

4-24-06

ORDINANCE NO. 26332

An ordinance changing the zoning classification on the following property:

BEING the northwest portion of City Block 302 and all of City Block 303, and containing approximately 3.77 acres,

by expanding Historic Overlay District No. 44 (Booker T. Washington High School); amending Ordinance No. 20339, passed by Dallas City Council on June 14, 1989, by amending the preservation criteria for Historic Overlay District No. 44; providing a revised site plan; 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 ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding the expansion of and amendment to Historic Overlay District No. 44; and

WHEREAS, the city council finds that it is in the public interest to expand and amend Historic Overlay District No. 44 as specified herein; Now, Therefore,

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

SECTION 1. That the zoning classification is changed by expanding Historic Overlay District No. 44 on the property described in Exhibit B ("the Property"), which is attached to and made a part of this ordinance.

SECTION 2. That the preservation criteria contained in Exhibit A attached to Ordinance No. 20339 are amended to read as shown on the Exhibit A attached to this ordinance.

SECTION 3. That the site plan attached to Ordinance No. 20339 is replaced by the site plan attached to this ordinance.

SECTION 4. That the expansion of this historic overlay district shall not affect the existing underlying zoning classification of the Property, which shall remain subject to the regulations of the underlying zoning district. If there is a conflict, the regulations in this ordinance control over the regulations of the underlying zoning district.

SECTION 5. That a person shall not alter the Property, or any portion of the exterior of a structure on the Property, or place, construct, maintain, expand, demolish, or remove any structure on the Property without first obtaining a certificate of appropriateness or certificate for demolition or removal 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 6. 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 ordinances, rules, and regulations of the City of Dallas.

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

SECTION 8. 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, maintenance, demolition, or removal of a building, structure, or land on the Property.

SECTION 9. That the zoning ordinances of the City of Dallas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 10. 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 11. 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:

THOMAS P. PERKINS, JR., City Attorney

By Caren Burgess  
Assistant City Attorney

Passed APR 26 2006

**EXHIBIT A**  
**PRESERVATION CRITERIA**  
**BOOKER T. WASHINGTON HIGH SCHOOL HISTORIC OVERLAY DISTRICT**

Renovations, repairs, new construction, and maintenance to the building site must conform to the following guidelines and be approved through the Certificate of Appropriateness process.

Preservation and restoration materials and methods must conform to those defined by the Preservation Briefs published by the United States Department of the Interior [~~as listed herein~~] unless specifically noted otherwise in these Criteria.

1. Site and Site Elements

- 1.1 New structures are prohibited in the areas designated as "No-Build Zones" on the attached site plan.
- 1.2 Only the original building as indicated on the attached site plan shall be considered historic [~~and protected by these Criteria~~]. [~~Other structures on the site may be removed or altered without Commission review or approval except where such alterations affect the protected structure or fall under the requirements of other parts of these Criteria (i.e., New Construction or "No-Build Zones").~~]
- 1.3 [~~New construction within the "Height Limit Zone" indicated on the attached site plan must not exceed the height of the original building.~~]
- 1.4] Landscape and exterior lighting must enhance the original building [structure] and surroundings without obscuring significant views of the original building or from the original building.
- 1.4[5] Public and Right-of-Way Improvements shall be reviewed and approved through the Certificate of Appropriateness process prior to commencement of work.

2. Facades

- 2.1 [~~Protected Facades:~~] The facades shown as protected facades on the attached site plan are [~~All facades of the original building must be~~] protected by these Criteria and any reconstruction, renovation, or repair must be appropriate [~~conform to the following guidelines~~].

[~~Surface Materials:~~]

- 2.2 Any reconstruction, renovation, or repair of the opaque elements on protected facades of the original building [~~faeades~~] must use only materials similar to the original materials in texture, color, pattern, and module size as much as practicable.

