

Zoning Test: Pass-Fail?

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Unlike its Houston neighbors, West University Place has used a form of zoning control to regulate neighborhood development almost from its inception. Begun as a speculative, planned development in a swampy area west of the Rice Institute in 1911, West U, as it is called by residents, became a popular community for young professionals who were attracted to the stable, small-town atmosphere and residential character of the area during the 1970s. As a result, property values soared, contributing to the construction of a spate of new developer houses that are larger and considerably more grandiose than their older neighbors. Although these newer houses obey the letter of the existing zoning codes, they nonetheless crowd their lots and disturb the prevailing scale of the residential streets. Residents have begun to question the effectiveness of the zoning code to deal with the economic pressures and popularity of their community in the 1980s.

Planning and development controls were always major selling points of West University Place. The community plan of 1917, platted by A.D. Foreman, the local representative of a group of Tennessee developers, consisted of a grid-block arrangement of streets and avenues for the first West University Place addition in an area bordered by University and Bellaire boulevards and by Kirby and Virginia roads. The initial prospectus of 1918 described the development as "an exclusive neighborhood in the shadow of Rice Institute." Sales remained slow through the 1920s owing to the fact that the area was still largely swamp land, and not tied into Houston's city services or the public school system. With the offering of 50 blocks in the second West University Place addition in 1924, Foreman reduced the size of the lots to 50-by-100 feet, targeting lower middle-income families such as Rice Institute professors, labor foremen, and newlyweds. He also sold off parcels of the original 500-acre tract owned by the Tennessee group to other developers. These two actions had profound consequences. The smaller lots which Foreman sold were improved by their owners with the smaller cottage-style houses on pier-and-beam foundations, while developers, with their own house types and sizes, began to build in the 31 smaller additions. The effect of this piecemeal development pattern is reflected in the 27 distinct subdivisions and myriad zoning districts comprising the community today.

A.D. Foreman's original prospectus of 1924 shows the wide range of house types found in West University Place. Both wood-frame and brick, one- and two-story houses, on pier-and-beam foundations, were deemed suitable for the development. Less expensive wood-frame cottages and, to a lesser extent, bungalows, were advertised in local publications, builder's books, and even women's magazines of the day (*The*

Houston Gargoyle, The Woman's Viewpoint) as the most modern and desirable houses. Large eaves on low-pitched roofs, numerous gables, large porches, picturesque cladding, cross ventilation from large, shaded windows, and a cottage scale were described as the characteristics of the "attractive and cozy home."

The zoning and setback ordinances still in force today were formulated and adopted in 1937, and reflect the conventions used by developers in the community up to that time. Four classes of use-districts were designated: single-family dwelling, double-family dwelling (phased out in 1962), apartment, and retail. No industry or offices, including home professionals, were allowed. The code designated eight residential zoning districts (now extended to sixteen), prescribing the minimum house size (ranging from 900 to 1,600 square feet) as well as the type of construction (wood, brick, brick veneer, stucco) which could be used in each. The code further detailed setback requirements for residences and outbuildings: 20 feet were required for rear yards and 30 feet for front yards, and a house's maximum height was limited to 35 feet. The original ordinance called for 40 percent of the lot to be kept open.

A major zoning change was adopted in the late 1960s for the problematic lots facing the heavily trafficked Bissonnet and Bellaire boulevards. A study prepared by Caudill Rowlett Scott in 1962 had advocated using these peripheral lots either for low-rise offices or courtyard apartments to act as a buffer. There was also some public sentiment for creating a string of parks on these lots, giving the residential streets a green border. Finally, in 1968, West University Place elected to permit townhouse construction on these lots, thus increasing their value to developers.

One of the ironies of older neighborhoods that suddenly become desirable is that their very popularity often threatens those qualities which made them so popular in the first place. A 1985 study by Charles Wood points out that what was once an enclave of older residents and newlyweds with their first homes has become a community of upwardly mobile professionals who could afford the escalating prices of West U property. Although the last 20 years saw a growing number of remodelings of older houses, those remodelings, for the most part, respected the scale and character of the neighborhood. Where larger additions were undertaken they were usually located on the back side of the property, respecting both the letter and the spirit of the building ordinances. New construction, on the other hand, never amounted to more than 60 houses a year in the period preceding 1980, and those rarely exceeded a construction value of \$100,000.



Map of West University Place from promotional brochure, c. 1924



Oversized Georgian-reproduction house is typical of the many developer houses that are cropping up on the streets of West University Place

The building boom of the early 1980s brought about significant changes. During the two-year period of 1984 and 1985, 159 new houses were built with an average construction value in excess of \$150,000. An inspection of the building reports from this same period reveals that at least 50 percent of these new residences were constructed on speculation by developers. The houses built by these developers tended to be in excess of \$200,000 construction value, with three or four bedrooms, extensive outbuildings, and a total area in excess of 2,200 square feet. (It should be noted that during this period, construction value was between one-third and one-fourth the selling price.) Whereas the 1970s witnessed homeowners building single-family houses or remodeling existing houses for their own occupancy, the building boom of the '80s introduced speculators who drove up land costs. And with the escalation of land values, each new wave of speculators calculated that they needed to build larger houses to ensure a profit. At the same time, the more affluent homebuyers who were being attracted to West U were also constructing larger and more expensive houses for themselves, houses which were better suited to the standards and amenities of the '80s than the older houses. Market-oriented stylistic treatments, such as overblown Georgian revival or New England shingle style, also are a disruptive influence.

Recently, the community has begun to view the 40 percent open-space requirement as a tool for controlling the size of new residences. If driveways and patios were to be included in the 60 percent allowable built areas, this would effectively reduce the sizes of new houses, squeezing them between height and site coverage limitations. However, developers maintain that such an interpretation would squeeze their profits and no doubt result in more garages on the street elevation of houses. The zoning board is also considering a plan to increase the side setbacks from three to five feet.

Numerical zoning of setback requirements and minimum and maximum buildable areas cannot in themselves preserve the quality or scale of a neighborhood. Rather, some form of bulk zoning is needed to prescribe the size of a house's mass to prevent oversized houses from being constructed. More important, a comprehensive architectural and landscape plan for the city needs to be undertaken as a basis for regulatory zoning codes. An in-depth study, such as the one done in 1962 by CRS, needs to focus on West University Place's projected growth and how the community can maintain its desirable scale and character. ■