



## STAFF REPORT SAN CLEMENTE PLANNING COMMISSION

Meeting Date: October 16, 2013

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**PLANNER:** Cliff Jones, Associate Planner *CJ*

**SUBJECT:** Minor Cultural Heritage Permit (MCHP) 13-341, Base of Pier Restroom Renovation, a request to consider exterior changes to a public restroom building located at the south side of the base of the historic municipal pier. The property is located within the Pier Bowl Specific Plan within the Beach and Parks – Open Space land use designation at 615 Avenida Victoria.

### REQUIRED FINDINGS

Prior to approval of the proposed project, the following findings shall be made. The draft Resolution, provided as Attachment 1, and analysis section of this report provide an assessment of the project's compliance with these findings.

#### **Cultural Heritage Permit (CHP), Section 17.16.100**

- a. The architectural treatment of the project complies with the San Clemente General Plan.
- b. The architectural treatment of the project complies with the Zoning Ordinance including, but not limited to, height, setback, and color.
- c. The project's architectural treatment complies with the architectural guidelines in the City's Design Guidelines.
- d. The project's general appearance is in keeping with the character of the neighborhood.
- e. The proposal is not detrimental to the orderly and harmonious development of the City.
- f. The proposed project will not have negative visual or physical impacts upon the historic structure.

### BACKGROUND

The renovation includes the addition of two ADA accessible family style restrooms to the front of the building. This alteration would address code and accessibility requirements, provide added family restroom facilities, add additional square footage, and enhance the appearance of the building in keeping with the Pier Bowl Specific Plan Spanish Colonial Revival design guidelines. Surrounding land uses include beach/park/open space, municipal pier, commercial and residential uses.

The applicant, David Chacon of RRM Design Group of San Clemente, was retained to assess the existing conditions, research alternatives, and develop the design for this project. RRM has recent experience in marine building design including restrooms in other beach communities and processing and obtaining approval of Coastal Development Permits.

A Minor Cultural Heritage Permit (MCHP) is required because the project includes exterior modifications to a non-residential structure and because the site abuts the historic pier. Review of the MCHP is the purview of the Zoning Administrator. However, since the proposed development is in a highly visible area and may have significant public interest, the Zoning Administrator has recommended that the Planning Commission review and approve the MCHP as conditioned.

### ***Development Management Team***

The City's Development Management Team (DMT) reviewed the applicant's request and determined it meets requirements. Conditions of Approval are recommended that are included in the attached draft resolution.

### ***Noticing***

Public notification was completed in accordance with State Law and Municipal Code regulations. To date, staff has received no input from the public on this request.

### **PROJECT DESCRIPTION**

A photo from 1974 shows a white building with red tile roof at the location. It is believed the restroom exterior was changed with a rehabilitation project in the 1980's, in a style which is neither, "Mariner's Style" nor Spanish Colonial Revival. The Pier Bowl Specific plan, adopted on October 13, 1993, states that buildings on the pier are required to be, "Mariner's Style" per the Pier Bowl Specific Plan, and all other buildings are required to be Spanish Colonial Revival. The subject building is not located at the base of the pier, located just south of the base, and is required to be Spanish Colonial Revival architecture.

### ***Development Standards/Design Guidelines***

The development standards for structures located within the Beaches and Parks – Open Space land use designation are determined through the discretionary review process. The development guidelines for the Zone suggest compliance with the design criteria of the Pier Bowl Specific Plan and City Design Guidelines as the appropriate standard. Table 1 summarizes the project's consistency with the Design Guidelines.

Table 1 – Project Evaluation

Design Guideline	Project Consistency
Building and site design should follow basic principles of Spanish Colonial Revival (SCR) architecture (Design Guidelines II.C.2)	Consistent. Proposed architectural details (materials and colors) generally follow SCR style.
The architecture of all new or historically-designated buildings should reflect the Spanish Colonial Revival architectural style (Pier Bowl Specific Plan, Design Guidelines 505).	Consistent. Proposed architectural details (materials and colors) generally follow SCR style.
All development proposals should demonstrate sensitivity to the contextual influences of adjacent properties and the neighborhood.” (Relationship to Neighboring Development II.B.)	Consistent. The design of the project is in keeping with the Pier Bowl Specific Plan Design Guidelines, City Design Guidelines, and the Spanish Colonial Revival architectural style prescribed in the Pier Bowl.

