

08/16/88

ORDINANCE NO. 20051

An ordinance amending CHAPTER 51, "PART I OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, by changing the zoning classification on the following described property:

Being a tract of land in City Block 27/131, fronting approximately 109.5 feet on the southeast line of Cadiz Street, beginning at a point 102 feet southwest of the southwest line of Pearl Expressway, and containing approximately 7710 square feet of land,

from a CA-1 Central Area District to a CA-1-H/41 Central Area District with Historic Overlay District No. 41; establishing new Historic Overlay District No. 41 (Harlan Building) and providing procedures, regulations, and preservation criteria pertaining to that district; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the applicable ordinances of the city, have given the required notices and have held the required public hearings regarding the rezoning of that property; and

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WHEREAS, the city council finds that it is in the public interest to grant this change in zoning; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That CHAPTER 51, "PART I OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended by changing the zoning classification from a CA-1 Central Area District to a CA-1-H/41 Central Area District with Historic Overlay District No. 41 on the following described property ("the Property"):

ALL THAT certain lot, tract or parcel of land lying and being situated in the City and County of Dallas, Texas more particularly described as follows:

BEING part of the Rail Road Addition to the City of Dallas, Texas according to the revised plat thereof recorded in Volume P, Pages 343-5 of the Deed Records of Dallas County, Texas said recording being transferred to Volume 4, Page 350 of the Map records of said County and lying in Block 27/131, official City of Dallas numbers and being part of that tract of land conveyed to the City of Dallas by deed dated September 1, 1982 and recorded in Volume 83245, Page 4486 of said Deed Records and being a part of Cadiz Street (formerly Columbia Street) as dedicated by said Rail Road Addition and being more particularly described as follows:

COMMENCING at the intersection of the southwest line of Pearl Expressway (80 foot right-of-way) with the southeast line of Cadiz Street (80 foot right-of-way);

THENCE in a southwesterly direction along the southeast line of Cadiz Street, a distance of 102.0 feet, more or less, to the northeast wall of a two story brick building and the POINT OF BEGINNING;

THENCE deflect left $90^{\circ}04'35''$ from the southwesterly prolongation of the southeast line of Cadiz Street and in a southeasterly direction along the northeast wall of said building, a distance of 87.4 feet, more or less, to its most easterly corner;

THENCE deflect right $107^{\circ}09'57''$ and in a southwesterly direction along the southeast wall of said building, a distance of 107.0 feet, more or less, to its most southerly corner;

THENCE deflect right $65^{\circ}30'29''$ and in a northwesterly direction along the southwest wall of said building, a distance of 56.2 feet, more or less, to the most westerly corner of said building;

THENCE deflect right $93^{\circ}46'00''$ and in a northeasterly direction along the northwest wall of said building, a distance of 34.5 feet, more or less, to an angle point in said northwest wall;

THENCE deflect right $3^{\circ}33'34''$ and continuing in a northeasterly direction along the northwest wall of said building, a distance of 75.0 feet, more or less, to the most northerly corner of said building;

THENCE deflect right $90^{\circ}00'00''$ and in a southeasterly direction along the northeast wall of said building, a distance of 2.1 feet, more or less, to the POINT OF BEGINNING and containing approximately 7710 square feet of land.

SECTION 2. That a person shall not make alterations to the Property without first obtaining a certificate of appropriateness in accordance with the Dallas Development Code, as amended, and this ordinance. All alterations to the Property must comply with the preservation criteria attached to and made a part of this ordinance as Exhibit A.

SECTION 3. That the building official shall not issue a building permit or a certificate of occupancy for a use on the Property until there has been full compliance with this ordinance, the Dallas Development Code, the construction codes, and all other applicable ordinances, rules, and regulations of the City of Dallas.

SECTION 4. That the director of planning and development shall correct Zoning District Map No. J-7 in the offices of the city secretary, the building official, and the department of planning and development to reflect the changes in zoning made by this ordinance.

