



Memorandum

PLANNING DIVISION
COMMUNITY & NEIGHBORHOODS

To: Salt Lake City Historic Landmark Commission

From: Nelson Knight, Senior Planner
385-226-4493 or nelson.knight@slcgov.com

Date: October 14, 2021

Re: **HLC Review of Revised Elks Building Design and Special Exception**
Petitions PLNHLC2020-00816 & PLNHLC2021-00672

**ELKS BLOCK REDEVELOPMENT
ELKS BUILDING MAJOR ALTERATION & SPECIAL EXCEPTIONS**

PROPERTY ADDRESS:

139 E. South Temple (Elks Building)

PARCEL ID: 09-31-380-020-0000

HISTORIC DISTRICT: Avenues

MASTER PLAN: Avenues Master Plan

ZONING DISTRICTS:

R-MU (Residential Mixed Use)

Properties on 1st Avenue: RMF-75 (High-Density Multifamily Residential District)

DESIGN GUIDELINES: Design Guidelines for Historic Commercial Properties and Districts in Salt Lake City, District-Specific Guidelines for the South Temple Historic District. Specific Applicable Design Guidelines are noted in the discussion of each item below.

REQUEST: David Davis, of Dale Gardon Design, representing Property Reserve, Inc, has submitted applications to the city for a project centered around the former Elks Club Building located at approximately 139 E South Temple. This type of project requires demolition, new construction, special exception, and certificate of appropriateness review by the Historic Landmark Commission for multiple existing and proposed new structures.

The HLC held two work sessions with the applicants to discuss various aspects of the entire project on March 4, 2021, and April 1, 2021. The applicants revised the parts of the overall project based on the feedback from those meetings. Planning Staff brought the project proposal to the Commission for a full review on July 15, 2021. The Commission's decision was to approve portions of the project and delegate authority for approval of other aspects to Planning Staff as the project goes forward.

However, Commissioners voted to table the applicant's proposed alterations to the Elks Building and an associated special exception for three feet of additional height on the renovated building, primarily due to the proposed design of the entry plaza. The applicants subsequently worked with stakeholders on a new design and submitted another revised design to Planning Staff. The Commission should review the alterations proposed for the Elks Building, with emphasis on the new proposal for the front entry plaza, tunnel, and stairs elements, as these items are the only contentious items left to be resolved.

Thus, the Request that remains before the Commission is for Major alterations of the Elks Building at approximately 139 S. Temple, including removal and replacement of the existing entrance, removal of incompatible additions to the building's exterior, and construction of a new rooftop addition on the building. A special exception would also be required for an additional three feet of height for the addition. (Case numbers PLNHLC2020-00816 & PLNHLC2021-00672)

RECOMMENDATION: As outlined in the analysis and findings in this Staff Report, Planning Staff finds that the proposal substantially meets all applicable standards of approval. Staff recommends that the Historic Landmark Commission approve this application for a Certificate of Appropriateness and associated special exception request for additional height with the following conditions:

- 1.** The existing stone tunnel entry and stairs, including the tunnel entry, wall, steps, flanking walls, and columns as detailed on the applicant's proposal, shall be repaired and reconstructed in a new location approximately 30 inches from the front sidewalk, to allow space to plant a hedge and complementary landscaping.
- 2.** Remaining original/historic windows on the south (front) facade shall be preserved and repaired. The applicants will work with planning staff to determine what windows shall be retained.
- 3.** A permeable coating for the non-contributing parking garage fronting First Avenue shall be used instead of paint on the unpainted masonry.
- 4.** Approval of all final design details, including specific direction expressed by the Commission, shall be delegated to Planning Staff.

