



## CAMBRIDGE HISTORICAL COMMISSION

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August 31, 2018

To: Members of the Historical Commission  
From: Charles Sullivan  
Re: Case 3987: 10 Church St., by Kirche, LLC. Demolish existing theater and construct new mixed-use building

An application for a Certificate of Appropriateness to demolish the Harvard Square Theatre at 10 Church Street and construct a new mixed-use building in the Harvard Square Conservation District was received on August 14, 2018. A public hearing was scheduled for September 6.

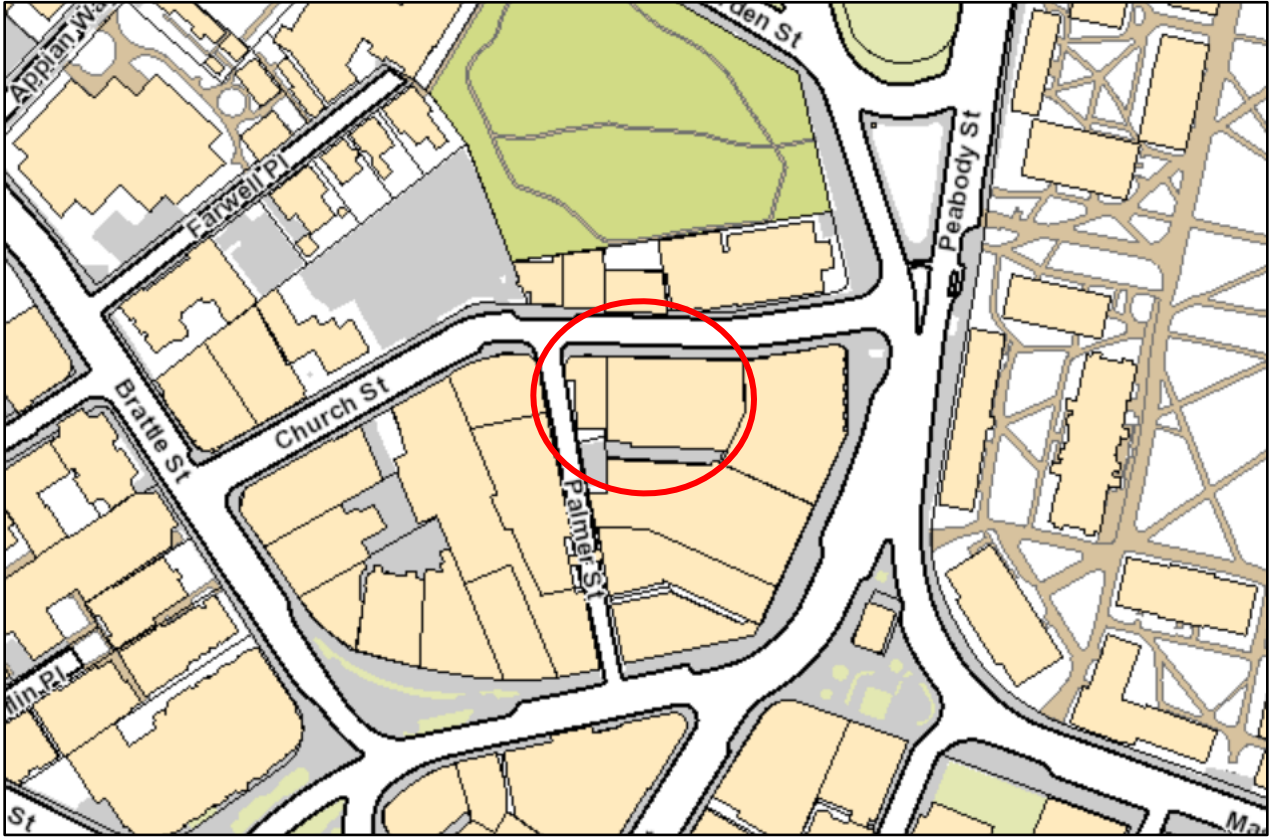
### Site

The Harvard Square Theatre is located on the south side of Church Street between Massachusetts Avenue and Palmer Street. It is sited on an 12,651 square-foot lot in a Business B (BB) district in the Harvard Square Overlay District (Map 169/Parcel 100). This district supports businesses, general retail uses, offices, and multi-family residential. The allowable FAR is 2.75 (3.0 for residential) and the height limit is 80 feet. The assessed value of the property, according to the online assessor's property database, is \$10,130,900, with \$832,500 attributable to the building. The previous assessment in 2016 was \$9,528,900.



