



Request Comment to Division of State History

Community & Economic
Development

To: Historic Landmark Commissioners
From: Cheri Coffey, Assistant Planning Director (cheri.coffey@slcgov.com ; 801-535-6188)
Date: February 27, 2012
Re: Proposal to remove the Brooks Arcade from the National Register of Historic Places

At the February 2014, meeting of the Historic Landmark Commission, I mentioned that the Division of State History was giving the Commission, as the Certified Local Government, the opportunity to comment on a request to remove the Brooks Arcade from the National Register of Historic Places. The Brooks Arcade is located at 268 South State Street in Salt Lake City and was changed to its existing condition in 2001. At the meeting, the Commission requested additional information prior to making formal comments. Below, please find information relating to those questions. I have also attached a document written by Kirk Huffaker, Executive Director of the Utah Heritage Foundation and photographs relating to the structure.

The information the Commissioners requested included the following:

1. **Who made the request?:** Kirk Huffaker, Executive Director of the Utah Heritage Foundation (please see attachment A)
2. **Does the Property Owner have an opinion of whether the property should be removed from the Register?** The State Historic Preservation Office Staff has notified the owner but has not heard back from them.
3. **What is the reason someone would want a building delisted?** According to the staff of the State Historic Preservation Office, buildings can be removed from the register either when they are demolished, or when they lose those elements that made them significant and eligible for listing in the first place: Integrity and Significance. All that is left of the original Brooks Arcade building are two walls, there is nothing historic left behind them. The primary benefit of delisting is that it ensures the National Register does not get compromised by buildings that do not retain those characteristics that are required to be listed in the first place: their historical integrity and their significance. Once a building has been removed from the National Register it no longer retains any rights or privileges that come with listing, including tax credits for rehabilitation.

The Utah State Historic Preservation Office does not typically pursue removals of sites from the National Register, except in the case of demolished buildings, where there is a clear case for removal. However, SHPO staff does not monitor buildings listed on the National Register. They keep track of buildings of which they know do not exist and process several removal requests at a time every couple of years.

4. **Are there other examples of delisting a property in Salt Lake City?** Cory Jensen, of the State Historic Preservation Office stated that the only building they recall their office making a request for removal for that was not a demolition was the Redman Building in Sugar House located at approximately 1230 East 2100 South, just because it was so obvious that the integrity was blatantly compromised. This delisting occurred only a few years after the building had been listed. Again, the reason for delisting is because the elements that made the building significant had been lost, and it no longer represented what is required to be listed on the Register.

5. **Is the Property still eligible to receive historic tax credits for appropriate modifications?** According to the National Park Service, since the Brooks Arcade is individually listed on the National Register, there is no Part 1 required for a tax credit application (to determine if it is eligible for the tax credit process). It is considered a "certified historic structure" for the purposes of the credit just by being individually listed on the National Register. Therefore, the National Park Service would not look at the changes that have occurred since the listing and would still consider it eligible for tax credits. They would review the changes to the building as it stands at the beginning of the project, and if they meet the other requirements (adjusted basis, Secretary's Standards, etc.) then they can qualify for the historic tax credit. They have actually had this happen, and the owners received the credit. One caveat: If the owner is the same as the one that demolished most of the building, then they are responsible for that and cannot receive the credit for a later project.

If the building is removed from the register, it would no longer qualify for the historic tax credit, but could be eligible for the 10% non-historic tax credit because it was built before 1936 and is no longer a certified historic building.

Attachment A

Explanation for Request for Delisting from Kirk Huffaker

Brooks Arcade Removal Explanation

Brooks Arcade was listed in the National Register of Historic Places on August 17, 1982. In the application's Statement of Significance, it was stated that, "The building is...significant as one of the best extant examples of Richardsonian Romanesque architecture." This explanation endeavors to prove that the prevailing significance of the site that was listed in the National Register has been removed by new construction and therefore deserves consideration by the Utah Board of State History for removal from listing.

For many years, debate raged over the future of Block 57 in downtown Salt Lake City. Bounded by 200 and 300 South, and Main State Streets, Block 57 was the site of dozens of older and historic buildings whose construction dated from pre-1900 eras, including Brooks Arcade (1891). After discussion and debate concluded in 1996, it was decided that the block would be cleared of all structures, save Brooks Arcade. The decision to save came because Brooks Arcade was heralded as the most architecturally prominent structure on the block, was located on a prominent corner and fit into the Block 57 redevelopment plan for rebuilding only at the corners, and was most likely to have reuse options. Over the next 20 years, the rest of the block was redeveloped while Brooks Arcade sat neglected.

That changed in 1999. After a mayoral veto quashed a project that would have saved and rehabilitated Brooks Arcade, a new deal was approved to create a headquarters office that included only saving the façade of the building. The resulting new building saved and restored only the two main facades on State Street and 300 South, while demolishing the rest of the building. New construction in the form of underground parking, an office and retail structure, and condominiums replaced the historic structure. The new structure expanded the footprint of the original building out to both sides of the main façade by four bays to the west and nine bays to the north, and added two stories at the rooftop level.

The project removed character defining features as pointed out in the nomination including:

- the majority of the building's brick superstructures;
- the original rectangular plan; and,
- the appearance of a flat roofline;

In addition, the entire original interior that featured double-loaded corridors of original offices on both the second and third floors was demolished along with the remaining exterior brick walls and the original building lobby.

We believe that the resultant project, completed in 2002, created a structure that no longer retains the historic character, and therefore the significance, that was the basis for its designation. While the profession of historic preservation has evolved over the last 45 years to become an area of intense and niche expertise that requires a specialized, professional, and often case-by-case approach. Part of this evolution has been the perspective that historic preservation is that an appropriate solution to

saving a community's physical history is not to only save building facades and paste them on new buildings. The story of a historic structure goes beyond the façade, into the interior spaces and corridors where the public gathered, merchandise was sold, or professional services rendered. Removing that interior space and its corresponding historic materials also removes the ability to tell the story of that place and thus its significance. We believe that both the designation criteria outlined by the U.S. Department of the Interior/National Park Service in Bulletin 15 as well as the philosophy promoted by the Secretary of the Interior's Standards for Rehabilitation support these facts. Thus, to continue to comply with these national standards, designation guidelines, criteria for listing, and the Secretary of the Interior's Standards for Rehabilitation and remain eligible for listing, the remaining historic site cannot only include the façade of a structure while reconstructing a new building behind, around, and above it.

Therefore, we respectfully request that the Utah Board of State History give formal consideration to removal of Brooks Arcade from the National Register of Historic Places.

Attachment B

Photographs



Historic Photo of the Brooks Arcade



Photos of demolition (only two walls remaining)



Photo of the Brooks Arcade in 2013