

**RESOLUTION OF THE CITY OF PETALUMA  
HISTORIC & CULTURAL PRESERVATION COMMITTEE  
APPROVING MAJOR HISTORIC SITE PLAN AND ARCHITECTURAL REVIEW  
FOR AMY'S KITCHEN CORPORATE OFFICE  
LOCATED AT 109 KENTUCKY STREET  
APN: 006-363-020  
FILE NO: PLSR-2022-0018**

**WHEREAS**, William Gary Lamb, AIA, Quezada Architecture, submitted an application for approval of Major Historic Site Plan and Architectural Review for alterations to the existing three-story commercial building, formerly known as *The Leader Department Store* and *Carithers Department Store*, located at 109 Kentucky Street (APN 006-363-020), within the Historic Commercial District, Parking Assessment District, Theater District, and the Mixed Use 2 (MU2) zoning district ("Project"); and

**WHEREAS**, the Project, given its location within a designated historic district, is subject to review by the Historic and Cultural Preservation Committee consistent with Section 15.020 of Chapter 15 of the Petaluma Implementing Zoning Ordinance; and

**WHEREAS**, the Historic Commercial District Design Guidelines, adopted by the Petaluma City Council in 1999 through Ordinance No. 2097 N.C.S. provide guidance for new construction and alterations to ensure that the characteristics which justify designation of the District are maintained; and

**WHEREAS**, with the exception of the historic building which will be retained, no other historic era features are onsite; and

**WHEREAS**, the Minor Conditional Use Permit for an Office – Headquarters, for Processing land use throughout the former *The Leader* and *Carithers Department Store*, was approved with conditions by the Interim Community Development Director on April 7, 2022, following a required public noticing period that included publication of the notice in the Argus-Courier on March 10, 2022; and

**WHEREAS**, on July 12, 2022, the Historic and Cultural Preservation Committee held a duly noticed public hearing to consider the application, at which time all persons interested had the opportunity to be heard; and,

**WHEREAS**, on July 12, 2022, the Historic and Cultural Preservation Committee considered a staff report analyzing the application, including the California Environmental Quality Act ("CEQA") determination included therein; and

**WHEREAS**, a public notice of the Historic and Cultural Preservation Committee hearing was published in the *Petaluma Argus Courier* on July 1, 2022 and mailed to residents and occupants within 1,000 feet of the Project site in compliance with state and local law.

**NOW THEREFORE, BE IT RESOLVED THAT:**

A. The foregoing recitals are true and correct and incorporated herein by reference.

- B. Based on the staff report, staff presentation, comments received and the public hearing, the Historic and Cultural Preservation Committee makes the following findings based on substantial evidence in the record:

California Environmental Quality Act

1. The Project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Section 15301 (Existing Facilities) which includes modifications to existing structures and Section 15331 (Historical Resource Restoration/Rehabilitation) which includes modifications to historic structures that are consistent with the Secretary of the Interior's Standards for Rehabilitation.

Petaluma General Plan

2. The Project is consistent with the site's Land Use Map designation Mixed Use 2 (MU2) in that a required Minor Conditional Use Permit for the proposed Office – Headquarters land use was approved on April 7, 2022 and a Major HSPAR application for exterior alterations to a historic structure was submitted on March 29, 2022 as required, would result in alterations to an existing three-story commercial building on an approximately 9,147.6 square foot (0.21 acres) lot.

3. The project is, for the reasons contained in the July 12, 2022 Historic and Cultural Preservation Committee staff report, consistent with the following General Plan policies:

Policy 1-P-13 Maintain Downtown as the City's geographic and symbolic center and a focus of commercial and cultural activities.

Policy 3-P-1 Protect historic and archaeological resources for the aesthetic, cultural, educational, environmental, economic, and scientific contribution they make to maintaining and enhancing Petaluma's character, identity and quality of life.

Historic Commercial District Design Guidelines

4. The project is consistent with the applicable guidelines listed in Section 4 of the Historic Commercial District Design Guidelines, as follows:

- a. **Architectural Style.** The most visual changes proposed by the project are the alterations to the existing windows on both the primary East and South facades to address current seismic code requirement and the building's current "soft-story" condition. Modifications to each of the primary facades include the enlargement of existing window openings, change of window type, along with the addition of new windows below the original windows on the East and South façade, and the existing first row of windows (frame and glazing) would be replaced. All six windows would be of tripartite metal casement windows for consistency. The proposed window alterations continue to support the Streamline Moderne with the new windows placement, style, and use of clear glazing. As such, the project is consistent with this guideline.

