



Historic Resources Board Architectural Review Board

Staff Report

Agenda Date: June 5 and June 6, 2013

To: Historic Resources Board/Architectural Review Board

From: Steven Turner, Advance Planning Mgr. **Department:** Planning and
Community Environment

Subject: **456 University Avenue [13PLN-00078]:** Request by Robinson Hill Architecture on behalf of Palo Alto Theater Corporation for Historic Resources Board review of exterior modifications to the existing building, including a new storefront window system at University Avenue, new storefront openings at the rear (parking lot side), a new retractable covered canopy over the courtyard, and installation of a bar and restaurant seating in the courtyard for a proposed eating and drinking establishment. Environmental Assessment: a Negative Declaration has been prepared. Zone District: CD-C(GF)(P)

RECOMMENDATION

Staff recommends that the Historic Resources Board (HRB) and the Architectural Review Board (ARB) initiate review of the project, ask questions of the applicant and City staff, open the public hearing, provide direction to the applicant and continue the project to the June 19 and 20, 2013 meetings.

BACKGROUND

The project site is located at 456 University Avenue in Downtown Palo Alto (APN 120-15-069). It is located in the Downtown Commercial-Community, Ground Floor and Pedestrian combining zone district (CD-C(GF)(P). The Comprehensive Plan Land Use Designation is Community Commercial (CC). Uses immediately adjacent to and in the vicinity of the project site include retail, eating and drinking, office, personal service, multiple-family residential, lodging, and religious institution. The site is immediately adjacent to the Lot H public parking lot. The site is area approximately 20,000 square feet. The site contains an existing building of approximately 22,458 square feet.

The existing building is known as the "New Varsity Theater" or "Varsity". It is listed on the City's Historic Inventory in Category 1. The definition of Category 1, as provided in Palo Alto Municipal Code (PAMC), section 16.49.020(b) is as follows:

Category 1: "Exceptional building" means any building or group of buildings of

preeminent national or state importance, meritorious work of the best architects or an outstanding example of the stylistic development of architecture in the United States. An exceptional building has had either no exterior modifications or such minor ones that the overall appearance of the building is in its original character.

The building is not included in the National Register of Historic Places. The State Historic Preservation Office (SHPO) lists the Varsity as a “category 3” resource, meaning, a resource that appears eligible for the National Register.

As described in the Department of Parks and Recreation Historic Resources Inventory form dated January 21, 1988 (Attachment A), The Varsity was designed by Reid Brothers architects of San Francisco and constructed in 1927 by McDonald and Kahn builders and various sub-contractors. Prior research on the building conducted as part of an Environmental Impact Report (State Clearinghouse No. 94083080), certified by the Palo Alto City Council in 1998, indicates that the Varsity was designed exclusively for the presentation of motion pictures. The Varsity continued to present films (and live musical acts for a period in the early 1980’s) under various owners through mid-1987. At this time, the Varsity’s current owner, the Palo Alto Theater Corporation (Keenan Land Company) leased operations of the theater to Landmark Film Corporation, which continued to run international and special interest films through 1994. Landmark Film Corporation ceased operations at the Varsity in July 1994.

In early 1994, the Palo Alto Theater Corporation requested an extensive exterior renovation, interior remodeling, a seismic upgrade, historic renovation and preservation of selected building components and expansion of floor area for a new retail use and café for Borders Book and Music Store. The property owner requested a 50% floor area bonus as part of the seismic and historic upgrade of the building, which was made available to property owners as an incentive to retain the City’s most important historic building in the downtown area. An Environmental Impact Report (EIR) was prepared for the project that analyzed the historic resources, parking and trip generation, construction period impacts, structural factors, compliance with applicable plans and policies and provided alternatives to the proposed project. The analysis concluded that the proposed project would have significant environmental impacts unless mitigated to a less than significant level. The EIR provided a comprehensive mitigation monitoring program with the intent of reducing impacts to a less than significant level. After a period of public discussion and debate on the proposed project, in May 1995 the City Council certified the EIR and mitigation monitoring program and approved the project with conditions. Construction commenced in late 1995 and continued through June 1996 at which time Borders Book and Music Store occupied the building. Borders continued operation until September 2011. The building has remained vacant since Border’s departure.

Since Border’s departure, recent development activity has occurred at the site. In October 2011, the HRB reviewed a request by the property owner to convert the second floor retail space, installed as part of the 1995 conversion to retail use, to office use and conversion of a portion of the ground floor retail use to office use. Although the requested project affected interior portions of the building, the HRB reviewed the project as the retail conversion could have an effect on interior historic character defining features. A new exterior storefront system at the parking lot side of the building (at the non-historic addition created as part of the 1995 project) was also proposed and was reviewed for consistency with architectural review findings as a minor project. The interior changes included the removal of the previous interior central staircase constructed for

the Border's store, installation of a glass cover at the "open-to-below" area at the second floor, and installation of a demising wall separating the proposed office from the previous retail space. The HRB recommended approval of this project, finding that the project, including the protection and preservation of interior character defining features, was consistent with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, subject to conditions of approval. Construction activities for this project are on-going, with the new tenant, Samsung, expected to occupy the space in June 2013.

The request for historic and architectural review of the project that is the subject of this report was received by the City of Palo Alto in February 2013.

PROJECT DESCRIPTION

The project applicant, Alex Arie of Robinson Hill Architecture located in Costa Mesa, California, on behalf of the property owner, Palo Alto Theater Corporation, has requested historic and architectural review of a project that would convert the existing first floor retail use to a restaurant and private dining room (eating and drinking use). The project includes the following components:

1. Installation of a glass storefront system at the entrance to the courtyard on University Avenue. The glass storefront would be set back from the property line at a distance to comply with the Pedestrian overlay zone district (P) requirements. The applicant has described the storefront as a butt jointed glass storefront system with Hurculite doors;
2. Installation of a retractable canopy over a proposed courtyard dining room. The canopy would be constructed as three panels that would extend or retract over the courtyard. The panel material is proposed to consist of a "glass-fabric" product intended to provide visibility to building features beyond the panel. A sample of the material will be provided at the meetings. The canopy structure would be installed on top of the existing, non-historic parapet walls (that were seismically upgraded during the 1995 project). Sheet A3.1 contains the proposed renderings of the canopy and support system. The intent of the canopy, as stated by the applicant, is to provide protection from rain and wind and would not be extended on a permanent basis;
3. Installation of restaurant seating, including booths and tables at the indoor dining room and courtyard areas. A new bar would be installed in the courtyard. Existing historic character defining features in these areas, such as historic columns, piers, and capitols, would be "maintained, protected and restored" as shown on Sheet A1.0P;
4. Installation of interior partition and demising walls to separate the various functions within the interior spaces of the ground floor. The walls would be constructed in a manner so that they are not physically connected to interior character defining features, although in some cases, would be immediately adjacent to historic features. The new interior spaces include:
 - a) A private dining room primarily intended for the adjacent Garden Court Hotel. This space is intended as a banquet-style facility serving large groups and events;

- b) A restaurant containing an indoor dining room at the interior ground floor of the building. In addition, the courtyard adjacent to University Avenue would also contain seating and a bar area.
 - c) Installation of a new commercial kitchen that would serve both the restaurant and private dining room functions. Existing historic character defining features in this area, such as the historic colonnade, would be covered and protected per the detail on Sheet A1.0P;
5. Installation of a new restroom core at the interior of the building to serve the restaurant;
 6. Installation of restaurant ductwork at the mezzanine-level restroom. This ductwork would be required for the proposed kitchen and cannot be routed directly above the exhaust source within the kitchen;
 7. Installation of an artificial tree within the courtyard. This tree is intended to be a focal point for the courtyard, and
 8. Installation of three new storefronts at the parking lot side of the building, intending to match the new storefront for the second floor office area (under construction). These openings would allow access to and from the private dining room to a new hardscape patio area with landscaping and containing tables and chairs. This work occurs in a non-historic addition (built in 1996). The historic analysis does not cover this component.

These components are described within the applicant's project description letter (Attachment B) and the project plans entitled, "Varsity Theater Proposed Restaurant and Banquet Hall" prepared by Robinson Hill Architecture Inc., dated May 30, 2013 (Attachment J).

DISCUSSION

Historic Resources Board and Architectural Review Board Applicability

This request is considered to be a major project under PAMC 18.76.020 (Architectural Review). This project is not exempt under the California Environmental Quality Act (CEQA). As discussed below, a draft Initial Study has been prepared that analyzes the project against the Standards of Significance as described in the IS document. As the proposed project is on a site containing a historic structure in the downtown area, the Historic Resources Board is required to review the proposed alterations and make a recommendation to the ARB (PAMC 16.49.050).

The records and materials from the 1995 Varsity Theater project also provide direction for HRB/ARB review of future projects. The 1995 project included on-site use of bonus floor area for the historic rehabilitation and seismic upgrade of the building. As described above, an EIR was prepared and certified for the 1995 project that clarified that the theater must be preserved in a manner consistent with the Secretary of the Interior's Standards and Guidelines for rehabilitation. The Standards and Guidelines allow for physical changes in behalf of adapting a building for "efficient contemporary uses" provided the building's "distinctive materials, features, spaces and spatial relationships, finishes, construction techniques, and examples of craftsmanship" that characterize the property are preserved. Because the City granted double bonus floor area to the site (and it was constructed), the City requires that all subsequent proposed changes to the building, both interior and exterior, are subject to review and approval by the City in light of the

defined historic character of the building that was set forth in the EIR and in light of the conditions of approval that were approved by the City Council for the 1995 project.

To prepare for the historic analysis, the City's historic peer review consultant, Garvaglia Architecture Inc. reviewed the 1995 EIR to identify the applicable mitigations that would apply to the proposed project. Garvaglia Architecture Inc. provided the following summary of applicable mitigations from the 1995 EIR on Page 6 of their peer review report:

- Follow a design approach that sets a high priority on preservation of historic features and finishes;
- Avoid cumulative impacts;
- Apply the State Historic Building Code (SHBC) (now the California Historic Building Code (CHBC)) where possible to avoid extensive demolition;
- Follow the Secretary of the Interior's Standards and Guidelines for the interior and exterior aspects of the project;
- Perform a complete photo-documentation of the building prior to any construction work following the Historic American Building Survey (HABS) standards for archival recordation and submit results to an appropriate repository;
- Avoid false historicism by not replicating features that are not adequately documented through adequate research; if this research is not available design new features to be compatible with, but clearly distinct from, historical features;
- Protect in place the historic features during construction. If any areas containing historic features require seismic retrofit, the applicant must, 1) carefully document and dismantle these features; 2) salvage, catalogue, store, and reinstall these features after construction; and 3) retain a qualified ornamental plasterer for the document/dismantle and the reinstall/repair phases of the work, and
- Retain and reuse historic light fixtures.

City's Approach to the Project Analysis

City staff has conducted a thorough review of the proposed project, including the materials submitted by the applicant, research of prior analysis, studies and decisions related to the Varsity Theater, and preparation of an independent peer review of the historic report prepared by the applicant's consultant. The following is a brief summary of the activities performed by the City on behalf of the project:

Review code issues through the Development Review Committee. Within 30-days of the application submittal date, the City held a Development Review Committee (DRC) meeting to review code compliance issues with the applicant. As a result, the project plans were revised to address the technical code compliance issues that could affect the overall design of the project.

Require a historic analysis provided by the applicant. At the time of application submittal, the applicant submitted a report by Bruce Judd Consulting Group entitled, "Varsity Theater Restaurant Development Resource Evaluation", dated February 19, 2013. The purpose of this report was "to review the character defining elements of the Varsity Theater in Palo Alto and to evaluate the impact of a proposed restaurant development in the courtyard, the lobby, and part of

the ground floor to modify these spaces for a new tenant space.”¹ The applicant’s historic analysis report is contained in Attachment C.

Historic peer review consultant. The City has hired Garavaglia Architecture Inc. to provide historic peer review and consulting services for this project. Garavaglia Architecture Inc. has provided these and similar types of services to the City for previously reviewed projects. The consultant has produced the memorandum entitled, “Varsity Theater Peer Review/Standards Compliance Review”, dated May 31, 2013. The City’s peer review report is contained in Attachment D.

Review of Prior 1995 Project EIR findings, mitigations and conditions. In preparation for the peer review analysis, the City and the City’s peer review consultant reviewed the materials and reports associated with the 1995 environmental review of the theater conversion project. Particular focus was placed on the previously certified mitigations to assess applicability for the restaurant project. A summary of the mitigation review is provided above and on Page 6 of the peer review consultant report.

Review of Secretary Standards. Garavaglia Architecture compared each applicable project component against the Secretary of the Interior’s Standards for Rehabilitation of Historic Resources. The results of the comparison are contained in their peer review report.

Review project description/plans with project applicant; recommend revisions. Over the course of the project review period, City staff and the applicant discussed revisions to the project that would improve the projects overall consistency with the Secretary Standards and the findings for Architectural Review. As a result, the applicant has adjusted the plans with respect to the storefront system and courtyard canopy design. The applicant has provided additional design details for the protection and restoration of character defining features throughout the ground floor areas of the building.

