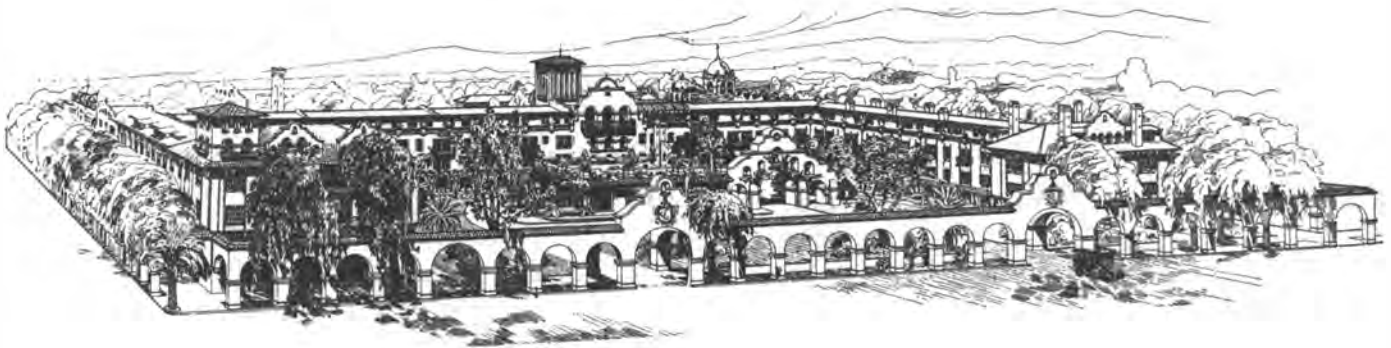


BE IN RIVERSIDE JUNE 1 — 4

Registration materials are in the mail for the Twentieth Annual State Preservation Conference. We think this will be the best ever, and it is the kickoff event for CPF's twentieth anniversary year of celebration. If you have not received a registration packet call the CPF office for your copy today. For more conference details, turn to page 5.

COURTING THE CHURCH BILL

CPF, along with a host of others, will test the constitutionality of AB 133. We are joined in this lawsuit by the National Trust, Foundation for San Francisco's Architectural Heritage, and the L. A. Conservancy. Indicating the breadth of concern this law has invoked, additional co-plaintiffs are the California Chapter of the American Planning Associa-



The Glenwood Mission Inn (this 1905 birdseye view appeared in California Preservation, Spring — 1976, Vol. 1, no. 2, announcing the first State Conference).

Come spend a few enchanted days in Frank Miller's extraordinary Riverside Mission Inn. A complimentary guided tour of the Inn is included in the cost of conference registration, and a special room rate of \$79 (single or double occupancy) has been established for the conference. On top of that, a special package for couples staying both Friday and Saturday nights is being offered, which for \$215 includes Sunday brunch for two. **CALL BEFORE MAY 1 FOR THE BEST ROOM RESERVATIONS AT 800-344-4225** (if you are interested in the special weekend/brunch package, let the Inn know at the time you make your reservations.

Applications to participate in the Three-Minute-Success Story must be in to Arlene Andrew by May 15, no later!

tion, Planning and Conservation League, and the East Bay Asian Local Development Corporation. Finally, the City and County of San Francisco Board of Supervisors voted 8-0 to join in the suit on April 3. We expect others will enter into this legal action, either in *amici* roles or at the appellate level.

Morrison and Foerster, a very prominent San Francisco law firm, has prepared a multi-faceted attack on AB 133 (Willie Brown's "church bill," pushed through the legislature last year and signed by Governor Wilson). The suit — a complaint to invalidate the law — argues that AB 133:

- (1) grants a special exemption for religious organizations **only** from local land use ordinances and, in effect, establishes a clear (unconstitutional) preference for religion;
- (2) unlawfully delegates unreviewable

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Courting the Church Bill (from page 1)

power to religious organizations when it allows churches to determine whether or not they might suffer a hardship if a church-owned property were to be designated (and there are no real standards for this grant of absolute veto power ... the mere allegation of economic injury may frustrate the common good and public interest being promoted and protected by local preservation ordinances);

- (3) by allowing churches to run separate "hardship determination" hearings, ordinary citizens and preservation organizations are denied their full rights to participate in the normal municipal designation process that requires notification and permits appeals; and,
- (4) by granting religious organizations a regulatory function with no clear rules, the law is sure to lead to "entanglement of state with religion," another constitutional problem.

None of the litigants wanted to go to court. With Senators Nicholas Petris, Quentin Kopp and Tom Campbell leading the way, we proposed a reasonable way to deal with any real economic problems churches may have. The "hardship clause" amendment we offered would have created objective review of the question, and would have done so in the normal public forum afforded by local government decision-making. The Catholic Church proponents of AB 133 really didn't want objectivity, they wanted complete control of the process. We feel AB 133 is such a blatant violation of the Constitution that we cannot let it stand. They got the votes in the legislature ... but we think AB 133 is in big trouble in a courtroom.

