submitted pursuant to the request of the City Council as stated at the Council meeting of June 8, 1993.

BACKGROUND:

On June 8, 1993 the City Council conducted a public hearing and determined that a public nuisance did not exist on the said property. At the hearing, Mr. Lubinsky stated that he would complete the list (attached) and work with the Department of Public Safety.

DISCUSSION:

I met with Mr. Leland Lubinsky on September 7, 1993 to discuss the status of the items contained in the attached Cooperation Agreement. The following is a summary of that discussion:

Phase I (3 months, March 1, 1993 to June 1, 1993)

1. The sorting of all stored items has been completed on all three parcels.
2. The removal or relocation of all stored items adjacent to the north and west property lines is essentially complete. A minimum clearance of 3 to 5 feet from the property line has been provided.
3. Certain scrap/junk piles identified by the Department of Public safety on January 26, 1993 have been removed.
4. A visual screening plan has not been prepared and submitted for review and agreement.
5. Vegetation for screening of the site has been planted along the north, west and east property lines.
6. A business license for the resale of items has been obtained.
7. The travel trailer has been screened with a fence. The semi trailer remains in the same location and condition.

Phase II (3 months, June 1, 1993 to September 1, 1993)

1. Mr. Lubinsky has applied for a CRA grant and has submitted bids to the City for work on a new roof and screens for the house at 24818 Redlands Blvd.
2. Most of the remaining scrap/junk has been removed from the property. A small pile remains.
3. Mr. Lubinsky stated he is awaiting notification on whether or not there will be funds available before applying for the CRA storefront rebates to complete work 24800 and 24810 Redlands Blvd.
4. The work on the existing storefront improvement project at 24814 Redlands Blvd. is nearly complete.
5. The sheet metal fence on the south side of the property has not been replaced with horse fence and vines. Mr. Lubinsky stated he will paint the fence and the structure at 24800 Redlands Blvd. if the CRA storefront rebate is approved for 24800 Redlands Blvd.

alrckwest

Exhibit K

Robert MacDonnell, one principal at the Mission School, presented Ann Segerson, the continuing teacher, and stated that Gregory had helped many children and may have in several ways and would be missed.

Both MacDonnell and principal at Santa Lucia Elementary School, acknowledged that the Ann B.F. Program was the most valued program open in the community, expressed appreciation for the Program on the past three years and looked forward to continuation of the Program in future years.

Gregory acknowledged his City Council and interaction and reliance on some of the support of the Program. He stated that some of the best awards for his efforts were the personal participation and support of the Program and the student interest for the Ann B.F. Program. He asked the City consider expanding the Program at the Jr. high school level. He then introduced Deputy John Howell and indicated in word as if Howell was never present in the Santa Lucia Program. Howell represented the Board and the City Council and asked for support for his involvement in the Program.

Item 10 B. Added Or Deleted

City Council Closed Session pertaining to investments

The City Attorney stated the closed session was in regard to the Steve Warren lawsuit and pending litigation. The City Council recessed at approximately 5:37 p.m. and reconvened at approximately 5:45 p.m. with all members present.

The City Attorney stated the City Council conferred with Special Counsel Kent Mosper of Standing, Yancy Jackson & Smith, who appeared as to the status of the litigation. No further involvement was there.

Public Hearings

CC-92-275 - Public Nuisance hearing to determine whether a public nuisance exists at 24818 Redlands Boulevard

The public hearing was opened. Director of Public Safety Hills presented the report into evidence, stating the hearing pertained to three parcels on the north side of Redlands Boulevard, west of Anderson Street. He then reviewed the packet of information relating to the sites, including the notices sent to the property owners outlining the condition of the property and giving notice of subject hearing.

Code Enforcement Officer Patterson distributed photographs of the property taken this date and a copy of the Notice To Abate on which the City Council, acting as the Hearing Board, was to make its decision.

Samuel and Louis Lubinsky, 24818 Redlands Boulevard, owners of the property, addressed the City Council, stating they had sold a the majority of the nine acres originally owned by them; the remaining 1-1/4 acres was rented for storage of mining equipment and other metals; much of the plumbing and wood items remained from the hardware business at that location several years ago. They requested a period of three years to dispose of the remaining metal, noting that at this time, the price for scrap metal would not pay for the cost of disposing of it. They also indicated the wood was being cut for firewood.

Dr. Reinhold Trupp, 11441 Anderson Street, asked about the possibility of Redevelopment Agency assistance.

No other public testimony was offered and the public hearing was closed.

Extensive discussion ensued pertaining to removal of items concerning fire safety such as the combustible items in close proximity to the structures; the vast accumulation of plumbing and hardware supplies; the general disrepair of the structures and lack of maintenance of the grounds.

The City Manager recommended the City Council make the finding that a nuisance existed to allow staff to work with the Lubinskys to try to abate the nuisances in as short a time frame as possible.

Christman suggested that the existence of a nuisance be declared, but that no formal action be taken for three months; that a report as to the progress of the owners to clean the property be submitted at that time; that if satisfactory progress had not been made, the City could then take further action to abate.

The City Attorney recommended that, to comply with the intent of the Ordinance, the public hearing be continued for a period of three months; that at the end of the three-month period, abatement of the nuisances be ordered if the property had not been cleared to the satisfaction of the City Council.

Discussion again ensued with Brauer stating that a three-year period to clear the property was not acceptable to him as the property bordered the entrance to the City and in its condition did not convey a positive statement for the community.

Motion by Digneo, seconded by Petersen to continue the public hearing to January 12 as recommended by the City Attorney.

Brauer again suggested a public nuisance be declared and the owners be noticed to abate the nuisances within four months. Christman stated City staff could work with the owners during this period to accomplish abatement of the nuisances by the time of the next hearing.

The Mayor then called for a vote which carried unanimously.

CCO 270 - Amended No. 24 - approximately 14 acres located at the southeast corner of Warden Avenue and High Street in the High Mow area and its possible potential for General Plan and zoning designations transmitted from August 7.

- a. Council Bill #R91-39 - General Plan Amendment - Urban Growth Designation of Low Density Residential zone for use in City designations of Residential Medium Density
- b. Council Bill #O91-01 - to prepare the area for the designation of L.R. 1
- c. Council Bill #R91-40 - following the action procedure that is on the Land Use Policy Planning Commission (LUPC)

[Petersen left at 8:30 pm]

The public hearing was opened and by Pamela Petersen presented her report and findings stating the property under consideration was a residential zoning area located in High Mow. She stated that at the last meeting the Council directed staff to work with the property owners in the High Mow area to discuss elimination of the urban UG zone and the placement of an official designation for the area. She noted that staff had met with the chairman of the Historical Commission and First Deputy's spokesman for the residents of the south High Mow area at the end of the meeting it was agreed that the property under at this time was to be followed with this area's rezoning and to continue discussions about the possibility of changing the remainder of the area's zone.

[Petersen returned at 8:40 pm]

Christman stated that staff has received their recommendations on August 11 and was now recommending that to be consistent with the surrounding area that the property be rezoned into High Mow with a zoning designation of L-1.1. Christman stated that the rezoning would be consistent with the general plan and that the historical commission was in support. She stated the applicant was committed to staff's recommendation.

She then recommended that the Staff Use Declaration be adopted, the rezoning approved, the findings be amended and rezoning L-1.1 be adopted and the ordinance approving the zoning change be introduced at this hearing.

Motion by Christian to establish a maximum fee fee of \$100 per event with the proviso that the fee could be applied to the City Council by the applicant. Motion failed by lack of a second.

Motion by Nichols, seconded by Bruno, to adopt Alternative No. 2 to charge only the wages of the hourly employees involved in the administration of the event.

Dr. Bernhard Trapp, 2441 Anderson Street, spoke about volunteerism and subsidizing events.

The City Attorney clarified that action could be taken on the motion and if the motion passed, then a resolution would be submitted for a final action.

