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West Quadrant Plan Stakeholder Advisory Committee
C/O Karl Lisle, West Quadrant Project Manager
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Members of the Committee,

It has been suggested to me by a member of the committee that I should offer a response to the letter sent to you by colleagues at the Urban Design Panel of the AIA/APA/ASLA, dated November 18 (copy attached for reference). The letter was offered in apparent rebuttal to comments I and other colleagues have made previously regarding the issue of building heights.

I'd like to preface my remarks by saying that I very much appreciate my colleagues' effort to engage in these issues, and I for one hope this becomes part of a wider civic conversation – not only on the specific topic of tall buildings, but on the broader question of Portland's world-class urban heritage, and how we can be better stewards of it while meeting the changing needs of the future. This is not an easy balance to achieve, of course, and it is all too easy to make mistakes, as history has unfortunately demonstrated. There is all the more reason, then, that we should take care to think through these issues, and challenge one another on assumptions, biases and interests. (I include myself in that admonishment).

I offer these comments as a Portland resident, a director of a small urban research NGO, an editorial board member of two international urban design journals (*Urban Design International* and *Journal of Urbanism*), a contributing author to twenty books as well as numerous peer-reviewed research papers, a periodic adjunct instructor or professor at five graduate institutions in four countries, including the University of Oregon, and an active planner and urban designer in the USA and internationally.

I feel the need to provide my bona fides since my colleagues at AIA/ASLA/APA have characterized their rebuttals as “matters of fact” – as though they are professional arbiters not to be challenged on such matters. However, it is notable that they do not cite any peer-reviewed research of any kind. By contrast I (with other noted commenters) have provided numerous peer-reviewed research citations, and do so again herein. I hope that we can appeal to such research to establish a more rigorous, defensible, evidence-based approach to these issues, so as to do a better job as stewards of our urban heritage, and our recognized leadership in providing the basis of a more genuine sustainability.

I also feel the need to point out – though it is not a criticism per se – that my colleagues do have a self-interest in the proposed liberalization of building height regulation. They stand to benefit from clients who might engage them in planning of tall building projects, or might otherwise be pleased with their supportive position – or perhaps, they might feel that they would have more opportunities for meaningful artistic expression. These are all perfectly sensible personal and professional goals. But I suspect we would all agree that in a democracy, these goals must be balanced with other civic goals and rights – precisely the purpose of public-sector planning. These include, for example, the right to enjoy one's own urban heritage, and to avoid its damage or destruction. Again, this is not an easy balance to achieve, as unhappy history has shown.

So I'd like to suggest again that above all, we have a professional obligation to “first, do no harm” – and to rigorously debate, without prejudicial dismissal, questions that transcend our own personal and professional stake in the issues at hand. In this light I welcome my colleagues' spirited arguments, and I offer responses in continuation of this timely discussion.

1. ***“There have been statements directed against tall buildings, yet without any clear definitions.”*** Of course any new building potentially creates negative impacts on the buildings around it; generally, the taller the building, the greater the potential impact (e.g. on light, views, aesthetic impact, etc). In this sense there is no single height above which there is a concern, and below which there is no concern. But for practical purposes, we might stipulate that buildings below, say, ten stories, are not the focus of this discussion
2. ***“Allowing tall buildings in the areas designated in the draft Building Height map does not mean that they will proliferate in those areas.”*** But allowing tall buildings means precisely that they could proliferate in time, since there is no public-sector restraint on their doing so. Moreover, why would a blanket change to allow them be necessary and appropriate, if such an outcome were unlikely? If such a proliferation is not expected or desired, then why not employ a more targeted approach? The claim strikes us as a curiously vacuous one.
3. ***“There is an essential difference between a tall residential building in the central city and a gated community. From the former, there are dozens of potential destinations within walking distance...”*** I must point out to my colleagues that many gated communities do have multiple destinations within walking distance. (See for example the prominent community of Windsor, Florida, among many others.) Furthermore, their negative social effects are not confined to the question of whether people can walk to multiple destinations. (See for example: Lister D., Atkinson R. and Flint J. (2003), *Gated communities: A systematic review of the research evidence*, Bristol: ESRC Centre for Neighbourhood Research; and Blakely, E. J., & Snyder, M. G. (1997), “Divided we fall: gated and walled communities in the United States,” *Architecture of Fear*, 85-99.)
4. ***“A person can become isolated in a building of any height.”*** I must point out that the research shows clearly that the degree of isolation is in fact dependent on height. See for example Gifford, R. (2007), “The Consequences of Living in High-Rise Buildings,” *Architectural Science Review*, Vol. 50, 1, pp.2-17; Fanning, D. M. (1967), “Families in Flats,” *British Medical Journal* 4, 382-386; and Evans, Gary W. (2003), “Housing and Mental Health: A Review of the Evidence and a Methodological and Conceptual Critique,” *Journal of Social Issues*, Vol. 59. No. 3, pp. 475-500.