This newsletter is brought to you by Catherine Accardi, Anthea Hartig, Susan Brandt-Hawley, Debi Howell, Ruthann Lehrer, John Merritt, Elizabeth Neaves, Paige Swartley & Natalie Wells. Your contributions are always welcome (and please include a black & white glossy photo to illustrate your article).

Legislative News

It is too early to tell what's on the menu this year. Over 3000 bills have already been introduced — many are just shells waiting to be filled — and nearly 100 we have identified have direct effects on CEQA, seismic safety and land use regulation (with indications that the "property rights" issue is central). Some of the verbiage is a direct import from Washington D.C. When some of the dust settles — mid-May — we will prepare an Alert and get it in the mail to the CPFAN Action Network ... are you signed up to receive Alerts?

We can report that SB 875 (Marks), a bill establishing tax credits for historic rehab (20% for commercial/10% for residential) must be re-heard by Senate Revenue and Tax Committee after barely failing to get the required five votes on April 5 (the author has already accepted amendments limiting the credit to seismic work). We are told that our hopes for a Parks and Recreation Bond Act (Assemblyman Cortese has such a bill), with set-asides for bricks and mortar grants, are unlikely to be met again this year.

We know the State Historical Building Code program is in deep trouble because the Department of General Services is, again, proposing zero funding. We also anticipate that the Seismic Safety Commission will be introducing bills that would institute a significant change in the way the State Historic Building Code is applied ... establishing "standards" and, thus, altering the "performance-based" approach the Code has always promoted. The Commission's report to the Governor on the Northridge Earthquake will be delivered this month (April).

As in the nation's capital, this could be a difficult year in Sacramento for historic preservation and other environmental causes.



PRESIDENT'S REPORT - Ruthann Lehrer

Ever since I've known CPF, the organization has been embodied by John Merritt. Our dedicated Executive Director has been the conscience of historic preservation both state-wide and at the local grassroots



level. With a sharp instinct for the politics of preservation, and strong policy leadership, John has taken CPF from the halls of the State Capitol to the chambers of City Councils (CPF's most gratifying work is being able to join local preservationists in the trenches, helping them win local battles). Many California preservationists have heard that gravelly voice on the phone advising and exhorting; and it is his reliable presence that the Board depends upon to carry out CPF's myriad activities.

So imagine the surprise of the Board of Trustees when John requested a six-month leave of absence to accept a temporary position with the Czech Republic Ministry of Culture in Prague. The opportunity to assist that new government in shaping a national preservation program is tremendously exciting, and we are all proud that our John has a chance to play a role in this venture.

The Board of Trustees is now searching for an interim Executive Director to fill the vacated position during John's absence. The Executive Committee is recruiting and screening potential applicants and expects to

make an appointment prior to John's departure in mid-June. We should have an announcement at the Annual Conference in Riverside, June 1-4. The position of Executive Director of a preservation non-profit takes unusual dedication, talent and energy; we hope that the transition will be smooth. We are fortunate to have a very capable Program Associate, Paige Swartley, who will be indispensable in keeping all our engines at full throttle.

Don't miss the Riverside Annual Conference, your last chance to wish John success in his new adventure ...and to join the Czech Preservation Foundation.

CPF 1995 Trustee Election — Nominees

Each spring at the Annual Membership Meeting CPF members elect as many as seven people to vacant board positions, and this year we are again offering a full slate. Four current Trustees — Arlene Andrew, Ruthann Lehrer, Jim Lutz and Bob Mackensen — are asking to be returned for second terms. Three new people — Toni Symonds Dow, Karita Hummer and Cassandra Walker — have been nominated for first terms. The Trustees recommend the following slate be elected at the Annual Luncheon and Membership Meeting in Riverside, Saturday, June 3, 1995:

Arlene Andrew, AICP (Claremont) — Arlene is an Associate Planner for the City of La Verne, working in advance planning, transportation planning, and overseeing the city's historic preservation activities. Prior to this she staffed Rancho Cucamonga's Historic Preservation Commission (1988-89), doing pioneering research on the Mills Act. Arlene worked for the Claremont consulting firm AEGIS and, while there, helped write the preservation ordinance for the City of Redlands (part of a package which won a CPF award). Arlene has her Masters in Urban Planning from Cal Poly, Pomona, and served on the Claremont Planning Commission from 1979 through 1987.

Toni Symonds Dow (Sacramento) is currently the State Housing Coordinator for the Rural Economic and Community Development Services (formerly known as Farmers Home Administration). Her

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CPF Trustee Candidates (continued from page 3)

specific areas of responsibility include (1) the creation and coordination of partnerships with state, local and other federal agencies, and (2) the creation and implementation of strategic state, local and regional plans on rural housing development issues. Previously, Toni was the Chief Policy Consultant for the Assembly Committee on Housing and Community Development, specializing in land use regulations, housing finance, military base closures, seismic safety and redevelopment. She has been a dependable resource for CPF on a number of legislative issues in Sacramento including the AB 133 battle, and making historic properties eligible for state financing when low-income housing needs are met.

