

The Streetscape Demonstration

Hugh Deaner and Francesca Turchi

During the summer of 1994, a small stretch of West Franklin Street in downtown Chapel Hill was transformed. Gone are uneven cracked pavement and mud. Instead, the sidewalk is freshly paved with smooth concrete and bordered with attractive Carolina red brick. Sturdy new benches invite passers-by to relax under shady trees, which are offset in brick planters. New streetlights improve the sense of security during evening hours, and unsightly power lines have been buried in underground vaults. Bicycle racks relieve the pressure on unintended alternative parking spots such as parking meters, signs, and small trees. "We love it," said Sharon Powell, manager of a local business. "It really brightens up the place. I think it's really helping get people out to see what's happening on West Franklin Street." Public Works Director Bruce Heflin agrees, "All the feedback we've gotten has been positive." The improvements demonstrate the elements of Streetscape, an ambitious downtown improvement component of Chapel Hill's comprehensive plan. Proponents never doubted the benefits of Streetscape and the pilot project was supported by target-area merchants from the start—or so it seemed.

Between the initial budgeting of \$28,000 for a pilot project and its completion eighteen months later, the expected consensus broke down into an acrimonious battle pitting merchant against merchant and merchant against town. Some of the wounds remain

Hugh Deaner and Francesca Turchi will receive the degrees of Master of Regional Planning and Master of Business Administration from the University of North Carolina at Chapel Hill in May. Deaner will then be starting a business, Queue Corporation, in the Triangle. Turchi will work for the Urban Enterprise Corps.

raw. Although the Streetscape concept had been in discussion for five years, in this analysis we intend to assess what went wrong in those eighteen months. Ultimately, we hope to establish a framework by which similar "surprise" disputes, whether directly related to Streetscape or otherwise, can be avoided in the future.

The issues in the Streetscape pilot study dispute fall into two categories: design and process. Broad agreement existed among merchants and town officials concerning the physical condition of Chapel Hill's downtown streets. Long in need of repair, sidewalks were uneven and broken in places. Lighting, in the form of rather dim standard streetlights, was viewed as inadequate, especially in the wake of several well-publicized late-night assaults in the autumn of 1993. General agreement also existed concerning the importance of visual appearance in attracting downtown shoppers. Some disagreement emerged, however, with regard to what that appearance should be. Many politically-connected business leaders favored the Streetscape masterplan's contemporary-classic look of "understated elegance." However, a small but vocal minority believed that an essential part of Franklin Street's beloved character was its patina of age. The sentiments of this group are expressed well by a local merchant who said when she testified before the Town Council, "You have a golden opportunity to preserve, to defend, a small and unique remnant of old Chapel Hill. Or, you can let it be compromised and help it slide into a familiar pattern of mediocrity and sameness you've seen all over the country in town after town."

The second category of issues can be described as process-related. How did the town determine the site of the Streetscape pilot project and how did it communicate with stakeholders? Several merchants

in the targeted zone were concerned that construction would severely disrupt their businesses. Others were offended at the town's "imposition" of Streetscape without—in their eyes—seeking involvement by the affected parties. In a more general context, the Streetscape project raises the issue of how to optimally manage differing preferences and expectations in a participatory democracy. Most would agree that trust between stakeholders is increased when decision-making incorporates the needs of all stakeholders and is damaged when the process is characterized by mistrust and recriminations. How can all parties learn from the example of Streetscape?

The Process

The aggressive opposition mounted by some merchants to the Streetscape project just as construction was to commence surprised town officials and other downtown merchants. Downtown revitalization had been a topic of local discussion long before the controversy began. The Streetscape Plan, which covers the length of Franklin Street roughly from Carrboro to Hillsborough Street, was conceived initially following a city visit in the late 1980s to Lexington, Kentucky by the Chapel Hill Public-Private Partnership, an ad hoc alliance that gathers periodically to address issues of concern to the town. In the wake of the interest generated by this trip, a local architect was contracted by the town in 1989 to prepare recommendations for a masterplan of downtown improvements. By January 1991, however, the town decided to complete the masterplan in-house, following some dissatisfaction with the pace and quality of the consultant's work. (See Table 1 for a complete project timeline.) Both the Planning Department and Public Works Department staffs were involved in the development of the Streetscape masterplan.