ATTACHMENTS:

- A.** [Site Context Maps & Description](#)
- B.** [Applicant Information – Project Narratives, Supporting Materials and Drawings](#)
 - 1.** [Overall Project](#)
 - 2.** [Elks Building and Garage](#)
 - i.** [Conformance to the Design Guidelines](#)
 - 3.** [Appendix A: Elks Building South Entry](#)
- C.** [Current Site Photographs](#)
- D.** [Historic Background, Survey Information, Historic Photos and Site Forms](#)
- E.** [HLC Minutes – March 4, 2021, April 1, 2021, and July 15, 2021](#)
- F.** [Analysis of Standards for R-MU Zoning District](#)
- G.** [Analysis of Standards for Special Exception Requests](#)
- H.** [Analysis of Standards for Major Alterations to the Elks Building](#)
- I.** [Applicable Design Guidelines](#)
- J.** [Public Process and Comments](#)
 - a.** [Preservation Utah Letter – September 10, 2021](#)



Existing Elks Building and Site



Proposed Elks Building and Site

SUMMARY OF OVERALL PROJECT PROPOSAL:

A short summary of the overall project proposal is provided here for context. A Comprehensive Discussion may be found in Attachment B1 of the applicant’s information, as well as Attachment E: Minutes of HLC meetings for this project. Links are provided below for convenience:

March 4, 2021: [Staff Memo](#) – [Minutes](#) – [YouTube](#) (links directly to 55:16 in the video)

April 1, 2021: [Staff Memo](#) – [Minutes](#) – [YouTube](#) (links directly to 49:18 in the video)

July 15, 2021: [Staff Report](#) – [Minutes](#) – [YouTube](#) (links directly to 13:43 in the video)

The Commission considered three major items at its July 15th Meeting:

ITEM A: Demolition of a contributing building at approximately 120 E 1st Avenue, in order to provide access to the other buildings within the project. (Case number PLNHLC2020-00915)

APPROVED

ITEM B: Major alterations of the Elks Building at approximately 139 S. Temple, including removal and replacement of the existing entrance, removal of incompatible additions to the building’s exterior and construction of a new rooftop addition on the building. A special exception would also be required for an additional three feet of height for the addition. (Case number PLNHLC2020-00816 & PLNHLC2021-00672) **TABLED**

ITEM C: New Construction of an eight-story residential building at approximately 151 E. South Temple where an existing parking lot is located. Certificate of Appropriateness for the proposed design. The applicant requested a special exception for approximately 25 feet of additional building height on portions of this building beyond the 75 feet allowed in the R-MU zone, for a total height of approximately 99 feet. (Case number PLNHLC2020-00916 & PLNHLC2021-00673) **APPROVED**

In addition, the project incorporates other elements which Commissioners generally agreed that this work could be approved administratively by Staff. These items include:

- Elks Building Garage (Minor Alterations to a Non-Contributing Structure and Special Exception for Additional Height)
- Renovation of six residential buildings on 1st Avenue (All Minor Alterations to Contributing Structures):

- 122/124 E. 1st Avenue
- 126 E. 1st Avenue
- 128 E. 1st Avenue
- 130/132 E. 1st Avenue
- 134 E. 1st Avenue – including removal of rear addition.
- 136 E. 1st Avenue – including removal of detached garage at back of lot.
- Minor lot line adjustments to existing interior property lines

If Staff determines that any work is beyond the scope of administrative approval as the project goes forward, that work would be referred to the full Commission for review.

July 15, 2021 Meeting:

The HLC reviewed the entire project at its July 15, 2021 meeting. The meeting included an extensive discussion between the Commissioners, Staff, and the Applicants, with public comment received addressing each item proposed. The HLC approved two of the items, demolition of 120 E 1st Avenue, and the design and required associated special exceptions for the new residential building at approx. 151 E South Temple.

The reactions to changes to the Elks Building were a mixed bag. There was general agreement that of removing later incompatible alterations to the building such as the greenhouse windows on the east side,¹ a large exterior fire stair on the west side, and the existing c.1977 rooftop addition were all acceptable alterations, and Staff is proceeding under the assumption that these items are not at issue.

Likewise, the design of the proposed new rooftop addition received generally positive reactions. Some questions were later directed toward the associated special exception necessary to construct this addition – see additional discussion below.



Figure 2 - c.1977 Theater Entrances to be removed, along with plaza above. To the right (east) is the site of the previously approved new residential building.



Figure 1 - East Side with existing roof addition, greenhouse and filled window openings. The stair/elevator tower will also be relocated to the center of the building.

¹ Acting Chair Peters mentioned the popular private club that occupied this space in the late ‘70s and early ‘80s. This establishment was “The Wasatch Front.”

While there was general agreement in support of the changes to the window fenestration pattern with reopened or additional windows on the secondary and tertiary elevations of the building, commissioners also requested an additional study by the applicants and staff as to what windows on the front facade remained original or date from the historic period, with the intention that those windows be retained, repaired, and upgraded as necessary.



