

**RESOLUTION OF THE CITY OF PETALUMA HISTORIC AND CULTURAL PRESERVATION COMMITTEE APPROVING HISTORIC SITE PLAN AND ARCHITECTURAL REVIEW TO CONSTRUCT A MINOR TELECOMMUNICATION FACILITY ON THE PETALUMA CREAMERY, A LOCAL LANDMARK, LOCATED AT 611 WESTERN AVENUE  
APN: 008-032-009  
FILE NO. PLMA-20-0003/PLUP-19-0004**

**WHEREAS**, Maria Kim of Complete Wireless Consulting Inc. for Verizon Wireless, on behalf of the property owner, submitted applications for a Conditional Use Permit and Historic Site Plan and Architectural Review for the installation of sixteen (16) total panel antennas contained within four (4) radomes and associated supporting equipment mounted on the roof of the existing building at the Petaluma Creamery located at 611 Western Avenue (APN 008-032-009) (the “Project”); and

**WHEREAS**, the project site is provided an Industrial (I) designation by the Zoning Map; and

**WHEREAS**, based on the project site’s listing on the State of California’s Built Environment Resource Directory, the site is considered a designated local landmark pursuant to Section 15.040(A) of the Implementing Zoning Ordinance (IZO); and

**WHEREAS**, Municipal Code Section 14.44.020.S.4 defines a minor telecommunications facility as any facility located on a designated local landmark as defined by IZO Section 15.040(A); and

**WHEREAS**, IZO Table 7.090(B) provides that “minor” telecommunications facilities may be allowed within the Industrial (I) zoning district through issuance of a Conditional Use Permit; and

**WHEREAS**, the Project involves alteration to an existing building on a landmark property, and is subject to the requirements of Implementing Zoning Ordinance (IZO) §15.070 (Alterations to Designated Structures) and §24.010 (Site Plan and Architectural Review); and

**WHEREAS**, the project site has not met all Certified Unified Program Agency (CUPA) requirements and it is uncertain whether the site can safely accommodate the siting of telecommunication facilities; and

**WHEREAS**, the project site has not resolved structural deficiencies resulting from damage that occurred in a fire on December 21, 2020; and

**WHEREAS**, Verizon did not provide any additional empirical analysis that would allow for a meaningful, apples-to-apples comparison of technical feasibility for any alternatives, expressly declined to consider one alternative location, and ignored requests for additional analysis on five others. Verizon also did not address staff’s request for an alternative’s analysis that used more than one site. Among the five locations within Verizon’s search ring identified for further

analysis, the supplementary analysis addressed only one and did not provide the empirical data requested by staff; and

**WHEREAS**, on January 26, 2021 at a duly noticed joint meeting of the Planning Commission and Historic and Cultural Preservation Committee, the Planning Commission considered the requested Conditional Use Permit for the Project at which time all interested parties had the opportunity to be heard; and

**WHEREAS**, also at the duly noticed joint meeting on January 26, 2021, the Historic and Cultural Preservation Committee considered the requested Historic Site Plan and Architectural Review for the Project at which time all interested parties had the opportunity to be heard; and

**WHEREAS**, public notice of the joint Planning Commission and Historic and Cultural Preservation Committee hearing was published in the Petaluma Argus-Courier and mailed to residents and occupants within 1,000 feet of the Project site in compliance with state and local law; and

**WHEREAS**, a public hearing sign was posted on site at least 17 days prior to the joint Planning Commission and Historic and Cultural Preservation meeting, consistent with the City Council Resolution No. 18-107; and

**WHEREAS**, on January 26, 2021, and prior to acting on this request, the Planning Commission and Historic and Cultural Preservation Committee considered the staff report analyzing the application, including the California Environmental Quality Act (“CEQA”) determination included therein; and

**NOW, THEREFORE, BE IT RESOLVED BY THE HISTORIC AND CULTURAL PRESERVATION COMMITTEE OF THE CITY OF PETALUMA AS FOLLOWS:**

1. The staff report, dated January 26, 2021, accompanying this resolution is hereby incorporated into this resolution by this reference.
2. The foregoing recitals are true and correct and incorporated into this resolution as findings of the Historic and Cultural Preservation Committee herein.
3. Based on its review of the entire record herein, the Historic and Cultural Preservation Committee makes the following findings:

Secretary of the Interior’s Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.

