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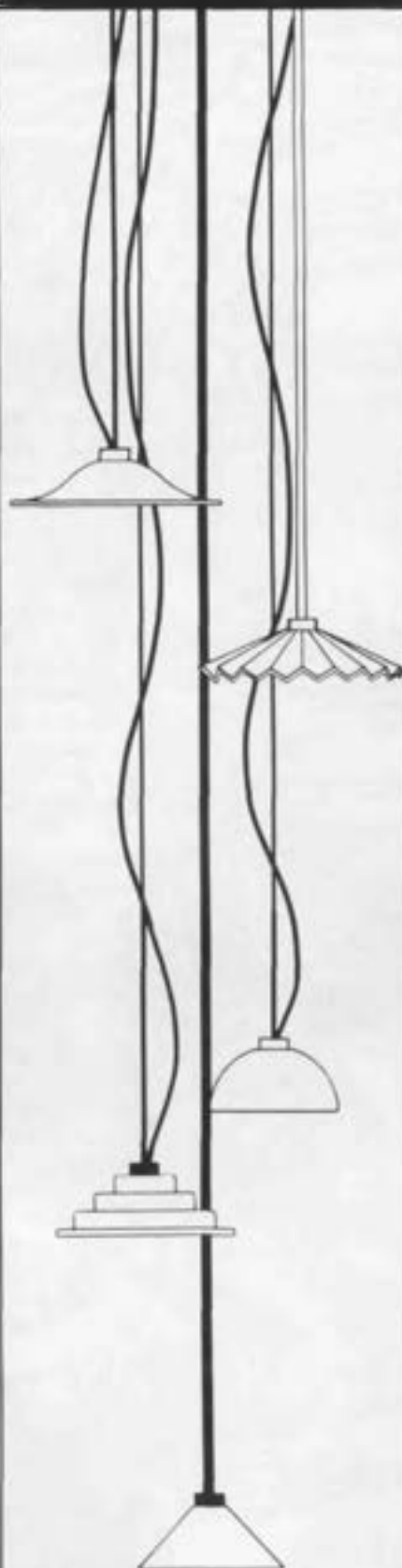


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THE ARCHITECTURE  
AND DESIGN REVIEW  
OF HOUSTON

A PUBLICATION  
OF THE RICE  
DESIGN ALLIANCE

27: FALL 1991

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The Rice Design Alliance, established in 1973, is a nonprofit educational organization dedicated to the advancement of architecture and design.

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## EDITORIAL

# FUNNEL VISION

No one in Houston (or Washington or Sugar Land) has yet to propose that any part of the area's \$1 billion a year freeway construction program be subjected to a referendum or other far-reaching demonstration of community consensus. Yet plans for a 23.4-mile, \$1.09 billion first increment of a fixed guideway mass transit system are being held to such a test (or retest, since development of fixed-guideway transit improvements was approved by referendum in 1988, only to be contravened by the reflexive skepticism of then Metro chairman Bob Lanier). In an era when Sunbelt cities from Miami to Los Angeles have begun to build more balanced mobility systems involving rail mass transit, Houston has yet to break ground, even though its air quality, the nation's second worst, is now hampering efforts to accommodate new industry.

Moreover, since 1988, 25 percent of the funds collected by Metro from the local share of the sales tax has been routinely diverted to Harris County, the city of Houston, and other county municipalities for road and street improvements, concessions needed to placate dissident suburban constituencies and to relieve pressure on the city of Houston's recession-impacted budget. By the year 2000, this diversion will have amounted to at least \$650 million. And although the city's fiscal situation has now improved, no move has been forthcoming to restore this diverted source of funding to Metro for transit projects; in fact, Lanier proposed during his mayoral campaign to expand the fund grab to pay for police and other unrelated activities.

One measure the Urban Mass Transit Administration uses to evaluate prospective transit systems for federal funding is the unit cost of attracting new ridership. All such calculations are inherently speculative, and it goes without saying that fixed-guideway transit arrangements may be less than optimally cost-effective for cities such as Houston where development patterns have long been keyed exclusively to automobiles. But in view of the growth likely to be experienced by Houston and other such cities, sooner rather than later, a fixed-guideway system provides

the ability to order growth and its logistical consequences in a far more efficient manner. The alternative is to keep redoubling the size of our freeways every decade or so, an evolution already ensnaring 11 miles of the Southwest Freeway that will soon spread to the West Loop and the Katy Freeway.

Either of the two fixed-guideway systems considered by Metro last year has the potential to enhance the city's quality of life. But there is also reason to fear, given Metro's reduced resources and the current climate of adversity in high and outlying places, that it may feel obliged to cut corners in ways that might ultimately prove costly and impolitic to undo. From a community-building perspective, it is imperative that the system Metro builds not be subject to the same penny-wise, pound-foolish expediency that has already imposed noisy, unsightly elevated freeways on much of downtown, Main Street, and Montrose, but is instead developed unobtrusively and thoughtfully throughout. The system should go underground through congested and otherwise sensitive areas such as Hermann Park as a matter of course, rather than wait to be pressured or privately compensated to do so. Such a policy, if pursued from the outset, would also make it less problematic to route lines through present concentrations and corridors of development, allowing them to be of greatest benefit. The system should also recognize the value of providing for skip-stop and express service throughout, so it can sustain average speeds that would ensure its attractiveness to commuters and cross-town patrons. Finally, the initial program should be extensive enough to provide more than a single spoke, or spoke and a half, of the system.

An ample and first-class fixed-guideway system presumably could be realized by making use of the full funding authority originally granted Metro in 1978, augmented by modest levels of federal assistance. With luck, the system might even be finished before it becomes necessary to hold a referendum to double-deck the Southwest Freeway all the way to Sugar Land. ■



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From left to right: architect Cesar Pelli; George Rupp, president of Rice University; and William E. Boswell, Jr., RDA president.

**THE RICE DESIGN ALLIANCE HONORED RICE UNIVERSITY AND ITS BOARD OF GOVERNORS AT THE RDA'S ANNUAL GALA ON SATURDAY, 9 NOVEMBER. THE PARTY WAS HELD IN RICE UNIVERSITY'S RICE MEMORIAL CENTER AND LEY STUDENT CENTER ADDITION DESIGNED BY CESAR PELLI, WHO WAS A SPECIAL GUEST AT THE EVENT. ACCEPTING THE AWARD ON BEHALF OF THE UNIVERSITY**

**WAS PRESIDENT GEORGE RUPP. THE EVENT RAISED \$75,000 TO FUND RDA PROGRAMS.**



RDA executive director Linda Sylvan with gala chairman Bruce J. Simoneaux.

The RDA recognized Rice for one hundred years of commitment to design excellence. In 1891 William Marsh Rice drew up documents establishing an endowment for the William Marsh Rice Institute. In 1909 Rice president Edgar Odell Lovett commissioned Cram,

Goodhue & Ferguson to prepare the general plan and design the initial buildings for the Rice Institute, thereby establishing a standard for all subsequent planning and architectural design in Houston. Ralph Adams Cram's first buildings brought the first international recognition of Houston's architecture. They also inspired Houstonians to transform the neighborhood around the university into a civic and cultural arena lined with uniform plantings of live oaks shading Mediterranean-style public and private buildings.

More recent buildings - Herring Hall, Alice Pratt Brown Hall, George R. Brown Hall, and alterations and additions to Anderson Hall - have renewed President Lovett's conviction that architecture is the outward sign of Rice University's commitment to greatness. In commissioning architects of international stature - Cesar Pelli, Ricardo Bofill, Cambridge Seven Associates, James Stirling and Michael Wilford - the Board of Governors has confirmed the wisdom of President Lovett in choosing only the best.

The RDA would like to thank its gala volunteers, headed by chairman Bruce J. Simoneaux and his cochairmen, Peter G. Doyle (underwriting) and Kathy Heard (auction), and gala honorary chairmen Josephine E. Abercrombie, Louisa Stude Sarofim, and Kent D. Anderson, Rice University trustees who serve on the Buildings and Grounds Committee, for their support.

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## BigCitéBeat

### ARTY-FACTS

☛ Texas homecoming: Port Arthur native **Robert Rauschenberg** descended upon Houston this September in full force, with three exhibitions covering his earliest and most recent work. At the **Menil Collection**, **Walter Hopps** assembled rarely seen work from the 1950s by Rauschenberg including photographs, monoprints on exposed blueprint paper, collages, and early combine paintings. Recent prints made by Rauschenberg taken from the early collage assemblages of that period are exhibited at the **Hiram Butler Gallery**. To complete the Rauschenberg ensemble, his current work, *Night Shade Paintings* – tarnished images on aluminum – can be seen at the **Texas Gallery**.

working together to evoke the past through chronology, documentation, and preservation, is nearing completion.

Californians **Doug Hollis** and **Richard Turner** designed the diagonal walkways crossing at a plaza and paved with scavenged materials, giving the appearance of an archaeological remnant. Houston photographer **Paul Hester** is documenting the history of downtown and Market Square with 80 vintage photographic images baked onto enamel tiles for the garden retaining walls along the diagonal pathways. Curved benches designed by Austin native **Malou Flato** are tiled with panoramic scenes recalling market life, and at the park's center, Houston artist **James Surls** will install a freestanding 28-foot-high sculpture directing views from Market Square Park to Houston's modern skyline. Contributions for the



Walkways take shape at downtown's Market Square Park.

and Texas A&M – *Constancy and Change in Architecture*, edited by UH professor **Bruce Webb** and A&M

professor **Malcolm Quantrill**; and from Barcelona (published by Editorial Gustavo Gili), a folio of drawings and buildings (Paul Hester, photographer) by Houston designer **Carlos Jiménez**.

☛ *Cite* magazine received a Citation of Honor from the **Texas Society of Architects** at its annual meeting in Corpus Christi.

### GOING TO EXTREMES

☛ **SICSA** (the University of Houston's Sasakawa International Center for Space Architecture) and UH's **Cullen College of Engineering** in mid-November hosted the first International Design for Extreme Environments Assembly. Cochairs **Larry Bell**, SICSA director, and **Olga Zakharova** from the USSR's Center for Extreme Environments in Architecture convened the conference to initiate a new association called **IDEEA** (International Design for Extreme Environments).

### ReCite

To the Editor:

Regarding Mr. Peters's article on our Children's Museum (*Cite*, Spring 1991): there is a difference between Potemkin and us: he fooled Catherine – or tried to; we don't try to fool the perceiver – nor do we use our aesthetic to cover up social injustice.

I reply in the cause of critical justice.

Robert Venturi  
Philadelphia, PA  
27 June 1991



*Tailgate*, Rachel Hecker, 1991, UH Computing Center Building.

☛ The central campus of the **University of Houston** unveils two commissioned pieces this fall as part of an ongoing program for art in public places. At the Computing Center Building, Houston artist **Rachel Hecker** has installed a six-panel relief painting on birch board titled *Tailgate*, and for the new Science Center Building, New Yorker **Matt Mullican** is preparing cut-granite slabs with sandblasted images to be positioned on the building's outdoor plaza. Hecker explores the colliding worlds of nature and technology; Mullican describes the cosmology of the city, humankind, and the universe through signagelike symbols.

☛ Remade **Market Square Park** downtown, a collaborative project of five artists

\$800,000 project have been privately raised, with major grants from the National Endowment for the Arts, the Houston Parks and Recreation Department, and the Houston Parks Board as well as substantial donations from leading area foundations (Brown, Wortham, Menil, Fondren, and Hamman), individuals and organizations.

### BOOK MARKS

☛ New books on Houston or about Houstonians: *Houston's Forgotten Heritage* (Rice University Press) by local historians **Barrie Scardino**, **Katherine Howe**, **Dorothy Knox Houghton**, and **Sadie Blackburn**; from CASA (Center for the Advancement of Studies in Architecture), a joint project of the Colleges of Architecture at the University of Houston

## Winter-Spring Architectural Events

### SCHOOL OF ARCHITECTURE, RICE UNIVERSITY

713 527-4870  
21, 22 January, 9,  
10 March 1992  
Craig Francis  
Cullinan Lectures.  
Rem Koolhaas,  
"The Contemporary  
City," at Innova, 20  
Greenway Plaza,  
9th floor, 7:30 p.m.

### AMERICAN INSTITUTE OF ARCHITECTS, HOUSTON CHAPTER AND THE MUSEUM OF FINE ARTS, HOUSTON

713 639-7375  
12 January –  
12 April 1992  
"The Main Street  
Exhibition," drawings, photographs, and architectural models resulting from intensive work by community architects, designers, students, professionals, and civic leaders to present practical and visionary solutions to the pervasive problems of Houston's Main Street.



Mission San Jose y San Miguel de Aguayo, San Antonio, 1768-70.

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713 524-6297

19 January – 23  
February 1992

Cinemarchitecture IV: The Common Place. A film series cosponsored with the Museum of Fine Arts, Houston. Sunday evenings, 7 p.m., Brown Auditorium, Museum of Fine Arts, Houston.

Spring Lecture Series  
"Hispanic Traditions in American Architecture."

4 March – Lonn Taylor, "New Mexico."

11 March – John Ferguson, "New

Orleans."

18 March – Jim Steele, "Texas."

25 March – Karen Weitze, "California."

1 April – Stephanos Polyzoides, "Neo-Spanish and Mediterranean Traditions."

15 April – Thomas S. Hines, "Contemporary Influences." All lectures held in Brown Auditorium, Museum of Fine Arts, Houston, at 8 p.m.

25-26 April 1992

RDA Architectural Tour: 1920s Spanish-style Houses in Houston.

  
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## Citesurveys

# Puttin' Off the Ritz

*Confirmed Reservations at the Piazza d'Italia*

*The best is none too good for one's own soil....If the best can only be found elsewhere the intelligent course is to import and adapt it rather than to put up with the third best and pretend it is just as good.*

Lewis Mumford

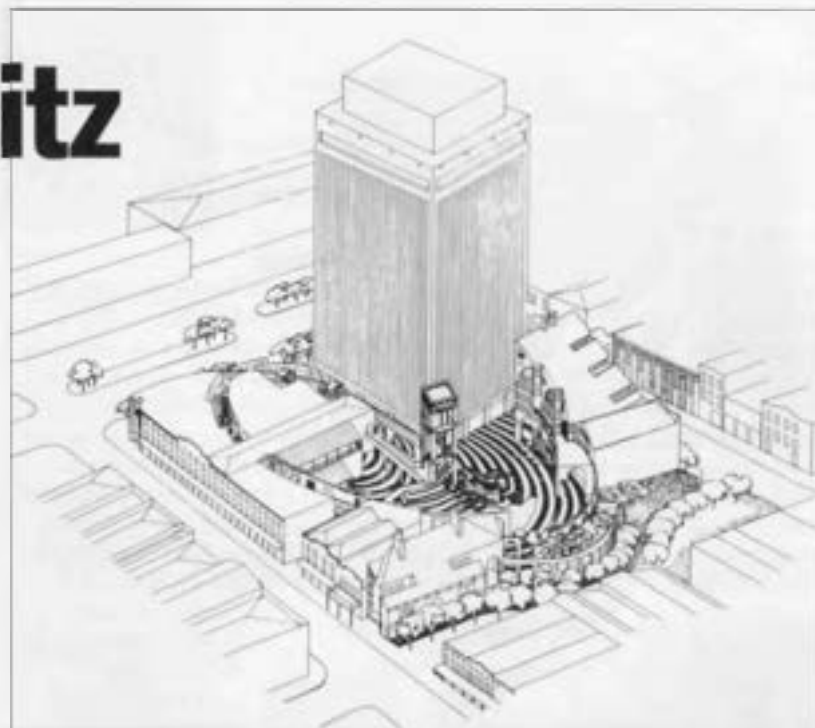


Aubry Architects with Perez Associates, Ritz-Carlton Hotel, New Orleans, 1990 revised scheme.

DREXEL TURNER

Recent maneuvering over the persistently problematic future of Charles Moore's Piazza d'Italia in New Orleans, one of the most celebrated (if shockingly ill kept) monuments of the postmodern persuasion anywhere, confirms the sometime wisdom of depending on the kindness of strangers rather than of those one knows. For the currently proposed scheme to develop a 400-room Ritz-Carlton Hotel adjoining the Piazza – a deal put forward by Joseph Canizaro, a real estate developer instrumental in the initial realization of the Piazza, and architect August Perez III, whose firm participated with Moore in the design of the Piazza – would reduce the Piazza to little more than a motor court with running water overshadowed by the 21-story bulk of a hotel to be constructed by Canizaro on city-owned land surrounding the Piazza.<sup>1</sup> Not since plans were advanced (and ultimately thwarted) in the 1960s to provide Jackson Square with a fourth wall in the form of an elevated highway has such an ill-founded assault been mounted against the city's public realm.

The Piazza itself is no stranger to the art of the deal or the vagaries of architectural preservation. Its awkward 1.7-acre L-shaped site, nestled at the base of an ungainly 22-story pinstriped office tower developed by Canizaro for the Lykes Shipping Company (Perez Associates, 1972), was obtained by the city of New Orleans from Canizaro expressly for the Piazza by a trade. In return Canizaro gained 3.7 acres of alleyways he needed to complete assembly of the site for Canal Place, an architecturally unexceptional but successful multi-use complex at the foot of Canal Street that includes a hotel and upscale shopping mall (RTKL, 1983-84) and office tower (Skidmore, Owings & Merrill, 1986). At the time, Canizaro was also serving as a member of a committee appointed by Mayor Moon Landrieu in early 1973 to help realize the Piazza – a project conceived by Joe Maselli, Sr. in consultation with Landrieu, whose administration continued an enthusiasm for constituency-enhancing monuments to the ethnic diversity of New Orleans pioneered by a previous mayor in the Plaza de España and Place de France. The land deal was initially approved by the city council in November 1973, the same month that a preliminary design for the Piazza was completed by landscape architect Cashio-Cochran Incorporated that would have necessitated the demolition of a row of three 19th-century commercial buildings on one side of the block. Although the transaction was challenged within council as inequitable, the valuations were eventually accepted and the exchange consummated in April 1974.<sup>2</sup>



Charles W. Moore (Moore, Grover, Harper, and Chad Floyd), competition project, Piazza d'Italia, 1974. Aerial perspective.



Aerial view of Piazza d'Italia from Lykes Center.

The proposed demolition of the commercial row aroused opposition among preservationists and planners, and in July 1974 the committee for the Piazza announced its intention to hold a limited competition for a new design that would preserve the 19th-century streetfront. The competition was to be judged by the mayor and his staff, an arrangement that met with disfavor from the architectural profession, causing it to be changed to an open one, sanctioned by the American Institute of Architects and judged in January 1975 by a jury consisting of five representatives of the Italian-American community, including Maselli and Canizaro. It was won by Allen Eskew and Malcolm Heard of Perez Associates, whose scheme had certain elements in common with the second-place entry prepared by Charles Moore, then dean of architecture at Yale, with Chad Floyd of Moore, Grover, Harper of Essex, Connecticut.<sup>3</sup>

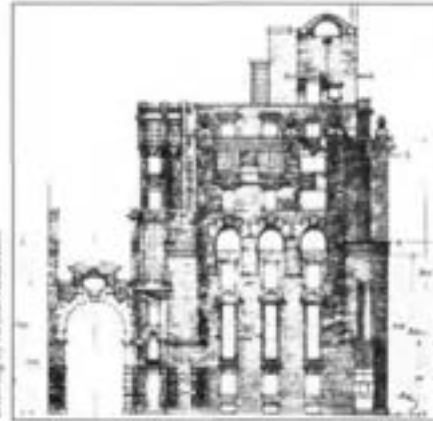
The winning entry featured a circular open space with a fountain at the center of the block and a streetside campanile; Moore's was organized about an ellipse that stretched almost to the edges of the block, cutting a path through the warehouses to maximize retail frontage and culminating at its center in a campanile with one leg planted in an irregularly terraced (not yet boot-shaped) fountain. Moore's scheme

also included a seven-story ski-slope-roofed building that appeared poised to scale one side of the Lykes building, and which was anchored by an exedra screen skirting the back side of the block.<sup>4</sup> The overall effect of the second-place entry was not unlike a looping version of Ghirardelli Square (which Moore had commended in the pages of *Architectural Forum* ten years before) and was especially appreciated by Jack Davis of the *New Orleans States-Item* for "expanding the local idea of what is compatible with old buildings [through its] imaginative connection between the city's past and the best of modern architecture."<sup>5</sup> The scheme's gentle bravura also sufficiently impressed Landrieu that a representative of the mayor inquired whether the Perez office would be amenable to fashioning a joint design with Moore. The resulting collaboration, undertaken by Moore with Ron Filson of the Urban Innovations Group at UCLA (where Moore had just become head of the program in architecture) and by Eskew and Heard for Perez Associates, produced a scheme recognized even before it was built with a 1976 design award from *Progressive Architecture* magazine, despite the reservations of one panelist, Cesar Pelli, as to the advisability of the site.<sup>6</sup>





Charles W. Moore with Arthur Andersson and August Perez Associates. Fountain elevation, Piazza d'Italia Hotel (project), 1985.



Aldo Andreani, Palazzo Fidia, Milan, 1930.



Charles W. Moore (Urban Innovations Group and Ron Filson) and August Perez Associates (Malcolm Heard and Allen Eskew). St. Joseph Fountain, Piazza d'Italia, 1975-78.

The joint scheme, like its predecessors from the competition, not only preserved buildings already on site but proposed others of similar scale to fill out the block and to encourage everyday use of the Piazza as a center of community activity. Nevertheless, funds obtained for construction through matching grants from the Economic Development Administration of the U.S. Department of Commerce and the state of Louisiana covered only \$1.65 million of the estimated \$8 to 10 million total cost of the project, deferring development of the commercial structures that were intended to surround the Piazza to the city and/or private interests. In the 14

years since the opening of the Piazza, neither has succeeded in producing the restaurants and shops originally envisioned nor the small hotel first promoted on the eve of the 1984 World's Fair. And although the rest of the warehouse district, just beyond the Piazza, has managed to effect a spontaneous and quite extensive revitalization of its own, the city has virtually ceased to maintain even the fountain. Its water is now turned on and off each day by the firm that manages the Lykes building, which, along with crews provided several times a month by Joe Maselli, Sr., also helps to keep the Piazza clean.<sup>7</sup>

Despite its more or less constant state of neglect, the ingenious charm of the Piazza still beckons—a prodigy contrived on a shoestring by a singular 20th-century master with serendipitously adept collaborators, so astonishing and unexpected that no serious account of recent architecture can ignore it; even John Pinto's sober treatise on the Trevi Fountain invokes it as an apt coda.<sup>8</sup> The *joie de vivre* of the Piazza's spouting column screens, neon-lit thermal proscenium, and stepped map of Italy, creased with rivulets for the Po, Arno, and Tiber, is neither indecorous nor abstruse but curiously fused with the spirit of place, New Orleans as much as Italy.

Moore's nimble but knowing conflation of the Trevi Fountain, Hadrian's Maritime Theater, the Place des Victoires, Luna Park, and Mardi Gras is very much the product of his one-of-a-kind improvisational wizardry—no easy act to follow, yet clearly the one that has created most of the special value that resides in the site today.

The deal Canizaro is currently seeking with the city involves a lease with an option to purchase the land abutting the Piazza, now relieved by fire of two of the three 19th-century structures whose preservation had earlier precipitated the competition. Covenants are to be attached to the lease that would require Canizaro and the Ritz-Carlton to restore and maintain the Piazza and ensure public access thereto—although, remarkably, the city officials responsible for the negotiations, deputy city attorney Carol Hart and economic development director Wayne Collier, do not view the use of the Piazza for a motor court as inconsistent with a commitment not "to interfere with any of the architectural amenities of the Piazza," a position that Maselli himself seems to accept.<sup>9</sup> For proof they cite the traffic-riven piazzas of Italy, avoiding the critical distinction that the Piazza's name belies the reality of its diminutive, courtlike disposition in the middle of a block already buffeted by traffic. Jim Singleton, the councilman whose district includes the Piazza, has said that he is inclined to oppose "cars going through the Piazza" or "any situation which would dismantle the Piazza," although he feels constrained "to reserve final judgment until I see some final plans."<sup>10</sup>

So far, two sets of plans have been prepared for Canizaro by Aubry Architects of Sarasota, Florida, in association with Perez Associates, the first of which was revealed in July 1990 and followed by a revised, marginally more hospitable scheme in December 1990.<sup>11</sup> Even with revisions, Moore still finds the scheme unconvincing, characterizing the motor court as "the most heinous of acts against the Piazza" while also taking issue with the placement of a 21-story tower at the west corner of the site so as to "block out the sunset" and "turn the whole neighborhood into the back yard of a big hotel." He also takes exception to plans to dismantle the tempietto, campanile, and arch.<sup>12</sup>

The protestations of Moore, last year's AIA Gold Medalist, joined by Eskew, Heard, and Filson, and similarly adverse reaction to the project in the *New Orleans* press and the *New York Times* have had little noticeable effect on the progress of the project. Nor is it possible to take much comfort from the solicitude of the New Orleans City Council, which voted in

March 1991 to remove the Piazza from the city's inventory of dedicated parkland, ostensibly to facilitate the project by curing a title defect discovered by deputy city attorney Carol Hart. At this point, the only relief in sight appears to be the difficulty Canizaro has experienced in obtaining financing for the \$82 million project, a dividend of sorts from the lingering economic malaise of the mid-1980s as well as the (miraculous?) ability of a more modest but competing 150-unit Hampton Inn to break ground first this fall on the site of the Vatican Pavilion of the 1984 World's Fair, which adjoins the expanded New Orleans Convention Center.<sup>13</sup> As a consequence of the epic hotel overbuilding experienced nationwide in the 1980s, traditional sources of development financing are no longer available, and a group of Japanese investors Canizaro had been courting have evidently declined to commit to the project.<sup>14</sup>

A residual irony confronting the Ritz in its present form, underscored as much by Adam Smith's unseen hand as by the sensibilities of those who seek to preserve the integrity of Moore et al.'s precocious if not indestructible monument for its own sake, is that a smaller hotel would be at once better fitted both to the market and the Piazza and presumably still profitable enough to endow the maintenance and safety of the Piazza as a public inner sanctuary. A further irony is that Moore himself designed such a hotel for the site in 1985 (with Arthur Andersson and August Perez Associates for the now defunct Lincoln Properties of Dallas), consisting of 12 stories and a penthouse for a quarter-block site – a project sufficiently esteemed to appear on the cover of Eugene Johnson's monograph of Moore's oeuvre, issued by Rizzoli on the occasion of the Williams College Museum of Art's retrospective in 1986.<sup>15</sup> The extramural consonance of Moore's hotel design, which shares a sophisticated affinity with Aldo Andreani's *novecento* Palazzo Fidia, Milan (1930), would do much to advance the sense of *tout ensemble* advocated for the Piazza from the very beginning but so far deferred.<sup>16</sup> Close in size to the Pontchartrain Hotel (an eminently viable guardian of hospitality on St. Charles Avenue whose appeal, alas, does not extend outdoors), Moore's festive, staged arch-types would stand up to the lugubrious pin-stripes of the Lykes Center without stiffness and without overwhelming the Piazza proper. Its complex, quasi-operatic façade is integrally assembled from top to bottom, unlike the Ritz-Carlton, which confines its CAD-extracted Italiana to base and roof levels, with 20 floors of business-as-usual gridlock sandwiched in between. Closer to the ground, the discrete palazzolike displacement of Moore's contrasts with the Ritz's claustrophobic embrace of the Piazza, evoking Blanche DuBois's eponymic description of another last resort, the "Tarantula Arms."