The project is compatible with the surrounding area, complies with Pier Bowl Specific Plan Design Guidelines and City Design Guidelines, and therefore complies with the developments standards for the zone.

## **PROJECT ANALYSIS**

### ***Architecture***

The project will bring the overall site more in line with Spanish Colonial Revival architecture because the project includes Spanish Colonial Revival details. The remodeled structure will have smooth white stucco, a full red clay tile roof with mortar packing, wrought iron light fixtures, and tile niches with decorative tile.

### ***Cultural Heritage Permit***

A Minor Cultural Heritage Permit (MCHP) is required because the project includes exterior modifications to a non-residential structure and because the site abuts the historic pier. The main finding for a MCHP is that the architectural treatment of the project complies with Design Guidelines and is in keeping with the character of the neighborhood. The project satisfies this requirement as it complies with Design Guidelines incorporating Spanish Colonial Revival (SCR) design elements such as smooth stucco walls, clay tile roof with random mortar packing, wrought-iron lights, tile details, etc., which is in keeping with the SCR architectural character of the Pier Bowl neighborhood. The project will not have negative visual or physical impacts upon the abutting historic structure because it is of high quality architecture, complies with the Design Guidelines of the Pier Bowl Specific Plan and City Design Guidelines, and does not detract the visual prominence of the pier.

**Design Review Subcommittee**

Table 2 below summarizes the concerns raised and discussed by the Design Review Subcommittee (DRSC) members and how the applicant has addressed the comments/concerns. Draft DRSC minutes are provided as Attachment 3.

**Table 2 - DRSC concerns and modifications**

<b>DRSC concerns</b>	<b>Project modifications</b>
The DRSC recommended two murals and a photo screen mural, similar to the Ralph's mural.	<b>Modified as Requested.</b> Two murals are proposed that will incorporate a historic photo screen mural of the Pier Bowl, similar to the style mural approved for Ralph's. A team of staff and DRSC will review the final mural design.
The DRSC recommended applying stucco to the rear of the restroom building.	<b>Condition of Approval.</b> As a condition of approval, stucco will be applied to the rear of the building like the front and sides of the building. Zoning Administrator modified to include as an add alt.
The DRSC recommended addition of landscaping at the rear of the restroom building.	<b>Under Consideration.</b> Staff is consulting with OCTA for their approval of landscape. Chosen landscape should deter trespassing.
The DRSC recommended the mesh metal screen be decorative.	<b>Modified as Requested.</b> The metal screen is proposed to be decorative as requested.

**Zoning Administrator Recommendations**

Table 3 below summarizes the recommendations of the Zoning Administrator and how the applicant has addressed them. Draft Zoning Administrator minutes are provided as Attachment 4.

**Table 3**  
**Zoning Administrator Recommendations**

<b>Recommendation</b>	<b>Project Modifications</b>
A fiberglass door, or similar material, designed to look like wood should be utilized that is finished in a dark brown.	<b>Condition of Approval.</b> A fiberglass door, or similar material, designed to look like wood and painted dark brown will be utilized as opposed to the proposed wood door.
If funding is not available to stucco the rear of the building, the rear should be	<b>Condition of Approval.</b> As a condition of approval, stucco will be applied to the rear

<p>painted white.</p>	<p>of the building like the front and sides of the building, if funding is available. If funding is not available, the rear shall be painted white.</p>
<p>If landscape is provided, it should deter trespassing.</p>	<p><b>Under Consideration.</b> Staff is consulting with OCTA for their approval of landscape. Chosen landscape should deter trespassing.</p>

**GENERAL PLAN CONSISTENCY**

The proposed project is consistent with the Land Use Element of the City’s General Plan as summarized in Table 4 below:

**Table 4**  
**General Plan Consistency**

<p><b>General Plan Policy</b></p>	<p><b>Consistency Finding</b></p>
<p>1.1-Ensure that lands are designated to accommodate a balance of uses which provide for the housing, commercial, employment, educational, recreational, cultural, social, and aesthetic needs of the residents; and to maintain the City’s significant environmental resources.</p>	<p><b>Consistent.</b> The project provides accessible restroom facilities and changing rooms for City residents and visitors who visit the beach and open space area. The project satisfies the aesthetic needs of residents and visitors by providing high quality architectural design in a Spanish Colonial Revival style consistent with City and Pier Bowl Design Guidelines.</p>

**ENVIRONMENTAL REVIEW**

The Planning Division processed and completed an initial environmental assessment for this project in accordance with the California Environmental Quality Act (CEQA). The Planning Division has determined the project is categorically exempt from CEQA as a Class 1 exemption pursuant to CEQA Guidelines Section 15301 and Class 3 exemption pursuant to Section 15303, because the project consists of interior and exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances and new construction involving an existing accessory structure.

**ALTERNATIVES; IMPLICATIONS OF ALTERNATIVES**

1. The Planning Commission can concur with staff and approve MCHP 13-341.  
*This action would allow the construction of the project subject to the Conditions of Approval.*

2. The Planning Commission can, at its discretion, add, modify or delete provisions of the proposed project or conditions.

*The Planning Commission can require additional conditions addressing the project design. This action would result in any modifications being incorporated accordingly.*

3. The Planning Commission can deny MCHP 13-341.

*This action would not allow the construction of the project and could result in the applicant filing an appeal with the City Council.*

### **RECOMMENDATION**

**STAFF RECOMMENDS THAT** the Planning Commission approve MCHP 13-341, Base of Pier Restroom Renovation, subject to the attached Resolution and Conditions of Approval.

*Attachments:*

1. Resolution
2. Location Map
3. Draft DRSC minutes dated September 11, 2013 (excerpted)
4. Zoning Administrator minutes dated October 2, 2013 (excerpted)

Plans under separate cover

RESOLUTION NO. PC 13-038

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING MINOR CULTURAL HERITAGE PERMIT 13-341, BASE OF PIER RESTROOM RENOVATION, A REQUEST TO CONSIDER EXTERIOR CHANGES TO A PUBLIC RESTROOM BUILDING LOCATED AT THE SOUTH SIDE OF THE BASE OF THE HISTORICAL MUNICIPAL PIER AT 615 AVENIDA VICTORIA**

**WHEREAS**, an application was submitted on September 4, 2013 and completed on September 5, 2013 by City of San Clemente, 910 Calle Negocio, Suite 100, San Clemente, CA 92673 for a Minor Cultural Heritage Permit to consider exterior changes to a public restroom building located at the south side of the base of the historic municipal pier, located at 615 Avenida Victoria, Assessor's Parcel Number 058-240-15; and

**WHEREAS**, on October 2, 2013 the Zoning Administrator held a duly noticed public hearing and considered evidence and testimony presented by City staff, the applicant and other interested parties and recommended that the Planning Commission review and approve the proposed project; and

**WHEREAS**, the Planning Division completed an initial environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA) and recommends the Planning Commission determine this project is categorically exempt from CEQA as a Class 1 exemption pursuant to CEQA Guidelines Section 15301 and Class 3 exemption pursuant to Section 15303, because the project consists of interior and exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances and new construction involving an existing accessory structure; and

**WHEREAS**, the City's Development Management Team reviewed the application for compliance with the General Plan, Zoning Ordinance, and other applicable requirements; and

**WHEREAS**, on October 16, 2013, the Planning Commission held a duly noticed public hearing and considered evidence and testimony presented by City staff, the applicant and other interested parties.

**NOW, THEREFORE**, the Planning Commission of the City of San Clemente hereby resolves as follows:

**Section 1:** The project is project is categorically exempt from CEQA as a Class 1 exemption pursuant to CEQA Guidelines Section 15301 and Class 3 exemption pursuant to Section 15303, because the project consists of interior and exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances and new construction involving an existing accessory structure.