Complete draft of environmental analysis. City staff has completed a draft Initial Study (IS) with a Negative Declaration finding for the project (Attachment F). Staff has determined that the project would not have a significant impact on the environment. The IS was released for a 20-day public review period on May 31, 2013. The public is invited to review the IS and provide comments prior to the close of business on June 19, 2013. All comments received will be reviewed and, if applicable, the IS will be revised.

Overview of the Historic Analysis

As previously noted, two documents have been produced that describe the effect of the proposed project on the exiting building:

1. “Varsity Theater Restaurant Development Resource Evaluation”, prepared by Bruce Judd Consulting Group, dated February 19, 2013, and
2. “Varsity Theater Peer Review/Standards Compliance Review”, prepared by Garavaglia Architects Inc., dated May 31, 2013.

These reports are contained in Attachments C and D, respectively.

¹ Bruce Judd Consulting Group, Varsity Theater Restaurant Development Resource Evaluation for Ferrado, Newport Beach, California (completed February 19, 2013), P. 3

Bruce Judd Consulting Group has prepared a third document (Attachment E), dated May 17, 2013, in response to an early version of the May 31, 2013 Garavaglia report. Although the final Garavaglia report is dated after the Bruce Judd May 17, 2013 response, it contains substantially the same information as the initial version reviewed by Mr. Judd.

Staff recommends that the HRB, ARB and the public review each of these three reports in order to understand the detail behind the conclusions made in each document. This staff report will not repeat at length the information contained in these documents.

Project Components Not Consistent with the Secretary Standards

As described in the May 31, 2013 report from Garavaglia Architecture, the peer review consultant found that the following project components appear not to be consistent with the Secretary Standards:

- Installation of a retractable canopy over the courtyard dining room- The report indicates that *“when closed, the canopy will block historically open views of the Mission-style parapets at both the east and west ends of the forecourt. When open, the canopy views will be limited by the portion of the canopy that does not fully retract (west end) and obscured throughout by canopy framing.”*
- Installation of a glass storefront system at the entrance to the courtyard on University Avenue- The report indicates that the storefront system *“will noticeably alter the historic appearance, spatial relationships and physical experience of the theater entrance at University Avenue.”*
- Installation of a new restroom core at the interior of the building to serve the restaurant- The report indicates that *“Though the auditorium space has been significantly altered and no longer serves its original purpose, the installation of restrooms at this location will noticeably alter the progression of spaces and circulation pattern that characterize this building type.”*, and
- Installation of an artificial tree within the courtyard- the report indicates that, *“The introduction of artificial trees to the forecourt alters the original and intended experience of this space for the visitor by obscuring views and altering historic character. Combined with the proposed canopy, the cumulative effect would significantly alter this key character defining feature.”*

The other project components including the restaurant use, the private dining facility, installation of partition walls, installation of the kitchen, restaurant seating, the new storefronts at the rear (parking lot side) of the building all appear to be generally compliant with the Secretary Standards.

Obscuring Character Defining Features

A key consideration for the HRB is the issue of obscuring of historic character defining features. For example, the historic colonnade at the location of the proposed kitchen would be protected and covered in order to minimize damage as a part of kitchen activities. These features would not be visible while this space is used as a kitchen. In addition, the proposed canopy over the

forecourt, when closed, would almost certainly obscure views of the Mission-style parapet wall that dominates the forecourt space. When the canopy is open, the canopy support structure would at least interrupt views of the parapet wall. Together, the mission-style parapet wall and the forecourt space constitute an important character defining feature of the entire building.

It is important to note that those character defining features that would be covered or obscured would not be “removed” from the building. However, these features would either be no longer visible and enjoyed or at least temporarily obscured from view.

Staff is generally supportive of the project components that would maintain, protect and restore character defining features, including the proposed protection of interior features within the proposed kitchen. In addition, staff is generally supportive of the forecourt canopy. Staff has proposed conditions of approval (as described on Page 10 of this staff report) to ensure that adequate protection of character defining features are in place prior to construction and to ensure that the canopy design is respectful of the historic characteristics of the building.

The Secretary Standards provides guidance on the various approaches to rehabilitation, including advice on additions and alterations to historic buildings. The advice indicates that rehabilitation projects should not radically change, obscure, damage or destroy character defining features. Staff recommends that the HRB comment on this guidance provided as part of the Secretary Standards and how rigorous this guidance should be applied to the proposed project.

Alteration of the Historic Entry at University Avenue

A second key consideration for the HRB is the perceived alteration of the historic main entry way at University Avenue. The 1995 EIR describes the entrance forecourt in the following way,

“Surrounded by adjacent two-story buildings, the rectangular forecourt consists of two areas, the covered two-story cupola and portal on University Avenue and the open courtyard with one story tile-roofed arcades along the sides of the courtyard. This protected, semi-enclosed space provides a distinctive and gracious transition from University Avenue to the lobby entrance.”

Although the proposed project would not remove or alter the existing structure that compose the entrance forecourt, the addition of a glass storefront system at University Avenue would visually and physically interrupt the open transition to the interior of the building.

Staff can support a new storefront system at the arched opening immediately adjacent to the forecourt. However, given the current description of the glass store front system at University Avenue, staff is not supportive of the current proposal. Staff recommends that the HRB comment on the alteration of the historic main entrance and staff’s recommended approach.

Effect of Cumulative Changes to Character Defining Features

The City’s peer review consultant noted that in the “Varsity Theater Restaurant Development Resource Evaluation”, prepared by Bruce Judd Consulting Group, dated February 19, 2013, Mr. Judd’s report did not address the cumulative impacts of the various changes in any detail. Garavaglia Architecture Inc. noted in their report that, “Continued modifications to the building overtime may result in a cumulative and widespread loss of material integrity if care is not taken to protect the remaining character defining features. Preservation of these features is imperative if the building is to retain historical integrity and maintain its status as a listed historic resource.”

It is important to note that this project would not specifically remove or demolish any additional character defining features of the building. In many cases, those remaining features would be “maintained, protected and restored” in-place, although some features would be covered and obscured from view, or perceived differently after the project

The HRB may want to consider this project’s contribution to cumulative change at the Varsity Theater as part of their deliberations.

Overall Historic Analysis Conclusion

The City peer review consultant has concluded (on Page 17 of their report, Attachment D) that the proposed project is marginally compliant with the Secretary Standards. The report states, “Through significant aspects of the proposed design are not compliant with the Standards and the FEIR (Final Environmental Impact Report, 1995) provisions, the overall project respects the historic qualities of the existing building and does not propose to drastically remove or alter remaining historic features.” City staff supports this finding and agrees with the consultant that revisions to the project could be made to increase compliance with the Secretary Standards and to be more consistent with the 1995 EIR. These conditions are specified below. A summary of the Secretary Standards findings are contained in Attachment G.

Architectural Review Findings

The project is subject to the Architectural Review Findings as outlined in PAMC 18.76.050(d). Staff’s recommended draft findings are contained in Attachment H.

Downtown Urban Design Guidelines

The Downtown Urban Design Guide is meant to advise the applicant, staff and the ARB regarding development and design in the downtown area. The Downtown Urban Design Guide divides the downtown area into districts, each having a unique identity and design characteristics. The project site is in the University Avenue District, which is the identifiable center of the downtown area. Within this area, the Downtown Urban Design Guide recommends reinforcing the retail core by maintaining a strong concentration of ground floor retail and developing and enhancing the qualities which make an exciting outdoor and pedestrian environment, including vibrant and eclectic architecture. Furthermore, the project site is located in the Kipling Street secondary district. This secondary district, along with the Florence Street secondary district, is identified as a “unique opportunity to establish interesting links between University Avenue retail and Lytton Avenue commercial area.” As described in the Downtown Urban Design Guide, “Efforts should be made to unify and complement each of the secondary districts through the use of appropriate building design, landscaping and public amenities.” The Downtown Urban Design Guide is not a regulatory document, but to be used as a tool to guide development in the area.

For the Kipling Street secondary district, the Downtown Urban Design Guide recommends, “*The terminus at University Avenue should be enhanced through tie-ins to the Varsity Theater and mid-block access to Lot H behind the Theater.*” As shown on Sheet A0.1, there is an existing alley at south (southwest) side of the building that provides access from the forecourt to parking Lot H. However, this is not a public alley and should not currently be considered as a means for public access to Lot H. Informal access from University Avenue to Lot H has existed through the forecourt and the Border’s retail space since 1996 during normal operating hours, but access has been removed since Border’s vacated the building. No other formal mid-block connection between University Avenue and Lot H is proposed with this project.

The proposed project would not extend the building envelope with respect to University Avenue and public parking Lot H at the rear of the building. The proposed storefront system at University Avenue would add a physical barrier to the building during normal operating hours that has not previously existed. As mentioned earlier in the report, staff is supportive of a storefront system at the arched opening immediately adjacent to the forecourt and recommends that the proposed storefront system at University Avenue be removed from the proposed project.

Compliance with the Downtown Urban design Guidelines is described in Attachment I.

Pedestrian Combining District

The project is required to comply with Section 18.30(B).040 of the Palo Alto Municipal Code, which designates the ARB to determine whether the building is harmonious and includes three design features – (1) display windows, (2) a minimum covered recessed area, and (3) landscaping or architectural features intended to preclude blank walls or building faces. The project would provide approximately 60 square feet of recessed storefront area, where 47 square feet would be required. Though there is no landscaping proposed in the recessed area adjacent to the storefront, the project includes display windows and does not contain expansive blank walls or building faces. As stated above, Staff is not supportive of the storefront system at University Avenue and will recommend a condition to remove this from the project. Staff's interpretation of the Pedestrian Combining District ordinance is that the existing opening satisfies the intent of the ordinance.

Context-Based Design Considerations and Findings

In addition Architectural Review approval findings, Context-Based Design Considerations and Findings would be applicable to projects in the CD district and sub-districts pursuant to PAMC 18.18.110(b). For ARB discussion, context-based design considerations for the project are provided as Attachment J.

Signage

The applicant has shown the approximate location of building signage on the elevation drawings, located in the Project plan set. The marquee at University Avenue will be retained and used as the location for tenant signage. The sign package for the restaurant will be submitted as a separate architectural review application and is not part of this review; however the potential location for signage is appropriate ARB discussion. Staff has approved identification signs for Samsung, the second floor office tenant, at the back of the building facing public parking Lot H.

Staff Recommendations for Conditions of Approval

Although staff is recommending that the HRB and ARB continue the review of the project to the June 19 and 20, 2013 meetings, it is expected that staff will recommend approval of the project with conditions that could be made to increase compliance with the Secretary Standards and to be more consistent with the 1995 EIR. These conditions were informed in part from the city peer review consultant's suggested modifications as described on Page 17 of their report. The following draft conditions related to the project design are as follows:

1. Eliminate the storefront assembly at the University Avenue main entrance to reduce the visual and physical impact. The storefront may be placed at the arched opening at the entrance to the forecourt. Attachments to the historic finishes should be minimal to minimize the impact to the historic fabric and facilitate potential removal of this element

in the future with minimal change to the resource. The applicant shall use non-reflective glass for this application;

2. Investigate alternative design solutions for the retractable canopy that uses a more transparent fabric or material that would increase visibility of features beyond the canopy. Investigate alternatives for the canopy support structure and framework to be lighter and less visibly intrusive;
3. Provide a detailed maintenance, protection, and restoration plan for the interior and exterior character defining features prepared by a qualified historic preservation consultant. City staff will review the draft plan for consistency with the Secretary Standards and guidance documents provided by the National Parks Service (www.nps.gov/history/hps/pad/index.htm).
4. Remove the artificial trees in the forecourt;
5. The project revisions and preservations plans shall be reviewed by the HRB.

Other appropriate conditions of approval relating to technical code compliance and development impact fees will be included in staff's recommendation.

Comprehensive Plan Policy Analysis

As conditioned, the project would be consistent with the following Comprehensive Plan policies and programs:

POLICY L-23: Maintain and enhance the University Avenue/Downtown area as the central business district of the City, with a mix of commercial, civic, cultural, recreational and residential uses. Promote quality design that recognizes the regional and historical importance of the area and reinforces its pedestrian character.

PROGRAM L-20: Facilitate reuse of existing buildings.

POLICY L-48: Promote high quality, creative design and site planning that is compatible with surrounding development and public spaces.

PROGRAM L-49: In areas of the City having a historic or consistent design character, design new development to maintain and support the existing character.

POLICY L-49: Design buildings to revitalize streets and public spaces and to enhance a sense of community and personal safety. Provide an ordered variety of entries, porches, windows, bays and balconies along public ways where it is consistent with neighborhood character; avoid blank or solid walls at street level; and include human-scale details and massing.

POLICY L-51: Encourage public and private upkeep and preservation of resources that have historic merit, including residences listed in the Historic Inventory.

PROGRAM L-56: Maintain and strengthen the design review procedure for exterior remodeling or demolition of historic resources. Discourage demolition of historic resources and severely restrict demolition of Landmark resources.

PROGRAM L-58: For proposed exterior alterations or additions to designated Historic Landmarks, require design review findings that the proposed changes are in compliance with the Secretary of the Interior Standards for Rehabilitation.

