

**CITY OF SANTA PAULA
MEMORANDUM**

To: Honorable Mayor and Members of the City Council

From: Tom Tarantino, Planning & Economic Development Manager

Subject: INTRODUCTION OF ORDINANCE NO. 1341 DESIGNATING THE
TOWER THEATER AT 982 E. MAIN STREET AS A CITY HISTORIC
LANDMARK

Date: February 5, 2025

Agenda Item: 10.A

RECOMMENDATION:

Staff recommends that the City Council:

1. Open the public hearing.
2. Waive first reading, read by title only, and introduce Ordinance No. 1341, entitled "A n Ordinance of the City Council of the City of Santa Paula Identifying the Tower Theater at 982 E. Main St. as a Historic Landmark Pursuant to SPMC Chapter 16.33 and in Accordance with City Council Ordinance No. 816 and Finding the Action to be Categorically Exempt from CEQA pursuant to Title 14 of the California Code of Regulations Sections 15308 (Class 8) and 15331 (Class 31)"

BACKGROUND:

Project Details

Project Location:	982 E. Main St.	APN:	103-0-113-095
Zoning:	CBD (Central Business District)	General Plan:	Central Business
Applicant:	Tower Theater Santa Paula, LLC	Owner:	David Berger

Historical Details

First opened as the Elektra Theatre in 1911, the Tower Theater is Santa Paula's last single screen movie theater and is Ventura County's oldest purpose-built movie theater known to exist. The Tower Theater previously operated as the Elektra Theatre from 1911 to 1919, the Mission Theatre from 1922 to 1929, the Columbia Theatre in 1930, and the Lyric Theatre between 1931 and 1938. In 1940, the Fox West Coast movie chain transformed the building into the Tower Theater, and the Moderne-styled design elements from this renovation are still present.

While operating as the Mission Theatre (Teatro Mission), Spanish-language programming began at the venue around 1925 when a manager named Stephen D. Brown undertook open and proactive outreach efforts to Santa Paula's sizeable Mexican-origin community (La Colonia). For La Colonia, Brown geared a generous amount of his programming, which included live acts (variedades), Mexican cinema, and Hollywood movies with Mexican stars. Available information indicates that Brown operated Teatro Mission as a non-segregated venue. The Tower Theater is one of only two known Ventura County theaters that historically emphasized Spanish-language programming, which the Tower Theater continued until its 1973 closing.

The Tower Theater retains integrity of location, as an unmoved building situated between two other contemporaneous buildings, including the Bennison Block to the east, with which it was constructed in 1911. The Tower Theater's Main Street setting is intact and unchanged. This setting includes adjacent and connected Santa Paula Main Street commercial buildings that predate World War I. The Tower Theater's integrity of design, with its 1940 Moderne-styled façade, marquee, and circle motif auditorium wall murals, are all retained, as is the exterior Espadana parapet that is original to its 1911 construction.

Despite various proposals for reuse of the space, the Tower Theater has been closed for over 50 years. Concerned about its survival, the City of Santa Paula purchased the property in 1995. To keep the building standing and in anticipation of future commercial reuse, in 2003 the city undertook a seismic stabilization project first proposed in the early 1980s. This project involved removing the raked floor installed in 1940, as well as the seats upon it. In 2016, the city gutted the auditorium of various materials and finishes, including drapery, acoustic elements, and the screen itself. To date, the building remains shuttered.

New Ownership

The current owner of the Tower Theater is David Berger. Mr. Berger is CEO of the VIP ticketing service One More Time and a co-owner of Ojai Valley Music, which is set to produce concerts at the Libbey Bowl in Ojai. Mr. Berger also owns the 110-year-old Ojai Playhouse, which just completed a multi-million dollar restoration and reopened to the public in late 2024. He has a similar vision for restoration of the Tower Theater, and thus initiated the historic landmark designation process now being considered.

ANALYSIS:

Historic Landmark Designation Process

SPMC section 16.33.030 lays out the procedures for the designation of a historic landmark. Under these procedures, the Design Assistance Committee must conduct a preliminary assessment of the merits of an application for a historic landmark designation in accordance with Ordinance No. 816 (Attachment D). If the Committee finds there is merit, the application is referred to the Historic Preservation Commission for a noticed public hearing. The Planning Commission acts as the Historic Preservation Commission and votes whether to adopt a resolution recommending the City Council adopt an ordinance to approve the historic landmark designation. These procedures have been satisfied.

At their meeting on October 31, 2024, the Design Assistance Committee reviewed the initial project and recommended it proceed to a public hearing for consideration by the Historic

Preservation Commission.

At their December 10, 2024 regular meeting, the Planning Commission, acting in their role as the Historic Preservation Commission, reviewed the project application, and, after receiving evidence as to how or why the property represents and exemplifies an important aspect of the cultural or architectural history of the City of Santa Paula and/or Ventura County, approved Resolution No. 3863 (Attachment B) recommending the City Council adopt an Ordinance designating the Tower Theater as a City Historic Landmark. Letters of support for landmark designation are attached as Attachments E and F.

Ordinance No. 816 - Landmark Designation Findings

In order to designate the Tower Theater as a City Landmark, the City Council must make findings based on the criteria identified within City Council Ordinance No. 816, Section 17.55.080 *Nomination of Landmarks*. Those findings are satisfied based on the evidence presented by Mr. Paul in the Tower Theater Landmark Application Packet dated September 3, 2024 (Exhibit A to Attachment A) as follows:

1. Historical & Cultural Significance
 - a. The proposed landmark is particularly representative of a distinct historical period, type, style, region, or way of life.
 - b. The proposed landmark is an example of a type of building which was once common, but is now rare.
 - c. The proposed landmark is of a greater age than most of its kind.
 - d. The proposed landmark is connected with a business or use which was once common, but is now rare.
 - e. The architect or builder was locally or nationally renowned.
 - f. The site is the location of a significant local or national event.
2. Historical Architectural & Engineering Significance
 - a. The construction materials or engineering methods used in the proposed landmark are unusual or significant or uniquely effective.
 - b. The overall effect of the design of the proposed landmark is beautiful, or its details and materials are beautiful or unusual.
3. Neighborhood & Geographic Setting
 - a. The proposed landmark materially benefits the historic character of the neighborhood.
 - b. The proposed landmark in its location represents an established and familiar visual feature of the neighborhood, community or city.