- b. **Building Character.** The proposed alterations do not modify the shape of the building, its roof type, canopy projections, locations of doorways, or exterior materials. The

building's storefront design and glazing, which played a powerful role for the former department store, will be retained. Other building aspects included signage and windows, which this project proposes to introduce to the building. The project includes a new primary sign on the East façade for "Amy's Kitchen" company name and logo with Amy's (refer to Figure 10) in a muted gold color as a wall-mounted sign. The project also introduces a new second row of windows to the East and South facades in a similar architectural style as the existing row of windows. The combination of new primary signage and new windows does not alter the existing building's sleek building character. As such, the project is consistent with this guideline.

- c. **Storefronts.** Streamline Moderne's and Moderne architectural styles supported continuous ground floor storefronts to maximize visibility to the display area and into the interior of its department store. The storefront's large glazing provided direct visibility for pedestrians and vehicular drivers. Therefore, the existing storefront design is composed of metal framing and large bay windows. The proposed project does not alter the location, size, or material of the ground floor display windows.

The project modifies the northernmost historic double door entrance of the East façade to provide a separate access into the fire escape staircase. Attention to detail and use of existing materials is supported by reusing the existing doors and placing an infill wall in between. The new door framing is proposed to match the finish of the existing door frame and continue the existing curved transition detail at the top of the transom panel. As such, the project is consistent with this guidelines.

- d. **Canopies.** The former department store gracefully supports a continuous canopy within the primary facades facing Kentucky Street and Western Avenue. The canopy is approximately 10 feet, 10 inches in height and follows the curved edge of the building, as an architectural detail to the Streamline Moderne style. The project does not alter the existing canopy design or color. Light fixtures above and on the underside of the canopy are to be reused and kept in their existing locations. As such, the project is consistent with this guideline.
- e. **Paint Color.** The project proposed to paint the existing building's stucco exterior surface in a white paint color to reflect the building's historic exterior aesthetic. As such, the project is consistent with this guideline.
- f. **Rear Entrances.** One rear entrance faces Telephone Alley. The alley is approximately 12 feet wide and is adjacent to a parking garage approximately 40 feet in height. The proposed project does not clutter or introduce additional openings to the ground floor of the rear façade, maintaining a clean and open rear alley space. As conditioned with COA#16, site plan shall include refuse containers at an appropriate location and hidden from the public view with a fence or simple enclosure. As such, the project is consistent with this guideline.
- g. **Mechanical Equipment.** The project proposes installing the new mechanical equipment on the building rooftop instead of its original location within the attic. The proposed roof plan locates the new equipment on the north-easternmost corner of the roof on either side of the existing elevator penthouse, which would reduce its visibility

from street level. The proposed roof plan includes mechanical equipment screens of ribbed panels of new fiber cement boards, painted to match the color of the exterior wall (white) and approximately 4 feet above the existing parapet height. The ribbed panels are a solid building element around the new mechanical equipment, reducing visibility of the equipment. As such, the project is consistent with this guideline.

- h. **Signs.** The proposed primary signage is currently centered to the left side of the scored stucco surface of the East façade with a sign area to match the former “Carithers” sign area of approximately 250 square-feet. Amy’s sign is proposed to be stand-off metal sign and wall-mounted without back-lit illumination. The proposed primary signage is at a larger height than the district design guideline’s limit of 24 inches. However, the design makes an attempt to reflect the historic and former “Carithers” sign area and style. HCPC approval for the proposed signage height is required to allow for the signage above 25 feet above grade as limited by the district’s design guidelines.

The project’s proposed Master Sign Plan includes a total of four signs, which exceeds the district’s guideline limit of two signs. However, this building is located on a corner site and could support a total of three signs. Staff recommends that the Master Sign Plan is modified to allow one primary sign wall-mounted on the East façade, one secondary door sign on the main entrance central glass sidelite, and an exit-only glass door on the East façade that provides fire emergency egress would have “EXIT ONLY” text painted on it. As such, the project is consistent with this guideline.

#### Secretary of the Interior’s Standards for the Treatment of Historic Properties

- 5. The Project is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties for Rehabilitation, as follows:
  - a. **Standard #1:** The site previously contained multiple low-level commercial and lodging structures prior to the construction of the department store. The department store continued to be occupied by retail businesses until its vacancy. The proposed project rehabilitates the building for Amy’s Kitchen Corporate Office introducing business activities to the building. While the approved office use is new to the building, the building would continue to be a contributing structure to the Historic Commercial District. As such, the project is consistent with this standard.
  - b. **Standard #2:** The project does not propose removal of integral historic architectural features related to the “Streamline Moderne” architectural style such as the building’s original form, massing, footprint, scored stucco wall finish, flat and continuous parapet, curved corner, projecting band around the upper story, ground floor storefront, continuous canopy, and recessed door entrances.

