

February 6, 2024

Via Certified Mail, and email (dlnr.intake.shpd@hawaii.gov)

Alan S. Downer, PhD.  
Administrator, State Historic Preservation Division  
Deputy State Historic Preservation Officer  
ATTN: Register Program  
601 Kamokila Boulevard  
Kapolei, Hawaii 96707

**Re: David O. McKay Building, Brigham Young University–Hawaii Campus  
Located at 55-220 Kulanui Street, Laie, HI 96762; TMK No. (1) 5-5-006-005;  
Statement of Objections**

Dear Dr. Downer:

This letter is in response to your letter dated January 3, 2024 addressed to The Church of Jesus Christ of Latter-day Saints at 55-220 Kulanui Street, Laie, Hawaii 96762 (Log: 2023PR01036, Doc: 202401CH01) regarding the David O. McKay Building (“McKay Building”) located on the Brigham Young University–Hawaii campus, that Brigham Young University-Hawaii (“BYUH”) received on Monday, January 8, 2024. As stated in the January 3, 2024, letter, we understand that the Property will be presented to the Hawaii Historic Places Review Board (the “Review Board”) on February 16, 2024, for consideration to the Hawaii Register of Historic Places and recommendation for the National Register of Historic Places. BYUH did not make the nomination, does not know the individual who prepared the nomination application, and has not coordinated with that preparer. BYUH hereby objects to the nomination of the Property for listing into the Hawaii Register of Historic Places as provided under Hawaii Administrative Rules Title 13, Chapter 198, and the nomination to the National Register of Historic Places.

Initially, BYUH asserts that it was not properly notified of the hearing concerning the nomination of the McKay Building per the requirements of Hawaii Administrative Rules §13-198-4(b) as the notice was not sent at least 45 days prior to the hearing. Additionally, the January 3, 2024, notice is insufficient per the requirements of Hawaii Administrative Rules § 13-198-4(c) by not stating the 30-day time limit an owner has to submit comments or object to the nomination of its property. BYUH makes its objections without waiving these procedural deficiencies.

The David O. McKay Building is located on a portion of TMK No. (1) 5-5-006-005 (“Property”). BYUH is the sole fee simple owner of Property on which the McKay Building is located. Since obtaining a copy of the January 3, 2024, letter, BYUH has reviewed the McKay Building nomination through the DLNR website.

The nomination of the McKay Building seeks to have the McKay Building registered as a Historic Place based on Criterion A (Property is associated with events that have made a significant contribution to the broad patterns of our history); Criterion C (Property embodies the

distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction); and Criteria Consideration A (a religious property deriving primary significance from architectural or artistic distinction or historical importance).

#### DEFICIENCY OF THE NOMINATION

Initially, the nomination submitted by Scott Nagata is deficient. First, it appears that the nomination designates a portion of the McKay Building, namely the entry foyer and front faculty wings that comprise the front façade. It is not appropriate, nor allowed, for only a portion of a building to be considered; the whole building must be considered, and its significant features identified.

Second, Mr. Nagata's nomination does not include an integrity assessment of the McKay Building. The nomination does not include the assessment of whether the aspects of location, design, setting, materials, workmanship, feeling, and association have been retained. Third, the nomination does not include a Period of Significance, thus making the nomination incomplete, although the application does include the dedication date of December 17, 1958.

#### INTEGRITY ASSESSMENT

Since the completion of the McKay Building in 1958, the BYUH campus and the Laie community as a whole has developed and grown. Additionally, the improvements and modifications of campus components and renovations to the McKay Building have affected the historical integrity of the McKay Building. In 2019, BYUH engaged the services of MASON, a local architecture and historic consulting company, to complete a Historic Architectural Inventory Survey for all of the university campus buildings, including the McKay Building. See Exhibit 1. BYUH again consulted MASON in reference to the nomination submitted by Mr. Nagata. See Exhibit 2. A summary of MASON's report addressing the integrity assessment of the McKay Building is set forth below:

Location. The McKay Building is still in its original location.