Karita Hummer (San Jose) is a true citizen activist. She was a Founder of the Preservation Action Council of San Jose — serving as President from 1989 until 1994 — and continues on the board as Co-Chair of the River Street Task Force working to save a threatened National Register District. She also served on the Santa Clara County Heritage Council, Guadalupe Gardens Advisory Council, she convened and chaired the "Destination Cities Task Force" and sits on the State-level ISTEAC Council established by Caltrans. Karita, a licensed clinical social worker and Executive Director of the Cleo Eulau Center, has a certificate in non-profit management through San Jose State.

Ruthann Lehrer (Santa Monica) — Ruthann is Neighborhood and Historic Preservation Officer for the City of Long Beach, where she has helped establish five new historic districts, expand two, double the City's inventory of designated landmarks and upgrade the cultural heritage ordinance. The City has also enacted several Mills Act contracts, providing economic incentives. A graduate of UCLA (M.A. in Urban Planning), Ruthann was the first Executive Director of the L. A. Conservancy, and now serves on its board. During her tenure (1981-87) the LAC grew into a broad-based, influential organization. She also was a visiting lecturer in preservation for five years at UCLA's Graduate School of Architecture and Urban Planning.

James Lutz (Fresno) — Jim is a UC Berkeley architecture school graduate, and a founding partner of Lutz Seng Boudreau, Inc. which handles institutional, commercial and historic preservation projects. He serves on the board of the Fresno City and County Historical Society, and on the organization's Preservation Committee. He is currently President of the Foundation for St. John's Cathedral, a secular non-

profit group assisting in the restoration of one of the Central Valley's oldest ecclesiastical structures. Jim also serves on the board of the Fig Garden Homeowner's Association, a district containing many historically significant residences and gardens. He is a past board member of Fresno's Tower District Preservation Association and the City of Fresno's Design Review Committee.

Robert E. Mackensen (Yuba City) — Bob has served with the State Historical Building Safety Board (SHBSB) for the past nine years. In December 1991, he was appointed Executive Director of the SHBSB. Prior to his work at the Office of the State Architect, he was staff preservation architect at the Office of Historic Preservation during the height of the historic preservation investment tax credit program. A graduate of UC Berkeley and member of the AIA, Bob was in private practice where his restoration work at Marysville's Bok Kai Temple redirected him into historic preservation. As a preservation consultant, he is a frequent speaker and has authored preservation and maintenance manuals on several major National Register buildings and districts for the Department of Defense. Bob is listed in several editions of *Who's Who in the West*, and remains deeply involved in the civic affairs of his community.

Cassandra Walker (San Juan Capistrano) has over thirteen years of diversified experience in the areas of redevelopment, historic preservation and economic development. Cassandra has been with the City of San Juan Capistrano since 1989, where she is responsible for the management of the Redevelopment Agency and economic development programs. She has extensive experience in the revitalization of historic downtowns, adaptive use of historic properties, and economic development strategies to support active business communities. Taking a year's leave, she earned a Masters Degree in Historic Preservation from Boston University in 1994. Prior to working in San Juan Capistrano, she was Director of Business Retention in Yuma, Arizona and a board member of the City's Main Street Program. She is active in local preservation organizations and cultural groups, and has hands-on experience with many of the preservation issues facing smaller communities.

As is customary, the Board of Trustees recommends this slate for election by the members at the Annual Membership Meeting held in conjunction with the State Conference. Other candidates can be nominated by submitting a petition (available from the Oakland office) signed by 20 current CPF members supporting the nomination. We must receive the signed petitions no later than ten days prior to the Annual Meeting held in Riverside on June 3, 1995.

RIVERSIDE CONFERENCE PREVIEW

"Preservation is Planning for the Future," this year's theme, will prove that preservation is a necessary planning tool for the future of California's communities. This year's conference is sponsored by CPF and the City of Riverside Redevelopment Agency, and is cosponsored by the California Chapter of the American Planning Association, the Mission Inn, National Trust for Historic Preservation, and the State Office of Historic Preservation, with local support from numerous local organizations. Conference highlights include:

- **New** to the Thursday, June 1 line-up is a **Round Table on Seismic Safety and Disaster Response** — private sector experts and state officials review the Northridge experience to identify necessary changes in state policy and private practice.
- Thursday evening's **Opening Reception** will be a special affair held at the Fox Theater, a 1929 Spanish Revival architectural masterpiece — enjoy Riverside's warmest welcome and stay for a light dinner of great local southwestern fare followed by historic film footage of Riverside and a full-length feature film, "Heat Wave," a modern Australian thriller about an historic community's fight for its survival against encroaching urban development.
- Friday morning's **Plenary Session** takes place in one of Riverside's most magnificent downtown buildings: the First Congressional Church, designed by Myron Hunt in 1912. Speakers include CPF's own John Merritt who will attempt to evaluate the twenty year progress of preservation in California.
- The ever-popular **Three-Minute-Success Stories** on Friday night takes place in the beautiful Galleria of the Mission Inn and include a buffet dinner. Be sure not to miss the thrill, the fun and excitement of sharing in fellow preservationists' successes.
- At the **Gala Dinner**, a 1920s vintage meal—taking cues from historical menus—will be followed by a live auction, led by Redevelopment Agency Director Ralph Megna and CPF's own Bruce Judd. Dancing to a jazz ensemble will round off an elegant and fun evening. Period 1920s dress is encouraged.
- **More Special Meals and Ways to Burn Them Off** include a Friday Morning Walk Up Mt. Rubidoux; a Saturday morning 5K Jog/Walk through Fairmount Park, designed by the Olmstead Brothers; a Friday lunch at the Riverside Art Museum, designed by Julia Morgan; and a Networking Breakfast on Saturday at the Mission Inn.