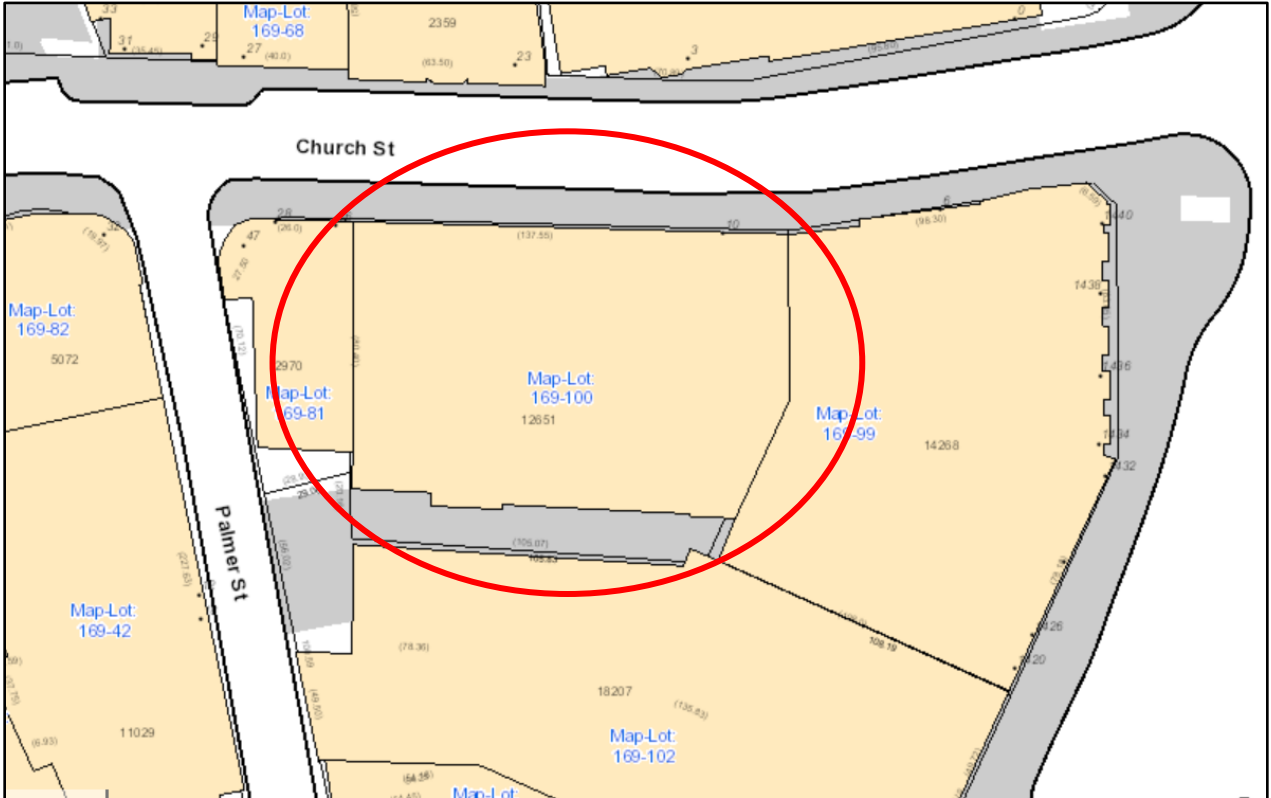
10 Church Street. August 2018.

CHC photo

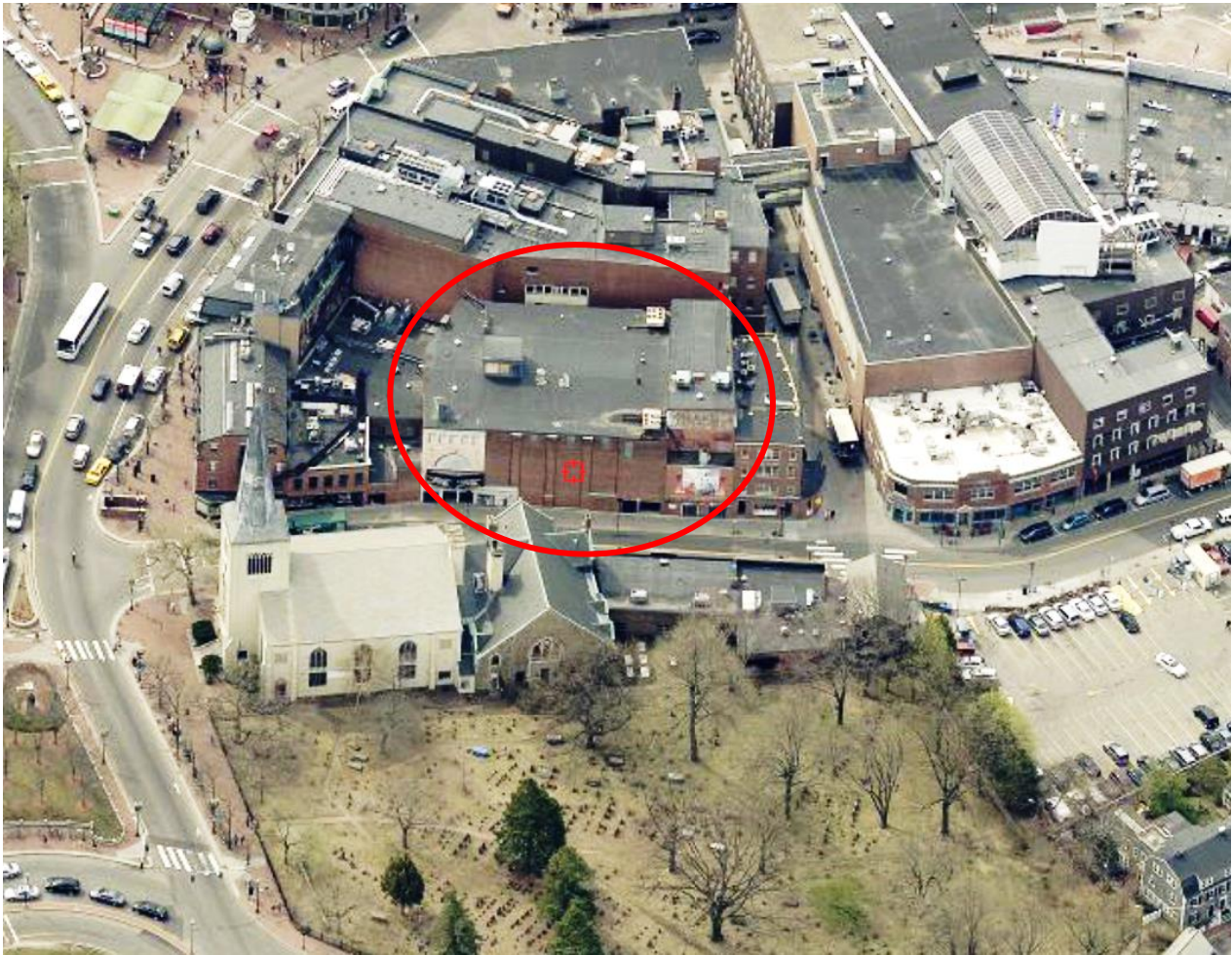


10 Church Street.

Cambridge GIS, Assessor's map (both images)



The surrounding neighborhood is entirely commercial and institutional. The theater shares party walls with College House (1426-40 Massachusetts Avenue, 1845-70) and 28 Church Street (1857). It is separated by a narrow alley from the Bank of America building (1414 Massachusetts Avenue, 1956 and 1963). The opposite side of Church Street (in the Old Cambridge Historic District) contains the First Parish Church and Parish House (1833 and 1901); the Christian Science Reading Room (23 Church Street, 1936); Cambridge 1 Restaurant (1922); and the former Cambridge Police station at 29 Church (1864).