Figure 3 - Elks Building - Primary Facade and Front Entry

The major item of discussion and disagreement surrounded the applicant's designs for alterations to the front (south) entry. The design and the appropriate extent of changes have been discussed extensively since the HLC's first work session.

There were also public comments including the submission of a letter from Preservation Utah requesting that the entry tunnel and stairs at the front (south) entry be retained as part of the renovation. In general, the commissioners agreed that the entry stairs and tunnel are a key character-defining feature on the building and that the applicants' proposal to retain only a portion of the tunnel entry would not meet the standards of the ordinance.

The Commission voted to table the discussion in order for the applicants to review their needs for the project and whether that could be reconciled with the Commission's determination.

Post July 15 Design Revisions

Following the July 15 meeting, PRI and their representatives met several times with stakeholders in the project, most notably members of the Preservation Utah staff and board. Planning Staff also reviewed iterations of what has resulted in a new design for the entrance plaza. A few photos are included below – the full submittal from the Applicant (Appendix A) has additional images, a detailed description, and a statement addressing the proposal’s adherence to the Standards for Major Alterations in 21A.34.020.G.

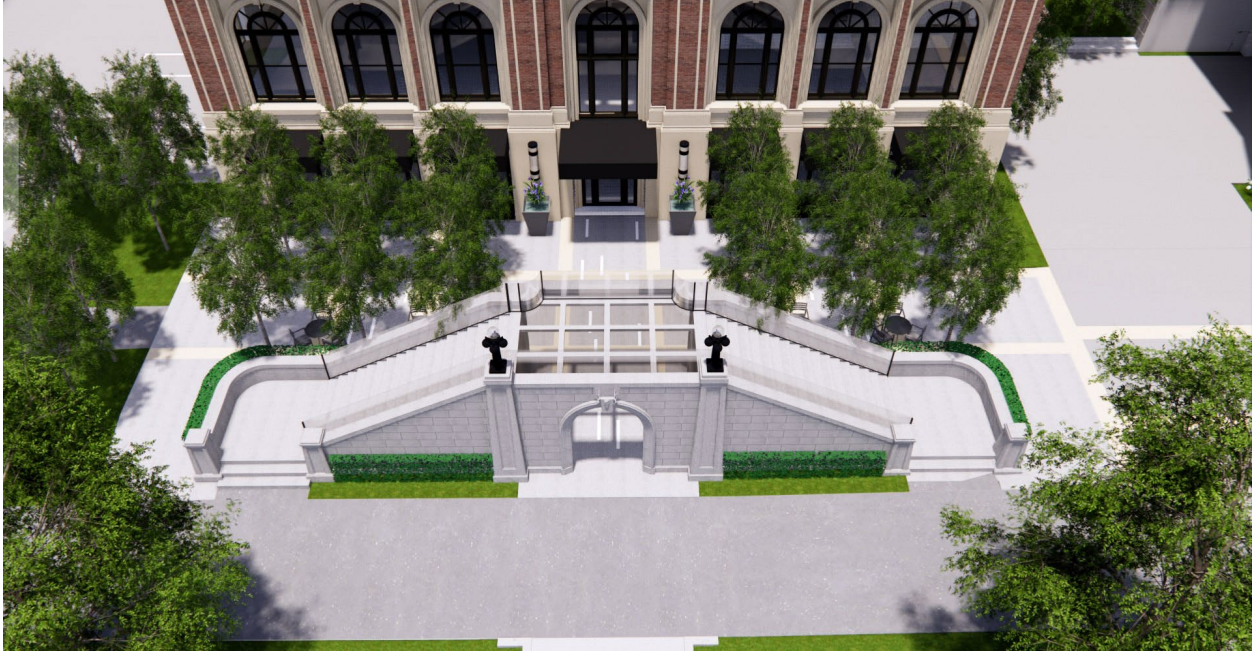


Figure 4 - New Plaza Proposal



Figure 5 - Proposed Plaza from South Temple



Figure 6 - Plaza view from west to east



Figure 7 - Plaza View from east to west



Figure 8 - Plaza View behind Entrance and Stairs - from west to east

KEY CONSIDERATIONS:

As stated, it is Staff's assessment that there is no additional discussion needed in terms of the removal of incompatible, non-historic additions, window openings, or the rooftop addition. The main consideration is whether the revised design for the entry plaza meets the standards for a major alteration of a contributing building. Staff's full analysis is found in [Attachment H](#). To that end, Staff notes the following key considerations:

Retention of key character-defining features



Figure 9 - Detail of front entrance stairs and tunnel, c.1923

Input from Commissioners at prior meetings and public comments make it clear that the stone entrance steps, tunnel entry, ashlar masonry finish, and columns are key character-defining features of the Elks Building. While the building use may have changed, and the tunnel entrance no longer has the ritual significance it may have had with the BPOE, it is still a unique and notable feature of the building's design. The HLC has acknowledged the security, accessibility, and maintenance issues created by these elements while making it clear that they needed to be retained to a greater extent than previous designs. In response, the applicants have redesigned the plaza to retain the tunnel entry, steps, columns, and portions of the retaining walls. They propose adding lighting and incorporating glass and low-profile metal railings to address security and safety issues.

With this design, the pedestrian perception and experience of the building are maintained to a greater degree than previous design iterations. The entrance plaza and new main entrance will still be visible and inviting to pedestrians as they walk along the sidewalk from the east or west, and a direct view of the entrance will be provided through the former tunnel entry and a widened space directly behind the archway.

The condition of the existing feature is such that it must be rebuilt. The original structure is concrete over earthen fill, with granite veneer walls and steps. Since the fill behind the existing steps and wall will be removed, new walls will be built on the plaza side, and the space immediately behind the tunnel entrance will be opened, requiring significant structural upgrades. Moving it to the north approximately thirty inches in order to provide a small landscape buffer will not have a negative impact on the character of the architectural features or design.



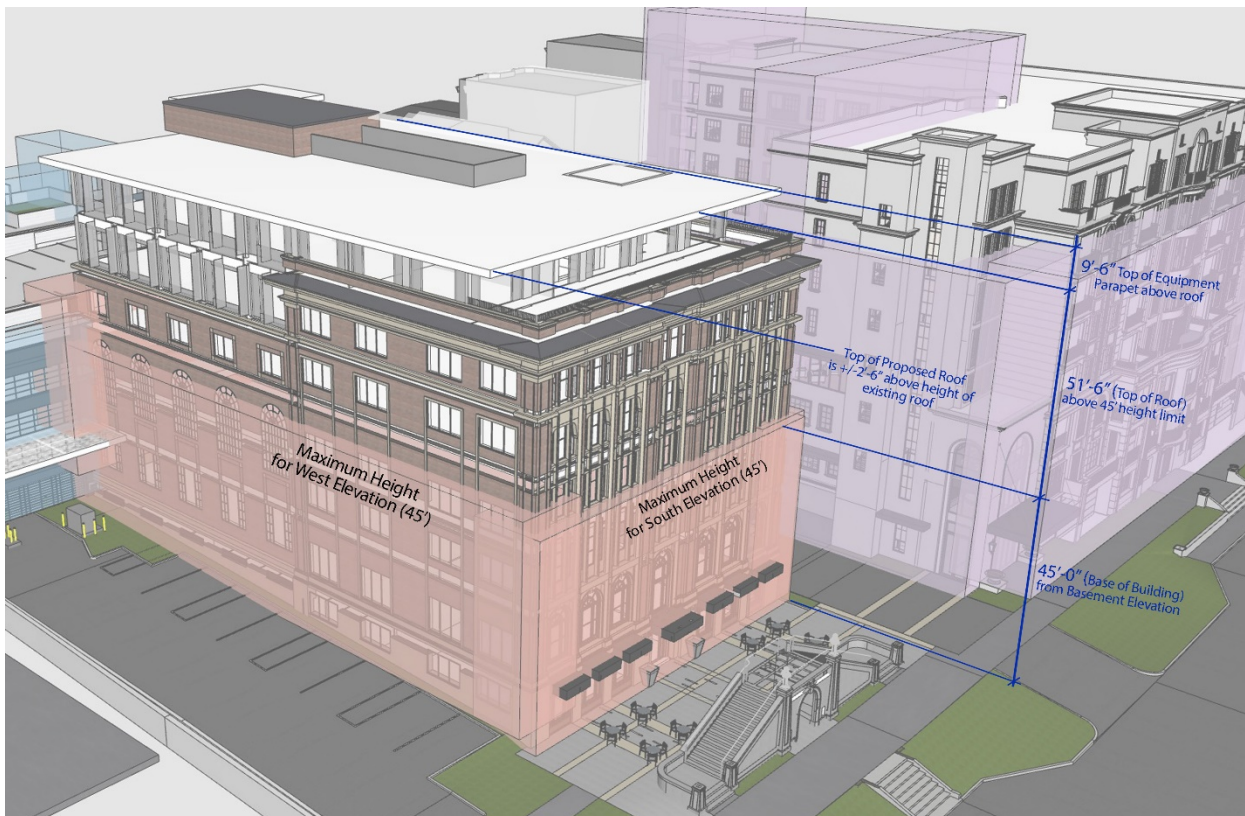
Figure 10- South Temple looking north from Elks Bldg location

