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MEMORANDUM

TO: Laurie Limbacher, Chair
Historic Landmark Commission Members

FROM: Clark Patterson, AICP
Planning and Development Review Department

DATE: November 9, 2011

RE: Congress Avenue Overlay

In 1984 various ordinances and legislation was passed in an effort to preserve key public views to the Capitol building and dome, and in doing so, the image and identity of Austin as the capital city of Texas. This passage of ordinances and legislation was in response to community concerns that new high-rise development was beginning to overshadow and obstruct views to the Capitol. Consequently, the City and State adopted several ordinances and legislation including the Capitol Dominance Zone that limits building height within a certain radius of the Capitol, the Capitol View Corridors (CVCs), which protect 35 different viewpoints to the Capitol through specific height limits and the Congress Avenue Overlay District, which requires step backs for buildings along the central avenue. The Congress Avenue Overlay was a direct response to the development of a few high rise buildings that had been constructed at the property line with vertical walls going up without any wall articulation. The purpose of the Congress Avenue Overlay was to prevent the "canyon effect" along Congress Avenue.

§ 25-2-165 CONGRESS AVENUE (CA) OVERLAY DISTRICT PURPOSE AND BOUNDARIES.

(A) The purpose of the Congress Avenue (CA) overlay district is to protect the historic character and symbolic significance of Congress Avenue and to enhance the pedestrian environment of the area.

(B) The CA overlay district applies to all property zoned CBD or DMU that is between the alleys on each side of and parallel to Congress Avenue from First Street to Eleventh Street.

Source: Section 13-2-172; Ord. 990225-70; Ord. 031211-11.



909 Congress Ave, Austin, TX 78701

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Congress Avenue
30°15'14.53" N 97°44'29.53" W elev 602 ft

Google

Eye all 511 ft

2917 BOUNDARIES

Boundaries for the CDZ Capitol Dominance Zone shall include all properties within one-fourth mile radius of the State Capitol dome (1,320 feet).

2918 USE REGULATIONS

Permitted and conditional uses for the CDZ Capitol Dominance Zone shall be those uses specified for the base district(s) which are included in the CDZ boundary.

2919 SITE DEVELOPMENT REGULATIONS

Site Development Regulations for the CDZ Capitol Dominance Zone shall be those regulations specified for the base district(s), with the addition of the following requirements:

In close proximity to the State Capitol, the height of surrounding buildings should be limited, but the permitted height may increase as the distance from the Capitol increases. Within 1/4 mile (1,320 feet) of the State Capitol, permitted building heights shall be established by a line that forms a 2 1/2° angle from the base of the Capitol dome and the imaginary plane established at 653 feet elevation above sea level. The formula for calculating the height ceiling at intermediate points shall be established by multiplying the distance from the Capitol center dome by the tangent of 2 1/2° or .04366, and adding this to 653 feet elevation.

2920 CAZ CONGRESS AVENUE ZONE

2921 PURPOSES

The CAZ Congress Avenue Zone is intended for application in combination with the CBD and DMU base districts in order to protect the historic character and symbolic significance of Congress Avenue and to enhance the pedestrian environment along this unique downtown corridor.

2922 BOUNDARIES

The boundaries of the CAZ Congress Avenue Zone shall include all properties between alleys on either side of Congress Avenue from First Street to Eleventh Street.

2923 USE REGULATIONS

Permitted and conditional uses for the CAZ Congress Avenue Zone shall be those uses specified for the base district.

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2924 SITE DEVELOPMENT REGULATIONS

Site development regulations for the CAZ Congress Avenue Zone shall be those regulations specified for the base district with the addition of the following requirements:

1. Within 60 feet adjacent to Congress Avenue, the heights of buildings shall be a minimum of 30 feet and a maximum of 90 feet.
2. To the extent glass is utilized, clear or lightly tinted glass shall be used on the first floor of all buildings and structures.
3. Reflective surface building materials shall be limited to use only when there is no glare.

There shall be no surface parking lots, nor curb cuts, nor unscreened garage openings at any level permitted as a result of any new development within identified Overlay Zone Boundaries on Congress Avenue, East 6th/Pecan Street, or along the street frontage adjacent to Downtown Parks or Town Lake, or along Downtown Creek frontages. The Planning Commission shall have the right to waive one or more of these requirements provided that the Commission includes a finding in its approval that: (1) the applicant has demonstrated that adherence to the regulations is impractical, and (2) the applicant has demonstrated that the proposed project will not unreasonably impair pedestrian and vehicular movement in the affected area and adequate precautions have been made for public safety, convenience and the aesthetic values of the Overlay Zone.

The decision of the Planning Commission may be appealed to the City Council. If the City Council approves such application, it shall be required to make the same findings as provided hereinabove.