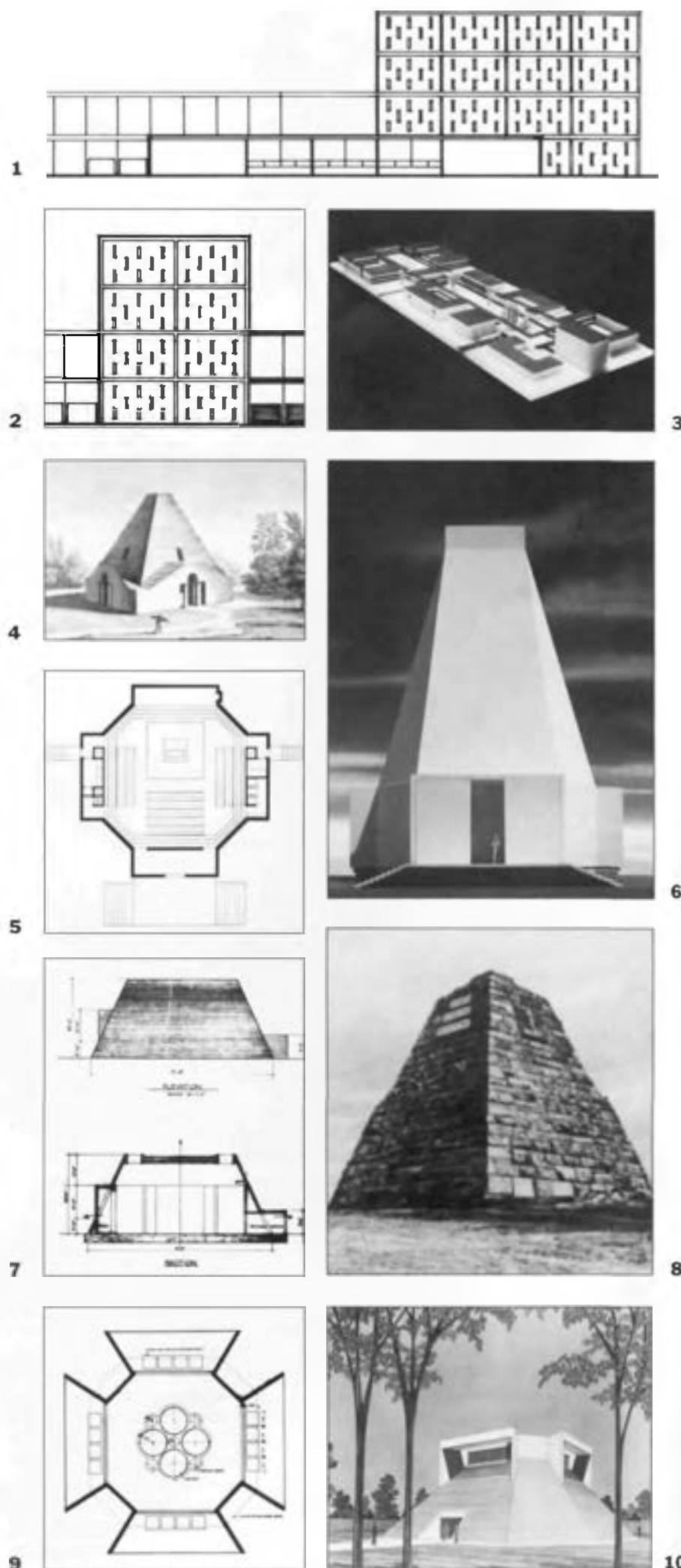
The tenuous longevity accorded even exceptional works of architecture is a well established fact of modern life. Frank Lloyd Wright's Midway Gardens, a pleasure point of similar acumen, survived only 15 years before making way for a service station and garage midway through Prohibition. But unlike the Piazza d'Italia,

Wright's conception managed to gain a brief interval of fulfillment. The Piazza is still very much a fragment, however brilliant and widely known, waiting for equally fitting surroundings that would sustain public life rather than mere curiosity. Today it is more likely to be interpreted as a sham ruin with intermittently working plumbing, mired in the *verismo* of local politics and real estate economics, than as the spritely piece of community architecture it started out to be and still might become with the help of the right little hotel on the side. There is no reason to suppose that the city of New Orleans could not afford to moderate its expectations for profit in return for a Moore-faithful palazzo that might even attract financing as well as guests. ■

- 1 Frances Marcus, "Is Park Saved by Destroying a Part?" *New York Times*, 26 March 1991, p. A14; William Lake Douglas, "Hotel Plan to Destroy (or Save) Piazza d'Italia," *Progressive Architecture*, June 1991, p. 30.
- 2 Jennifer C. Töher, "Piazza d'Italia," in Tod A. Marder, ed., *The Critical Edge: Controversy in Recent American Architecture* (Cambridge, Mass.: MIT Press, 1985), pp. 149-61, provides the most comprehensive account of the Piazza's development. Another less scrupulously documented source, based in part on interviews with Maselli and Moore, is David Littlejohn, *Architect: The Life and Work of Charles W. Moore* (New York: Holt, Rinehart & Winston, 1984), pp. 250-61.
- 3 Eugene Johnson, ed., *Charles W. Moore: Buildings and Projects, 1949-1986* (New York: Rizzoli, 1986), pp. 78-79, 184-91.
- 4 *The Work of Charles W. Moore*, A+U extra issue, May 1978, pp. 292-94.
- 5 Charles W. Moore, "Ghirardelli Square," *Architectural Forum*, June 1965, pp. 52-57; Jack Davis, "The Dazzling Piazza That Might Have Been," *New Orleans States-Item*, 29 January 1975.
- 6 *Progressive Architecture*, January 1976, pp. 82-83.
- 7 Clancy DuBos, "Rumors of the Piazza d'Italia's Death Are Premature, But Not Entirely Unfounded," *New Orleans Weekly Gambit*, 18 June 1991, pp. 11-13.
- 8 John A. Pinto, *The Trevi Fountain* (New Haven: Yale University Press, 1986), pp. 257-59.
- 9 DuBos, "Rumors."
- 10 Ibid.
- 11 The two schemes are discussed and illustrated by Roger Green in the *New Orleans Times-Picayune*, "Hotel Plan Is a Sour Note in a Sweet Deal," 7 July 1990, and "Style, Function Trying to Meet Business Half Way," 22 December 1990.
- 12 Roger Green, "Charles Moore Says Turning Piazza Into Motor Court Is Like 'Murder,'" *New Orleans Times-Picayune*, 16 February 1991.
- 13 Bruce Egger, "New Hotel First in City Since '84," *New Orleans Times-Picayune*, 10 September 1991.
- 14 DuBos, "Rumors."
- 15 Johnson, ed., *Charles W. Moore*. The Piazza d'Italia Hotel was also illustrated, alone among Moore's projects, in reviews of the Williams College Museum of Art's retrospective that appeared in the *New York Times* (16 November 1986) and the *Boston Globe* (25 November 1986).
- 16 The Palazzo Fidia is described in Richard A. Erlin, *Modernism in Italian Architecture, 1890-1940* (Cambridge, Mass.: MIT Press, 1991), pp. 198-99, as an example of "the decorative Novecento style . . . developed for buildings that were transforming Milan into a taller, more crowded, busier city." For a more extensive account of the palazzo, see Alberto Grimoldi, "Il folle Palazzo Fidia," *Ottagono*, September 1980, pp. 108-13.

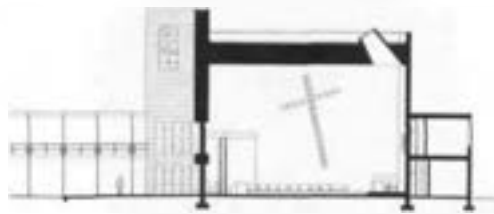
# Scenes From a

Philip Johnson's University of St. Thomas Chapel

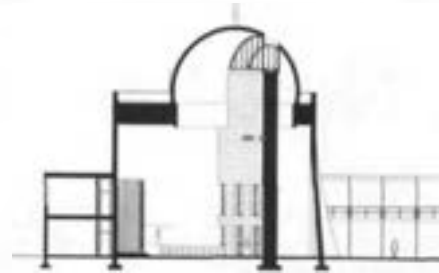




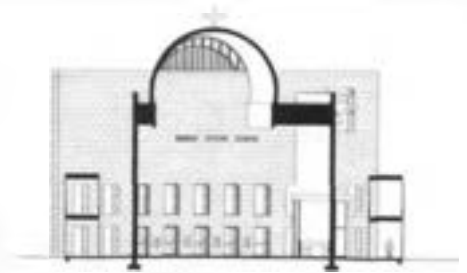
# Mall



Section looking west.



Section looking east.



Section through mall looking north.

## A Pilgrim's Progress

*If historicism be, in the 20th century, an architectural sin . . . then Johnson is a frank and cheerful sinner.*

*Henry-Russell Hitchcock*

The University of St. Thomas chapel first appeared on paper as part of a self-contained campus projected by Philip Johnson in 1957 [1,2,3]. Rectangular in plan and stationed at the north end of a garden mall, it was a taller, fewer-bayed variation of the Kneses Tifereth Israel Synagogue (Port Chester, New York, 1956), which, with its velariumlike ceiling and patterned, multicolored fenestration, confirmed Johnson's intention to deviate from Miesian orthodoxy. By 1959, a square chapel outline had been substituted for the rectangle in the campus plan, marking what Henry-Russell Hitchcock in 1961 hinted was to be resolved as a "relatively large, richly shaped, and centrally planned object" (*Zodiac VIII*, p. 77). A subsequent campus plan showed a circular seating arrangement circumscribed within the square, similar to the plan of a pre-Kneses church project.

In 1964, Dominique and John de Menil, Johnson's patrons for St. Thomas, commissioned Mark Rothko to undertake a series of paintings as part of a new project for the chapel. The progress of Johnson's designs thereafter for the chapel, the site of which had been shifted to the south end of the mall, is described in Susan J. Barnes's monograph, *The Rothko Chapel* (1989, distributed by the University of Texas Press). His first drawings of 1964 placed a tall, truncated pyramid atop a low, square box in a formation like that of Ledoux's Workshop of the Charcoal Burners for the Ideal City of Chaux, 1780-1804 (4). Later in the year, the scheme was revised at Rothko's instigation to accommodate first an apse, then a Greek-cross octagon plan (5) suggested by the 11th- or 12th-century church of Santa Fosca, Torcello. The definitive version of this scheme — which was to rise to a height of more than 70 feet, be constructed of concrete, and be painted white — was presented as a model in 1965 (6), but neither it nor a more compressed treatment of the roof form gained Rothko's approval. The low, square, skylit brick mastaba that followed in 1967 (7) seems almost a nonbuilding by comparison — a flattened, more domesticated and penetrable analogue of H. H. Richardson's rock-faced Ames Monument in Wyoming, 1879-82 (8). An octagonal brick berm with clerestory lighting (9,10) was also devised in 1967 without result before Johnson, conceding an impasse, relinquished the commission to terminate the mall. Now, 25 years later, with the site reestablished at the north end of the mall, Johnson's chapel is to be born yet again.

*Drexel Turner*

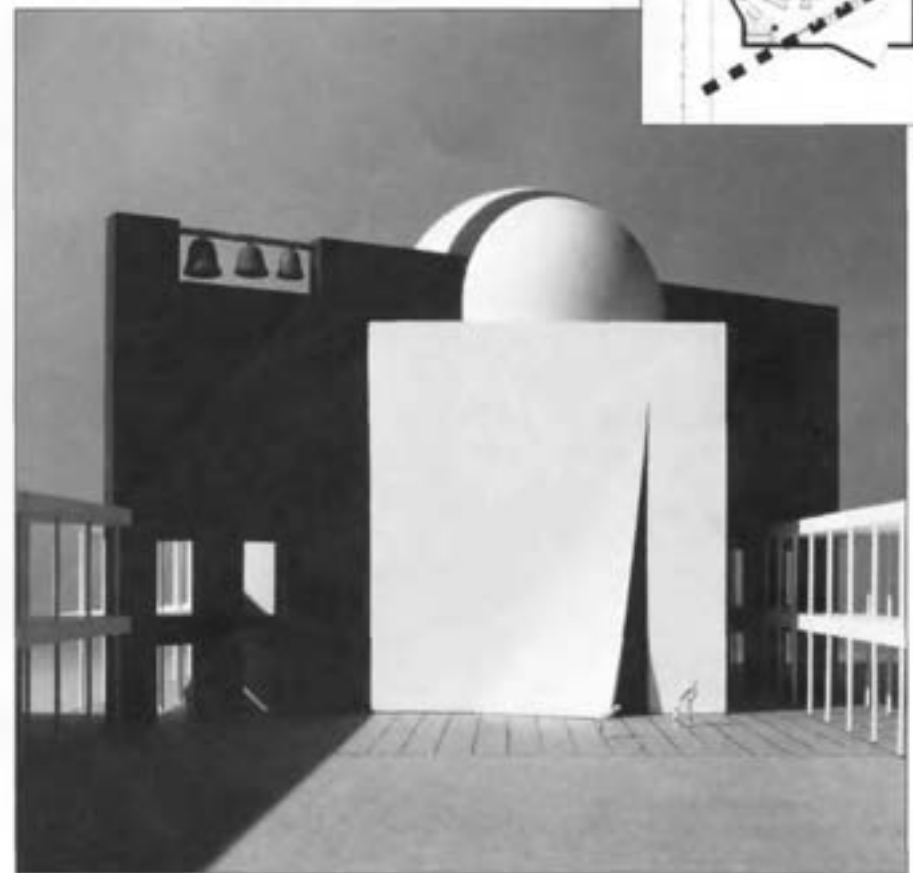
## GERALD MOORHEAD

Philip Johnson's latest design for a chapel terminating the academic quadrangle of St. Thomas, a campus he initially planned in 1956, is an appropriate culmination for both the campus and his career (his third career, "on my own again," as the 85-year-old architect is fond of saying). Johnson sees the chapel as the "challenge of a lifetime," having already devised an earlier series of schemes for such a chapel.

Johnson's master plan for the University of St. Thomas is based on Thomas Jefferson's University of Virginia, with its series of pavilions lining a mall, linked by a continuous arcade, and focused on a domed rotunda. The St. Thomas arcade contains two levels and acts like a lacy steel screen or porch in front of the attached Miesian brick-and-steel buildings, reminiscent of the Illinois Institute of Technology campus. The three original buildings, Welder Hall, Jones Hall, and Strake Hall, of 1958, are by Johnson in association with Bolton & Barnstone. Later additions to the quadrangle are M. D. Anderson Hall (1966, Howard Barnstone & Eugene Aubry), the Doherty Library (1971, Eugene Aubry and Wilson, Morris, Crain & Anderson), and Cullen Hall (1978, S. I. Morris Associates). Unlike Jefferson's pavilions at the University of Virginia, however, the St. Thomas buildings do not penetrate the arcade with individual façades onto the quadrangle. They remain submissive behind the ambulatory space; space is the dominant image, not architectural form.

The new chapel will change all that. Designed at a scale suitable to command the vista of the 700-foot-long procession, the chapel will be the focal point of the campus and the neighborhood beyond. The basic block will be a white cube, 60 feet square and 40 feet high, capped by a lead-coated-copper hemispheric dome rising to 70 feet above the grassy mall. These pure forms are sliced at an angle by a gray granite wall, which extends outward to engage the arcade system. By wrapping the arcade around the chapel, the space of the mall is closed, creating the image of "the university embracing the church," as Johnson explained in a press conference last May.

The chapel design is both referential and recombinant. The simple cubic volume capped with a dome is Byzantine and Near Eastern, as is the use of the bell wall,



South (front) elevation seen from within the mall.

while the granite wall, with its modulated openings and three doorways into the chapel, is a freestanding Renaissance-like façade. The entry is a slice in the cube that peels the wall aside, SITE-like, as a parted curtain and entry flap into the sanctuary. Off axis, the dark granite wall and slot contradict the architectural syntax of mass, volume, and symmetry.

In contrast to the Miesian steel-and-brick buildings lining the mall, the chapel will be sheathed in scaleless white stucco, both dominant as form and immaterial as light. The sliced form also suggests an awareness of Tadao Ando's church in Ibaraki, Japan (1989), the rectangular envelope of which is penetrated by an angled wall at the exact point of entry.

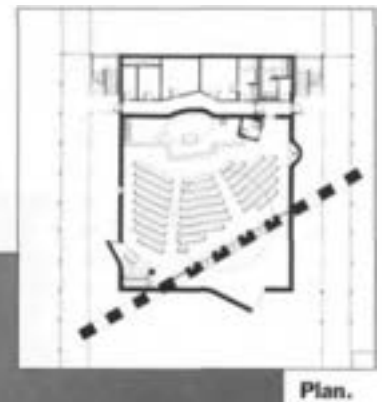
The unornamented, all-white interior will be indirectly lit with natural light from several sources. "The more you re-reflect light, the more you bathe, the more you luxuriate in a subaqueous atmosphere; that's what we've done here," Johnson explains. Overall illumination is reflected through the sliced dome, while more intense light from sculptural niches and deep skylights focuses on the altar and a

niche with a statue of the Virgin. "The Cistercians were the best" in the use of natural light, says Johnson, and he also acknowledges the influence of Le Corbusier's Ronchamp, "the most beautifully lighted chapel in the world."

A single source of intense light will come from the west wall, where the slender shape of a slanted cross is incised in the wall, a device also employed by Ando at Ibaraki but in perfect plumb. The slash of colored light will track across the floor and walls with the movement of the sun.

Johnson's chapel design is rich in metaphor without being narrowly historicist and is primarily concerned with spatial presence — both inside and out. "You've got to have a space that gives you a lift, that's better than anything," as he puts it.

The Houston firm of Hall/Merriman Architects is associating with Johnson on the chapel project and is designing an adjacent science building under his guidance. Future maintenance and improvements to the campus will follow a recently updated master plan prepared by Barry Moore and Tom Colbert. ■



Plan.

*We have no city, except perhaps New Orleans, that can vie in point of the picturesque interest that attaches to odd and antiquated foreignness with San Antonio.*

Frederick Law Olmsted

# Going South

DREXEL TURNER

## The New San Antonio Main Library



Photograph by Seymour Chwast

**Market Street entrance, "Hertzberg" building, San Antonio Public Library, 1930. Cervantes (left) and Shakespeare flank entrance arch.**



**James Riely Gordon, Carnegie Library, 1903.**



**Herbert S. Green, "Hertzberg" building, 1930.**



**Ben Wyatt and Phillip Carrington, Main Library, 1968.**

The site, located on the transitional north edge of downtown near an elevated section of Interstate Highway 35, is that of a vacated Sears store (which will be demolished) and its parking garage (which will be retained). The three-level garage, which spreads over most of the south half of the irregularly pentagonal 4.7-acre parcel, offers an amenity that the library's present, more centrally located River Walk building on Market Street does not. But the new site admits little in the way of appreciable views inward, except from the parking lot of the Southwest Crafts Center, the former Ursuline Convent, which constitutes the area's primary architectural asset. In addition, it is hemmed in on other sides by Baptist Hospital and parking garage and by a small but assertive bank building of precast concrete construction. Even the area's sole park, a small, wedge-shaped remnant of Romana Plaza, most of which was ceded to construct the hospital, bears only a tangential relation to the prowlike northwest corner of the site.

The program offered for the guidance of four competing teams of architects specified an initial construction phase, to be completed in 1993, of 175,000 square feet, almost 20 percent larger than McKim, Mead & White's Boston Public Library. A second phase, projected for 1998, would increase the building's area to 350,000 square feet. In what it called "form goals" — although they were no less concerned with feeling — the program advocated an almost unlibrarylike lack of reserve. The building was to "be welcoming, not intimidating"; look "like a public library, not an academic library"; and provide "a space that makes visitors say 'WOW!' and want to show it off to others, . . . an environment that is friendly, comfortable and inviting." Under the heading of "functional goals," the program aspired to a building that would "serve for 50-75 years," inasmuch as it would be the fourth main library to be built in San Antonio since 1900. The present building, a non-descript, all-but-windowless expedient of 1968 by Ben Wyatt and Phillip Carrington, will have sufficed just 25 years by the time the new building is completed. Its predecessor, Herbert S. Green's repository of 1930, still extant but underused (and of which more will be said later), served only 38 years after replacing, *in situ*, James Riely Gordon's somewhat labored tempietto of 1903, built with Carnegie funds.

Although the architects were directed "to give primary consideration to interior aesthetics and function," they were nevertheless furnished a list of a dozen exemplary local buildings compiled by the library planning workshop to assist in the conception of "a structure unique to San Antonio." This curiously eclectic assortment of styles and types included two public buildings (James Riely Gordon's Romanesque Revival Bexar County Courthouse of 1896 and the Ayres, Jackson, and Willis Spanish Colonial Revival City Auditorium of 1926); five office towers from the late 1920s (three Gothic, one castellated, and one "vaguely Spanish Renaissance,"

**N**o Texas city provides an architectural context as rich and storied as that of San Antonio, nor seems as predisposed in principle to build on such a basis. This may account for the 1986 American Institute of Architects' *Guide to San Antonio Architecture's* report, despite scant built evidence, of "an amazing renaissance beginning in the late 1970s wherein the city's Baroque and vernacular traditions have been fused in an intense, exuberant new school of local architecture, one that sums up in uninhibited ways the qualities peculiar to its place." This spring's competition for a new library building "unique to San Antonio" similarly reflects the difficulty of reconciling romantic inclinations with building art, no matter how deep or cherished a city's roots. For the winning design by Ricardo Legorreta (in association with Johnson-Dempsey & Associates, Inc., and Davis Sprinkle Architect) prevailed mainly on the basis of a tougher love, by fusing the austere, sensual tendencies of Luis Barragán, Legorreta's mentor, with a formally demonstrative if functionally ambiguous international modernism more readily forgiving of the site's considerable deficiencies.

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**New Main Library, Legorreta Arquitectos, 1991. Perspective view from the corner of Navarro and Soledad streets.**

according to the 1986 AIA guide); a park (Plaza Guadalupe); two shopping centers (Frank Welch's domestically wrought and landscaped Los Patios, 1971, and St. Paul Square, a rehabilitated group of small-scale early-20th-century commercial buildings); and two adaptive reuse complexes (the Ursuline Academy and Convent, 1851 and after, now the Southwest Craft Center, and the former U.S. Army Arsenal, 1859 and 1916, now the H.E.B. Grocery Company headquarters). Absent were the city's Spanish missions (including the Alamo, which in its definitive iconographic state represents the joint efforts of Franciscan architects and U.S. Army engineers); Robert H. H. Hugman's River Walk of 1938-41, San Antonio's most widely appreciated urban feature; Ralph H. Cameron and Paul Philippe Cret's U.S. Post Office and Courthouse of 1937, a majestic yet tactful addition to Alamo Plaza that serves as the Beaux-Arts equivalent of Gordon's Bexar County Courthouse, rendered in a regionally inflected classicism; and several spirited buildings employing Meso-American motifs (the Aztec Theater, 1927, and the Mayan deco Casino Club, 1926, both by the Kelwood Company).