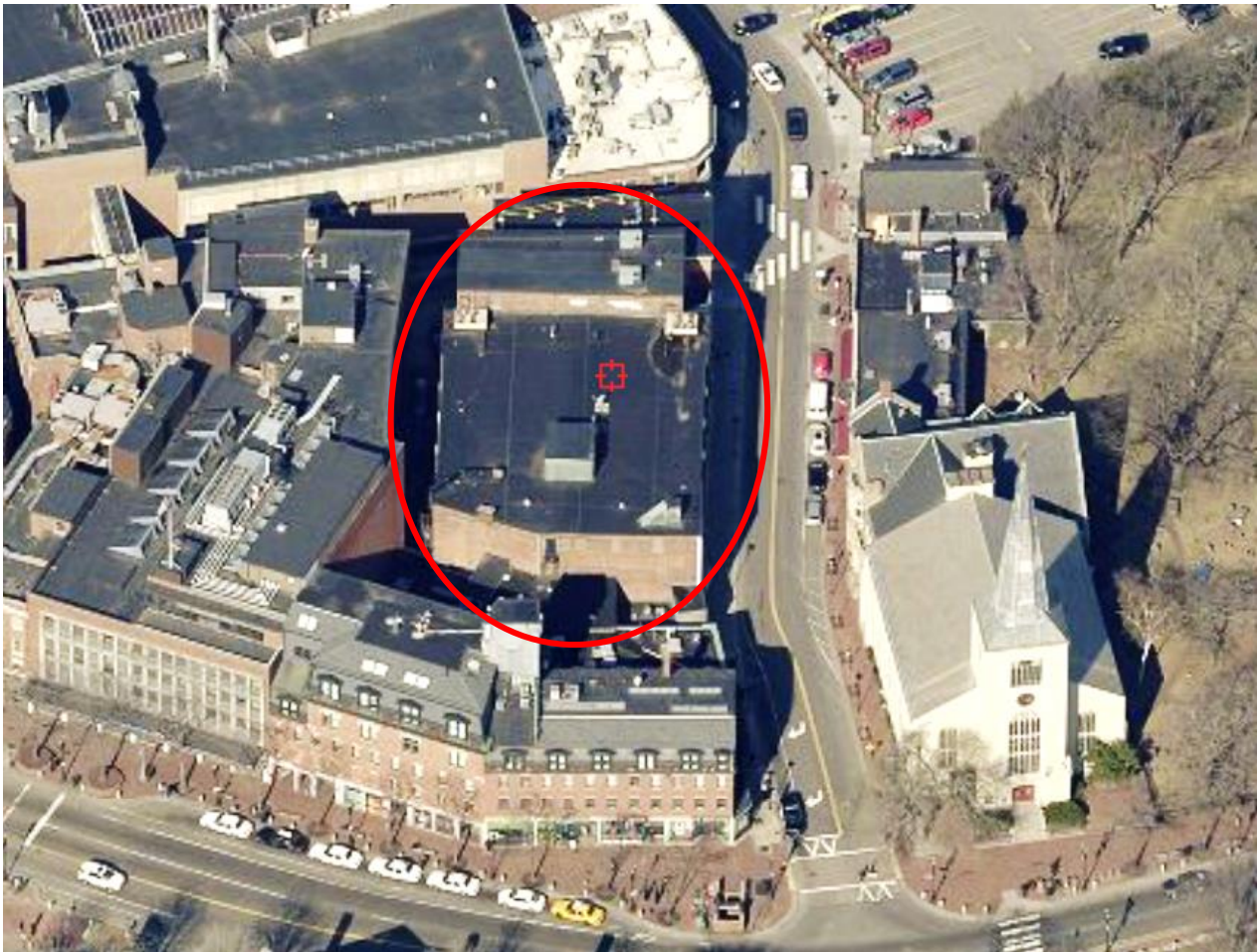
10 Church Street, 2014

ArcView, via Cambridge GIS



10 Church Street, northerly view, 2014

ArcView, via Cambridge GIS



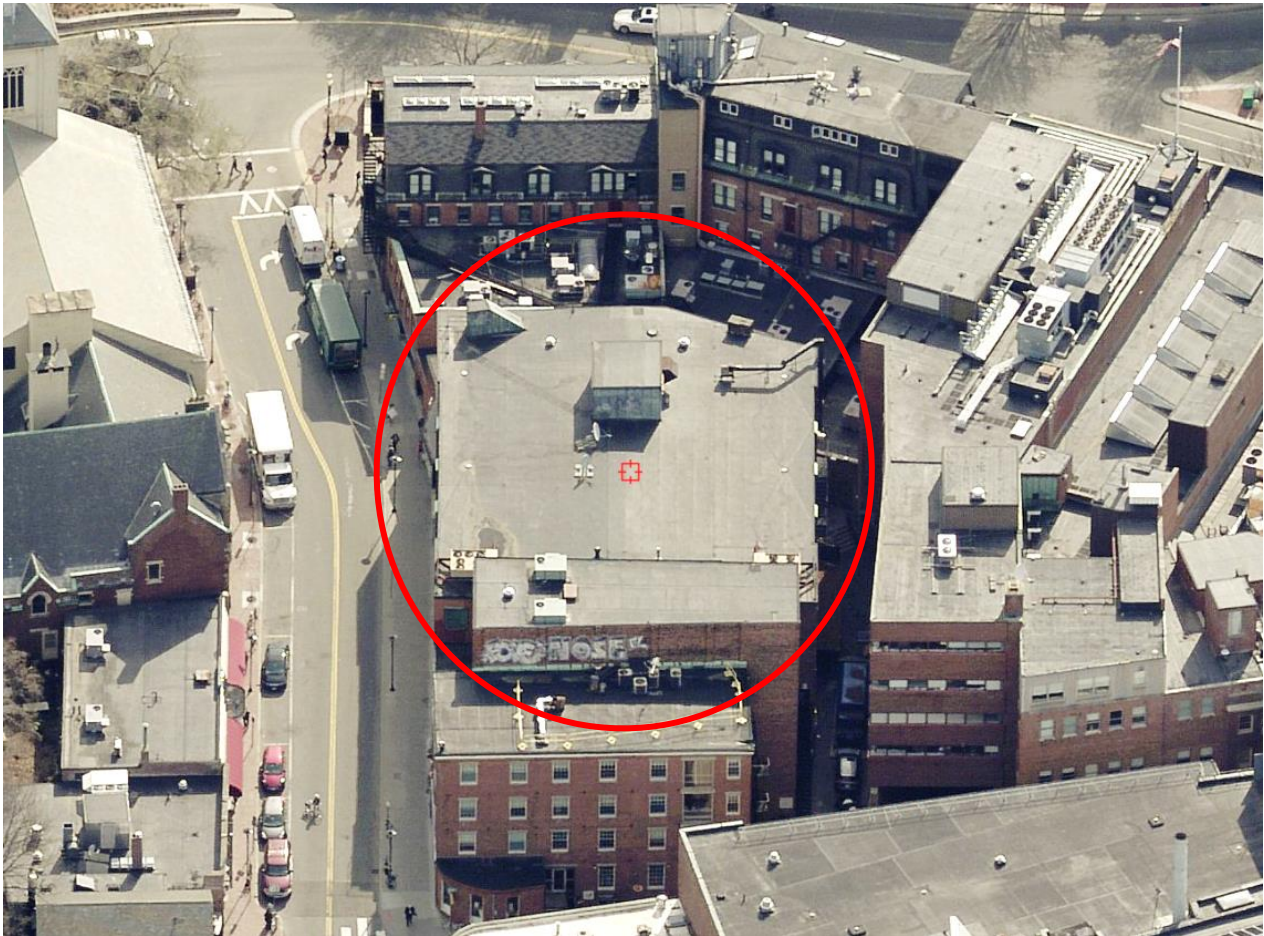
10 Church Street, easterly view, 2014

ArcView, via Cambridge GIS



10 Church Street, southerly view, 2014

ArcView, via Cambridge GIS



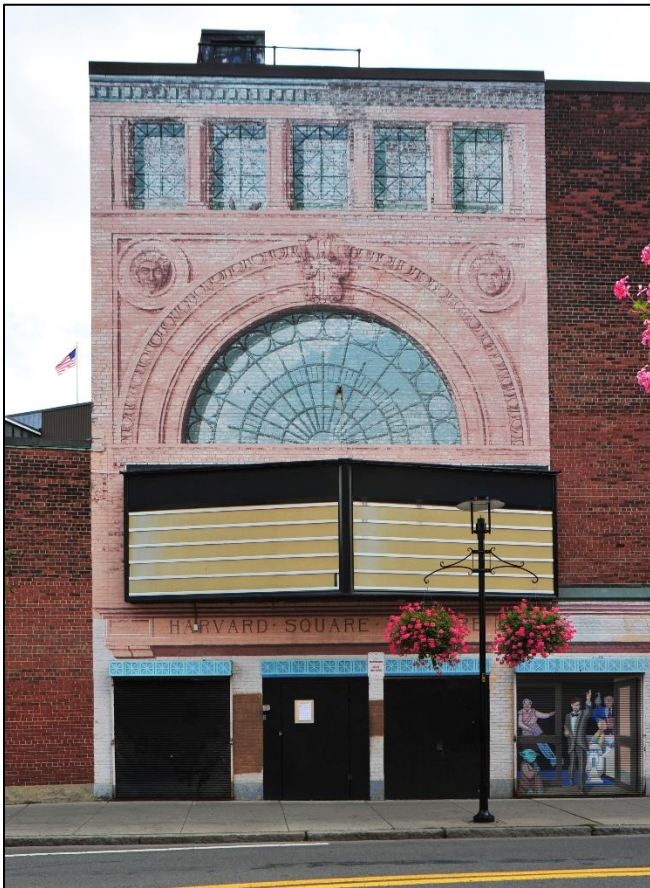
10 Church Street, westerly view, 2014

ArcView, via Cambridge GIS

## Description

The Harvard Square Theatre is a large brick structure about 48' high (60' at the fly tower) that occupies virtually the entirety of its lot. When it was built in 1925 it contained a single auditorium with a balcony and orchestra floor that seated 2,000. The stage, which at 24' by 70' was considered to be one of the largest in the Boston area, was designed for vaudeville performances, with an orchestra pit, green rooms, and a fly tower for scenery changes. The inspiration for the interior was said to be the Davangatti Palace, a Renaissance palazzo in Florence, but there are no known photographs of it before it was altered in the 1960s. Until 1982 the theater was entered through a storefront entrance at 1424 Massachusetts Avenue, when that was converted back to retail use and a new entrance was opened on Church Street.

The Church Street and east façades are generally featureless, except for the brick pilasters that enclose the steel framing of the auditorium, the 1982 marquee and entrance, and two murals. The fly tower bears the painted sign of the University Theatre, as it used to be called. The only other visible façade faces an alley entered from Palmer Street that separates the building from the Bank of America.



Entrance trompe l'oeil by Joshua C. Winer, 1983 (left); University Theatre sign on fly tower and mural (right). The Cambridge Arts Council describes the mural as follows: "Indication of harm, not proof of harm, is our call to action," is the quotation below the inspiration mural painted by Be Sargent's titled 'Women's Community Cancer Project Mural' which can be found at 20 Church Street. It serves as a memorial to the women activists who have died from the disease and those who continue to fight against it. The work was completed in 1998 and Sargent has continued to create works focusing on peace, hope, and respect across Cambridge, Somerville, and the United States."



Close-up of entrance trompe l'oeil.