*The addition of antennae on the roof of the existing Creamery building does not preclude the continuation of the site’s historic use as a creamery.*

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that

characterize a property shall be avoided.

*The proposed installation will be confined to the building roof and located within cylindrical radomes that screen the antennas and convey an industrial aesthetic. Therefore, the character-defining elements of the structure, noted in the Historic Architectural Assessment, such as its industrial form and vernacular, as well as its ability to function as a creamery, will not be removed. Please note that the Historic Architectural Assessment is included in Attachment E, beginning on page 127.*

3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

*The proposed telecommunications facility will not convey a false sense of historical development. The antennas are purposefully screened in a manner to retain the industrial aesthetic without detracting from the site's integrity and recognition as a creamery.*

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

*The project does not propose the removal of any historic features and therefore is not expected to impact any later additions to a given building which may have obtained significance in their own right.*

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

*As stated above, the telecommunications facility will be confined to rooftop, which is a non-character defining space of the building. Therefore, the project will not obscure or remove any features, finishes, or construction techniques that contribute to the historic characterization of the property.*

6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

*No repair or replacement of historic features is proposed.*

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

*No surface cleaning is proposed as part of this project.*

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

*No disturbance of archeological resources is expected.*

9. New additions, exterior alterations, or related new construction shall not destroy historic materials, features and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.

*The proposed installation will be confined to the rooftop and will avoid any areas containing potential historic materials or defining features. The telecommunications facility will be a clearly new addition and easily differentiated from the historic building features. The sensitive placement of the antenna and supporting equipment, and avoidance of character defining features and spaces will ensure that the integrity of the subject building is retained.*

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

*The new facility is proposed as a permanent installation. However, if removed in the future using appropriate methods the essential form and integrity of the subject property would be unimpaired.*

#### IZO §15.070 (Review Application to Alter Structures in Designated Areas)

The project is consistent with IZO §15.070 as it will not adversely affect the exterior architectural characteristics or features of the property because it includes the addition of a telecommunications facility that will be screened from various vantage points in a manner that maintains the property's ability to convey a creamery use. Further, the subject property is not a publicly owned landmark with major interior architectural features.

#### Implementing Zoning Ordinance

The project is consistent with IZO §24.010 (Site Plan and Architectural Review), including the standards in Section 24.010.G, which govern the scope of Historic and Cultural Preservation Committee's review..

1. It is the intent of this Section that any controls be exercised to achieve a satisfactory quality of design in the individual building and its site, appropriateness of the building to its intended use, and the harmony of the development with its surroundings. Satisfactory design quality and harmony will involve among other things:
  - A. The appropriate use of quality materials and harmony and proportion of the overall design.

*The project includes the use of quality materials that are nonreflective and texture to match the existing building to ensure that the project is in harmony with and in proportion to the overall design. The proposed paint colors applied to the equipment will match the color of the existing building.*

- B. The architectural style which should be appropriate for the project in question, and compatible with the overall character of the neighborhood.

*The project site contains existing industrial structures, including exposed equipment and cylindrical storage tanks, and the project proposes a design that attempts to integrate new features into the industrial design of the building and site. The existing site itself is not in character with the residences neighborhood. As the existing character of the site cannot be changed, the project attempts to fit with the character of the industrial site where it is located and minimize visual impact.*

- C. The siting of the structure on the property, as compared to the siting of other structure in the immediate neighborhood.

*The siting of the antennas and equipment is located on the existing rooftop and does not require installation of new structures on the ground. The location of equipment is arranged generally around the edges and corners of the building, which provides for some symmetry in the arrangement and to avoid existing equipment and features on the roof.*

- D. The size, location, design, color, number, lighting, and materials of all signs and outdoor advertising structures.

