

RESOLUTION NO.

WHEREAS, the birth of what is now the Capital City of Texas occurred in 1837 at the Treaty Oak in a settlement that was once called Waterloo, the settlement was later renamed Austin and was designated as the seat of state government in 1839; and

WHEREAS, the State Capitol building was destroyed by fire in 1881; and

WHEREAS, The Texas State Capitol is of a unique and rare Renaissance Revival style completed in 1888, built by convicts, former slaves, and illegal foreign labor from Scotland, designed by Elijah Myers, a renowned American architect; and

WHEREAS, since opening to the general public in 1888 the Capitol has been a landmark for all who visit and live in the City of Austin, a magnificent priceless public landmark, a unique building that is the property of Texans, is higher than the Capitol of the United States of America; and

WHEREAS, as early as 1965 the public noticed that the sight of the Texas Capitol might be threatened by vertical growth; and

WHEREAS, in 1981 the Senate State Municipal Planning Study Committee produced a report wherein they recommended to the State Legislature to comply with any City regulations designed to preserve the view of the Capitol unless determined to be unduly burdensome; and

WHEREAS, a draft *Capitol View Preservation Study* was completed by the Planning Department of the City of Austin in February 1983 and subsequently approved by the City Council echoing the State's findings regrading feasibility,

public benefit, describing the formula that had been developed by the City of Austin Planning Department to determine the compatibility of new structures with the views of the Capitol; and

WHEREAS, citizens were encouraged in the City's Capitol View Preservation Study to bring forth other Capitol View Corridors that may be identified in the future; and

WHEREAS, Capitol View Corridors were established as late as 1985 due to the obvious public benefit of access to an unobstructed view of the Capitol building; and

WHEREAS, there are a number of Capitol View Corridors that were identified during the study periods in the early 1980s but were not legislated such as the view from the Texas State Cemetery, Huston-Tillotson University and the view from Rosewood and Hargrave among others; and

WHEREAS, Capitol View Corridors have proven to be significant public benefit and are able to coexist with residential and commercial real estate development such as the Seaholm Development, the Austonian, the Frost Bank Tower, the 360 Condos, the W Hotel among others; and

WHEREAS, the real estate development that has occurred in downtown Austin since the inception of the Capitol View Corridors has proven that the Capitol View Corridors are assets to the community at large; and

WHEREAS, citizens of Texas should be able to identify where state law is made and be able to engage their lawmakers; and

WHEREAS, the City should memorialize the unobstructed views of the Capitol that were noted in Ordinance No. 19840419-K which continue to be

unobstructed in 2017, as well as the views which have been identified by community members; and **NOW THEREFORE**

BE IT RESOLVED BY THE CITY COUNCIL OF AUSTIN, TEXAS

1. The City Manager is directed to prepare a recommendation consisting of one or more planning options for Council to consider that would extend protections comparable to existing Capitol View Corridors, as established under City Code § 25-2-162 (*Capitol View Corridor (CVC) Overlay District Purpose*) and Texas Government Code Chapter 3151, to the areas generally described in the 2015 Bowman Consulting report entitled “Proposed East Austin Capitol View Corridors,” attached hereto as Exhibit A. The City Manager shall provide the recommendations on or before the May 18, 2017 Council meeting.
2. In developing options in response to this resolution, the City Manager should:
 - (A) Verify the surveyed coordinates identified in Exhibit A;
 - (B) Consider the recommendations and planning principles set forth in the 1983 Capitol View Preservation Study;
 - (C) Consider including potential mitigation measures, to the extent deemed necessary or appropriate to address the impacts of the new corridors on affected properties; and
 - (D) Include any non-substantive corrections or updates to existing Capitol View Corridor sections of City Code, as deemed appropriate.

ADOPTED: _____, 2017 **ATTEST:** _____

Jannette S. Goodall
City Clerk

EXHIBIT A

PROPOSED EAST AUSTIN CAPITOL VIEW CORRIDORS

**Prepared by:
Bowman Consulting
November 2, 2015**

Draft