Also missing was Herbert Green's previously noted San Antonio Public Library of 1930 on Marker Street, a pleasantly instructive, locally exotic building of mostly external charm, part of which now houses the library's Hertzberg collection of circumsana. The 1986 AIA guide identifies the "Hertzberg" as "San Antonio's finest example of Modern classicism as espoused by Bertram Grosvenor Goodhue," though its virtues are more encompassing. These include its original step-back massing, now somewhat obscured by the addition in 1942 of gallery space to either side of its massive, overscaled entry, which leads up to a short, blocky tower of stacks that converts, on its rear, River Walk face, to an alignment of six mini-stories set within a pilastered cage. Sculptured figures of Cervantes and Shakespeare rise in high relief on either side of the main entrance, flanking a motto from Emerson: "Books are the homes of the American people." Epigraphs by William Ellery Channing ("In the best books, great men talk to us, give us their most precious thoughts and pour their souls into ours") and James A. Garfield ("Next in importance to freedom and justice is popular education, without which neither freedom nor justice can be permanently maintained") appear over the entrances on the side elevations, where additional sculptural reliefs were also planned but not executed. The effect is legible, direct, and engaging if not "unique to San Antonio," apart from the pairing of the stone-faced front doormen.



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**Above: New Main Library, Legorreta Arquitectos, 1991. Site plan.**



**Ground floor plan.**

The only library close at hand that might pass as an authentically fictionalized San Antonio commodity is Ralph Adams Cram's Houston Public Library of 1926, whose readily identifiable Spanish Renaissance extraction is unfortunately compromised by its brown brick facing, employed as a cost-cutting alternative to limestone. Cret's Hispanically inclined classicism at the University of Texas (particularly the warmer West Mall buildings, the Texas Union and Goldsmith Hall, 1931-33) exhibits a parallel aptitude, appositely clad, and served as a partial model for the competition entry prepared by JonesKell Architects/Reitzer Cruz with William Curtis Architect — a long, extendable superpalazzo that ranged impressively along Navarro Street in a manner approximating the serial progression of Gordon's

Bexar County Courthouse. It fronted, like the courthouse, on its short side, with a polychromed cupola-rotunda looking onto Soledad Street. The scheme prepared by Rehler Vaughn Beatty & Koone/Hammond Beeby & Babka was similarly disposed in mass but fronted on its long, Navarro Street side, capped by a shallow, colorfully patterned tile dome — a motif borrowed from the Municipal Auditorium. In elevation it posited a more severely abstracted, planar classicism and, like Cret's library and administration building at UT (1931-33), projected a rear tower, though diminished in relation to the main mass and placed off center. The Saldana Associates/CRSS Architects Inc. entry was historically detached and formally less resolved, but hinted at the latent possibilities of the site's prowlike corner at Navarro and Soledad.

Legorreta's scheme was cited by the jury for its success in dealing with "the contemporary reality of the site" and was also characterized as "tough and rich and simple." In plan, its point of departure and



**Navarro Street elevation.**

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**JonesKell Architects/Reitzer Cruz with William Curtis. Soledad Street elevation (left) and Navarro Street elevation.**



**Rehler Vaughn Beaty & Koone/Hammond Beeby & Babka. Soledad Street elevation (left) and Navarro Street elevation.**



arrival stems from the long axis of the parking garage; this point is reached by nonmotorists via a midblock passage connecting Soledad and Augusta streets. A two-story parallelogram-shaped podium extends out from the library's six-story central cubic mass to establish a corner-post-prow at the intersection of Navarro and Soledad. The central cube is cut away on all faces, forming giant loggia terraces at the third level that merge with the roof terrace of the lower parallelogram; the loggias fashioned within the cube are shaded by a canopylike top floor that frames the loggia in a manner suggesting the garden elevation of Le Corbusier's Villa Stein, greatly enlarged. The nine-story second-phase tower to be added on the Augusta Street side will form the third increment of a stairstep progression toward downtown. Cooling towers and roof penthouses are employed for skyline effects at two opposite corners of the cube, together with a cluster of four pyramidal skylights that illuminate a generous atrium rising through the core of the building. Sparingly fenestrated and colorized with a deep-hued palette, Legorreta's pulled-and-stretched picturesque geometry will be embellished by several modest water features and a piece of public art now being selected.

What seems remarkable, aside from the self-evident authority of Legorreta's design, is that San Antonio will at last be the recipient of the work of a leading Mexican architect of this century. That the agent of this reconnection has been the state's first competition of international scope for a public building is also significant. But in hindsight, it is also possible to wonder whether in this most preservation-minded and tradition-conscious Texas city the new library might have been accommodated to better advantage nearer the heart of the city, on the vacant River Walk site across from the Hertzberg. So positioned, it might have provided the impetus to relieve the Hertzberg of its awkward circusana, perhaps to house the library's Texana and local history collections and serve as friendly, experienced counsel to a new, much larger neighbor.



**Competition models looking southeast from the corner of Soledad and Navarro streets. Top to bottom: JonesKell et al., Rehler Vaughn et al., and Saldana Associates/CRSS Architects.**

Besides forsaking the special pleasure of a River Walk site and the mutually beneficial companionship of the Hertzberg, the new Main Library, while serviceable and requisitely showy, manifests little in the way of "foreignness." Only the special coloring of its stuccoed walls seems somewhat exotic, reclaiming the strategy of enrichment Olmsted noted locally in 1853, whereby "buildings are converted by trowel [and] paintbrush." As such, it promises a traditionally sanctioned chromatic respite from the tawiness that has settled over San Antonio's "jumble of races, costumes, languages and . . . religious ruins" in the intervening years. ■

## Trial by Jury

In July 1991 a jury appointed by the San Antonio City Council unanimously selected the architectural association of Johnson-Dempsey & Associates, Inc., Davis Sprinkle Architects (both of San Antonio) and Legorreta Arquitectos (Mexico City) to design the new San Antonio Main Library.

In reflecting on the competition, jury chairman Barton Phelps, an architect practicing in Los Angeles and teaching at UCLA who was himself involved in efforts to assure the preservation of Bertram Goodhue's Los Angeles Public Library of 1925, observed that "the problem with civic architecture today is a real estate problem. We get the leftover site, . . . the fractured zone out of the orderly core where the city shifts to less clear forms. Site selection is among the most critical issues associated with civic buildings. After that, architects are responding to conditions."

In addition to Phelps, the members of the jury included Linda Allmand, director of the Fort Worth Public Library; Anders C. Dahlgren, a consultant to the Wisconsin state government's division of library services; Peter G. Rowe, professor of architecture and urban design at the Graduate School of Design, Harvard University; and Michael Underhill, director of the School of Architecture at Arizona State University.

Legorreta's design appealed to Underhill as being "fresh and adventurous in a modernist sense," in keeping with the city's vision of the library as a welcoming public facility. "This design," Underhill said, "is open like the stacks." In comparison, "the classical designs in the competition may have been impressive in a frontal way, but they didn't let you into the stack areas as well."

Noting that the classical designs seemed out of context in terms of the site, Phelps said that the jury was inclined to be "critical of schemes that pretended to maintain formal axial symmetry when there was a convoluted path from the garage to the front door on the street."

*Stuart Brodsky*

## ForeCite

### AS A MEETING GROUND

for abstract prescriptions of the law and planners' visions of urban form and structure, zoning can be a complicated matter. Even the terminology can be befuddling: drawing on the rarefied language of the legal brief and the professional patois of the planning, urban design, and architecture professions, mixing in terms and concepts from the social sciences, the writing of a zoning ordinance struggles to wrest clarity from a semantic labyrinth. Most zoning documents spend the bulk of their pages defining terms, yet the desired end results are often relatively simple and straightforward.

Zoning for Houston has evolved from the extensive research of Councilman Jim Greenwood's numerous task forces, abetted by the mayor's reluctant, but sudden, burst of enthusiasm and defined by the city's growing planning and zoning department. It will be used, initially at least, primarily to protect single-family residential neighborhoods from the encroachment of myriad urban forces that pose a threat to their vitality, their sanctity, and — more importantly, perhaps — their property values.

Zoning was first envisioned in metropolitan New York City in the early 1900s as both a restrictive and a prescriptive measure. It was implemented to restrict nonconforming (and often more lucrative) uses from overwhelming and changing the character of a district, as well as to limit potentially dangerous living and working conditions associated with certain uses and activities. The city's 1916 zoning laws were also intended to control the height and shape of the skyscraper to ensure that air and light would reach the streets and, later, public open spaces.

The seminal New York experience illustrates the essential role of zoning — to ameliorate the excesses of individual freedom by exercising controls on behalf of the public weal. Some of the complexities of zoning grow out of the need to find legally enforceable mechanisms for exercising the will of the community while at the same time guaranteeing that individual landowners will not be denied their property rights and the economic value of their land, both of which are protected in a free society. In parts of the world where the concept of "the public good" is better defined and traditionally valued, the science of zoning is a more predictable and readily accepted tool.

Among the world's major cities, Houston is a zoning anomaly, because the city served for so many years as a reference point for both the promises and the dangers of the radical city of free enterprise. In order to create its own "unique brand" of zoning, Houston has to revise some of its deepest convictions about what makes a good city and how such a city can be achieved and maintained. It is embarking on a zoning-after-the-fact mission of monumental proportions while at the same time struggling as the city-as-regional-authority to



define its comprehensive plan. As the articles that follow relate, zoning is not comprehensive planning. Zoning works best when it is used to support and implement a plan created by community consensus. In most parts of the world, zoning is one of the many tools that can be used to implement, on a variety of scales, a grand community vision. The neighborhood plans, the environmental plans, the historical and natural resources plans, the infrastructure plans are all vital to a livable city, and all of them stem from the priorities enumerated from the umbrella of the comprehensive plan.

Zoning is not the only mechanism available to the city to improve its neighborhoods. In fact, a surprisingly large part of the planning and zoning department's funding mandate is targeted for improving and consolidating code enforcement. Strict enforcement of such ordinances as off-street parking regulations, building and occupancy codes, shrub and tree guidelines, and especially nuisance laws is a much more direct and powerful tool than zoning in dealing with transgressions. Recent claims by some neighborhood activists say these tools have been used effectively to raze large tracts of the Fourth Ward's historic neighborhoods.

Zoning, although a powerful legal document, cannot solve all the ills of the city, nor can it gain full strength in a short time. Zoning cannot directly improve city services, stop growth, plant more trees, or even reduce crime. But it is one of the tools that the city planners and their constituents can use to effect significant change by fostering a more cohesive community among the diverse elements of the city, rather than letting each segment advance at the expense of others. Because of zoning's economic implications, most zoning ordinances face years of legal testing and fine tuning. Beyond a few instances of grandfathering (primarily adult-oriented businesses in residential areas and some billboards), only new buildings or changes in existing building occupancies will be immediately affected in Houston's zoning plan.

Finally, as the following articles illustrate, zoning is not a monolithic, unchangeable bureaucratic force poised to steamroller an unsuspecting citizenry. Rather, it is the product of community participation and support. Zoning at its best can be fine grained, seeking to control building heights, setbacks, traffic-generating patterns, signage, and the character of pedestrian precincts. It can also be used more broadly to designate entire districts off limits to multifamily uses, to regulate boundaries between residential and commercial or industrial zones, or to eliminate building in flood-prone areas. Once enacted, zoning ordinances will be continually tested and refined in the free market and in the courts of our litigious society. Whether the political will or necessity exists to make zoning a citywide policy is still a matter of debate. But even with a limited mandate to protect residential neighborhoods there are numerous tools available to the city's planners, including dedicated land use, performance standards, density control tools via FARs (floor area or square footage ratio to lot size), building height restrictions, special-use districts, and the protection of historic

## Through the Zoning Glass

buildings, to name only a few. Each of these tools needs to be considered in meeting community objectives, but each will have to be fine tuned in terms of existing conditions and the realities of the market.

Zoning is a dynamic process; once it has begun it should never stop evolving. The city will need to remain vigilant and responsive to changing conditions. In other cities clever manipulation of the legal nuances of the zoning code has often allowed city fathers to make insider real estate killings. Opening the Pandora's box of zoning has often led to great upheavals in real estate and in the political sector.

Zoning regulates each and every landowner's property and his right to use it in a way that does not adversely affect his neighbors through a compact of mutual protection and responsibility. Zoning is also the community's recognition of the importance of the civic realm, including the provision of assistance and protection for the dispossessed and the homeless. It simply comes down to that. ■



Bruce Webb

# 5,000 Voters Can't Be Wrong How Zoning Came to Houston

TOM CURTIS



**For nearly 60 years starting in 1929, Houston zoning advocates lost battle after battle to vociferous promoters of the**

**unfettered free market.** Those rabidly antiregulation types were typically smaller commercial real estate brokers and developers, but they were sometimes joined by titans such as lumber baron John Henry Kirby and millionaire oilman and right-wing ideologue Hugh Roy Cullen. As University of Houston history professor Barry J. Kaplan has documented in the *Southwestern Historical Quarterly*, the city's antizoners flayed this land-use regulation as everything from an infringement on private property rights (in 1929 and 1938) to "un-American and German" (after World War II) to communistic (in 1962, during the Cold War).<sup>1</sup> Eventually, postmodern luminaries ranging from architect John Burgee to Milton Friedmanite land-use-planning critic Bernard Siegan came to regard unzoned Houston as a paradigm of how cities should be built. Private enterprise, these mavens agreed, had done a better job of anticipating where Houston's future growth should occur than bureaucratic planning ever could have done.

Ordinary Houstonians facing the messy consequences of real estate boom and bust began to challenge the prevailing local orthodoxy, but with mixed results. As recently as 1984, when mortgage banker Ben G. McGuire, then a member of Houston's planning commission, advised Mayor Kathy Whitmire that the city should consider a zoning ordinance, he found that the city's chief executive still considered the topic radioactive. During a private meeting in which McGuire broached his suggestion, he says Mayor Whitmire protested that the politically potent developer Walter Mischer would "crucify" her if she came out for zoning. Then "Kathy threw me out of her office," McGuire told me in a recent interview. When his term expired in 1987, McGuire observed, he was "kicked off the city planning commission."

Yet on 9 January 1991, with Mayor Whitmire's support, city council unanimously approved Ordinance 91-63 reconstituting the planning commission as the planning and zoning commission — an unequivocal first step toward ending Houston's unique status as the only big American city with no zoning. What had happened to convert a mayor and an entire council in just seven years? What had made zoning — a concept popular with 1920s civic reformers but by now often viewed elsewhere as corrupt, hopelessly bureaucratic, or the captive of the real estate interests it originally sought to regulate — suddenly the object of almost messianic zeal in Houston?

The answer, initially ignored by politicians, was that the combined effects of the oil boom of the 1970s and early 1980s and the subsequent cataclysmic bust had irrevocably changed the city's physical and political landscape. Neighborhoods struggling desperately with declining property values from the lingering depression of the 1980s were also clamoring for help from the city against all manner of businesses, some of them opened by out-of-work homeowners, that were defacing their turf or disgoring traffic onto residential streets. Such neighborhood leaders as Kay Crooker, Gail Williford, and Brandy Wolf had emerged during the boom in the affluent subdivisions of Tanglewood and Southgate to fight the unwanted symbols of growth — proliferating helicopter landing pads and high-rise office buildings and hotels that abutted neighborhood boundaries. Throughout the long bust, these activists and others

attacked incompatible juxtapositions by championing such broad-brush tools as an ordinance requiring all new businesses to supply off-street parking, and another that would screen unsightly land uses with fences or trees. But like council member Eleanor Tinsley's landmark 1981 development ordinance, which set the tone for such performance-based regulation, these piecemeal reforms ultimately seemed inadequate to treat what many saw as a cancer threatening Houston's quality of life and residential property values.

Eventually the wealthier neighborhood activists began to make common cause with their counterparts in poorer neighborhoods and to argue that residential deed restrictions — Houston's traditional private-sector alternative to zoning — were too cumbersome and too expensive for many areas to enforce. Meanwhile, although it was little emphasized at the time, public opinion polls in the 1970s and 1980s repeatedly showed that a substantial majority of Houston voters, a large number of whom previously had lived in zoned cities, actually supported zoning. University of Houston professors Robert Thomas and Richard Murray's book *Progrowth Politics: Change and Governance in Houston* makes that point and specifically cites an October 1983 survey of 662 randomly sampled city residents who backed the idea of a zoning ordinance by a 60 percent to 22 percent margin, with 18 percent not sure or not answering.<sup>2</sup>

By the late 1980s, many of the antizoning developers whose campaign contributions in the past had allowed them to dominate city land-use decisions were broke, while those Houston developers smart or desperate enough to leave town and find work elsewhere during the bust "found they could live with" zoning, notes developer (and mayoral confidante) R. Alan Rudy. Some of the biggest local developers decided that for them "zoning was maybe even an advantage, since

**Above:**  
**Neighborhood activist Rosie Walker's**  
**1987 single-issue prozoning campaign**  
**for mayor gained fewer than**  
**5,000 votes.**



**Below, left to right:**  
**Neighborhood leaders**  
**Gail Williford, Brandy Wolf, and**  
**Kay Crooker in Southgate.**

zoning limits supply, and they've already got supply," says the city's most prominent critic of zoning, financier Charles Miller, chairman of the Greater Houston Partnership (an umbrella group embracing the Houston Chamber of Commerce, the Houston Economic Development Council, and the World Trade Association).

Moreover, those local developers who were beginning to think about redeveloping the older part of town within Loop 610 noticed that Houston's home buyers were voting for zoning with their dollars. A house in zoned West University Place or Bellaire might cost 10 to 15 percent more than a virtually identical residence across the street in unzoned Houston proper. James C. Box, senior vice-president of the Mischel Corporation, points out that since the oil bust began, over 50 percent of Houston's home sales have occurred in such inner-city sanctuaries or in the oil companies' master-planned communities — Mitchell Energy's Woodlands, Exxon's Kingwood, and Shell's First Colony. Because of developer-imposed new deed restrictions lasting 30 or 40 years and other controls, the latter "are essentially developer-zoned cities," notes Box. Pension funds, insurance companies, and anyone else who hoped to attract new residents to redeveloped inner-city Houston had to figure out how homeowners, businesses, and ultimately the funding institutions themselves could protect their investments.

During much of the 1980s the implications of these changes were no clearer to most politicians than to the usually astute Mayor Whitmire. Then in 1987 a former three-term state representative from northwest Houston, Herman Lauhoff, got caught in a traffic jam as he was trying to leave Sharpstown Shopping Center. Immobilized at Fondren and the Southwest Freeway for more than two hours, Lauhoff had his personal conversion experience right there in gridlock. He decided that Houston would never have a rational transit plan without comprehensive planning, and it would never be able to enforce a comprehensive plan without zoning. And so, as an avowed prozoning candidate, the oil company personnel director (now a real estate salesman) challenged incumbent Jim Westmoreland for his seat on the Houston City Council. Lauhoff was uncharismatic and underfunded, and reporters ignored his attempts to engage Westmoreland and themselves on what was still thought to be a politically untouchable subject. His campaign sank like a stone.

Two years later, Rosie Walker, a candidate for mayor, became zoning's next martyr. Lauhoff's campaign manager in the 1987 race, Walker was the publisher of a slender giveaway weekly called *Downtown Magazine* from 1977 until 1991. She had become radicalized as a neighborhood activist in the early 1980s when she battled a noisy honky-tonk that encroached on her Woodland Heights subdivision. As incumbent Kathy Whitmire trounced former mayor Fred Hofheinz that November, Walker's single-issue prozoning crusade garnered fewer than 5,000 votes. But her stand provoked warm applause — and even a surreptitious \$10 cash campaign contribution from a political writer — when she appeared before neighborhood groups.

Lauhoff and Walker, the Butch Cassidy and Sundance Kid of zoning, had been schooled as outlaws by the same mentor. At a 1983 meeting of the Northwest Coalition of Civic Organizations, Professor John Mixon, who teaches real estate development and finance law at the University of Houston Law Center, gave a comprehensive, cartoon-illustrated lecture on the ABCs of zoning. A deep-voiced East Texan who over 25 years has hewed out a role as the Thomas Paine of Houston land-use regulation, Mixon predicted that zoning would be instituted in Houston within ten years.

Before embarking on her own campaign, Walker tried to interest others in championing zoning. In 1988, following the annual meeting of the downtown association Central Houston, Inc., at the Four Seasons Hotel, she walked back to city hall with boyishly earnest city councilman Jim Greenwood, telling him why Houston needed zoning. Greenwood, an attorney who in his 1986 Democratic campaign for Harris County judge against incumbent Republican John Lindsay had emphasized regional planning, "was interested and said he'd think about it," Walker recalls. Later, in fall 1988, Lauhoff, Walker, and Mixon met Greenwood — known to be considering a challenge to Whitmire — at a downtown lawyers' luncheon club, the Inns of Court. There, she says, they tried to persuade him to run for mayor as a zoning proponent. In subsequent fund-raising letters, Greenwood did not mention zoning, but he did talk about his interest in land-use regulation and long-range planning. Eventually he concluded that he could not raise enough money to mount an effective mayoral race.

Meanwhile, Walker, who had been a substantial early contributor to Kathy Whitmire's first mayoral campaign, buttonholed the mayor's late chief political strategist, Clintine Cashion, after a Metro

board meeting. "We've got to talk about zoning," Walker recalls saying. Cashion agreed and they scheduled a long lunch the following week. A few days later Cashion was dead, the victim of a severe asthma attack.

Greenwood attended some of the functions at which Rosie Walker appeared, "and the positive response she got confirmed my belief that there was support for zoning," he said in an interview in his modest city hall office. After the November election, Greenwood says, he determined to make the zoning issue "a front-burner item."

"Believers needed to be enrolled," Greenwood says. "Those who were doubters needed to be confronted and converted."



Shortly before noon on a cloudy 13 December 1989, at a so-called city council "pop-off session," where members speak their minds on any number of subjects, Jim Greenwood took the microphone. "I said it was my belief Houston had to decide what kind of destiny it wanted for itself," he recalls. The city needed a plan, and that meant it needed zoning — because all previous plans since the 1920s had proved unenforceable without the sanctions that zoning provided. There was no roll of thunder or flash of lightning, Greenwood notes, nor was he instantly vaporized. The newspapers even picked up the story and gave it decent play. Suddenly the Z word was no longer unmentionable in Houston.

But if anything further was to be done, Greenwood knew he would have to do it. He wrote a letter to every civic club in Houston explaining his stand and asked them to give him an indication of whether they, too, supported zoning. Out of nearly 400 letters, he received almost 80 responses — only one of them against zoning.

On 2 January 1990, in her speech after taking the oath of office, Kathy Whitmire made a passing reference to "land-use planning" by the city in the coming year. Ten days later, in an audacious initiative, Greenwood convened his own Ad Hoc Task Force on Planning and Zoning. Among those he named to the panel were Brandy Wolf and Gail Williford, the neighborhood activists from affluent Southgate who were then president and vice-president, respectively, of the Houston Homeowners Association, a coalition of civic clubs founded by Greenwood's Tanglewood neighbor, Kay Crooker; Peter Brown, former president of the local chapter of the American Institute of Architects and a friend of Greenwood's since high school; John (Jack) McGinty, an architect who had served with Greenwood on a "Visions for Houston" committee a few years earlier; Carroll Shaddock, a downtown attorney and antibillboard and pro-tree-planting crusader; John Mixon, the University of Houston law professor and zoning guru; Burdette Keeland, then chairman of the city planning commission and a professor of architecture at the University of Houston; and architect Al Augustine of the Houston office of the Dallas-based developer Trammell Crow, who was lassoed to participate after asking in vain if Greenwood could enlist the city in fighting a garbage dump next door to his company's North by Northwest development on Highway 290. Although the antizoning Houston Apartment Association also contributed a member, Greenwood concedes, "it was definitely a prozoning group."

**Below:**

**Councilman Jim Greenwood convened an influential ad hoc task force on planning and zoning in January 1990, a few days after Mayor Whitmire took the oath for her fifth term.**

Municipal access cable channel 1 taped the task force meetings for later broadcasting, building an audience and credibility. Greenwood soon expanded the task force, which met weekly and ultimately had a core of 20 to 30 members or subcommittee members and a mailing list, including less active participants, of 40 to 50. Meanwhile, Greenwood himself was speaking as often as four nights a week before civic clubs across the city and to service clubs such as the Rotary, Lions, and Kiwanis. At each meeting, Greenwood asked for a show of hands and saw over-whelming support for zoning. To each group he emphasized that every citizen votes for seven council members – five at-large members like him, a district council member, and the mayor – and urged each club and individual to make known its feelings on zoning.

By early spring, Greenwood's task force had caught the attention of the mayor, who undoubtedly viewed it as the first salvo in a prospective Greenwood 1991 mayoral campaign. She promptly appointed her own blue-ribbon task force – the Land Use Strategy Committee, or LUSC – which appears to have been designed as antizoning as Greenwood's group was prozoning. It was headed by Charles Miller, president and chief executive officer of the Transamerica Criterion Group, Inc., Houston-based investment managers for \$10 to \$11 billion in clients' funds. Miller, a tall man with a rumpled-looking face and modishly long, graying brown hair who was then vice-chairman of the Greater Houston Partnership, told me that when Whitmire asked him to serve, he "made it clear I was oriented towards toward the free market and less regulation."



Whitmire's frequent troubleshooter and dollar-a-year assistant, Alan Rudy, a real estate developer in private life, served as vice-chairman, and longtime Whitmire aide Jerry Wood was chief of staff – two indications of the extreme importance the mayor attached to the issue. Members of the developer-oriented group included Friendswood Development chairman John Walsh, Mischer Corporation senior vice-president James C. Box, Weingarten Realty's Stanford Alexander, real estate man Julio S. Laguarda, developer Edmund D. Wulfe, architect W. O. Neuhaus III, and, as a token zoning advocate, city planning commission member Kay Crooker, founder of the Houston Homeowners Association and wife of a retired senior partner at the law firm of Fulbright & Jaworski.