A Summary of Featured Educational Sessions:

"The Changing Urban Landscape: Neighborhoods and Beyond" — will explore key issues facing our historic communities today, such as new uses in historic districts, developing preservation partnerships, and transportation impacts and alternatives. This track also covers new twists on affordable housing and preservation, a focus historic single family rehabilitation preservation as an anti-crime tool, and just what the "Great Neighborhoods" movement means for historic neighborhoods. A mobile workshop to two of Riverside's older neighborhood will complete this informative track.

Preservation and Restoration Primer — promises to be one of the more varied and educational "nuts and bolts" series CPF has ever attempted, complete with *Lo Basico de Preservation Historica en su Comunidad* (Historic Preservation Basics in Your Community), and two refresher sessions on archaeological resources and their identification and protection. Developed in coordination with the National Trust, this track also includes a very "real world" session spotlighting old house rehab and seismic retrofitting tips from leading experts. A workshop for non-profit organizations rounds off these sessions.

Designation, Protection and Mitigation of Historic Resources — covers partnerships with the arts communities, focusing on the preservation of historic public art, and the creation of new creative mitigation strategies. We also study the preservation of sacred and civic buildings and, in a unique session and tour, we look at cutting-edge mitigation efforts involved in potential relocation of the Sam and Alfreda Maloof Home and Studio due to a freeway routing.

Parks, Boulevards, Gardens and Landscapes — Riverside, with two Olmstead Parks, numerous historic gardens, and its remaining citrus landscape will be an ideal site for the exploration of key themes such as the programming of park spaces, the preservation of historic streetscapes, cultural landscapes, and private gardens. Completing the tract will be a mobile workshop touring Riverside's historic cultural citrus landscape, including such highlights as Victoria Avenue and the State Historic Citrus Heritage Park.

The conference is structured to appeal to professionals as well as preservation advocates and volunteers. It will be fun, informative and fascinating. What more could one ask of a weekend? For more information watch your mail box or contact Marion Mitchell-Wilson or Anthea Hartig in the City of Riverside's Office of Historic Preservation, (909) 782-5371; the Mission Inn's Reservation Number is (800) 344-4225.

OUT-OF-COURT SETTLEMENT IN CMSI LAWSUIT

The California Museum of Science and Industry suit has settled all issues relating to the Ahmanson Building and the new CMSI museum in L.A.'s Exposition Park. The settlement agreement requires CMSI to make significant changes to its current plans, including (1) complete and full restoration of the north entrance to the museum back to 1910 construction documents, including ornate brickwork and statuary; (2) reinstallation of steel trusses and redwood ceiling in the remaining north Ahmanson wing; (3) repair of east and west wing brickwork to the historic field pattern; and (4) removal of four planned new doors on the north face to leave the original facade. The cost, \$1.4 million, is being requested to augment the current museum budget.

This case had an important state-level issue at its core: when would State Agencies honor State law and involve State preservation entities in State project development which impacted historic resources? CPF was pleased that the settlement requires that the Division of the State Architect, OHP, the State Historical Building Safety Board (SHBSB), and CMSI shall develop over the next six months a Memorandum of Agreement (MOA) providing a protocol for early consultation between the agencies for any proposed project affecting historic resources of the state. We hope that the protocol will end current problems with many projects that ignore historic preservation so long that any real consideration of restoration or reuse potentials is essentially foreclosed.

Finally, the settlement recites our insistence that the Armory not be demolished, and respondents' agreement to abide by the 1994 Budget Act regarding the Armory (which specifically ties the funding for the Ahmanson project to the prohibition of

demolition of the Armory).

The lawsuit will be amended after the settlement conditions are met, leaving only a cause of action which requests clarification of SHBSB powers. This cause of action will probably be put on hold pending development of the MOA. If that goes well, we may not need to litigate further, but if further clarification of the law is needed, we have the framework to settle that issue in court.

Santa Ana District Integrity Threatened

The Downtown Santa Ana Historic District is the largest and most representative collection of commercial buildings in Orange County. It was placed on the National Register in 1984, based on a statement of significance emphasizing "its state of preservation, integrity, and mix of styles and historic uses typifying an agricultural town center between 1880 and 1930." The District has "a strong sense of time and place resulting from a close juxtaposition of styles and building materials during a limited time frame, and their compatible size and scale."



This sense of "time and place" is in jeopardy. Proposals are under way to build a massive Federal Courthouse on a site adjacent to a primary focal point of the District and the last remaining intersection that retains its overall historic integrity. A corner anchor of the intersection, the Phillips Block, has been threatened with demolition

to make way for the new courthouse.