POLICY L-56: To reinforce the scale and character of University Avenue/Downtown, promote the preservation of significant historic buildings.

PROGRAM L-63: Streamline, to the maximum extent feasible, any future processes for design review of historic structures to eliminate unnecessary delay and uncertainty for the applicant and to encourage historic preservation.

PROGRAM L-64: Encourage and assist owners of historically significant buildings in finding ways to adapt and restore these buildings, including participation in state and federal tax relief programs.

ENVIRONMENTAL REVIEW

As noted above, City staff has completed a draft Initial Study (IS) with a Negative Declaration finding for the project (Attachment F). The IS includes an analysis of the project's possible impacts on the environment, and includes a focus on impacts to Cultural Resources, specifically, the impact to the existing Category 1 building. This analysis is based upon Garavaglia Architecture's peer review report.

The conclusion of the peer review report is that the proposed project is marginally compliant with the Secretary Standards. As stated in the peer review report, individual project components were found to be inconsistent with the Secretary Standards. However, overall compliance is not necessarily a direct sum of the level of compliance of each component with the Secretary Standards. Individual project component compliance is weighed with the overall impact on both the design and historical significance of the resource. In this case, the overall project respects the historic qualities of the existing building and does not propose to drastically remove or alter remaining historic features. As the project was found to be compliant with the Secretary Standards (although marginally so), staff has determined that the project would not have a significant impact on the environment.

As stated above, staff recommends conditions of approval that would further improve the project's consistency with the Secretary Standards.

The draft IS with a Negative Declaration finding was released for a 20-day public review period on May 31, 2013. The public is invited to review the draft IS and provide comments prior to the close of business on June 19, 2013.

ATTACHMENTS

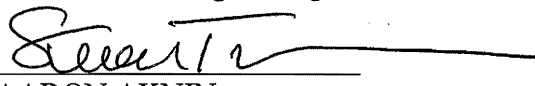
- A. Department of Parks and Recreation Historic Resources Inventory form, 456 University Avenue
- B. Applicant's Project Description Letter, May 30, 2013
- C. Varsity Theater Restaurant Development Resource Evaluation, February 19, 2013, prepared by Bruce Judd Consulting Group
- D. Varsity Theater Peer Review/Standards Compliance Review", dated May 31, 2013, prepared by Garavaglia Architecture, Inc.

- E. Response to Varsity Theater Peer Review/Standards Compliance Review Draft Findings, May 17, 2013, prepared by Bruce Judd Consulting Group
- F. Draft Initial Study and Negative Declaration Finding, May 31, 2013
- G. Findings Based on the Secretary of the Interior's Standards
- H. Architectural Review Findings
- I. Context-Based Design Considerations and Findings
- J. Project Plans (HRB and ARB members only)

COURTESY COPIES:

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HISTORIC RESOURCES INVENTORY

State use only

Site _____ Attachment A _____
 UTM _____ D _____ NR _____ SHL _____
 Lat _____ Lon _____ Elev _____ Sg _____
 Adm T2 T3 Col MABS MAER Fed _____

IDENTIFICATION **CATEGORY** RECOMMEND I (Approved 5/16/88)

1. Common name: _____
2. Historic name, if known: New Varsity Theater
3. Street or rural address: 456 University Avenue
 City: Palo Alto ZIP: _____ County: Santa Clara
4. Present owner, if known: Palo Alto Theatre Corp. Address: 400 Hamilton Ave
 (Charles Keenan, Mark Gates)
 City: Palo Alto, Ca ZIP: 94301 Ownership is: Public Private
5. Present Use: Theater and Restaurant Original Use: Theater
 Other past uses: _____

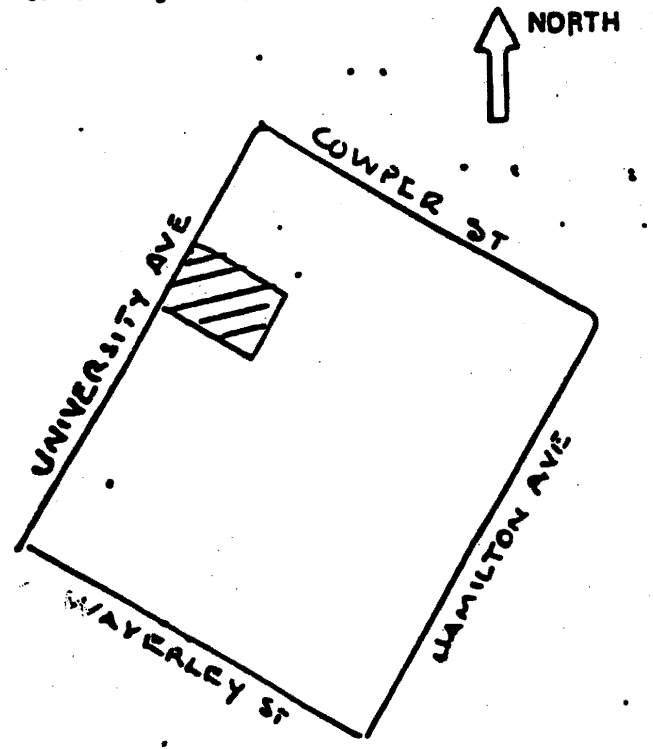
DESCRIPTION

6. Briefly describe the present physical appearance of the site or structure and describe any major alterations from its original condition:

This fine small theater has an arcade and courtyard between the entrance facade and the theater proper. Although the outline of the facade is Mission Revival, there is some Spanish Renaissance decorative detailing. The handsome neon is no longer intact and some alterations have occurred in the street level facade and courtyard during recent remodeling to accommodate a restaurant. The flanking buildings were designed to complement the theatre and unify the streetfront.

Several types of original iron lighting fixtures are still intact.

7. Locational sketch map (draw and label site and surrounding streets, roads, and prominent landmarks):



8. Approximate property size:
 Lot size (in feet) Frontage 30
 Depth 200
 or approx. acreage _____

9. Condition: (check one).
 a. Excellent b. Good c. Fair
 d. Deteriorated e. No longer in existence

10. Is the feature a. Altered? b. Unaltered?

11. Surroundings: (Check more than one if necessary)
 a. Open land b. Scattered buildings
 c. Densely built-up d. Residential
 e. Commercial f. Industrial
 g. Other

12. Threats to site:
 a. None known b. Private development
 c. Zoning d. Public Works project
 e. Vandalism f. Other

13. Date(s) of enclosed photograph(s): 1978

JAN 21 1988

NOTE: The following (Items 14-19) are for structures only.

1. Primary exterior building material: a. Stone b. Brick c. Stucco d. Adobe e. Wood

f. Other

2. Is the structure: a. On its original site? b. Moved? c. Unknown?

3. Year of initial construction 1927 This date is: a. Factual b. Estimated

4. Architect (if known): Reid Brothers (San Francisco)

5. Builder (if known): McDonald and Kahn (San Francisco); iron work, Fair Mfg. Co. (S.F.)

6. Related features: a. Barn b. Carriage house c. Outhouse d. Shed(s) e. Formal garden(s)

f. Windmill g. Watertower/tankhouse h. Other i. None

SIGNIFICANCE

1. Briefly state historical and/or architectural importance (include dates, events, and persons associated with the site when known):
This is a fine example of a rapidly disappearing type of building, flanked by compatible commercial structures to produce an effective streetscape. The original Varsity Theater was located from 1911 onward at University and Ramona, owned by Frank LeSuer and T.H. Betts. In 1927, Ellis J. Arkush, with Le Suer, acquired the theater as part of plans to develop a chain of Peninsula motion-picture houses, starting with the revitalized Stanford Theater and continuing with a new Varsity Theater at the present location (then owned by Dr. Charles Strub). The theater has been in continuous service although in recent years, the decline of the motion-picture audience has led to an effort to capture a new clientele with a restaurant, and with performances by touring rock-music groups. Stylistically, it has been compared to the Fox Arlington Theater in Santa Barbara (Woodbridge, et. al.)

1. Main theme of the historic resource: (Check only one): a. Architecture b. Arts & Leisure
c. Economic/Industrial d. Exploration/Settlement e. Government f. Military
g. Religion h. Social/Education

2. Sources: List books, documents, surveys, personal interviews, and their dates: P.A. Times 9/11/11 reprinted 9/11/36, 10/2/26, 1/25 and 29, 9/26/27; Palo Alto Weekly, 10/16/85; Sally and John Woodbridge, et. al., A Guide to Architecture in San Francisco and Northern California (Peregrine Smith Co., Santa Barbara, 1973), p. 155-6

3. Date form prepared: 1978, 1985 By (name): Historic Resources Board
Address: 250 Hamilton Ave City Palo Alto, Ca 94301 ZIP: _____
Phone: _____ Organization: _____

(State Use Only)



robinson hill architecture, inc.



transmittal

Date: May 30th, 2013

To: Mr. Steven Turner
Advance Planning Manager
City of Palo Alto Planning Division
250 Hamilton Ave
Palo Alto, CA 94303

cc Mr. Bruce Judd
Mr. Bruce Binnquist
Mr. Jeff Hatch
Ms. Meredith Lake

RE: Varsity Theater – Proposed Restaurant Description

Proposed Project Description

The scope of the proposed project consists primarily of Ground Floor interior work to introduce restaurant dining in the Theater Foyer and the Theater Open Forecourt as well as the introduction of a private dining type use on the Ground Floor of the Theater Building.

The following items summarize the major components of our proposal. For additional information please refer to the application drawings exhibits.

University Entrance

1. Proposed installation of a butt jointed glass storefront system with Herculite doors at the University Entrance to replace the current steel security screen. The system will allow street views of the forecourt and forecourt tower consistent with current conditions while providing an elegant and minimalist private/public separation. Similar approaches have been utilized throughout the country in historic renovation projects. For reference we have provided before and after images of the Old Slave Mart Museum in Charleston, SC.

Back Parking Lot Elevation

2. Proposed addition of 3 new storefronts bays to the non historic parking lot side elevation of the Theater Building to replace the small existing windows. These storefronts will match the height and construction of the existing 2nd floor entrance lobby storefront. They will provide substantially improved exterior views of the interior Historic Arches currently not readily visible.

A California Corporation
3195 B Airport Loop Drive
Costa Mesa, CA 92626
www.rhainc.net

Telephone: 714. 825. 8888 • Facsimile: 714. 825. 8889

Open Forecourt

3. Proposed installation of a non combustible, translucent fabric retractable rain canopy above the open forecourt. The proposed canopy and support structure will be installed above the existing non historic forecourt parapets. Installing the translucent canopy above the parapets will maintain the views and the great spatial experience of the forecourt. Although the intent is to leave the canopy open; weather permitting, the translucent quality of the non combustible canopy material will allow views of the historic forecourt tower with the canopy in the closed position during inclement weather. Material samples have been provided with our application. We have researched multiple systems for weather protecting the forecourt including all glass fixed roofs and concluded that the proposed canopy system is the lightest and least intrusive structurally and visually. There is precedence for closing historic open courts. Please refer to the National Portrait Gallery in DC.

Preservation

4. The historic features of the Theater Open Forecourt, Foyer and Theater will be maintained, protected, rehabilitated and restored where necessary.

Interior

5. Restaurant type furnishing will be introduced in an intentional manner to maintain the historic elements of to the Courtyard, Foyer and the Banquet Hall
6. Partitions are being introduced to demise the different uses and the service/kitchen areas. Where necessary these partitions will be supported at the floor and ceiling only in order to be free of connections to Historic Elements.
7. Certain Historic Elements within the kitchen will be concealed from public view due to the nature of commercial kitchen uses. These elements will be protected in place from kitchen type uses as detailed in the application drawings. In the future the protective enclosure can be removed to expose the undamaged historic element.
8. Special care will be taken to maintain, protect and restore all interior historic elements. A great majority of these elements will be directly visible to the patrons.

Please contact me with any questions or comments.

Sincerely,
RHA., inc

Alex Arie

California Corporation
3195 B Airport Loop Drive
Costa Mesa, CA 92626
www.rhainc.net

VARSITY THEATER
RESTAURANT DEVELOPMENT
RESOURCE EVALUATION
FOR FERRADO
NEWPORT BEACH, CALIFORNIA

(850) 687-4111

FEBRUARY 19, 2013



Bruce Judd Consulting Group

P. O. Box 4867

Seaside, FL, 32459

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(1) These sections were initially prepared as part of a report prepared in 2011 for the Palo Alto Theater Company, the developer of the theater, have been revised for this project, and are included here for context regarding the current proposed restaurant. They are used with the developer's approval.

I. Introduction

In response to a request from Ferrado, Bruce Judd Consulting Group has prepared the following report to review the character defining elements of the Varsity Theater in Palo Alto and to evaluate the impact of a proposed restaurant development in the courtyard, the lobby, and part of the ground floor to modify these spaces for a new tenant space.

This and the following four sections were initially prepared as part of a report prepared in 2011 for the Palo Alto Theater Company, the developer of the theater. They have been modified to reflect the proposed restaurant development and are included here for context. They are used with the developer's approval.