The project would alter the northernmost historic double door entrance on the East façade to a new double-door with an infill wall to provide separate access into the fire escape staircase and the main ground floor. The infill wall is a central panel and transom panel to match the canopy and storefront door finish. The historic doors are reused with the infill wall in between and its new door framing to match the finish of the existing door frame. Curve transition detail at the top of the transom panel would be retained. Rehabilitating the historic double doors with minor alterations to address and

correspond with the interior fire staircase is an appropriate method to the exterior of the building. This continuous the use of the historic entrance doors, matching in material and finish, supporting a cohesive alteration to the existing entryway. As such, the project is consistent with this guideline.

- c. **Standard #3:** The project does not create a false sense of historical development and does not add conjectural features or architectural elements from other buildings to the building's original Streamline Moderne style. The proposed primary sign reflects the former "Carithers" wall sign; however, it does not replicate the former sign's location, size, or color. Also, the proposed second row of windows on the East and South façade are designed to match the existing first row of windows in architectural style, frame color, and clear glazing. The proposed window design includes a subtle distinction of separation between the windows with squared jabs in the second row of windows unlike the existing jabs in the first row of windows which contains a slightly curved profile. As such, the project is consistent with this guideline.
- d. **Standard #4:** This building's exterior facades, particularly the prominent East and South facades have had very little alteration completed since its original construction. The ground floor shopfronts continue to exhibit the bay windows and chamfered entryways. The historic doors appear to have been partly repainted but retain their decorative three-rail handles. Signage was a prominent feature to the building which was changed from "The Leader" to "Carithers" in 1986 and is no longer on the building.

The project also proposes work within and below the upper windows on the East and South facades. The Proposed Project Impact Analysis completed by Page & Turnbull indicates that these windows had been replaced in 2012 and were originally tripartite steel windows with central casement sashes and are now tripartite fiberglass windows with sliding sashes. The proposed project does not remove or alter changes that have not already been altered such as the signage and upper windows. As such, the project is consistent with this guideline.

- e. **Standard #5:** As previously stated, the project will preserve the building's Streamline Moderne architectural features which include scored stucco wall finish, flat and continuous parapet, curved corner, projecting band around the upper story, ground floor storefront, continuous canopy, and recessed door entrances. As such, the project is consistent with this standard.
- f. **Standard #6:** The project does not propose repair to the exterior of the building. As such, the project is consistent with this standard.
- g. **Standard #7:** The project does not propose chemical or physical treatments to the historic building. It is conditioned with COA#13, chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible is taken to avoid damage to the historic materials.
- h. **Standard #8:** As part of the seismic retrofit, some excavation is likely to occur, but ground disturbance of undisturbed ground is not a part of this project. As conditioned with COA#14, the project is required to comply with measures to protect and preserve

significant archeological resources if potentially significant prehistoric or historic archeological resources are encountered during the course of ground disturbing activities. As such, the project is consistent with this standard.

- i. **Standard #9:** The project does not include new additions to the building. However, the project does introduce new architectural features with the new primary sign on the East façade and a new second row of windows to the East and South facades. The combination of new primary signage and new windows does not alter the existing building's sleek building character.

According to the Proposed Project Impact Analysis, prepared by Page & Turnbull, dated May 6, 2022, "A minimal amount of exterior wall material will be removed to accommodate the additional window openings as required to meet current seismic codes, but the majority of the scored stucco material will remain, and the overall blank character of the facades will remain intact." The Secretary of Interior's Standards for the Treatment of Historic Properties guidelines does not recommend changing the number, location, size, or glazing pattern of windows on primary or highly-visible elevations which will alter the historic character of the building. The guidelines also do not recommend cutting new openings on character-defining elevations or cutting new openings that damage or destroy significant features. However, the addition of the second row of windows is a response to address current seismic code requirement and the building's current "soft-story condition." Therefore, the proposed second row of windows design is a mitigation between the existing condition and the building's architectural style. As such, the project is substantially consistent with this standard.

- j. **Standard #10:** As previously mentioned, the project does not include new additions to the building. In addition, the proposed new signage, second row of windows on the East and South facades, and the southernmost entrance door on the East façade may be removed in the near future and the essential form and integrity of the historic property would be unimpaired. Caution should continue to be taken if the second row of windows are removed potentially re-introducing the building's existing "soft story" condition. As such, the project is substantially consistent with this standard.

