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**LAWRENCE HISTORIC RESOURCES COMMISSION**  
**ITEM NO. 3: DR-09-112-06**  
**STAFF REPORT**

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**A. SUMMARY**

**DR-09-112-06** 1019 Kentucky Street; Demolition; Certified Local Government Review and Certificate of Appropriateness Review. The property is located in the environs of the Charles and Adeline Duncan House (933 Tennessee), the George and Annie Bell House (1008 Ohio), the Dr. Frederick D. Morse House (1044 Tennessee), Lawrence's Downtown Historic District, National Register of Historic Places, and the Colonel James and Eliza Blood House (1015 Tennessee) National Register of Historic Places and Lawrence Register of Historic Places. Submitted by Ellen LeCompte, the property owner of record.

**B. PROJECT DESCRIPTION**

The applicant is requesting to demolish the structure located at 1019 Kentucky Street.



East Elevation, 1019 Kentucky Street

## **C. STANDARD OF REVIEW**

### **Certificate of Appropriateness**

In evaluating a request for a Certificate of Appropriateness, Section 22-505 of the Code of the City of Lawrence indicates that the least stringent standard of evaluation is to be applied to properties in the environs of a landmark or historic district.

4. *The least stringent evaluation is applied to noncontributory properties, and the environs area of a landmark or historic district. There shall be a presumption that a certificate of appropriateness shall be approved in this category unless the proposed construction or demolition would significantly encroach on, damage, or destroy the landmark or historic district. If the Commission denies a certificate of appropriateness in this category, and the owner(s) appeals to the City Commission, the burden to affirm the denial shall be upon the commission, the City or other interested persons.*

Section 22-105 of the Code of the City of Lawrence defines environs and specifies that;

*The environs is not an extension of the boundaries of an historic district or landmark. For this reason, an application for a certificate of appropriateness for a project within the environs area shall receive the least stringent scrutiny when the Commission applies its Standards for Review as set forth in section 22-505, and there shall be a presumption that the application should be approved.*

### **General Standards**

For projects that require a Certificate of Appropriateness, the Historic Resources Commission is required to use the general standards and design criteria listed in the Conservation of Historic Resources Code, Chapter 22, of the City of Lawrence Code.

The following general standards apply to the proposed project:

1. *Every reasonable effort shall be made to provide a compatible use for a property that requires minimal alteration of the building, structure, site or object and its environment, or to use a property for its originally intended purpose;*
2. *The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible;*
6. *Deteriorated architectural features shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new materials should match the material being replaced in composition, design, color, texture, and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplication of features, substantiated by historic, physical, or pictorial evidence, rather than on conceptual designs or the availability of different architectural elements from other buildings or structures;*

Typically, the design criteria in Section 22-506 are used in the review of projects. The design criteria that apply to this project are:

(3) Demolition, Relocation, and Land Surface Change.

- (a) *Demolition in whole or in part of individual landmarks or any key contributory or contributory structure within an historic district shall not be permitted. Exceptions are allowed only if a structure has been substantially damaged through fire or deterioration, and if there is reasonable proof that it would not be economically or physically feasible to rehabilitate. Other exceptions may be allowed if a structure does not possess the integrity, originality, craftsmanship, age or historical significance to merit preservation. However, demolition of past additions which have not gained historical significance and which have disguised or sheathed original elements or facades are encouraged, as long as the intention is to restore such elements or facades. Demolition under this chapter shall be subject to Ordinance 5810, as amended.*

In conducting Certificates of Appropriateness, the Commission has used a standard of review based on the designation of the property or its proximity to the designated property.



South Elevation



North and West Elevations



Front Porch



Chimney Detail

## **Certified Local Government Review**

For projects that require a Certified Local Government Review the Historic Resources Commission has typically used the Standards and Guidelines for Evaluating the Effect of Projects on Environs to evaluate the proposed project.