Heritage Orange County, Inc. (HOC), a small historic preservation organization based in Santa Ana, first learned of a proposal to demolish the buildings in March, 1993. The organization was invited by the City of Santa Ana Planning Department to respond to the preparation of a Supplemental Environmental Impact Report (SDEIR). The subsequent SDEIR called for the "removal" of the Phillips Block to make way for "future development" of the City of Santa Ana's A-2 project site. At the time, it was common knowledge that this site had been selected for the construction of the new Ronald Reagan Federal Courthouse.

The Phillips Block is actually three separate buildings that, since a 1925 remodel by local architect Frank Lansdown, have shared a common facade at second floor level. Two of the buildings were seismically upgraded in the early 1980s and the buildings were occupied until 1993, when tenants were relocated by the City of Santa Ana in preparation for conveying the site over to the General Services Agency (GSA). A contract was subsequently let by the city for the abatement of asbestos within the buildings.

HOC, acting as a watchdog for the Historic District since its inception, has consistently called for the preservation of the Phillips Block. It has supported a proposal for the reuse of the buildings as a child care facility for the courthouse complex and has offered, at its own expense, the services of architect Milford Wayne Donaldson to assist GSA with a study to upgrade and rehabilitate the buildings.

HOC has been forced to spend a considerable amount of time, and a good portion of its financial assets, on drafting responses to environmental documents (relating to both the demolition of the Phillips Block and the

construction of the courthouse). In order to mount as aggressive a challenge to these documents as possible, HOC hired Shute, Mihaly and Weinberger (a San Francisco-based law firm with experience in land use issues). Documents requested by HOC's lawyers through the California Public Records Act provided evidence of an improperly segmented environmental review of the demolition/redevelopment project under CEQA. In requesting that the city demolish the historic resources prior to conveying the site to GSA, environmental review requirements could be avoided.

One wonders why small preservation organizations, which generally have limited means, must sue an agency like GSA to force compliance with the requirements of federal preservation law. But, as a result of HOC's efforts, an accommodation has been reached. The City of Santa Ana has been responsive to HOC's concerns and has shelved plans to demolish the Phillips Block. Furthermore, it has agreed not to convey the buildings to GSA without stipulating that they be rehabilitated in accordance with the Secretary of the Interior's Standards for Rehabilitation. A settlement hearing may help HOC recover legal costs.

In the meantime, proposals have moved forward with the courthouse development. The project as designed will irreparably alter the quality and character of the historic district. Although the release of the federal Final EIS showed a slight downscoping of the courthouse project, the proposed building will still tower almost 150 feet above the low-rise streetscape. The massive scale of the structure is inconsistent with the adjacent land uses and its modern design will bear little relationship to the historic resources within the District. The preservation of the Phillips Block will now, thankfully, provide a buffer between the new development and the old.

Spreckels Temple of Music — Musical and Architectural Preservation in Golden Gate Park

The Spreckels Temple of Music, located in Golden Gate Park, was a 1995 CPF Design Award winner. The recent restoration of the Temple, also known as the Music Pavilion, is an outstanding example of what careful preservation planning can realize.

The Music Pavilion and surrounding Music Concourse were one of the city's first visual landmarks. Band performances in Golden Gate Park date back to 1882 when the first concert was held in a wooden gazebo-like structure at the west end of Conservatory Valley. Gustave Fuchs led the band in the William Tell Overture and a tradition of music in the park began.

By 1887 so many people attended the concerts that conditions became crowded. The original bandstand was demolished and 10,000 people attended the dedication of a new bandstand in 1888. The increasing popularity of Golden Gate Park and the Music Stand prompted plans for still another new pavilion and larger grounds, so in 1898 Claus Spreckels donated \$60,000 towards the construction of the third in a series, this one built on the site of the Grand Concourse of the 1894 Mid-Winter International Exposition. Spreckles commissioned the Reid Brothers to design the Pavilion which opened to a crowd of 75,000 with much pomp and circumstance on State Admission Day, September 9, 1900.

The Reid Brothers were a pioneer architectural firm in San Francisco, designing such prominent buildings as the Fairmont Hotel, Hale Brothers, the Call Building and the original I. Magnin during nearly fifty years in practice (they were also the architects of such masterpieces as the Hotel Del Coronado). The new Golden Gate Park Music

Pavilion was instantly called one of the most imposing music pavilions in the Western Hemisphere. As with most Reid Brothers' buildings, a renaissance style dominates. The Pavilion is 80 feet high with a 240 foot frontage. The central section is 55 feet wide supported on each side by engaged Corinthian columns. The frontal arch with bas-relief figures by Robert Aitken and a colonnade of 16 Ionic columns - 52 feet high and 15 feet in depth - flanks each side. The colonnaded area is reached by steps from a sunken orchestra niche, 55 feet wide, with seating capacity for 100 musicians.



