

ORDINANCE NO. 9433

AN ORDINANCE OF THE CITY OF LAWRENCE, KANSAS, DESIGNATING THE SANTA FE DEPOT, LOCATED AT 413 EAST 7TH 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, 2018 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. 2017-11, has recommended that the Governing Body of the City of Lawrence, Kansas, designate that structure, commonly known as the Santa Fe Depot, and located on that real property, commonly known as 413 East 7th Street, Lawrence, Douglas County, Kansas, the legal description of which real property 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, 2018 Edition, and amendments thereto; and

WHEREAS, on February 6, 2018, 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. That structure, commonly known as the Santa Fe Depot ("subject structure"), and located on that real property, commonly known as 413 East 7th Street, Lawrence, Douglas County, Kansas, and bearing the following legal description:

Attached as Exhibit A and incorporated herein by reference,

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, 2018 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) (Jan. 1, 2018), and amendments thereto, are hereby amended by showing and reflecting thereon the Landmark designation for the subject structure.

SECTION 4. After the effective date of this Ordinance, before commencing any activity on the subject structure that would require a building or demolition permit, the owner of the subject structure 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 structure without first obtaining a Certificate of Appropriateness:

- (a) Any work that would alter the exterior of the historic structure including wide overhanging eaves;
- (b) Alterations to the fenestration pattern and window and door openings, including the curtain wall systems and aluminum vestibules and cut limestone entry walls;
- (c) Alterations to the historic form of the structure;
- (d) Alterations to the canopies with pipe columns, and cement plaster soffits surfaces; and
- (e) Alterations to the planter boxes, wall signs, chimney, and roof band.

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 structure, 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, 2018 Edition, and amendments thereto.

SECTION 6. In considering any application for a Certificate of Appropriateness and in reviewing and commenting on matters before other bodies concerning properties located within 250 feet of the subject structure, 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, 2018 Edition, and amendments thereto, and the adopted guidelines delineating and governing the environs of the subject structure.

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 February, 2018.

APPROVED:

Stuart Boley
Mayor

ATTEST:

Sherri Riedemann
City Clerk

APPROVED AS TO FORM:

Toni R. Wheeler
City Attorney

NOTICE TO PUBLISHER

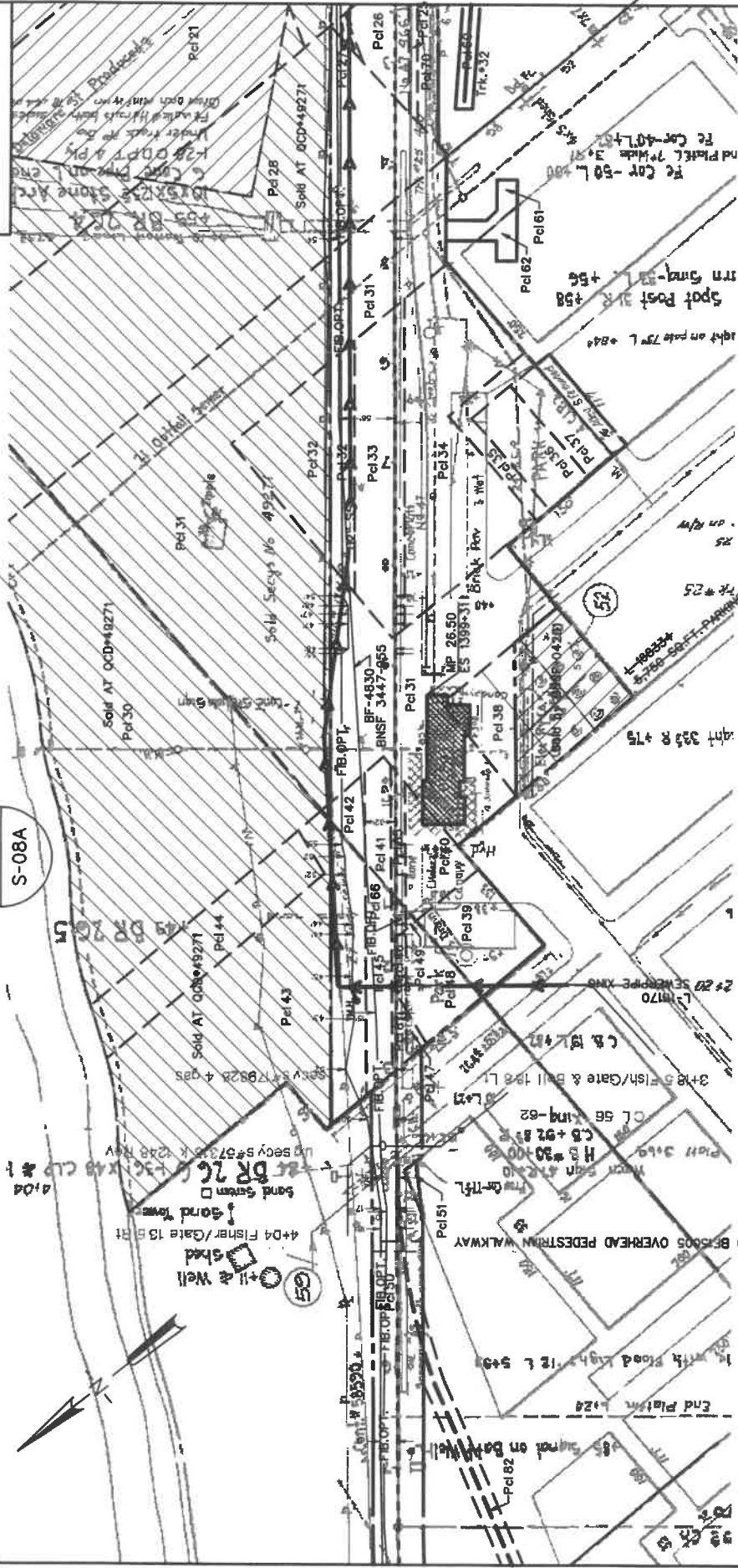
Publish once and return one Proof of Publication to the City Clerk and one to the City Attorney.

EXHIBIT "A"

Staubach Tracking TI = N/A
B&W Proj. No.: 012196.003
MAP REFERENCE:
Sta. = 8505608
R/W = N/A

Scale: 1"=100' +/-

T&SF R/L
KS-03
S-08A



To: Holiday

To: N.R. Jot

Kansas Division
Topeka Subdivision - L.S. 7101-1
Val. Sec. 41040
AT&SF KS-03, Map S-08A
Sec. 31, T12S, R20E 6th PM
June 26, 2009
M.P. 26.50 TR

Legend:
Sale Area (Depot Bldg)

To: City of Lawrence
At: Lawrence
Douglas County,
Kansas

DRAWING NO. 3-46847

This map used by BNSF RAILWAY COMPANY in the design of business, but it is subject to audit and should be used only with the expressed understanding of the BNSF make no representation whatsoever about the quality, accuracy, errors or omissions relating to this map.