

REUBEN, JUNIUS & ROSE, LLP

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January 20, 2023

Delivered Via Email

Diane Matsuda, President
San Francisco Historic Preservation Commission
49 South Van Ness Ave., Suite 1400
San Francisco, CA 94103

**Re: 429 Castro – Castro Theatre
2022-006075DES | Updated Landmark Designation
Hearing Date: February 1, 2023
Our File No.: 11985.03**

Dear President Matsuda and Commissioners:

This office represents Another Planet Entertainment ("APE"), the project sponsor for the renovations proposed for the historic Castro Theatre ("Project"). Entitlement applications have been filed and hearings for the Project are currently scheduled for March 2023. While the matter before the Commission on February 1 is not directly related to the entitlements sought by APE, changes to the landmark designation for the Castro Theatre could have a significant negative impact on the ability of APE to proceed with the Project. In particular, identification of the existing non-historic seats and the existing floor rake as character-defining features may preclude other seating arrangements that would support flexible and varied uses of the Castro Theatre. Flexibility in use is a key driver in maintaining a sufficient revenue stream that will support the Castro Theatre's future use and preservation.

The purpose of this letter is to inform the Commissioners about the goals and status of the Project, provide information regarding the historic rehabilitation and renovation that is at the heart of the Project, as well as provide some additional background about APE and their history in the City, and finally discuss their outreach to the community and various stakeholders.

Project: Purpose and Scope

In 2020, APE and the owners of the Castro Theatre, the Nassar family, began discussions about how they might work together on the Castro Theatre. The goal was to create a project that would raise sufficient capital to rehabilitate the historic features of the Castro Theatre while also allowing the Castro Theatre to evolve from its primary movie screening origins to a more flexible entertainment venue.

Many of the Castro Theatre's historic features are deteriorating, and will need significant capital investments in order to repair and restore them. APE will invest in excess of \$15 million to rehabilitate the Castro Theatre. In order to pay for these improvements, the Castro Theatre's programming must become much more flexible. The primary components of the Project are as follows:

- **Historic Restoration.** Many of the character defining elements of the Castro Theatre will be cleaned, restored, and repaired. Most importantly, the decorative ceiling, which is suffering from past inappropriate treatments, will be repaired and restored. The wall murals will be cleaned and minor repairs will be made. The decorative proscenium, which has not been visible for decades, has been recently revealed by APE and will be repaired, restored, and made visible once again. Existing historic light fixtures will be repaired, restored and relamped throughout the building. Careful restoration and relamping of the central chandelier will allow it to shine light, once again, on the decorative ceiling to expose rich colors and exquisite detailing that have been obscured for more than thirty years.
- **Changes to Seating.** The proposed new seating program for the orchestra level of the Castro Theatre allows flexible reconfiguration of the venue, permitting a more diverse set of programming -- seated events and film -- on stepped tiers replicating the existing sloped floor; standing room concerts, fundraisers, seated dinners and more. This added seating flexibility is critical to the proposed programming.

The existing house seats, which were installed in 2001, are replacement seats that are not original to the Castro Theatre. The new seats that will be installed will be comfortable and appropriate for seated events, including film viewing. Attached as **Exhibit A** are renderings of the proposed new flexible seating program.

The raked concrete floor is not a distinctive feature of the building and it does not exhibit the level of craftsmanship that would elevate it to the status of a character defining feature. The raked floor consists of a concrete slab with a function wood strip floor laid over it. These flooring features lack the detail and ornamentation that give the Castro Theatre its unique character.

- **Mechanical Systems Addition.** Currently there is no circulation of fresh air in the building and no cooling system of any kind. There are two residential-grade heating units,

that are wholly insufficient to heat the cavernous venue. The Castro Theatre simply cannot continue to operate this way, especially with the current emphasis of indoor air quality and sufficient fresh air. When the Castro Theatre was built 100 years ago, modern heating, ventilation and air conditioning (“HVAC”) systems were in their infancy. Not surprisingly, the Castro Theatre was not constructed with these systems in mind. The ornate interior wall and ceiling finishes present formidable challenges to integrate a modern HVAC system without seriously impacting these precious finishes. The changes to the seating system described above present an opportunity to distribute the conditioned air from below the floor surfaces allowing the walls and ceilings to remain unchanged.