Getty Images



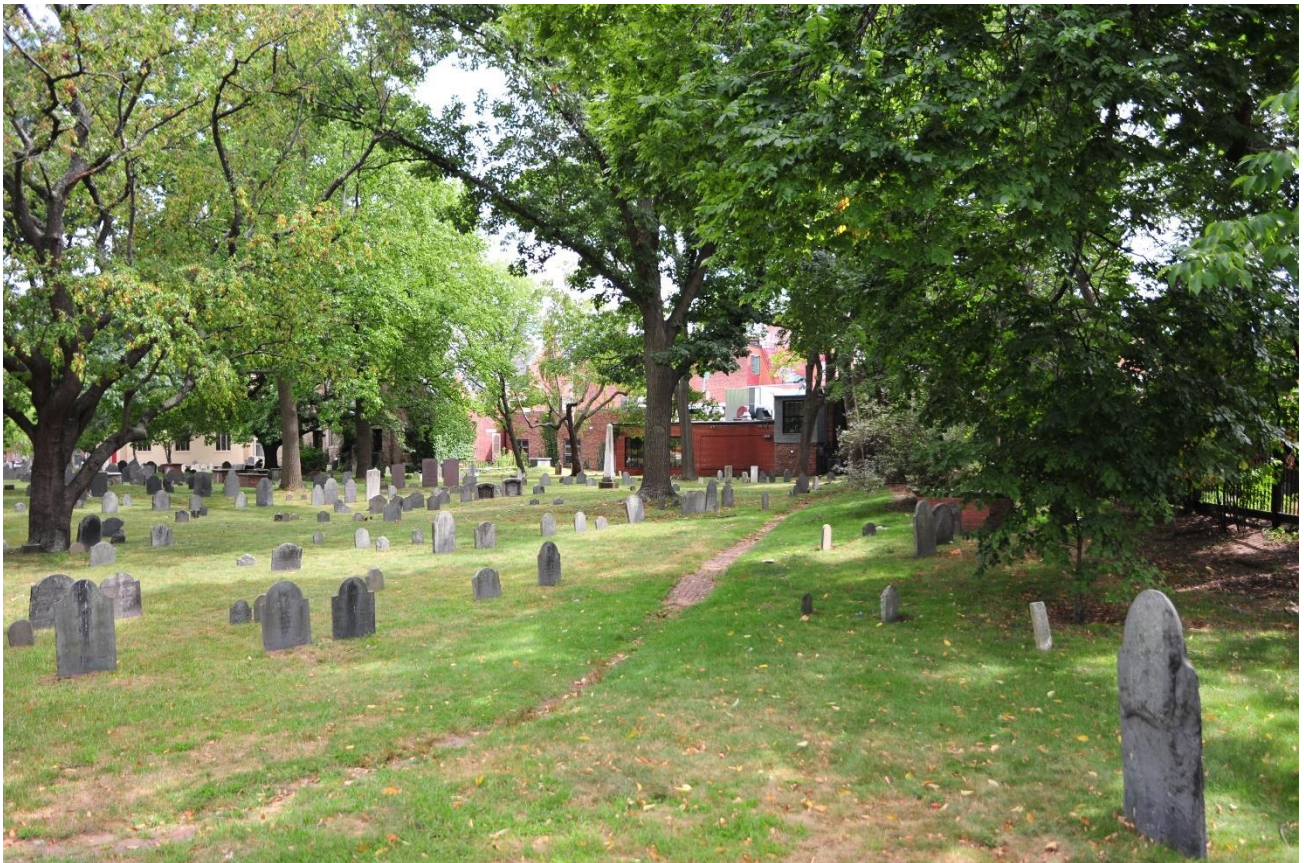
10 Church Street, west and south facades

The designer of the University Theatre was the firm of Mowll & Rand. William L. Mowll (1874-1948) graduated from Cambridge English High School in 1892. He worked in the office of Cambridge architect C. Herbert McClare for two years and graduated from Harvard's Lawrence Scientific School in 1899. He received a Rotch Travelling Fellowship, and after two years abroad served as an instructor and assistant professor of architecture at Harvard in 1903-10. During this period he lived at 40 Avon Hill Street. He maintained an architectural practice in Harvard Square until about 1912, when relocated to Boston and associated with Roger G. Rand in 1919. The partners remained in practice until 1941. Although the firm designed many residences and apartment buildings in the Boston area, including Barrington Court and the Strathcona on Memorial Drive, Mowll & Rand were best known for their theaters. These included the Central Square Theatre in Cambridge (1925) and theaters in Boston, Allston, Greenfield, Malden, and New Bedford.



10 Church Street, view from northwest, August 2018

CHC



10 Church Street (fly tower and mural) visible from Old Burying Ground, August 2018

CHC



## History

The lot on which the Harvard Square Theatre sits was once a landlocked parcel behind several private houses that faced Harvard Square in the 18<sup>th</sup> century. Harvard University acquired these properties toward the end of the century and constructed College House on the Massachusetts Avenue frontage beginning in 1845. Palmer Street, originally a dead-end alley off Brattle Street, became a favored location for tradesmen's workshops, while Church Street originated in 1827 as Hancock Court, another dead-end street off Brattle. After the construction of the First Parish Church in 1833 Hancock Court was extended to Palmer Street and Massachusetts Avenue and given its present name.

Harvard University occupied the ground behind College House for decades for maintenance sheds and for storage of firewood. After Church Street was put through the only structures east of Palmer Street were Andrew Jackson Jones's carriage factory on the corner of Palmer Street and a shed next to it used by a volunteer fire company. The land was still open when Harvard sold College House into private hands in 1916. The history of this property is summarized in *Building Old Cambridge: Architecture and Development*, pp. 697-698:

Over the next five years the property changed hands several times. One owner announced that he would take it all down and build a new two-story structure with a 100-car garage on Church Street. Edward A. Barnard acquired the property in February 1920 with plans for a movie theater and a hotel, but he committed suicide a month later. Brookline investor Charles A. Newhall bought the building out of foreclosure in 1921. He sold the seven bays closest to the bank to Frank Brock, a hardware store owner, who remodeled them with florid Georgian details in 1922; known as the Palmer Building, this section was demolished by the Harvard Trust Company in 1956.