**Section 2:** With regard to Minor Cultural Heritage Permit 13-341, the Planning Commission finds as follows:

- A. The architectural treatment of the project complies with the San Clemente General Plan in that the proposed materials and design will be consistent with the neighborhood.
- B. The architectural treatment of the project complies with the Zoning Ordinance, Pier Bowl Specific Plan, and architectural guidelines in the City's Design Guidelines, in that the project demonstrates sensitivity to the neighborhood by maintaining the structure's context within the Pier Bowl area.
- C. The general appearance of the project is consistent with the surrounding neighborhood in that the proposed Spanish Colonial Revival restroom building is consistent with the Spanish Colonial Revival architectural style prescribed in the Pier Bowl area.
- D. The proposal is not detrimental to the orderly and harmonious development of the City in that, as conditioned, all structures will be constructed in compliance with all required Building, Safety and Fire codes.
- E. The proposed project/use preserves and strengthens San Clemente's historic identify as a Spanish village in that the building is designed in Spanish Colonial Revival architecture.
- F. The project will not have negative visual or physical impacts upon the abutting historic structures in that the architectural treatment complies with the Design Guidelines of the Pier Bowl Specific Plan and City Design Guidelines and does not detract the visual prominence of the pier.

**Section 3:** The Planning Commission of the City of San Clemente hereby approves MCHP 13-341, Base of Pier Restroom Renovation, subject to the above Findings and the Conditions of Approval attached hereto as Exhibit 1.

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the City of San Clemente on October 16, 2013.

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Chair



**TO WIT:**

**I HEREBY CERTIFY** that the foregoing resolution was duly adopted at a regular meeting of the Planning Commission of the City of San Clemente on October 16, 2013, and carried by the following roll call vote:

**AYES:            COMMISSIONERS:**  
**NOES:           COMMISSIONERS:**  
**ABSTAIN:       COMMISSIONERS:**  
**ABSENT:        COMMISSIONERS:**

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Secretary of the Planning Commission

## EXHIBIT 1

**CONDITIONS OF APPROVAL**  
**Minor Cultural Heritage Permit 13-341**  
**Base of Pier Restroom Renovation**

1. The applicant or the property owner or other holder of the right to the development entitlement(s) or permit(s) approved by the City for the project, if different from the applicant (herein, collectively, the "Indemnitor") shall indemnify, defend, and hold harmless the City of San Clemente and its elected city council, its appointed boards, commissions, and committees, and its officials, employees, and agents (herein, collectively, the "Indemnitees") from and against any and all claims, liabilities, losses, fines, penalties, and expenses, including without limitation litigation expenses and attorney's fees, arising out of either (i) the City's approval of the project, including without limitation any judicial or administrative proceeding initiated or maintained by any person or entity challenging the validity or enforceability of any City permit or approval relating to the project, any condition of approval imposed by City on such permit or approval, and any finding or determination made and any other action taken by any of the Indemnitees in conjunction with such permit or approval, including without limitation any action taken pursuant to the California Environmental Quality Act ("CEQA"), or (ii) the acts, omissions, or operations of the Indemnitor and the directors, officers, members, partners, employees, agents, contractors, and subcontractors of each person or entity comprising the Indemnitor with respect to the ownership, planning, design, construction, and maintenance of the project and the property for which the project is being approved. The City shall notify the Indemnitor of any claim, lawsuit, or other judicial or administrative proceeding (herein, an "Action") within the scope of this indemnity obligation and request that the Indemnitor defend such Action with legal counsel reasonably satisfactory to the City. If the Indemnitor fails to so defend the Action, the City shall have the right but not the obligation to do so and, if it does, the Indemnitor shall promptly pay the City's full cost thereof. Notwithstanding the foregoing, the indemnity obligation under clause (ii) of the first sentence of this condition shall not apply to the extent the claim arises out of the willful misconduct or the sole active negligence of the City. *[Citation – City Attorney Legal Directive]* (PInG.)\_\_\_\_\_
2. Thirty (30) days after project approval, the owner or designee shall submit written consent to all of these imposed conditions of approval to the Community Development Director or designee. *[Citation – City Attorney Legal Directive]* (PInG.)\_\_\_\_\_
3. MAP 13-258 shall become null and void if the use is not commenced within three (3) years from the date of the approval thereof. Pursuant to Section 17.12.150(B) of the Zoning Ordinance of the City of San Clemente, since the use requires the issuance of a building permit, the use shall not be deemed to have commenced

until the date that the building permit is issued for the development. *[Citation - Section 17.12.150.A.1 of the SMC]*