The November 1993 elections of a number of pro-business people to the Town Council were heralded as ushering in an era of enhanced relations between the business community and the Town of Chapel Hill. Although the Town Council had approved planning funds for Streetscape, the masterplan languished for lack of the almost \$5 million in necessary funds to complete the project. In the same month as the elections, the Town Council formally adopted the Streetscape concept, adding it to Chapel Hill's comprehensive plan and making its design and style guidelines mandatory for new construction in the downtown area.

As they adopted Streetscape, the Council appropriated \$28,000 for a pilot project in hopes of generating enthusiasm and financial momentum from the private sector. Addressing the possibility of increasing interest by building a "test strip," one Council member said, "We hope it does, because people will be more willing to give their efforts, energies and dollars. You need the enthusiastic support of people in town for a project of this size regardless of where the money comes from." At the same time, a member of the Downtown Commission signaled support and financial commitment by many in the business community, saying "The way it should happen is we do it a piece at a time and not all with public money."

Despite the pro-business elections, however, 1993 will probably be remembered by downtown shop owners as a rather melancholy year. Overall, downtown revenues were in a trough, perhaps due in part to the aftereffects of the recession of the early 1990s and to the reduction of available parking during construction of a new town-owned parking deck. In addition, numerous random assaults occurred on Franklin Street in the fall of 1993, following closely on the heels of the well-publicized murder of a jogger in another part of Chapel Hill. The town seemed to be losing its image as a tranquil village, safe from the ills that plagued many of America's urban areas. As if to punctuate the malaise, two long-time downtown merchants took their lives in separate suicides in November 1993.

Chapel Hill's Department of Public Works scheduled construction of the demonstration project between February and April of 1994. The site of the pilot project was identified by the town's Planning Department based upon two criteria. First, they wanted to build in a location that needed help, and second, they sought to renovate a site that would maximize the visual impact of the project in order to spawn the strong public support critical to implement additional Streetscape phases. Town staff made a conscious decision not to poll merchants—whose support they heard by word of mouth to be unanimous—regarding the location of the project site. In their minds, such polling would lead to pressure to build on a politically favored yet less than optimal site.

Immediately after the announcement of the project site, concerns were conveyed to the town that construction during the academic year would be too disruptive, that their businesses would suffer from a significant drop in foot traffic during the several months of closed sidewalks and messy worksites. In January 1994, following two orientation meetings

with Chapel Hill's Town Manager, Cal Horton, and town staff, merchants from the project area presented a petition to the Town Council pledging "wholehearted" support if several design elements were addressed. The proposed benches, for example, were seen as an "attractive nuisance," sure to encourage loitering and panhandling which would be harmful, they believed, to their businesses. Although Horton held firm on the benches, he agreed to reschedule construction for the summer when business was slower. "We're happy to make accommodations," Horton said. "We certainly don't want to harm anyone's business." Pledging to iron out details of the construction, Horton said, "It's essential we get off to a good start." The town, having followed through on many of the merchants' requests, assumed that their concerns had been satisfied.

Prior to the summer construction, many community leaders in both the public and private sectors continued to voice support for Streetscape. With an eye to comprehensive rather than piecemeal implementation, the Public-Private Partnership Streetscape Finance Committee was working on strategies to raise the funds necessary for such a substantial project. A meal tax proposed in 1993 raised enough ire that the suggestion was quickly abandoned. In 1994, a proposed bond issue funded by property tax revenues was also shelved. The local newspapers covered the plans for Streetscape, with particular attention paid as the merchants along the pilot project strip began to voice heretofore unexpressed frustrations.

In May 1994, town staff met with merchants to discuss the specifics and logistics of the construction schedule with the affected merchants. The meeting collapsed into a near-melee after only ten minutes, and it certainly signaled the beginning of open hostilities. Horton ended the meeting by stating, "If you don't want it [Streetscape], we'll just end this meeting right now and put it somewhere where they do want it."

