

ORDINANCE NO. 8928

AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, DESIGNATING 900 RHODE ISLAND STREET, LAWRENCE, DOUGLAS COUNTY, KANSAS, AS A LANDMARK ON THE LAWRENCE REGISTER OF HISTORIC PLACES AND AMENDING THE LAWRENCE REGISTER OF HISTORIC PLACES AND THE MAP OF LANDMARKS AND HISTORIC DISTRICTS, INCORPORATED BY REFERENCE INTO THE CITY CODE AT CHAPTER 22, ARTICLE 4, SECTION 22-401(C) OF THE CODE OF THE CITY OF LAWRENCE, KANSAS, 2013 EDITION, AND AMENDMENTS THERETO.

WHEREAS, after giving due notice and conducting a public hearing, the City of Lawrence, Kansas, Historic Resources Commission, through HRC Resolution No.2013-01, has recommended that the Governing Body of the City of Lawrence, Kansas, designate that real property, commonly known as 900 Rhode Island Street, Lawrence, Douglas County, Kansas, the legal description of which is set forth at Section 2, *infra*, as a Landmark on the Lawrence Register of Historic Places;

WHEREAS, the City of Lawrence, Kansas, Historic Resources Commission has also submitted to the Governing Body a report containing that information required by Section 22-404.2(B)-(G) of the Code of the City of Lawrence, Kansas, 2013 Edition, and amendments thereto; and

WHEREAS, on October 22, 2013, the Governing Body conducted a public hearing wherein it considered the report and recommendation of the City of Lawrence, Kansas, Historic Resources Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LAWRENCE, KANSAS:

SECTION 1. The above-stated recitals are incorporated herein by reference and shall be as effective as if repeated verbatim.

SECTION 2. The following described real property ("the subject property"), commonly known as 900 Rhode Island Street, Lawrence, Douglas County, Kansas, and bearing the following legal description, to-wit:

900 RHODE ISLAND STREET (RHODE ISLAND STREET LOT 70), LAWRENCE,
DOUGLAS COUNTY, KANSAS,

together with all buildings, appurtenances, and improvements thereon, is hereby designated as a Landmark on the Lawrence Register of Historic Places as such designation is defined and prescribed in Chapter 22 of the Code of the City of Lawrence, Kansas, 2013 Edition, and amendments thereto.

SECTION 3. The Lawrence Register of Historic Places and the map of Landmarks and Historic Districts, which are adopted and incorporated into the City Code by reference at City of Lawrence, Kan., Code § 22-401(C) (July 1, 2013), and amendments thereto, are hereby amended by showing and reflecting thereon the Landmark designation for the subject property.

SECTION 4. After the effective date of this Ordinance, before commencing any activity on the subject property that would require a building or demolition permit, the owner of the subject property shall obtain from the City of Lawrence, Kansas, Historic Resources Commission a Certificate of Appropriateness pursuant to Chapter 22, Article 5. Additionally, the following activities shall not be undertaken on the subject property without first obtaining a Certificate of Appropriateness:

- (a) Any work that would alter the exterior of the building; and
- (b) Any removal or replacement of windows or architectural features on the structure, including the stone, arch and keystone, and sign, and the addition of or replacement of any siding material.

However, routine or regular maintenance, including, but not limited to, such items as painting previously painted surfaces, glazing, repairing broken glass, or caulking, shall not require a Certificate of Appropriateness.

SECTION 5. In considering any application for a Certificate of Appropriateness, and in reviewing and commenting on matters before other bodies concerning the subject property, the City of Lawrence Kansas, Historic Resources Commission shall consider the *U.S. Secretary of the Interior's Standards for Rehabilitation*, published in 1990, and any future amendments thereto, in addition to any criteria specified by Chapter 22 of the Code of the City of Lawrence, Kansas, 2013 Edition, and amendments thereto.

SECTION 6. In considering any application for a Certificate of Appropriateness or a Certified Government Review, and in reviewing and commenting on matters before other bodies concerning properties located within 250 feet of the subject property, the City of Lawrence, Kansas, Historic Resources Commission shall consider the *U.S. Secretary of the Interior's Standards for Rehabilitation*, published in 1990, and any future amendments thereto, in addition to any criteria specified by Chapter 22 of the Code of the City of Lawrence, Kansas, 2013 Edition, and amendments thereto, and the adopted guidelines delineating and governing the environs of the subject property.

SECTION 7. If any section, sentence, clause, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

SECTION 8. This ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED by the Governing Body of the City of Lawrence, Kansas, this ___ day of _____, _____.

APPROVED:

Michael Dever
Mayor

ATTEST:

Jonathan M. Douglass
City Clerk

APPROVED AS TO FORM AND LEGALITY:

Toni R. Wheeler
City Attorney

NOTICE TO PUBLISHER

Publish one time and return one Proof of Publication to the City Clerk and one to the City Attorney.