Pursuant to Section 17.12.150(C) of the Zoning Ordinance, a use shall be deemed to have lapsed, and 13-258 shall be deemed to have expired, when a building permit has been issued, construction has not been completed, and the building permit has expired in accordance with applicable sections of the Uniform Building Code, as amended. *[Citation - Section 17.12.150.C.2 of the SMC]* (PIng.)\_\_\_\_\_

- 4. Prior to issuance of certificate of occupancy, the project shall be developed in conformance with the site plan, floor plans, elevations, details, and any other applicable submittals approved by the Zoning Administrator on September 4, 2013, subject to the Conditions of Approval.

Any deviation from the approved site plan, floor plans, elevations, details, or other approved submittal shall require that the owner or designee submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the City Planner or designee. If the City Planner or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain the approval of the Zoning Administrator. *[Citation - Section 17.12.180 of the SMC]* (PIng.)\_\_\_\_\_

- 5. Prior to issuance of building permits, the owner or designee shall submit for review and obtain approval of the City Planner or designee for plans indicating the following on the building:

- A. Tile roof with mortar pack.
- B. Stucco finish. Stucco finish shall be applied on the rear of the building unless the Beaches, Parks & Recreation Director determine funding is not available. If funding is determined to be unavailable, the rear of the building shall be painted white.
- C. Decorative metal screen.
- D. A fiberglass door, or similar material, designed to look like wood should be utilized that is finished in a dark brown.

■■ (PIng.)\_\_\_\_\_

- 6. Landscaping should be considered along the rear of the restroom building to soften view of the building. ■■ (PIng./BP&R)\_\_\_\_\_

- 7. Prior to the issuance of building permits, the owner or designee shall include within the first four pages of the working drawings a list of all conditions of approval imposed by the final approval for the project. *[Citation - City Quality Insurance Program]* (PIng.)\_\_\_\_\_ (Bldg.)\_\_\_\_\_

- 8. A separate Building Permit is required. Plans to construct new building, add or alter the existing building configuration, change in use, add or alter structural, mechanical, electrical or plumbing features of the project must be reviewed and approved through a separate building plan check / permit process. (Bldg.)\_\_\_\_\_   
*[S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20]*
  
- 9. Building permits shall not be issued unless the project complies with all applicable codes, ordinances, and statutes including, but not limited to, the Zoning Ordinance, Grading Code, Security Ordinance, Transportation Demand Ordinance, Water Quality Ordinance, Title 24 of the California Code of Regulations as adopted by the City including, but not limited to the California Administrative, Building, Electrical, Plumbing, Mechanical, Energy, Green, and Fire Codes. (Bldg.)\_\_\_\_\_   
*[S.C.M.C – Title 8 – Chapter 8.16 – Fire Code, Title 15 Building and Construction Chapters 15.08, 15.12, 15.16, 15.20, 15.21, Title 16 Subdivisions, Title 17 Zoning]*
  
- 10. Prior to issuance of building permits, code compliance will be reviewed during building plan check. (Bldg.)\_\_\_\_\_   
*[S.C.M.C – Title 8 – Chapter 8.16- Fire Code, Title 15 Building Construction - Chapters 15.08, 15.12, 15.16, 15.20]*
  
- 11. Prior to issuance of building permits, applicant shall secure all utility agencies approvals for the proposed project. (Bldg.)\_\_\_\_\_   
*[S.C.M.C – Title 15 Building Construction]*