The Mayor called for a vote which failed. Christian, Peterson and Diggs opposed.

Motion by Peterson, seconded by Diggs to not enforce the fee schedule for special events.

Motion by Diggs that the fee be tabled subject to staff providing additional information as to personnel costs for the various organized special events.

The City Attorney clarified that a motion to table superseded any previous motion.

Motion to enter a vote. The Mayor called for a vote which failed. Bruno opposed.

Public Hearings

CC-93-006 - Public Nuisance hearing to determine whether a public nuisance exists at 24818 Redlands Boulevard (Continued from September 22)

[Peterson left at 5:41 p.m.]

The public hearing was opened. Fire Marshal Crawford presented his report into evidence and summarized that in September, testimony was offered by Community Services Officer Patterson and the Lubinsky family; City Council continued the hearing to this meeting and instructed staff and the Lubinskys to work toward clearing the property and to submit a progress report.

[Peterson returned at 5:43 p.m.]

Crawford indicated some progress had been made and in addition, a letter had been received from the Lubinskys requesting a 120-day continuation. Crawford supported the request to continue the hearing to May 11 based upon the cooperative efforts of the Lubinskys and the fact that progress had been made.

In response to questions, Officer Patterson stated that it was not clear whether all material stored on the property or only certain items were to be removed, or whether specific locations were to be cleared.

Crawford clarified the Nuisance Abatement Procedures, stating that the Department of Public Safety had submitted evidence as to why it felt a public nuisance existed, but the actual determination that a public nuisance existed and abatement ordered was to be made by the City Council.

Leland Lubinsky addressed the City Council. He stated that an easement had been granted to the City so that a fence could be constructed along the right-of-way of the freeway to shield the property from view from the I-10 off ramp. He acknowledged that the property was a gateway to the community and should provide a good impression to those who view it, and stated that although he did not feel the condition of the property was a public nuisance, he would cooperate with the City to beautify it.

Lubinsky stated he had removed eight tons of scrap metal as well as the disabled vehicles and had already added 50 plants to enhance the landscaping.

Discussion ensued.

Motion by Digneo, seconded by Petersen to close the public hearing and grant a 120-day extension as requested.

Discussion ensued about the intent or purpose of the material being stored on subject property and the necessity to make Redlands Boulevard attractive for future development.

Brauer suggested that an additional one to two months be granted due to the Lubinskys cooperation and that at the end of that time, the Department of Public Safety provide an accurate list of what was yet to be done.

Christman suggested the extension be granted, but that the Department of Public Safety submit a progress report on February 9 and a list of specific things to be done, including any items in dispute.

The City Attorney clarified that the item to be considered by the City Council was a public nuisance hearing; that at the end of the 120 days, the hearing would be completed and a determination would be made as to whether or not a public nuisance existed.

Christman suggested the item be continued to February 9; at that time City Council determine whether there was agreement as to what the specific problems were and then either the public hearing could be continued to May 11 or the property could be declared a public nuisance and the abatement process ordered.

Crawford indicated that one of the problems the Department had in providing accurate information to the City council was the volume, variety and bulk of the material to be listed. He noted that the material did not present a fire hazard, but was perceived to be more of a visual problem.

The Mayor called for a vote on the motion to continue the item which failed with Nichols, Brauer and Christman opposing.

Motion by Christman to continue the item to February 9 and ask staff for a status report.

The City Attorney indicated that the public hearing should be continued to February 9 to determine whether a public nuisance existed. He clarified that at that time, a continuance could still be granted.

Motion by Christman, seconded by Brauer and unanimously carried to continue the public hearing to February 9.

Old Business (Continued)

05-21-93 - 11-14531 - Time extension request to site plan 450 along into 25 feet (25 feet) paved and open space (planning) on the North side area, along between a line extending south from Diamond Street East to the long line area and extending from the western end of Diamond Street south approximately 100 feet. (City of Redlands Specific Plan Amendment #3)

Nichols declared a conflict of interest because his property was within 100 feet of the proposed development. Motion declared a potential conflict of interest.

Mr. Planner Cornejo presented her report, stating the item was continued to this date at the request of the applicant who wanted a right for a deck to be within 100 feet of a sidewalk to the sidewalk, Step A. She then recommended the time extension be granted based upon the previously submitted staff report and discussion.

City of Loma Linda

City Council Minutes

Regular Meeting of February 9, 1993

A regular meeting of the City Council was called to order by Mayor Christman at 5:15 p.m., Tuesday, February, 9, 1993, in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Councilmen Present:

Mayor Robert H. Christman
Mayor pro tempore Floyd Petersen
Elmer J. Digneo
Stan Brauer
John S. Nichols

Councilman Absent:

None

Others Present:

City Manager John J. Bernardi
City Attorney Eugene A. Demchuk

The invocation and Pledge of Allegiance was led by Jim Cobray, Pastor of the Rock Christian Church.

CC-93-018 - Items to Be Added Or Deleted

At the request of the City Manager, Council Bill 40-93 - Regarding the Loma Linda Specific Plan, and Council Bill 41-93 - Regarding the Mt. View Estates Specific Plan, were deleted from the agenda and referred to the Planning Commission.

CC-93-019 - Oral Reports

Writing Director Martin Cummings had addressed the C.C.P.A. Executive Mayor Christman, on behalf of the City Council extended congratulations.

Scheduled and Related Items

CC-93-020 - Presentation of plaques to former Street Graphics, General Plan Review and Budget Committee Members

The Mayor expressed appreciation to the Committee members for the work they had done. He then presented a plaque to Martin Roberts, former Plan Review Committee, G. P. Christman, former Plan Review and Street Graphics Advisory Committee, Norma Flew, Street Graphics Committee, Cynthia Abernethy, Street Graphics Committee. He also acknowledged Dorothy Boyd and David Bode of the Street Graphics Committee who could not attend and indicated their plaques would be delivered to them.

CC-93-021 - Presentation by American Cancer Society pertaining to Daffodil Days

Katherine Bigelow, student intern for the Inland Empire Chapter of the American Cancer Society, addressed the City Council pertaining to the Society's annual fund raise and asked for recognition in using the Hours of preparing and delivering the flowers March 12-15.

Public Hearings

CC-93-032 - Public Nuisance hearing to determine whether a public nuisance exists at 24818 Redlands Boulevard (continued from January 12)

The public hearing was opened and Fire Marshal Crawford presented his report into evidence. He reviewed that the public hearing of January 12 had been continued to this date with the provision that cooperation be extended to the Lubinskys and that the Department of Public Safety present a status report.

EXHIBIT L

Crawford stated that on January 26, representatives of the Departments of Public Safety and Community Development met with the Lubinskys at 24818 Redlands Boulevard; as a result of that inspection, a proposed plan was prepared for the property; the plan reflected the visual concerns and also the desire of the Lubinsky family that the property not be declared a public nuisance.

He then distributed an amended plan as requested by Mr. Leland Lubinsky which outlined a six-month cooperation agreement. He noted the plan was divided into two phases and if the City Council approved, the first phase would begin on March 1 and extend to June 1; the second phase would begin on June 2 and extend to September 1. He noted that Mr. Lubinsky had requested that the Agency grant for the residence only contained in Phase II be approved as part of Phase I. Crawford then recommended that the Agreement be accepted and that the public hearing be continued to September 14.

The City Attorney recommended the public hearing be continued rather than closed to avoid having to re-notice the hearing.

Leland Lubinsky, 24818 Redlands Boulevard, addressed the City Council and expressed appreciation to City Staff for the courtesy and professional standards displayed. He expressed concern about the property being declared a public nuisance, but also indicated he and his family would cooperate with the City to provide an acceptable gateway to the City that was within their means to accomplish.