Again I would welcome credible peer-reviewed research in rebuttal on this or other points, but again it is notable that our colleagues have not furnished any.

5. ***“There is an implication that building a tall building will inevitably ‘destroy urban treasures’. Portland’s processes of planning and design review ensure careful review of any proposed demolition of historic structures.”*** Let me say that I greatly appreciate the earnest efforts of all those who give their time to serve in planning and review. But this is a remarkable claim, given that legal protections of historic buildings are known to be notably weak in the era of 'takings' law. Moreover, the economics of tall building projects can be irresistible, even to public agencies. For example, in 2001 the Portland Development Commission bought the almost century-old (1924) Jefferson West building in order to preserve Section 8 housing; however, following a financially attractive offer by a private developer, the property is at this moment scheduled for demolition to accommodate a new market-rate 16-story building. Another example is the recent demolition of an entire block of the historic Midtown terra cotta buildings at 9th and Yamhill to make way for the 30-story building that sat unfinished and is now about to be constructed. The claim is disproven by the evidence.

6. ***“To portray buildings over six floors as ‘a problematic typology...hardly a utopian view of the future’ is a matter of opinion, not fact, and contributes nothing to the discussion.”*** First, my colleagues commit the cardinal forensic sin of misquoting their opposition. The quote (in an Oregonian op-ed I co-authored) referred to “tall buildings,” not “buildings over six floors.” Second, I note that there is no actual rebuttal offered to this assertion, but only an attack on the authors for daring to state what is characterized as a meddling opinion. In fact the 'opinion' was offered as the conclusion to numerous citations of peer-reviewed research. (More such citations have been provided at <http://bettercities.net/news-opinion/blogs/michael-mehaffy/14138/more-low-down-tall-buildings>)

7. ***“Portland’s Northwest Neighborhood is a classic example of a dense, walkable environment, admired for its mix of uses and housing types. However, its success has little to do with the scale of buildings that should be permitted elsewhere...”*** I fear the point of the comparison has escaped my colleagues. It is that the Northwest Neighborhood disproves the assertion that tall buildings are required to meet density, land conservation, and other sustainable urban planning goals, as has been argued by tall building proponents.

8. ***“Pearl District residents and others chose to allow tall residential towers there because they would not block sensitive views nor shadow sensitive areas. The dominant feature is the Fremont Bridge, itself a tall and massive structure. PBOT found the street system sufficient to accommodate projected densities.”*** I am afraid I don't understand the point of this observation; it does not appear to rebut any identifiable critiques made recently of tall buildings. The concern is for future tall buildings at increased heights, whose impacts have apparently not been thoroughly assessed.

9. ***“The development context of downtown is clearly one where tall buildings are appropriate.”*** The question being raised is, under what specific conditions is it

appropriate? I would assume that we would not allow, say, 120 story towers with no setbacks or step-backs. Then what would we allow? The critique is that the proposed liberalization does not sufficiently address required mitigations in context.

