



Community Development

919 Palm Street, San Luis Obispo, CA 93401-3218
805.781.7170
slocity.org

Declaration of Service and Posting of Notice

SUBJECT ADDRESS: 280 California Blvd, San Luis Obispo, CA 93405

CASE NO.: CODE-000074-2024 Citation No.: 36143 Officer: Steve Sheats

I, the undersigned, declare that at all times herein mentioned, I was and now are a duly authorized employee of the Community Development Department, City of San Luis Obispo, State of California; that pursuant to Section 1.24.050G of the San Luis Obispo Municipal Code (SLOMC), Section 1101.4 of the Uniform Housing Code, or Section 401.4 of the Uniform Code for the Abatement of Dangerous Buildings, as adopted by Section 15.02.010 of the San Luis Obispo Municipal Code, I deposited in a receptacle for the U.S. Postal Service, in a sealed envelope, postage prepaid, by regular mail, and certified mail, return receipt requested the following:

- A Notice to Correct,
X Notice of Violation,
X Administrative Citation,
Stop-Work Notice,
Notice of Hearing,
Notice of Proposed Lien,
Notice of Special Assessment

Notifying the owner of the property of the subject address referenced above of violations of the San Luis Obispo Municipal Code existing on the property and/or of related abatement proceedings.

The above notice was sent to each person having an interest in the property at their respective addresses as listed in the Notice, and a copy of the notice was posted at the subject address.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of June, 2024, San Luis Obispo, California

Officer or clerk effecting service by mail:

Steve Sheats
(Print Name)

[Signature]
(Signature)

1155/June 20, 2024
(Time/date)

Officer effecting service by posting:

Steve Sheats
(Print Name)

[Signature]
(Signature)

0924/June 20, 2024
(Time/date)



## Notice of Violation

June 19, 2024

Manda Properties LLC  
% Comet Realty  
1110 California Blvd #C  
San Luis Obispo, CA 93401

**SUBJECT ADDRESS:** 280 California Blvd, San Luis Obispo, CA 93405

**APN:** 052-072-017

**Code Case #:** CODE-000074-2024

Dear Property Owner,

City of San Luis Obispo Community Development Department staff noted the following violations of the San Luis Obispo Municipal Code or other relevant codes at the above listed address:

**1. Use Permit Violation (SLOMC 17.76.060)**

***“It shall be unlawful and a public nuisance for any person, firm or corporation, owning, leasing, occupying, or having possession of any private property in the City to maintain such property in such a manner that any of the following conditions are found to exist thereon:***

***1. Any violation of the provisions of a minor use permit, conditional use permit, planned development permit, architectural review approval, variance, or other land use entitlement or land use permit.”***

Condition number twelve (12) listed on the use permit to allow a fraternity at the subject property indicates *“No meetings, parties or other types of activities involving persons other than residents living on the site shall be allowed between the hours of 10:00 p.m. and 9:00 a.m.”* Police Department records indicate that three citations regarding violations of the city’s noise regulations were issued after 10:00 p.m. on May 10<sup>th</sup>, 17<sup>th</sup> and 31<sup>st</sup> of 2024. As a result of the continued violations, citations for each violation are enclosed with this notice.

Additionally, the Community Development Department requests you contact our office to participate in a meeting to discuss the continuing violations, the potential enforcement action and the best path forward to avoid further action by the City. **We request that you contact the undersigned officer within 15 days of this notice to coordinate a meeting.** If no contact is received within the requested timeframe, the matter will be forwarded to the Deputy Director of Community Development to begin the formal process of use permit review. Use permit review may result in modification or revocation of the currently issued use permit.

We request that you voluntarily take action to correct the above noted violation(s). These violations constitute a public nuisance and must be abated. Failure to correct the violation(s) by the specified date will result in the issuance of an Administrative Citation requiring payment of FINES in accordance with SLOMC Chapter 1.24. For Municipal Code violations that remain uncorrected after issuance of an Administrative Citation, the City may seek enforcement by other civil or criminal remedies.

Any person having a title interest in the property may request a Director's review of this Notice by completing the enclosed Request for Director's Review Form and submitting it to the Community Development Department, 919 Palm Street, San Luis Obispo, CA 93406, within five (5) days of the date of this Notice. This Notice shall be deemed final unless you timely file a Request for Director's Review.