Whatever the mayor's preconceptions at the outset, it was clear to Rudy, at least, that Houston's psyche was changing. The previous year at lunch with "friends of mine who are household names in Houston's development community," Rudy says, he had taken an informal poll: a third of his elite sample favored zoning, a third opposed it, and a third were neutral. This was, he says, a watershed event. "In 1981-82," he asserts, "it would have been one hundred percent against." Then, as LUSC began its work, Rudy was even more surprised to find himself getting "calls from a number of other prominent real estate types, each of whom said, more or less, 'I'm probably alone among my peers, but I think maybe it's time for zoning.'" He adds, "I got a lot of those." Naturally, Rudy acknowledges, he communicated his view of the changing political realities to Mayor Whitmire.

Before she formed LUSC, the mayor had already contracted with the American Institute of Architects for the services of a Regional and Urban Design Assistance Team (R/UDAT), a flying squad of out-of-town planners and architects who descend on a city to offer analysis and recommendations.

The neighborhood insurgents made a strategic decision to bombard all of the groups addressing land use with the unpleasant evidence of what the absence of zoning had meant to Houston neighborhoods, and to prove conclusively that deed restrictions were an inadequate tool for protecting subdivisions. At appropriate hearings of Greenwood's task force, R/UDAT, and LUSC, prozoning forces turned out heavily. Explained Rosie Walker, "Whenever a hearing was scheduled . . . we would orchestrate a team of twelve or fourteen people representing different neighborhoods and housing stock



of different eras" to illustrate the difficulties and limitations of deed restrictions as a way to protect subdivisions.

Houston Homeowners Association president Gail Williford "would call and say, 'You got your bag of deed restrictions ready?'" Walker remembers. "My presentation included a shopping bag full of deed restrictions from Woodland Heights subdivision. It had taken two or three years of hard work to get them reinstated, and before the ink was even dry they were under attack by someone who bought a piece of deed-restricted property they wanted to opt out."

Another element of the horror show was contributed by John King III, president of the Eastwood Civic Association, who told about attempting to rid his 1920s era neighborhood near downtown of violent cantinas by taking a busload of neighborhood residents to a hearing of the legislative committee regulating the Texas Alcoholic Beverages Commission – only to be rebuffed by "a state representative from East Measles." As King told the story, the

**Above:**

**John Mixon, UH law professor and early zoning advocate whose public lectures on the ABCs of zoning helped to educate the public on the role of zoning.**

representative complained: "Why don't you guys from Houston solve your own problems – why do you always come up here to Austin with these kinds of issues?" Similarly, Bernie Middleton of Riverside Terrace, an affluent, mostly black neighborhood, described the problems that had arisen there with hoisterous University of Houston fraternity houses.

Law professor John Mixon listed reasons why deed restrictions didn't work: they did nothing about uses across the street from restricted areas; they were prohibitively expensive for poorer neighborhoods to enforce; until early 1990, the city devoted only one attorney and one paralegal to deed restriction enforcement, therefore getting the city involved in prosecuting a deed restriction violation was difficult; and 40 percent of residential neighborhoods did not even have deed restrictions. Civic club members explained that deed restriction lawsuits took an average of seven years in court to adjudicate and on average cost each civic club at least \$10,000. Sometimes those defending their property values were countersued by offending businesses for slander or loss of livelihood. Walker says committee members would virtually "fall over in their chairs when one of these young, articulate, polite homeowners would explain that 'I was trying to defend the residential integrity of my neighborhood and I got sued for more money than I'll ever have in my life.'"

After LUSC heard from the embattled neighborhoods and its members toured some of them by bus, "everybody felt [zoning] was an inevitability," asserts the Mischer Corporation's Jim Box. Although LUSC chairman Charles Miller lives in a downtown apartment and walks to work, Box says most of the other committee members live in master-planned communities or in zoned enclaves like the Memorial villages and were genuinely shocked to discover "first hand the effect of commercial encroachment" and other problems faced by Houston neighborhoods. "That had a major impact," Box admits. Even the R/UDAT final report, which infuriated partisans such as Mixon by barely mentioning the word zoning, stressed the crisis in Houston's residential neighborhoods and, Box says, acknowledged the need for some sort of land-use controls. As Box, speaking for fellow developers, remembered it, "Everybody just saw the handwriting on the wall – it was time to work toward developing an ordinance that will accomplish what needed to be accomplished without putting us all out of business."

**Below:**  
**Medical Center Hilton looms**  
**over the residential neighborhood**  
**Southgate.**

By force of personality, Miller — who continues to observe that “zoning takes away property rights” and that “every other big city in the country is zoned and every one has declining-value neighborhoods” — put his free-market stamp on the LUSC final report. Delivered to the mayor on Halloween 1990, it cautiously concluded that although Houston might need some added planning tools and controls, “traditional zoning” was definitely not among them.

Meanwhile, Greenwood — who had attended most of LUSC’s sessions — already had persuaded city council to set aside \$720,000 for “neighborhood land-use planning” and another \$230,000 for beefed-up enforcement of deed restrictions. Either LUSC’s approach or that of Greenwood’s task force, he argued, would require funding. As each of his subcommittees — Goals, Education, and Community Participation; Comprehensive Planning and Urban Design; Research and Drafting; and Staff and Budget — issued its report between August and November, Greenwood circulated copies to fellow council members and to many others, including the members of LUSC. From August to October, the neighborhood activists — Brandy Wolf, Gail Williford, Kay Crooker, and others — began to mobilize their associates in civic clubs to pepper council members with resolutions, letters, phone calls, and other indications of support for zoning. A flood of such sentiment reached each council member. Late in October, members of the civic clubs also began asking the city secretary to put them on the agenda to speak to the council about the subject.

Around this time, Greenwood says, LUSC member Bill Neuhaus and his fellow architect Frank S. Kelly came calling to say the local AIA chapter, of which Kelly was then president, would oppose the zoning ordinance “because they thought we were putting too much importance on zoning and not enough on planning.” After a heated 45-minute discussion, Greenwood says, the pair “agreed to take another look at their position.” He concedes, “They had a misperception of what the ordinance called for because I had not kept them informed.” Ultimately the AIA backed the ordinance, after securing a change in language to stress the ideas that comprehensive planning was the foundation of the ordinance and zoning a tool to support planning. Finally, in mid-November, Greenwood passed out copies of a proposed zoning ordinance to the council members and announced that he would put the matter on the agenda on 5 December (later postponed to 12 December). As the vote approached, the mayor

asked for a 60-day delay. Greenwood knew the momentum was with him but says he “began to get paranoid and saw all the terrible, terrible things that could happen in sixty days.” He began instead to line up support for a four-week postponement. This won overwhelming support despite Whitmire’s strong advocacy of the longer hiatus.

The next week, the councilman and his conferees began to negotiate with Alan Rudy, whom the mayor had asked to represent her in dealing with Greenwood. As Rudy saw it (and members of Greenwood’s task force agree), “The ordinance Jim constructed pretty much assumed we would have traditional zoning in Houston.” Rudy also thought the deadlines the Greenwood ordinance called for seemed unreasonable. To Rudy, who said he spent 40 hours in December and January working on the issue, the point was to provide “maximum protection for neighborhoods and maximum freedom for developers large and small, including the guy who wants to expand his store and the one who wants to remodel his house.”

For Rudy and the mayor there were two critical issues, Rudy says. First, the ordinance called for creating five-member neighborhood advisory councils, which had veto power over nonconforming uses and could be overruled only by a three-fourths vote of the planning and zoning commission. While Whitmire was “prepared to accept that,” Rudy says, she badly wanted to name the members of the advisory councils. Brandy Wolf and Gail Williford, negotiating on behalf of neighborhoods, agreed to give the mayor that power — a concession that Rudy calls “the linchpin [that] allowed everything else to take place.” The other crucial point — discussed at length, Rudy says — was a compromise establishing that single-family neighborhoods would be “sort of dominated by traditional zoning” while other parts of the city would be regulated by performance standards such as those articulated in the development ordinance and off-street parking ordinances. The ordinance was to be simple — there would be just five zoning categories, including residential neighborhoods. Everybody put a high priority on keeping bureaucracy to a minimum.

Over the Christmas holidays, the Greater Houston Partnership held three meetings on the subject; Greenwood attended two. He also met with the Mischer Corporation’s Jim Box and the board of the anti-zoning Houston Apartment Association.

The pivotal meeting, an eight-hour marathon, took place on New Year’s Eve in Rudy’s conference room at 12 Greenway Plaza. Mayor Whitmire attended most of that session, as did Al Haines, the city’s chief administrative officer. Says Greenwood, “The main thing that was added in that session was the neighborhood protection team, which amounted to a beefed-up attempt to support ordinances already on the books” — a key proposal of LUSC. A three-year phase-in period for zoning also was agreed on.

Greenwood and Whitmire met again 4 January, and the next day, at a city hall press conference, Whitmire endorsed “Houston-style zoning.” Though already telegraphed to insiders, it was a historic reversal for Whitmire and Houston — akin to Franklin D. Roosevelt’s inauguration of Social Security in the 1930s, when FDR

co-opted the “old age pension” scheme championed by Louisiana senator and likely FDR challenger Huey P. Long.

In this case, however, Greenwood helped Whitmire steal his thunder. By agreeing to a four-week delay, he says, “I kept the train at the station long enough for her to get on.” In fact, to extend Greenwood’s metaphor, he allowed her to scamper into the engine car and join him at the throttle and brakes. By enabling the mayor to advocate a minimalist form of zoning gracefully, Greenwood got more or less what he had been seeking. But he gave up his chance to run for mayor as the avatar of a zoning movement that by now had acquired some of the characteristics of a religious crusade.

In politics, however, timing is everything. The prozoning momentum was at flood tide. And if the council was to institute zoning in strong-mayor Houston, Greenwood knew, “it was essential the mayor of Houston be on board.” After all, he or she would decide whether and how to spend the money to enforce it, and she would hire the new director of planning and zoning. And so, finally, on 11 January 1991 — “a date that will live in infamy,” Greenwood chuckles — Houston’s city council created a planning and zoning commission authorized under Chapter 211 of the Texas Municipal Code. Timetables aside, what Houston-style zoning will actually look like and what it will mean remain cloudy even to those who have been drafting proposals. What happens next depends largely on the mayor elected in November, on Houston’s developers — and on the movement that prodded the change. ■

1 Kaplan, Barry J. “Urban Development, Economic Growth, and Personal Liberty: The Rhetoric of the Houston Anti-Zoning Movements, 1947-1962.” *Southwestern Historical Quarterly* 84 (1980), pp. 133-34.

2 Berkeley: IGS Press, 1991.



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# A Stranger Here Myself

## Cite Talks With Planning Director Donna Kristaponis

**The mandate to produce a viable zoning strategy for a city still lacking a comprehensive plan presents the Houston Planning and Development Department with an ambitious new agenda. Leading the effort is Kathy Whitmire's appointee, Donna Kristaponis, who came to Houston this year from Palm Beach County, Florida, where she was the director of planning, building, and zoning. William F. Stern and Rives Taylor interviewed the director in her office on September 5, 1991.**

**CITE** Could you tell us something about your background—how you came into planning and how you came into this position?

**DK** I have a B.A. from the University of Washington, a liberal arts degree with a concentration in music and history. Government and politics were an avocation when I was a student. After finishing my degree and some teaching I went into the Peace Corps.

I was assigned to public administration projects in West Africa, where I spent three and a half years. I came to the University of Texas with my then husband, who was working on a Ph.D. I was accepted at the LBJ School of Public Affairs and spent two years in that program, then left to pursue a Ph.D. in business. I did some of the coursework, then went to work for the city of Austin.

**CITE** When was that?

**DK** Late 1978. I had done a lot of work in between. I had worked for the legislature as an adviser on governmental relations. Coming out of graduate school, I went to work as the health planning director for the city of Austin. Having been to the doctor a few times in my life qualified me to talk about health planning. Planning is a process; it's being able to facilitate and bring people together. I'm not sure that there's a particular magic to it. As the health planning director, my responsibility was to move the care program out of the city-owned hospital and into community clinics, which is a much cheaper way of providing service. Austin has a very aggressive program for the indigent population. We also developed a sliding fee scale and automatic Medicare/Medicaid repayments and turned what had been a horrible financial picture into a good financial picture.

I was interested in moving forward in the city of Austin. When two assistant directorships became available, one in land-use planning and one in research and budget, the personnel director recommended that I apply for both of them. I told him I was eminently qualified for research and budget and not eminently qualified for the planning position. That is not what happened. Planning came up first. I was included in the initial 25 people of the 100-plus applications they looked at because I was the only city of Austin employee who applied, and I was also the only woman. Everything that Austin did at that point had a very rigorous selection process. I was interviewed, went through an assessment process, and was selected. In terms of comprehensive planning and zoning, I began on-the-job training in 1980 with the city of Austin.

**CITE** Your position there was what?

**DK** Number two position in the department, when Austin was the fastest-growing city in the country; it was not a bad place to start. I think that I was hired because I have strong management skills. Planners aren't always the best managers; I was able

**"Fifteen months ago, the planning department had perhaps 45 staff members. Twelve months ago it had 300, due to the reorganization."**

to provide immediate help to a department coping with phenomenal growth and finishing its comprehensive plan. The number one issue in the comprehensive plan process was the zoning ordinance; that became my responsibility. We put a number of environmental ordinances in place. Austin was more adventurous and more on the cutting edge in terms of planning issues than any city in Texas. Probably not more than in California or Florida, but very few states would have been in terms of what we were considering.

In 1984 I left the city to work as a consultant to cities on growth management; I also worked with developers on development projects. I always knew that I would come back to the public sector, but I didn't know how to put a project on the ground. I didn't know what it meant to take an idea, fund it, get it approved, construct it, have a grand opening, and cut the ribbon. That was an education I needed. I was committed to staying in the field of planning, but when you are going to regulate an industry you ought to know something about that industry. There were some things I had done as a staff member in Austin that probably weren't as well thought out as they might have been.

Toward the end of 1988, I met a recruiter who had a job he thought I was made for, and he asked if I would consider going back into the public sector as executive director of planning, zoning, and building for Palm Beach County, Florida. Palm Beach is the largest county in area east of the Mississippi. It's bigger than a number of states. And in Florida, counties are the local government of power.

**CITE** What's the population of the county?

**DK** Nine hundred thousand permanent residents. Palm Beach also has an awful lot of people who come just for "the season"—the very wealthy who live in mansions on the beach, as well as retirees who come down for the winter. That's probably another 150,000. I directed five divisions that were under the gun to submit a state-mandated comprehensive plan shortly after I got there. Then we had a year to make all development regulations consistent with

the comprehensive plan. We were the first local government in Florida to have land development codes done in the time frame allotted by the state.

I was responsible for code enforcement, a need we have here in Houston. We faced a number of critical planning issues, like mobility. Palm Beach doesn't have as good a mobility system as we have in Houston. Most of the development is along the coast, and so one commutes from west to east in the morning and then east to west in the afternoon. There were also many wetlands and major water problems. Florida is having severe problems providing potable water to the people who live there.

**CITE** How did you become interested in the Houston position?

**DK** I was recruited to come here. I received a call saying that they had heard about me and liked what they heard, and they asked if I was interested in being considered for this position. I told them I would be delighted. Why would anyone not be interested in coming to Houston, Texas? Even though I have no interest in being the czar of subdivision platting for the city of Houston.

**CITE** You said you didn't want to be the subdivision czar. The perception of the planning department prior to the recent changes is that it was basically what we called the "curbs and gutters department." It didn't really do a lot. Whatever planning occurred seemed to come out of the planning commission. How do you see the position of the planning director and department changing?

**DK** Fifteen months ago, the planning department had perhaps 45 staff members. Twelve months ago it had 300, due to the reorganization. It took in the building permitting functions and the capital improvements programming functions. That seems fairly legitimate for a planning organization. We also took in some traffic planning functions, although we did not get all the staff that would be related to that. In January the council adopted the planning and zoning ordinance, number 91-63, which mandates a comprehensive plan, a zoning ordinance, and doing something about nuisance codes, without spelling out what to do. I arrived in February. In terms of approved positions within this budget, the department is now close to 700. We have a lot to do under the mandates of that ordinance. While we're building an organization to do the new things, we're still trying to figure out what happened to us a year ago.



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**CITE** So the building permit process has been taken from public works and is now under your aegis?

**DK** Yes, it's been here for over a year. I now have planning and zoning and platting, the capital improvements program, and the regional systems program, including utilities and transportation planning. I deal with street closures that neighborhoods are interested in. I deal with the major thoroughfare plan. I deal with the city's Metrocom system [a computer mapping system], including the analysis of census data. We respond to public inquiries related to data. We handle the building inspection functions, sign administration, and neighborhood protection, which is a consolidation of assignments formerly in other departments. It's a rather sizable undertaking.

**CITE** So planning and zoning could be just a small part of what you do.

**DK** It could be, but it isn't. The department is now fashioned like my department in Florida, which makes a lot of sense, from what I've seen of how other departments are organized. These are areas that belong together. The interesting thing is to pull them together and make new assignments in the process, and locate people in order to do what needs to be done. When I say planning, I don't just mean comprehensive planning.

**"The planning commission certainly can be the initiator of ideas and public policy, and ought to be. For the most part the commissioners are citizens, not specialists in planning."**

**CITE** What do you mean?

**DK** It is the comprehensive planning, it is the regional system, and it is, "I am a property owner and I want to develop; how do I develop in the context of that comprehensive plan and the regional issues we've identified? And now, you have to get a building permit." That's the technical picky part that I'd just as soon not have a whole lot to do with. I don't have to, since [deputy director] Hal Catun is here, and he's the deputy over that area. People who are trying to get a building permit want the process to work as efficiently and as effectively as possible.

**CITE** What do you see the planning and zoning commission doing?

**DK** The planning commission certainly can be the initiator of ideas and public policy, and ought to be. For the most part the commissioners are citizens, not

specialists in planning. But they are out there listening to the public and need to help form the policies under which we operate. I'm not going to lay an ordinance down in front of the planning and zoning commission and say, "Hey, I think you ought to adopt this." On a couple of occasions I've gone to the commission and said, "I would like you to consider the potential for doing X, and if you think it's a good idea we'd like to look into it." If they're not interested, I'm not going to spend a whole lot of time on an issue that they don't see as a big problem. Clearly they need to deal with some of the priorities. The things I've done so far have been fairly simplistic. With council's adoption of the zoning ordinance in January, we know what we are supposed to do, we understand the work plan, and we understand the time frame.

**CITE** Ultimately, whatever is generated from your department will still have to pass through the planning commission for its approval or its recommendation to council. Is that how the process works?

**DK** That's traditional. That's true in Texas, that's true in every state I've ever known. It's one of the few departments in any city government that operates that way, that has its board of directors. I am in essence the director who reports to this board of directors. I do more than that, because they don't have anything to do with the building functions, the sign functions, or the neighborhood protection functions. But all things related to comprehensive planning and zoning will require their recommendation to the council. Still, I'm not going to wait for the planning commission to dream up ideas. I'm known as being pretty pro-active. I think I've demonstrated my pro-activeness since I've been here.

**CITE** Is that what Mayor Whitmire wants you to do? Is she in agreement?

**DK** We've really never discussed that.

**CITE** There's a general feeling that the mayor was pushed into planning and zoning because the people wanted it. Before your arrival there was a perception that a brake had been applied that got in the way of any creative thinking coming out of the planning department, and that brake might still be there.

**DK** I haven't heard it and I haven't seen it. I was on a radio program, and on that program with me was council member Jim Greenwood. The talk show host raised the same issue you did about the mayor. Council member Greenwood said, "I don't think the mayor leapt on this with two feet and two hands immediately. What the mayor did do, which is what you want a



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mayor to do, is to sit back and listen and decide whether it's good public policy or not. What the mayor decided is that this is good public policy." And he said, "Since she's made that decision that it's good public policy, she's never faltered. She never blinked in terms of moving it forward, seeing that it's funded, finding the right staff, doing what needs to be done." He said, "I think she's very supportive."

**CITE** On the funding . . .

**DK** You noted how quickly it happened. I think some of the council members and possibly the mayor are amazed at how quickly it happened. I think that's another issue: Will they stall, or was it an avalanche, was it a snowball?

**CITE** Perhaps what has happened is that the planning directorship is now a position of influence and authority. That leads to the next question: Was the \$6 million that was requested from council funded in this budget?

**DK** It's a \$7 million figure. I need every penny. Please do not do what other journalists have done and report that that's the planning and zoning figure, because nothing could be further from the truth.

**CITE** Well, what is it?

**DK** It's basically \$4 million for planning and zoning and \$3 million for neighborhood protection.

**CITE** Neighborhood protection is what you're referring to as the nuisance ordinance?

**DK** Nuisance ordinance enforcement: rats, weeds, tires, abandoned buildings, abandoned vehicles on private property, housing code enforcement. That's a \$3 million program.

**CITE** So it's really \$4 million that has been approved. What is that for?

**DK** That is for a lot of new staff—26 to 27 new people in comprehensive planning, 39 new people in support staff, professional planners for neighborhood planning and zoning, new staff in research analysis



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**"I am hiring staff. But, like so many organizations, there are a few people at the top and you get more as you go down. I've got a lot of kids that have just finished their master's degrees and have never done this before. Do you trust them with your ordinance?"**

and data systems to be able to support the planning and zoning effort. We are turning out current land-use maps and zoning maps 24 hours a day, seven days a week. It includes a public information officer, which this department has never had before. I want to make that into a community relations position. We need some newsletters, some focus papers, and an awful lot of information to the public on planning and zoning issues. We have not had the personnel to be able to do that. We have no filing system here. I have a records administrator coming in. I have development plats that literally are filed by receipt number, so that if you don't know your receipt number, we can't access them for you. We need to take a look at that.

**CITE** How many individuals are we talking about?

**DK** Probably 90 new staff just to do the planning and zoning and augment the other areas, which couldn't possibly have provided this support. The staff is working morning, noon, and night. Part of it is for that. I have monies in my budget for consulting services. We did a zoning RFP [request for proposals] and we hope to have that on council's agenda for approval next week. I also have some very peculiar computer systems. I have a Metrocom system, which is really a computer-aided drafting system. It has no relational data bases, so for comprehensive planning

**"I have no subdivision data on the computer. I have no microfiche or microforms of subdivisions. I can only go back to the original drawings. There is no automated tracking of records here. Now we're going to introduce zoning."**

purposes I can't say "What if." I can't draw the parameters and have the computer deal with me about what happens to this community over the next 25 years. I also have a stand-alone building inspection system that does not feed information to the city's Metrocom system. I have no subdivision data on the computer. I have no microfiche or microforms of subdivisions. I can only go back to the original drawings. There is no automated tracking of records here. Now we're going to introduce zoning. One of the things that I'm going to be doing shortly is a request for proposal to do a management study of our information needs and to put forward the priorities in terms of getting the most for our money.

**CITE** You mentioned the RFP for a consultant, a loose issue. How many firms replied to that?

**DK** Eight.

**CITE** Only eight?

**DK** Let's talk about what that really means. One came late, so it was excluded. Another submitted only qualifications and did not respond to the RFP. So we had six real ones.

**CITE** You're building a staff, and some of these people will have experience in planning and zoning. What is the necessity of bringing in an outside consultant on top of that? Why are you not building it all from within?

**DK** That would truly be unique, Houston-style zoning. I know of no major city in the country that has attempted this type of legislation without outside help. I suspect that there is a reason. I am hiring staff. But, like so many organizations, there are a few people at the top and you get more as you go down. I've got a lot of kids that have just finished their master's degrees and have never done this before. Do you trust them with your ordinance? Do you want them to talk about performance zoning and how it works? Or do you want to have your staff working with folks who have done it before?

**CITE** What will the consultant team be doing specifically? Will they be making overall recommendations for how we should be proceeding?

**DK** They will be working with the staff and with the zoning strategies committee, which includes members of the planning and zoning commission as well as members of the community, to talk about zoning philosophies. We already know here in Houston that we really don't want to create a zoning ordinance that looks like the ordinance in Dallas or San Antonio or El Paso or Austin. We are going to be performance driven for the most part.

**CITE** Could you explain what you mean by "performance driven"?

**DK** Performance standards can include height, setback, location of driveway, landscaping, design standards. These are a part of performance standards that I think architects in particular are interested in. It can be the scale, massing, and bulk of the building and how it fits into its environment. Those are performance standards. The issue becomes the building itself. The relation with the context is many times more significant than use or what goes on inside the building.

**CITE** When you talk about performance standards you raise one of the bigger issues facing Houston. There are some people who really only care about the protection of their neighborhoods, who believe that we should not broaden the scope of zoning

**"Performance standards can include height, setback, location of driveway, landscaping, design standards. These are a part of performance standards that I think architects in particular are interested in."**

and planning beyond neighborhoods. Then there is the other view, the far more expansive view that you've just described, of the kinds of broad things that zoning or planning can do. Which direction do you think it's going?