Lubinsky reviewed the amended plan, disagreeing with monthly inspections, but concurring that inspections were necessary on a scheduled basis as established at the outset of the plan. He also indicated he could accomplish clearance from the property lines of an average of from three to five feet, but objected to being limited to a minimum clearance of five feet for the visual screening. He also opposed the requirement to replace the southerly sheet metal fence with horse fence and vines. He also asked that the tape recording of the public hearing be retained for copying purposes.

Crawford responded to Lubinsky's comments and also, at the request of Lubinsky, indicated for the record that at the present time there was no graffiti on the property. He also noted that Lubinsky was apprised of the fact that the City had a graffiti abatement program which he could utilize.

In response to questions, Crawford stated the five-foot vegetation clearance was required so the landscaping could be maintained; however, he was willing to work with Lubinsky to establish a minimum of a three-to-five-foot clearance. He also indicated the sheet metal fence was in need of attention and that the horse fence with vines on the east side of the property was more visually pleasing and that, along with the fact that it would be consistent with other fencing, was the premise for the recommendation. He also indicated that at least three regular inspections per phase were needed to check on the progress of the plan and to offer assistance and advise as needed.

The City Manager indicated there appeared to be a spirit of cooperation expressed by Lubinsky, and that an inspection schedule could be arranged to satisfy both the Lubinskys and the City. He then concurred with the recommendation that the public hearing be continued to September 14 and that the agreement be amended as proposed.

Christman suggested the public hearing be continued for three months because of the phasing plan; that at that time the plan could be reviewed and modifications as necessary could be made to Phase II.

Discussion ensued.

Motion by Digneo, seconded by Petersen and carried to continue the public hearing to June 8; approve Phase I of the Cooperation Agreement as amended to allow a minimum of three to five feet clearance from the property line and application for an Agency grant pertaining to the residence only be part of Phase I. Brauer opposed.

C. P. Christianson, 25241 Cottage Street, suggested the metal fence be allowed to remain.

Leland Lubinsky, 24818 Redlands Boulevard and Debra Lubinsky, his wife, requested the matter be dismissed.

Mayor Christman, on behalf of the City Council, thanked Mr. Lubinsky for his presentation and invited him and a representative of the City of Redlands to return to provide updated information as to the what and extent of the situation.

Public Hearings

CC-93-156 - Public Nuisance hearing to determine whether a public nuisance exists at 24818 Redlands Boulevard - Lubinsky (Continued from February 9)

The public hearing was opened and Fire Marshal Crawford presented his report and noted that the situation was primarily visual in nature and that at this time there were no health or safety violations. He then referred to the Cooperative Agreement, noted the actions that had been taken by the Lubinskys to comply with the Agreement and acknowledged that no on-site inspections had been conducted because the Lubinskys denied the Department of Public Safety access to the property. He noted that the property had been evaluated from the right-of-way and progress was noted to have been made to clean the premises.

Crawford also noted that since the last public hearing, the Lubinskys had obtained a business license; that several years ago business was conducted at the subject location and the items remaining on the property were primarily items left from the business which was active prior to the incorporation of the City.

He noted that vegetation had been planted to screen the property; items had been removed, sorting had taken place, but not all of the items in Phase I of the Agreement had been accomplished.

Leland Lubinsky, 24818 Redlands Boulevard, demanded a due process hearing and sworn testimony.

The City Attorney stated the subject public hearing was a continued public hearing; there were several previous public hearings where evidence had been presented by staff as to the condition of the property, so there was ample evidence in the record for the City Council to determine whether there existed at that time a nuisance; the matter had been continued to this date for the purpose of attempting to resolve the matter without the City Council having to make a determination as to whether a nuisance existed.

He then addressed sworn testimony and stated that it had never been required by the Court; that a due process hearing meant an opportunity to be heard; evidence had been presented by staff in prior hearings; Mr. Lubinsky had been heard and that was what was required by due process. Due process was a prerogative of the City Council and not a prerogative of anyone presenting a matter before the City Council. The Courts had always sustained that fact, and a record of the proceedings was accepted by the Courts.

Lubinsky again requested sworn testimony.

Mayor Christman stated that the reason the public hearing was continued was because the City Council was under the impression that matters would be worked out between the Lubinskys and staff; that there would be a spirit of cooperation and that the staff report evidenced some cooperation had taken place.

Lubinsky requested the matter of a public nuisance be dismissed. The City Attorney indicated that the allegation of a nuisance was not a criminal proceeding, but rather a nuisance abatement proceeding which was a civil matter; that the City Council was attempting to determine whether or not a condition existed on the property that required an abatement order.

He reviewed that staff presented detailed evidence regarding the conditions on the property, which constituted sufficient evidence to show that a nuisance existed; rather than make that determination, City Council postponed the matter several times in an attempt to cooperate with the Lubinskys to get the matter resolved without taking nuisance abatement proceedings. He

added that due process had been satisfied by the previous hearings and the testimony did not have to be repeated because it was contained in the record of the previous meetings. He noted that if the City Council desired a current inspection of the property, an inspection warrant could be obtained from the Court.

Brauer asked Lubinsky if he was willing to work with the City Council and staff to resolve the items listed on the Cooperative Agreement but which had not been completed, including Phase II which addressed the fence and the storefront improvement program.

Lubinsky indicated he wanted very much to cooperate, but asked that the City cooperate by dismissing the nuisance abatement matter. In response to comments by Nichols, he stated that he would complete the list and work with the Department of Public Safety.

Chris Christianson, 25241 Cottage Street, concurred with Lubinsky. No other public testimony was offered and the public hearing was closed.

Motion by Petersen, seconded by Digneo to dismiss the matter.

Discussion ensued with Nichols suggesting that staff and Lubinsky continue to work on the items contained in the Cooperation Agreement and that the public nuisance matter be dismissed.

Brauer indicated that the site was not beneficial to the beauty of the community; that the City had worked with the Lubinskys for nine months; the cooperative effort was appreciated; he would be willing to grant another three months to complete the items contained in the Agreement and if they had not been completed by that time, that nuisance abatement be ordered. Brauer indicated he could not support dismissing the issue.

Nichols indicated he would support dismissing the public nuisance issued as long as there was cooperation to remedy the issues that had been mutually agreed upon and contained in the Agreement.

Christman asked that a report be submitted at the conclusion of the time outlined in the Agreement. Brauer requested the public hearing be continued for three months and the status of the property be evaluated at that time to ascertain whether further action was required.

Interim City Manager Hills reminded the City Council that only Phase I of the Agreement had been approved by them, and only those items were subject of this public hearing.

Nichols indicated he would not be willing to support a complete dismissal of all future improvements, but he would support a provision for continued mutual cooperation for both Phase I and Phase II of the Agreement. He noted that Lubinsky had agreed that if the threat of public nuisance was removed, he would be willing to work with staff more cooperatively, and staff would be able to provide updated information without having to obtain an inspection warrant from the Court.

In response to a question from Petersen, Lubinsky stated that he was in agreement with the conditions of both Phases of the Agreement and that he would accomplish those in the future. The City Attorney clarified that what was being suggested was that the matter be dismissed without a finding. He suggested the matter be dismissed without a finding being made and that the City Council reserve the right to make a finding in the future in case the situation required remedy. Lubinsky concurred and recognized that the allegation could be brought up again.

Motion by Petersen, seconded by Digneo that a finding that a public nuisance existed not be made and that the matter be dismissed.

Christman asked that a report be submitted September 14.

The City Attorney stated that the record of proceedings would note Lubinsky's statement in reference to the Agreement with staff and the fact that he intended to carry out the terms of the Agreement, but didn't want these proceedings to be pending in the meantime. He added that it was not part of the motion, but a part of the representation made by Lubinsky to continue to cooperate with Phases I and II.