10. ***“A fundamental precept of the Plan is to enable a wide choice of housing types. Many who choose to live in inner city neighborhoods elect to live in buildings taller than six floors. There is no reason to deny that choice.”*** With due respect to my colleagues, zoning exists precisely to deny some choices – and it does so on a regular basis, because those choices are judged to conflict with the rights of other residents and the city as a whole. To use a colorful analogy, I cannot choose to operate a hog farm next to your house, much as I might like to. (And much as you would not!) A reason to deny such a choice based on building height might be that it deprives others of views, or light, or other impacts that must be mitigated. Such a “denial of choice” is a fundamental precept of all planning. (Incidentally I for one would not limit height to six floors – but even if there were no homes above six floors, there would still be no lack of a “wide choice of housing types” since this is only one of many other types.)

11. ***“As long as there is a wide choice in housing types, market demand will direct new development. Only a portion of demand will be for tall residential towers.”*** I think my colleagues may have revealed here what seems to be their essentially laissez-faire, deregulatory view of planning – one that in fact favors self-interest: let us liberalize the restrictions, and then let the market decide. But if there are indeed negative impacts from the actions of markets (as there clearly are) then is there not a responsibility for public and democratic action? This seems to me precisely the role of public-sector planning.

12. ***“Portland has in place regulations to limit shadows cast on public open space. If necessary, other restrictions on the impacts of tall buildings can be introduced.”*** Indeed this is precisely what is being advocated. (And there is evidence that current regulation is in fact inadequate: for example, Block 15, due south of Field Park, appears certain to cast a long shadow across the children’s playground and park.)

In some cases, building height limits should govern; in others, perhaps step-backs and other more fine-grained, form-based codes can apply. I for one would certainly applaud the introduction of a more fine-grained approach.

13. ***“Design review will help ensure that tall buildings are designed to avoid features that tend to isolate its residents, and to provide for 'healthy living' features.”*** Again I appreciate my colleagues' confidence in the design review process, and I applaud those who give their time to this important civic function. But I am also aware of the limitations of such a process, and the pressures that can influence hasty or ill-considered judgments. (For example, fear of “takings” lawsuits, economic pressures, potential retribution, professional cognitive biases, etc.)

14. ***“A blanket restriction of buildings over six floors would impose an arbitrary and economically damaging limit on the regeneration of our inner city communities.”*** I for one have not proposed such a restriction, and I am not aware that others have done so. Instead I would propose a much more careful, context-sensitive approach, more willing to mitigate negative impacts with the fine-grained tools available to the public sector.

The great urbanist Jane Jacobs famously argued for restrictions on building heights, in large part to promote diversity. More recently, the conservative economist Ed Glaeser has attacked Jacobs' position, arguing that her approach would cause harm to urban economic development. But Glaeser seems to have misunderstood Jacobs' larger point. She was arguing for a more fine-grained, diverse growth, and against a hypertrophic concentration of new development and urban wealth, which is ultimately destructive of diversity and of long-term economic vitality. Unfortunately this is the pattern that has accelerated in Manhattan, San Francisco, London and other cities.

I would hope my good colleagues in the AIA, APA and ASLA would not entertain a similar misunderstanding.

I certainly want to join the Panel in opposing “an *arbitrary* restriction on tall residential buildings.” I call again for a more fine-grained plan, employing more effective tools, that will more adequately address the needed mitigations of new projects.

Beyond that I hope we can all enter into a deeper, more thoughtful dialogue about how to use a more evidence-based approach to safeguard, for the generations, the exemplary urban livability that we all cherish.