Newhall remodeled the remainder into a modern office building, leaving its exterior "practically identical with its aspect in 'the Sixties'" (*Cambridge Tribune*, Mar. 29, 1924). In 1925 the city razed 23 feet of the north end to widen Church Street, and Newhall converted a storefront into a lobby for the new University Theatre, designed by Boston architects Mowll & Rand for both vaudeville and moving pictures. The featureless side of the fly tower reinforced the back-street character of Church Street until 1982, when it became the main theater entrance with a trompe l'oeil facade. Newhall held the property until his death in 1970 and made no other major alterations except for a stainless steel canopy that was removed about 1980. New owners donated a preservation restriction to the city in 1983 and gradually restored the exterior to its appearance at the beginning of the 20th century. The theater closed in 2012.

The University Theatre was, until the Brattle Theatre opened in 1956, the only movie theater in Harvard Square. For much of the 20<sup>th</sup> century that made it a cultural touchstone for Old Cambridge residents and Harvard students alike. The UT, as it was generally known, opened on October 30, 1926; even though construction was incomplete, the date had been set far in advance and congratulations had already been received from Cecil B. DeMille, Will Hayes, and other movie industry notables. Early programs included a live orchestra, two films, and Pathé news. Vaudeville shows were a regular feature in the 1920s. Local groups like the Kiwanis and the Cambridge Club would hold benefits at the theater with special programs. After talkies became usual in the early 1930s live orchestras were no longer employed; it is not clear when stage shows ceased and the fly tower fell out of use.

Programs such as a recital of Hans Christian Anderson stories by Sir Michael Redgrave and Harvard's Charles Eliot Norton lectures continued through this period, however.



Opening night program, October 30, 1926

A Cambridge Institution

# University Theatre

Harvard Square, Cambridge, Mass.

CONTINUOUS PERFORMANCE 2 to 10.30 P. M.

Sunday, Monday, Tuesday, Wednesday, December 5, 6, 7, 8

W. C. FIELDS in  
**"SO'S YOUR OLD MAN"**

(Julian Street's Prize Story "Mr. Bisbee's Princess")

Rod La Rocque in  
**"GIGOLO"**

(A dramatic story of American youth fighting adversity  
 abroad)

Monday, Tuesday, Wednesday, December 6, 7, 8

The Cambridge Rotary  
**BOY SCOUTS BAND**

(An aggregation of 45 talented juvenile musicians)

Thursday, Friday, Saturday, December 9, 10, 11

JETTA GOUDAL in  
**"HER MAN O'WAR"**

(A remarkable photoplay of the World War)

SHIRLEY MASON in  
**"SWEET ROSIE O'GRADY"**

The "Abie's Irish Rose" of the Screen

**UNIVERSITY SPECIALTY ACT**

PHONE PORTER 4580 FOR  
 EVENING RESERVATIONS



University Theatre and College House. Sanborn Map Co., 1900 atlas updated through February 1929. CHC



Harvard Square in 1942; University Theatre marquee at right

The UT survived the popularity of television, which claimed all five other Cambridge movie theaters in the 1950s. In 1961 it was renovated with a modern marquee and a redecorated auditorium with reclining seats and renamed the Harvard Square Theatre. When it reopened it served various audiences; movies were interspersed with lectures, music and dance performances, and live opera, although this type of programming did not last long. At this time and until the early 1980s it was known as an “art house” cinema, showing mostly European films.

**HARVARD SQ. UN 4-4580**

**HARVARD SQ.** We are proud to announce the gala opening of the **Harvard Square Theatre** (formerly the University Theatre) on Wednesday evening, December 27.

**HARVARD SQ.** Completely renovated, it will have comfortable pushback seating, the latest transistorized sound equipment, a new screen, special earphones for the hard-of-hearing, a panelled lobby and refreshment area, and a reserved-seat section.

**HARVARD SQ.** Beginning January 7, 1962 a special Saturday morning children's series will be inaugurated, featuring films from J. Arthur Rank shown for the first time in this area.

**HARVARD SQ.** The first event of the 1962 'Great Players' Series sponsored by the Cambridge Drama Festival will feature Sir Michael Redgrave, in a program of stories by Hans Christian Andersen, on Sunday afternoon, January 21.

**HARVARD SQ.** Throughout the year the new Harvard Square Concert Series will present the finest artists from the world of music, beginning with Elizabeth Schwarzkopf on April 18, 1962.

**HARVARD SQ.** The opening film will be the New England premiere of the full-length version of Prokofiev's CINDERELLA in Magicolor with the entire ballet company and orchestra of the Bolshoi Theatre.

Cambridge Chronicle, Dec. 21, 1961

Charles A. Newhall died in 1970, and in 1971 his heirs sold the property (including the theater, subject to a 1959 lease to Brattle Films, Inc.) to the Cambridge Common Real Estate Trust for \$1.05 million (Middlesex Deeds Book 12005, Page 220). In 1982 the Trust subdivided the property and sold the theater to the Harvard Square Realty Trust for \$920,000 (14670/142). Cambridge Common Realty removed the old marquee and reclaimed the storefront entrance for retail use. The new owners of the theater put up a new marquee over an entrance on Church Street that replaced a former emergency egress and divided the old auditorium into three theaters.

In 1986 the Harvard Square Trust sold the property to Theater Holdings, Inc., a subsidiary of USA Cinemas (formerly the Sack theater chain of Boston) for \$9,278,000 (17581/452). The new owner

received permission to remodel the theater again with five screens and a capacity of 1,509. Running Arts, a local partnership, ran the Harvard Square Theatre in conjunction with the Brattle Theatre until 2001, when Loew's Cinema took over and caused a strike by reducing the number of projectionists. In June 2012 the operator, by then known as AMC Loews, announced that they were closing their older theaters to focus resources on newer venues. In July 2012 the holding company, American Multi-cinemas Inc. sold the property to BNC Holdings for \$6.5 million (59528/304). Exactly two years later BNC sold the property of Kirche LLC, the current owner, for \$17.5 million (64019/59). Kirche LLC proposes to replace the Harvard Square Theatre with a five-story mixed-use building containing two cinemas, three retail stores, and approximately 37,750 square feet of retail space.