Dr. Munger Hill, 51554 Barton Road, advised that her property had driveway which made into South Vista Drive. She then advised that a concrete curb which had been removed and it was her request that the curb be removed and her property be restored. The contractor had used her driveway to access the development site and had damaged the driveway surface so that it would not drain properly. The developer had promised that when the driveways were poured for the development, her driveway would also be repaired. However, her driveway was not repaired, and a water leak had occurred at the corner of the property necessitating a large hole to be dug and she requested the hole be filled and the area be repaired. She also stated in the development her property accessed Barton Road through a utility area due road and because of the development, it was no longer possible. In addition, her driveway had a steep incline and sharp curve from South Vista which prohibited emergency vehicles from entering. She requested the vegetation and entrance through the field be restored by removal of the trees at the end of Cleveland.

Brauer asked about the 20-foot buffer between the driveway and the hill property, and Dr. Hill indicated it had not been created. She clarified that the landscaping had been completed before the property line, but had not been completed outside the wall.

Paula Hennings, 1111 Cleveland Drive, advised that applicant James Carter, stated that the item be continued until such time as Mr. Carter could respond.

Community Development Director Smith indicated that Mr. Carter had submitted a written response to the community services officer. Smith also suggested that staff review the issues and submit suggested comments in the review of the application under consideration.

Motion by Digneo, seconded by Petersen and unanimously carried to continue the public hearing to October 26 and refer the items listed by Dr. Hill to staff and the applicant for response and recommendations.

Reports of Officers and Councilman

CC-93-262 - Report pertaining to status of items contained in Cooperation Agreement relating to 24818 Redlands Boulevard - Lubinsky

Interim City Manager Hills introduced the item and stated that at the June 8 meeting, City Council did not declare the property a nuisance for abatement purposes, but requested a progress report be presented at this meeting. He noted that the report in the agenda packet was a result of a conversation between Community Services Officer Gerald Patterson and Leland Lubinsky.

Motion by Digneo, seconded by Petersen to receive and file the report.

Brauer expressed concern that although several items listed in the Agreement had been accomplished, the property still was not an attractive, viable entrance to the City, and suggested further action by the City Council was appropriate. He noted the semi trailer had not been removed; the visual screening was inadequate to conceal the stacks of material; and the metal fence had not been painted.

Digneo suggested that because progress had been made, that Lubinsky continue to work on various elements of the Agreement. Petersen indicated he toured the property this date; items had been moved and plants to screen the property had been installed, but it would be some time before they matured enough to provide an effective screening.

Nichols asked about the status of the application for redevelopment funds, and Petersen noted that only those projects nearing completion were funded in the 1993-94 budget, and if funds were to be allocated for this project, it would require additional Council/Agency action.

Leland Lubinsky stated that it was his understanding that he was to accomplish a portion of the listed items in the Agreement and the City was to provide assistance so other items on the list could be accomplished; that he had submitted a cost estimate to make the improvements on his uncle's house on the site; that if there were no funds available, it was his opinion that there was no agreement because the funds were part of the agreement.

Interim City Manager Hills stated that removal of the semi trailer could be accomplished under vehicle abatement provisions of the Municipal Code. He also suggested that staff review the application for Agency funds and submit a report at the next Agency meeting as to the estimated amount and purpose of the requested funds.

Christman opposed approval of a Storefront Rebate Program until the other items listed in the Agreement had been accomplished.

Lubinsky reviewed the list item-by-item. He stated that the semi trailer had been rented for storage for the past 30 years and that he agreed to paint the sheet metal fence.

Discussion ensued. Petersen noted that the property between Lubinsky's property and the Kentucky Fried Chicken property was not owned by Lubinsky, and suggested the property owner be notified to clean the premises.

The Mayor called for a vote on the motion which carried. Brauer opposed.

The City Council recessed at 6:42 p.m. for refreshments to be followed by the scheduled joint closed session with the Agency. The City Council reconvened at 7:50 p.m. with all members present.

Digneo announced that Clarence and Emily Harlow would be celebrating their 70th wedding anniversary in October and asked that a plaque be presented on behalf of the City. He noted that Mr. Harlow had been active in City and Chamber of Commerce functions for about 40 years.

City Council
City Council Closed Session - Executive Hearing Regarding County of San Bernardino, ICEMA v. City of Fontana

The City Attorney announced that a personal matter was resolved and no arrangement would be made in this matter with reference to the pending litigation. City Council considered a request from the City of Fontana to join in the lawsuit on the County of San Bernardino, ICEMA v. City of Fontana, and authorized preparation of a retainer agreement for a fee to be agreed amount of \$5,000 with the firm of Brown & Associates. Resolution to represent the City and its interests regarding personal services.

Consent Calendar (Continued)

City of Font - Quarterly Financial Statement

Mayor Christman noted that the quarterly statement was not an audited statement and that it did not contain accurate information and requested that it pertain to items between the City and Agency, that the revenues were significantly under budget. A budgeting goal was an attempt to reduce the current outstanding loans in the water acquisition fund and pay in the sewer fund.

Interim City Manager Hill stated that in preparing the 1993-94 budget, it was aware that negotiations would be taking place with the County of San Bernardino to develop a new joint power agreement pertaining to sewage treatment. The agreement would change the methodology by which San Bernardino billed for its local franchise. Low water would be regulated to maintain the water flow for billing purposes. Also, the City of San Bernardino was considering a rate increase, which would affect its own local rate increase of the payment fee. He indicated that these issues needed to be resolved before loans would be in a position to reduce in sewer fees.

Christman asked whether the tax revenues from the JPA would be put into the General Fund or into the Agency's Housing Fund for the project area. Hills suggested that provide a preliminary report of the housing loans in progress and those the Agency had committed to its Fiscal Year 1993-94.

Motion by Petersen, seconded by Nichols and unanimously carried to resolve the Unaudited Quarterly Financial Statements for 1993.

City of Loma Linda

Redevelopment Agency Minutes

Regular Meeting of September 28, 1993

A regular meeting of the Redevelopment Agency was called to order by Chairman Digneo at 7:09 p.m., Tuesday, September 28, 1993, in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Agency Members Present:

Chairman Elmer J. Digneo
Vice-Chairman John S. Nichols
Robert H. Christman
Floyd Petersen

Agency Members Absent:

Stan Brauer

Others Present:

Interim Executive Director Peter R. Hills
General Counsel Eugene A. Demchuk

No items were added or deleted, nor were any public participation comments offered upon invitation of the Chair.

Reports

CRA-93-055 - Report pertaining to Storefront Rebate Program for Lubinsky property - 24918 Redlands Boulevard

Director of Community Development Smith stated that he had reviewed the applications submitted by Mr. Lubinsky. One application related to a Storefront Rebate Program wherein Mr. Lubinsky was eligible to receive \$1,500 when cosmetic improvements authorized by the Redevelopment Agency on September 12, 1989, consisting of replacing and repairing entry doors, replacing broken and missing window glass, repairing the veranda roof, removing the open storage material from public view, painting the bookstore structure, and initiating xeriscape landscape improvements was completed.

The second application was for a home improvement grant for which he was given a verbal approval for \$4,500 by the former Assistant City Manager when re-roofing and replacing of the screens on the house had been completed.

Smith noted that the items were part of the tasks to be completed pursuant to the Cooperative Agreement with the City; that a landscape plan had not been submitted, but Lubinsky provided receipts which indicated that planting had occurred. He elaborated that staff and Lubinsky had met relating to whether the travel and tractor trailers on the premises should be removed.

Lubinsky agreed to discuss the issue, but did not agree to remove the trailers. The Cooperative Agreement stated that if Lubinsky did not remove the trailers, then staff would proceed with their removal under the abandoned vehicles program.

Smith then recommended that authorization be granted for \$4,500 for the re-roofing and replacing of the screens on the house; that the \$1,500 under the Storefront Rebate Program also be granted; and that the tasks listed in the Agreement under Phase I be pursued. He added that Lubinsky was committed to Phase II.