## **Guidelines for Evaluating the Effect of Projects on Environs**

The Standards and Guidelines for Evaluating the Effect of Projects on Environs that are applicable to the applicant's request are as follows:

1. *The character of a historic property's environs should be retained and preserved. The removal or alteration of distinctive buildings, structures, landscape features, spatial relationships, etc. that characterize the environs should be avoided.*
2. *The environs of a property should be used as it has been historically or allow the inclusion of new uses that require minimal change to the environs' distinctive materials, features, and spatial relationships.*
3. *The environs of each property will be recognized as a physical record of its time, place, and use. Changes to the environs that have acquired historic significance in their own right should be retained and preserved.*
4. *Demolition of character-defining buildings, structures, landscape features, etc. in a historic property's environs should be avoided. When the severity of deterioration requires removal within the environs, compatible reconstruction shall occur.*
6. *New additions, exterior alterations, infill construction, or related new construction should not destroy character-defining features or spatial relationships that characterize the environs of a property. The new work shall be compatible with the historic materials, character-defining features, size, scale and proportion, and massing of the environs.*

### ***Identify, Retain, and Preserve***

*Like the treatments for historic properties, guidance for environs review begins with the identification of the character-defining features of the environs, its historic and current character, and what must be retained in order to preserve that character. The character of a listed property's environs may be defined by form, exterior materials, such as masonry, wood, or metal; exterior features and elements, such as roofs, porches, windows, or construction details; as well as size, scale and proportion, massing, spatial relationships, etc.*

### ***Protect, Maintain, Repair, and/or Replacement***

*After identifying those materials and features that are important, the effect of the proposed work on the environs of a listed property must be determined. Work that generally involves the least degree of intervention is recommended. Protecting historic features and materials through cyclical maintenance and repair lessens the need for replacement which is always the less preferable alternative and usually more costly. Substitute materials can be installed, when the degree of deterioration requires replacement, provided the substitution is compatible with the environs.*

### ***Alterations / Additions for the New Use***

*Interior alterations of properties within the environs of a listed property have little, if any, impact on the*



*listed property. Exterior alterations of properties in the environs of a listed property are generally needed to assure continued use, but it is important that such alterations do not radically change, obscure, or destroy character-defining spaces, materials, features, and/or relationships. Alterations may include demolition of structure(s) and/or features, providing additional parking, modification of entries, installation of signs, or cyclical maintenance involving repairs with noncompatible materials. The construction of additions is sometimes essential for the continued use of a property, but the addition should only be reviewed for its impact on the listed property and the environs. The line of sight between a listed property and a proposed project is often directly related to the impact of a project on the listed property.*

## **DEMOLITION**

### **Recommended**

*Retain the features that define the character of a listed property's environs when possible.*

*When removal of a character-defining feature or structure is necessary, a new feature or structure that is compatible with the environs should be installed.*

### **Not Recommended**

*Demolition of character-defining features or structures with no plans for compatible replacement features or structures.*

*Demolition of character-defining structure(s) with the intention of creating open space, such as a parking lot or park.*

*Demolition of character-defining structure(s) and replacement of it with a historic building moved to the site.*

## **C. STAFF ANALYSIS**

The applicant is requesting approval to demolish the structure located at 1019 Kentucky Street. In lieu of a replacement structure, the applicant proposes green space and two-and-a-half additional parking spots for the properties located at 1017 and 1023 Kentucky Street, which are also owned by the applicant. The property is located in the environs of the Charles and Adeline Duncan House (933 Tennessee), the George and Annie Bell House (1008 Ohio), the Dr. Frederick D. Morse House (1044 Tennessee), Lawrence's Downtown Historic District, National Register of Historic Places, and the Colonel James and Eliza Blood House (1015 Tennessee) National Register of Historic Places and Lawrence Register of Historic Places. The National Register nomination for the Oread District identifies 1019 Kentucky Street as a non-contributing structure to the district.