We look forward to working with you to resolve these violations and would like to thank you for your efforts to maintain your property and to help preserve the safety and beauty of our community. **If you have questions, please contact the undersigned Officer at (805) 783-7841 or [ssheats@slocity.org](mailto:ssheats@slocity.org).**

Sincerely,



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Steve Sheats, Code Enforcement Officer

Cc: File

Enclosures: Request for Directors Review, Administrative Citation and Invoice, Administrative Citation Appeal Form, Original Notice of Violation



Community Development

919 Palm Street, San Luis Obispo, CA 93401-3218
805.781.7170
slocity.org

ATTACHMENT D

REQUEST FOR DIRECTOR'S REVIEW

Person Requesting Review: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

Property Owner: \_\_\_\_\_ Tenant: \_\_\_\_\_ Case #: \_\_\_\_\_

Address of alleged violation: \_\_\_\_\_

Date of Notice to Correct/Violation: \_\_\_\_\_

Please identify the code violation or interpretation you are contesting. Please provide relevant information and explain why the alleged violation or interpretation should be reconsidered. You may attach additional pages, if necessary.

Multiple horizontal lines for providing details of the violation or interpretation.

I hereby request a review of alleged violation or interpretation by the Community Development Director.

Signature of Appellant: \_\_\_\_\_ Date: \_\_\_\_\_

Please return form to: City of San Luis Obispo, Community Development Department, 919 Palm Street, San Luis Obispo, CA 93401 or Email: code@slocity.org

COMPLETED FORM MUST BE RECEIVED BY THE COMMUNITY DEVELOPMENT DEPARTMENT WITHIN 5 DAYS OF THE DATE OF THE NOTICE TO CORRECT/VIOLATION.



**Community Development**  
919 Palm Street, San Luis Obispo, CA 93401-3218  
805.781.7170  
slocity.org

**ADMINISTRATIVE CITATION  
AND ORDER TO COMPLY WITH  
SAN LUIS OBISPO MUNICIPAL CODE**

**1<sup>st</sup> Citation**    **2<sup>nd</sup> Citation**    **3<sup>rd</sup> Citation**    **Additional / Daily Fines**

**ADDRESS OF VIOLATION:** 280 California Blvd, San Luis Obispo, CA 93405 APN: 052-072-017  
**DATE OF VIOLATION:** May 10, 2024 / May 17, 2024 / May 31, 2024  
**NAME:** Manda Properties LLC  
**ADDRESS:** 1110 California Blvd #C, San Luis Obispo, CA 93401

PURSUANT TO CHAPTER 1.24 OF THE SAN LUIS OBISPO MUNICIPAL CODE, YOU ARE HEREBY ORDERED TO IMMEDIATELY CORRECT THE VIOLATION(S) DESCRIBED BELOW AND PAY THE FINE. YOU ARE FURTHER ORDERED TO CEASE THE ACTIVITY GIVING RISE TO THE VIOLATION. WHEN CORRECTIONS ARE COMPLETE PLEASE SCHEDULE AN INSPECTION BY CALLING (805)781-7180. TO AVOID ADDITIONAL FINES COMPLIANCE MUST BE VERIFIED BY DEPARTMENT STAFF. IF DAILY FINES APPLY AS NOTED ABOVE, THE FINES SHALL ACCRUE DAILY UNTIL THE VIOLATION(S) ARE CORRECTED. FAILURE TO CORRECT THE VIOLATION(S) WILL RESULT IN THE ISSUANCE OF ADDITIONAL ADMINISTRATIVE CITATIONS AND ESCALATING FINES OR OTHER ENFORCEMENT ACTION.

CODE SECTION	DESCRIPTION OF VIOLATION	FINE
MC § 17.76.060	Use Permit Violation	\$50
MC § 17.76.060	Use Permit Violation	\$100
MC § 17.76.060	Use Permit Violation	\$200
	<b>Amount Due</b>	<b>\$350</b>

Failure to pay the fines may result in the suspension of any pending applications or permits. Unpaid fines become delinquent after 30 days and are subject to interest accrual of 8% per month as contained in SLOMC 1.24.070 C. The City may pursue all legal, equitable, and administrative remedies for the collection of unpaid civil administrative fines. Delinquent fines will be forwarded to a collection agency for payment.

**Mail Payments to: City of San Luis Obispo, Community Development Department  
919 Palm Street, San Luis Obispo, CA 93401**

You may file an **APPEAL** of this Administrative Citation by submitting a request in writing to the Hearing Administrator within ten days of the date this Administrative Citation is issued as shown below. Each responsible party is individually required to file an appeal. **FAILURE TO FILE AN APPEAL WILL WAIVE YOUR RIGHT TO CONTEST THIS CITATION.** Please see the attached Appeal Form for more information.