**DK** It's going in several directions. Performance standards will become more stringent as you move toward a residential neighborhood. As you move away from residential neighborhoods, it's very unlikely that you're going to have to do a whole lot more than is currently being done. Since 1982 we have had a minimum lot size. We will shortly have a tree and shrub ordinance that's been under discussion for at least a year. There may be continued discussion regarding dumpsters, and I think signs will come up again, although I don't know that signs will come up this round. The other thing, though, is that not all areas are the same. I hear people in the Montrose and Neartown areas saying, "We're not going to make it as a wonderful mixed-use area if we don't have zoning. And in doing zoning we want to protect the businesses that are there now, at least the vast majority of them, as well as the single-family housing and the duplexes, and the multifamily housing. We just don't want to be overridden. We don't want the restaurants to be so successful that we can't live here anymore." They see that zoning is the only way of doing this. They're right in terms of protection. But when I hear you saying, "Well, it came from the neighborhoods and they want to protect . . ." it makes it sound like it's very single-family, residential only. In this process we have to be able to recognize the differences in these neighborhoods.

**CITE** There has been a tendency in the past to see the city as one fabric, and what we do in one place we do in every other. The setback ordinance was a perfect example of a blanket ordinance.

**DK** There are some places where I think it would be great if we didn't do setbacks.  
(continued on page 32)



# Zoned to Sell

## Learning From Dallas

DAVID DILLON



**The vagaries of Dallas zoning are summed up by Cityplace, the semidefunct colossus on Central Expressway, just north of downtown. The model un-**

veiled in 1983 showed a pair of red granite towers surrounded by a hotel, shopping mall, public plazas, and 6,000 apartments and condominiums in assorted configurations. The project was to be Dallas's new "uptown downtown," and the city blessed it with planned unit development (PUD) zoning that included major height and parking variances and approval to close

Left: For Southland Corporation's Cityplace, Dallas planners rearranged the zoning rules to allow an expansive office, hotel, shopping, and housing complex on Central Expressway. The real estate bust of the late 1980s crippled the development, leaving a lone office tower (Araldo Cossutta, architect) surrounded by emptiness.

half a dozen public streets. In return, Southland Corporation agreed to build a subway station, fund extensive street and utilities improvements, provide housing for displaced residents, and even contribute \$1 million for new landing equipment at nearby Love Field.

On paper it looked like a model agreement that would encourage good design, protect the public interest, and keep a major corporation from defecting to the suburbs. "It will be the Rockefeller Center of Dallas," boasted architect Araldo Cossutta at the announcement party.

Then came the real estate bust, followed in 1987 by Southland's disastrous leveraged buyout of its own stock. The first killed new office construction, while the second forced the corporation to sell off most of Cityplace to cover the interest payments on its junk bonds. Dallas's new "uptown downtown" turned out to be one half-empty office tower, a couple of windswept plazas, a six-lane boulevard going from nowhere to nowhere, 225 housing units (Southland had demolished 600), and 100 acres of vacant lots where a shopping mall and condominiums were supposed to be.

Cityplace is a cautionary tale about the seductive power of grand designs and the folly of allowing public benefits to be deferred in anticipation of a utopia to come. An existing neighborhood was leveled even though there were no firm plans for redevelopment. New housing and public spaces were tied not to the opening of the first office tower but to later phases. Ultimately, the effect of all the zoning incentives was to increase the resale value of Southland's land.

"Nobody could conceive of something happening to Southland," said former city planning director Dennis Wilson. "There were no contingency plans at all."

Throughout the 1980s the PUD was the strategy of choice for circumventing Dallas's byzantine cumulative zoning ordinance, which included some 35 separate categories ranging from single-family residential to heavy industrial. The ordinance was a vestige of the 1960s, when in order to stem commercial flight to the suburbs the city aggressively promoted mixed development within its boundaries.

Higher or more inclusive zoning categories automatically included all uses allowed under lesser ones. Thus general retail (GR) also allowed offices, apartments, and single-family residences. Shopping center (SC) permitted 20-story office buildings and dense apartment blocks. And industrial (I-2) embraced virtually everything.

But with flexibility came chaos. In the 1960 and 1970s thousands of acres were routinely rezoned without concern for the effect on traffic and city services. The Galleria area in North Dallas was rezoned from single-family to industrial, meaning that any type and density of development was allowed. Consequently, the area ended up with ten times the amount of traffic originally projected, and the city was unable to plan for streets, sewers, and other essential services. In other places, streets and sewers were severely overbuilt in anticipation of a boom that never came. Either way, uncertainty about the ultimate disposition of a parcel of land made long-range planning a nightmare.

Historic designation protected some neighborhoods from unchecked development. Between 1973 and 1990 the city established 11 municipal historic districts, mostly residential but including the flourishing West End warehouse district downtown. Historic designation gave property owners a means of controlling inappropriate uses as well as economic incentives for renovating their buildings.

In the early 1980s special zoning districts were created for larger areas such as Oak Lawn, a mixed neighborhood similar to Houston's Montrose. Here a coalition of residents, developers, and city planners created a plan for sustaining a mix of restaurants, offices, and housing that was unique in Dallas. Existing zoning was used as the basis for future development; no upzoning was allowed without corresponding downzoning. A dozen streets were downgraded to prevent Oak Lawn from becoming merely a funnel for crosstown traffic, and mass transit was encouraged. The plan also recommended increasing the separation between office buildings and residences, putting parking underground, and landscaping the edges of all new projects.



The West End warehouse district (above and right) in downtown Dallas was one of eight historic districts designated between 1973 and 1990, encouraging both redevelopment and preservation.



In Deep Ellum, a gritty industrial district east of downtown, the city and property owners collaborated on an urban design plan to redevelop existing warehouses and factories into theaters, restaurants, and apartments. The goal was an urban neighborhood in which streets would be narrow, buildings relatively low, and existing businesses protected. In return for down-zoning and a height limit of 120 feet, the city provided incentives for housing and poured over \$3 million into new streets and utilities.

The adoption of both plans in 1984 demonstrated that the much-maligned city planning department could be a catalyst for responsible change at a local level. And both plans continue to have ripple effects. The Oak Lawn landscape ordinance served as the prototype for a citywide ordinance adopted several years later. Deep Ellum has become the incubator of new theater and music groups that have no home in the official downtown arts district.

But comprehensive planning has never enjoyed similar success in Dallas. It's still considered the hurr under the saddle of progress. Since 1910 Dallas has commissioned six master plans and officially

adopted none. Those that were not scuttled outright were selectively implemented, with roads, utilities, and other development-enhancing elements taking precedence over housing, transportation, and the environment.

Attempts to control runaway development were consistently frustrated. In 1980, planning director Jack Schoop undertook a detailed land-use and transportation study of far North Dallas, the "golden corridor" that stretches to Richardson and Plano. He concluded that if present development trends continued, water, sewers, and fire and police protection would be hopelessly inadequate, and the area's much-touted quality of life would be only a memory. He challenged the city to take a hard look at the consequences of unchecked growth; for his pains he was branded a control-crazed planner and run out of city hall.

Eventually, however, the boom of the mid-1980s forced the city to rethink its planning policies. In 1987 an official Growth Policy Plan appeared. It was neither a plan nor a map, but rather a conceptual framework for guiding future planning and zoning decisions. It identified stable residential neighborhoods, redevelopment areas, and growth centers, and recommended that dense development be directed away from neighborhoods toward freeways and future transit stops.

It was accompanied by a sweeping revision of the city's zoning ordinance. The goal of this revision was to end cumulative zoning by reducing the number of zoning categories and winnowing the uses permitted within each. But the transition was bumpy. Homeowners lobbied for reform on the grounds that an orderly, well-planned city offered better investment opportunities than one fueled by dicey real estate deals on used-up cotton farms. Developers countered that cumulative zoning was what had made Dallas great, and that ending it would raise taxes, bankrupt them, and make Dallas unattractive to outside investors.

The new ordinance was adopted in 1989 and quickly corrected some of the worst abuses. Office towers can no longer loom over neighborhoods, and apartments can no longer be constructed on land zoned for shopping centers. Industrial land has been returned to industrial uses, period; and the range of uses within each category has been more crisply defined.

## From the air Dallas and Houston look remarkably alike, freeways looping around islands of office towers and shopping malls. But at street level the picture changes dramatically.

At the same time the number of categories has ballooned to approximately 37, while rezoning cases have increased steadily. Spot zoning continues up and down Central Expressway and around proposed growth centers. NorthPark shopping center is currently embroiled in a bitter rezoning battle with neighborhood groups over proposed expansion. It will probably take ten years and another building boom to determine what difference the revised ordinance will make.

To many people, Dallas with its history of zoning and Houston with its historic hostility to zoning are fundamentally alike. Both were shaped by huge land packages assembled by freewheeling entrepreneurs who saw subdivisions and office parks instead of a vision of the city beautiful.

From the air the cities look remarkably alike, freeways looping around islands of office towers and shopping malls that have been moated with parking lots. But at street level the picture changes dramatically. Dallas has more predictability and greater visual continuity than Houston, which to some observers means only that it is more monotonous. Yet the violent juxtapositions found, for instance, along Houston's Richmond Avenue — body shops sidling up to art galleries and townhouses — are comparatively rare in Dallas. Lemmon Avenue may be a tacky strip, but its tackiness is more or less uniform and consistent.

Zoning has generally kept Dallas's neighborhoods from being infiltrated by cantinas and junkyards, while historic district designation has sparked the revitalization of the West End, something to which Houston's warehouse district still aspires. Overall, Dallas has preserved more old buildings than Houston, though from the perspective of Boston or Chicago the distinction may seem purely semantic.

Houston's proposed zoning ordinance is intended to protect neighborhoods and make long-range planning possible. These goals are similar to Dallas's. The similarities end there. "Houston-style zoning" will probably mean four or five categories instead of 37, including residential, industrial, and something called the O zone, into which all Houston's undeveloped or underdeveloped land will fall.

Buffer zones will separate residential areas from the O zones and will be tightly controlled.

And unlike Dallas, performance standards will be substituted for the typical list of categorical thou shalt nots. Restaurants and bars may still be allowed in residential areas, so long as they meet strict new criteria for signage, noise, landscaping, and other matters. This is far looser than even the revised Dallas ordinance, in which everything is spelled out.

A key issue for Houston is whether this new enthusiasm for zoning will translate into support for long-range comprehensive planning, at which Houston has even a worse record than Dallas. "The politics of this city are so messed up that we'll get an ordinance but no comprehensive plan," insists Burdette Keeland, a member of the new planning and zoning commission.

But Councilman Jim Greenwood, the political guru of the new ordinance, believes that one kind of success will generate another. "Zoning isn't going to solve all problems right away," he concedes. "For Houston to have the quality of life it wants, we'll have to plan other things, such as green space and transportation. I think the neighborhoods will stay involved for that."

The connections between Dallas's revised zoning ordinance and comprehensive planning are nearly as inscrutable. Some planners feel that the recent revisions have been largely cosmetic and will have no lasting effect on land-use patterns. "We have roughly the same thing on the ground now as before," says one zoning consultant. "Zoning follows the market rather than policy plans, so I don't refer to that document very much in my work."

But assistant city manager Jim Reid, who played a key role in transition zoning, thinks otherwise. "Under the old system there were too many things and the intensity was too great," he explains. "So we changed that. In the short term the impact may be imperceptible, but in the long run we have a better set of rules for the future."

No matter what happens to the economy, Dallas and Houston are not going the way of Seattle or San Francisco. Both live by Daniel Burnham's injunction, "Make no little plans." Both are still cowboy cities that deep down believe that sprawl is okay and nothing terrible ever happens from growth. Even after the oil bust and the real estate bust and the savings and loan debacle, when the chips are down both cities trust the wisdom of the marketplace and the intuitions of the freewheeling entrepreneur more than plans and ordinances. ■



Deep Ellum, east of downtown Dallas, represents a joint effort by urban planners and property owners to convert an industrial zone to a mixed-use commercial and residential neighborhood.



# BEYOND THE SHAPING UP HOUSTON



## GOOD HOUSEKEEPING

JAMES B. BLACKBURN, JR.

In 1975, I was working at the Rice Center for Community Design and Research on a paper titled "Environmental Issues of the Texas Gulf Coast." The Rice Center formed a committee made up of representatives from the area's leading law firms, industries, and developers to review the technical aspects of my work. (This was during a time when zoning was not discussed in certain circles.)

I will never forget writing about flooding. Footnotes in my paper suggested that retention drainage, as utilized by George Mitchell in The Woodlands, was an innovative approach to solving coastal drainage problems. One of the reviewers, a prominent attorney with one of Houston's big firms, suggested that the notes be deleted because The Woodlands was not popular within the development community; including them might be misinterpreted as recommending the use of retention drainage. The Rice Center made me remove the offending notes, offering dramatic insight into that institution's deficit of objectivity and ultimate demise.

This article is about zoning in Houston, as implemented by ordinance 91-63, and how Houston zoning may relate to the environment. I use The Woodlands example because the success of that environmentally planned new town during the bust days of the 1980s is frequently cited as one of the reasons the city of Houston finally got interested in zoning.

My thesis is that a wolf in sheep's clothing is still a wolf. Until an ethic is acknowledged by the city of Houston and by the law firms, engineers, and developers that control it, zoning will not address environmental issues effectively. By contrast, The

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## SAVING GRACES

MARGIE C. ELLIOTT

Comprehensive planning and zoning are potential instruments for shaping Houston's future character and appearance. Although some Houstonians believe that it is too late to prevent the wholesale destruction of the historic fabric of the city, most of us know that we still have many important landmarks and historic neighborhoods worth preserving. Few people, however, understand how vitally local zoning affects our ability to preserve this dwindling treasury of historic architecture.

Sixty years have passed since the first local historic district ordinance in the United States was adopted in Charleston, South Carolina. Only eight years later, in 1939, San Antonio enacted a similar ordinance, the third American city to do so. Today more than 1,500 American towns and cities, including more than 40 in Texas, have adopted local landmark or historic district ordinances. A 1987 study by the National League of Cities identified historical preservation as one of the tools of economic development most widely used by cities across the country. Robert Campbell, architecture critic of the *Boston Globe*, recently referred to the historical preservation movement as having achieved "a national consensus." Preservation plans implemented through laws that recognize and protect historic buildings are well established in every major city in the United States — except Houston. In what we may eventually refer to as the Before Zoning era, Houston's laissez faire approach to planning and development simply eschewed regulatory controls on historic landmarks along with most other regulations of land use. Indeed, there has been almost no municipal recognition that Houston even contains historic landmarks.

Almost 1,000 Houston buildings are listed individually and within six districts in the U.S. Department of the Interior's National

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# OZONE



## CURBING COMMERCE

WILLIAM F. STERN

It is becoming increasingly apparent, at least in Houston's initial stages of zoning, that consideration of commercial and institutional planning will be limited to how these uses infringe on residential neighborhoods. While there now seems to be a broad consensus for neighborhood planning and preservation, restrictions that would directly affect commercial expansion have yet to receive equal acceptance. It is almost as if any restriction placed on commercial or institutional development would violate the free market principle that Houston's entrepreneurs proclaim as the key to Houston's economic success. But it is both naive and unwise to think that Houston merely needs a codification of deed restrictions for residential use alone. If zoning law is constructed only to protect neighborhoods, then the city will become further divided between planned areas and neglected areas. Now is the time to address restrictions for commercial development. Unbridled growth in any sector is too risky if the goal for the future is to improve the total environment we inhabit. Presently the Department of Planning and Zoning is moving in a direction that will at least establish the borders or zones for commercial development. How might the city move beyond generalized zoning to more specific restrictions that would affect both commercial and institutional development?

Most cities have addressed growth problems by establishing bulk and setback requirements. For instance, Shepherd Square, a new shopping center located at the southeast corner of Shepherd and Westheimer, clearly is too much development for the infrastructure of the surrounding streets. Moreover, it violates the well-established urban patterns of this

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## PLEASURE PRINCIPLES

O. JACK MITCHELL

One hundred fifty-four years after its founding, Houston adopted zoning. Long famed as the only major U.S. city without zoning and committed to laissez faire ways of dealing with growth, Houston has traditionally celebrated the rights of the individual and viewed public intervention as public interference. Following a near decade of economic decline and diminishing public services, zoning to protect residential areas seemed appropriate. The political arena responded to a groundswell of citizen concerns about housing. This is a major accomplishment, acknowledging a fundamental truth: the building block of livable cities is the sound, safe, comfortable residential neighborhood with playgrounds, parks, schools, and shopping in proximate distance. How zoning will be implemented remains to be seen, but Houston has certainly taken a step in the right direction.

Progress (and taking steps to enhance a city's livability must be considered progress) always makes one consider the step-by-step nature of change. What is the next step for Houston? More comprehensive zoning? The resolution of our transportation dilemma? Should we build a monorail? Can we resolve the urban-suburban conflict? What about our declining level of public services? Our parks rival only the public libraries as a low priority. To be sure, a viable, workable, effective police department should have priority, but how livable can a city be without adequate parks and libraries?

What about our streets and public places? Establishing a public realm, places to play out a public life, has never been a high priority in Houston — or in most other Sunbelt cities, for that matter. I refer to streets, parks, and other public places

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## VOX POPULI

STEPHEN L. KIINEBERG

Anyone who has lived in Houston for ten years or longer must be amazed to hear city officials openly calling for comprehensive planning and serious land-use regulations. Only a short time ago, it meant risking political suicide to mention the P word, much less the one beginning with a Z. The politics of the city have changed profoundly over the past decade. When the heady days of perpetual boom suddenly gave way to deep and prolonged recession, Houston's leaders had to begin rethinking their growth strategies and reexamining what it will take to position the city for success in the very different economic and political climate of the 1990s.

In March 1982, members of Rice University's Department of Sociology, working with Telesurveys of Texas, began conducting annual interviews with representative samples of adults living in the metropolitan area. The continuities and changes that the surveys reveal summarize many of the transformations that have occurred in this tumultuous decade and help clarify the challenges that lie ahead.

Between 1970 and 1982, more than one million people moved into the Houston area. During the peak year of 1978 they were coming at an average rate of more than 1,800 every week; more than 200 additional cars and trucks were being added every day to the streets and freeways of Harris County. Houston was the "Golden Buckle on the Sunbelt," the favored showplace of the world's most famous architects, and the official bird was the construction crane; it was assumed that all that was needed to keep on booming was a brash Texas spirit and the preservation of "the nation's best economic climate." During the booming 1970s, Houstonians proudly proclaimed themselves the epitome of what

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Brays Bayou  
at Idylwood  
subdivision.

#### GOOD HOUSEKEEPING

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Woodlands has both an ethical and a planning base to stabilize its efforts and guide its deliberations.

Historically, the city of Houston has been an environmental insult to the Texas Gulf Coast. Many environmentalists thought Kathy Whitmire would turn that situation around, but their hope was unfounded. In a time of the greening of the United States, Houston has failed to bud.

We need not go to the Amazon rain forests to find environmental battlegrounds of global importance. They literally surround the city of Houston. Take, for example, the development of the Katy prairie. Two major projects have been proposed there that would stimulate the westward expansion of a city that still has thousands of acres of undeveloped land within its limits: the Westside Airport, between Katy and Brookshire; and the Grand Parkway, linking Interstate 10 with U.S. 290. The Grand Parkway's path across the Katy prairie was determined by the location of the Cinco Ranch and Nine Bar Ranch developments.

The land proposed for development west of the Grand Parkway and surrounding the proposed Westside Airport site is some of the most productive farmland in the United States and serves as an irreplaceable habitat for hundreds of thousands of wintering waterfowl. Containing hundreds of wetland ponds, it is of crucial importance to waterfowl because it lies along one of the Western Hemisphere's most important flyways.

Yet the city of Houston is doggedly pursuing westward development as its divine right. The Westside Airport is a city project. The city did not undertake even a rudimentary siting study in an attempt to locate alternative sites. Essentially, speculators brought a land deal to the city, and the city bought it.

Major environmental and ethical issues loom with regard to the taking of this prairie habitat for subdivision and airport development, particularly since alternative development sites can be found with ease throughout the Houston region. If there were no alternatives, it might be different. But we are not short of developable land. Environmentally suitable sites abound to the north and south, not to mention within the city limits. Why do we *have* to expand westward?

As a second example, consider the Wallisville Reservoir, a joint project of the Corps of Engineers, the city of Houston, and the Trinity River Authority to bring Trinity River water to Houston. Wallisville will dam the Trinity near its confluence with the Galveston Bay system. As a result, Galveston Bay's salinity will increase, its nutrient supply will decrease, and the westernmost cypress swamp in Texas will die. Wallisville will provide relatively inexpensive water to the city, but its long-term supply potential is limited.

Wallisville was fought in federal district court in 1985, when Judge Carl Bue found that the environmental record had been illegally manipulated by the Corps of Engineers at the urging of the project sponsors. This manipulation was excused by the Fifth Circuit Court of Appeals, which held that Congress had succeeded in procedurally ratifying these illegalities. To this day, environmental groups in Houston view Wallisville as unethical because of the circumstances of its authorization and the environmental damage it will cause.

As an alternative to Wallisville, environmental groups and the San Jacinto River Authority have proposed taking water from the Sabine River and transporting it overland to Houston. Although this plan is more expensive, it offers a much more dependable long-term water supply than does Wallisville, with much less severe environmental impact. But the city has absolutely refused this alternative, leaving the Sabine water open to appropriation by cities such as San Antonio. Fifty years from now, the city's failure to accept the Sabine alternative will be viewed as a grave error. Instead, Houston continues to pursue the environmentally damaging, ethically tainted Wallisville project.

A further example is Mayor Whitmire's decision to eliminate the air quality division of the city health department. Houston has the second worst ozone

pollution in the United States and faces massive problems in complying with the Clean Air Act of 1990, yet Mayor Whitmire proposed to eliminate the one branch of city government that has the ability to address this issue. Such shortsighted decisions magnify the absence of an overall environmental policy and ethic in this forum.

The list of failures to exercise sound, ethical judgment could continue, but the point is clear: the city of Houston is a headless horseman galloping along without principles or plans. How can zoning help this situation? If the city cannot even conduct its own affairs in an environmentally sensitive, ethical manner, certainly it cannot achieve those goals through zoning.

Houston needs a plan more than it needs zoning. The city's environmental failures arise from the absence of ethics and environmental considerations in its decision making. For the zoning process to bring environmental relief to the city would require a comprehensive plan that includes strong environmental components.

But it appears that Houston has decided to forgo comprehensive planning for the short term. At the 17 June 1991 meeting of the Zoning Strategies Committee, the decision was made to designate three zones in Houston — single-family residential, exclusively residential, and heavy industrial zones. Although the minutes are difficult to decipher, it appears that all undeveloped land will be given an O classification, meaning no use is prescribed. Therefore, although zoning classifications would protect some existing land uses, at this time they will not be used to guide future development.

The intent appears to be that performance controls be used to address "environmental quality" issues. Although performance controls arose from industrial zoning classifications, most cities implement performance controls in transitional areas through the planned unit development (PUD) process, which offers flexibility within rigid zoning classifications in exchange for better design and more open space. Central to the PUD process is the classification of land at low densities so that, in exchange for higher densities and land-use changes, the developer must demonstrate that the proposed development will meet certain performance criteria similar to or superior to those of the prior zoning classification. The city of Houston has offered no explanation of the environmental parameters to be addressed in the PUD process, nor has there been an explanation of the use of the PUD process with respect to O zones. If the zoning classification O allows virtually any use, developers will have no incentive to enter into a PUD process.



The PUD or performance control process could address many environmental issues, but it is probably best suited to localized issues such as drainage, noise, traffic, site development clearance and coverage, and perhaps air quality. However, only through comprehensive planning, the adoption of goals, and the framing of policy statements can the city begin to confront the major environmental issues associated with Houston's development. That process appears to be absent from the current Houston zoning proposal, even though the ordinance requires that it be pursued.

In order to make the zoning process attentive to environmental issues, planners of the city's zoning strategy will need to take a more comprehensive view. The planning process must address the difficult issues associated with growth and development. Galveston Bay and the Katy prairie must be protected. Mass transit and inner-city development must be coordinated. Such road concepts as limited-access "super streets" must be integrated into the planning framework.

As a building block, the bayous and drainage controls offer an immediate opportunity to integrate environmental quality into our comprehensive plan. Although we have destroyed Brays and White Oak bayous, much remains that could be incorporated into an urban fabric. The ethical and environmental heart of this system, Buffalo Bayou, is a symbolic reminder that Houston has not yet destroyed all of its natural environment. A better building block for the future could not exist.

Most important, an environmental integrity that is currently absent from the actions of the city of Houston is essential to the process. Without it, Houston is undertaking its zoning initiative like a wolf donning sheep's clothing. ■



**Controversy continues over the Wallisville Reservoir project. Environmental groups argue that the plan to dam the Trinity River will damage the ecosystem of a cypress swamp and Galveston Bay.**



**A restored 1890s house in the Houston Heights, 1802 Harvard Street.**

alteration of designated buildings and the design of new construction in historic districts. Such an ordinance should be part of a citywide preservation plan that also encompasses survey studies, provisions for technical and economic assistance, and coordination with the local comprehensive plan, zoning ordinance, building code, and other municipal programs.

A preservation ordinance cannot simply be any device a city may wish to adopt. To meet tests of constitutionality in state courts, local ordinances accord with state enabling legislation. What works in Los Angeles may not work in Houston, because California and Texas make different provisions for allowing their cities to protect historic resources. A local ordinance must follow, but not exceed, the provisions of the home state's enabling legislation.