The Theater, located at 456 University Avenue was built in 1927 and used for musical performances and later as a cinema. After 1987 it was used as an "Art House" cinema and closed on 7 July 1994. It was then converted to retail use as a Borders book store. When Borders left in 2011, the building became vacant.

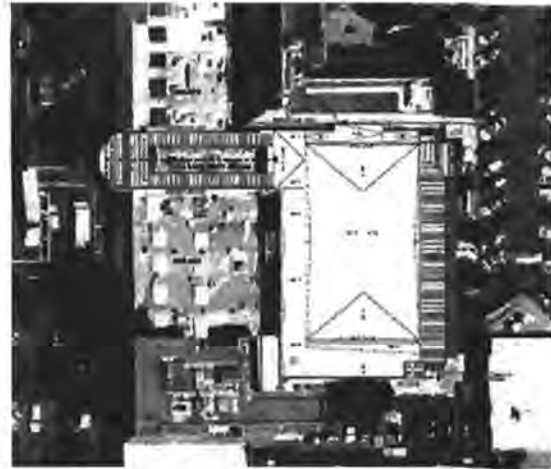


Varsity Theater, opening night, 1927.

II. Site

Located on the main commercial street in Palo Alto, the Varsity Theater has been a part of the downtown life of the city for over eighty years. The theater faces directly on the sidewalk to the north and to the south, the rear entry faces a public parking lot. The theater consists of a long courtyard running from the street façade approximately 87 feet to the main block of the theater. The main building is two stories in height containing the original theater lobby, bathrooms and the auditorium.

The building is approximately 98 feet in depth by approximately 135 feet in width. The roof of the auditorium is relatively flat with perimeter parapets. The stage house is approximately 98 feet by 20 feet and currently has air conditioning equipment on the flat roof.



An aerial view of the theater and surroundings. University Avenue is at the left of the image while the parking lot is at the right.

III. Building Description

The front façade of the theater has a series of decorative Spanish elements that contribute to the Spanish Colonial Revival style of the theater. Two small towers flank a central arched pediment. The pediment has five small empty niches and decorative moldings spanning between the two towers. The central entry is flanked by two decorative display cases for movie posters.

In 1937 the main projecting marquee was added to the façade. The highly decorative marquee projects from the front of the face of the building with neon graphics and the name "Varsity" in neon. The marquee was refurbished when the theater was converted to a book store during the 1994 – 1996 renovation and opened in 1996.

The southern side of the front façade has a Churrigueresque parapet with large central opening to the courtyard. Two large lanterns are located to each side of the arch raised above the courtyard arches.

The front façade of the theater opens to a long courtyard that is approximately 87 feet long by 18 feet wide. Each side of the courtyard is flanked by an arcade approximately 7 and a half feet wide. Eight arches that run the length of the arcade walls with columns having ringed Doric capitals. Four large decorative lanterns project from each of the arcades into the courtyard.



Front façade and entry to the theater courtyard facing University Avenue.



View of the courtyard from the street entry arch.

Each arcade is covered with a sloped tile roof rising up to exterior parapet walls of the courtyard. These walls extend up approximately eight feet above the tile roofs. Each of these parapet walls has four small niches similar to those on the front façade.

At the center of the courtyard is a small fountain that is working but is not historic.



View towards the street of the courtyard and south side of the front elevation.

The southern façade of the courtyard served as the front façade of the theater lobby, and the entry to the Borders Bookstore. Three pairs of wooden doors are centered on this façade. Each door has leaded glass and wrought iron bars inset into the door and decorative hardware. Above each pair of doors is a recessed arch with a decorative motif centered in the arch. Above and between the pairs of doors are two projecting decorative light fixtures similar to the ones on the arches of the courtyard.



View of the courtyard from the front street arch.



Detail of the south side of the front façade.



View from one of the arcades looking towards the central fountain.



Detail view of one of the arcades with parapet wall behind.



Current overall view of the courtyard.



Main entrance to the theater building.

IV. 1997 Renovation

In 1993 - 1996 a major renovation altered much of the interior of the theater. While the courtyard, lobby and most of the exterior were retained and restored, the auditorium of the theater was altered to accommodate a new bookstore use. The raked floor was covered over with a steel frame and flat flooring installed. The existing historic finishes and features were retained. During the renovation existing decorative features in the auditorium such as the columns and coves were protected. The historic features of the front facade, the courtyard and arcades, and the parapet walls were also retained and restored. The parapet walls and much of the interior were seismically braced and new stucco installed to match the existing stucco. A new two story rear façade with entry was added to the building as were new exit stairs.

As part of the renovation damaged existing historic elements were restored.

A new monumental stair was added and a new mezzanine surrounding the large open space, that served as the auditorium space, were added with new lighting and decorative railings. The design of these new features was detailed to set the new features apart from the historic elements of Theater.

The new façade facing the parking lot has a projecting facade with a secondary entry to the building that was added in 1996.



Rear Entry added to the Theater in 1997.

V. Historic Registration Eligibility Criteria

The Varsity Theater is listed on the City of Palo Alto Historic Building Inventory. It is not listed on the National Register of Historic Places or the California Register.

National Register of Historic Places Eligibility

The National Register of Historic Places is the Nation's master inventory of known historic resources and includes listings of buildings, structures, sites, objects and districts that possess historic, architectural, engineering, archaeological or cultural significance at the national, state or local level. Four criteria provide the basis under which a structure, site, building, district, or object can be considered significant for listing on the National Register. A potential resource needs to meet only one of the four criteria to achieve significance. The criteria include resources that:

(A) are associated with events that have made a significant contribution to the broad patterns of history (such as a Civil War battlefield or a Naval Ship building Center); or

(B) are associated with the lives of persons significant in our past (such as Thomas Jefferson's Monticello or the Susan B. Anthony birthplace); or

(C) embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction (such as Frank Lloyd Wright's Taliesin or the Midwestern Native American Indian Mounds); or

(D) have yielded or may likely yield information important in prehistory or history (such as prehistoric ruins in

Arizona or the archaeological sites of the first European settlements in St.

Augustine, Florida or at the Presidio of San Francisco).

Once a potential resource is determined to have met one of the four criteria, its significance should be evaluated within its historic context or historical pattern relevant to a particular geographic area. Historic contexts are found at a variety of geographical levels or scales, specifically the local, state or national level. The geographic scale selected may relate to a pattern of historical development, a political division, or a cultural area.¹

California Register of Historical Resources

The California Register of Historical Resources is the authoritative guide to the State's significant historical and archeological resources. It serves to identify, evaluate, register and protect California's historical resources. The California Register program encourages public recognition and protection of resources of architectural, historical, archeological and cultural significance, identifies historical resources for state and local planning purposes, determines eligibility for historic preservation grant funding and affords certain protections under the California Environmental Quality Act. All resources listed on or formally determined eligible for the National Register are eligible for the California Register. In addition, properties designated under municipal or county ordinances are also eligible for listing in the California Register.

The California Register criteria are modeled on the National Register criteria discussed above. An historical resource must be significant at the local, state, or national level under one or more of the following criteria:

1. It is associated with events or patterns of events that have made a

1 National Register Bulletin 15: How to Apply National Register Criteria, p. 9.

significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States; or

2. It is associated with the lives of persons important to local, California, or national history; or

3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values; or

4. It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, state or the nation.

As explained above, the California Register and National Register criteria are quite similar.

California Register Eligibility Analysis

To achieve significance, and thus be eligible for listing on the California Register, a potential resource needs to meet one of the four criteria described above. As stated above, the significance of a historic resource is achieved under California Register Criterion 3 if it:

*Embodies the distinctive characteristics of a type, period, region, or method of construction; or
Represents the work of a master; or
Possesses high artistic values.*

Each of these three components of Criterion 3 is related to architectural merit or in this case, concrete construction.

The Varsity Theater has been substantially altered but the majority of the character defining features remain intact. The exterior has had few modifications and these have occurred on the south, non-historic façade.

VI. Proposed Project

The current theater auditorium configuration was developed in 1997 to accommodate Borders Books as a single tenant occupying the entire ground floor and mezzanine that surrounds the open auditorium space. Borders Books left in 2011 and alterations are currently under construction to accommodate the new restaurant tenant. The central area of the auditorium space is being covered with a flush jointed glass ceiling at the floor level of the mezzanine to acoustically separate this space from the new Banquet Hall below. In addition, alterations are being made to stairs and doors exiting from the building.

The proposed design for the restaurant itself is described in detail in drawings prepared by Robinson Hill Architecture, Inc., dated February 12, 2013. Several diagrams from these drawings are included here for reference.

The design consists of alterations to five major areas: 1) the theater courtyard, which will serve as an outdoor seating area for the restaurant, 2) the former lobby area, which will be the primary interior seating area, 3) a banquet area in the former auditorium space, 4) a new kitchen and back-of-house space under the northern mezzanine area, and 5) a new lobby and waiting area just inside the southern wall of the theater.

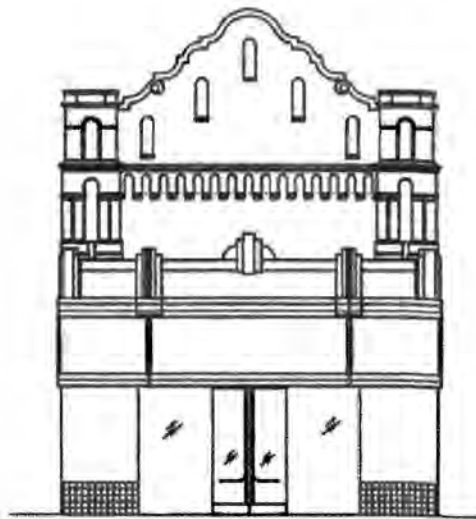


PROPOSED UNIVERSITY ENTRANCE
STREET VIEW OF COURTYARD

The exterior of the Theater will remain as it exists today with all historic features retained. Only a few changes are proposed for the

exterior. Signage on the original marquee will change to

reflect the restaurant use and a butt jointed glass storefront system with glass doors will be installed just behind the front exterior walls of the courtyard on University Avenue. This will maintain the feeling of the original open space leading into the courtyard while providing security when the restaurant is not open.



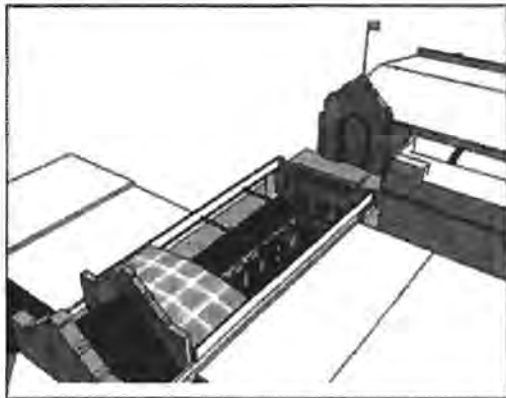
B. PROPOSED UNIVERSITY ENTRANCE

The fountain in the center of the courtyard will be removed and stored off-site for possible future reuse should that be desired. The fountain is not from the period of significance of the theater and is not historic.

The existing historic doors leading from the courtyard into the theater will be retained and restored. One pair of these doors may need to have their swing changed to meet exiting requirements.

Great care has been used to respect the historic features and spaces of the theater. All of these are to be retained, protected, and restored as necessary. A majority of these elements will be seen by the patrons of the restaurant.

The courtyard is one of the most significant spaces that is part of the theater complex and it will be retained and enhanced. It will continue to be an outdoor space with seating located between the pilasters on each side of the long walls under the arcades. All of the arches and parapet walls will be retained.



PROPOSED COURTYARD
SIDE SIDE VIEW
TRANSLUCENT FABRIC RAIN CANOPY OPEN POSITION

The primary addition to the courtyard will be a translucent fabric, retractable rain canopy above the open courtyard. The canopy will be installed above the existing parapets in order to maintain the existing courtyard parapets and cornices.



PROPOSED COURTYARD
VIEW ENTERING THE COURTYARD
TRANSLUCENT FABRIC RAIN CANOPY OPEN POSITION

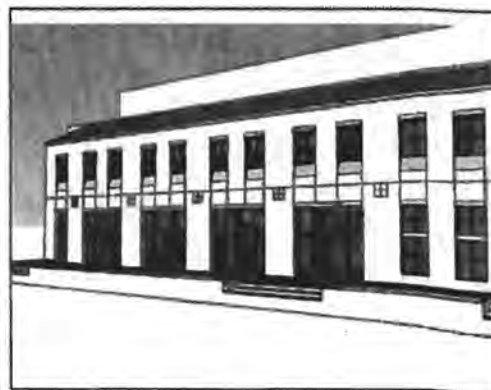
The intent of the canopy is to maintain the feeling of an open courtyard while allowing for protection from rain and very hot days. The track for the canopy will be recessed behind and

above the parapet walls and will be only slightly visible.



PROPOSED COURTYARD
VIEW ENTERING THE COURTYARD
TRANSLUCENT FABRIC RAIN CANOPY CLOSED POSITION

Three new storefronts will be added to the south façade of the theater facing the current parking lot. This wall is not an historic feature as it is a plain concrete rear property line wall that was not exposed until the earlier renovation.