*Spreckels Temple circa 1900
(photo credit: Moulin Rouge Studios)*

The surrounding Music Concourse is equally impressive. John McLaren, the city's renowned Park Superintendent, visited England, France and Scotland to study similar urban parks and returned to create recreational grounds with contour, vistas, groupings and texture, all especially evident here in what is considered the heart of Golden Gate Park.

The pavilion survived the 1906 earthquake with only minor damage and has escaped alteration, over the years, retaining its original design features and materials. The 1989 Loma Prieta Earthquake, however, did shake the structure hard and it was fenced

more on the Spreckels Temple of Music

off to prevent any harm to park-users. While concerts continued in a temporary wooden band stand, the City pondered the fate of the Spreckels Temple. Finally, a restoration option was chosen. Preservation architects Carey and Co. of San Francisco were hired to assess damage and recommend a seismic strengthening strategy.

This work took over two years and resulted in the reinforcement of the interior of the bandshell with concrete sheer walls, while the colonnades were "tied into" the bandshell. Every column was cored and steel and concrete reinforcement was then introduced by the contractors, Nibbi-Lowe. The sandstone used for repairs is from New Brunswick, Canada, birthplace of the Reid brothers. The \$2 million price tag was paid by FEMA and the City of San Francisco.

On July 3, 1994, a reopening ceremony featuring a performance by the San Francisco Symphony, returned music to the Grand Concourse and re-established a tradition of free weekly Sunday afternoon concerts that reaches deep into the nineteenth century. It was a great day!

Please Note —The Seismic Safety Commission will release its report on the Northridge earthquake May 1st. Entitled *Northridge Earthquake: Turning Loss to Gain*, the study examines the 1994 temblor's policy implications for structural seismic safety and land use planning. No price for the publication has been set, but the Commission will provide further information upon written request to: Seismic Safety Commission, 1900 K Street, Suite 100, Sacramento CA 95814.



"Solving Your Growing Needs"

We would once again like to thank the Rain Bird National Sales Corporation for its generous support of the Cultural Landscapes workshop held in January, an acknowledgement we were unable to make in the Winter newsletter.

San Jose — Reprieve for Scheller House

In January, Superior Court Judge Jeremy Fogel ruled that environmental review be done prior to consideration of demolition of the Scheller House, and also required OHP review under Section 5024.5 of the Public Resources Code (perhaps the first time a court has acted under this statute). The Scheller House was omitted from the inventory required under Section 5024, and is listed as a "temporary" non-historic building in San Jose State documents. A declaration to the court from OHP stated that the Scheller House should be on the inventory and San Jose State shouldn't be allowed to escape consultation by failing to maintain an accurate and up-to-date inventory. OHP's opinion, and the linkage to § 5024 proved to be especially helpful.

An April 4 *San Jose Mercury* article points out that the lawsuit served well in buying time for the Scheller House. San Jose State's new President, Robert Caret, is indicating that the structure has definite reuse potential on campus. Preservation Action Council of San Jose members should be proud. They stepped in to stop demolition, took some heat, and now look very good.



Palo Alto — AB 2881 Saves the Interior of the Historic Varsity Theatre

The Varsity Theatre, located on University Avenue in downtown Palo Alto, was built in 1927 and is classified as a historic Category #1 structure in the City's Historic Resources Inventory. The Varsity story involves the difficulties we have saving historic interiors. But, the key to success was making good use of the State Register, created by the passage of AB 2881 in 1992.

There is a strong nationwide trend of preserving movie theatres of historical significance. Avalon, Santa Barbara, San Rafael, Orinda, Berkeley, Bakersfield, Oakland and Pasadena all offer examples of cities where persistent community effort saved major movie palaces from destruction. Professionals and citizens alike recognize that these theatres with their unique, fanciful architecture are a big part of our social history.

The Varsity Theatre — Palo Alto's architectural landmark, film showcase and performing arts center — has played a major role in the community's cultural life for nearly seventy years. This movie palace opened with *Rose of the Golden West*, starring Mary Astor and Gilbert Roland, to a full house on September 27, 1927. The crowd strolled through a romantic courtyard lit by Spanish lanterns, past the fountain, and entered the magnificent Spanish Renaissance lobby to behold a Mission Revival auditorium. This majestic public space featured Spanish arcades adorned with sculpted cherubim, grand wrought iron chandeliers suspended from a twilight blue ceiling, tall wall niches lined with gold, and a rich lavender and purple tapestry stage curtain.

The only Mission Revival courtyard theatre in North America, the Varsity was designed by the distinguished San Francisco firm of Reid & Reid, whose works include San

Francisco's Fairmont Hotel and the Call Building (California's first skyscraper and a survivor of the 1906 earthquake). The Reid Brothers also designed Monterey's State Theatre, Oakland's Grand Lake Theatre, and San Diego's internationally-renowned Hotel Del Coronado.

In early 1994, the Palo Alto community learned that the Varsity Theatre was scheduled to be closed; the owner proposed to retain the historic exterior but to largely dismantle the interior, which would be converted into a chain retail bookstore. Private citizens formed the Friends of the Varsity Theatre to preserve the cinema for its original use and collected over 7,000 signatures on a petition to save the theatre.