- 2.3 Brick must match in color, texture, module size, bond pattern, and mortar color. Original face brick must not be painted. Existing painted brick to be restored to original finish must be cleaned in accordance with Department of Interior standards.
- 2.4 Masonry cleaning must be accomplished in accordance with Department of Interior standards. Sandblasting or other mechanical abrasive cleaning processes is prohibited.
- 2.5 Stone, cast stone, and concrete elements must be renovated or repaired only with materials similar in size, grain, texture, and color to the original materials.
- 2.6 Wood trim and detailing must be carefully restored wherever practicable. Replace historic materials only when necessary. Badly deteriorated paint should be removed in accordance with the Department of Interior standards prior to refinishing. All exposed wood shall be painted, stained, or otherwise protected. Resurfacing with vinyl or aluminum siding is prohibited.
- 2.7 Existing historic finish materials on protected facades should be uncovered and restored whenever practicable.
- 2.8 Color of original materials on protected facades must be preserved and maintained whenever practicable. Paint and other color schemes for non-masonry elements should be based upon any available documentation as to original conditions and shall be reviewed through the Certificate of Appropriateness process.

[Fenestrations and Openings]

- 2.9 Existing door and window openings on protected facades must be preserved and renovated as much as practicable. Where replacement is proposed, doors and windows must express mullion size and light configuration to match that which is existing. Replacement of windows and doors which have been altered and no longer match the historic appearance is strongly recommended.
- 2.10 New door and window openings on protected facades are permitted where there is evidence that original, historic openings have been infilled with other material.
- 2.11 Refer to Department of Interior standards for acceptable techniques to improve the energy efficiency of historic fenestrations.
- 2.12 Glass and glazing on protected facades must match original, historic materials as much as practicable. Tinted or reflective glazing on protected facades is prohibited.
- 2.13 The rear facade of the original building is a non-protected facade and may be altered.

### 3. Roof

- 3.1 The massing, configuration, and materials of the roof of the original building must be preserved and maintained. Existing parapets, cornices, and copings must be retained and repaired or replaced with material matching them in size, finish, module, and color.
- 3.2 New vertical extensions on the original building are prohibited.
- 3.3 Mechanical equipment, including elevator overrides, may be placed on the roof of the original building. Mechanical equipment must be screened from view. Equipment screen material and methods must be compatible with the existing roof as determined through the Certificate of Appropriateness process.

### 4. New Construction

- 4.1 New construction is prohibited in the areas designated as the no-build zone on the attached site plan [~~limited to those areas of the site as defined in Section 1 of these criteria~~].
- 4.2 [~~Height limits as set forth in Section 1 of these criteria shall be adhered to.~~]
- 4.3 ~~New construction must be of appropriate massing, shape, materials, detailing, color, and have appropriate and complimentary fenestration patterns and solids to voids ratio.~~
- 4.4] New construction and connections between new [~~and existing~~] construction and the original building must be of materials and detailing so that new construction or connections are [~~is~~] clearly discernible from the original building [~~existing historic structures~~].
- 4.3[5] Connections between the original building and new construction are allowed. Where a [~~an existing~~] facade of the original building is connected to [~~abuts~~] new construction, a clear definition of the transition between the original building and new [~~and existing~~] construction must be maintained. To the extent possible, e[~~E~~]xisting friezes, cornices, and parapets of the original building must be preserved and maintained where they are connected to [~~abut~~] new construction.
- [4.6 ~~New construction must not be attached to the existing historic structure. In the event that the structure attached to the historic structure is removed, new construction may be attached to the historic structure.~~]

5. Signage

- 5.1 All signs must be compatible with the architectural qualities of the original building ~~[structure]~~ and must be approved by the Landmark Commission and conform to appropriate City Codes prior to the issuance of a sign permit. Signs are allowed in the no-build zone.