PROPOSED EAST ELEVATION
VIEW FROM PARKING LOT

The storefronts are designed to match the tall height and construction of the existing second floor entrance lobby storefront. They will provide views into the interior historic arches and today are not easily viewed.

New restrooms will be installed off of the lobby area, centered behind the two curved walls. The restroom walls will not be attached to the historic walls.

Furnishings are designed to maintain the historic feeling of the theater and respect the existing historic features in the courtyard, lobby and banquet hall.

New partitions will be added in the kitchen and service areas under the north mezzanine. These are designed to not impact the historic features, particularly column capitals and friezes. They will be supported at the floor and ceiling where required so that they are not connected to any of the historic features.

Some historic features in the kitchen will need to be hidden from public view because of the commercial kitchen requirements. These elements will be protected in place and could be exposed at some time in the future.

VII. Evaluation of Integrity

Integrity is a key component of an historic building evaluation. Without sufficient integrity, further discussion of the significance of The Varsity Theater would not be warranted. For the Palo Alto Historic Building Inventory, integrity is the authenticity of an historical resource's physical identity, evidenced by the survival of characteristics that existed during the resource's period of significance.

Integrity involves several aspects, including location, design, setting, materials, workmanship, feeling and association. These aspects closely relate to the resource's significance and should be primarily intact for designation. Discussion of integrity generally concentrates on the building's exterior envelope, though treatment of the interior is also considered.

Location

Location is the place where the historic property was constructed or the place where the historic event occurred. The theater remains in its original location and therefore, this aspect of its integrity has not been diminished.

Design

Design is the combination of elements that create the form, plan, space, structure, and style of a property. The theater was designed as a theater and used as such until 1993.

In 1997 a major alteration to the Theater occurred, covering over the raked floor and adding a new mezzanine with central stair in the central auditorium space. At the time of the renovation care was used to not damage or remove historic character defining features. The perimeter exterior walls were braced with steel on the interior and the interior plaster finishes restored.

The primary façade and the courtyard remain essential as initially designed. The marquee that was added in 1937 has been retained and restored. The stucco and ornamental details have been restored and the original exterior light fixtures remain. The courtyard perimeter walls

were rebuilt and seismically braced as part of the 1997 renovation.

The lobby was restored as part of the renovation and character defining features in the lobby were retained and restored.

The renovation now under construction was also designed to respect the historic features taking care not to damage them, developing a butt-jointed glass ceiling at the mezzanine level to maintain the visual connection between the ground floor and the historic decorative ceiling above, and removing intrusive stairs and other non-historic elements.

The proposed restaurant design also preserves the historic features of the theater. The glass wall and doors at the entry preserve the view through the courtyard to the main entry into the building.

The proposed courtyard canopy is designed to be mounted above and behind the historic parapets along the courtyard walls and could be removed in the future with no damage to the historic features of the courtyard. The canopy is movable so that it can be opened to the sky preserving the open courtyard feeling and yet provide protection from inclement weather. The courtyard will not be conditioned to preserve the outdoor nature of the space.

The lobby will be used for seating and will highlight the historic elements in the space.

In the kitchen and back-of-house spaces some historic elements will be covered up and protected. All new walls will not have connections to, or through, decorative historic features.

The sets of new doors on the south façade are not impacting any historic features.

Setting

Setting is the physical environment of an historic property, constituting topographic features, vegetation, manmade features, and relationships between buildings or open space. The setting of the Theater has not changed at the front

elevation and the rear elevation faces a parking lot.

Materials

Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form an historic property. Because the exterior of the Theater has been restored, the materials that are important have been documented and will be retained.

The interior features have also been retained, highlighted and will be restored where necessary.

Workmanship

Workmanship is the physical evidence of the crafts of a particular culture, people, or artisan during any given period in history or pre-history.

The original construction is typical of 1920s building techniques. The exterior and interior were both executed with a good degree of craftsmanship. The workmanship on the exterior remains intact and conveys the original intent.

As described, the interior has been altered. Except for removal of the raked floor, seating and stage area, the primary areas such as the lobby and the auditorium forms, convey the workmanship of the original theater.

Decorative features such as the lobby cornice, arches, drinking fountain surround and columns all are intact and in good condition and will be highlighted in the proposed renovation.

The features of the courtyard have also been retained with very little alteration over the years and will also be highlighted in the proposed renovation

Feeling

Feeling is a property's expression of the aesthetic or historical sense of a particular period of time.

The exterior and the courtyard convey the feeling of the original design very well. The interior lobby and entry are also intact and convey the feeling of a 1920s theater.

Due to the alterations in the 1990s, it is difficult to get a full sense of the interior auditorium space as a theater particularly with the removal of the raked floor. The side aisles, arches and the over all volume of the auditorium space does give one a sense of how the space originally might have felt.

Association

Association is the direct link between an important historic event or person and an historic property. The only association known at this time is that of the building as an early motion picture theater in the City of Palo Alto.

Summary

The exterior of the theater remains nearly intact from the period of significance. The interior has been modified in many ways but also still has integrity. The Varsity Theater is clearly recognizable and understandable as an early motion picture house and as an historic resource for the City.

VIII. Project Affect on Character Defining Features and Conclusion

The proposed project begins with an already greatly altered Theater. During the 1997 renovation much of the interior was altered with the raked floor, seating, screen and stage house removed and a new flat floor installed. At that time a new mezzanine and a large central stair were constructed in the central auditorium space.

During this renovation the exterior of the building, including the courtyard was restored and the marquee refurbished. Seismic bracing was also part of this work with almost all of the work hidden behind existing finishes or new finishes replicating those existing.

The current proposed restaurant design will maintain, highlight and restore remaining character defining historic features. Except for the glass doors at the entry, new doors on a non-historic façade, and a new retractable canopy, the exterior of the theater will remain as it currently exists. All of the other proposed changes are found on the interior.

New canopy has been designed to sit above the historic parapets and will not alter them.

The new glass entry has been designed to be visually transparent and continue the visibility between the courtyard and the street.

Finally, all of the proposed additional elements have been designed in such a way that they could be removed with no impact on the historic elements of the Theater.

While it is unlikely that the Varsity Theater will be returned to use as a theater, none of the proposed design additions will detract from that possibility.

The Varsity Theater remains an important resource for the City of Palo Alto and this project will continue that into the future.

Appendix A – Bruce D. Judd, FAIA Resume



Bruce Judd Consulting Group

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Bruce@brucejudd.com



Historic Preservation architecture wasn't an established field of practice when Bruce D. Judd, FAIA, co-founded Architectural Resources Group in San Francisco in 1980. Thirty years later, Bruce is considered a pioneer in the field and has a national reputation as a thought leader, experienced practitioner and financial pragmatist. Over the years his clients have learned that when they want their preservation projects to succeed, Bruce's skills are essential to ensure that the project proceeds, from the initial planning processes through construction, with professionalism and integrity, while also meeting the project team's goals. Whether it is guiding the project team through the myriad of governmental agencies at the local, state and national level, or navigating a project team through the internal political environment, Bruce's projects consistently result in satisfied clients. His development projects are profitable to the investors, yet do not compromise the sustainable concepts and ideas that have formed the foundation of his career.



*Pasadena City Hall
Seismic Retrofit and
Renovation **

Bruce has directed more than 300 planning, rehabilitation, and expansion projects for architecturally significant buildings throughout the west and is a nationally recognized expert in his field. He has led rehabilitation and new construction projects for library, cultural, and performing arts facilities, including the award-winning master plan and completed renovation and additions to the A. K. Smiley Library in Redlands. He has also directed high-profile projects, including the rehabilitation of 50 United Nations Plaza in San Francisco, currently in design, repair and restoration of the San Francisco Conservatory of Flowers in Golden Gate Park, seismic retrofit for the block-square Beaux-Arts style City Hall in Pasadena, and restoration work at the Hotel Del Coronado in San Diego.



Bruce brings extensive experience with the application of *The Secretary of the Interior's Standards for Preservation*. For eight years he was a President-appointed Expert Member of the Advisory Council on Historic Preservation (ACHP), the federal agency that oversees and advises on national preservation matters, and recently participated on the Committee on Preservation and Security for the White House and Capitol. For nine years he was a member of the Board of Trustees of the National Trust for Historic Preservation. Bruce meets *The Secretary of the Interior's Historic Preservation Professional Qualifications Standards* in Architecture, Historic Architecture, Architectural History, and History.



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MEMORANDUM

Date: 31 May 2013
To: Steven Turner
City of Palo Alto
From: Sarah Hahn
Project: Varsity Theater Peer Review / Standards Compliance Review
Re: Final Report
Via: Email

INTRODUCTION

Garavaglia Architecture, Inc has developed this Peer Review / Standards Compliance Review for the Varsity Theater at 456 University Avenue in Palo Alto, California at the request of the City of Palo Alto's Planning and Community Environment Department (Client). The Varsity Theater is a Category 1 building on the Palo Alto Historic Resource Inventory; it was converted from a theater to a retail outlet in the mid-1990s. As a condition of this conversion, all subsequent interior and exterior modifications must be reviewed for compliance with the provisions established in the 1995 certified EIR.

As requested by the Client, this report includes the following three components: a brief peer review of a recently completed *Resource Evaluation* by Bruce Judd Consulting Group, a review of the proposed project for compliance with the provisions of the 1995 EIR, and a review of the proposed project for compliance with the Secretary of the Interior's Standards for Rehabilitation. This report is intended to support preparation of an Initial Study by Planning Staff.

METHODOLOGY

At the beginning of the project, the Client provided a series of documents for review including a full set of plan drawings for the proposed project, the *Varsity Theater Resource Evaluation* by Bruce Judd Consulting Group, and copies of the 1995 Draft and Final EIR reports. Garavaglia Architecture, Inc. reviewed these documents and performed limited additional research on the subject property to complete this peer and standards compliance review.

PROPERTY OVERVIEW

The information in this section is quoted from the Draft Initial Study for the Varsity Theater (April 2013):

RESOURCE DESCRIPTION

The Varsity Theater building is a cast-in-place reinforced concrete structure, designed by the San Francisco office of Reid and Reid, architects. The original design featured a Mission style entrance cupola on its University Avenue frontage, and a forecourt and columned entry arcades connecting to the lobby and 1,000-seat auditorium located near the center of the block. The structure was accented with a mix of eclectic architectural detailing including a combination of Spanish style, Tuscan style, and other Churrigueresque decorative details in the linear, columned forecourt; Spanish Renaissance style decorative detailing in the lobby (including Corinthian column capitals); and Mission style decorative detailing in the auditorium. These character-defining elements were retained when the theater building was converted to a bookstore use in 1996.

Varsity Theater Historic Features

Main Façade: The University Avenue entrance façade is comprised of a high, tile-roofed cupola with a stepped, Mission-style shaped parapet and cantilevered marquee above an entrance portal. Shallow niches adorn the parapet. Below the parapet is an arcaded cornice and portal between two slightly projecting end mission style "bell-tower" piers. [A second, prominent Mission-style parapet wall is set back above the lobby space, dominating views within the forecourt as visitors proceed to the lobby entrance. It is elaborated with a decorative shaped parapet cap; a large, blind rounded arch; Palladian style arched opening with decorative columns; and a flagpole set at the apex of the arched parapet.]

The large, three-sided marquee projects over the sidewalk entrance portal. The façade appears to originally have had an arched entrance portal topped with a curved entrance awning marquee and a vertical "Varsity" sign projecting from the parapet. [The present marquee was installed in 1936]. The marquee was refurbished when the theater was converted to a bookstore in 1996.

The rear and side facades are utilitarian, constructed of poured-in-place unfinished concrete. The long south (rear) façade of the theater faces parking lot H. A new two-story rear façade with entry and a stairway was added to the building when it was converted to a bookstore in 1996.

Entrance Forecourt: Surrounded by adjacent two-story buildings, the rectangular forecourt consists of two areas, the covered two-story [entry vestibule] on University Avenue, and the open courtyard [or forecourt] with one-story tile-roofed arcades along the two long sides of the courtyard. Eight arches run the length of the arcade walls with columns having ringed Doric capitals. Four large decorative lanterns project from each of the arcades into the courtyard. Each arcade is covered with a sloped tile roof rising up to the exterior parapet walls of the courtyard. These walls extend about eight feet above the tile roofs. Each of these parapet walls has four small niches similar to those on the front façade.

The southern façade of the courtyard served as the front façade of the theater lobby, and subsequently as the entry to the bookstore. Three pairs of [single-pane glazed metal(?) doors are centered on this façade. Each door has [faux] wrought iron bars inset into the door and [modern] hardware [these doors are not original, but were installed as part of the 1995 renovation]. Above each pair of doors is a recessed arch with a decorative motif centered in the arch. Above and between the pairs of doors are two projecting decorative light fixtures similar to the ones on the arches of the courtyard. [

Interior: The original theater consisted of three primary spaces, the lobby, a mezzanine level above the lobby, and the auditorium. The primary interior spaces feature Spanish Renaissance inspired decorative elements. Colonnades, arches, decorative plasterwork and wrought iron fixtures embellish these spaces. When the theater was converted to a bookstore in 1996, the auditorium of the theater was altered to accommodate the bookstore use. The sloping floor of the auditorium was removed and flat flooring was installed. The existing historic finishes and features were retained throughout the interior spaces, and damaged historic elements were restored.