#### Implementing Zoning Ordinance

6. The Project is consistent with the site's Land Use Map designation Mixed Use 2 (MU2) in that a required Minor Conditional Use Permit for the proposed Office – Headquarters land use was approved on April 7, 2022 and a Major HSPAR application for exterior alterations to a historic structure was submitted on March 29, 2022 as required, would result in alterations to an existing three-story commercial building on an approximately 9,147.6 square foot (0.21 acres) lot. The proposed project is subject to the objective development standards contained in Table 4.3 of the IZO. The project does not increase the existing building's footprint, nor increases the overall height of the building. As such, the property continues to be consistent with development standards including setbacks, height, and lot coverage.
7. The project is consistent with Chapter 15 (Preservation of the Cultural and Historic Environment), in that it has been reviewed by the HCPC in accordance with the

requirements contained in Section 15.070 of the IZO, and it has been determined that the proposed alterations will not adversely affect the character, or the historical, architectural, or aesthetic interest or value of the district.

8. The Project is consistent with the Major Historic Site Plan and Architectural Review standards stated in IZO Section 24.050, as follows:
  - a. The project proposes alterations to an existing Streamline Moderne department store which is one of the inventoried styles listed in the Historic Commercial District Guidelines. As such, the architectural style is compatible with the overall character of the neighborhood and finds that the project satisfies IZO Section 24.050(E)(1)(a).
  - b. The project does not alter the existing building's original form, massing, and footprint. As such, the sitting of the structure on the property is not altered and finds that the project satisfies IZO 24.050(E)(1)(b).
  - c. The project proposes one primary wall-mounted sign on the East façade along with three door signs. The reduction to one primary wall-mounted sign, one door sign with company logo, and one door sign with the text "EXIT ONLY" would bring the project in accordance with all applicable requirements of this Zoning Ordinance and appropriate for the site and compatible with the character of the neighborhood. As such, finds that the project satisfies IZO 24.050(E)(1)(c).
  - d. The project does not alter the existing building's bulk, height, and color nor does not change in comparison with the bulk, height, and color of other structures in the neighborhood. As such, finds that the project satisfies IZO 24.050(E)(1)(d).
- C. Recommends that staff approve a sign permit that is in substantial compliance with what is described in the Amy Kitchen's application and illustrated in the proposed architectural drawings.
- D. Based on its review of the entire record herein, including the July 12, 2022 Historic and Cultural Preservation Committee staff report, all supporting, referenced, and incorporated documents and all comments received, the Historic and Cultural Preservation Committee hereby approves Historic Site Plan and Architectural Review for the Project, subject to the conditions of approval attached hereto as **Exhibit 1**.

**EXHIBIT 1.**

**CONDITIONS OF APPROVAL**

**Amy's Kitchen Corporate Office**

**109 Kentucky Street**

**APN: 006-363-020**

**File No: PLSR-2022-0018**

Planning Division

**Standard Conditions of Approval**

1. The plans submitted for building permit review shall be in substantial conformance with plans on file with the Planning Division and dated May 6, 2022, except as may be modified by the following conditions. A determination of substantial conformance shall be made by the Planning Manager in writing during the plan check review process. Nothing shall preclude the Planning Manager from referring a substantial conformance determination to the Historic and Cultural Preservation Committee for review at a publicly noticed meeting.
2. The colors and materials shall be in substantial conformance with those noted on the plan set except as modified by these conditions of approval.
3. The day following approval, the applicant shall provide a check made payable to the Sonoma County Clerk, in the amount required and published by the Sonoma County Clerk to file the CEQA Notice of Exemption ("NOE").
4. Prior to the issuance of any construction permits, these conditions of approval shall be included with the plan set. A copy of the approved plans shall be maintained on-site when construction activities are occurring.
5. This approval is granted for and contingent upon construction of the project as a whole, in a single phase, with the construction and/or installation of all features approved and required herein. Modifications to the project, including but not limited to a major change in construction phasing, may require an amendment to this condition by the Historic and Cultural Preservation Committee through the Site Plan and Architectural Review provided at IZO Section 24.050.
6. Consistent with IZO Section 24.050(I), this approval is effective for a twelve (12) month period unless the permit has been exercised or unless an extension of time is approved in compliance with IZO Section 24.050(J).
7. Prior to building permit issuance, all development impact fees shall be paid in full prior to final inspection or issuance of a certificate of occupancy. The applicant/developer has 90 days from the date of this approval to protest the imposition of fees pursuant to Government Code Section 66020. A protest of the imposition of fees shall be considered by the City Council at a public hearing within 90 days after its filing, and the decision of the City Council shall be final.
8. The site shall be kept cleared at all times of garbage and debris. No outdoor storage shall



be permitted other than typical bulk materials, i.e., lumber, appliances, window systems, etc., temporarily stored through the normal course of construction.

