

## CANPAC

Central Austin Combined Neighborhoods Planning Area committee

9B-9B  
**Late Backup**

December 6, 2007

To. Mayor Will Wynn, Mayor Pro Tem Betty Dunkerley, City Council Members  
From Lin Team, Chair of CANPAC Planning Team  
Regarding. Conditional Overlay Applications from Fraternities and Sororities

**In the interest of a favorable relationship for future cooperation, CANPAC will not oppose these nine conditional overlay applications, despite our reservations about their potential effects on our neighborhood plan and the integrity of the University Neighborhood Overlay .**

CANPAC will not oppose the applications and we agree to let them be put on consent. However, a quick review of this background will help you understand our concerns and our interest in this case

### **CANPAC History**

The Central Austin Combined Neighborhood Plan arose from a council resolution adopted in April of 2002, following a series of protracted and unpleasant zoning battles in the University of Texas area **The Council required the seven neighborhood associations surrounding the campus to come together to form an area-wide comprehensive plan that would set out zoning details for the area in order to avoid the case-by-case chaos that had become the norm.**

Despite the initial misgivings of the participants, the planning groups quickly coalesced around a common vision. That vision was compelling enough to unify diverse interests whose history of mutual distrust had formed over years of zoning battles. Forced by City Council to work together, the groups discovered that their interests were not only compatible, but mutually supportive

- The CANPAC vision designed *a new urban community in west campus* that would attract students back to their rightful place in the neighborhood. It saw an end to wasteful and polluting shuttles tracking in and out of the area and instead pictured students comfortably walking to school on accommodating sidewalks shaded by day and lighted by night. Housing would be available in sufficient quantity that a range of prices would be available for student budgets.
- The CANPAC vision brought *residential neighborhoods relief from the threat of developers* squeezing inappropriate stealth dorms into single-family areas or pushing tall multi-family buildings further each year into historic neighborhoods. The height map for the area was carefully fine-tuned to create a landscape that placed density where it is needed while protecting single-family residential areas.

The centerpiece of the new plan was the **University Neighborhood Overlay, or UNO**. The overlay was considered a genius idea to foster dense development in the area nearest to campus and create an attractive, livable, urban-scale neighborhood. Property owners

in the desired development area received the option to greatly increase height limits in exchange for creating the streetscapes the plan envisioned. They would build 12-foot sidewalks with street trees and lighting, place retail uses on the ground floors, and limit the visibility of parking garages. UNO specifications called for quality building materials and enhanced design and a percentage of the units being designated as affordable housing. The plan called for mixed uses in commercial areas much like the Vertical Mixed Use (VMU) model that came along a few years later

The plan and its myriad implementing zoning changes were adopted in August of 2004 **The Central Austin Neighborhoods Planning Area Committee that had guided the planning work became the official Planning Team for the area. Its mission and responsibility is to oversee the implementation of the Central Austin Combined Neighborhood Plan, to protect the plan and preserve the vision that guided its development.**

At the time the plan was adopted in 2004, some parts of the area west of the University of Texas Campus were in serious decline. Blighted streets were lined with broken or non-existing sidewalks and littered with dumpster-spills. Older multi-family housing units were eking out their economic life in poor condition because zoning changes adopted in the 1980s prevented redevelopment to the same level of density. Nonetheless, rents were high because the supply of housing was limited for students who wanted to live near campus. The university had suspended housing construction on campus for many years, and substituted shuttle service to apartments in the East Riverside Drive area and Northwest Austin. The scattered housing of students undermined the ideal of a cohesive campus community

### **Progress in West Campus**

Now the CANPAC vision is taking shape in West Campus. In place of blight, cranes and construction clutter the streets. At this point approximately 7,000 new beds have been built or are under construction and there will likely be several thousand more before development levels off. Already area rental prices have moderated, as students find more options available.

**Politically the results have been seen in the absence of dramatic confrontations over zoning in the West Campus sector of our planning area.** The working relationships formed over more than two years of designing details of the plan have continued as the Planning Team oversees plan implementation

### **This Zoning Issue**

Recently this group of nine fraternities and sororities located within the UNO area filed requests for change of zoning because they believe their property taxes have risen as a result of the new entitlements. When these applications came to CANPAC's attention we offered to meet with the group to explore our respective interests and concerns. Their initial spokesman refused to meet, so we were placed in the uncomfortable position of opposing them at the Planning Commission. We have since connected with other representatives of the organizations and finally had our first meeting with them this past Tuesday.

**We are not convinced that the tax increases are entirely due to the CANPAC plan.** Although we sympathize with the organizations whose taxes have increased, we observed that **property values have appreciated in all of Central Austin** in recent years. Some of the enhanced property value may result from zoning changes in neighborhood plans that stabilized the uses and character of the planning areas. If the zoning changes requested by the fraternities were granted on the basis that UNO zoning increased their taxes, it seems that **any property owner in any area of the city affected by changes that increased their property values would be entitled to the same treatment.**

Assuming that the reversion to base district zoning *would* bring about lower taxes, the change could create a **reversible tax shelter**. Removing a property from the UNO district could be reversed later without opposition because it would support the goals of the UNO part of the plan. However, it would effectively grant a tax holiday to the property, allowing owners to pay lower taxes, then later have the UNO zoning restored and sell for higher value.

### **Our Main Concerns**

**Our questions about the proposed zoning change relate to possible effects on the overall CANPAC plan.** Whether or not the tax relief they seek would occur as they hope, **we wanted the opportunity to arrange a well-considered revision to the plan that would prevent an onslaught of new case-by-case zoning change applications,** either from other Greek organizations or from other property owners or investors who would like tax relief and think this might be the key to it.

The Planning Team is open to helping the fraternities achieve their goals so long as that does not undermine the plan and the momentum achieved thus far in its implementation. For the past week we have worked with University Area Partners and representatives of the organizations, seeking an agreement that would support both our goals. UAP has signed an agreement with the property owners but we cannot. **The brief time we had to work together was not adequate for us to be comfortable that this is the best solution for the fraternities or the neighborhood.**

**However, in the interest of a favorable relationship for future cooperation, CANPAC will not oppose these nine conditional overlay applications, despite our reservations about their potential effects on our neighborhood plan and the integrity of the University Neighborhood Overlay.**

Fraternities and sororities belong in West campus, where they have a long history and a special place in the culture of the campus neighborhood. The renaissance of the neighborhood will make a happier, healthier, safer place for everyone. It is likely to have many beneficial effects on the Greek organizations, including the ability to attract more resident members who will want to live in the heart of the newly vibrant student community. We are proud to have set those changes in motion with our CANPAC vision and we hope that we may continue to engage in cooperative efforts to make this vision work for everyone.

### **CANPAC Members**

Caswell Heights Neighborhood + Eastwoods Neighborhood + Hancock Neighborhood + Heritage Neighborhood + North University Neighborhood + Shoal Crest Neighborhood + University Area Partners