Through diligent research, Friends of the Varsity learned about AB 2881. They found that the theatre had a Category 1 status, the highest rating in Palo Alto's Historic Resources Inventory. They also discovered the Secretary of the Interior's Standards and Guidelines for Rehabilitating Historic Buildings (1990), and that the City was obliged to follow these guidelines since becoming a member of the Certified Local Government (CLG) program.

Armed with these facts, they contacted the State Office of Historic Preservation. OHP staff answered numerous phone calls and wrote a key letter, validating the implications of AB 2881 and explaining its legal effect. Thanks to SHPO Cherilyn Widell and her staff, an inexperienced group of community members convinced Palo Alto city officials that an EIR was required to cover any changes that would damage the integrity of the historic theatre's interior. And finally, the League of Historic American Theatres offered background information of similar efforts to save historic theatres across the country.

In July, 1994, the City agreed to require an EIR of the owner. In September Wagstaff and Associates was hired to do the work. They held a "scope of work" meeting, an extremely important tool for community members to use. The Friends of the Varsity supplied a long list of important features throughout the building's interior that not only must be retained but restored as well. Some of the features included the lobby ceiling and decorative columns, and the arcades in the auditorium.

In January, 1995, one month before the Draft EIR was to be released, the Friends learned that the owner had submitted an alternative project and that he added historic preservation architects, Architectural Resources Group (ARG) with Bruce Judd and David Wessel as lead consultants, to his team. When the Draft EIR was released, the community was pleased to see a plan for a restored interior with almost 95% of the architectural features saved. While there is still one major area of concern — a wall with an ornate arch in the lobby — the Friends still hope that some compromise can be reached with the owner and his architect, Carrasco and Co.

The Draft EIR has been approved by the

City's Historic Resources Board, the Architectural Review Board and the Planning Commission. All three groups had almost the same recommendations and conditions. The City Council will review all comments on Monday, May 22.

The Friends of the Varsity came to believe that preserving the building and continuing its operation as a cinema and performing arts center is the only appropriate use for this community treasure. They now hope to acquire and renovate the theatre in order to restore it to its original role as an entertainment center, and intend to nominate the Varsity Theatre for National Register listing.

Natalie Wells, author of this story, cites the contributions of key members of the Friends of the Varsity: Dennis Backlund, main researcher; Tami Jefferson, principal photographer and videographer; Ann Balin, key writer/editor; and Roy Ola, for leadership and film expertise. Many others contributed invaluable time, expertise and commitment to a cause that drew three major bookdealers, film buffs, preservationists and history buffs together in a heartwarming way!

State Register Hearings Scheduled

As this story points out, and as we reported in our last newsletter, the State Register does exist and can be used to save historic resources. But, OHP staff are still formulating the ultimate program criteria and regulatory language. Proposed "Guidelines for the Nomination of Properties" are now available from OHP (call 916/653-6624 for a copy) and hearings to accept public comment are scheduled for the next State Historical Resources Commission meeting, May 4 in Monterey at the Maritime Museum Auditorium, 5 Custom House Plaza, 4:30 - 6:00 p.m. A second hearing, in Sacramento, is scheduled for August 11.

Let's make sure the Register is inclusive, recognizes the breadth of the cultural resources in our communities, and provides some measure of CEQA protection.

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New Publication, Important Shift in Attitude

Reflecting the new emphasis on liveable communities and coalition-building, several influential California organizations recently released a report entitled *Beyond Sprawl: New Patterns of Growth to Fit the New California*. Co-sponsored by the Bank of America, the California Resources Agency, Greenbelt Alliance, and the Low Income Housing Fund, the study examines factors contributing to sprawl as well as sprawl's effect on taxpayers, businesses, residents of new suburbs, farmers and the environment. Increasingly, rampant development is robbing our communities of precious resources and is destroying the quality of life that makes California so attractive.

Encouraging the reuse of historic buildings in the center of urban areas fits perfectly into the anti-sprawl campaign, and is a key reason why CPF has sponsored five workshops on the subject. You will note, too, that the National Trust has raised the sprawl issue to the top of its big problems list. This publication's analysis is very timely.

To find out how you can help fight sprawl, contact any of the co-sponsors for a free copy of the report: Bank of America (Environmental Policies and Programs #5800, PO Box 37000, San Francisco CA 94137, 415/622-8144), the California Resources Agency (The Resources Building, Sacramento CA 95814, 916/653-5656), the Greenbelt Alliance (116 New Montgomery, Suite 640, San Francisco CA 94105, 415/543-4291), or the Low Income Housing Fund (605 Market Street, San Francisco CA 94105, 415/777-9804).

AFFORDABLE HOUSING INITIATIVE EXPANDS



CPF Trustees Charles Loveman and Brad Paul expound at San Diego Housing workshop.

Three more workshops on *Housing in Historic Buildings: A Perfect Fit in Imperfect Times* were just presented in San Diego, Woodland, and Fresno. Based on the attendance at these three workshops, and two earlier ones, CPF plans on expanding our housing initiative by targeting and educating the lenders and policymakers who can help improve the atmosphere for housing providers interested in reusing historic buildings for affordable housing.

