

5-8-00

ORDINANCE NO.

24252

An ordinance amending CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, by establishing Historic Overlay District No. 96 (Pike Park) comprised of the following described property ("the Property"), to wit:

BEING a tract of land in City Block 927, Lots 3 and 4, fronting approximately 620 feet on the southwest line of Harry Hines Boulevard, beginning at the south corner of Harry Hines Boulevard and Randall Street, and containing approximately 5.5 acres of land;

providing procedures, regulations, and preservation criteria for structures and property in the 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 the Property; and

WHEREAS, the city council finds that the Property is an area of historical, cultural, and architectural importance and significance to the citizens of the city; and

WHEREAS, the city council finds that it is in the public interest to establish this historic overlay district; Now, Therefore,

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24252

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

SECTION 1. That CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, is amended by establishing Historic Overlay District No. 96 comprised of the following described property ("the Property"), to wit:

BEING a tract of land in City Block 927, Lots 3 and 4, fronting approximately 620 feet on the southwest line of Harry Hines Boulevard, beginning at the south corner of Harry Hines Boulevard and Randall Street, and containing approximately 5.5 acres of land.

SECTION 2. That the establishment 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 contained in this ordinance control over the regulations of the underlying zoning district.

SECTION 3. 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, or remove any structure on 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.

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SECTION 4. 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 5. 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 6. 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.

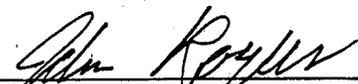
SECTION 7. That CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. 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 9. 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:

MADELEINE B. JOHNSON, City Attorney

By  _____
Assistant City Attorney

Passed MAY 10 2000

Exhibit A
PRESERVATION CRITERIA
Pike Park
2807 Harry Hines Boulevard

1. GENERAL

- 1.1 All demolition, maintenance, new construction, public works, renovations, repairs, and site work in this district must comply with these preservation criteria.
- 1.2 Any alterations to property within this district must comply with the regulations contained in CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended. In the event of a conflict, these preservation criteria control.
- 1.3 A person may not alter a historic district site, or any portion of the exterior of a structure on the site, or place, construct, maintain, expand, remove, or demolish any structure in the historic district without first obtaining a certificate of appropriateness or a certificate for demolition or removal in accordance with Section 51A-4.501 of the Dallas Development Code, as amended, and the provisions of this ordinance. A person who violates this provision is guilty of a separate offense for each day or portion of a day during which the violation is continued, from the first day the unlawful act was committed until either a certificate of appropriateness or a certificate for demolition or removal is obtained or the property is restored to the condition it was in immediately prior to the violation.
- 1.4 The certificate of appropriateness review procedure outlined in Section 51A-4.501 of the Dallas Development Code, as amended, applies to this district.
- 1.5 Preservation and restoration materials and methods used must comply with the Secretary of the Interior's Standards and Preservation Briefs published by the United States Department of the Interior, copies of which are available at the Dallas Public Library.
- 1.6 The Landmark Commission may approve a certificate of appropriateness for work that does not strictly comply with these preservation criteria upon a finding that:
 - a. the proposed work is historically accurate and is consistent with the spirit and intent of these preservation criteria; and
 - b. the proposed work will not adversely affect the historic character of the property or the integrity of the historic district.

- 1.7 This Landmark designation is based on the cultural and community importance and history of this site (refer to the Designation Merit portion of the *Landmark Designation Form*). The architectural integrity of the historic building has been significantly affected due to adverse changes in the past, resulting in the loss of the original second floor and numerous exterior alterations. These preservation criteria reflect the importance of the site and damage to the architectural integrity of the main building and therefore have a different approach and scope in dealing with the built resources at this site.