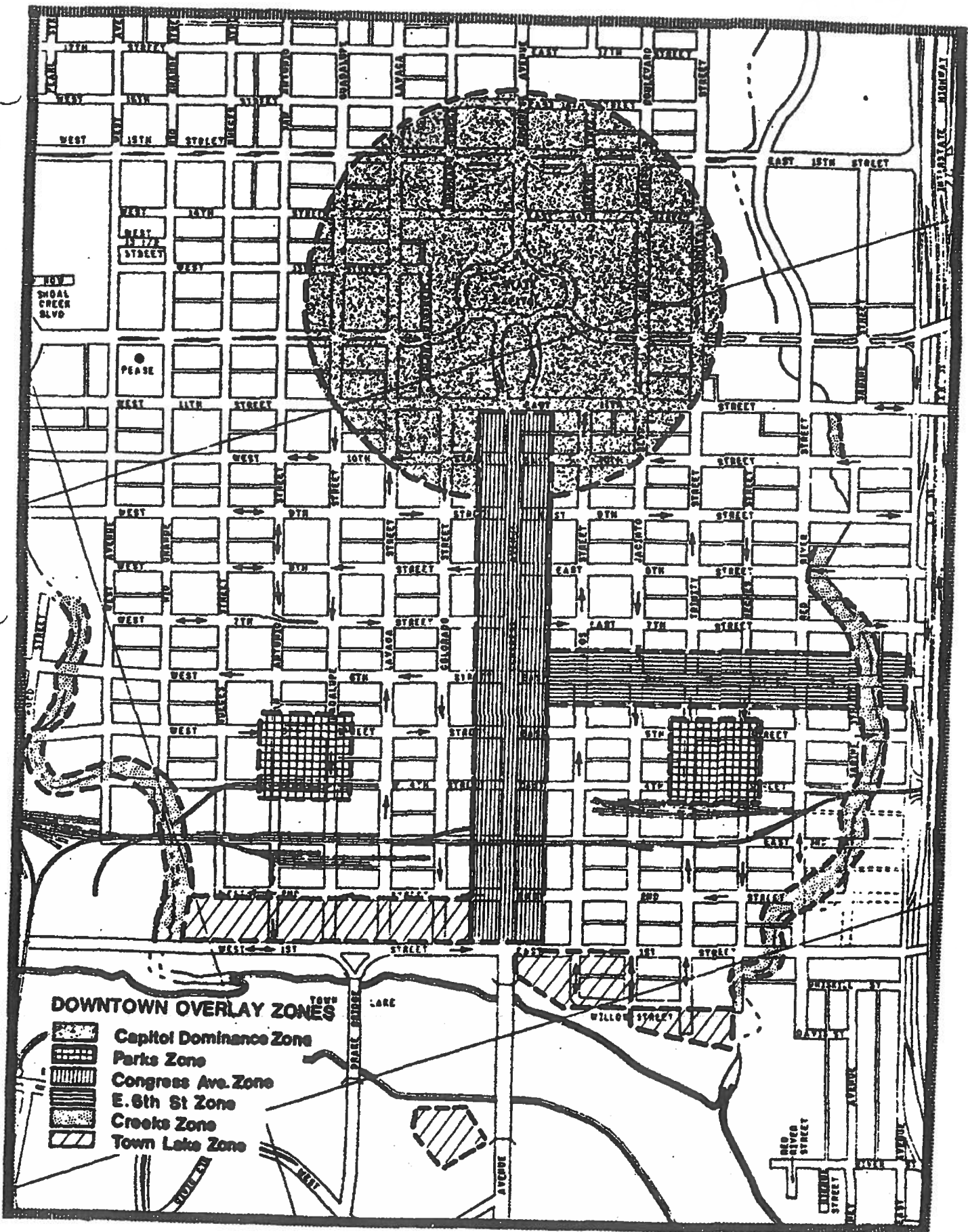
2925 PSZ E. SIXTH/PECAN STREET ZONE

2926 PURPOSES







The PSZ E. Sixth/Pecan Street Zone is intended for application in combination with the CBD and DMU base districts in order to protect the historic character of East Sixth/Pecan Street and to enhance the pedestrian orientation of this unique urban area.

2927 BOUNDARIES

The boundaries of the PSZ E. Sixth/Pecan Street Zone shall include all properties between alleys and the extension of alley lines on either side of E. Sixth/Pecan Street from I.H. 35 to the alley east of Congress Avenue.



DOWNTOWN OVERLAY ZONES

-  Capitol Dominance Zone
-  Parks Zone
-  Congress Ave. Zone
-  E. 6th St Zone
-  Creeks Zone
-  Town Lake Zone