In the wake of this disastrous encounter, the Town Council directed that all affected merchants and property owners be polled as to their support for or opposition to the project and simultaneously directed the Town Manager to investigate alternate sites. Mer-

chants and town staff met again in June to complete the discussion on logistics. Although the gathering was tense, the town staff reiterated its commitment to keeping all stores accessible during the course of construction and to completing the project on time. Shortly thereafter, with the results of the poll indicating overwhelming support for the demonstration among both property owners and merchants, the Town Council voted to proceed over the merchants' objections. However, four of the affected merchants had

retained an attorney, who threatened Horton with legal action if the town began construction.

Curtis Brooks, the town's landscape architect and point-man in the Streetscape debate, felt in hindsight that the amount of emotion invested by the merchants in this dispute was at least partially a result of the nature of human interaction. As merchants voiced latent concerns among themselves,

those concerns (fed by rumor) became fears which became paranoia, from which an opposition group coalesced. Misunderstandings or misinformation about the length of time necessary to complete the project contributed to solidifying the positional stance adopted by the opposing merchants. Eventually, some merchants had convinced themselves that they were well on their way to being driven out of business by an uncaring bureaucracy.

Outcome

Construction was undertaken and completed on schedule by the town's public works crew, without the threatened lawsuit. By all accounts, throughout their work, the crew was meticulous and took a number of measures to avoid disruption through such steps as undertaking demolition work at night and maintaining access to all shops at all times. At the halfway point, one merchant said, "I think they've been doing a good job, as far as we can tell. My basic impression is that it hasn't affected us as much as we'd expected." This attentiveness, plus the efforts of a Town Council member in generating local awareness of the fact that the businesses remained open during the project and in responding immediately in person to merchants who called the town with con-

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Streetscape Project History

December 1989	RFP issued for Streetscape Masterplan work.
January 1990	Cogswell Hauser Associates hired as consultant; \$30,000 encumbered from Capital Improvements Plan.
Fall 1990	Concerns arise regarding quality of consultant's work.
January 1991	Contract between consultant and Town dissolved; Town staff takes over project.
June 1991	RFP issued for Streetscape Lighting Plan.
November 1993	All survey and design work complete; Downtown Streetscape Masterplan submitted to Town Council and adopted; \$28,000 in CIP earmarked for demonstration project.
December 1993	Plan presented to merchants within pilot project area.
January 1994	Merchants sign petition announcing "wholehearted support" but requesting design changes; town agrees to delay construction start date until Summer 1994.
April 1994	Town Council decides against \$4.8 million bond issue to fund Streetscape.
May 1994	Meeting to brief merchants on construction schedule; tempers flare and the meeting is adjourned within ten minutes.
June 1994	Town Council requests a survey of area merchants and property owners and authorizes alternative site search; several merchants retain an attorney and threaten legal action if construction begins; second meeting between Town staff and merchants to discuss the construction schedule.
July 1994	Survey results indicate overwhelming support; Town Council votes 8-1 to proceed with the demonstration as originally sited; construction begins July 11 and is scheduled to last twelve weeks.
October 1994	Construction ends within the twelve week timeframe.

cerns, contributed substantially to smoothing the remaining ruffled feathers. Additionally, two merchants who felt solidarity with the "hard core opposition," and yet were willing to act as a voice of reason, played an important informal mediating role.

Two area restaurants served free sandwiches and iced tea to the work crews for the duration, and one offered two free dinners to all the construction workers. Other merchants were less willing to make amends after the work commenced. Angry and insulting signs appeared in some store windows, without regard for the morale of the work crews directly outside. One year later, two of the merchants remain acrimonious towards the town. At least one more remains unhappy with the design. Others' opinions fall between fairly pleased to very enthusiastic.