As part of the 1996 renovation, a new monumental stair was added [now removed] and a new mezzanine surrounding the large open space where the auditorium had been. These new features were designed to set the new features apart from the historic elements of the theater that were retained.¹

SIGNIFICANCE

The Varsity Theater building is listed on the City of Palo Alto Historic Building Inventory as a Category 1 historic structure. A Category 1 structure is defined as an “exceptional building” of pre-eminent national or state importance. It is not listed on the National Register of Historic Places. The State Office of Historic Preservation (SHPO) lists the Varsity Theater as a “Category 3” resource, which means a property that appears to be eligible for listing on the National Register.²

¹ City of Palo Alto, *456 University Avenue Varsity Theater Building Alterations to Building for Restaurant/Banquet Space Use Initial Study* (Draft - April 2013), 17-18.

² City of Palo Alto, *Initial Study*, 7.

PEER REVIEW

This section briefly reviews a report entitled *Varsity Theater Restaurant Development Resource Evaluation for Ferrado, Newport Beach, California*, by Bruce Judd Consulting Group completed 19 February 2013.

The *Varsity Theater Restaurant Development Resource Evaluation* by Bruce Judd Consulting Group provides a brief historical and descriptive overview of the Varsity Theater's history and existing conditions, and also describes the 1997 renovation that altered much of the theater's interior. The report then outlines the National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR) criteria for listing and states that "The Varsity Theater has been substantially altered but the majority of the character defining features remain intact. The Exterior has had few modifications and these have occurred on the south, non-historic façade."³

Garavaglia Architecture, Inc. concurs that the Varsity has been substantially altered and finds that many of its character defining features do remain intact. However, the *Varsity Theater Restaurant Development Resource Evaluation* does not address the issue of cumulative impacts in any detail. Since the key character defining space, the theater auditorium, has been significantly modified and many of its key features removed, the remaining character-defining features and spaces in the building rise to a level of greater importance. Continued modifications to the building over time may result in a cumulative and widespread loss of material integrity if care is not taken to protect the remaining character defining features. Preservation of these features is imperative if the building is to retain historical integrity and maintain its status as a listed historic resource.

Following the introductory sections, the report provides a brief discussion of the main areas of proposed alteration to the building, and an evaluation of how the proposed design will affect the building's historical integrity. It concludes with a summary assessment on the effects of the proposed project on the Varsity Theater's character defining features; the findings are as follows:

The current proposed restaurant design will maintain, highlight, and restore remaining character defining features. Except for the glass doors at the entry, new doors on a non-historic façade, and a new retractable canopy, the exterior of the theater will remain as it currently exists. All of the other proposed changes are found on the interior.

New canopy has been designed to sit above the historic parapets and will not alter them.

The new glass entry has been designed to be visually transparent and continue the visibility between the courtyard and the street.

Finally, all of the proposed additional elements have been designed in such a way that they could be removed with no impact to the historic elements of the theater.⁴

³ Bruce Judd Consulting Group, *Varsity Theater Restaurant Development Resource Evaluation for Ferrado, Newport Beach, California* (completed 19 February 2013), 11.

⁴ *Ibid*, 17.

Garavaglia Architecture, Inc. finds that while the *Varsity Theater Restaurant Development Resource Evaluation* covers many relevant issues in relation to the proposed project and its impact on the Varsity Theater, it does not provide an adequate analysis of the proposed project with relation to potential cumulative impacts and to the Secretary of the Interior's Standards. Specifically, it provides only minimal discussion of the area of the proposed project that will have the greatest impact on a key historic feature, the new canopy over the historic forecourt. It also does not address in any depth interior alterations that may have an impact on remaining historic features including the location of new restroom facilities at the former entrance to the theater auditorium, and the treatment of the existing historic features in the area of the proposed kitchen and banquet area. Finally, while Garavaglia Architecture, Inc. does agree that the project has been designed to protect many of the building's historic features, we not concur with the finding that the proposed project will have no impact to the historic elements of the theater. Please see the Standards Compliance Review section below for a detailed evaluation of the project's compliance with the Secretary of the Interior's Standards for Rehabilitation.

EVALUATIVE FRAMEWORK

1995 EIR PROVISIONS

In February 1995 The City of Palo Alto issued the *Draft Environmental Impact Report for the Proposed Varsity Theatre Remodel Project*, which described the environmental implications of the “proposed remodel, partial restoration, and seismic upgrade” of the Varsity Theater for use as a “large book and compact disc store and a café.”⁵ The Final Environmental Impact Report (FEIR) was issued in May 1995.

Though the 1995 DEIR/FEIR evaluated a set of design scenarios that are different from the existing proposed project, several provisions were put forward in the mitigation measures that are relevant to other projects that may affect historic features. The City has contracted with Garavaglia Architecture, Inc. to review the current project for compliance with the 1995 mitigations.

The following key provisions are outlined on pages 11-23 in the mitigation measures of the 1995 FEIR and are summarized here for the purposes of this review:

- Follow a design approach that sets a high priority on preservation of historic features and finishes.
- Avoid cumulative impacts.
- Apply the State Historic Building Code (SHBC) [now the California Historic Building Code (CHBC)] where possible to avoid extensive demolition.
- Follow the Secretary of the Interior’s Standards and Guidelines for the interior and exterior aspects of the project.
- Perform a complete photo-documentation of the building prior to any construction work following the Historic American Building Survey (HABS) standards for archival recordation and submit results to an appropriate repository
- Avoid false historicism by not replicating features that are not adequately documented through adequate research; if this research is not available design new features to be compatible with, but clearly distinct from, historical features.
- Protect in place the historic features during construction.
- If any areas containing historic features require seismic retrofit, the applicant must 1) carefully document and dismantle these features; 2) salvage, catalogue, store, and reinstall these features after construction; and 3) retain a qualified ornamental plasterer for the document/ dismantle and the reinstall/repair phases of the work.
- Retain and reuse historic light fixtures.

SECRETARY OF THE INTERIOR’S STANDARDS FOR REHABILITATION

The Secretary of the Interior’s Standards for Rehabilitation lists ten key elements to consider when new uses or architectural modifications are undertaken within historic resources.

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.*
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 will be avoided.*

⁵ City of Palo Alto, Varsity Theater Remodel Project Draft Environmental Impact Report (February 1995), 1.

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 elements from other historic properties, will not be undertaken.*
4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*
5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*
6. *Deteriorated historic features will 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, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*
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.*
8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*
9. *New additions, exterior alterations, or related new construction will 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.*
10. *New additions and adjacent or related new construction will 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.⁶*

⁶ National Park Service, Standards for Rehabilitation:
http://www.nps.gov/history/hps/tps/standguide/rehab/rehab_standards.htm (accessed 16 May 2013)

COMPLIANCE REVIEW

The following discusses the proposed project for compliance with the applicable provisions of the 1995 FEIR and the Secretary of the Interior's Standards for Rehabilitation (SISR). It presents the components of the proposed project that have the potential to affect important character defining features and discusses the level of compliance of the proposed project at the Varsity Theater, Palo Alto. For each project component, a level of compliance is given: Compliant, Marginally Compliant, Not Compliant. A compliant rating indicates that the alteration has little or no impact on the resource. A marginal compliance rating indicates that the overall historical significance of the resources is not impacted enough to warrant re-evaluation, but modifications to the proposed design are strongly recommended. Not compliant indicates that the proposed design would severely negatively impact the resource and its eligibility for formal listing on a local, state, or national inventory.

This compliance review is based on the following drawing set:

- *HRB Application For: Varsity Theater Proposed Restaurant & Banquet Hall* by Robinson Hill Architecture, Inc., full set architectural drawings, revised 5 April 2013.

PROPOSED WORK

The Initial Study provides this narrative description of the proposed project:

The proposed project consists of remodeling of the existing ground floor space of the building to include a restaurant, banquet facility and shared kitchen space. The existing uncovered courtyard which faces University Avenue will be used for outdoor restaurant seating. The banquet facility would be used by the adjacent Garden Court Hotel, which fronts on Cowper Avenue. The major components of the project include installation of a glass storefront system at the University entrance into the courtyard, addition of three new storefronts at the rear of the building facing the adjacent public parking lot, installation of a translucent retractable fabric rain canopy above the open courtyard, and installation of partitions to separate the different uses in the service and kitchen areas.

The applicant indicates that the historic features of the theater courtyard, foyer and theater will be maintained, protected and restored where necessary, and that a great majority of these elements will be in direct view of the restaurant/banquet facility patrons. However, certain historic elements within the kitchen will be concealed from public view due to the nature of commercial kitchen uses. The applicant also notes that the retractable rain canopy would be installed above the existing parapets in order to maintain the existing courtyard parapets and cornices. The new storefronts along the parking lot elevation will match the height and construction of the existing entrance lobby storefront, and will provide views to the interior historic arches which are not currently visible.⁷

⁷ City of Palo Alto, *Initial Study*, 7.

COMPLIANCE REVIEW

Project Component 1: Installation of a butt jointed glass storefront system at the University Avenue street entrance, and at recessed entry to courtyard.

As proposed, the project calls for the installation of a new butt jointed glass storefront system at the street entrance. (See Drawings: A0.2, A1.0P, A1.1P, A2.0, A2.1, A3.0.)

Applicable FEIR Provisions:

- Follow a design approach that sets a high priority on preservation of historic features and finishes.
- Avoid cumulative impacts.

Applicable Standards:

- 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 will be avoided.*
- 10. New additions and adjacent or related new construction will 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*

Analysis:

Original drawings were not available for this project, but historic images of the theater show that the archway at the University Avenue entrance has historically been open to the street, allowing views of, and pedestrian access to, the entry vestibule and open forecourt. At some point prior to the 1995 renovation, the existing metal security gate was installed at the street entrance to secure entry to the forecourt when the property was closed. This gate is not original.

The proposed new storefront will be glass, which will offer some visual access to the interior, and will have minimal attachments to facilitate reversibility. However, it will still notably alter the historic appearance and physical experience of the theater entrance at University Avenue. Early 20th century movie theaters were characteristically open at the sidewalk entrance to allow access to (and around) the ticket booth, which was typically placed in the entry vestibule. Open access to the entry vestibule and forecourt spaces is an original characteristic of the building, and installation of this new glass storefront will remove this characteristic.

The Varsity Theater is a distinctive property type along the University Avenue commercial corridor and has not historically been defined at the street access by a storefront system. Most neighboring commercial properties along University Avenue do have glass storefront systems, a feature characteristic of the retail or commercial property type. The absence of a storefront at the street face distinguishes the Varsity Theater from the surrounding commercial properties. Installation of a glass storefront system at the proposed location introduces a new element to the street face of the building that did not exist historically, and that is not characteristic of the property type.

For the reasons discussed above, the proposed installation of the butt jointed glass storefront assembly at the University Avenue entrance is not compliant with Standard 2. It does not prioritize the historic qualities of the theater, it alters the historic character of the property, and it could also contribute to a cumulative loss of integrity.

Project component 2: Installation of a translucent fabric, retractable rain canopy above the open forecourt.

As proposed, the project calls for installation of a new, retractable rain canopy over the existing open forecourt. The proposed canopy material is a clear plastic material (referred to as “glass fabric” in the proposed drawings) with a tightly knit 1/4” grid of white threading throughout. The installation of this new feature will require an increase in parapet height (on top of the existing parapet) and insertion of a new pipe support into the existing parapet walls to support the new steel framework for the canopy. At least three 8” x 6” steel support beams will be installed over the open forecourt to support the new sectioned canopy system, which will cover at least one-third of the courtyard’s west end at all times. The canopy system consists of a series of arched panels with gridded framework that connect to 4” x 10” steel track beams, which house the canopy track and roller wheel mechanisms. (See Drawings: A2.1, A3.0.)

Applicable FEIR Provisions:

- Follow a design approach that sets a high priority on preservation of historic features and finishes.
- Avoid cumulative impacts.

Applicable Standards:

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 will be avoided.*
9. *New additions, exterior alterations, or related new construction will 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.*
10. *New additions and adjacent or related new construction will 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*

Analysis:

A forecourt is defined as “an open area in front of a building.”⁸ The forecourt at the Varsity Theater is a key character-defining space of this historic resource. It is, and historically has been, an open air space with views of the character-defining Mission Style parapets that bookend the courtyard.

While the proposed “glass fabric” will allow some transparency and screened views of the parapets at each end of the forecourt, the gridded canopy panels and associated structural components will be visually intrusive and will markedly alter the experience of this historically open air space. When closed, the canopy will act as a roof, thereby diminishing the sense of openness intended by this space. When open, views of the west end parapet will be limited by the portion of the canopy that does not fully retract, and interrupted throughout by canopy framing. With the one-story height of the existing forecourt, the bulky framework and gridded panels of the proposed new canopy will be relatively low to the ground and therefore quite

⁸ <http://www.merriam-webster.com/dictionary/forecourt>, http://oxforddictionaries.com/us/definition/american_english/forecourt (accessed 30 May 2013).

noticeable within the space. This new feature will notably change the open-air qualities of the forecourt by introducing a ceiling-type element to the space.