**Mail Appeals to: City of San Luis Obispo, City Clerk  
990 Palm Street, San Luis Obispo, CA 93401**

Issued By: Steve Sheats Signature:  Title: Code Enforcement Officer

**RELATED CE CASE:** CODE-000074-2024

**DATE CITATION ISSUED:** June 19, 2024

**INVOICE (00036143)  
FOR CITY OF SAN LUIS OBISPO**

ATTACHMENT D

**BILLING CONTACT**

MANDA PROPETIES LLC A CA LLC % OBISPO  
INVESTMENTS INC  
1110 California Blvd c  
SLO, CA 93401



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
00036143	06/19/2024	07/19/2024	Due	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
CODE-000074-2024	NSS 1st Admin Citation	\$50.00
	NSS 2nd Admin Citation	\$100.00
	NSS 3rd Admin Citation	\$200.00
280 California Blvd San Luis Obispo, CA 93405		<b>SUBTOTAL</b> \$350.00

**TOTAL** **\$350.00**



# Administrative Citation Appeal Form

**This request to appeal must be received by the City Clerk within 10 days of date of the citation to be considered timely filed.**

*Please submit any supporting documents or photos with this form.*

1. **Appellant.** Name \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

(If Applicable)

Business Name \_\_\_\_\_ Business License # \_\_\_\_\_

2. **Interest in Citation.** (Place X in front of selection)

\_\_\_\_ A. Charged personally      \_\_\_\_ B. Charged as the owner of the property      \_\_\_\_ C. Acting as the legally authorized Agent of the cited business or homeowner

3. **Administrative Citation.** Date of Citation \_\_\_\_\_ Citation Number \_\_\_\_\_

Address of property cited or location where an individual was cited:

Citation Address \_\_\_\_\_

Municipal code section(s) violated: \_\_\_\_\_

Code violation(s) being appealed: \_\_\_\_\_

4. **Reason for appeal.**

Give a brief statement of why you are appealing and why the notice of violation/administrative citation should be revoked, modified, or otherwise set aside. **The AMOUNT of the fine cannot be reduced on appeal.** Attach additional sheets as necessary. Any documents or photos you wish to submit in support of your appeal should be included with this form. (number of sheets attached \_\_\_\_\_)

COMPLETE BOTH SIDES



# Administrative Citation Appeal Form

Questions about this form or the appeal process?  
Contact the City Attorney's Office at Room 10, City Hall (990 Palm Street) or (805)781-7140

**5. Election of Appeal Process.**

*Note: All Administrative Citations written for violation of Title 15 of the Municipal Code (building and related codes), even if other code violations are also cited, will be automatically heard by the Construction Board of Appeals. Election of Hearing Officer review is not valid and a check for the appeal fee must accompany this form.*

For Administrative Citations that do not charge a violation of Title 15, you must make a choice of an appeal process. (1) At no charge, you may choose an expedited, less formal appeal process of review by a Hearing Officer, whose final decision may be appealed directly to the superior court for de novo review pursuant to Government Code Section 53069.4. (2) However, if you wish to retain your right to challenge the Administrative Citation, or any final city action related to the citation, in court by any writ action, you must appeal to the Administrative Review Board for a more formal, comprehensive hearing to ensure preparation of an adequate administrative record and pay an appeal fee indicated below.

**Only one appeal process may be chosen, and once chosen, the election is final. Failure to make a selection will result in the appeal being assigned to a Hearing Officer for review and will constitute a failure to exhaust administrative remedies for purposes of any subsequently filed writ action.**

**I have read the above and choose:** (Place X in front of selection)

___ A.	\$1,339.57	My administrative citation includes a Title 15 violation requiring review by the <u>Construction Board of Appeals</u> . <i>I have included a check with this form.</i>
___ B.	\$350.12	More formal appeal to <u>Administrative Review Board</u> . <i>I have included a check with this form.</i>
___ C.	No charge	Expedited appeal to a <u>Hearing Officer</u> .

**6. Election to forego an in-person hearing.**

It is your right under San Luis Obispo Municipal Code Section 1.24, no matter which appeal process is chosen, to have an in-person hearing. However, you are under no obligation to appear. If you choose, you may select to have your appeal reviewed on the record (all documents, pictures, etc. submitted by yourself or the City).