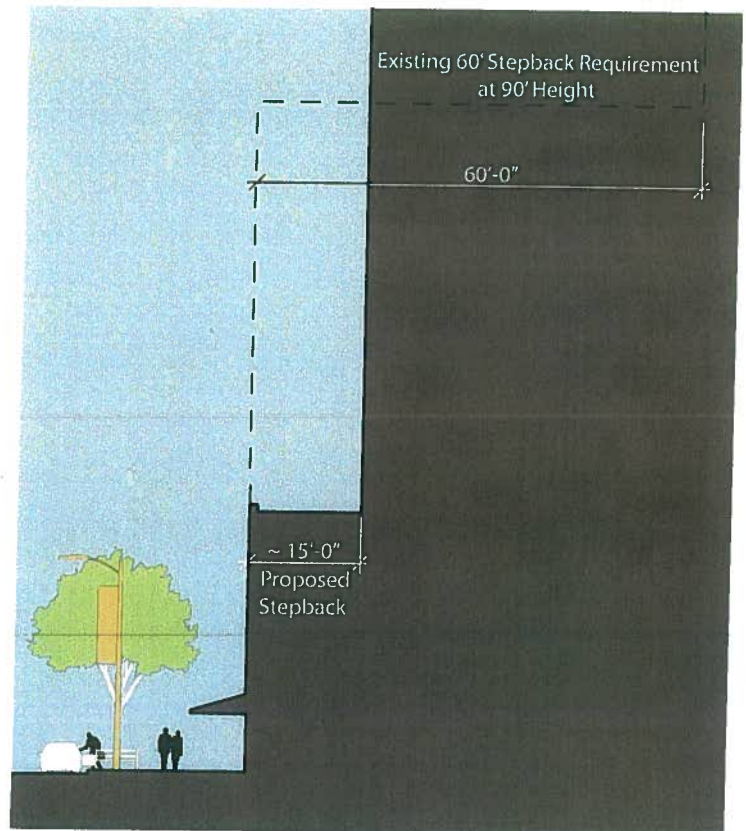
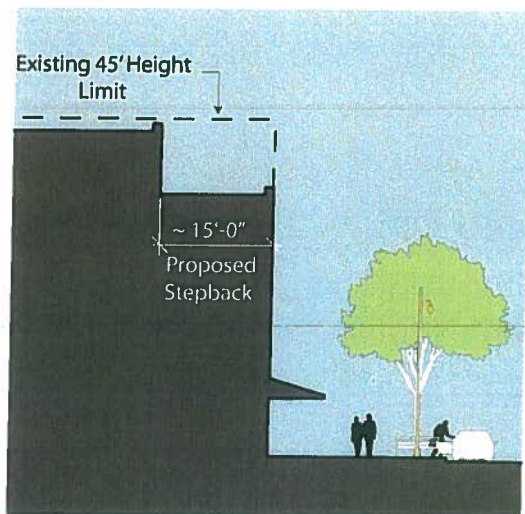
- The City should maintain these as design standards, but also require rooftop additions on historic buildings to be stepped back from the front façade of the original, historic structure by approximately 15 feet. This would help maintain the original building’s distinct form, silhouette and prominence, while allowing for compatible roof terraces and/or additional stories.
- The *Sixth Street Austin* Public Improvement District (PID) should be tasked with developing appropriate rooftop terrace and signage standards and with enforcing these.



The character of the East 6th Street NRHD has been diminished by ad hoc rooftop additions.

HP-2.4: Introduce stepback provisions for new buildings and building additions within the Congress Avenue National Register Historic District.

Properties along Congress Avenue are currently under the protection of a NRHD, a Capitol View Corridor and the Congress Avenue Overlay District. The Overlay requires new buildings (or additions) to step back by 60 feet starting at a height of at least 30 feet, but no greater than 90 feet. This required stepback of 60 feet is greater than necessary to protect the historic character and symbolic significance of Congress Avenue since existing tall buildings (e.g., along the east side of Congress Avenue) have already shaped the street. In addition, there are no regulations to guide the construction of additions to existing buildings on the Avenue, which is especially important when these are historically significant.



Proposed Stepback Provision for East 6th Street and Congress Avenue NRHDs

- The City should require building additions to historic structures to be stepped back from the Congress Avenue-facing façade by approximately 15 feet. In addition, the City should consider relaxing the 60-foot stepback requirement of the Congress Avenue Overlay District.

HP-3. ADMINISTRATION: *The City should intensify its role in managing and funding Downtown preservation.*

Currently the City's Historic Preservation Office has three full-time staff, which is not adequate to accomplish much beyond the monthly administration of Historic Landmark Commission meetings. The CHPO is not funded to engage in more proactive planning efforts, required updates, public outreach and education, website development, etc., nor does it have the ability to support high-priority preservation projects. There are also no sources of capital funding for needed renovations of key Downtown historic resources, including publicly-owned parks and park structures, bridges, etc. The few grant programs available for historic preservation are generally small and reserved for local government organizations.

The City's seven commissioners on the Historic Landmark Commission are called upon to interpret federal, state and local standards for designation of landmarks and districts, and to do so objectively, fairly and consistently. They must review building permit and Certificate of Appropriateness applications and determine whether the work proposed is consistent with best preservation practices and federal, state and local standards for preservation, rehabilitation and restoration. It is important that there be sufficient staff capacity to advise the Commission, and that the Commission be reinforced with members who have technical expertise, including preservation architects and architectural historians, who could continue to provide informed and effective review of project applications.

Restoration of Downtown's historic public infrastructure, such as bridges and parks, is needed.