Installations of this size and scale tend not to be removed, so while the proposed canopy could technically be removed in the future, the probability is unlikely.

For the reasons discussed above the proposed forecourt canopy and associated structural components do not appear to comply with the provisions of the 1995 FEIR or Standards, 2, 9, or 10.

Project component 3: Introduction of restaurant furniture to the Forecourt, Lobby, and former auditorium space

To support the proposed restaurant use, new furniture and restaurant-related features are included in the proposed design. New furniture and features include moveable tables and chairs, booths and banquettes, hostess stands, service tables, and a large rounded bar in the forecourt. (See Drawings: A0.2, A1.0P, A1.1P, A2.1, A2.2, A2.3.)

Applicable FEIR Provisions:

- Follow a design approach that sets a high priority on preservation of historic features and finishes.
- Avoid cumulative impacts.

Applicable Standards:

5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*
10. *New additions and adjacent or related new construction will 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*

Analysis:

As proposed, the restaurant furniture and other related features would be installed in a manner that protects and maintains existing historical features. In the entry vestibule and forecourt, tables and booths will be installed beneath both arcades, built up to, but not attaching to, the existing movie poster frames. Similarly, banquettes, freestanding, and bench seating will be installed in existing niches within the lobby. These furnishings will be attached to non-historic floor surfaces in the vestibule, forecourt, and lobby, and will not attach to original wall surfaces or features.

A new bar will be installed in the center of the forecourt and the existing non-historic fountain will be removed. The new bar will be anchored to the scored concrete paving, however, the architectural drawings from the 1995 renovation indicate that this paving is not original, so this would not impact a historic finish.

In general, furnishings are considered a reversible alteration. The proposed introduction of new furniture for the restaurant use would not significantly alter distinctive features or finishes, and would maintain the essential form and integrity of the forecourt, lobby, and entry vestibule off

of University Avenue. As shown in the drawings, only freestanding furnishings are proposed for the former auditorium space, so no historic features would be affected.

As proposed, this modification appears to be compliant with the 1995 FEIR provisions and SISR Standards 5 and 10.

Project component 4: Introduction of partitions to the service/kitchen areas and related treatment of historic features including measures to protect features in place.

To accommodate the new restaurant use, the proposed plans show introduction of new kitchen facilities along the west side of the former auditorium, on either side of the remaining arcade piers. The plan drawings indicate that the existing historical arcade piers in this area are to be “maintained, protected, and restored,” and that new partition walls will be constructed with a 1/4” gap between the historic surface and the new construction. Attachment points for the new partition walls will be at the floor and ceiling to avoid damage to historic finishes. Where historic columns are to be protected from kitchen use, they will be wrapped in 3/16” foam and secured in a framed enclosure. Framing attachment points will be at the floor and ceiling to protect these historic features. (See Drawings: A1.0P, A1.2, A1.2P, A1.3, A1.3P.)

Applicable FEIR Provisions:

- Follow a design approach that sets a high priority on preservation of historic features and finishes.
- Protect in place the historic features during construction.
- Avoid cumulative impacts.

Applicable Standards:

5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*
10. *New additions and adjacent or related new construction will 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*

Analysis:

In the proposed design, a series of partition walls and new enclosures will be introduced to accommodate the kitchen related activities for the new restaurant facility. These rooms will be located in an area of the building that has already been significantly altered, and will not negatively affect or alter a character defining space. However, one of the only remaining historic features from the original theater – the western set of arcade columns – is located in this area and is an important character-defining feature. As described above, new partition walls will attach to points at the ceiling and floor, and not to the historic finishes or surfaces of the arcade. Where extra protection from kitchen functions is necessary, the existing columns will be wrapped in foam and covered by a framed enclosure. This design approach complies both with the design provisions of the 1995 FEIR and the SISR by maintaining and protecting historic features and finishes and allowing for the full retention of these features should the partition walls be removed in the future.

As proposed, these modifications appear to be compliant with the 1995 FEIR provisions and SISR Standards 5 and 10.

Project component 5: Introduction of new restrooms at former entrance to theater auditorium.

New restroom facilities are proposed for installation along the south side of the lobby, at the former entrance to the auditorium. The curved walls in this area (which are not original, according to the 1995 rehabilitation drawings – see Sheets A1.1 and A2.1) will be retained. A new privacy partition is also proposed in front of the restroom access doors. (See Drawings: A0.2, A1.0P, A1.2P.)

Applicable FEIR Provisions:

- Avoid cumulative impacts.

Applicable Standards:

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 will be avoided.*
10. *New additions and adjacent or related new construction will 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*

Analysis:

The progression of spaces found in historic theaters commonly consists of the following: sidewalk entrance and marquee, entry vestibule with ticket kiosk, lobby with concessions area, and auditorium. In the case of the Varsity Theater, the building has the added feature of the open forecourt between the ticketing vestibule and the lobby, but it retains all other aforementioned spaces in the proper sequence. Though the auditorium space has been significantly altered and no longer serves its original purpose, the installation of restrooms at this location will significantly impact the progression of spaces and circulation pattern that characterize this building type. By introducing restrooms at this location, the lobby will lose all connection to the original auditorium. This access point to the auditorium will no longer be a transitional space, but a separate room entirely. This proposed modification further alters the building's ability to communicate its original use as a historic movie theater (cumulative effect). In addition, while the proposed restrooms could theoretically be removed in the future, the likelihood is a greater that this modification will become a permanent fixture.

As proposed, this modification does not appear to be compliant with the 1995 FEIR provisions or SISR Standards 2 and 10.

Project component 6: Installation of artificial trees to forecourt

The proposed project calls for the installation of three artificial trees in the forecourt area. No details are provided in the drawing about height or type of artificial tree.

Applicable FEIR Provisions:

- Avoid cumulative impacts.

Applicable Standards:

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 will be avoided.*

10. *New additions and adjacent or related new construction will 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*

Analysis:

No evidence exists to suggest that the forecourt ever contained trees or other plant materials. Historically the forecourt has offered open views of the characteristic Mission Style parapets and sky above. The introduction of artificial trees to the forecourt alters the original and intended experience of this space for the visitor by obscuring views and altering historic character. Combined with the proposed canopy, the cumulative effect would notably alter this key character-defining space. The trees, however, are removable, and do not significantly threaten the essential form and integrity of the historic property.

As such, this modification appears marginally compliant with the 1995 FEIR provisions or SISR Standard 2.

Project component 7: Kitchen ductwork at mezzanine level restroom

The proposed project includes the removal of the original wood stall partitions in the former women's restroom on the Mezzanine level and installation of two vent ducts in this space. The vent ducts will necessitate the creation of four new openings in this space – two in the floor and two in the south wall – for entrance and exit of the two ducts. (See Drawings: A0.2.)

Applicable FEIR Provisions:

- Avoid cumulative impacts.

Applicable Standards:

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 will be avoided.*

Analysis:

According to the National Park Service, "the more important a feature or area is to the historic character of a property, the less it can be changed without damaging the character as a whole. On the other hand, aspects less critical to the historic character may sometimes be altered substantially with little effect on the overall character."⁹

Since the women's restroom space and its associated features do not play a key role in communicating the original use or significance of the building, they are not critical in defining

⁹ National Park Service, *Incentives, Applying the Standards* at: http://www.nps.gov/tps/tax-incentives/incentives/standards_4.htm (accessed 30 May 2013).

the historic character of the Varsity Theater. As such, the proposed modification does not notably impact the overall historic character of the property.

Note: While the restroom facilities are less critical to the historic character of the building than the forecourt or lobby spaces, the restroom is original and it does contain some original materials and features. To avoid a cumulative loss of historic integrity, retention of original materials and features to the greatest extent possible is recommended. See the Recommendations section below for documentation suggestions prior to removal of historic fabric in this location.

This proposed modification appears generally compliant with the 1995 FEIR provisions and Standard 2 of the SISR.

General:

A number of the 1995 FEIR provisions and Secretary of the Interior's Standards were not addressed in the above discussion because they did not directly apply to the project components listed. The following addresses each of these items in brief:

1995 FEIR Provisions

- *Apply the State Historic Building Code (SHBC) [now the California Historic Building Code (CHBC)] where possible to avoid extensive demolition.*

The proposed plans do not indicate an intention to use the CHBC. This code is available for use and should be applied where applicable.

- *Follow the Secretary of the Interior's Standards and Guidelines for the interior and exterior aspects of the project.*

Recommendations for and discussion of the current proposed project's compliance with the Secretary of the Interior's Standards is provided above.

- *Perform a complete photo-documentation of the building prior to any construction work following the Historic American Building Survey (HABS) standards for archival recordation and submit results to an appropriate repository*

The proposed project does not include documentation of the building to HABS Standards. This was a provision of the 1995 renovation. Consultation with City staff indicates that HABS documentation may not have been completed as recommended in the 1995 FEIR. A review of the HABS inventory online showed no records for the Varsity Theater. Recommendations for documentation of the building are provided below.

- *Avoid false historicism by not replicating features that are not adequately documented through adequate research; if this research is not available design new features to be compatible with, but clearly distinct from, historical features.*

In general, existing historic finishes and features to be maintained and restored should be restored using existing historic features and materials as a guide. This intention is generally represented in the proposed project drawings.

Deteriorated or damaged historic features shall be repaired rather than replaced, and if replacement is necessary, the new feature should match the old in design, color, texture, and

other visual qualities. Historic photographs and other historical documentation are also recommended as support materials for any restoration or replacement work to ensure accuracy in the historical record. New features should be compatible with the existing materials and design, and should avoid creating a false sense of history and development.

- Protect in place the historic features during construction.

Some protective measures including the covering and wrapping of decorative columns and other features is already in place at the project site. This includes the use of bubble wrap to protect existing features and finishes. Additional details would be beneficial to better describe proposed protection measures during construction.

Original features and finishes obscured through previous alterations to the building may be discovered during the construction process. These elements should be documented with photographs (and drawings, if possible) and measures should be taken to preserve these features and finishes in place to the greatest extent possible.

- If any areas containing historic features require seismic retrofit, the applicant must 1) carefully document and dismantle these features; 2) salvage, catalogue, store, and reinstall these features after construction; and 3) retain a qualified ornamental plasterer for the document/dismantle and the reinstall/repair phases of the work.

Seismic retrofit work was completed as part of the 1995 renovation and is not included as a component of this proposal. However, if seismic issues do arise, the above provision must be followed.

- Retain and reuse historic light fixtures.

The proposed plan drawings indicate the intention to retain and reuse historic light fixtures in the forecourt and lobby. There are several original light fixtures in the entry vestibule off of University Avenue that are not represented in the drawings. Since the applicant proposes to retain and reuse other original light fixtures, it is assumed that these will be retained as well. However, this is not clearly represented in the proposed plans. All original light fixtures should be retained and reused.

SISR Standards:

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 proposed restaurant use is not the historic use of the building, but is a compatible use considering the previous alteration and use for retail purposes. As such, the proposed restaurant use is generally compliant with this Standard.

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 elements from other historic properties, will not be undertaken.*

The proposed project does not attempt to add conjectural features or architectural elements from other buildings. Therefore, the proposed project appears to be compliant with Standard 3.

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

The Varsity Theater was completed in 1927 and is significant for its historic function as a movie theater and for its exceptional design qualities. None of the background information or previously completed historical reports reviewed for this study indicated that any of the alterations completed after the 1927 construction date are considered to be important. As such, these alterations need not be retained or preserved. Based on known information, the proposed project is compliant with Standard 4.

6. *Deteriorated historic features will 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, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*

The proposed project drawings indicate the protection and restoration of existing historic features. Most features appear to be in good condition and require little interference beyond minor repair. Overall, the proposed project appears to be compliant with this Standard.

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 such treatments are outlined on the presented materials. Any chemical treatments, including sandblasting, epoxy injection or other specialty repair methodologies should only be undertaken as a last resort and completed by a trained professional with expertise working with historic materials. As proposed, the project is compliant with Standard 7.

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

Archaeological investigation was not included as part of this review. Further, the proposed project does not appear to create any ground disturbance and therefore would not affect existing archaeological resources. However, should materials be found during construction, a qualified archeologist should be consulted for assessment and mitigation recommendations. Based on available information, the proposed project is compliant with Standard 8.

Project Compliance Summary

The proposed project at the Varsity Theater is generally compliant with Standards 1, 3, 4, 6, 7, and 8. Aspects of the project including the entryway storefront assembly, the forecourt canopy, and the installation of restrooms at the entrance of the former theater are not compliant with Standards 2, 5, 9 and 10. These alterations are also not in keeping with key provisions from the 1995 FEIR, specifically those provisions that require avoidance of cumulative impacts, and prioritization and retention of historic features. Proposed alterations related to the installation of new furnishings and partition walls in the new kitchen area are generally compliant with Standards 5 and 10, and with the 1995 FEIR provisions. Overall compliance is not necessarily a direct sum of the level of compliance with each individual standard, however that information is weighed with the overall impact on both the design and historical significance of the resource. Depending on the impacts to character-defining features and the level of importance of the resource, different levels of overall compliance may result.