The Oread Historic District nomination identifies 1019 Kentucky as the John Barber House. Measuring 16' wide by 39' long, the estimated construction date of the structure is 1885. This 2-story *gable-front* house has non-original siding and is noted in the nomination as "non-contributing due to the siding; rehabilitation may alter its contributing status." Except for porch detailing, it is nearly identical to 1017 Kentucky to the north. The house has a moderately pitched gable roof with open eaves. The windows are tall, narrow, 4/4 double-hung. The simple window surrounds may not be original due to the non-historic siding. The 1-story full width front porch has a gable-front roof and tapering square wood column set on square stucco piers. The porch balusters are flat wood. The off-center door has multiple glass sashes in the upper half and a transom above. It is clad in moderately wide horizontal lapped siding with corner boards. There is a 1-story gable roof addition on the rear with a rear entry door. This addition is evident on the 1889 Sanborn.

The applicant hired a contractor to complete a structural analysis. In the structural analysis, it is stated that rehabilitation of the structure would require a new foundation, floor frame, mechanical systems, and various new material finishings. The contractor estimated the cost of rehabilitation at \$200,000.

The applicant has also hired another private consultant to perform a structural/rehabilitation analysis. The consultant found the cost estimate provided by Neighborhood Resources to be "reasonable." Additionally, the consultant suggests that rehabilitation of the structure as an office space or single-family home is "feasible." He also adds that Neighborhood Resources' recommended 50 percent contingency for "hidden costs" could be covered by tax credits, if the structure at 1019 Kentucky Street were listed as contributing (by removing its non-historic siding).

The applicant submitted a report written by a structural engineer. The structural engineer noted termite damage, rot, movement, and loss of the connection between the floor structure and wall structure and described the structure as not "structurally adequate and not in a condition for lifting at this time." The structural engineer recommends demolishing the home because of its "severely degraded condition."



Demolition of historic structures is rarely positive for a neighborhood because it destroys the relationships between the structures, landscape features and open space and, as a result, the overall character of the area is diminished. When possible, staff prefers rehabilitation to retain structures and their relationship to the environs of the listed properties. Rehabilitation would allow for the retention of the relationship of structures and open space within the environs of the listed properties. If demolition is approved, it removes the opportunity for a future owner to rehabilitate the existing structure.

The deterioration of this building has been ongoing for some time. Staff is of the opinion that the existing condition of the structure is a combination of the previous owner's neglect and normal deterioration of this building type. The deterioration of this structure due to owner neglect was preventable. While the deferred maintenance on this building has contributed to the poor condition of this building, it is just one of the contributors.



The structure at 1019 Kentucky Street is listed as non-contributing to the upcoming Oread Historic District. Specifically, the nomination states, "This 2-story gable-front house has non-original siding. The building is non-contributing due to the siding; rehabilitation may alter its contributing status." If the non-historic siding is removed, the property may be eligible for the Federal and State tax credit programs. These programs are designed to create economic incentives to encourage the owners of historic properties to rehabilitate structures in accordance with the Secretary of the Interior's Standards for Rehabilitation.

Because the applicant is not proposing a replacement structure, staff cannot recommend approval of the proposed project. Rehabilitation of the current structure or new construction of a replacement structure would allow for the retention of the relationship of structures and open space within the environs of the listed properties.

## **D. STAFF RECOMMENDATION**

In accordance with Chapter 22 of the Code of the City of Lawrence and the Standards and Guidelines for Evaluating the Effect of Projects on Environs (1998), staff recommends the Commission deny the proposed project and make the determination that the proposed project does encroach upon, damage or destroy the listed historic property or its environs. Specifically, as proposed, the project does not meet the following guidelines:

### Standards and Guidelines for Evaluating the Effect of Projects on Environs

1. *The character of a historic property's environs should be retained and preserved. The removal or alteration of distinctive buildings, structures, landscape features, spatial relationships, etc. that characterize the environs should be avoided.*
4. *Demolition of character-defining buildings, structures, landscape features, etc. in a historic property's environs should be avoided. When the severity of deterioration requires removal within the environs, compatible reconstruction shall occur.*

## **DEMOLITION**

### ***Recommended***

*Retain the features that define the character of a listed property's environs when possible.*

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