### Regulatory Issues

The Historical Commission needs to consider both the proposed demolition and the new construction under the criteria for granting Certificates of Appropriateness in the Harvard Square Conservation District.

The following highlighted discussion is a summary of the goals for the district as a whole and the district's guidelines for demolition, new construction and alterations. The language is excerpted from the *Final Report of the Cambridge Historical Commission Regarding the Proposed Harvard Square Conservation District*, November 29, 2000. It was originally prepared in February 2017 to guide the Commission's deliberations in Case 3678: 1-7 & 9-11 J.F. Kennedy Street and 18-20 Brattle Street.

The goal of the District ... is to guide change and encourage diversity in order to protect the distinctive characteristics of the District's buildings and public spaces, and to enhance the livability and vitality of the District for its residents and all Cambridge residents, students, visitors, and business people. The Historical Commission should seek to preserve and enhance the unique functional environment and visual form of the District; preserve its architecturally and historically significant structures and their settings, and encourage design compatible therewith; mitigate any adverse impact of new development on adjacent properties and areas; and discourage homogeneity by maintaining the present diversity of development and open space patterns and building scales and ages. The District must remain a pedestrian-friendly, accessible, human-scale, mixed-use environment that complements nearby neighborhoods and maintains the history and traditions of its location.

### Secondary Goals:

The following secondary goals for the District are intended to provide general guidance to the Historical Commission in a wide variety of situations, and are not intended to be applied to every project that will come before it. They are statements of policy, not prescriptive measures that must be applied equally in each situation.

1. Preserve historically or architecturally significant buildings and structures as well as those that contribute to the distinctive visual character or historical significance of the District.
2. Sustain the vitality of the commercial environment by preserving architecturally-significant or original building fabric where it currently exists. When this is not possible, support creative, contemporary design for storefront alterations and additions.
3. Support creative, contemporary design for new construction that complements and contributes to its immediate neighbors and the character of the District. Recognize and respect creativity of design during the review process and mitigate the functional impacts of development on adjacent areas.

4. Build on and sustain the diversity of existing building form, scale and material. ... Encourage streetwall buildings where that character has been set. Encourage ground-level, small-scale storefronts to preserve the vitality and character of the streets.
5. Expand the high quality public environment established in the heart of the District with attractive and compatible materials, lighting, and street furniture.
6. Expand the network of pedestrian walkways and paths wherever they can conveniently provide alternate routes through the District. ... Enhance accessibility and safety for pedestrians throughout the District.
7. Encourage new residential projects in the District, especially in mixed-use buildings, and support existing residential uses.
8. Encourage projects that will maintain a wide diversity of uses serving the needs of surrounding neighborhoods, students, and visitors from around the world.
9. Encourage creative solutions to the District's parking and transportation issues, including the problem of on-street deliveries. Discourage loading docks, which do not generally contribute to the historic character of the street. ...

#### *Guidelines for Demolition*

The purpose of reviewing demolition within the Conservation District will be to preserve significant buildings and the diversity of building ages, styles, and forms that help to define the historical character of the Square. ...

The Cambridge Historical Commission will issue a Certificate of Appropriateness to an applicant seeking to demolish a structure in the Conservation District if the project, including both the demolished and the replacement buildings, is determined to be "appropriate for or compatible with the preservation or protection of the . . . district."<sup>1</sup> Approval of demolition will be dependent on a finding by the Cambridge Historical Commission that a) the demolition of the structure will not adversely impact the district, subdistrict, or abutting properties in the sense described in secondary goal #1, and b) the replacement project meets the purposes of the Conservation District with respect to secondary goals #3 through #9, where these are applicable.

#### *Guidelines for New Construction/Additions*

The Cambridge Historical Commission will begin its review of a new construction project or addition with an analysis of the historic significance and architectural value of the premises and its immediate surroundings. New construction that accommodates older structures on or adjacent to the site will be encouraged. Construction that incorporates significant major portions of older structures may be acceptable; however, use of isolated historic architectural elements will be discouraged. Demolition involving retention of facades to allow replacement of historic structures with new construction ... will be discouraged unless the supporting historic fabric is found to be unsalvageable.

In reviewing new construction or additions to existing buildings, the Commission "shall consider the appropriateness of the size and shape of the structure both in relation to the land area upon which the structure is situated and to structures in the vicinity."<sup>2</sup> Review of new buildings will be guided by considerations such as the appropriateness of the structure's height, scale, mass, proportions, orientation, and lot coverage; the vertical and horizontal emphasis, rhythm of openings, transparency, texture, and materials of the publicly-visible facades; sunlight and shadow effects; relationship to public

<sup>1</sup> Chapter 40C, Section 10a. This language is incorporated by reference in the Neighborhood Conservation District and Landmark Ordinance, Ch. 2.78.170.

<sup>2</sup> Ch. 2.78.220.A.

open space; and landscaping. Review of new buildings and additions will be further guided by the subdistrict goals in Chapter VI regarding the relationship of a proposed building to the site and to other buildings and structures in the vicinity.<sup>3</sup>

Under the City Code, the Historical Commission acting as a neighborhood conservation district commission "may in appropriate cases impose dimensional and setback requirements in addition to those required by the applicable provision of the zoning ordinance."<sup>4</sup> Implementing such a measure could result in a reduction of the Floor Area Ratio (FAR) allowed by zoning. The appropriate circumstances for imposing dimensional and set-back reductions could include a wide disparity of scale and density between the proposed project and its surroundings, or a situation in which the proposed project would destroy or diminish the historical resources of the site.