### SAVING GRACES

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Register of Historic Places. Preservationists, architectural historians, and Metro planners have identified several hundred others not yet listed in the National Register or as Recorded Texas Historic Landmarks, the only other official program locally available for bestowing recognition on historic places that are probably eligible for listing. But neither the state nor the federal program provides significant protection for buildings on their lists. Contrary to popular belief, Texas historical markers and National Register plaques do not mean that the buildings to which they are affixed are safe from demolition.

In the absence of protection, the loss of Houston's historic architecture continues absolutely unchecked. Every week brings news of demolition or threatened demolition of still another of the dwindling stock of historic buildings, sometimes of whole blocks of historic buildings. Citizens frequently call the Greater Houston Preservation Alliance to find out how to have a building designated a historic landmark to keep it from being torn down. Most callers, knowing that historic buildings are protected in other cities, respond with disbelief when they are told that in Houston there is no law, no designation, and no preservation program that protects historic properties.

Although state and federal laws and programs are important elements to be coordinated with any city's historical preservation programs, preservationists across the country have learned that the real responsibility and legal power to protect landmarks reside at the local level. The critical element missing in Houston preservation efforts is a local government preservation program, the heart of which is an ordinance administered by a commission that controls demolition and

In Texas, the enabling legislation is given in Chapter 211 of the Texas Local Government Code, Municipal Zoning Authority. Provisions of Chapter 211 that specifically pertain to historic preservation are

*Section 211.001. Zoning powers granted are for the purpose of promoting the public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance.*

*Section 211.003. In the case of designated places and areas of historical, cultural, or architectural importance and significance, the governing body of a municipality may regulate the construction, reconstruction, alteration, or razing of buildings and other structures.*

*Section 211.004. Zoning regulations must be adopted in accordance with a comprehensive plan.*

*Section 211.005. The governing body of a municipality may divide the municipality into districts of a number, shape, and size the governing body considers best. Within each district, the governing body may regulate the creation, construction, reconstruction, alteration, repair, or use of buildings, other structures, or land. Zoning regulations must be uniform for each class or kind of building in a district, but the regulations may vary from district to district. (continued)*



**Left:** Historic William J. Crabb House, John Staub, architect, demolished to make way for 1990s faux Georgian mini-mansion (below).



This authority, which is not available to counties, can be exercised only by cities that have opted to establish a zoning commission. Consequently, local preservation ordinances in Texas are in effect historical zoning ordinances, establishing special districts that are layered on top of the areas, or zones, that define what uses are allowed in what zones. Historical zoning does not affect the underlying use restrictions (such as residential, mixed use, or industrial) but comprises an overlying set of restrictions affecting whether or not designated historic buildings can be demolished or altered. Design guidelines for new construction within historic districts may be included in the provisions of a historical overlay zone.<sup>1</sup>

In a 1986 review of Texas preservation laws and programs, the Conservation Foundation, a nonprofit environmental-policy research and educational organization, concluded that regulatory authority over historic landmarks seemed adequate within Texas communities that had enacted zoning ordinances and preservation controls. The report observed, however, that "significant difficulties arise in cities such as Houston that have not enacted zoning controls. Without zoning in place, these jurisdictions cannot enact separate ordinances to protect historic landmarks or districts."<sup>2</sup>

If the proposed schedule for developing and adopting a comprehensive plan and enacting a zoning ordinance stays on track, Houston will, within a year or two, have in place the prerequisites for enacting a local preservation ordinance. How will this ordinance work, and what will be its major provisions?

Model ordinances are available from several sources, including the Texas Historical Commission and the National Center for Preservation Law. The information contained in these and sample ordinances from other cities will be useful as Houstonians consider what provisions our own local ordinance should include. However, good preservation ordinances are unique to the communities to which they apply. Land-use and preservation attorneys advise cities not to copy another city's law but to tailor each ordinance to meet local preservation needs and political conditions.

We might expect for Houston's preservation ordinance to include the more or less standard provisions: (1) a statement of the purpose of and reasons for the local preservation law; (2) creation of a review body or preservation commission and definition of its responsibilities; (3) authorization for the designation of districts and landmarks; (4) establishment of procedure to review applications for demolition, alteration, or new construction; (5) definition of standards for maintenance and upkeep of landmarks; and (6) mechanisms for enforcement, penalties, and appeals.

Houston will probably give careful consideration to San Antonio's 1987 preservation ordinance, the product of five years' work by a special task force appointed to study a wholesale revision and strengthening of the Alamo City's local historical preservation ordinance, and now held up as a model for study by other municipalities. Obtaining a permit to demolish a historic property in San Antonio is a lengthy procedure that requires the applicant to demonstrate unreasonable economic hardship and to provide detailed plans of the project that will replace the demolished building. The ordinance also provides for negotiations prior to a hearing on demolition, which may trigger a six-month delay period.

Demolition by neglect, one of the most serious threats to Houston's historic buildings, is addressed by an unusually strong provision. The owner of a property must maintain it according to minimum housing codes and ordinances and preserve and protect it as a landmark. If a designated building has to be demolished as a public safety hazard, no project can be built on the property and no curb cuts for surface parking lots are allowed for two years.

Civil penalties for violations of the San Antonio ordinance include requirements for restoration; revocation for three years of the license of the person responsible for violating the ordinance; for demolition, a requirement that no permits be granted for the property for three years and that no curb cuts be permitted for the property for three years; also for demolition, revocation of the license of the person responsible for the violation for five years. A criminal penalty permits a fine of up to \$1,000 a day for violations of the ordinance.

Preservationists in Houston may wish to consider incorporating some of these provisions when drafting a local ordinance. In the meantime, however, there is mounting concern over the vulnerability of many historic buildings that are in danger of being lost before a preservation ordinance can be enacted and before the effects of zoning are felt.

One way to decelerate the destruction of the city's architectural heritage would be for the city to adopt a demolition moratorium. Dallas, Atlanta, and other cities have used moratoriums and interim ordinances effectively. The Greater Houston Preservation Alliance and the Houston Archeological and Historical Commission have asked the city's planning and development department to consider an emergency moratorium on the demolition of historic buildings and on new construction in the primarily residential historic districts. With the support of a concerned citizenry, implementation of a moratorium could provide at least some safeguards until a more comprehensive ordinance can be developed and an effective preservation program implemented. ■

1 The Texas Historical Commission's Local Government Assistance Series no. 1, *Guidelines for Drafting Historic Preservation Ordinances and Model Ordinance*, contains a useful summary in outline form of preservation enabling legislation in Texas.

2 Christopher J. Duerksen and Michael Mantell, *Beyond the Sesquicentennial: New Directions for Texas Preservation Laws and Programs*, a report prepared for the Texas Historical Commission (Washington, D.C.: The Conservation Foundation, 1986).

**Right: Shepherd Square.** 1990. Formed around a square of parking, this strip center brings traffic congestion rather than pedestrian amenities to the busy corner of Westheimer and Shepherd.

## CURBING COMMERCE

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commercial zone. Regrettably, Shepherd Square has the appearance of a typical new suburban shopping center transplanted to the environs of a much older suburban community. As such, Shepherd Square is sadly out of place in a commercial zone where buildings relate closely to the streets they border. The L-shaped plan of the development is directed away from the street, leaving a huge void occupied by parking. Trees and other landscape elements lining the streets do little to prevent the visual erosion of the street at its edges.

Nearby is an even more disturbing recent development — River Oaks Plaza. In a kind of no-man's-land between River Oaks and downtown, this mammoth development with a 12-theater Cineplex does nothing to define or improve the street edge. Once again a weak relationship to the street is accomplished by landscaping and a row of palm trees.

Not far from either of these developments is the older River Oaks Shopping Center, a strip center that is commercially viable and still upholds a sense of urbanity and scale. The River Oaks Shopping Center can be viewed as a model for strip development adjacent to suburban neighborhoods. In establishing planning guidelines, it is often useful to examine precedent to find relationships that are both desirable and economically practical. Those desirable qualities have so impressed the current owners of the River Oaks Shopping Center that in their most recent expansion, new building follows the pattern set by the original 1930s planning. Simply stated, in that pattern the buildings reinforce the public realm of the street, which is not dominated solely by vehicular traffic, allowing for the pedestrian interaction so



vital to making successful urban places. In the River Oaks Shopping Center, parking is split between the street side of the buildings and the rear, bringing the building edge into close proximity with the street. And in this case the palm trees at the sidewalk's edge do not feel as if they were planted in empty space. Instead they establish a fine layer between the street, the linear bar of parking, and the building. Because this development occupies both sides of West Gray, the entire complex more closely resembles a well-defined public boulevard or plaza. And lastly, the overall mass and bulk of the buildings are pleasantly compatible with the infrastructure of the surrounding streets and the scale of the suburban neighborhood.

The problems of bulk and street relationship could easily be handled through planning guidelines. By introducing the zoning concept of Floor Area Ratio (FAR), building square footage would be determined proportionally in relationship to property square footage. For example, if a lot of 100 by 100 feet, or 10,000 square feet, were assigned an FAR multiplier of 5, this would yield an overall size of 50,000 square feet. FARs would have to be carefully determined based on existing conditions — the building's location and the ability of the adjacent infrastructure to absorb new building square footage. Implementation of FAR guidelines would provide an effective method for controlling objectionable building height and size when commercial or institutional development encroaches upon residential neighborhoods. In most cities, bonus incentives to increase allowable FARs have been adopted when the developer provides specified public amenities.

Building relationships to street and property lines could also be controlled. The concept of a building setback is not unfamiliar to Houston. Since the early part of the century, deed-restricted neighborhoods have sharply defined front, side, and rear yard setbacks. Thus it is more than coincidence that older restricted

neighborhoods such as Southampton and Broadacres have a continuous building line, determined by a required setback. Indeed one of the purest and most pleasing examples of the consistent setback line is the easternmost blocks of North and South boulevards, where the clearly defined outdoor domain of front yard, street edge, and tree-lined esplanade forms a quasi-public park. In residential districting setback is a line in front of which no building is permitted. However, there is nothing to prohibit the front of the house from being built behind the line rather than on it. This rarely occurs in the older suburbs because lot sizes are small, encouraging building to the front setback. For commercial districts, setback rules would have to be written somewhat differently to ensure a definitive building line preventing the erosion of the street into acres of asphalt. Thus the desirable pattern established on West Gray at the River Oaks Shopping Center could be used as the model in drawing the building line for future commercial expansion along that street towards downtown.

Determining a basis for planning guidelines along Shepherd is not quite so easy. However, one might start by examining Weingarten Realty's remodeling of the



**Alabama Center.** Remodeled in 1984, this 1930s strip center puts the majority of its parking in the rear, with pass-throughs and double entrances making a better-defined pedestrian zone in front.

Alabama Center, where again the front building line has a strong and integral relationship to the street. This highly successful center offers a counterpoint to the often-heard developer's argument that in a strip center vast quantities of parking must be clearly visible from the street. No one wishing to shop at the Alabama Center seems deterred by a lack of massive areas of visible parking. Providing parking behind strip shopping centers, as is the case at the Alabama Center, is far less disruptive to the continuity of a spatial edge so essential to making streets, and it produces far more appealing design relationships.

Even in well-established zones such as downtown, the domain of the street is perpetually under siege. Recently McDonald's opened a drive-through fast-food restaurant in a historic section of Main Street. While a McDonald's per se could be a reasonable part of downtown, particularly if it were designed as part of the continuous storefront edge of Main Street, in this case the street edge has been violated. A multitude of curb cuts for vehicular egress and a security fence break the rhythm of the street, upsetting existing, desirable spatial relationships. Zoning is the perfect instrument to regulate such intrusions through guidelines that would reinforce the character of this area or any other identifiable section of the city.

In keeping with the spirit of Houston's laissez faire land development, it has been suggested that free zones be created where zoning would not apply. Currently the Galleria/Post Oak area most resembles what a free zone might look like. Historically, the Galleria simply happened over a



**Galleria area along Westheimer.** After the fact, the Uptown Houston Association is seeking ways to redress the placelessness in this overdeveloped commercial area built without a plan.

short period of time, with only token consideration of the broader design potentials of the street. Perhaps what is called for in such free zones is a set of standards that would address the impact of traffic, the need for landscaping, and the strong acknowledgment that vehicular traffic must coexist with, rather than dominate, pedestrian movement. For all its financial success and prominent architecture, the Galleria/Post Oak area is a nightmare of planning that could only be improved by a civic beautification initiative that would promote the public realm of the street. While the internal planning of certain developments is effectively accomplished — in particular Philip Johnson's Post Oak Central or Cesar Pelli's Four Oaks Place — external planning is rarely considered. After the fact the Post Oak Civic Association has begun to explore ways of bringing greater coherence through landscaping and lighting, but these efforts would have been so much easier if more effective guidelines had been in place before development began.

These examples only scratch the surface of the need for commercial planning guidelines. Commercial planning regulations need not inhibit growth; rather they should be used to guide development so that the city as a whole benefits. In the long run, development guidelines help to protect established areas by promoting continuity and reinforcing character. Moreover, guidelines for commercial and institutional building can be used to build a public environment by introducing civic design as a component of private development. ■

**Below: River Oaks Shopping Center.** Developed in the 1930s with several expansions, this center exemplifies a typological pattern that reinforces the street edge and provides a well-defined pedestrian zone. **Below right: River Oaks Plaza.** A large parking lot and scanty palms fail to establish an urban relationship between the commercial buildings and the street in this 1991 strip center, located on West Gray between River Oaks and downtown.





## PLEASURE PRINCIPLES

(continued from page 25)

where people come together to enjoy collective or communal activities. It is interesting to note the great effort to plant street trees in the last ten years or so, most notably by Trees for Houston, but with support from the mayor and other private-sector contributions. The act of planting trees along our streets celebrates the street and suggests that it belongs to all of us; this is a collective act. We do this for two reasons: to create beauty and protect the environment. (We have the peculiar notion that it is not quite proper to spend public money for beauty, but it is fine to spend private money.) We should bear in mind that great cities are memorable because of their street and public places, not their individual buildings. And we do have wonderful examples in Houston: Main Street lined with live oak trees for five blocks; North and South boulevards with their live oaks; the bayou system at its occasional best (it is, after all, our only distinguishing natural feature); Allen

realize this is not so, or catalogue the special events that pay no regard to climate in their scheduling. There is a great need for "people places" in our city.

This need in part is recognized. One goal of the Theater District organization is to encourage downtown street life in the area of the four performing arts buildings, whose six halls have a total of 10,000 seats. Many nights, all or most of the halls are busy with performances. Houston has exceptional performing arts organizations, and they are located quite close to one another – a situation many cities would envy. But there is little to do before or after the theater in the district. Redevelopment of the former Albert Thomas Convention Center as an entertainment center could help, but will miss the point if it does not enhance the street scene. Post Oak Boulevard in Uptown Houston is another example. This is our only real mixed-use center; the street could become Houston's main street in the way main streets used to work. But while it is an elegant setting for the holiday grand

the cultural activities, sports, arts, entertainment, shopping, and health care are already here. What is missing is the opportunity for a public life to complement these activities – a public place for friends and strangers to mingle.

Where do we go from here? How do we build places for the public life? The most important component is the street. Not all streets are meant to be pedestrian ways, but streets do link activities, while freeways divide them. If, in lieu of development in terms of individual blocks, one were to think in terms of the two half-blocks facing each street, then the street becomes part of the design. Keep it up for several blocks in some consistent fashion and the street develops a character of its own.

A commitment to building public places is also important; they need not be grand or pretentious. Street life adjacent to the public place helps, and recognizing that there is a fit between plazas and streets is essential. Both Market Square and Jones Plaza would benefit from this understanding. Rivercenter in San Antonio is a fine example of how this can be done. Public parks are also essential to enhancing the quality of cities. The success of Transco Fountain as a gathering place is informative in this respect, while Hermann Park, our most civic place, has enormous potential waiting to be fulfilled.

Residential zoning merely underscores the importance of quality neighborhoods. The design of the residential street is an equally important means by which to enhance the places we inhabit. The sidewalk, front yard, and front porch (where it still exists) provide a place for neighborliness to prosper. The Menil Museum precinct, with its modestly designed museum building, its adjacent park with sculpture, and its 1920s bungalows, almost all with front porches, bespeaks neighborliness and civility of a high order. One wonders if this might not apply as a model for other neighborhoods, and as an antidote to the current redevelopment of West University Place with big new Georgian houses that seem so detached from street life.

Cities that express collective, communal values and provide an arena for us to participate in a public life intrinsic to urban living don't just happen. They require intention and effort: effort both in dollars and time, effort from both public and private sectors.

Back to the original question: Is residential zoning enough? A logical next step is street-use zoning rather than land-use zoning. Although they work toward the same end result, land-use zoning emphasizes the private realm, while street-use zoning emphasizes the public realm. Great cities, even good cities, are memorable because of the quality of their streets and public places, not their individual buildings – a precept Houston may now, one hopes, be on the verge of grasping. ■



Parkway's integration of a roadway with a park and Buffalo Bayou. Hermann Park, though felicitously placed and possessed of great potential, has yet to rise to such a standard.

Public events in Houston, as distinct from public places, are very important to us. If there is any doubt, one has only to look at our city's 150th birthday party and remember the Jean-Michel Jarre laser show, which drew 1.5 million citizens. Countless special events brighten the course of each year: the rodeo parade, the Houston International Festival, myriad ethnic celebrations such as the Italian and Greek festivals, the Westheimer Art Festival, Juneteenth, Fiestas Patrias, and the Uptown Holiday Grand Lighting Ceremony celebrating the Christmas season are only the beginning of the list. In all of these the city comes together to celebrate a collective life; Houstonians are enthusiastic in celebrating events.

The other side of this coin is everyday activities, when people come together for everyday purposes, where streets and public places are busy with everyday life – an outdoor, pedestrian, people-oriented environment. In this regard Houston is much less successful. Conventional wisdom argues that our climate inhibits this kind of activity, but one has only to look at New Orleans or San Antonio to

lighting ceremony and other special seasonal activities, Post Oak has no street life on an everyday basis. Efforts are being made to determine what might be required to transform this boulevard, and we shall wait with anticipation.

Street life is almost evident in the upper Montrose Boulevard area – from the Museum of Fine Arts to Westheimer. The Rice Village is another place that might eventually become a first-class pedestrian environment. I mention the latter two examples because they are in a part of the city I frequent, but there are many more possibilities. What one recognizes, however, is that without clear intentions and public participation, such transformations won't happen. The public sector is responsible for street and sidewalk paving, street lighting, landscaping, and parking, and also has the ability to provide financial incentives in response to some coherent vision of what might be, for which there are certainly splendid models elsewhere.

If we build great streets for public life, we will inevitably build a great, livable city. Houston is not noted as a tourist city. Tourist cities are those whose citizens have built a memorable, livable environment of streets and public places over time. If this happens, it is impossible to keep tourists away – they always go to the best places. We have good-to-superlative activities –

## VOX POPULI

(continued from page 25)

Americans can do when left unfettered by taxation, zoning, and government regulation.

Houston was forging a new urban form, shaped almost exclusively by market forces and developer decisions, that seemed destined to serve as a model for the rest of the nation. In 1976, Ada Louise Huxtable of the *New York Times* declared Houston to be "THE city of the second half of the 20th century."<sup>1</sup> Journalist Richard Louv, in his *America II* (1973), cited Houston as the prime example of the revolt against bureaucracy that characterized the most dynamic sectors of the American economy and culture. Other cities were following its lead toward "laissez faire lifestyles" and "privatized" services. "Houston, in other words, is catching," Louv insisted.<sup>2</sup>

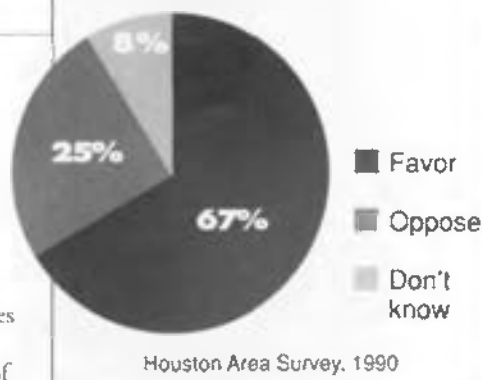
During most of the 1970s, area residents were caught up in the exhilaration of watching property values skyrocket, cultural amenities expand, and personal incomes rise. As the decade drew to a close, however, there were signs of mounting concern over the costs of spectacular growth. The velocity of economic expansion would have created difficulties whatever the character of Houston politics, but the conviction grew that the accelerating problems of traffic congestion, flooding and subsidence, sewage and pollution, poverty and crime were exacerbated by the dominance of a business culture that idolized the free-enterprise system and minimized the physical and social costs of unbridled growth.

In March 1982, at the time of the first Houston Area Survey, the local economy was still in the midst of extraordinary expansion. Just a few months later, the boom ended. The price of oil fell from \$34 a barrel at the beginning of the year to \$28 at the end, but Houston had borrowed and built on the expectation that it was about to climb to \$50. Within 18 months, the region recorded a net loss of more than 100,000 jobs.

When asked about local job opportunities, 76 percent of the respondents in the 1982 survey said they were "excellent" or "good," but the positive ratings plummeted to 40 percent just 11 months later. There was a slight recovery to 46 percent in 1984; then came the second major blow, when oil hit bottom at less than \$10 a barrel in late 1986. The February 1987 survey marked the low point in the public's assessment of the Houston economy. That year, only 11 percent gave positive ratings to job opportunities, 72 percent cited the economy as the biggest problem facing the region, and 50 percent said that living conditions in the Houston area were getting worse.

Over the ensuing three years, the surveys consistently confirmed that an economic recovery was under way. By 1990, positive ratings of job opportunities had climbed

Would you favor or oppose citywide control and planning over what uses can be made of the land in different areas of Houston?



to 45 percent; only 20 percent cited the economy as the biggest problem facing the Houston area; and the proportion who believed living conditions were deteriorating had been cut in half. But with the national economy in recession, there were new signs of decelerating growth. The three years of mounting economic optimism flattened out in the 1991 survey.

Moreover, the improving evaluations were largely confined to the Anglo community. Between 1989 and 1990, for example, positive ratings of job opportunities jumped from 35 to 56 percent among Anglo residents, but they remained stable at 19 to 20 percent among African-Americans and at 34 to 33 percent among Hispanics. In an economy that no longer generates the kind of semiskilled manufacturing jobs that dominated the industrial era, the growing gap between rich and poor is at least as great a problem in Houston as it is nationwide. Even in March 1982, with the economy in full bloom, when 87 percent of Anglos gave positive ratings to job opportunities in the Houston area, 61 percent of African-Americans said that the job situation was only "fair" or "poor." As the recession deepened, the levels of unemployment, infant mortality, hunger, and homelessness in Houston's minority communities came to rival those of the poorest countries in the world.

Having suffered most from the economic reversals of the eighties and benefited least from the recent recovery, Houston's minorities might be expected to show signs of deepening alienation and eroding confidence. But in the latest survey, while 60 percent of Anglos thought they would be better off financially three or four years down the road, so did 61 percent of African-Americans and 55 percent of Hispanics. Among Anglo Houstonians, 77 percent agreed that "if you work hard in this city, eventually you will succeed"; but so did 67 percent of African-Americans, 78 percent of Hispanics, and a whopping 89 percent of Asians. Despite the unmet basic needs in the minority communities and against all reasonable expectations, confidence in the future reigns and belief in the work ethic endures. A critical challenge for Houston, as it navigates the difficult economy of the 1990s, will be to ensure that that faith and confidence are vindicated.

With the rapid demographic shifts that are magnifying the political and economic clout of Houston's minorities, the region's Anglo community, long used to exercising

exclusive control over the local political economy, will need to share that power with constituencies who will bring different priorities to the table. It seems axiomatic that the city's longstanding neglect of human needs cannot continue in the nineties.

Meanwhile, the end of the boom stimulated a comprehensive reenvisioning of the city and its future, built on the recognition that Houston would now have to compete with other urban areas for new business, and that it would have to do so largely on the basis of quality-of-life considerations. In response to these concerns, city council enacted ordinances—regulating setbacks, off-street parking, detention ponds, and the location of pornographic outlets—that clearly set the stage for full-fledged zoning. The political support these measures won was further evidence that a major change had taken place in public attitudes.

The surveys have shown area residents to be increasingly supportive of controls over developers. In 1988, 51 percent of

years earlier). In the 1991 survey, 73 percent wanted the city immediately to provide all Houston households with curbside recycling, "even if it were cheaper to continue using the Houston landfills for another few years."

The surveys also indicate that area residents have grown increasingly concerned about human needs in the city. Almost all Houstonians now recognize the critical importance of improving the public schools—something no longer perceived as a form of "liberal" social spending, but instead as a critical investment in the region's economic infrastructure. In 1991, 66 percent—the highest proportion ever recorded in these surveys—gave negative ratings to public education in the Houston area. In the same survey, 52 percent now gave unfavorable ratings to police protection, up from only 40 percent in 1986. And in the 1989 survey, 68 percent of area residents insisted that local government was not doing enough "to meet the needs of the hungry and homeless in the city," up significantly from 51 percent in a survey of Houston voters in 1986.

