

- SUBJECT:** Exempting the UT stadium from Capitol view protections
- COMMITTEE:** Land and Resource Management — favorable, without amendment
- VOTE:** 9 ayes — Bosse, B. Turner, Crabb, Hamric, Howard, Jackson, Krusee, Mowery, Staples
- 0 nays
- SENATE VOTE:** On final passage, February 24 — 31-0
- WITNESSES:** (On House companion bill, HB 1036:)
For — Sandy Dochen, Greater Austin Chamber of Commerce; Lawana Murphy, Austin Hotel/Motel Association; Amy E. Little, Greater Austin Sports Foundation; Victoria Koepsel, Greater Austin Sports Foundation
- Against — None
- On — William H. Cunningham, University of Texas; Darrell K. Royal, University of Texas at Austin
- BACKGROUND** Certain views of the State Capitol — "Capitol view corridors" — by law (VACS art. 6145-13) may not be obstructed by buildings or other structures. Currently, there are 30 protected capitol view corridors, including the views from the plaza level of the Lyndon B. Johnson Presidential Library and the intersection of 38th Street and Red River. In 1996, the University of Texas Regents approved an expansion plan for the Darrell K. Royal-Texas Memorial Stadium for UT-Austin that would partially obstruct these two Capitol view corridors.
- DIGEST:** SB 438 would exempt construction, renovation or equipment at the Darrell K. Royal-Texas Memorial Stadium from the law protecting the Capitol view corridors but would prohibit expansion beyond a maximum height of 666 feet above sea level.
- SB 438 would take immediate effect if finally approved by a two-thirds record vote of the membership in each house.

SUPPORTERS
SAY:

SB 438 would address a particular set of circumstances warranting special consideration. The Darrell K. Royal-Texas Memorial Stadium is sorely in need of renovation. The stadium was built in the 1920s and has not undergone a major renovation since the 1970s. Since then, the popularity of UT football has continued to grow. With the university now part of the Big 12 Athletic Conference, demand for football tickets is likely to increase, and more seating will be necessary to accommodate the demand. Exempting the stadium from the law protecting Capitol view corridors would allow the university to expand its stadium capacity and also update the facility to bring it into compliance with federal accessibility requirements and make needed infrastructure improvements.

SB 438 would strike a balance between preserving two existing Capitol view corridors and the long-term growth and health of the university. The planned stadium expansion will only marginally impact two already imperfect view corridors, but is vitally important for the economic viability of the stadium. The stadium is a sound economic investment. The expansion of the stadium will be built with private funds, and the revenue generated from the additional general, student, and luxury suite seating will greatly benefit the university.

The planned stadium expansion would only partially obstruct already eroded Capitol view corridors. The view from the intersection of 38th Street and Red River is limited at best and can be only partially enjoyed from the center of this busy intersection. Few, if any, Texans are able to savor this view of the Capitol now. In addition, the view from the plaza level of the LBJ library is already obstructed by tree growth, which will only continue in the future.

Plans for the expansion preserve other viewpoints. While the planned deck on the east side of the stadium would obstruct the view from the plaza level of the LBJ Library, it would preserve the view of the Capitol from the 8th floor. Mrs. Lady Bird Johnson has come out in favor of the stadium expansion project.

OPPONENTS
SAY:

Views of the State Capitol are now obstructed from many points in Austin, obscuring the most important symbol of state government. SB 438 would undermine the law enacted to preserve the few clear views that remain.

It would be imprudent to further erode the view of the Capitol absent a clear need for stadium expansion. With the exception of a few very high profile football games, events at the stadium are infrequently sold out. There is no need to build more seating that justifies making this exception to the law protecting the remaining views of State Capitol. The state recently spent millions of dollars restoring the State Capitol. It should protect this investment by preserving all existing Capitol views.

The view from 8th floor of the LBJ Library would be preserved for only a few library visitors. The 8th floor contains a private suite, a replica of President Johnson's Oval Office, and an atrium. Although the Oval Office is open to viewing by all library visitors, the private suite and the view of the Capitol can be accessed only by invited visitors.

SB 438 would ignore the best interests of all Texans while pandering to the desires of a few. Expanding the stadium would benefit relatively few football fans while desecrating the view of the Capitol for all Texans.

NOTES:

The House companion bill, HB 1036 by Uher, was placed on the calendar for second reading consideration on March 12. SB 438 was laid out in lieu of HB 1036, then consideration was postponed until today.