#### *Subdistrict guidelines*

The Commission is also supposed to consider the nature of the subdistrict in which the property is located. The following paragraphs are quoted from the discussion of Subdistrict F in the Final Report published in 2000. At that time the only site considered ripe for development was the Church Street parking lot; the possibility of redeveloping the theater was not evaluated.

"This subdistrict includes both sides of Church Street, Brattle Street to Farwell Place, and the whole of Palmer Street. The structures along the north side of Church Street from Massachusetts Avenue to the Church Street parking lot and the eastern half of Farwell Place are located within the boundaries of the Old Cambridge Historic District and are thus under the jurisdiction of the Cambridge Historical Commission. The sites of the greatest historical significance in this small subdistrict are the First Church Unitarian, the Burying Ground, the Torrey Hancock House/Cambridge School of Architecture building (53 Church Street), and a former police station at 31-33 Church Street (now Starbucks). Farwell Place is a small residential enclave that is protected as part of the Old Cambridge Historic District.

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<sup>3</sup> "Rehabilitation of existing structures should be carefully considered as a first alternative by developers. ... Retention of the small-scale retail environment, with narrow storefronts and interesting signs should be encouraged in this subdistrict. Careful attention should be paid to materials, storefront design, and signage ... ."

<sup>4</sup> Ch. 2.78.220.A.



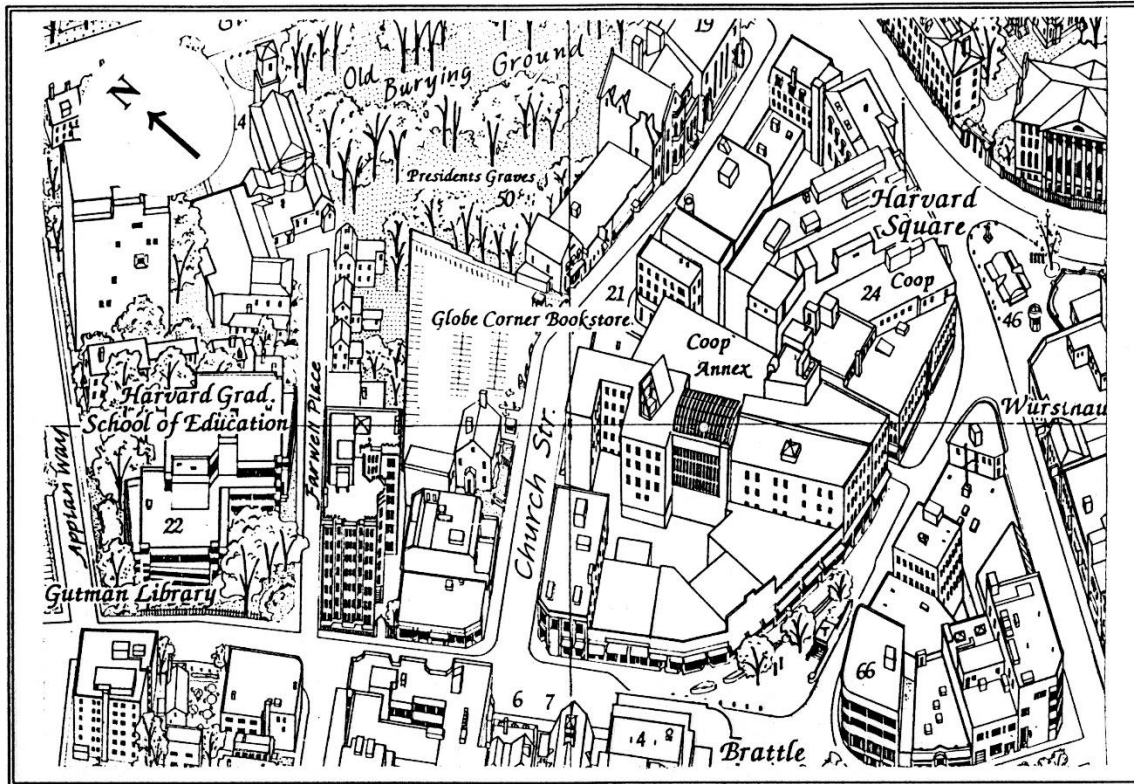


Fig. 17 Map of Subdistrict F

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“As in Brattle Square, Palmer Street and Church Street in the nineteenth century were home to stables, blacksmiths, carriage shops, and saloons. The industrial character of the subdistrict has been successfully translated to retail uses. The former carriage factory at 26 Church Street (1857) has been renovated and now serves as the home to the Globe Corner Bookstore and Club Passim. A brick police station was constructed at 31 Church Street in 1864 and is now occupied by a Starbucks coffee shop and a hair salon. A controversial proposal to close Palmer Street in the 1960s was defeated by community opposition, and the street was paved with granite blocks and brick sidewalks in 1964-67. This urban design improvement added interest to the narrow side street, though more retail storefronts would help enliven it.”

Kirche LLC’s proposal includes a unique element that will require thoughtful discussion. The project will include an “expressive façade that uses concealed fully dimmable LED lights to create subtle moving imagery” that will appear as a projection on the exterior of the building. There is no provision in existing statutes for review of such a feature. The City must consider whether to consider the feature as a part of the structure, like a sign or a mural, and, if so, whether it might be subject to the sign ordinance of the zoning code, provisions for reviewing public art, or some other regulatory regime. Apart from the question of its appropriateness as originally proposed, the feature also raises questions about the regulation of subject matter, brightness, motion, and color (all of which are potentially variable) over time and into the indefinite future.

### Significance and Recommendation

The Harvard Square Theatre is a culturally (if not architecturally) significant and highly visible structure in Harvard Square. No evidence has been presented that it is unsuitable for its existing use,

or that it cannot be allowed to remain in its present form. As discussed above, the Commission must consider the appropriateness of its demolition in the context of the appropriateness of its replacement.

I recommend that the Commission not discuss the question of demolition until it has fully considered the appropriateness of the proposed replacement structure. I also recommend that the Commission direct the staff to seek guidance from other city departments about the broad regulatory issues raised by the proposed LED installation.

cc: Anthony Galluccio, Esq.