

Ordinance fails to win support of neighborhoods, developers

■ Current draft would not stop Ashby high-rise

By **MIKE SNYDER**
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The city of Houston's high-density development ordinance, the focus of intense lobbying and hundreds of hours of work over the past three months, doesn't satisfy either the development or neighborhood interests helping to write it.

A look at its latest version shows that the measure wouldn't stop the Ashby high-rise, the project that inspired

it. It wouldn't apply to any other planned development project in Houston, although it might affect future projects. Some of the developers and neighborhood activists working on it say it has little value.

Late last week, city officials decided the measure needs additional work and delayed its presentation to the City Council for two weeks and perhaps as long as a month. The council had been expected to review the measure this week.

"It seems to me that the current draft is going to make no one happy," said Kendall Miller, a shopping center owner who serves on a committee advising the city about the ordinance.

Jane Cahill, a neighborhood activist who also serves on the panel, said the costs of enforcing the latest draft would far outweigh any benefits.

Cahill said she was dismayed to hear Andy Icken, a deputy city public works director, say recently that the ordinance represents a "rifle" rather than a "shotgun" approach to development issues.

"A rifle aims a single bullet at a single target," Cahill said. "Aiming an ordinance at a single project is not a good way to develop public policy."

The goal of the measure is to limit traffic congestion caused by dense developments on streets with limited capacity.

*Please see **DEVELOP**, Page B3*

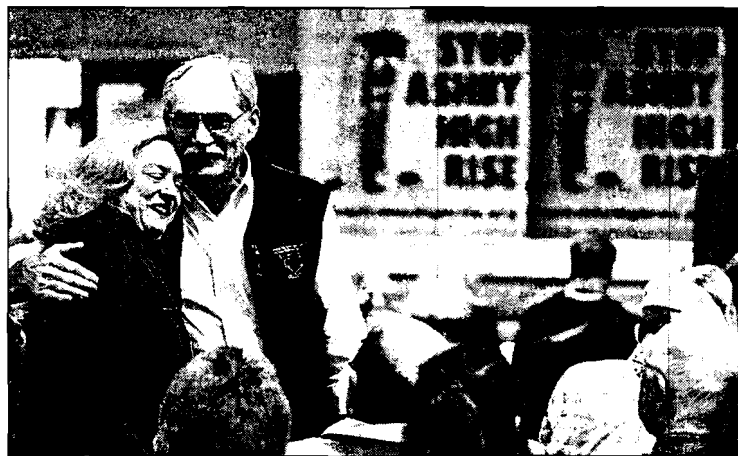
CONTINUED FROM PAGE B1

ity in single-family residential neighborhoods. Finding ways to capture only projects that fit this narrow definition has required hours of discussions of fine points such as the meaning of the word "abutting" and whether individual buildings or total square footage should be used to define a residential neighborhood.

Traffic study

Developers of projects that met the criteria would have to conduct a detailed traffic impact analysis. If it showed congestion would increase beyond specified levels, the developers would have to reduce the project's size or take other steps, such as adding traffic lanes or signals, to reduce the impact.

Among the various players in the process, the only group supporting the ordinance in its current form is the residents of the Southampton and Boulevard Oaks neighborhoods near the planned Ashby high-rise. At a meeting last week, neighbor-



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UPDATE: Neighbors Sarah Darnielle and John Thompson greet each other during last week's meeting about the development ordinance.

hood leaders said they would lobby for the ordinance even as they acknowledged that it would not prevent the developers from building a high-rise on the site at Bissonnet at Ashby.

City officials have tested the various drafts of the ordinance against 15 to 20 existing or proposed Houston development

projects. Each time, the only project that meets all the criteria is the Ashby high-rise.

Several people monitoring or working on the ordinance, however, said it would permit the developers to build a high-rise building on the site.

By eliminating commercial uses from the building and re-

DEVELOP:

ducing the number of apartments from 226 to 133, it appears that the developers could comply with the latest draft of the ordinance, said Chris Amandes, the co-chair of the Stop Ashby High-Rise organization. This might translate into a 13- or 14-story building rather than the planned 23-story tower, Amandes said.

"We might want more, but it's all we can expect from the city of Houston," Amandes told about 200 residents who gathered Wednesday to hear a status report on the ordinance.

Considering lawsuit

James Reeder, the other co-chair of Stop Ashby High-Rise, said the ordinance is not the only tool the neighborhoods have. He said the organization would consider suing the developers, if necessary.

The group has raised about \$185,000, its leaders said, in donations of about \$1,000 each from neighborhood residents. It still has about \$120,000 in the bank, Reeder said, but would

have to raise more if it takes the developers to court.

Houstonians for Responsible Growth, a group backed by real estate interests that has formed a political action committee to fight additional development regulations in Houston, has not yet announced its fundraising totals. It raised about \$800,000 for organizational costs before forming the PAC, said Ken Hogland, the group's political consultant.

Councilwoman Anne Clutterbuck, who represents the neighborhoods surrounding the project site, said she has introduced the developers, Matthew Morgan and Kevin Kirton, to investors interested in buying the property. Morgan and Kirton said the site is not for sale, however, and they still plan to develop their project as proposed. Kirton said the two men met with potential buyers as a courtesy to Clutterbuck, but no one made an offer.

Cahill said she was encouraged by what she sees as movement toward an approach that would apply different standards for measuring traffic impacts in different parts of the city, depending on existing conditions.

"A one-size-fits-all approach simply won't work," Cahill said.

Miller, in a letter published in the Houston Chronicle, suggested that if the city is concerned about development impacts, it should schedule another vote on zoning, as the city charter requires. Previous zoning referendums have failed.

Cahill and others expressed hope that their work would lead to discussions about managing development. In that sense, the ordinance has become a proxy for a broader debate about how to protect neighborhoods while promoting development.