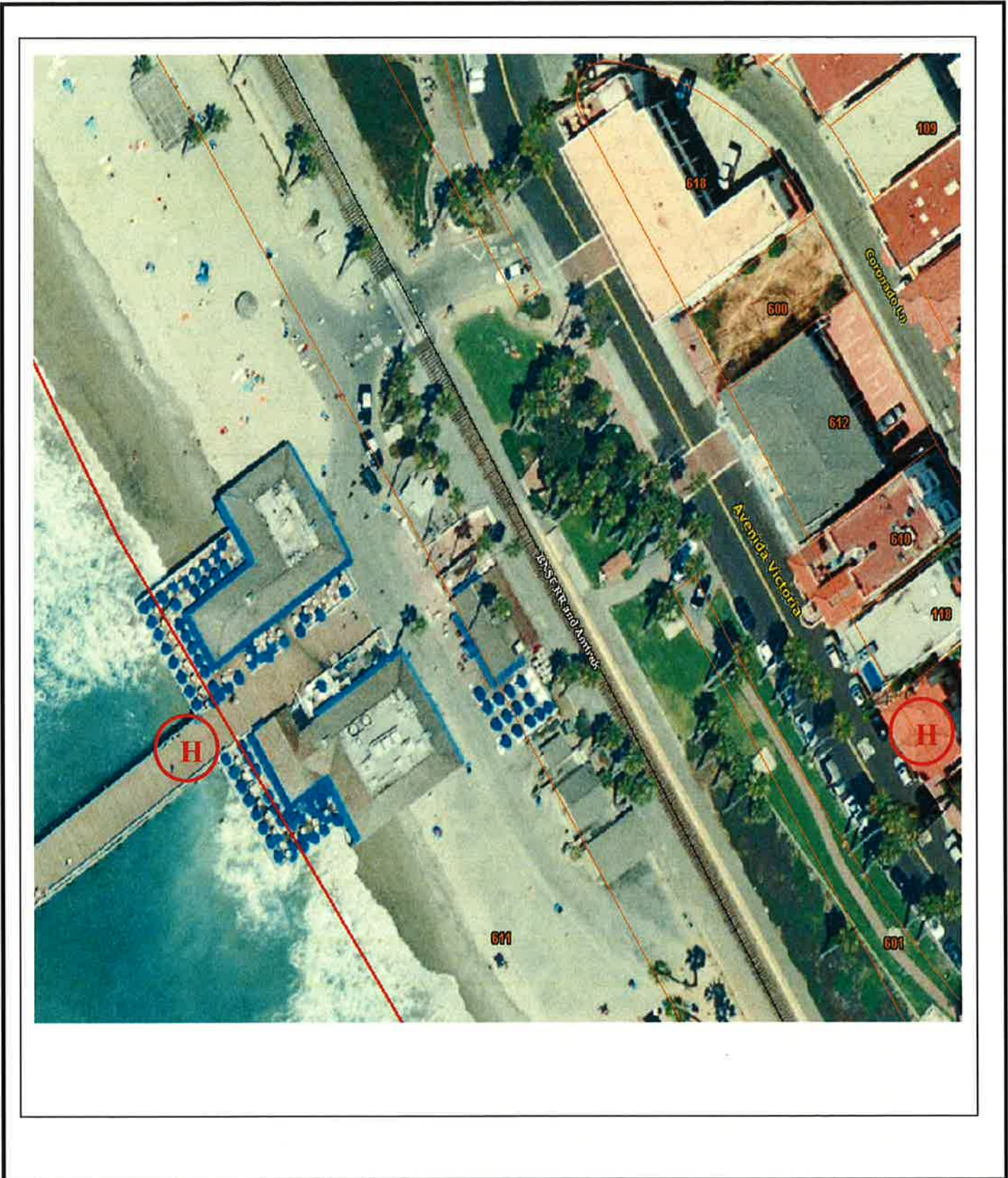
All Conditions of Approval are standard, unless indicated as follows:

- Denotes modified standard Condition of Approval
- ■ Denotes project specific Condition of Approval



# LOCATION MAP

MCHP 13-341, Base of Pier Restroom  
615 Avenida Victoria



The DRSC stated that they understand that is and unavoidable consequence for the removal of the fungi infested garage/shed.