On issues ranging from the public schools and local police to environmental protection and human needs, Houston-area residents have been calling for more effective public and private action. Business leaders, politicians, and the general public are increasingly convinced that to sustain growth in the 1990s will require far more attention to the city's overall "livability," to the adequacy and quality of its recre-

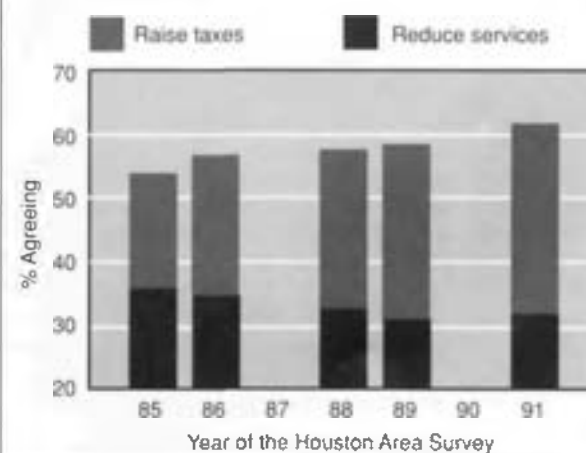
ation areas, its public schools, its urban amenities, and its mobility systems.

Houston's recovery in this new economic era will require more public spending in order to develop first-rate city services after years of indifference and neglect, and widespread citizen involvement to improve public spaces and to address the community's human needs. What remains to be seen is whether Houston will be able to build on the attitude changes revealed by the surveys to articulate a compelling vision of a city appropriate to the new realities, and to develop the comprehensive planning that can turn that vision into reality. ■

1 Ada Louise Huxtable, "Houston Is the Future," *Houston Chronicle*, 22 February 1973, sec. 4, p. 7.

2 Richard Louv, *America II* (Los Angeles: J.P. Tarcher, 1983).

If Houston must choose between raising taxes or reducing city services, which would you prefer?



respondents insisted that city government was not doing enough to "enforce ordinances and restrictions on developers, such as drainage requirements"; only 4 percent thought local government was trying to do too much. In 1990, residents were decisively in favor (by 67 to 25 percent) of "citywide control and planning over what uses can be made of the land in different areas." And when given the choice between increasing taxes or reducing city services, 61 percent in 1991 (up from 54 percent in 1984) called for higher taxes.

The surveys document a growing belief that today's environmental challenges require sweeping changes. Houstonians have always reserved their lowest ratings for the city's efforts to control air and water pollution, but the negative vote in 1991 jumped 10 points beyond all previous ratings, to include fully 80 percent of all respondents. In 1985, 42 percent believed that "we will be able to solve our environmental problems through better technologies alone." By 1991 only 28 percent agreed with that suggestion, while 69 percent said we will also have to change our ways of life (up from 53 percent six

# Cite Talks With Planning Director Donna Kristaponis

(continued from page 20)

**CITE** Agreed, but the current ordinances don't allow it. How are you going to reverse that pattern?

**DK** I'm not sure I can. I've come to a community that's never really talked about zoning before. We are developing the vocabulary, we're developing the syntax. I think that there is a clear difference between architects and planners in terms of what each does. Houston has many architects, but it doesn't have very many planners. I think some of our ordinances that you've just referred to, such as the parking ordinance, occurred because no one stopped to think about how else it might be done.

When it comes to land-use regulation, there's no one here who has done it before. Until my new staff started coming on board, no one here had the experience base to do that. People who were working here in Houston, in this department, had never worked in the process. Their whole career has been here. Don't get me wrong — there are some good people here, and there are some great people here, and there are some dedicated people here. But in terms of having experience working in a variety of places, either as a staff member or as a consultant, they did not have a knowledge base to say, "They did it this way and they did it that way, you might consider this, and this might work." I make recommendations. I put together information. I think I've developed a credibility level

**"A neighborhood is a much broader context; it includes where you live and walk and shop, and get your videos, and go to the cleaners, and pick up the yogurt."**

since I've been here. At least to this point, the community trusts me. They see me as knowledgeable and credible, and I think the council does also. I need to be careful that I don't do anything that would violate that trust. We've got to deal with diversity. West University is probably a great place, and I like going through there, but West U. to me is like a single-family community in Houston that's got deed restrictions. It says here you can do single-family, and here on Rice Boulevard you can do multifamily. It's like it's deed restricted. It's not a city that has diversity. In our ordinances, we've got to recognize the diversity of ancestry. We have ethnic diversity and cultural diversity across the board.

**CITE** This brings up a very interesting point. The zoning RFP was broken into two phases. The first phase was the educational process: inviting experts from planning and legal firms outside the county. They were to come to educate the council, the staff, the planning and zoning commission, and anyone else involved with the process. The second phase was the creation of the zoning ordinance. In stating the scope, the RFP was very complete and impressively so. Yet the biggest question is the time frame. We're talking about creating a zoning ordinance for the fourth largest city in the country, with no experience base at all, in roughly one year. Obviously, political reality says one thing, planning and management reality may say another. In forecasting what you need to do in roughly one year, you have a great deal of ground to cover. How can you avoid the cookie-cutter approach? How can you avoid falling into a very quick fix?

**DK** When you move to performance standards, and few districts, then you leave a great deal of leeway. You want to have the ability to set planning and development guidelines. Plan development basically says there's a minimum set of rules, but if you show us how what you're going to do works better, you can do it. We're going to create a process, not identify it, not define it on a map anyway. Other people have, in RFP responses, talked about conservation. I think our philosophy or approach is different from a neighborhood conservation district, because we won't identify neighborhoods necessarily as a place where people live only in a house. A neighborhood is a much broader context; it includes where you live and walk and shop, and get your videos, and go to the cleaners, and pick up the yogurt, whatever. We've talked about a process of a neighborhood identity district that would allow neighborhoods to recognize the context in which they operate. The one that jumps to mind immediately is the Heights. The Heights is very interested in having some special regulations that are theirs alone. That will allow them to continue the scale and design of the fabric of what was a hundred years ago the Houston Heights. I don't want to get into the architectural argument of whether new or old is good and whether we should be dealing with scale and that sort of thing. But if folks in the Heights want to be able to address the design they have in their Victorian houses, they should have a process identified in the zoning ordinance that allows them to create a special layer of regulations to address what they want to see in their area.

**CITE** So you see a very specific, neighborhood-by-neighborhood zoning situation geared to the residential areas.

**DK** The identity district would only be defined as a process in the ordinance. By setting up a process it allows various property owners to become involved, and they agree to a set of rules.

**CITE** As you go through making the performance standards, community by community, how much say will each community have in establishing those performance standards?

**DK** First of all, I don't know how to say to you how much. Part of it is a self-selecting process, but some of it isn't going to happen in terms of what neighborhoods would like to have happen. I had a wonderful meeting at the University of St.

**"I don't hear the groundswell of support for historical preservation that I hear for neighborhood protection."**

Thomas; we were talking about what to protect and what to improve, and one of the issues was a better level of service from the city. I said right, and zoning also cures warts! I mean, it's not going to do everything, folks. I went to a meeting with Neartown [a neighborhood association in the Montrose area]; they laid out what they thought would be the ideal plan. On the inside it showed what the land uses were today and what they wanted in 2020, and they took the area that had the least amount of mixed use, and said what they wanted to see in this area. Commercial, retail, ringing the area, and in some areas and next to the retail a row of orange, which was the multifamily, a Berlin Wall of multifamily. I don't think that's going to happen.

I heard after the fact that there was some real question about whether everybody agreed to that plan, but I don't think it's going to happen in Texas law that we're going to go through a court and amortize all this stuff and get rid of it. There are some great multifamily projects in that area. Those that I can identify are pedestrian oriented and don't turn their back to the street. They have projects that work, and some of them are new and some of them are old. I encouraged the group to take a look at that. What is it that works? Because we may not need to get rid of them all. If we're going to double in size over the next 30 years in this region, clearly we know there's a call for multifamily. Maybe we ought to be calling for it to be on streets of a certain width or of a certain carrying capacity for traffic.

I also told them I was very discouraged to see the whole area ringed with retail. Why not some multifamily in those areas? I was really surprised at that presentation. So when you ask me how much a neighborhood can influence, I think a neighborhood will have a lot of influence. What the planning commission and council will have to weigh is the legal considerations — how do we get rid of all these things over time that we've decided we don't like. Again, performance standards come into play. Should we plop down multifamily



right in the middle of this established single-family? Probably not. But is a duplex necessarily bad?

**CITE** In order to do this properly you've almost got to go block by block.

**DK** You use percentages. You use bulk. That means that by using a percentage you've forced the architect to look at the area and design in context. That percentage will change depending on where you're going to be going. Fifteen percent in the Galleria area is very different from 15 percent in the Memorial area. That's certainly one way, and you don't have to apply neighborhood-by-neighborhood because you're in a ratio with what is already there.

**CITE** One point that we haven't talked about is historical preservation, which is nonexistent in Houston. In fact, a lot of us hope that this will be at the top of the agenda, not toward the bottom. What possibility do you see for this, since we are losing buildings rapidly?

**DK** I know we are. I don't see a groundswell of support. I don't hear the groundswell of support for historical preservation that I hear for neighborhood protection. I think it's incredibly important and I know that Houston's lost a lot of buildings. And one of the things that puts me in a difficult position is if you designate some of our wards, our shotgun housing, and things that truly are unique to be historically significant, what responsibility do we have to take care of them? There's nothing that requires property owners to take care of historic property. There are certainly no economic incentives. I know of no city that has particular funds to assist in historical preservation. Having served for a year as a person responsible for operations and maintenance of a major historic theater, I will tell you it's very costly. It's a real dilemma.

**CITE** You raise another question that is a delicate one. Most of the talk of planning and zoning is dealing with established neighborhoods. There are neglected parts of the city, the poorer areas that are just not participating. How are those neighborhoods going to be addressed?

**DK** The wards have already been acted on in processes. In fact I think there's a lot of focus on the wards, and you can find civic associations in the wards, and you can find redevelopment agencies active in the wards. At least they are being part of the process. I'm very concerned about the more outlying areas, where things are not good at all, and it's been very difficult to get people involved.

I don't know that zoning is going to help them a whole lot. It's a little like Masloff's hierarchy of needs. When you're hunting shelter, and when you're really hungry, it's pretty hard to worry about

grass and trees and setback. I'm not surprised when those folks aren't out for planning and zoning meetings, because I can tell you they are massively concerned about neighborhood protection programs and enforcement of nuisance codes. Zoning also doesn't bring with it economic reinvestment. So I think a number of things could be done for those areas. We're going to continue to reach out, and we're going to continue to work with the district council members, and we're going to continue to identify church leaders and civic leaders to get them involved. Oftentimes it's pretty hard to move something esoteric like comprehensive planning issues associated with zoning.

**CITE** Houston has an opportunity, a chance to do something that no other city has ever done before, because we're the last city in America to be zoned or planned.

**DK** We've got 60 years of history to learn from.

**CITE** That's right; it is a chance to do it in a way that's appropriate for Houston. It's also a chance to look at other issues. One of those most important issues would be the way we view our environment, and the way we've destroyed our environment. Houston has probably one of the worst track records in the country. There are those who feel that this is the time to specifically address what we do with the environment and how we deal with it, and that this should be a major part of the comprehensive plan. How do you feel about that?

**DK** Amen.

**CITE** Will general issues of environmental quality be addressed?

**DK** Certainly environmental issues have been identified as of critical importance. When I started comprehensive planning, there were several things I wanted. One was an analysis of the environment: where are the suitable soils for development, where are the watersheds? If we're going to double in size over the next 30 years, do we really want those people living in environmentally sensitive areas? There's nothing to preclude that from happening now. Perhaps the wetlands definitions used previously were too onerous. They've just been redone, but we don't locally look at any of those issues. We don't preclude building in the floodplain. I always thought it was real interesting that in the name of flood control or whatever we cemented over many of our creeks. That just means water runs faster and usually leads to more downstream flooding. I haven't looked at it, but I've asked myself every time I look at one of our paved-over drainage ditches. I suspect they used to be quite lovely.

**"We're going to need at least three years in our comprehensive planning program. Basically the state law – and I've heard this from several land-use attorneys in several Texas cities – requires that your zoning code be done comprehensively. That's different from having a comprehensive plan."**



**CITE** Would greenways and parks be included in the comprehensive plan?

**DK** Absolutely. But you have to have a comprehensive plan to get there.

**CITE** To wrap it up: the future projection. It's pretty clear what has to happen with the zoning ordinance. The mandate and the RFP have said where you need to be in a year. But what about the comprehensive plan, which by Texas code needs to be developed concurrently?

**DK** We'll have to look closely at that because we're going to need at least three years in our comprehensive planning program. Basically the state law – and I've heard this from several land-use attorneys in several Texas cities – requires that your zoning code be done comprehensively. That's different from having a comprehensive plan. Also, there is case law in this state – I'm sure there's more than one case – where the zoning code and the zoning map itself can be identified by the courts as the comprehensive plan.

When we start the comprehensive planning process regionally, we will be setting up a major public participation program dealing with the environment. We haven't talked about clean air, but it certainly is a big issue that faces the environment. We will spend a lot of time working with each of the elements of the comprehensive plan, and we will be coming, presumably, to some community agreement. If we envision Westheimer being a wonderful parkway with some green space and not all the asphalt, just putting that on a comprehensive plan is not worth the paper it's printed on. If we decide that's what we want, and we identify the major corridors on which we want it, we then need to come back and revise our zoning ordinance to add those requirements, because it's only through zoning that we can implement those portions of our comprehensive plan. If we decide that the environment is really important and we want to deal with retention, detention, building in the flood plain, downstream flooding, or whatever,

and we come to some agreement on those things in the comprehensive planning process, then we've got to revise our ordinances, and presumably most of those will be subdivision ordinances that preclude those things.

I imagine that out of the comprehensive planning program, which is much longer, we are going to see a series of changes that will be effected in the city of Houston over the years to come. At first it really bothered me that we were zoning first and then doing the planning, but there is a goal that everybody has agreed upon, and that is we've got to do something to preserve our neighborhoods. It doesn't mean that we can't come back as a result of our comprehensive planning program and do some things that we want to see done. I chide people here by saying that some of our apartments are so bad because open space is calculated as parking space. There's no amenity – it's asphalt and structure. Do we want to continue to do that? I don't think we'll ever address that in this round of the zoning ordinance. I think we're going to get more sophisticated as we go through this process. And my sense is that the people of Houston want to learn more, to see how it works, and we'll come back and do it again. Forty years from now we'll probably be like other cities, and we'll be saying, "We really need to comprehensively revise our zoning." ■

**"At first it really bothered me that we were zoning first and then doing the planning, but there is a goal that everybody has agreed upon, and that is we've got to do something to preserve our neighborhoods."**

# Here's Looking at Euclid

ARCHIE HENDERSON

*Zoning and the American Dream: Promises Still to Keep* edited by Charles M. Haar & Jerold S. Kayden. Chicago: Planners Press, American Planning Association, 1989. 400 pp., \$39.95

Municipal zoning in the United States is a creature of the 20th century. Originally endorsed by social reformers as a means of eliminating slums and alleviating congestion, zoning soon became the darling of developers and homeowners. Developers and real estate interests wanted to stabilize property values; homeowners wanted to protect the residential character of their neighborhoods. In 1916, at the urging of central Manhattan merchants worried about the encroachment of garment manufacturers into their retail shopping district, New York City passed the nation's first comprehensive zoning ordinance. Many other communities soon followed. By 1920, 82 of the 93 largest cities in the country had adopted zoning ordinances.

Until 1926, when the United States Supreme Court decided the landmark case *Village of Euclid v. Ambler Realty Company*, the constitutionality of zoning remained in doubt. Opponents charged that the height, use, and density controls at the heart of zoning laws were unconstitutional infringements on private property rights. Advocates argued that zoning protected suburban American homes from urban blight and commercial growth. In their view, zoning was a justifiable exercise of local police power to protect public health, safety, and welfare. The debate was settled in the *Euclid* case when Justice George Sutherland, speaking for a six-member majority of the Court, found the zoning ordinance of Euclid, Ohio, a Cleveland suburb, to be constitutional.

The influence of the *Euclid* decision cannot be overestimated. Euclidean zoning—similar to that embodied in the New York City ordinance of 1916—has been widely imitated across the country, profoundly affecting the physical development of American cities. In 1986, on the 60th anniversary of the Supreme Court ruling, the Lincoln Institute's Land Policy Roundtable met in Cambridge, Massachusetts, to discuss the legacy of *Euclid*. Many of the papers presented there, along with others that later developed from the discussions, have been collected in the volume *Zoning and the American Dream: Promises Still to Keep*. Edited by Charles M. Haar and Jerold S. Kayden, this 400-page, double-columned book contains 13 essays by as many planners, lawyers, sociologists, and economists. Justice Sutherland's opinion is reprinted in an appendix. The result is a readable, comprehensive, and scholarly overview of the *Euclid* case and post-*Euclid* zoning developments. (References to individual essays in *Zoning and the American Dream* are cited in the text by author's name and page number.)

Ironically, the *Euclid* ordinance, despite its enormous impact on ordinances elsewhere, was a poor test case for the constitutionality of zoning. Since 1912, the Ambler Realty Company had owned a 68-acre tract between a railroad line to the north

and a major east-west thoroughfare, connecting Euclid with Cleveland, to the south. Ambler had held the tract in anticipation of industrial development from the direction of Cleveland. When, in 1922, Euclid Village adopted its zoning ordinance, half of the tract was zoned residential, much to Ambler's dismay. The only district reserved for industrial use was a strip along the railroads that was far too narrow for practical development (Brooks, 5).

On behalf of Euclid Village, lawyer and zoning champion Alfred Bettman submitted a "Brandeis brief" (an appellate brief making use of economic and social surveys and studies) to the Court. Privately, however, Bettman held the view that "it was a piece of arbitrary zoning and on the facts not justifiable" (11, 29). Not only was the ordinance arbitrary, but its over-emphasis on the residential—the village considered itself a "residential suburb" (25)—was a departure from the typical American ordinance of the 1910s and 1920s. Except for the narrow industrial zone, most of the village was zoned for residential and business uses. Elsewhere, however, extravagant overzoning for commerce and industry was the norm (Feagin, 83). For example, Burbank, California, with a population of 20,000 in the mid-1920s, reserved enough business frontage for a population of 1.5 million. New York City zoned enough commercial and industrial space to accommodate 300 million employees (Rabin, 106; Williams, 280-81). In the opinion of L. B. Ryon, Jr., the secretary of Houston's short-lived City Planning Commission in the 1920s, a draft zoning ordinance of 1928 was guilty of "over-zoning" for business and industry.<sup>1</sup> Based on extraordinarily optimistic forecasts for urban growth, overzoning reflected local boosterism and a reluctance to interfere with vested interests (Williams, 280). Besides encouraging leapfrogging commercial and industrial growth unconnected with community development, overzoning contributed to inflated land values.<sup>2</sup> It also had a racial component. In such cities as St. Louis, where commerce and industry were overzoned and residential areas underzoned, business incursions into residential areas thus made vulnerable created slums and displaced blacks (Rabin, 108).

As several contributors to *Zoning and the American Dream* note, the primary beneficiaries of zoning are the suburbs (Randle, 41; Abeles, 123-24, 152-53). Bedroom communities and middle- and upper-class neighborhoods within cities have used zoning to maintain their stability and residential character. Even in the absence of zoning, suburbs have usually benefited from the imposition of restrictions by subdivision developers. Deed restrictions offer protection similar to that of zoning ordinances, with the difference that the owners of restricted property, not the city, must sponsor any litigation against violators.<sup>3</sup> Another limitation is that deed-

restricted neighborhoods may have no legal recourse against incompatible uses adjacent to the restricted area, nor can they prevent the exercise of the power of eminent domain by governments or public utilities.<sup>4</sup> Furthermore, zoning avoids the "free rider" problem often associated with deed restrictions. Holdouts in a neighborhood can frustrate the majority of residents who wish to create or enforce restrictions that apply to all neighborhood properties (Nelson, 301).

Sometimes local administrative decisions may create conflicts with deed restrictions. In Houston, for example, the seven-member Housing Board of Appeals has granted permits for mobile homes in neighborhoods whose deed restrictions prohibit them.<sup>5</sup> State law may also preempt private deed restrictions. Texas permits group homes for retarded adults in any neighborhood, whether the restrictions prohibit them or not, so long as the homes meet licensing requirements, house no more than six people, and are not within half a mile of another such home.<sup>6</sup> Sections of unzoned cities without deed restrictions are unprotected against incursions and incompatible uses except where specific ordinances provide otherwise.<sup>7</sup>

Low-income and minority groups are frequently the victims of zoning. As noted, zoning maps can be drawn in such a way as to invite industries into poorer neighborhoods, a practice that Yale Rabin has termed "expulsive zoning" (Rabin, 101). Moreover, the ordinances themselves may contain minimum lot sizes and other terms that effectively exclude racial minorities from wealthier sections of the community (107). By excluding apartments from certain areas—a practice endorsed by *Euclid*—zoning can discriminate against persons normally associated with apartment dwelling, namely members of ethnic or racial groups, young people, or those whose ways of life are considered different (Williams, 288). According to a 1982 federal report, zoning and other local land-use controls drive up housing costs by 30 percent and keep millions of low- and moderate-income Americans from owning a home (Nelson, 307). Reversing the exclusionary effect of zoning is surely one of the "promises to keep" alluded to in *Zoning and the American Dream*.

Poor neighborhoods fare less well than rich ones when confronted with incompatible land uses. In zoned and unzoned cities alike, local newspapers thrive on stories of neighborhoods pitted against a number of internal or external threats to their tranquillity (Abeles, 123). One of the antagonists may be the city or state government itself attempting to create or enforce land use regulations (Wolf, 253). In the Houston area in recent years, controversy has arisen over the placement of a proposed monorail line, a racetrack, a

parking garage, family day-care homes, billboards, a psychiatric hospital for state prison inmates, hospices, halfway houses and probation offices, a home for head-injury patients, a group home for troubled boys, power lines, road widening and resurfacing projects, landfills and dumps, group homes for the mentally retarded, sexually oriented businesses, refineries, cellular telephone towers, and natural gas wells.<sup>8</sup> Although the outcome varies from case to case, the glare of publicity ensures that the views of all interested parties are aired. Considered less newsworthy are the interests of those in the central city and in the lower-income districts. It is an unpublicized fact that 12 of the 13 city-operated waste disposal facilities in Houston are located in a black or Hispanic neighborhood. This pattern constitutes de facto zoning on the part of city officials.<sup>9</sup>

Zoning has been accused of being behind the times. Current "socioeconomic and governance realities" have moved far beyond the ability of legislative bodies and courts to respond (Wolf, 262). It has been argued, for example, that urban real estate investment decisions commonly create social costs (Feagin, 78). These costs, which may include disruption of ground and surface water flow, pollution, housing destruction, and increased city service expenditures, have traditionally been shifted onto third parties and communities as a whole (78, 97). Instead of requiring developers to meet these social costs, however, city officials have routinely offered subsidies to important developers to attract them to the city. In Houston, the city council has approved a "free port exemption" that exempts taxes on business inventories destined to leave the state within 175 days. Both Houston and Harris County have tax abatement programs for industry. In 1988, Houston and Harris County granted tax abatements for eight company moves or expansions that were expected to create a total of 4,908 new jobs. Companies receiving tax abatements in the Houston area have included a newspaper recycling plant, a laboratory supply company, and companies specializing in computers, chemicals, steel, medical packaging, and diaper manufacturing.<sup>10</sup>

Not all cities are oblivious to the social costs inflicted by new development. Santa Monica, California, for example, requires developers to provide low- and moderate-income housing, day care centers, and public parks (97). This requirement, known as linkage, is one of several innovative land-use techniques that have grown in popularity in recent years. Similarly, subdivision regulations may require subdivision developers to dedicate land for streets and parks, to make cash payments — known as impact fees — in lieu of such dedications, and to provide other public amenities and services (Kayden, 239-40; Wolf, 271). Inclusionary zoning means that residential developers are asked to set aside units of affordable housing (Kay-

den, 244; Wolf, 269). In making these demands upon developers, municipalities have treated zoning as a transferable property right, for sale at the right price (Nelson, 304). The creation of futures markets for pollution permits and wetland credits is a more recent example of development rights treated as a commodity.<sup>11</sup>

These techniques, however, have generated opposition from those who believe that individual property owners are disproportionately burdened with the costs of addressing society's ills, costs which are generally unrelated to development activities (Kayden, 244). In the 1990s, affected landowners will probably look more often to the courts for relief. The Rehnquist Court has provided an opening, suggesting in *Nollan v. California Coastal Commission* (1987) that judges may be required to scrutinize land-use decisions by local governments with greater care (244; Williams, 293). The deferential approach to local governmental decision-making — one of the most enduring legacies of *Euclid* — may have run its course.