26332

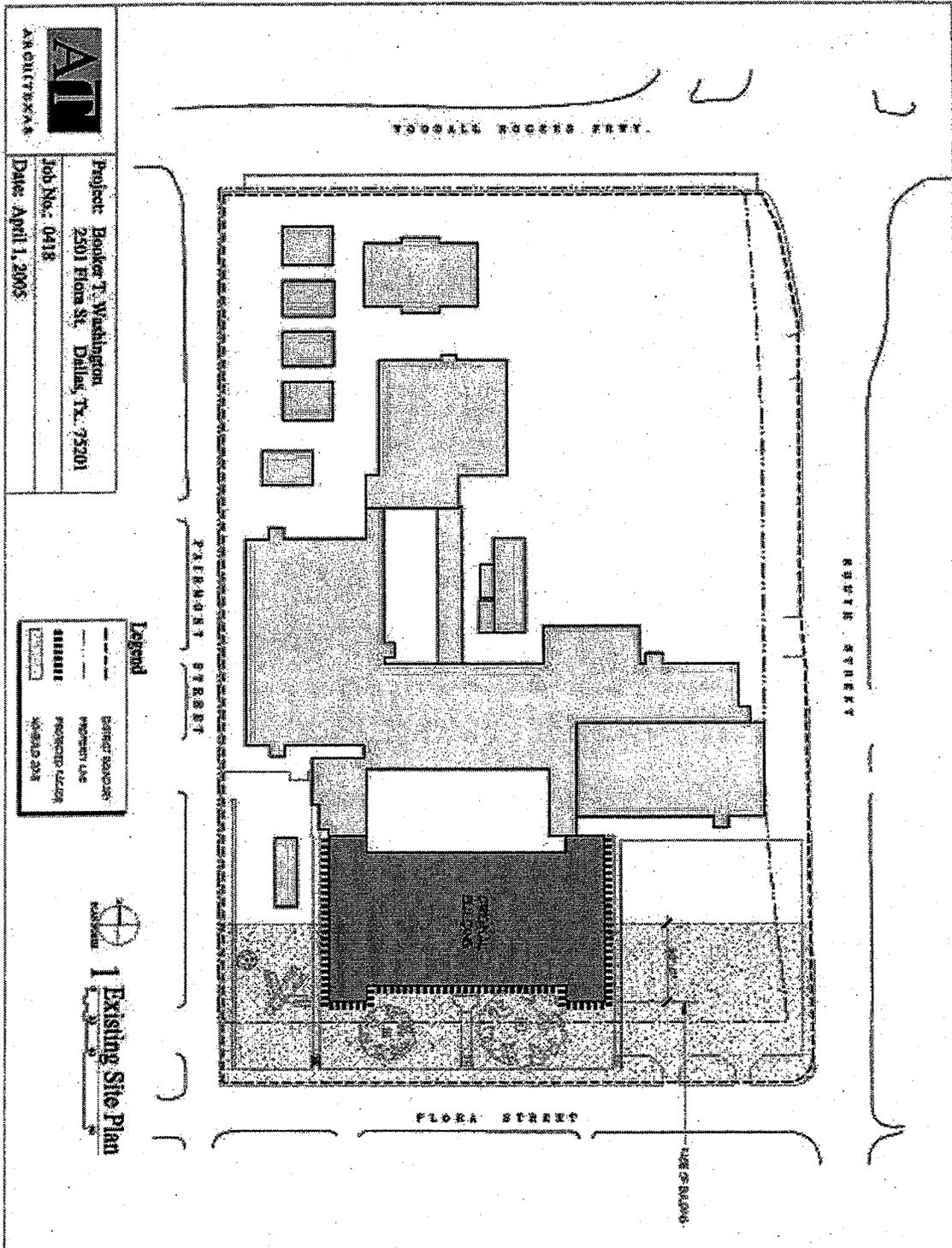
061246

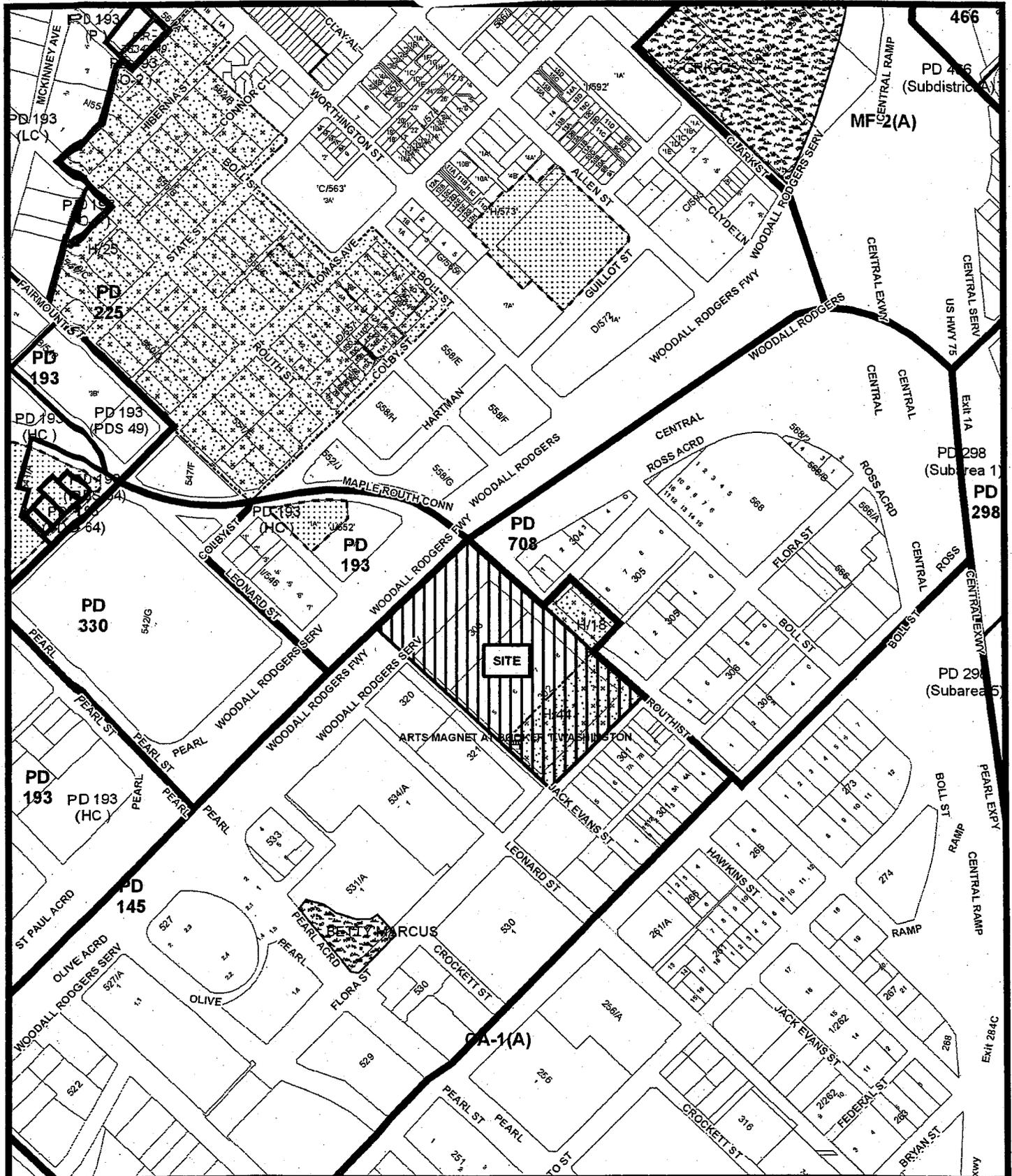
**EXHIBIT B**  
**LEGAL DESCRIPTION FOR EXPANSION OF H/44-BOOKER T. WASHINGTON**

Including property up to the centerline of the following streets:

Starting at the centerline of Woodall Rodgers Service Road and Jack Evans Street then along the centerline of Woodall Rodgers Service Road approximately 397.40 feet; and fronting the centerline of Routh Street approximately 411.70 feet to the old north boundary line of the H/44 district and following the old north boundary line approximately 399.20 to the centerline of Jack Evans Street; and fronting the centerline of Jack Evans Street approximately 413.60 feet to the centerline of Woodall Rodgers Service Road, the point of beginning and containing approximately 3.77 acres.

This district now is comprised of the entire City Blocks 302 and 303 and contains approximately 5.5 acres





1:4,800

# ZONING MAP

J-7

Map no: \_\_\_\_\_

Case no: Z056-180(JA)