Member of the public, Larry Culbertson, stated that the Historical Society is supportive of the project and appropriate minor additions to historic houses. He also requested that the cost of the improvements be provided to see the difference between the cost of the improvements and the property tax savings for the historic house. He also asked how the timing of the improvements is established.

DRSC clarified that the scheduling of improvements is a compromise between the City and the property owner. The applicant stated that all of the improvements are proposed to be completed with the proposed addition.

Subcommittee Member Kaupp stated that he would like to see copper gutters and not half round metal gutters.

Subcommittee Member Darden questioned what the construction type was for the fireplace in the back of the house. Her concern was the design was too contemporary.

The applicant stated that the fire place is wood framed and could be designed to be a more modest and traditional design.

The DRSC was in support of the project with their recommended modifications.

**C. Minor Cultural Heritage Permit 13-341, Base of Pier Restroom Renovation**  
(Jones/Heider)

A request to allow exterior changes to a public restroom building located at the south side of the base of the historic municipal pier. The property is located within the Pier Bowl Specific Plan within the Beach and Parks – Open Space land use designation at 615 Avenida Victoria.

Beaches Parks & Recreation Director, Sharon Heider summarized the staff report.

The Subcommittee recommended the following:

- The photo screen mural Option B, similar to the Ralph's mural, was the recommended mural type.
- Prefer two murals.
- Consider stuccoing the restroom.
- Consider the addition of landscape.
- Metal screen should be decorative.

Larry Culbertson, President of Historical Society, indicated he agreed with the Subcommittee's recommendations of having stucco on the restroom building and suggested the roof have extra mortar packing. He suggested the murals depict historical photos of pier architecture such as fishing boats, yacht club, etc.

DRSC recommended the project move forward to the decision making body.

**3. NEW BUSINESS**

None

**4. OLD BUSINESS**

None

**5. ADJOURNMENT**

Adjourn to the Regular Meeting of the Design Review Subcommittee to be held September 25, 2013 at 10:00 a.m. in Conference Room A, Community Development Department, 910 Calle Negocio, Suite 100, San Clemente, CA 92673.

Respectfully submitted,

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Michael Kaupp, Chair

Attest:

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Jim Pechous, City Planner

**CITY OF SAN CLEMENTE  
MINUTES OF THE REGULAR  
ZONING ADMINISTRATOR MEETING  
October 2, 2013**

Staff Present: Jim Pechous, Christopher Wright, Amber Gregg, Cliff Jones, and Kimberly Maune

**2. MINUTES**

Minutes of the Zoning Administrator meeting of September 18, 2013 received and filed.

**3. ORAL AND WRITTEN COMMUNICATION**

None

**4. PUBLIC HEARINGS**

**A. 615 Avenida Victoria – Minor Cultural Heritage Permit 13-341 – Base of Pier Restroom Renovation (Jones)**

A request to consider exterior changes to a public restroom building located at the south side of the base of the historic municipal pier. The property is located within the Pier Bowl Specific Plan within the Beach and Parks – Open Space land use designation at 615 Avenida Victoria. The legal description is Assessor's Parcel Number 058-240-15.

Associate Planner Cliff Jones summarized the staff report. Mr. Jones stated that Sharon Heider, Beaches, Parks and Recreation Director, and David Chacon with RRM Design Group, are both present and they are both familiar with this project.

Ms. Heider offered clarification regarding the wood door originally proposed on the exterior. Because of the problems with the wood doors used at the Vista Hermosa Sports Park they are getting recommendations from door manufacturers that wood doors should not be used in these high moisture content areas. She would like to propose using a wood look which would be manufactured out of fiberglass. Mr. Jones stated that the plans can be revised to reflect this change.

Mr. Pechous asked Mr. Jones if he received comments from anyone in the Pier Bowl Business Association regarding this project. Mr. Jones stated he sent them a staff report; however, they did not have any questions about the project.