Our speakers at the Spring workshops included State Assemblywoman Denise Moreno Ducheny, Mayor Gary Sandy of Woodland, representatives from Wells Fargo Bank, U.S. Bank, First Interstate Bank, the State Office of Historic Preservation, State Historical Building Safety Board, California Housing Partnership Corporation, California Rural Legal Assistance Foundation, the HOME Program, Rural Economic and Community Development Services, and many other organizations.

We'd like to extend special thanks to our workshop co-sponsors: the American Institute of Architects, California Housing Partnership Corporation, California Tax Credit Allocation Committee, Centre City Development Corporation, City of Fresno Department of Community Development, Hotel Woodland, Local Initiatives Support Corporation, Mission Brewery, National Park Service, National Trust, Non-Profit Federation for Housing and Community Development, Rural Economic and Community Development Services, San Diego Housing Commission, Save Our Heritage Organisation, Self-Help Enterprises, St. John's Cathedral, and the State Office of Historic Preservation.

For those of you who were unable to attend any of the workshops, a limited number of workshop packets filled with useful materials are still available for a mere \$8. Further information can be obtained by calling Paige Swartley in the CPF offices at (510) 763-0972.

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CPF ADVERTISING OPPORTUNITIES

CPF is pleased to offer excellent opportunities for businesses and organizations to reach preservation-minded consumers statewide. Business card-sized advertisements are now being accepted for the quarterly newsletter and for materials distributed at the Annual Preservation Conference.

California Preservation reaches thousands of readers, including architects, developers, historic building owners, local government officials and preservation advocates.

The Annual California Preservation Conference is the major gathering for those in the preservation field. In recent years, the conference has drawn between 500 and 1000 participants; your advertisement in CPF materials will reach professionals and enthusiasts from the public, private and non-profit sectors. The fee schedule follows:

Newsletters:	\$ 50 each, 4 for \$150
Annual Conference:	\$150
Both opportunities above:	\$250

All advertising is subject to the approval of the California Preservation Foundation. If you want more details, or want to take advantage of this offer, please write or call the CPF Oakland office.

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ARE YOU PART OF THE SOLUTION ?

The Board of Trustees and staff of the Foundation are dedicated to helping local preservationists succeed. Do feel free to call our Oakland office for assistance ... or contact a board member in your area. We also need your help as we all work hard to **IMPROVE THE CLIMATE FOR PRESERVATION IN CALIFORNIA**. If you would like to host a CPF membership event in your community, please contact our office at (510) 763-0972.

SOLUTION — JOIN CPF !

To be fully aware of Foundation activities and to receive newsletters or other mailings, you must become a CPF member. CPF tries to provide levels

of membership nearly everyone can afford. We assure you, your tax-deductible contribution keeps us here working for you.

NEW MEMBERSHIP CATEGORY

In order to accommodate two people living in the same household, CPF is now offering a new reduced "Family" rate at \$50. Past confusion about who the "individual member" actually was should be resolved. Both people in the "family" are members !

MEMBERSHIP OPPORTUNITIES

Individuals and Libraries may join CPF at the \$35 "individual" rate.

"Family", a new category, covers both adults in your household for \$50.

"Sponsors" (\$150) are those who really like what we do and want to give more.

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Non-profit organization dues are \$75. All board and staff will receive program (workshops and conference) discounts.

"Government" and "Business" categories are \$100. The rate includes automatic membership benefits for all those associated with the government or business entity, such as board members and staff assigned to a Landmarks Commission.

"Full-Time Students" and **"Senior"** rates are \$20, and we hesitate to decide for you when it is that you become a "senior," but suggest 60-plus is the line.

HELP STRENGTHEN PRESERVATION IN CALIFORNIA — BECOME AN ACTIVE MEMBER OF CPF !

Your contribution helps support workshops, research, publications, legislative efforts, conferences and direct local assistance. Clip and send this coupon with your tax-deductible membership contribution to the California Preservation Foundation, 1615 Broadway, Suite 705, Oakland, CA 94612.

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I am interested in state legislative issues; put me on the CPFAN (CPF Action Network) list.

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Calendar:

May 4-5 — State Historical Resources Commission Hearings (Maritime Museum, Monterey). For more information call (916) 653-6624

May 4-5 — The Local Government Commission's Second Annual Conference, "Putting Our Communities Back On Their Feet: Towards Better Land Use Planning" (Biltmore Hotel, Los Angeles). For more information: Michele Kelso at (916) 448-1198.

June 1-4 — 20th Annual State Preservation Conference at Riverside's Historic Mission Inn. A full four days of special workshops, tours, fun and fine events. The conference all preservationists attend!

Early August — "Award Winning Design Solutions," workshops in Northern and Southern California that deliver proven answers to tough questions: how to adaptively reuse, seismically retrofit, materials conservation provide access to, and make economically sense without damaging the design integrity of historic buildings, including examples from large commercial projects to the owner-occupied historic home. More information and registration material will be available in June, but pencil this one in now !



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