- **Increasing Accessibility.** The current rake (aka slope) of the orchestra floor is too steep for ADA accessibility. It is approximately twice as steep as the 1:12 pitch of an accessible ramp. The proposed tiers will include ADA lifts and ramps that meet current standards, allowing equal access for all patrons. Lifts are specifically called out in the California Historic Building Code as potential solutions for sensitive historic properties.

Another Planet Entertainment – Some History

Established in 2003, Another Planet Entertainment (APE) is the only independent, locally owned and operated, full-service concert production company in the San Francisco Bay Area. APE promotes events 52 weeks a year in venues from clubs to stadiums to multi-day festivals and everything in between. Since 2003, APE has produced over 10,000 events throughout the San Francisco Bay Area and Northern California.

APE exclusively operates and promotes concerts at a variety of venues, including the Greek Theatre at UC Berkeley, San Francisco’s Bill Graham Civic Auditorium, The Castro, The Independent, the Fox Theater in Oakland, the Oxbow RiverStage in Napa, and Lake Tahoe Outdoor Arena at Harvey’s. In addition to producing events at these venues, APE promotes events at venues such as Chase Center, Oracle Park, SAP Center, Bimbo’s, Palace of Fine Arts Theater, and Davies Symphony Hall to name a few.

APE has also successfully produced two award winning festivals: San Francisco’s Outside Lands in Golden Gate Park and Las Vegas’ Life is Beautiful. APE’s artist management group represents, among others, Grammy award winning artists Tycho and Billy Idol. APE has been named “Top Independent Promoter” in the United States by Billboard Magazine and “Independent Promoter of the Year” by Pollstar Magazine.

Since its inception, APE has embraced the practice of giving back to organizations who are both local and relate to music. APE has supported over 150 organizations with contributions totaling over \$5.1 million. Additionally, APE has produced fundraisers for many organizations including Tipping Point, The Bridge School, and UCSF Benioff Children’s Hospital.

The founders of APE have a deep and long history in the Bay Area, having previously been with Bill Graham Presents. APE CEO Gregg Perloff has been instrumental in several historic theater renovations including the Wiltern Theater in Los Angeles and the Warfield Theater here in San Francisco. In 2004, APE began a partnership with the City of Oakland to design and renovate the Oakland Fox Theater. Closed for forty-three years, the Fox reopened in February 2009 to tremendous reviews and critical acclaim. The approximately \$75 million multi-use renovation features a state-of-the-art theater with world class amenities and has provided a permanent home to the Oakland School for the Arts. At the Greek Theatre, built in 1903, capital improvement projects are ongoing and have included a seismic retrofit, stage upgrades, additional restrooms and expanding concourse areas.

Castro Theatre Project – The Outreach

Throughout this process, starting January 19, 2022, APE has been open and transparent with the community regarding their proposals and goals, and have engaged in a robust outreach program. Attached as **Exhibit B** is a chronology of all of APE's community interactions and outreach completed to date. The Project team will continue to engage with any community members or stakeholders who wish to discuss the Project and provide input. In addition, as questions are raised, APE has continuously updated the Project's FAQ page on the Castro Theatre website.

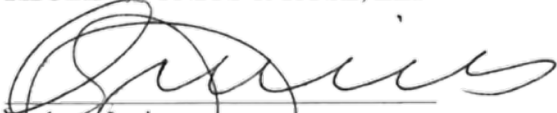
Conclusion

There is an inherent tension between land-use policies and goals when they involve historic resources. On the one hand, we want to preserve as much of the historic fabric of the physical structure as possible. On the other hand, we must recognize that change is inevitable, and proposed changes to historic resources must consider economic realities.

While the Project is not before you on February 1, the landmark status of the Castro Theatre is closely related to and will have a direct impact on the feasibility of the Project. We hope you will agree that the Castro Theatre can both retain its incredible historic character while at the same time becoming a more flexible entertainment venue that will continue to add character and vitality to the Castro neighborhood.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Andrew Junius
Managing Partner

Diane Matsuda, President
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Enclosures:

Exhibit A – Renderings

Exhibit B – Outreach Data

cc: Ruchira Nageswaran, Commissioner, Historic Preservation Commission
Kate Black, Commissioner, Historic Preservation Commission
Chris Foley, Commissioner, Historic Preservation Commission
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