Ms. Heider stated there is a bench on either side proposed so the front side will have a decorative tile mural and on either side of the stand alone restrooms would be a bench. They are planning on painting the trash enclosure and the electrical room white to better integrate those features.

Mr. Pechous and Mr. Jones examined the plans. Mr. Pechous asked about the wire mesh and if there is an alternative material that would give the area a more decorative look. Mr. Jones responded that has been added as a condition of approval to look at that area.

Mr. Pechous stated he agrees with using an alternative material for the wood door, it should be painted dark brown which is what was done at the Fire Station. It turned out well. Once the material is painted no one can tell the difference.

Mr. Pechous stated this morning he met with Ms. Heider and Bill Humphreys, Marine Safety Chief, at the site to make sure there is adequate visibility around the corner. Mr. Humphreys felt comfortable with the design; he and his team are there day to day so if Mr. Humphreys feels comfortable then Mr. Pechous is satisfied.

Mr. Pechous asked about the tile roof. Ms. Heider stated there was originally tile in the 1970s, it has since been changed out, and it will now be put back. Mr. Pechous stated because the structure of the actual wood members will be changed out tile will be able to be supported. Mr. Pechous asked if there will be mortar packing; Mr. Jones responded that is indicated on the plans. Mr. Chacon stated there will be a small percentage, possibly a little less than 30 percent because they are concerned about the weight with the existing structure. Mr. Pechous stated it should definitely be on the front two rows where it is the most visible; Mr. Chacon responded yes, it will be. Mr. Pechous stated the top ridge line will be double stacked.

Mr. Pechous stated the site visit this morning was very helpful. Around the backside where adding landscape material has been considered, Mr. Humphreys was concerned about the bougainvillea growing across the back of the building creating a hidden space where people could hide, hang out, and possibly do things which should not be done. Mr. Pechous stated whatever landscape treatment is chosen needs to address that problem. Giant, sharp rocks, or some sort of thorny landscaping could be considered, something that will not allow a hang out area to be created.

Mr. Pechous stated this project has a tight budget. The Design Review Subcommittee (DRSC) recommendation was to stucco in the back. He is concerned that stuccoing might cause a cost overrun. He would like to give Ms. Heider the option to do the stucco as an add-alt, so if the funding

is available it can be done. If the funding is not available, since there will be landscaping, then it isn't the highest priority if it is painted white. From a distance it won't be too noticeable; most people don't notice the back of the building.

Ms. Heider stated the DRSC discussed tile murals. Her understanding is the murals will have a historic theme and one of the members of the DRSC will be assisting with the process, selecting the appropriate images since DRSC has already been through the process during the Ralphs project. Mr. Pechous agreed and stated the Ralphs murals can be used as a model. The historic theme will be used and the Historical Society and the DRSC member will be consulted to develop the design of the murals.

Mr. Pechous stated this project is consistent with the Design Guidelines; it meets the required findings required for the Minor Cultural Heritage Permit. This will be a nice addition to the Pier Bowl area and it will create an optional restroom for families. If either of the other restrooms has to be closed for any reason with this extra restroom there will always be a functional restroom for the public to use.

Mr. Pechous directed staff to add a condition of approval stating the option of add-alt for the stucco in the rear portion of the building, the modifications to the landscape in the rear to ensure a blind area is not created in the back where people might hang out, which might include adding landscaping of a thorny material or might include, like the trail in some places, sharp rocks so it is not a nice place to walk, and a wood looking door in the front as long as it is painted on site and not manufactured paint.

Action: The Zoning Administrator recommended the Planning Commission approve Minor Cultural Heritage Permit 13-341, Base of Pier Restroom Renovation.

**B. 2723 Via Montezuma – Minor Exception Permit 13-263 – Farrell Residence (Gregg)**

A request to consider the following: two encroachments into the front yard setback, one for a five foot block wall, and the other for a spa, and a request to legalize the existing 20% encroachment into the west side yard setback for a second story addition. The project is located at 2723 Via Montezuma, in the Residential Low and Coastal Zone (RL-11-CZ) zoning districts. The legal description is Lot 51, Tract 4937, and Assessor's Parcel Number 691-273-03.