**I want my appeal heard on the record, so I do not need to appear**

**7. Truth of Appeal.** I declare under penalty of perjury that all of the facts stated in this appeal are true and

that this appeal form was signed on: \_\_\_\_\_ at \_\_\_\_\_, \_\_\_\_\_  
Date City State

If different from the address in Paragraph 1, the official mailing address to receive further notices from City relating to the appeal is:

\_\_\_\_\_  
Street Address City State Zip

\_\_\_\_\_  
Signature of Appellant

\_\_\_\_\_  
Print name of Appellant

**Once filled out entirely and signed, email to [CityClerk@slocity.org](mailto:CityClerk@slocity.org) or deliver by U.S. Mail or in person to:  
City Clerk's Office, 990 Palm St., San Luis Obispo, CA 93401**

COMPLETE BOTH SIDES





**Notice to Correct Code Violation(s)/Notice of Violation**  
(Courtesy Warning Prior to Issuance of Administrative Citation)

March 13, 2024

Manda Properties LLC  
% Comet Realty  
1110 California Blvd #C  
San Luis Obispo, CA 93401

**SUBJECT ADDRESS:** 280 California Blvd, San Luis Obispo, CA 93405

**APN:** 052-072-017

**Code Case #:** CODE-000074-2024

Dear Property Owner,

City of San Luis Obispo Community Development Department staff noted the following violations of the San Luis Obispo Municipal Code or other relevant codes at the above listed address:

1. **Use Permit Violation (SLOMC 17.76.060)**

*“It shall be unlawful and a public nuisance for any person, firm or corporation, owning, leasing, occupying, or having possession of any private property in the City to maintain such property in such a manner that any of the following conditions are found to exist thereon:*

*I. Any violation of the provisions of a minor use permit, conditional use permit, planned development permit, architectural review approval, variance, or other land use entitlement or land use permit.”*

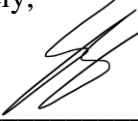
Condition number five of the use permit associated with the property indicates “Use permit shall be reviewed by the Planning Commission at any time, if any reasonable written citizen or Police Department complaint is received by the city. In review of the use permit, the Planning Commission may add, delete, or modify conditions of approval or may revoke the use permit.” Police Department records indicate that six citations were issued at the property in 2023 for noise violations. Due to the multiple, confirmed noise violations and the impact to the surrounding area, Code Enforcement staff will be recommending review of the use permit to the Deputy Director of Community Development. A determination made by the Deputy Director that the evidence submitted warrants review, modification, or revocation of the current use permit by the Planning Commission will be followed by notification to the property owner and other responsible parties.

We request that you voluntarily take action to correct the above noted violation(s). **Immediate compliance is required.** These violations constitute a public nuisance and must be abated. Failure to correct the violation(s) by the specified date will result in the issuance of an Administrative Citation requiring payment of FINES in accordance with SLOMC Chapter 1.24. For Municipal Code violations that remain uncorrected after issuance of an Administrative Citation, the City may seek enforcement by other civil or criminal remedies.

Any person having a title interest in the property may request a Director's review of this Notice by completing the enclosed Request for Director's Review Form and submitting it to the Community Development Department, 919 Palm Street, San Luis Obispo, CA 93406, within five (5) days of the date of this Notice. This Notice shall be deemed final unless you timely file a Request for Director's Review.

We look forward to working with you to resolve these violations and would like to thank you for your efforts to maintain your property and to help preserve the safety and beauty of our community. **If you have questions, please contact the undersigned Officer at (805) 783-7841 or [ssheats@slocity.org](mailto:ssheats@slocity.org).**

Sincerely,



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Steve Sheats, Code Enforcement Officer

Cc: File

Enclosures: Request for Directors Review

## RESOLUTION NO. 5189 (1983 SERIES)

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN LUIS OBISPO  
DENYING AN APPEAL AND UPHOLDING A PLANNING COMMISSION ACTION  
TO APPROVE USE PERMIT REQUEST ALLOWING A FRATERNITY HOUSE  
ALPHA EPSILON PI AT 280 CALIFORNIA BOULEVARD

WHEREAS, the Council of the City of San Luis Obispo considered the appeal by Thomas J. Lee and conducted a public hearing on the matter; and

WHEREAS, the City Council determined that the proposed fraternity house as conditioned will not increase hazards to pedestrian and vehicles on Hathway Street or California Boulevard; and

WHEREAS, the council determined that the proposed fraternity house is consistent with the general plan and zoning ordinance requirements on density and parking; and

WHEREAS, the council concludes that the requested use is appropriate at the proposed site.

