

KSR&C# 20-11-148  
December 23, 2020

James E. Modig  
University Architect  
Strong Hall  
450 Jayhawk Blvd. Room 225  
Lawrence, KS 66045  
Via Email

Re: Proposed demolition of Facilities Administration Bldg., 1503 Sunflower Road, Lawrence

We have reviewed the materials received on November 30, 2020 in accordance with the state preservation statute K.S.A. 75-2724. The law requires the State Historic Preservation Officer (SHPO) be given the opportunity to comment on proposed projects affecting historic properties or districts. Properties listed in the National Register of Historic Places and/or the Register of Kansas Places are subject to review. The SHPO is charged with determining whether projects will "damage or destroy" historic resources. The proposed project consists of demolishing the Facilities Administration Building, a contributing resource to the University of Kansas Historic District. By definition, the demolition of a building will destroy the resource.

The National Register nomination for the University of Kansas Historic District lists the following information for this building:

The 2-story U-shaped building is composed of 2 sections. The older L-shaped section has a stone foundation, rubble limestone walls, and a hipped roof. The projecting vestibule on the front (north) elevation has segmental arched window and door openings with stone voussoirs. This section has single 1/1 wood windows on the 2nd story, and paired 6/6 windows on the 1st story. The paired windows have an engaged stone column at the mullion. The basement has single 8/1 windows. The double hung wood windows have heavy stone sills and lintels. The newer rectangular wing added at the south end of the building has a concrete frame with brick infill and a flat roof. The addition has paired 6/6 wood windows. This building retains integrity and contributes to the architectural and functional character of the District.

National Register-listed historic districts are comprised of two types of resources, contributing and non-contributing. Contributing properties in listed historic districts are treated the same as individually listed buildings and are eligible for the same financial incentives, such as the state rehabilitation tax credit. The loss of a contributing building damages the integrity of the University of Kansas Historic District. Once a district consists of more non-contributing buildings than contributing buildings, it loses integrity and must be delisted (removed from the National Register of Historic Places). When the University of Kansas Historic District was listed there were 9 contributing and 7 non-contributing buildings included (as well as several resources listed as sites, structures, and objects). The loss of the Facilities Administration Building will leave a narrower margin in this regard.

Our recommendation is to mothball the building in accordance with the National Park Service Preservation Brief 31 until a future alternative use can be found. Please note that the state rehabilitation tax credit program can be utilized for the physical costs of mothballing the building. As you know, the University of Kansas has made extensive use of this program with over \$3.4 million in state tax credits issued to date for the repair and rehabilitation of listed buildings on the campus.

At this point, the project to demolish the building cannot proceed. The state preservation statute states:

If the state historic preservation officer determines, with or without having been given notice of the proposed project, that the proposed project will damage or destroy any historic property included in the national register of historic places or the state register of historic places, the project shall not proceed until: the governor, in the case of a project of the state or an instrumentality thereof, or the governing body of the political subdivision, in the case of a project of a political subdivision or an instrumentality thereof, has made a determination, based on a consideration of all relevant factors, that there is no feasible and prudent alternative to the proposal and that the program includes all possible planning to minimize harm to such historic property resulting from such use.

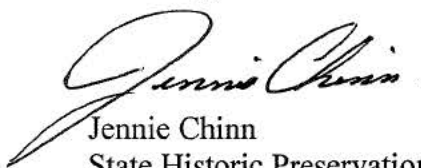
If the Governor finds there are no alternatives to the demolition and verifies that all planning has been done to minimize harm to this building and the University of Kansas Historic District, then the University will be required to give five days' notice of such determination by certified mail to the SHPO before beginning the demolition of the building. The statute allows anyone aggrieved by the Governor's determination to file suit under the Kansas judicial review act.

For your information, definitions for "relevant factors" and "all possible planning" are provided in the Kansas Preservation Act regulations, K.A.R. 118-3-1:

- (i) "Program includes all possible planning" means that the written evidence and materials submitted by a governmental entity to the state historic preservation officer clearly identify all alternative solutions that have been investigated, compare the differences among the alternative solutions and their effects, and describe mitigation measures proposed by the project proponent that address an adverse effect determination of the state historic preservation officer.
- (j) "Relevant factors" means pertinent information submitted by project proponents or project opponents in written form, including evidence supporting their positions. (Authorized by K.S.A. 75-2721(b); implementing K.S.A. 75-2724; effective, T-118-5-1-98, May 1, 1998; effective Oct. 23, 1998.)

Thank you for giving us the opportunity to comment on this proposal. Please do not hesitate to contact our Deputy SHPO, Patrick Zollner, at [patrick.zollner@ks.gov](mailto:patrick.zollner@ks.gov) or 785-272-8681, ext. 217 if you have any comments or questions regarding this review.

Sincerely,



Jennie Chinn  
State Historic Preservation Officer

CC: Will Lawrence, Chief of Staff for Governor Kelly