While the “platform” created by the significant grade change on the north side of South Temple was once clearly apparent as shown on historic photos, it no longer exists to the same degree on this block. While retaining walls at the sidewalk still exist for the former Alta Club parking lot, historically the retaining walls were taller than the average person. Original drawings show that the wall was four to five feet above the sidewalk on either side of the steps, with a gradual rise of about six feet to the terrace above. At the tunnel

entrance, the wall was ten feet above the sidewalk, and the terrace behind was approximately twelve feet above the sidewalk. This grade change has become the exception on this block and not the norm. In Staff’s opinion, retaining the tunnel entry, stairs, and associated elements will mitigate the removal of the fill behind the entrance to construct a plaza and extend the main facade to ground level. Trees planted in the plaza will provide a soft buffer somewhat similar to the current landscaping on the hill behind the front wall and steps.

In sum, it is Staff’s finding that the historic character of the Elks Building property shall be retained and preserved. While some original elements may change, no historic features or materials that characterize the property would be removed or incompatibly altered.

Special Exception for Additional Building Height – Rooftop Addition



The applicant is requesting a modification to the maximum building height for the Elks Building rooftop addition. The existing building is approximately 93 feet high, of which approximately 12 feet is the 1977 rooftop addition.

It is important to note that this building is already 48 feet taller than the base zoning allows. The applicant is requesting a special exception to allow the new rooftop addition approximately 3 feet higher than the existing rooftop addition (approx. 96 feet). Approximately 9 additional feet are needed to accommodate rooftop equipment, for a total building height of approximately 105 feet to the highest point above the roof. The maximum height for buildings in the R-MU zone is 45 feet for non-residential buildings and 75 feet for residential buildings. Building height in the R-MU zone is determined by the average finish grade on each elevation/side of the building. The Elks Building was constructed before the city's first zoning ordinance was adopted in 1927, and long before the R-MU zone became a part of the city's zoning ordinance in 1995.

Under the provisions of succeeding versions of the city's zoning, the character of the street changed along with the average height of surrounding buildings. The former University Club building at 136 E South Temple (across the street from the Elks Building) is at the tall end of the streetscape context, with surrounding buildings such as the Brigham Apartments at 201 E South Temple and the Covey Apartments at 239 E South Temple creating a more consistent sense of building height. That height will be further reinforced by the new residential building reviewed by the HLC in July, which included a similar special exception request for additional height that was approved. Approving the requested special exception would be consistent with the existing (and future) streetscape and meets the requirements, as detailed in Attachments F&G.

Unpainted Brick on Non-Contributing Parking Structure

The Applicant has proposed to paint the unpainted brick on the Elks Building Parking Structure, which has its primary frontage on 1st Avenue. A question was raised about the technical advisability of painting brick, even with high-fired clay brick dating from the 1970s, well outside the historic period. The ordinance does not address painting brick on non-contributing structures, and this is an item that the HLC previously expressed their willingness to delegate design review to Staff. The Applicants have

expressed their willingness to explore options for breathable coatings for the brick portions of the structure, which constitutes less wall area than the metal grates fronting the building. Staff has added a proposed condition of approval to the recommendation that the Commission may choose to adopt.



Figure 11 - Parking Entry - 1st Ave