Sincerely,



Michael W. Mehaffy

Copy: Kirstin Greene, Cogan Owens Cogan
Members of the AIA-APA-ASLA Urban Design Panel
(c/o Bob Boileau)
Liz Dahl, The Oregonian
Allan Classen, The Examiner

COPY OF LETTER TO WQP-SAC BY DESIGN PANEL:

AIA-APA-ASLA URBAN DESIGN PANEL

November 18, 2013

AIA/APA/ASLA Urban Design Panel

Chapters of the American Institute of Architects, American Planning Association and American Society of Landscape Architects

BUILDING HEIGHTS AND THE CENTRAL CITY PLAN UPDATE

Members of the West Quadrant Plan Stakeholder Advisory Committee:

Recently there have been statements in the press and to this committee that the inter-professional Urban Design Panel have found to be flawed and thus misleading. We offer the following clarifications as matters of fact.

- There have been statements directed against tall buildings, yet without any clear definitions. Commentary has focused on residential buildings from 'over six floors' to 'over 20 stories'. We understand that buildings over six floors in height, and in residential use, are the prime concern of submitted testimony against tall buildings.
- Allowing tall buildings in the areas designated in the draft Building Height map does not mean that they will proliferate in those areas, any more than tall office buildings have dominated the area between the US Bancorp Tower and the Wells Fargo Tower where they have been allowed since 1973. The market can only support a limited number of them.
- There is an essential difference between a tall residential building in the central city and a gated community. From the former, there are dozens of potential destinations within walking distance. From a gated community, almost every trip must be made by car, and many people must depend on others to drive them. Those who live in gated communities in the outer suburbs are truly isolated.
- A person can become isolated in a building of any height. Those who live in a busy urban community are an elevator ride away from community activities within their buildings, and vibrant streets with cafes and other activities right outside their doors, regardless of the building's height.
- There is an implication that building a tall building will inevitably 'destroy urban treasures'. Portland's processes of planning and design review ensure careful review of any proposed demolition of historic structures. No planner is unaware of the mistakes made before the 1973 Downtown Plan.
- To portray buildings over six floors as 'a problematic typology...hardly a utopian view of the future' is a matter of opinion, not fact, and contributes nothing to the discussion.
- Portland's Northwest Neighborhood is a classic example of a dense, walkable environment, admired for its mix of uses and housing types. However, its success has little to do with the scale of buildings that should be permitted elsewhere, for instance in the Pearl District north of Lovejoy.
- Pearl District residents and others chose to allow tall residential towers there because they would not block sensitive views nor shadow sensitive areas. The dominant feature is the

Fremont Bridge, itself a tall and massive structure. PBOT found the street system sufficient to accommodate projected densities.

The Urban Design Panel supports building heights as currently proposed in the draft West Quadrant Plan, and offers the following observations in support of that position:

- The development context of downtown is clearly one where tall buildings are appropriate. Residential buildings mixed with office buildings provide needed vitality to the Central City.
- A fundamental precept of the Plan is to enable a wide choice of housing types. Many who choose to live in inner city neighborhoods elect to live in buildings taller than six floors. There is no reason to deny that choice.
- As long as there is a wide choice in housing types, market demand will direct new development. Only a portion of demand will be for tall residential towers. In practice, only a fraction of most urban areas develop to permitted density and height.
- Portland has in place regulations to limit shadows cast on public open space. If necessary, other restrictions on the impacts of tall buildings can be introduced.
- Design review will help ensure that tall buildings are designed to avoid features that tend to isolate its residents, and to provide for “healthy living” features.
- A blanket restriction of buildings over six floors would impose an arbitrary and economically damaging limit on the regeneration of our inner city communities.

The Urban Design Panel submits that the restrictions proposed in the draft West Quadrant Plan as to the locations in which tall buildings shall be permitted are sufficient to protect the skyline and important views. We submit that an arbitrary restriction on tall residential buildings is unwarranted and should not be entertained.

Thank you for considering our comments.

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Bob Boileau, AIA, AICP

Brian Campbell, FAICP

John Spencer, AICP

Paddy Tillett, FAIA, FAICP