2. DEFINITIONS

- 2.1 Unless defined below, the definitions contained in CHAPTER 51A, "PART II OF THE DALLAS DEVELOPMENT CODE," of the Dallas City Code, as amended, apply.
- 2.2 APPROPRIATE means typical of the historic architectural style, compatible with the character of the historic district, and consistent with these preservation criteria.
- 2.3 CERTIFICATE OF APPROPRIATENESS means a certificate required by Section 51A-4.501 of the Dallas Development Code, as amended, and these preservation criteria.
- 2.4 COLUMN means the entire column, including the base and capital.
- 2.5 DISTRICT means Historic Overlay District No. 96, the Pike Park Historic Overlay District. This district contains the property described in Section 1 of this ordinance.
- 2.6 ERECT means to attach, build, draw, fasten, fix, hang, maintain, paint, place, suspend, or otherwise construct.
- 2.7 FENCE means a structure or hedgerow that provides a physical barrier, including a fence gate.
- 2.8 MAIN BUILDING means the community building, as shown in Exhibit B.
- 2.9 NO-BUILD ZONE means that part of the district in which no new construction may take place.
- 2.10 PROTECTED means an architectural or landscaping feature that must be retained and maintain its historic appearance, as near as practical, in all aspects.

3. BUILDING SITE AND LANDSCAPING

- 3.1 Construction of a new building is prohibited in the no-build zone shown in Exhibit B. New recreational, non-occupied structures such as playground equipment, picnic tables and shelters, and a gazebo or pavilion are allowed in the no-build zone.

- 3.2 The main building is protected.
- 3.3 New driveways, sidewalks, steps, and walkways must be constructed of brick, brush finish concrete, exposed aggregate, stone, or other appropriate material. Artificial grass, artificially-colored concrete, asphalt, and outdoor carpet are not permitted.
- 3.4 Circular driveways and parking areas are not permitted in front of the main building.
- 3.5 Outdoor lighting must be appropriate and enhance the structure.
- 3.6 Landscaping must be appropriate, enhance the structure and surroundings, and not obscure significant views of protected facades.
- 3.7 Landscaping.
 - a. It is recommended that landscaping reflect the historic landscape design.
 - b. The original topography of the park must be maintained.
 - c. The original retaining wall must be maintained.
 - d. Existing areas for active play must remain.
 - e. Existing plant massings of trees and shrubs must be retained and reinforced.
 - f. Existing trees are protected, except that unhealthy or damaged trees may be removed.
 - g. Mature and established trees must be maintained.
 - h. Replacement of damaged or unhealthy trees must be with like kind, or representative of the historic planting concept or plan, and must be five-inch or six-inch caliper.
- 3.8 Fences.
 - a. Fences in the front yard must be at least 70 percent open.
 - b. Fences in side yards must be located a minimum of 10 feet back from the front facade of the main building, except that the fence surrounding the swimming pool may abut the side facade of the main building within 10 feet of the front facade.
 - c. Fences may not exceed eight feet in height, except that fences at the rear property line adjacent of the playing fields may be erected to any legal height.

- d. Fences must be constructed of brick, cast stone, iron, stone, a combination of these materials, or other appropriate materials.

4. FACADES

4.1 Protected facades.

- a. The facades shown on Exhibit B are protected.
- b. Reconstruction, renovation, repair or maintenance of protected facades must be appropriate and must employ materials similar to the historic or existing materials in texture, color, pattern, grain, and module size.
- c. Historic solid-to-void ratios of protected facades must be maintained.
- d. A connector link may be constructed at the north facade as described in item 9.3.
- e. An addition at the south facade may be constructed as described in item 9.3.

4.2 Nonprotected facades.

- a. Reconstruction, renovation, repair, or maintenance of nonprotected facades must be compatible with protected features.
- b. Solid-to-void ratios of nonprotected facades must be maintained.

4.3 Wood siding, trim, and detailing must be restored wherever practical.

4.4 All exposed wood must be painted, stained, or otherwise preserved.

4.5 Historic materials must be repaired if possible; they may be replaced only when necessary.

4.6 Paint must be removed in accordance with the Department of Interior standards prior to refinishing.

4.7 Aluminum siding, stucco, and vinyl cladding are not permitted.

4.8 Historic color must be maintained wherever practical. Color schemes for non-masonry elements should conform to any available documentation as to historic color.