Digneo asked Lubinsky if he agreed with the report as presented, and Lubinsky concurred with the exception of the term "correction list" because he felt that he had agreed to complete the items pursuant to the Cooperative Agreement, but he did not feel any condition on the property needed to be corrected.

Smith added that the grant for re-roofing the house would be paid via progress payments to the contractor, only when work had been completed.

EXHIBIT L

Motion by Petersen, seconded by Nichols and unanimously carried to authorize the payment of \$1,500 upon completion of the tasks outlined in the staff report, pursuant to the provisions of the Storefront Rebate Program.

Motion by Petersen, seconded by Nichols and unanimously carried to authorize the payment of \$4,500 for installing new screens and re-roofing the house as outlined by the Community Development Director.

Nichols pointed out that the Agency was pursuing funding for Lubinsky under a strained budget and asked that the cooperative environment continue.

The Agency recessed at 7:20 p.m. to allow the completion of the City Council Agenda, and reconvened at 8:57 p.m. with all members present with the exception of Brauer.

CRA-93-056 - Approval of Minutes

Motion by Christman, seconded by Nichols and unanimously carried to approve the Minutes of September 14 as presented.

General

CRA-93-057 - Legislative/Regulatory Bill Report

By common consent, no action was taken.

The meeting adjourned at 8:57 p.m.

Approved at the meeting of October 12, 1993.

Secretary



City of Loma Linda

Rhodes Rigsby, Mayor
Ovidiu Popescu, Mayor pro tempore
Ronald Dailey, Councilman
Phillip Dupper, Councilman
John Lenart, Councilman

FINDINGS OF NUISANCE AND NOTICE TO ABATE

In Re: Hearing to determine if a public nuisance exists at APN# 0281-091-22 (24800 Redlands Blvd), APN# 0281-091-32 (24816 Redlands Blvd), and APN# 0281-091-40 (24818 Redlands Blvd). The Planning Commission, acting as Hearing Board, finds as follows:

WHEREAS, the properties located at APN# 0281-091-22 (24800 Redlands Blvd), APN# 0281-091-32 (24816 Redlands Blvd), and APN# 0281-091-40 (24818 Redlands Blvd) are located within the City of Loma Linda, and are subject to Loma Linda Municipal Code.

WHEREAS, the staff of the City of Loma Linda has confirmed the existence of multiple Municipal Code violations as set forth herein; and

WHEREAS, the property owner was served with multiple notices of violations and citations describing the conditions constituting the violations and ordering abatement; and

WHEREAS, the property owner has had significant and reasonable time to correct all violations but has refused and/or failed to meet the deadlines prescribed by these notices; and

WHEREAS, the property owner received proper notice of this meeting pursuant to Loma Linda Municipal Code 9.12.050; and

WHEREAS, the property owner has the legal responsibility for maintenance of the property, including abatement of all violations and compliance with all orders of the City; and

WHEREAS, the violations set forth herein still exist on the property and the property remains in violation of the Loma Linda Municipal Code; and

WHEREAS, the existence of conditions on the property are inconsistent with the Loma Linda Municipal Code, and detrimental to the health, safety, comfort, and general welfare of the public and persons residing in the City; and

WHEREAS, this board has considered the evidence concerning public nuisances on the property, including relevant documents, writings, codes, ordinances, as well as oral testimony on this hearing; and

WHEREAS, this board finds that a public nuisance does exist on the subject property and that there is sufficient cause to abate the nuisance,

EXHIBIT M

NOW, THEREFORE, IT IS HEREBY:

Ordered:

That the property owner and/or other persons having charge or control of the premises abate all violations of Loma Linda Municipal Code as described herein by removal, rehabilitation, repair, demolition or such other abatement as is reasonable and appropriate in the manner and by the means specifically set forth herein. The property owner shall remediate the following conditions:

<u>LLMC or other Code Section</u>	<u>Nuisance Violations:</u>	<u>Method of Remediation</u>
9.12.030(B)(4)	Nuisance--Trash & Debris	Remove trash and debris to Fire Department and Code Enforcement satisfaction.
9.12.030(B)(17)	Nuisance--Dilapidated structures	Remove, or repair dilapidated structures. Obtain all necessary permits and inspections.
9.12.030(B)(1)	Nuisance--Dead, Overgrown Vegetation	Remove dead, overgrown vegetation to Fire Department and Code Enforcement satisfaction.
10.34.010	Nuisance--Inoperative vehicles	Remove, or repair and register inoperative vehicles
9.12.030(B)(6)	Nuisance--Unsafe wiring	Remove or repair unsafe wiring. Obtain all necessary permits and inspections.
9.12.030(B)(2)(a)	Nuisance--Abandoned, broken equipment, tools	Remove abandoned, broken equipment, and tools to Code Enforcement satisfaction.
<u>LLMC or other Code Section</u>	<u>Health & Safety Code (Building Code) Violations:</u>	<u>Method of Remediation</u>
17920.3(a)(13)	Extensive termite damage to facia boards and eaves on store	Remove, repair, or replace termite damage to facia boards and eaves on store. Obtain all necessary permits and inspections.
17920.3(g)(1,2,3,4)	Dilapidated roofs on bookstore and all accessory structures	Repair or replace dilapidated roofs on bookstore and all accessory structures. Obtain all necessary permits and inspections.

17920.3(b)(4,7)	Vehicular damage to NW corner walls of old garage, end of wall off foundation	Repair vehicular damage to NW corner walls of old garage, end of wall attachment to the foundation. Provide engineering reports attesting to the stability of the building. Obtain all necessary permits and inspections.
17920.3(b)(1)	Inadequate footings for most structures	Repair, or replace foundations on buildings with absent or damaged foundations. Provide engineering reports attesting to the stability of the buildings. Obtain all necessary permits and inspections.
17920.3(d)	Unsafe wiring--Extension cords used as permanent wiring to, through, and between buildings neither buriable material nor in conduit	Remove or replace and bring into California Building Code compliance all extension cords used as permanent wiring to, through, and between buildings. Obtain all necessary permits and inspections.
17920.3(d)	Unsafe, exposed wiring and open junction boxes	Remove or replace and bring into California Building Code compliance all unsafe, exposed wiring and open junction boxes. Obtain all necessary permits and inspections.
17920.3(b)(2)	Lack of flooring in at least one accessory structure	Repair and bring into California Building Code compliance all flooring where required. Obtain all necessary permits and inspections.
17920.3(g)(1)	Defective weather protection due to cracked, missing plaster	Remove or replace and bring into California Building Code compliance all defective weather protection due to damaged, cracked or missing plaster. Obtain all necessary permits and inspections.
17920.3(b)(6)	Structural members inadequate, causing roof sagging	Repair or replace and bring into California Building Code compliance all missing or damaged or inadequate structural members. Obtain all necessary permits and inspections.

LLMC or other Code Section

Zoning Violations:

Method of Remediation

17.46.040(B)	Outside storage of building materials	Cease and remove outside storage of building materials to Fire Department and Code Enforcement satisfaction.
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- 17.46.040(A) Auto Storage Yard (at least 6 registered & unregistered vehicles) Remove or repair and register inoperative vehicles.
- 17.46.040(E) Industrial & commercial material & goods storage Cease and remove industrial and commercial material goods storage to Fire Department and Code Enforcement satisfaction.

LLMC or other Code Section

California Fire Code:

Method of Remediation

- 2010 CFC 304.1.2 Numerous Dead bushes on property Remove dead vegetation to Fire Department and Code Enforcement satisfaction.
- 2010 CFC 605.5 Extension Cords being used as permanent wiring Remove or replace and bring into California Building Code compliance all extension cords used as permanent wiring to, through, and between buildings. Obtain all necessary permits and inspections.
- 2010 CFC 605.1 Open wiring connections, junction boxes, outlets Remove or replace and bring into California Building Code compliance all unsafe, exposed wiring and open junction boxes. Obtain all necessary permits and inspections.
- 2010 CFC 605.6 Open wiring connections, junction boxes, outlets Remove or replace and bring into California Building Code compliance all unsafe, exposed wiring and open junction boxes. Obtain all necessary permits and inspections.