Design. Although the McKay Building remains intact in its footprint and arrangement of space and function, there have been many changes over the years that have affected the integrity of design. First, the original front façade included two prominent double-height columns. These columns were removed and due to the removal of the columns, a beam was installed across the entry for structural support, thereby negatively affecting the previous thin profile of the entry roof.

Second, the original wide front entry steps, terrazzo paving, and low side walls that matched the exterior stone masonry and extended along the front of the building wings were removed. Now, only a low smooth wall exists along the entry area and the steps and terrazzo have been replaced by a sloping entry sidewalk paved with concrete pavers.

Third, the original corrugated roofing material (transite) was replaced with dark barrel tile and the Polynesian-influenced foyer roof ridge cresting was removed.

Fourth, the original clock tower was removed and replaced with a steeple-like tower covered with barrel tile to match the surrounding roof.

Fifth, the original stacked awning windows throughout the McKay Building have been replaced with single light fixed windows and the foyer entry doors have been replaced with frameless glass doors.

Sixth, the McKay Building foyer has been significantly remodeled over the years and has been closed for several years due to structural problems. The remodeling has reduced the size of the foyer to less than 1/3 of its original size in order to create meeting and office spaces. This has eliminated the concrete breeze block corner elements from being part of the foyer space. Original ceiling and wall details were significantly altered as part of these remodeling efforts, and the murals have been removed from the foyer.

Seventh, other campus buildings have been altered as well over the years. These changes include the enclosure of balconies, replacement of windows, changing the original roof material to barrel tile, and sheathing buildings in stucco.

Setting. While the setting of the McKay Building and the BYUH campus is similar to its original from an aerial perspective, the entry, roundabout, roads and landscaping have been modernized so that the surrounding materials and landscape features do not maintain a historic connection from the ground.

Materials. The original decorative stone and cast concrete decorative elements at the McKay Building entry remain. However, the original corrugated transite roof of the McKay Building, and other BYUH buildings, has been replaced by barrel tile roofing. This material substitution has significantly changed the character of the McKay Building. Also, almost all of the fenestration in the McKay Building has been replaced from awning-type windows to fixed windows. The application of stucco to the campus buildings has also updated the look of the campus buildings.

Workmanship. The painted murals, decorative wall panels, ceiling light fixtures, and original roofing that displayed the workmanship of the mid-century era have all been either removed during previous renovations or replaced with more modern materials over the years. The Italian glass mosaic mural at the exterior entry does appear intact and in fair to good condition.

Feeling. Due to the interior and exterior changes of the McKay Building and the campus as a whole, the historic sense of the building's mid-century period is not intact.

Association. The McKay Building, as part of the Church College of Hawaii, was developed as an institution for higher learning and still operates as such today as BYUH. However, associations to the 1958 campus have been minimized as the campus has developed and grown and modernized to maintain a cohesive style.

As a result of the significant alterations to the exterior façade and the entry foyer, the McKay Building does not meet the historic integrity thresholds required to have the building placed on the National or Hawaii Register of Historic Places.

#### CRITERIA A and C

Although the establishment of BYUH and the construction of its buildings have played a significant role in the development of Laie and may have historical significance under Criterion A, the McKay Building lacks the integrity of design, setting, materials, workmanship, feeling, and association of its original construction as a result of significant renovations and further development and modernization of the campus. Additionally, if the McKay Building may have once had some architectural distinction under Criterion C, any such distinction is no longer conveyed due to the impaired integrity. Since the McKay Building does not possess the needed integrity as illustrated above, it cannot qualify for registry.

For these reasons, BYUH, as fee owner of the Property, respectfully objects to the listing of the Property on the above-described historic registers. As noted above, major renovations are needed to address significant issues with the McKay Building and since the McKay Building is more than 50 years old, BYUH will need to submit those plans to the State Historic Preservation Division for review in any event. It is BYUH's understanding that it is the Review Board's practice to not list properties in the Hawaii Register of Historic Places over the private owner's objections. We request that the Review Board consider this practice as you make your determinations in this matter; however, if necessary, BYUH will request a contested case hearing.

Sincerely,

Kevin Schlag  
Operations Vice President  
Brigham Young University–Hawaii