4.9 Exposing and restoring historic finish materials is recommended.

4.10 Cleaning of the exterior of a structure must be in accordance with Department of Interior standards. Sandblasting and other mechanical abrasive cleaning processes are not permitted.

5. FENESTRATION AND OPENINGS

- 5.1 Historic doors and windows must remain intact except when replacement is necessary due to damage or deterioration.
- 5.2 It is recommended that openings at porches and arcades of protected facades which have been enclosed be restored to their historic appearance.
- 5.3 Replacement of doors and windows which have been altered and no longer match the historic appearance is recommended.
- 5.4 Replacement doors and windows must express muntin and mullion profile and size, light configuration, and material to match the historic or the existing.
- 5.5 Storm windows are permitted if they are appropriate and match the existing windows in width, height, proportion, glazing material, and color.
- 5.6 Storm doors are not permitted.
- 5.7 Decorative ironwork and burglar bars are not permitted over doors, windows or openings of protected facades. Interior mounted burglar bars are permitted at doors and windows if appropriate.
- 5.8 It is recommended that existing decorative ironwork at openings in protected facades be removed.
- 5.9 Glass and glazing must match historic materials as much as practical. Films and tinted or reflective glazings are not permitted on glass.
- 5.10 New door and window openings in protected facades are permitted only where there is evidence that historic openings have been filled or the safety of life is threatened.
- 5.11 The Secretary of the Interior's Standards for Rehabilitation should be referred to for acceptable techniques to improve the energy efficiency of historic fenestration.

6. ROOFS

- 6.1 The slope, massing, configuration, and materials of the roof must be preserved and maintained.
- 6.2 The following roofing materials are allowed on the main portion of the roof: clay tiles, synthetic clay roof tile and terra-cotta tiles. Composition shingles, slate tiles, wood shingles, built-up, metal, single-ply membrane, and synthetic wood-shingles are not permitted on this portion of the roof.

- 6.3 Built-up, metal, and single-ply membrane roofs are permitted on the flat, rear portion of the roof.
- 6.4 Historic eaves, coping, cornices, parapets, and roof trim must be retained, and should be repaired with material matching in size, finish, module and color.
- 6.5 Skylights and solar panels on the roof must be set back or screened so that they are not visible to a person standing at ground level on the opposite side of any adjacent right-of-way.
- 6.6 Mechanical equipment is not allowed on the sloped, tile roof. Mechanical equipment is allowed on the flat, rear portion of the roof provided it is set back or screened so that it is not visible to a person standing at ground level on the opposite side of any adjacent right-of-way.

7. PORCHES AND ARCADES

- 7.1 Historic porches and arcades on protected facades are protected.
- 7.2 Porches and arcades on protected facades may not be enclosed. It is recommended that existing enclosed porches on protected facades be restored to their historic appearance.
- 7.3 Historic columns, detailing, railings, and trim on porches and arcades are protected.
- 7.4 Porch and arcade floors must be brick, concrete, or stone. Brick, concrete, or stone porch floors may not be covered with carpet or paint. A clear sealant is acceptable on porch floors.

8. EMBELLISHMENTS AND DETAILING

- 8.1 The following architectural elements are considered important features and are protected:
 - a. the series of arches at protected facades.
 - b. the retaining wall.
 - c. the Mission-revival style parapet.
 - d. the clay tile roof of the main building.

9. NEW CONSTRUCTION AND ADDITIONS

- 9.1 Stand-alone new construction is permitted only in the areas shown on Exhibit B.