WHEREAS, the council finds that a revised site plan with parking and access off of the California Boulevard frontage is safer and more appropriate considering the neighborhood.

NOW, THEREFORE, the council resolves to deny the appeal and uphold the Planning Commission's approval with additional conditions based on the following findings:

1. The proposed use as conditioned will not be detrimental to the health, safety and welfare of persons living or working in the area.
2. The proposed use is appropriate at the proposed location and will be compatible with surrounding land uses.
3. The proposed use conforms to the general plan.
4. The proposed use meets zoning ordinance requirements.
5. The proposed use is categorically exempt from environmental determination, proposed site.

NOW, THEREFORE, BE IT RESOLVED that application No. U1099 is approved subject to the following conditions:

Resolution No. 5189 (1983 Series)  
Use Permit U1099  
Page 2

1. No more than 19 persons including resident manager shall reside at the house at any time.
2. A minimum of 19 on-site vehicular parking spaces, the maximum number of six bicycle spaces, and three motorcycle space to city standards shall be provided and maintained at all times for the intended use.
3. The property shall be maintained in a clean and orderly manner. All plant materials shall be replaced and maintained as necessary.
4. Applicant shall install two 36-inch box-sized specimen trees as replacement for the palm tree to be removed. Replacement tree type and location shall be as approved by the Architectural Review Commission.
5. Use permit shall be reviewed by the Planning Commission at any time, if any reasonable written citizen or Police Department complaint is received by the city. In review of the use permit, the Planning Commission may add, delete, or modify conditions of approval or may revoke the use permit.
6. Greek letter sign shall be allowed only on the building face or fence in accordance with sign ordinance regulations. Freestanding signs are prohibited. Variation of this condition may be considered if requested, reviewed, and approved by the Architectural Review Commission.
7. Applicant shall install an enclosed trash area to the approval of the Architectural Review Commission.
8. The structure shall be inspected by the Chief Building Official and Fire Marshal for code compliance. The applicant shall post the maximum occupancy limits as set by the Fire Marshal for the safety of persons living in the building, to the approval of the city Fire Marshal.
9. Smoke detectors and fire extinguishers shall be installed to the approval of the Fire Department.
10. Use as a fraternity shall be limited solely to the Alpha Epsilon Pi fraternity. Any other occupancy would require approval by the Planning Commission of an amended use permit.
11. Applicant shall allow the city, at any reasonable time, to verify that the occupancy of the house is limited to the residents, either by allowing an inspection of records or by visual inspection of the premises, provided that the inspection shall be preceded by notice to the residents of not less than one hour.
12. No meetings, parties or other types of activities involving persons other than residents living on the site shall be allowed between the hours of 10:00 p.m. and 9:00 a.m.

Resolution No. 5189 (1983 Series)

Use Permit U1099

Page 3

13. All reasonable written citizen or Police Department complaints received by the Community Development Department shall be forwarded to the representative of the Interfraternity Council and Panhellenic Council for their review and comment prior to review by the Planning Commission in accordance with a complaint review process established between the city and the Interfraternity Council and Panhellenic Council. Said review by representative of the Interfraternity Council and Panhellenic Council shall not include the names of the complaining parties unless said complaining parties consent to the use of their names.
14. Applicant shall prepare a valet-parking plan to be approved by the Community Development Director, and institute valet parking for any scheduled function held at the fraternity house.
15. Applicant shall paint the California Boulevard frontage curb red for a minimum distance of 70 feet on both sides of the driveway ramp serving the site and install "no parking" signs to the satisfaction of the Public Works Department staff.
16. Applicant shall revise the parking and access (driveway ramp) to the satisfaction of the Community Development Department staff.
17. Reduced street yard setback on Hathway Street frontage is hereby approved at 10 feet.
18. Applicant shall install and landscape a masonry wall along the Hathway Street frontage, approximately 5 feet in height, to the satisfaction of the Community Development Director.

On motion of Councilman Settle, seconded by Councilman Dunin,

and on the following roll call vote:


AYES: Councilmembers Settle, Dunin, Dovey, Griffin and Mayor Billig

NOYES: None

ABSENT: Absent

the foregoing resolution was passed and adopted this 2nd. day of August,

1983.

  
 Mayor Melanie C. Billig

ATTEST:

  
 City Clerk Pamela Voges