That all necessary permits and inspections be obtained as part of the remediation effort.

That the abatement of all violations be commenced by _____ and completed on or before August 17th, 2013, including final inspection by City Staff; and

That City Staff is directed to take all necessary steps to assure the abatement is completed as ordered and if the property owner fails to comply with this order that City Staff approach City Council for authorization for a transfer of funds to abate such nuisance and that the costs of abatement shall become a lien on the subject property.

Dated: _____

Chairman, Loma Linda Planning Commission

Planning Commission

Regular Meeting of May 1, 2013

A regular meeting of the Planning Commission was called to order by Chairman Nichols at 7:00 p.m., Tuesday, May 1, 2013, in the City Council Chambers, 25541 Barton Road, Loma Linda, California.

Commissioners Present: John Nichols, Chairman
Miguel Rojas, Vice Chairman
Nikan Khatibi

Commissioners Absent: Fred Khosrowabadi
Carolyn Palmieri

Staff Present: Konrad Bolowich, Assistant City Manager
Guillermo Arreola, Associate Planner
Richard Holdaway, City Attorney

Chairman Nichols led the Pledge of Allegiance. No items were added or deleted; no public participation comments were offered upon invitation of the Chairman.

PC-13-10 – PRECISE PLAN OF DESIGN NO. PPD 12-097 – (PUBLIC HEARING) –The Applicant is requesting approval to construct six additional units to an existing nine-unit motel (Dutch Motel) located at 25252 Redlands Boulevard in the East Valley Corridor Specific Plan/General Commercial (EV-GC) Zone.

Planner Arreola presented his report into evidence and indicated that the applicant has made changes previously requested by the Commission and Staff that included decorative window surrounds, decorative columns and clarified the concrete walkway on the east is covered. However, the recommended concrete walkway on the west was not included due to monetary constraints. Remodel of the west side units was planned for some time in the future, approximately 5 – 7 years, at which time the concrete walkway would be addressed. Also provided were the colored renderings and roof and stucco samples. He indicated that the applicant was available to answer any questions.

Chairman Nichols indicated that the public hearing was still open and invited comments from the Commissioners and the audience.

Discussion ensued regarding the west units and the redirecting of occupants from the driveway. The applicant was agreeable to installing railings to the landing exiting from the units on the west side to redirect occupants to the sides rather than directly into the driveway. Commissioner Rojas did indicate that this would most likely result in the loss of the flowerbeds to the sides of the landings, but that safety was the more important concern.

Chairman Nichols thanked the applicant for his willingness to work with the Commission in providing the added safety for his occupants and that the project was a wonderful improvement to Redlands Boulevard.

With no other public input upon the invitation of Chairman Nichols, the public hearing was closed.

Motion by Rojas, seconded by Khatibi and carried to approve Precise Plan of Design No. PPD 12-097, subject to the conditions approval and with the addition of railings to the landings exiting from the existing west units. Khosrowabadi and Palmieri absent.

PC-13-11 – DEVELOPMENT CODE UPDATE PROJECT (DCA) – PRESENTATION AND DISCUSSION (PUBLIC HEARING – LIMITED TO 30 MINUTES) – A comprehensive update of Loma Linda Municipal

Code, Title 16 (Subdivisions), Title 17 (Zoning), Title 19 (Development Restrictions), and Title 20 (Environmental Protection) for compliance with the City's General Plan (May 26, 2010), State Law and other applicable laws, and current planning practices. The Planning Commission has already reviewed a final draft of the development code, and will now review some additional minor revisions to the draft development code.

Assistant City Manager Bolowich presented the report. He indicated that after extensive review of the sign code and sign program, which was difficult to interpret and difficult to implement, Planner Arreola prepared the proposed table to simplify the process. The table format ties the number of signs to the amount of street frontage, i.e. the more street frontage, the larger the monument sign. There is also a component that allows for digital signs. The City receives request for digital signs from businesses and activities in town that are looking to stay current with their advertising needs. There is a digital sign at the civic center and we have to tell others that the code does not allow you to have a digital sign. The attempt is to find that balance between functional and attractive.

Discussion ensued. In response to questions about digital signs, Assistant City Manager Bolowich indicated that flip rate not to exceed six changes per minute and the maximum luminosity were Caltrans standards. Luminosity on most digital signs is automatically adjusted based upon ambient light; as it gets darker, the sign dims accordingly.

Assistant City Manager Bolowich continued, pointing out the ability for multiple businesses on relatively small lots the ability to execute a reciprocal sign agreement to pool their sign frontage, essentially creating a center with multiple components, and reviewing the sign setbacks, minimum size, design and construction, the requirement of street address, limits to the number of electronic/digital signs, the flip rate and luminosity of digital signs and discussed above, and landscaping requirements.

He continued, asking Commissioners that if they were ok with the concept, to look at numbers in the table and provide feedback.

Chairman Nichols indicated that the public hearing was still open and invited comment from the Commission and the public.

Dick Wiley, Loma Linda, addressed the Commission regarding set-down signs, twirlers, and flag signs and whether there was language to limit these; election signs and the removal after the election; and digital signs being a distraction to drivers.

Assistant City Manager Bolowich indicated that the section before the Commission this evening was addressing monument and center identification signs only. Wall signs and temporary signs will come in future sections of the development code.

In response to questions regarding political/election signs, City Attorney Holdaway indicated that the City is somewhat constrained by first amendment rights. He also indicated that the regulation of sign twirlers is difficult because of participation in public forum regulations.

Motion by Rojas, seconded by Khatibi and carried to continue the Public Hearing for the Development Code Update to the next regular meeting. Khosrowabadi and Palmieri absent.

PC-13-12 – Minutes of April 3, 2013

Motion by Rojas, seconded by Nichols and carried to approve the minutes of April 3, 2013 as presented. Khosrowabadi and Palmieri absent.

REPORTS BY PLANNING COMMISSIONERS

Chairman Nichols indicated that the bus stops seem to be moving forward. Assistant City Manager Bolowich indicated that they are moving forward on their timeline and that even more extensive work on the SBX project was taking place on Hospitality Lane.