- 9.2 Vertical additions to the main building are permitted only if the vertical additions are a reconstruction of the historic appearance of the main building to the height of the building as originally constructed in 1915.
- 9.3 Horizontal additions to the main building are permitted only in the areas shown on Exhibit B:
- a. New construction on the north facade is limited to a connector link which must have a width less than 35 percent of this facade, and must be set back from the east (Harry Hines) facade as shown on Exhibit B. This connector link must be one-story and must have an open appearance.
 - b. New construction adjacent to the south facade must be set back from the east (Harry Hines) facade as shown on Exhibit B.
- 9.4 The height of new construction and additions must not exceed the height of the existing structure. If the second floor is added to the historic structure, new construction may match this height.
- 9.5 The color, details, form, materials, and general appearance of new construction and additions must be compatible with the existing historic structure.
- 9.6 New construction and additions must have appropriate color, detailing, fenestration, massing, materials, roof form, shape, and solid-to-void ratios.
- 9.7 Aluminum siding, stucco, and vinyl cladding are not permitted.

10. SIGNS

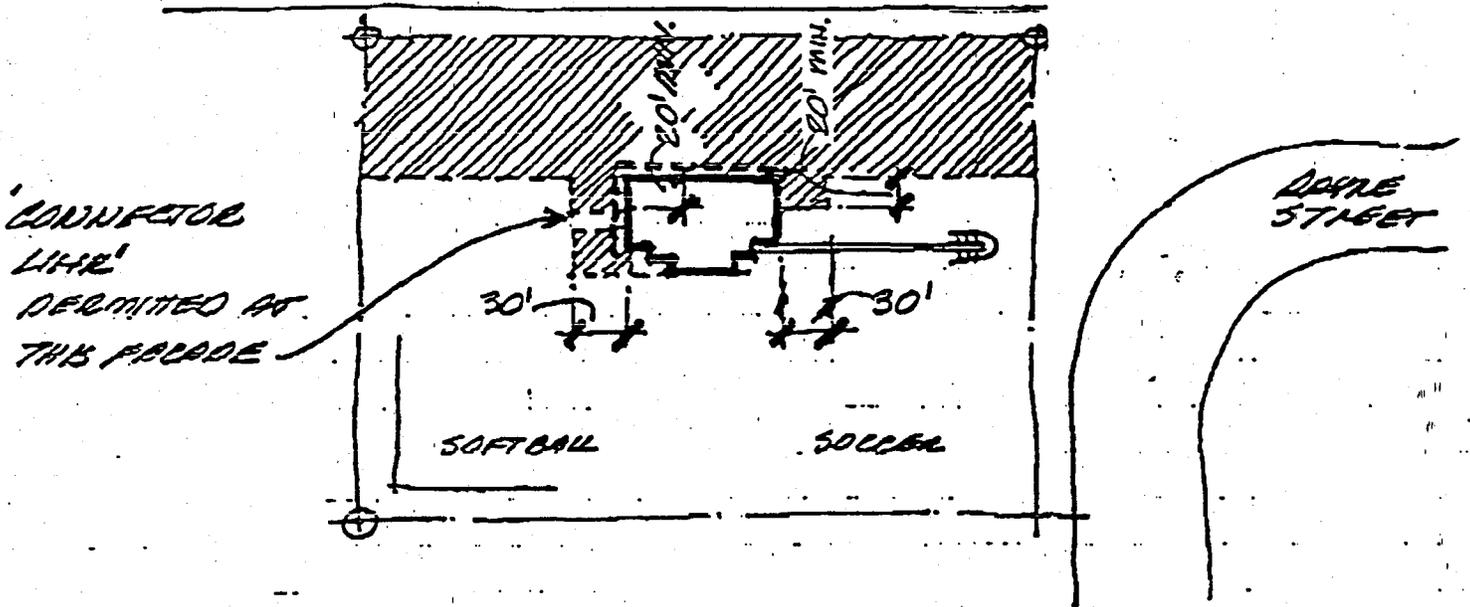
- 10.1 Signs may be erected if appropriate.
- 10.2 All signs must comply with the provisions of the Dallas City Code, as amended.

24252

PIKE PARK HISTORIC DISTRICT EXHIBIT B

DRAFT

HARRY HINES BLVD.



CONNECTOR
LINE
PERMITTED AT
THIS FACADE

SOFTBALL

SOCCER

DAVE
STREET

REF:  NO. BUILD.
ZONE

 PROTECTED
FACADE