As it plans its own zoning ordinance, Houston can learn much from the cumulative experience of more than 60 years of zoning. In 1926, the realities of a changing world, which included immigration and congestion, the altered role of the family, and new property interests, required Justice Sutherland's flexible response (Randle, 54). The realities of 1991 require a similar degree of flexibility on the part of local legislators and zoning administrators. Before adopting a zoning ordinance, Houston should develop a comprehensive plan that takes a long-range view of the city's future and takes account of all segments of society. The ordinance itself should be comprehensive, yet flexible enough to respond quickly to changes in society. The growing population of the city — expected to double in 20 years, by one forecast — is such a change.<sup>12</sup> An excessive zeal for regulation should not be allowed to push the price of land out of the reach of middle- and lower-income groups, whose numbers are growing the most rapidly. Companies benefiting from tax abatements should be required to meet the social costs they create and to provide other kinds of benefits to the city in return. Environmental, regional, and preservationist concerns should be addressed thoroughly in the zoning ordinance. Nuisance law should be systematized and enforced through the planning department. In seeking the American dream for its citizens, Houston may find *Euclid's* spirit of accommodation to be a useful guide. ■

## Notes

- 1 *Houston Chronicle*, October 7, 1928.
  - 2 Daniel Schaffer, *Garden Cities for America: The Radburn Experience* (Philadelphia: Temple University Press, 1982), pp. 65-66.
  - 3 In Houston, the city has the authority to enter these lawsuits on the side of the plaintiffs, but the city's policy has been one of selective enforcement. Very often neighborhoods have had to proceed on their own against alleged violators.
  - 4 See generally Archie Henderson, "Land Use Controls in Houston: What Protection for Owners of Restricted Property?" *South Texas Law Review* 29 (October 1987), pp. 131-87.
  - 5 *Houston Chronicle*, January 14, 1988.
  - 6 *Houston Post*, November 4, 1989; *Houston Chronicle*, April 20, 1991, May 1, 1991.
  - 7 In Houston, specific ordinances regulate salvage and wrecking yards, neighborhood garages and body shops, billboards, signs, and sexually oriented businesses, among other land uses. Under the common law of nuisance, land uses that constitute nuisances may also be prohibited. Businesses applying for building permits, certificates of occupancy, and business licenses must sign affidavits pledging that their operations do not violate recorded deed restrictions. Houston also has a development ordinance and an off-street parking ordinance.
  - 8 *Houston Chronicle*, June 25, 1990, August 3, 1989; *Houston Post*, July 2, 1990; *Houston Chronicle*, June 8, 1989, April 11, 1991, April 5, 1991, May 18, 1991; *Houston Post*, July 3, 1991; *Houston Chronicle*, March 20, 1991, September 6, 1990; *Houston Post*, December 25, 1990; *Houston Chronicle*, January 3, 1991, September 13, 1990, August 13, 1991, August 22, 1990; *Houston Post*, November 4, 1989, May 1, 1991; *Houston Chronicle*, March 15, 1991, August 4, 1991; *Houston Chronicle*, January 25, 1991; *Houston Post*, April 7, 1991; *Houston Chronicle*, January 6, 1990.
  - 9 Beth Anne Shelton et al., *Houston: Growth and Decline in a Sunbelt Boomtown* (Philadelphia: Temple University Press, 1989), pp. 90-91.
  - 10 *Houston Chronicle*, November 8, 1990, August 21, 1988, June 27, 1990, November 29, 1988, November 16, 1988, February 29, 1988, July 15, 1987, March 16, 1987, August 21, 1988.
  - 11 *Houston Chronicle*, July 17, 1991, August 25, 1991.
  - 12 *Houston Post*, November 2, 1990.
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The Town Mouse and the Country Mouse.



The Fox and the Lion.



The Wolf and the Crane.



The Frog and the Ox.

John Hejduk, Aesop's Fables.

## Twice-Sold Tales

*The House That Bob Built* retold and illustrated by Robert A. M. Stern and Andrew Zega. New York: Rizzoli, 1991. 32 pp., illus., \$17.95

*Dorothy in Dreamland* by Tracy Tigerman and Margaret McCurry; illustrated by Stanley Tigerman. New York: Rizzoli, 1991. 32 pp., illus., \$17.95

*Aesop's Fables* told by Joseph Jacobs; illustrated by John Hejduk. New York: Rizzoli, 1991. 32 pp., illus., \$17.95

*Beauty and The Beast* retold by Charles Perrault; illustrated by Charles Moore. New York: Rizzoli, 1991. 32 pp., illus., \$17.95

Reviewed by Laura Furman

In a good illustrated children's book — *Goodnight, Moon* or *Where the Wild Things Are*, for example — the text provides narrative clues that work in concert with the illustrations to tell a complete story. Rizzoli recently published four children's books in which illustrations rather than text are the main event, not for the quality of the pictures as much as for the quality of the illustrators — famous architects one and all. The four are handsome books of a pleasing size. What is lacking in three of them is an opportunity for the text to work in concert with the illustrations.

Two of the books, Robert A. M. Stern's *The House That Bob Built* and Stanley Tigerman's *Dorothy in Dreamland*, have original texts, the former a takeoff on "The House That Jack Built," the latter a reordering of familiar children's stories, with a heroine saving the characters from the disasters and dangers that made the tales interesting in the first place. The other two books, *Beauty and the Beast* illustrated by Charles Moore and *Aesop's Fables* illustrated by John Hejduk, use traditional stories — in Hejduk's case the exact text of a 1934 edition of Aesop. All four books are designed by graphic artist Milton Glaser, which is about as distinguished as book design gets. So here we have four children's books, among the thousands published each year, whose claim to our attention is that they are illustrated by architects. We have seen teapots, china, and bed linens designed by architects; why not children's books? No particular reason against it, and no particular reason for it.

The most successful book on the whole is Hejduk's, with its attractive earth-colored illustrations that resemble primitive pottery drawings. Facing every illustration is a fable, so that each double spread is a complete reading experience. Unfortunately, the illustrations seem more appropriate for adults than for children. It would be difficult for a child to enter them and get lost in an imaginary journey. This book might be a coffee-table book that actually gets read; for a reader with a limited attention span but a desire for wisdom, *Aesop's Fables* might be the perfect book.

The most successful drawings for children are those by Andrew Zega for Robert A. M. Stern's *The House That Bob Built*. The illustrations are credited to Zega, the book design is the product of Glaser, and the text is copyrighted by Rizzoli; one is inclined to ask, "Where does Stern come in?" His role is that of choreographer of a lifestyle to be experienced in the beautiful seaside house through which the reader is led. Reading the book is like being allowed to wander through a historic house whose owner — presumably a distinguished artist, a politician, or a millionaire — has just stepped out for a walk. Our only companions on the tour — this is where the children come in — are an owl and a teddy bear. For a very young child, the enjoyment of reading *The House That Bob Built* is likely to come from locating these two characters in the watercolor renderings of beautiful rooms and vistas. For the adult in charge of page turning, the pleasure is to be derived from dreaming of life in such houses, even learning from the book how such a life ought to be lived. Stern's tale is not simply a children's book; it is an etiquette manual telling us not which fork to use but which overstuffed, loosely upholstered armchair will proclaim our ease and the richness of our lives.

Charles Moore's drawings in *Beauty and the Beast* are in a way the most architectural because they rely for interest on dramatic, angular renderings of the Beast's palace and Beauty's home. The illustrations are reminiscent of drawings for stage sets; they leave room for the viewer's imagination. At times the drawings seem unpopulated. There is no owl or teddy bear here, and the human figures are not detailed or particular enough to engage

a young viewer. The text is too complex for a very young child, full of words such as *murmured*, *anxious*, and *evidently*. The Beast looks more like a fellow with a dandelion for a head than a creature so hideous the other characters find it hard to look at him, but this may have been a wise decision on the illustrator's part.

Stanley Tigerman's book was a family undertaking, with his wife and daughter writing the text. Though it provides the most original text of the four books, *Dorothy in Dreamland* doesn't offer the satisfaction of Aesop or the retold *Beast*. Dorothy, dreaming, saves Hansel and Gretel from the witch, teaches the Three Little Pigs superior building techniques, and performs other services for familiar storybook characters. The moral presented is that "sometimes your memory of something can be very different from what really happened." For the text to work at all, the reader needs to recall clearly all of the twists and turns of the original stories. Even so, the pleasure of such stories has always been a result of feeling fear and then coming through safely. The fact that Dorothy rushes in and helps everyone has its own sweetness, but provides no sense of fear or conflict that would bring satisfaction to readers of any age. Children may either be beyond or not ready for modernist thrills. Tigerman's drawings are like attractive, clever, but unchildlike children. ■

## Sharing the Garden

*Making a Middle Landscape* by Peter G. Rowe. Cambridge, Mass.: MIT Press, 1991. 325 pp., illus., \$39.95

Reviewed by William Sherman

Screened doors open on a lawn bordered by planting beds and a fence, a typical suburban back yard. On a quiet Saturday afternoon, you can imagine this small parcel of earth to be a private, pastoral paradise, a place to dwell peacefully in nature. The hum of the freeway in the distance barely intrudes on the consciousness. A jet traverses the canopy of trees. It no longer startles, but serves as a

reminder of human technology, provoking a moment of reflection about the connections between this plot of ground and the larger world. Water, sewer, and gas lines pass below; electric, telephone, and cable television lines connect above. Streets interconnect to bring mail, newspapers, and automobiles. Like a smoothly executed theatrical production, the illusion of self-sufficiency in this pastoral dream is supported almost invisibly by a vast modern infrastructure.

Peter G. Rowe's new book, *Making a Middle Landscape*, is a critical examination of those places where our interdependence in the "metropolitan mosaic" cannot be denied. As isolated products of private development, residential neighborhoods, corporate office parks, and shopping malls are conceived as independent phenomena, functionally connected by the order of the freeway system rather than the traditional middle landscape. The public infrastructure of streets, plazas, and parks has given way to barren parking lots, sterile corporate landscapes, and concrete wastelands that are as much a part of our everyday experience as our private oases. They are the gaps in the theatrical veneer.

Peter Rowe taught architecture at Rice University for 13 years and is now the chairman of the Department of Urban Design at Harvard's Graduate School of Design. He brings his planning expertise and research on cities as diverse as Houston and Boston to a discussion of the type of city we have been building over the past 40 years, a city without conceptual precedent. Through an analysis of two contrasting suburban examples — Framingham, Massachusetts, and Sharpstown, here in Houston — and discussions of recent architectural and planning projects, he develops the concept of "modern pastoralism" as a way of thinking about the suburban landscape. Rowe argues that modern life and our desire as a culture to dwell in nature may not be mutually exclusive. Modernity and pastoralism, while seemingly contradictory concepts, may qualify each other to enhance our experience of both.

Building upon the distinction made by Leo Marx in *The Machine in the Garden* between sentimental pastoralism and a more self-conscious, potent version, Rowe acknowledges the deep roots of our



*The Tortoise and the Birds.*

## Domestic Arrangements

*Houston's Forgotten Heritage: Landscapes, Houses, Interiors, 1824-1914* by Dorothy Knox Howe Houghton, Barrie M. Scardino, Sadie Gwin Blackburn, and Katherine S. Howe. Foreword by William Seale. Houston: Rice University Press, 1991. 387 pp., illus., \$49.95

*Reviewed by Peter Flagg Maxson*

"Someone is building a tasty cottage, on the corner of Capitol & Fannin . . . It is time to abandon the miserable old fashioned box houses for the larger and more elegant Italian villa style," chirped the *Houston Daily Telegraph* of 13 July 1870. And since that time, Houston architects and their clients have indeed rejected "miserable old fashioned" architectural styles in favor of "larger and more elegant" ones. The resultant city will be remembered by future generations as the archetypal late-20th-century boomtown, but a town utterly lacking tangible reminders of its first century.

To those of us accustomed to glass towers and suburbs without number, it comes as a shock to realize that in fact Houston was one of the great Victorian cities of the South. The remote, speculative settlement on the bayou grew to be the fourth largest city in the nation, its population usually nearly doubling from one census to the next between 1850 and 1970. Some Houstonians go for weeks without seeing a structure built before World War II; it is tempting to believe that the city sprang up full grown shortly before the eighties bust.

However, the story of a century's worth of rich domestic architecture has at last been resurrected in *Houston's Forgotten Heritage*, a collection of essays sponsored by the Junior League of Houston. Four disciplines are covered by four qualified authors: landscape by Sadie Gwin Blackburn, president of the Garden Club of America from 1989 to 1991; architectural history by preservation consultant Barrie Scardino; decorative arts by Katherine Howe, curator of decorative arts at the Museum of Fine Arts, Houston; and domestic life by longtime civic volunteer Dorothy Knox Howe Houghton. The interdisciplinary approach with separate authorship is generally workable — each author has her own perspectives and expertise, and the result is laudable. Comparable works written by architectural historians tend to slight landscape, decorative arts, and social history, even while including all building types. *Forgotten Heritage* provides a more balanced, if restricted, approach.

The authors here compiled a staggering amount of information on Houston — long-forgotten architects, unknown buildings, even whole neighborhoods unknown to all but the most ancient Houstonians, from frontier homes of Allens and Harris to mansions of early oil barons. The pace of development was striking: Judge James A. Baker built a fine Greek Revival house

pastoral myths while demanding recognition of our modernity. Planning ideas that rely on a sentimentalized view of 19th-century townscapes fail to acknowledge the profound changes modern life has brought. At the other extreme, technological utopias fail to recognize the symbolic importance of nature. The implicit critique, which would benefit by being made more explicit, is directed at a conception of the middle landscape that has already developed as a market force: public places and residential enclaves as theme parks, where modern technology is placed in the service of a sentimental, nostalgic, and ultimately hollow urban vision.

This is a book of encyclopedic scope, touching on a tremendous range of issues facing the contemporary city. But in structuring the book around the proposition of a "solution" to the "problem" of the middle landscape, Rowe obscures the complexity of the issues revealed by the analysis. Recurrent words in the discussion of modern pastoralism such as *coherence*, *order*, and *rationality* and the discussion of poetic systems betray his underlying theme: planning in relation to the right criteria will resolve the problem of an incoherent middle landscape. But the terms of modern pastoralism cannot begin to reflect the diversity of the American city. Formed of the residue of colonial experiments, theocratic orders, agrarian democratic ideals, pragmatic industrialization, and free-market land speculation, the American city has always defied simple definition. Resistance to unity and the tendency to extremes, like the proverbial permanence of change, characterize our middle landscapes, and it is these qualities that distinguish them positively from their revered European counterparts.

The order of the middle landscape in America may never represent singular ideals. But Rowe's diverse examples of architectural and urban design projects illustrate how collective significance may be found in intelligent, provocative design. From rich or modest private gardens to public settings of distinction, buildings and landscapes may provoke powerful responses when they resonate deeply with their cultural setting. As a contribution to our knowledge of these artifacts, *Making a Middle Landscape* is a valuable document. ■

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## Constancy and Change in Architecture

Edited by Malcolm Quantrill and Bruce Webb

Since the mid-1960s, Postmodernism has been sending shockwaves of controversy through the world of architecture. Denying the values of simplicity, clarity, and originality of form espoused by Modernists, Postmodernism espoused eclecticism and even flaunted the earlier, formal rules of design and building. In doing so, it raised important questions of what architectural elements can continue to have relevance and how the theories and practice of architecture might vary from the constants that ordered it in the past.

Addressing those questions in this volume are some of the most important

minds in architectural theory today. They include Christian Norberg-Schulz of Oslo; Karsten Harries of Yale University; Kenneth Frampton of Columbia University; Marco Frascari, Claudio Sgarbi, and Joseph Rykwert of the University of Pennsylvania; Alberto Perez-Gomez of McGill University; Grey Gowrie of Sothby's; and Stanford Anderson of MIT. Their work is brought together and introduced by Malcolm Quantrill, of Texas A&M University, and former *Cite* editor Bruce Webb, of the University of Houston. 9 1/2 x 9 1/2. 168 pp. 34 b&w photos, 13 line drawings. \$50.00

### Constancy and Change in Architecture



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in 1875, but his son, Captain James A. Baker, chose a Wrightian residence in the next generation.

The essays address a variety of topics and vivify our understanding of 19th- and early-20th-century Houston. Ms. Blackburn tells, for instance, of John James Audubon likening Orange Grove Plantation at Morgan's Point unto "some of the beautiful parks of England." Ms. Scardino reveals the architectural pattern books consulted by Victorian-era Houstonians. Ms. Houghton discusses the influence of the Progressive movement on the development of Houston bungalows, and Ms. Howe informs us that "muddy streets, mosquitoes, and yellow fever epidemics notwithstanding, there was [by 1860] an undeniable feeling that Houston was, at least in some fortunate circles, a civilized place to live on the edge of the frontier."

*Forgotten Heritage* is not without flaws. It does not succumb to a moonlight-and-magnolias view of Houston's past, but does focus on upper-crust homes and habits. Further, Ms. Howe and Ms. Blackburn mention Houston in the national context, but little is said by anyone about the Texas context. Arguably the greatest defect, however, is that the photographs are placed in the center of the book, inconvenient to the entire text. In a book whose illustrations are critical to an understanding of the text, their placement is regrettable.

The photographs, however, are well chosen. Many of the homes you've heard about and never seen appear, such as the Cooley House on Heights Boulevard and the Waldo House before the move. There are unexpected sights – the Nichols-Rice-Cherry House, for instance, surrounded by columns; Inglenook, the John Henry Kirby estate, is graced by everything from a Moorish corner to a vast natatorium with ballroom above; Masterson grandchildren frolic in the boxwood maze of the handsome Colonial Revival family home, since razed to make way for the Southwest Freeway.

Alas, few of the photographs bear the notation "Extant." Historic buildings in Houston have fared badly, and the city rivals only Dallas and Corpus Christi in Texas for wholesale obliteration of its 19th-century architecture. What Ms. Scardino cites as Houston's "lack of loyalty to place" is an underlying theme of Houston architecture. Only one great Victorian mansion, the Waldo House, survives today, and even it was moved, modified, and reassembled in Westmoreland Place in 1905. All the others have vanished. The Charles Shearn House, one of the premier Second Empire-style houses in Texas, was flattened for a Humble service station. The flamboyant Queen Anne-style Jemison Lester House was built around 1903 and razed barely 20 years later. Landscapes and interiors have proved even more fragile. One hopes a sequel to *Forgotten Heritage* covering the 90 years after 1914 will record fewer fatalities; if not, may those lost buildings be as well documented as the first century's are here. ■

## Long Look

AIA's Main Street Charrette

Reviewed by Rives Taylor

The Main Street Charrette, sponsored by the American Institute of Architects, Houston Chapter, and the schools of architecture at the University of Houston and Rice University, convened for four days in September at UII's architecture building. Conceived by chapter president W. O. Neuhaus III and past president Frank S. Kelly, the charrette was convened to address the long-neglected 16-mile stretch of our city's main thoroughfare and to create a new sense of community spirit among present and future planners and architects of Houston. On the opening day Neuhaus stated that there could be no more opportune time for this design effort to fall on a receptive city.

The first phase of design investigation came about after months of debate and research into the history, aspirations, and potentials of the "street of streets" that ties most of the diversity of Houston together. For the remainder of 1991, studios at both schools will continue the design investigation. In January 1992 an exhibition (and attendant publication) is slated for the Museum of Fine Arts, Houston. From there, the AIA's Main Street Steering Committee will search for practical means of implementing select visionary aspects.

Over the charrette weekend 16 interdisciplinary teams took an intensive look at Main Street, aided by delegates from numerous city and state agencies as well as presentations by historian Stephen Fox and sociologist Stephen Klineberg (whose address in edited form appears in this issue). Hard-working city of Houston participants included the Planning and Development Department's Donna Kristaponis and members of her staff, John Sedlak of Metro and members of his staff, Houston Police Department representatives, city controller George Greanias, Councilman Jim Greenwood, Parks and Recreation Department staff, community representatives, and historic preservationists. Mayor Whitmire paid a visit to the troops on Sunday.

The 16 teams, consisting of both students and practitioners, investigated either a specific geographical segment or a thematic notion evident along the entire length of Main Street. The geographical groups advocated various "Houston-style" urban renewal notions of revamping residential and commercial neighborhoods. The theme groups – examining such issues as mass transit, zoning, residential typologies, institutional presence, open space, historical preservation, and parking and automobile conditions – tended to address the larger questions of Houston's future character. The interlocking visions that resulted ranged in scale from Texas-size parks readable from space (Tom Colbert's South Main vision) to Lucite-encased art cars on permanent exhibition (Patrick Peters's group) to sections of Main festooned with a tunnel of lights (the institutional group, led by O. Jack Mitchell). ■



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# Zone First, Ask Questions Later

JOHN MIXON

It was angry homeowners, not design professionals, who pressured Houston's city council to adopt zoning. Homeowners were not fooled by assurances that unzoned Houston was better; they knew their neighborhoods were being devastated by bars, sexually oriented businesses, auto repair shops, convenience stores, mini warehouses, and industrial sites. Contrary to free-market ideology, trashy commercial uses did not increase neighborhood values; instead, house prices dropped precipitously. Even some deed-restricted subdivisions could not maintain their residential integrity, while unrestricted neighborhoods suffered outrageous intrusions. As their own home values plummeted, frustrated Houston homeowners saw zoning maintain home values in West University Place, Bellaire, and the Memorial villages during the recession and then support a building boom.

Now that Houston has moved toward zoning, where do planners and architects (both reluctant and enthusiastic) fit in? One oft-voiced notion is that these design professionals should demand that the city undertake thorough comprehensive planning before adopting any zoning ordinance. I disagree. Design professionals should concentrate on volunteering in their own neighborhoods, or other neighborhoods in need of their skills, to draft land-use regulations that are local in scale and that pay little heed to the city's overall land-use-planning structure.

My recommendation may surprise people who have bought slogans such as "Planning is more important than zoning," "Zoning has to be in accordance with a comprehensive plan," and "Zoning without planning is worse than no zoning at all." It does require some explanation.

To begin with, consider what "comprehensive planning" means for Houston. This city's sprawling 580 square miles far exceed the total land area of most other cities, and comprehensive planning on such a scale is really metropolitan or "regional growth" planning. Regional growth planning is essential for regulating new development on currently undeveloped land (almost all of which lies in the city's extraterritorial jurisdiction), and for guiding city services and infrastructure replacement in already developed areas.

Houston can and should pay attention to regional growth planning by regulating new development in its extraterritorial jurisdiction to minimize spinoff costs and environmental damage. The city has not done this job well in the past. For example, officials have for years routinely approved whatever municipal utility districts (MUDs)

local developers wanted without regard to economic or environmental consequences. As a result, multifarious districts now pour poorly treated sewage into the city's drinking water supply and suck out so much underground water that the city has literally sunk. Some MUDs are also sinking financially. The city's transportation planning predestined all major thoroughfares to be ghastly commercial strips, forfeiting forever the chance of wooded parkways. Houston failed to require park dedications to serve new subdivision residents. Texas law now authorizes cities to impose impact fees on developers in order to cover spinoff costs, but the fees must be justified by cost-specific (comprehensive) planning.

Comprehensive planning, thus described, is essential for the long-term health of the city, but it is a job for environmental engineers and cost accountants rather than for design professionals. What is more significant for this essay is that regional growth planning has few implications for ordinary, neighborhood-scale zoning.

True enough, the state's zoning enabling act requires that zoning be "in accordance with a comprehensive plan." But all this really means is that the city must follow an orderly process when adopting a zoning ordinance. The comprehensive plan requirement does not, for example, obligate Houston to complete a five-year regional planning process before protecting Sharpstown from unwelcome garden apartments and shielding South MacGregor Way from more fraternity houses.

Comprehensive planning's irrelevance to zoning is attested to by the fact that most inner-city land is already "planned" beyond the power of anyone to change. For example, River Oaks, Sharpstown, Meyerland, Greenway Plaza, the Galleria area, the ship channel, hundreds of middle-income subdivisions, and downtown itself are firmly established, and a zoning ordinance that did not protect them would be silly and perhaps illegal. Neither planning nor zoning will remove most nonconforming uses or remove industry from Pleasantville's front door. But delicately formulated zoning regulations that identify and protect specific neighborhood character can enable homeowners and developers to preserve their valuable residential, commercial, and industrial investments and enable landowners and developers to reclaim Houston from its drift and decay.

An architect's or planner's touch is invaluable for determining a proper mix of commercial and residential uses in the Heights, Montrose, and Third Ward and for protecting Pleasantville from its industrial neighbors. That sort of planning is important for zoning and requires design talent; citywide "comprehensive" planning, by and large, is not and does not.

This emphasis on neighborhoods implies that Houston's initial zoning ordinance should be simple and should serve the constituency that produced it. Zoning should also be lenient where total renewal is needed. In short, let the market work where land use has not been determined by heavy investment. Some zoned cities have adopted strict noncumulative regulations that prohibit residential uses in office and shopping districts. Such regulations may be appropriate 50 years hence in Houston, but they are not needed today.

I admit to one strong relationship between comprehensive planning and zoning: *zoning brings about comprehensive planning by presenting the necessity for such planning.* When city officials identify residential areas that will be protected from commercial intrusion, and areas where industry will be protected from new residential subdivisions, they must consider the planning implications. The zoning exercise thus creates a framework within which a dialogue on transportation, utility, and municipal service options may commence.

Since Houston needs both planning and zoning, why draw such a sharp distinction between the two? Because confusion between the two could endanger Houston's zoning effort. The city's projected \$7 million budget is designed to cover both comprehensive planning and zoning. Much of the budget (perhaps most of it) pertains to functions that are essential for regional growth planning. These functions may be helpful, but they are not essential to simple zoning. Unfortunately, Houston is a pinch-penny city, and a big price tag may give zoning opponents a compelling ballot-box argument that money budgeted for zoning is needed for police protection. If that happens, we must be able to separate the two functions and identify just what dollars apply to zoning and what dollars apply to the broader-based regional growth planning process. If a dollar decision has to be made, Houston voters ought to know just what they are being asked to forgo. They might even choose to give greater volunteer effort to zoning and defer regional growth planning.

In sum, Houston needs both regional growth planning and protective zoning. Neither process should wait on the other. Houston needs the paid and volunteer assistance of its talented population of design professionals to do both jobs, but the greatest need for their talents is at the local, neighborhood level. ■

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