For the Varsity Theater, Garavaglia Architecture, Inc. finds the proposed project to be marginally compliant in general. Though significant aspects of the proposed design are not compliant with the Standards and FEIR provisions, the overall project generally respects the historic qualities of the existing building and does not propose to remove or impose significant adverse changes on remaining historic features.

Recommendations

The proposed design could be brought into full compliance with the 1995 FEIR and the Standards with some simple modifications. Garavaglia Architecture, Inc. has provided the following suggestions to increase the project's level of compliance by addressing the key areas of concern with the proposed design.

Proposed Storefront Assembly

1. Eliminate the storefront assembly at University Avenue access to reduce visual and physical impacts.
2. Consider a recessed storefront assembly at the arched opening to the forecourt (instead of at the street face) to minimize impact. Elimination of the storefront at the sidewalk entrance would improve compliance with the Standards, as it would lessen the visual impact from the street and preserve, to a greater degree, the original views and spatial relationships within the space.

Proposed Forecourt Canopy

1. Eliminate or revise canopy solution at forecourt
 - a. Incorporate umbrellas for individual table shading; or consider light, retractable awnings installed at the arcade eave line.
 - b. Investigate alternative solutions that use a less visually intrusive and permanent framework.

Other

1. Relocate the proposed restrooms to preserve the historic auditorium access location.
2. Eliminate proposed artificial trees in forecourt to maintain views and sightlines within forecourt space, and to lessen cumulative visual impacts.
3. Document the existing conditions of the mezzanine restroom prior to construction with digital photographs and plan drawings. Store the original wood partitions on site in a protected location.
4. Garavaglia Architecture, Inc. recommends review of City files to confirm whether HABS documentation was completed as part of the 1995 renovation project. If this type of documentation was not completed, Garavaglia Architecture, Inc. suggests some level of documentation be completed for the Varsity Theater prior to further alteration. This could consist of a "HABS-like" level of documentation that includes digital photography of character-defining features and spaces, historical narrative, and a compilation of a construction chronology that accurately identifies historic and non-historic features. (This study has found that the historical record compiled to date contains some errors in regard to identification of historic fabric.)



Bruce Judd Consulting Group

Response to Varsity Theater Peer Review/Standards Compliance Review

Draft Findings

Prepared by Garviglia Architecture, Inc.

Dated: May 17, 2013

The following document is in response to the Varsity Theater Peer Review, Standards Compliance Review, and Draft Findings. We appreciate the detailed comments and the effort that has gone into preparing the Peer Review draft.

To help the reader, relevant text from the draft review has been included in *italics* and our response follows.

“Garavaglia Architecture, Inc. finds that while the Varsity Theater Restaurant Development Resource Evaluation covers many relevant issues in relation to the proposed project and its impact on the Varsity Theater, it does not provide an adequate analysis of the proposed project with relation to potential cumulative impacts and to the Secretary of the Interior’s Standards. Specifically, it provides only minimal discussion of the area of the proposed project that will have the greatest impact on a key historic feature, the new canopy over the historic forecourt. It also does not address in any depth interior alterations that may have an impact on remaining historic features including the location of new restroom facilities at the former entrance to the theater auditorium, and the treatment of the existing historic features in the area of the proposed kitchen and banquet area. Finally, while Garavaglia Architecture, Inc. does agree that the project has been designed to protect many of the building’s historic features, we not concur with the finding that the proposed project will have no impact to the historic elements of the theater. Please see the Standards Compliance Review section below for a detailed evaluation of the project’s compliance with the Secretary of the Interior’s Standards for Rehabilitation.”

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Potential Cumulative Impacts and the Secretary of the Interior's Standards

The Varsity Theater was designed by the San Francisco office of Reid and Reid Architects and opened in 1927 for musical performances and then was converted into a cinema. The original design featured a Mission style entry leading into a long open air arcaded forecourt, that then led into the lobby. The lobby led into a 1,000 seat theater with a raked floor and a stair from the lobby led up to a mezzanine.

After 1987, it was used as an "Art House" cinema and then closed in 1994. In 1996 the theater was converted into a bookstore. The non-historic seats were removed and the existing floor covered over. The stair to the mezzanine was blocked of at the mezzanine floor level, and retained in the lobby.

At this time, the mezzanine was expanded on both sides of the auditorium and the historic auditorium ceiling was retained and restored. At the east side of the auditorium, a new monumental staircase was constructed that led down from the mezzanine going to the west. At a landing about half way down, the stairs split with one set going to the south and the other to the north, both terminating at the ground level. The staircase was centered directly above the two curved walls, directly blocking the historic entry to the theater through the two curved walls.

This staircase is removed as part of the current renovations in the auditorium area.

A major seismic bracing project was also undertaken as part of this work. Many of the historic finishes and elements of the forecourt were removed to install the new steel and concrete bracing and then recreated to match the historic finishes.

As part of the 1996 work, all of the elements of the exterior (except for the south façade which was not historic) were saved and restored. As part of the proposed project, none of the historic elements will be removed or damaged (the current forecourt paving and fountain are not historic).

The 1996 work also retained the existing historic finishes and features throughout the interior spaces, and damaged historic elements were also restored.

To date, any cumulative impacts to the theater occurred prior to completion of the 1996 renovation work. All of the historic features that were called out in the 1995 EIR, and retained at that time, will also be retained and restored where necessary as part of this work.

The proposed design retains the remaining historic features and restores them where necessary. There are three areas where the Peer Review Draft



suggested that the cumulative impact of proposed changes might affect the Varsity Theater.

Project Component 1: Installation of butt jointed glass storefront system at the University Avenue street entrance, and at recessed entry to forecourt.

“Circulation through these spaces was originally intended to be free flowing, and installation of these two doors remove this characteristic. Installation of these storefront assemblies will affect visual access to the forecourt interior and introduce a new element to the street face of the building that did not exist historically. This is especially true of the storefront assembly at the sidewalk entrance.”

The new glazing system will continue to provide complete visual access to the forecourt at all times and physical access during open hours. Almost every commercial operation facing a street needs a way of securing their facility when it is not open.

The proposed design will have a minimal affect on views into and out of the forecourt space and when open, will provide physical access. There will be minimal impact to the wall and ceiling plaster surfaces where the glazing system touches them. The glazing system is designed to be reversible (Standard 10). Should the glazing be removed at some point in the future, the plaster could be patched and the entry returned to a open entry space. This has already been done where portions of the forecourt plaster were removed and reinstalled as part of the seismic bracing system.

There are many examples of where open air arches or gateways have had butt-jointed glazing systems installed in historic buildings. This is one of the most transparent and successful ways of installing controlled access into an historic building when changing the use of an historic building. One example, that is similar to the Varsity Theater, that I am familiar with, is the Old Slave Mart in Charleston, South Carolina. It is listed in the National Register and is a Charleston Landmark. Here, an open arcade leading to a forecourt was converted into the Main Entry for the Old Slave Mart Museum. (See attached before and after photographs).



Project component 2: Installation of a translucent fabric, retractable rain canopy above the open forecourt.

As proposed, the project calls for installation of a new, retractable, translucent fabric rain canopy over the existing open forecourt. The installation of this new feature will require an increase in parapet height (on top of the existing parapet)”

“Further, the drawings do not address the potential for damage to the historic parapet walls from insertion of the support pipes. It is unclear if the historic parapets will be able to support the load of the new canopy structure without suffering significant damage or loss of historic material.”

“An installation of this size will also likely not be removed in the future, and would therefore not be considered reversible.”

“In addition, runoff from the canopy in rainy months may increase drainage down the side of the exterior walls, which could lead to damage (to the theater and or neighboring buildings) in the future.”

The proposed canopy will affect the visual character of the forecourt to some degree. The existing parapet walls were cut down by about six feet and a new steel frame property line wall was installed to return the wall to its original height.

The walls above the shed roofs are not historic and were designed to withstand seismic forces, were tied into the new framing, and concrete below. The engineer has determined that the weight of the new canopy can easily be supported by the walls below and the structural calculations will show this. In addition, these walls are property line walls and the parapet walls currently can only be seen from the forecourt as the adjoining property line walls are higher than the theater walls. The parapet trim at the top of the forecourt will be retained and will still serve as the visual terminus for the forecourt. The canopy has been detailed so that it is clearly modern and is set apart from the historic forecourt. The joint between the two is set back from the front of the parapet to create a gap between the two. While the canopy is located above the parapet walls, their height will still be seen as their current height.

The canopy structure is designed to be removable in the future and when removed, would only require patching of the non-historic parapet walls.

The canopy has an integral gutter and downspout system at each side, so there will be no runoff down the walls.



Project component 3: Introduction of restaurant furniture to the Forecourt, Lobby, and former auditorium space

"In general, furnishings are considered a reversible alteration. If attachments to historic finishes are kept to a minimum, this proposed modification would not significantly alter distinctive features or finishes, and would maintain the essential form and integrity of the forecourt, lobby, and entry vestibule off of University Avenue."

"In general, furnishings are considered a reversible alteration. If attachments to historic finishes are kept to a minimum, this proposed modification would not significantly alter distinctive features or finishes, and would maintain the essential form and integrity of the forecourt, lobby, and entry vestibule off of University Avenue. As shown in the drawings, only freestanding furnishings are proposed for the former auditorium space, so no historic features would be affected."

The flooring in both the forecourt and the lobby were replaced in the 1996 renovation and are of a stamped concrete pattern. All of the furnishings and related restaurant elements are to be attached to the non-historic flooring elements, none will be attached to any historic walls. All of the fixtures can be removed without damaging any historic finishes.

Project component 4: Introduction of partitions to the service/kitchen areas and related treatment of historic features including measures to protect features in place.

"...new partition walls will attach to points at the ceiling and floor, and not to the historic finishes or surfaces of the arcade. This design approach complies both with the design provisions of the 1995 FEIR and the SISR by maintaining and protecting historic features and finishes and allowing for the full retention of these features should the partition walls be removed in the future. "

Great effort is being made to detail the connections for walls in the kitchen area so that they do not damage the historic columns or any of the features in the



kitchen area. The structural system securing the walls will tie into the flooring and ceiling and they will be set off, not touching any vertical surfaces.

Part of the design is to ensure that these elements may be removed at any time in the future without damaging any historic features.

Project component 5: Introduction of new restrooms at former entrance to theater auditorium.

“Though the auditorium space has been significantly altered and no longer serves its original propose, the installation of restrooms at this location will notably alter the progression of spaces and circulation patter that characterize this building type. Further, though in theory the restrooms could be removed in the future to restore this key access point, in most cases this does not happen and these alterations become permanent fixtures. This proposed modification further alters the building’s ability to communicate its original use as a historic movie theater (cumulative effect).”

The circulation progression of spaces hasn’t existed for over eighteen years when the monumental staircase was installed, completely blocking of any sense of arrival into the theater and when all of the flooring, seating and aisles were removed. The curved walls will be retained and protected. What remains, does not give any sense of original progression. Addition of the restrooms does not alter or change any of the remaining historic features in the auditorium or the lobby area and also it does not change the building’s ability to communicate its original use as a movie theater.

Project component 6: Installation of artificial trees to forecourt

No evidence exists to suggest that the forecourt ever contained trees or other plant materials. Historically the forecourt has offered open views of the characteristic Mission Style parapets and sky above. The introduction of artificial trees to the forecourt alters the original and intended experience of this space for the visitor by obscuring views and altering historic character.

While there were never any trees in the forecourt, it was primarily used as a circulation space for the theater. The proposed used as a restaurant is one, where having landscaping and trees seems appropriate. They are removable



and do not detract for anyone's ability to understand or appreciate the forecourt space.

Project component 6: (Should be Component 7) Kitchen ductwork at mezzanine level restroom

"Though the restroom facilities are not a primary character-defining feature for the theater, the space is original and it does contain original materials and features. To avoid a cumulative loss of historic integrity (from previous alterations to the building, from the current proposed alterations, and from future modifications) retention of original materials and features to the greatest extent possible is recommended."

The mezzanine restroom is not accessible and has not been used since 1996. The space does not contain any original or historic finishes. The project team proposes to document the restroom prior to any changes are made, and removing and storing the partitions for reuse should that be desired at some point in the future.

General:

1995 FEIR Provisions

"• Apply the State Historic Building Code (SHBC) [now the California Historic Building Code (CHBC)] where possible to avoid extensive demolition."

Where applicable the SHBC will be used.

• Perform a complete photo-documentation of the building prior to any construction work following the Historic American Building Survey (HABS) standards for archival recordation and submit results to an appropriate repository

If there are no HABS documents found, the Varsity Theater will be documented.



- *Protect in place the historic features during construction.*

The historic features will protected and preserved.

- *If any areas containing historic features require seismic retrofit, the applicant must 1) carefully document and dismantle these features; 2) salvage, catalogue, store, and reinstall these features after construction; and 3) retain a qualified ornamental plasterer for the document/dismantle and the reinstall/repair phases of the work. Seismic retrofit work was completed as part of the 1995 renovation and is not included as a component of this proposal. However, if seismic issues do arise, the above provision must be followed.*

All work will comply with the above paragraph.

- *Retain and reuse historic light fixtures.*

The current plans include reusing all of the historic light fixtures.