9. Construction activities shall comply with performance standards specified in IZO Chapter 21 (Performance Standards), except that the permitted construction hours shall be as follows:
  - a. Monday through Friday: 8 a.m. to 6 p.m.
  - b. Saturday: 9:00 a.m. to 5:00 p.m.
  - c. Prohibited on Sundays and all holidays recognized by the City of Petaluma.
10. Construction activities shall comply with the following measures, and all shall be noted on construction documents:
  - a. Construction Hours/Scheduling: As noted above.
  - b. Construction Equipment Mufflers and Maintenance: All construction equipment powered by internal combustion engines shall be properly muffled and maintained.
  - c. Idling Prohibitions: All equipment and vehicles shall be turned off when not in use. Unnecessary idling of internal combustion engines is prohibited.
  - d. Equipment Location and Shielding: All stationary noise-generating construction equipment, such as air compressors, shall be located as far as practical from the adjacent homes. Acoustically shield such equipment when it must be located near adjacent residences.
  - e. Quiet Equipment Selection: Select quiet construction equipment, particularly air compressors, whenever possible. Motorized equipment shall be outfitted with proper mufflers in good working order.
  - f. Staging and Equipment Storage: The equipment storage location shall be sited as far as possible from nearby sensitive receptors.
  - g. Generators: No generators shall be utilized during nighttime hours (i.e., sunrise to sunset) to power equipment (e.g., security surveillance) when normal construction activities have ceased for the day. All such equipment should be powered through temporary electrical service lines.
11. Prior to commencing construction activities, a sign shall be posted on the site regarding the allowable hours of construction and contact information for complaints. Proof of sign installation shall be provided to the Planning Manager prior to construction commencing.
12. The applicant shall defend, indemnify, and hold harmless the City or any of its boards, commissions, agents, officers, and employees from any claim, action, or proceeding against the City, its boards, commissions, agents, officers, or employees to attack, set aside, void, or annul any of the approvals of the project, when such claim or action is brought within the time period provided for in applicable State and/or local statutes. The City shall promptly notify the applicants/developers of any such claim, action, or proceeding. The City shall coordinate in the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding and if the City chooses to do so appellant shall reimburse City for attorneys' fees by the City.

## Planning Division

### **Project-Specific Conditions of Approval**

13. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible is taken to avoid damage to the historic materials.
14. The project is required to comply with measures to protect and preserve significant archeological resources if potentially significant prehistoric or historic archeological resources are encountered during the course of ground disturbing activities. As such, the project is consistent with this standard.
15. An encroachment permit shall be completed prior to the installation of the public bike rack.
16. Site plan shall include refuse containers at an appropriate location and hidden from the public view with a fence or simple enclosure.
17. The project shall comply with Chapter 18 of the IZO, which requires a 1% public art requirement for all non-residential development with a budget greater than \$500,000. Based on the exterior scope of the proposed project it appears that this project will trigger a public art requirement to either pay an in-lieu fee equal to 1% of total project costs exterior scope or incorporate onsite public art equal to 1% of project budget into the project.

## Building Division

18. CBC Section 11B-202.4 provides requirements for alterations to existing buildings or facilities used as public buildings, public accommodations, commercial buildings or public housing. When these buildings or facilities undergo alterations, structural repairs, or additions, an accessible path of travel must be provided to the area of new work And the toilet rooms, drinking fountains, public phones and signs that serve the area of alteration, subject to the limitations identified therein. Include compliance information on the design and construction documents.
19. Proposed project will require building permit application and construction plan approval in compliance with current California Building Standards Code in CCR Title 24 as adopted by the City of Petaluma. The Building Division reviews applications and plans in accordance with this code. The applicant will need to demonstrate compliance with the construction documents.
20. Full plan submittal is required as applicable to project scope. Architectural, civil, structural, mechanical, electrical, and plumbing systems are to be prepared by state licensed design professionals.
21. Building permit construction documents are to include occupancy classifications, design occupant load, general building area and height limitations, type of construction, and fire sprinkler provisions data for each building on the subject parcel.

22. A change in occupancy classification may be proposed according to the California Existing Building Code. A permit is required to establish code compliance with the new occupancy group requirements as applicable.