REPORTS BY STAFF

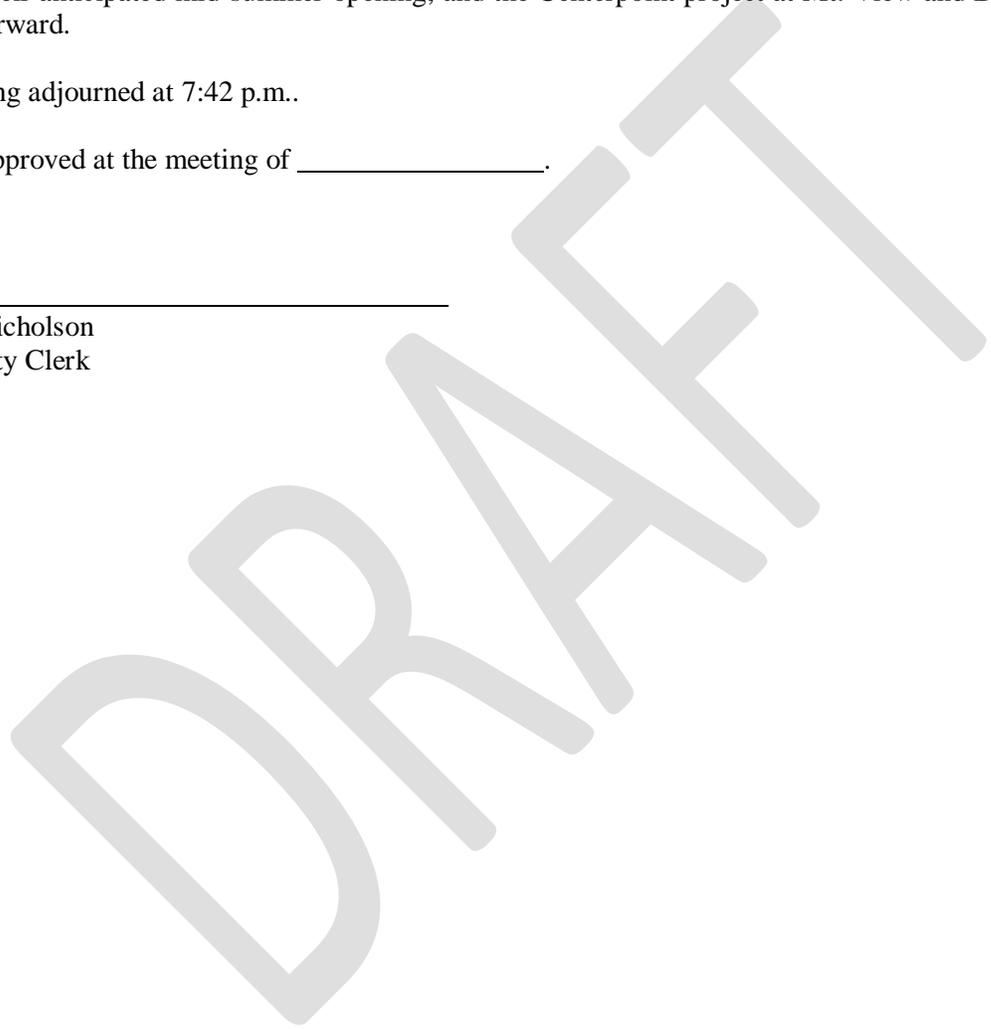
Assistant City Manager Bolowich indicated that there will be a Planning Commission meeting on May 15 to accommodate the timeframe for a General Plan Amendment for Planning Area D.

Assistant City Manager Bolowich updated the Commission on several projects – Memory Care Facility at Orange and New Jersey – large part of the off-site improvements completed, are currently working inside and should be on time for their anticipated mid-summer opening; and the Centerpoint project at Mt. View and Barton is aggressively moving forward.

The meeting adjourned at 7:42 p.m..

Minutes approved at the meeting of _____.

Barbara Nicholson
Deputy City Clerk



Planning Commission

Regular Meeting of May 15, 2013

A regular meeting of the Planning Commission was called to order by Chairman Nichols at 7:00 p.m., Tuesday, May 15, 2013, in the City Council Chambers, 25541 Barton Road, Loma Linda, California.

Commissioners Present: John Nichols, Chairman
Miguel Rojas, Vice Chairman
Fred Khosrowabadi
Carolyn Palmieri

Commissioners Absent: Nikan Khatibi

Staff Present: Konrad Bolowich, Assistant City Manager
Guillermo Arreola, Associate Planner
Richard Holdaway, City Attorney

Chairman Nichols led the Pledge of Allegiance. No items were added or deleted; no public participation comments were offered upon invitation of the Chairman.

PC-13-13 – SPECIAL PLANNING AREA D PHASE ONE CONCEPT AND BRYN MAWR AVENUE EXTENSION, INCLUDING; GENERAL PLAN AMENDMENT NO. 12-107; SPECIFIC PLAN AMENDMENT NO. 13-035; ZONE MAP CHANGE NO. 13-036; TENTATIVE PARCEL MAP (TPM 19018) NO. 13-033; PRECISE PLAN OF DESIGN NO. 13-034; FOR VACANT PROPERTY LOCATED ON THE SOUTH SIDE OF REDLANDS BOULEVARD, BETWEEN ENTERPRISE DRIVE AND BRYN MAWR AVENUE, WITHIN SPECIAL PLANNING AREA D AND THE EAST VALLEY CORRIDOR SPECIFIC PLAN – SPECIAL DEVELOPMENT DISTRICT – (PUBLIC HEARING – LIMITED TO 30 MINUTES)

- Adopt the Mitigated Negative Declaration (see Attachment B, NOI/IS/MND);
- Approve General Plan Amendment No. 12-107 and adopt the Resolution, based on the findings (see Attachment C, General Plan Text Amendment – Section 2.2.7.4);
- Approve Specific Plan Amendment No. 13-035 and adopt the Ordinance, based on the findings (see Attachment D, Proposed Specific Plan Boundary Adjustment and Zone Map Change);
- Approve Zone Map Change No. 13-036 and adopt the Ordinance, based on the findings (see Attachment D, Proposed Specific Plan Boundary Adjustment and Zone Map Change);
- Approve Tentative Parcel Map No. 13-033 (TMP 19018) (see Attachment E, Tentative Parcel Map No. 19018) and adopt the Resolution, based on the findings and subject to the Conditions of Approval (see Attachment G, Conditions of Approval);
- Approve Precise Plan of Design No. 13-034 (see Attachment F, Project Plans) and adopt the Resolution, and subject to the Conditions of Approval (see Attachment G, Conditions of Approval).

All of these requests collectively relate to establishing the foundation for future Phase One development plans conceptually identified for retail and institutional uses that are consistent with the General Plan and located within Special Planning Area D, generally south of Redlands Boulevard, north of Mission Road, and between Enterprise Drive and Bryn Mawr Avenue.

Assistant City Manager Bolowich introduced Contract Planner Melanie Traxler, who would be presenting the report and clarified that the matter before the Commission this evening was the property only, no building or

structures and is to adjust some lot lines and zoning modifications in preparation for the Veterans Administration project.

Contract Planner Traxler presented the report into evidence, indicating that the application was submitted in December 2012. The applicant desires to consolidate 13 existing lots to establish 4 parcels and 2 lettered lots for roadways that would allow for future development applications for health care and retail/commercial uses.

Chairman Nichols thanked Planner Traxler, opened the public hearing and invited comments from the public and the Commissioners.

Commissioner concerns included:

- Inclusion of the playfields at Mission School identified as park land and the existence of a joint use agreement with the school district that dedicates the play field as park land for the city
- Security concerns with identifying the school playfields as park land that will impact the use
- Limited use of school play fields to be able to count as park land/open space
- Was the original intent that the area be master planned – is it within the Commission’s prevue to determine whether this is an acceptable interpretation as recommended
- Parks and open space seems compromised to some extent without a true, physical master plan as it is left to be defined within each phase; would like to define the open space and trails master plan in the overall context
- Is it within the Commission’s prevue to suggest an additional condition that the concept for open space within the entire Area D be brought back to the Commission
- Being asked to approve something so preliminary
- The vision of Measure V was to incorporate a large, active recreation space or sports complex that would require at least 30 acres; city is in need of more active park space
- The need to look at how to develop an open/recreation sports complex
- Drawings indicate a planned community, so there is already set aside park area; an area for senior housing, high-density housing, low-income housing
- As Phase One includes commercial/retail, is it a possible consideration to dedicate a parcel along Redlands Boulevard specifically designated for commercial development and have the institutional development happen behind that to optimize the economic development of the property
- Proposed roadway should incorporate bike paths separate from the pedestrian traffic
- Was applicant willing or able to having an additional portion of Redlands Boulevard dedicated to traditional retail and still provide the visibility needed for the health care use

Assistant City Manager Bolowich responded that there were 2 pieces identified as park land or open space, one part being the play field at Mission School, approximately 3 – 4 acres; and an area on the east side of the existing redevelopment property where the Salt Cedars are, that is conservation area and is part of the original environmental impact report. There is currently no agreement between the school district and the city; the fields are available through a reservation system with the school district. If the play field were to be removed from the park land and open space designation, the determination would have to be made as to what type of land use would be assigned to that area of the school. The Planning Commission can recommend that a joint use agreement with the Redlands School District be pursued.