*No signs or outdoor advertising structures are proposed as part of the project.*

- E. The bulk, height, and color of the proposed structure as compared to the bulk, height, and color of other structures in the immediate neighborhood.

*The existing Petaluma Creamery building does not match the bulk, height, and color of most structures in the immediate neighborhood. As an addition of equipment to the existing building, the project proposes to be integrated to the building design while minimizing additional visual impact.*

2. Landscaping to approved City standards shall be required on the site and shall be in keeping with the character or design of the site. Existing trees shall be preserved wherever possible, and shall not be removed unless approved by the Planning Commission.

*No landscaping is proposed as part of the project.*

3. Ingress, egress, internal circulation for bicycles and automobiles, off-street automobiles and bicycle parking facilities and pedestrian ways shall be so designed as to promote safety and convenience, and shall conform to approved City standards. Any plans pertaining to pedestrian, bicycle, or automobile circulation shall be routed to the Pedestrian and Bicycle Advisory Committee for review and approval or recommendation.

*The project does not propose any modifications to ingress, egress, internal circulation, or parking facilities.*

4. It is recognized that good design character may require participation by a recognized professional designer, such as an architect, landscape architect or other practicing urban designer and the reviewing body shall have the authority to require that an applicant hire such a professional, when deemed necessary to achieve good design character.

*The project has been designed by a professional architectural firm.*

#### California Environmental Quality Act

- A. The proposed project is categorically exempt from the provisions of CEQA under CEQA Guidelines §15303 (New Construction) because it involves construction of a telecommunications facility, which is considered a small new facility, in an area that is permissible by the IZO and an area in which the project is not environmentally sensitive. Additionally, the project does not trigger any of the exceptions to the exemption outlined in CEQA Guidelines §15300.2.

#### Conditions of Approval

- B. Based on its review of the entire record herein, including the January 26, 2021 staff report, all supporting, referenced, and incorporated documents and all comments received and foregoing findings, the Historic and Cultural Preservation Committee hereby approves Site Plan and Architectural Review for the installation of a “minor” telecommunication facility within the I zoning district at 611 Western Avenue and subject to the Conditions of Approval provided at **Exhibit A**.

## **EXHIBIT A**

### **SITE PLAN AND ARCHITECTURAL REVIEW** **CONDITIONS OF APPROVAL**

#### **Verizon Wireless Telecommunications Project**

**Located at 611 Western Avenue**

APN: 008-032-009

FILE NO: PLMA-20-0003/PLUP-19-0004

#### Planning Division

1. Plans submitted for Building Permit shall be in substantial conformance with plans dated September 18, 2020 and in conformance with all other supporting documentation for the Project as attached to the staff report.
2. Plans submitted for Building Permit shall include these Conditions of Approval as notes on the first sheet of the office and job site copies.
3. Plans submitted for Building Permit shall show compliance with the following Municipal Code sections:
  - a. §14.44.160 (Telecommunications Facilities – Structural Requirements);
  - b. §14.44.180 (Critical Disaster Response Facility); and
  - c. §14.44.250 (Fire Prevention).
4. Prior to issuance of a Building Permit, the applicant shall submit verification from the Petaluma Police Chief that the facility either proposes an appropriate security program or that such a program has been deemed unnecessary by the Police Chief.
5. The applicant shall ensure that the project is consistent with the Secretary of the Interior Standards for Rehabilitation, be reversible, and be painted to match the building.
6. Prior to Building Permit issuance, the applicant shall submit a final color sample for the radomes and parapet extensions for review and approval by the Planning Department.
7. At all times the site shall be kept cleared of garbage and debris. No outdoor storage shall be permitted.
8. The applicant shall remove and dispose of all waste and debris following the assembly and installation of the facility.
9. Prior to building permit final, the property owner shall demonstrate that the property is in compliance with all Certified Unified Program Agency (CUPA) hazardous materials requirements.
10. 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.

Department of Public Works and Utilities

11. An encroachment permit shall be required for any work within the public right-of-way, including any crane staging and lading/unloading.