Future Maintenance

The owner will have maintenance responsibilities if the Tower Theater is designated a landmark. Unless a landmark designation has been rescinded by the City Council, SPMC § 16.33.050 *Maintenance of Property* requires the owner or individual in charge of a designated landmark to maintain that landmark in good condition, in accordance with City Council Ordinance No. 816. If the owner or individual in charge fails to make the necessary improvements for maintenance, the City may make the improvements and charge the costs as a lien against the property.

Owner Plans for Theater

Though the owner's future plans for the Tower Theater are not within the Council's purview this evening, staff thought it helpful to share those plans. Mr. Berger has indicated that his intention is to fully restore the Tower Theater (including the exterior, interior, and marquee signage) to a blend of the historically appropriate states identified in the Tower Theater Landmark Application Packet document. Because the Tower Theater has a rich and varied history, no one "point in time" state applies as the "proper" version of the Theater, and some elements have been lost to time, previous renovations, etc. However, Mr. Berger has indicated that every effort will be made to rehabilitate and preserve the remaining historical details, including the exterior marquee signage.

Alterations to Building

Future alterations to the Tower Theater are subject to public hearing requirements. Per SPMC § 16.33.060 and Ordinance No. 816, Section 17.55.130, upon recommendation by the Design Assistance Committee, a public hearing by the Historic Preservation Commission (i.e. Planning Commission) for the review and approval of a Certificate of Appropriateness is required prior to any significant alteration, restoration, construction, removal or demolition of or on a designated historic landmark, unless the Building Official declares the subject structure unsafe.

The Community Development Director and Chief Building Inspector may authorize minor modifications of a landmark which will not alter the historical or architectural significance or integrity of the building. Such administrative decisions may include: address numbers, engineering improvements, minor changes in sign copy, color changes which conform to a designated Paint Color Chart, and other features which the Community Development Director and Chief Building Inspector deem are not of significance to the exterior appearance.

Mills Act

If the Tower Theater is designated a historic landmark, the owner will be eligible to enter a Mills Act agreement with the City. SPMC Chapter 16.34: *Historical Property Agreements* is intended to implement the Mills Act (Cal. Gov't Code §§ 50280, et seq.) for the purpose of authorizing the city to enter into agreements with private owners of historical property for rehabilitation, restoration, preservation, and maintenance of qualified historical property, to provide incentive for such property owners by allowing certain tax reductions pursuant to Cal. Rev. and Tax. Code §§ 439, et seq.

Implementation of the Mills Act is a lengthy process requiring several public hearings and final approval by the City Council. While the Mills Act is not included in the current application, the historic landmark designation of the Tower Theater would be considered a critical first step in any future Mills Act consideration and/or designation of the property. To date, only one other property (The Glen Tavern Inn) in the city carries a Mills Act designation.

Environmental/CEQA

Analysis of the California Environmental Quality Act (CEQA) statutes identifies that the proposed designation of the Tower Theater at 982 East Main Street (APN: 103-0-113-095) as a City Landmark is exempt from further environmental review pursuant to Title 14 of the California Code of Regulations, Sections 15308 (Class 8) and 15331 (Class 31).

Public Notice

Pursuant to the provisions of the Ralph M. Brown Act, a Notice of Public Hearing for this meeting was published in the *Santa Paula Times* on Wednesday, January 22, 2025. Notice postcards were mailed to all property owners within a 300-ft. radius of the parcel, and a sign was posted onsite within public view.

STRATEGIC PLAN:

Restoration of the Tower Theater and designation as a historic landmark directly relates to 2023-2025 City Council Strategic Plan Goals:

- A2: Arts, Culture and Entertainment - Cultural Arts/Tourism (promotion of arts/history/culture)
- A4: Arts, Culture and Entertainment - Historic Resources
- B1: Economic Development - Revenue Opportunities
- B3: Economic Development - Downtown Beautification
- B7: Economic Development - Retail Vacancy (empty storefronts)
- F11: Historic Resources

FISCAL IMPACTS:

Potential increase in future sales tax revenue from retail operations and events at the Tower Theater, and increased foot traffic drawn to other downtown businesses. Potential increase in filming opportunities using restored Tower Theater could result in additional fees paid to City as well.

OPTIONS:

In addition to the recommended action, the City Council has available to it the following alternative options:

1. Disapprove the landmark designation and do not introduce proposed Ordinance No. 1341.
2. Direct staff to modify the proposed Ordinance No. 1341 and bring back the modified ordinance to Council for reintroduction.

ATTACHMENTS:

[A - CC Ordinance No. 1341 Tower Theater Historic Landmark inc. Ex. A Landmark Application Packet \(FINAL\).pdf](#)

[B - PC-HPC Resolution No. 3863.pdf](#)

[C - SPMC Chapter 16.33 Historic Landmark Overlay Zoning Districts.pdf](#)

[D - CC Ordinance No. 816 Historic Preservation 11.19.1984.pdf](#)

[E - CSUCI Letter of Support.pdf](#)

[F - SP Chamber of Commerce Letter of Support.pdf](#)