Contract Planner Traxler explained Special Planning Area D Guiding Policy in some areas alludes to the potential of being designed through master plan or specific plan; in other locations within the guidelines, it sets up an option for comprehensive planning. She explained the general nature of a specific plan and a master plan, indicating that it was within the prevue of the Commission to determine that the recommendation tonight to make the determination that the area be master planned is a fair interpretation. The Guiding Policy of Special Planning Area D defines where retail mixed uses should go; they are set to go along the frontages of Redlands Boulevard and California Streets. It also indicates that single family residential uses should be placed towards the central, western and

southern portions, with multi-family development permitted toward the interior of the area; and there shall be connecting trails throughout. The actual Policy, therefore, begins to give you a digital image, with certain land uses already designated to certain areas. In essence, the Guiding Policy essentially functions as the framework of a master plan.

Contract Planner Traxler continued, indicating that Staff had looked at the overall planning for parks, open space and trails in developing the General Plan amendment text and, although the text itself does not go into detail about how it happens, Policy t does indicate that each phase is required to provide its fair share of parks, open space and trails system. The planning and development permit process provides that the project will come back before the Commission, at which time the Commission would determine if the goals for parks, open space and trails are being achieved.

Assistant City Manager Bolowich indicated the concept is that the first 42 acre development would serve as an anchor and the other developments would then fit together with the first. As part of the master plan concept, it is not several individual developments that have no tie; the first creates the point at which the others build off. With multiple property owners within Area D, it would be very challenging for one owner to master plan all the phases.

City Attorney pointed out that this is a very preliminary stage, and there will be opportunities as the projects are actually planned as to what would go where on these parcels. That might be a better opportunity to look at how those implementing policies are being carried out and the impacts to the remaining parcels. What is before the Commission is more a portion of the basic framework for the Commission to make certain limited recommendations for the development of the property. There will be additional opportunities for further recommendations as the specific projects come before the Commission in the future, such as where open space goes, what type of open space each phase will be provided and how they fit together. The concerns of the Commission should be forwarded to the City Council to take into consideration and determine to what extent and in what manner that master plan will be developed as time goes on.

Assistant City Manager Bolowich indicated that the areas for senior housing, high-density housing, and low-income housing have not been newly created or changed. Care was taken to not change any of the land uses indicated in Table 2B as part of the General Plan Amendment. Those were determined when the General Plan was first done and Area D was created.

Contract Planner Traxler indicated that the Guiding Policy for Special Planning Area D lays the foundation for where the low density residential is allowed, and it is not allowed in the area set aside for Phase One. It lays out that retail/mixed use is intended to go approximately where Phase One is, along Redlands Boulevard. Policy e also starts to establish the framework for roadways, which is why the particular entry point was selected; the road curves creating a large, usable parcel for a potential land lease tenant and bringing the road into the center of the project to create access for future uses and hopefully a more centralized, larger scale recreation area. In understanding fair share and what the planned development permit process allows as far as assigned park use area for each phase, the park use/open space could be located on-site within Phase One or through the design process it could be determined that it be located in an off-site mitigation area to be consolidated in the future. That possibility is still there, it is not possible to define where that is going to go right now. It is premature to assign a future park or recreation location without being given the opportunity to see what project design comes in.

Assistant City Manager Bolowich indicated that an applicant who develops Phase One will either have to provide a design that is acceptable to the Planning Commission and the City Council that incorporates open space and park areas as part of the design, or they will have to purchase land somewhere else in Area D that is designated and turned over to the City as open space. They would not be placing the burden on to another land owner or devaluing another property; the applicant would carry the burden himself or buy that burden and provide it to the City.

The general plan amendment includes two points; nothing else was changed in the general plan as far as the guiding principles or policies. All that was done was to create the phasing ability that can either be rejected or approved

based upon how well it fits with future needs by Planning Commission and the City Council, so each one of those phases has a rejection and approval process. The second piece is creating the parcelization. Nothing else is proposed to change the as far as the land uses, the amount of uses or any of the other designations within Area D.

In consideration of what is proposed in Phase One, a health care/medical use is actually considered a mixed use as it is comprised of administrative uses, office uses, health care, etc. The underlying zoning is Special Development District through the East Valley Corridor Specific Plan and that zone is a conglomeration of individual zones such as commercial/retail, commercial/industrial, institution, and administrative business professional. The City's zoning does not make a distinction between commercial, medical commercial and retail uses. Retail/mixed use is a land use designation.

Assistant City Manager indicated that the proposed roadway does include sidewalks and there is sufficient space to add bike lanes and trails.

Upon invitation from the Chairman for comments from the public, Dick Wiley of Loma Linda addressed the Commissioners regarding the existing joint use agreement with the Redlands School District for Bryn Mawr Elementary School and the lack of such an agreement for Mission School.

Erren O'Leary, representing the applicant, addressed the Commission and thanked staff for their work. He commented on the comparison to building a house, this step is equivalent to buying the land, with the foundation and design to come at a later time. He was ok with the possible condition that they pursue a joint use agreement with the Redlands School District and if agreement could not be reached, that the land use table be adjusted accordingly.

Mr. O'Leary continued that he did not know if it was feasible at this time to dedicate more Redlands Boulevard frontage to traditional retail as the Veterans Administration selected this site specifically because of the Redlands Boulevard frontage. As the Veterans Administration project would be a land/lease, economic benefits such as job creation, support of other retail and property and sales tax generated probably outweigh traditional retail.

Assistant City Manager Bolowich indicated the 5 acre portion to the east is designed to as a place open for continuous retail as Redlands Boulevard develops.

Chairman Nichols closed the public hearing.

Motion by Nichols, seconded by Palmieri and carried to adopt staff recommendations with the added conditions 1) that a joint use agreement be pursued with the Redland School District for Mission School or re-distribute the land use accordingly, and 2) that the intent is to have a large, active recreation space and that a fee be set aside from each of the developments to acquire a parcel sufficient to develop a recreation space; Rojas abstained. Khatibi absent.

REPORTS BY PLANNING COMMISSIONERS

Commissioner Rojas asked about the nature of the roadwork near the dorms. Assistant City Manager indicated that he believed they were extending the tunnels (service tunnels used for data, air conditioning, sewer, etc.); as they continue the Stewart Street undercrossing, they are continuing the tunnel network from Anderson and Stewart Streets up the hill and it will be covered with landscaping.

Chairman Nichols commented that given the action taken this evening and the potential impact to the remaining property owners, could the City reach out to those property owners for some sort of visioning charrette? Assistant City Manager Bolowich responded that there are 2 major property owners - Cal 88 Investment Group, who have expressed interest in working with a developer to do a full master plan of the area; and the former Redevelopment

Agency property which will need to be disposed of as part of the redevelopment dissolution process by the State. Until that dissolution process is complete, which could be a year or more, and not knowing who the potential owner could be, there really isn't anything to discuss.

Commissioner Palmieri asked about the bus stops being constructed in town. Assistant City Manager Bolowich explained they were part of the Omnitrans sbX project, an express bus line that will run from north of Cal State San Bernardino to the VA here in Loma Linda and believes they are expected to be completed by the end of the year.

Chairman Nichols thanked Ms. Traxler for her expertise and good work in putting this information together. Ms. Traxler thanked Mr. Nichols and indicated that she has a former working relationship with Assistant Planner Arreola that brought her to work on this project with the City.

Dick Wiley commented regarding the sbX bus stops, the stop at the creek on Anderson Street and traffic impacts on Anderson Street.

REPORTS BY STAFF

Assistant City Manager Bolowich thanked the Commissioners as their action tonight as it creates the first piece of closure to a 5 year effort to bring the Veterans Administration facility to Loma Linda. This is an important project for the City.

The meeting adjourned at 8:47 p.m.

Minutes approved at the meeting of _____.

Barbara Nicholson
Deputy City Clerk