SECTION 5. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000. In addition to punishment by fine, the City may, in accordance with state law, provide civil penalties for a violation of this ordinance, and institute any appropriate action or proceedings to prevent, restrain, correct, or abate the unlawful erection, construction, reconstruction, alteration, repair, conversion, or maintenance of a building, structure, or land on the Property.

SECTION 6. That CHAPTER 51, "PART I OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 7. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of CHAPTER 1 of the Dallas City Code, as amended.

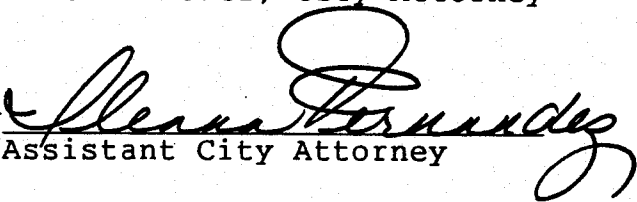
SECTION 8. That this ordinance shall take effect immediately from and after its passage and publication in

accordance with the provisions of the Charter of the City of Dallas and it is accordingly so ordained.

APPROVED AS TO FORM:

ANALESIE MUNCY, City Attorney

By


Assistant City Attorney

Passed AUG 24 1988

Zoning File No. Z867-215/8313-N

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APPENDIX

Preservation Criteria: Harlan Building

Renovations, maintenance or repairs to the exterior of the Harlan Building and the H & H Building attached to the west, will conform to the following guidelines, and are subject to review through the Certificate of Appropriateness process:

1. Surface Materials

Reconstruction, renovation or repair of the opaque elements of each facade shall employ only brick, concrete or cast concrete of equal texture, grain, color and module size of the existing structures as is feasible. Existing brick, concrete and cast concrete surfaces shall not be painted, except that an approved surface treatment may be applied to exposed, existing party walls.

Reconstruction, renovation or repair of existing cast concrete decorative features shall employ only materials of equal texture, grain, color or module size as similar to the original elements as is feasible.

2. Fenestrations and Openings

Existing door and window openings in the protected elevations shall remain intact and be preserved. New window or door openings shall be allowed, except no new openings are allowed in the primary elevation of the Harlan Building along Cadiz Street. All existing window and door openings shall be renovated to a style and size as similar as practicable to the original design. Windows shall be renovated to express similar mullion and lite configurations to the original, using wood for frames and mullions. Loading dock doors may be replaced with windows, which shall express similar mullion and lite configurations to the existing, industrial sash windows of the resource buildings.

3. Roof

The existing roof of the Harlan Building shall be maintained with no new solid vertical or horizontal extensions or additions allowed, except as may be required for stair access. Rooftop seating areas, gardens and temporary tents or other lightweight structures may be allowed, with review by the Landmark Commission. Materials

and design elements of rooftop additions must be compatible with the main structures, and must be determined to be appropriate by the Landmark Commission.

4. Color

The coloring of the existing facade materials shall remain as is. The brick and concrete material will not be sandblasted or painted (except as noted in #1 above); only masonry cleaning methods approved by the National Park Service, Department of the Interior, may be used. All other materials may be painted appropriate colors, following review in the Certificate of Appropriateness process.

5. Additions

Horizontal additions or extensions may be made on the east (Pearl Street), south (Taylor Street) or west (Harwood Street) elevations of the structure, with review and approval of the Landmark Commission. The opaque facade areas of any new addition shall be of brick compatible with the building to which the addition is attached. A minimum of 60 percent of the exposed facades of new additions shall be comprised of glass used in a manner compatible with or suggesting the existing windows of the Harlan Building.

6. Signs

All signs shall be premise signs. If painted signs are used, they shall use the appropriate premise titles, with the same scale, letter size and style as is existing. Any other signs must be of a design and materials that are compatible with the main structure. In addition to the above, all signs shall be subject to Article VII of the Dallas Development Code, as amended.