One affected merchant says he has given much thought to the Streetscape affair "because I don't like being that miserable." While not necessarily opposed to the improvements *per se*, his pique originated with the feeling that Streetscape was "rammed down our throats." From his perspective, the root of the dispute was the government's preference for dealing expeditiously with a single spokesperson, rather than polling all concerned parties. However, this person described the merchants' response as an "ad hoc

alliance, not a coalition." Regular interaction among the merchants on his stretch of Franklin Street, while slightly greater than before, remains minimal and he does not expect long-term changes with regard to how the merchants represent themselves to government and vice versa.

In retrospect, Brooks, the town's landscape architect, says he would have polled merchants to confirm their interest and gauge their concerns immediately after funding was allocated. That is his intention for the next Streetscape phase. As this paper is being written, five new site options will be presented to the Town Council in order to choose two finalists. Preliminary design has been completed for all five sites, enabling the town to move quickly whichever site is chosen. Brooks has delivered letters to all potentially affected owners and merchants outlining the town's plans and announcing a meeting to discuss construction logistics. Individuals representing three of seventy potentially affected businesses attended the meeting. Three others telephoned. In the wake of generally positive reviews of both the aesthetics of the Streetscape project and the construction process, Brooks expects wide support for the next round but will travel door-to-door to discuss Streetscape with

merchants in the two finalist sites and will hold at least one more meeting.

Analysis and Lessons for the Future

Streetscape is a useful case for planners because it illustrates how a fairly minor and seemingly harmonious issue can prove to be a source of great agony for all parties involved. While this was a potential win-win project for all the major stakeholders, it nonetheless became an inflamed and positional dispute. As planners, these are the types of conflicts it pays to avoid since many other battles are distributive in nature and will require plenty of time and effort to resolve fairly and satisfactorily. This style of dispute is often difficult to anticipate and prepare for, however, since it is often not clear that there is a dispute until it is full-blown.

The structure used by the town in communicating with merchants, for example, did not promote direct expression of concerns by a variety of stakeholders nor was it useful in building support for the project as a whole, which was certainly a major interest of the town's. The technical details were in place, the political details were not, and the resulting emotional fallout jeopardized the project.

This case demonstrates the difficulty of negotiating and mediating simultaneously, especially with groups that may not fully understand the planning process. Different actors have different views, and planners must make practical judgments as to "Who really speaks for the neighborhood?" (Forester 1992, 305) In the case of Streetscape, one supporter was taken as the "speaker," and other actors who were unfamiliar with the process were left out until they were angered enough to speak up. It may have been helpful to have a defined "planner-regulator" or a more disinterested "process manager" serve as a facilitator between the Public Works staff (who were the "developers" here) and affected parties rather than forcing the staff member responsible for implementing the project to act as the mediator as well. The nonneutrality of that role probably undermined the process and certainly was highlighted as misunderstandings and rumors about dates of construction swirled among the merchants. One Town Council

member and several merchants attempted to fill the volunteer mediator role later in the dispute, with some apparent success, however.

Guidelines for effective consensus building and collaborative problem solving provide a solid framework to follow. If the town had used techniques such as mutual education, problem definition, or vision definition¹ early in the planning process and prior to the selection of the pilot project site, they may have been able to alleviate some of the necessity for the dispute resolution techniques necessary later on by providing an "early warning system" for the town. As we noted at the beginning, participatory democracy is difficult as the town did not want "too many cooks" involved in the design process, probably for fear of slowing down the process. The choice to not solicit input resulted instead in a tense and unpleasant experience for both town and mer-

chants. Obviously, every town initiative cannot be a completely public action. However, particularly in the case of first-time projects, that investment in building good working relationships early and in making some procedural agreements along the way can have significant payoffs in terms of time saved later in the project. Since emotion outweighed reason by the time the Streetscape dispute became full blown, the chance for a truly open and collaborative process was lost.

The hard core opponents were so stirred up that they were unable to recognize their own underlying interests or hear what measures the town was willing to take to address those needs. Instead, threats flew and the project was maligned without regard to "getting to yes."² The town, however, did a decent job of challenging perceptions of institutional oafishness by making changes in the dates of construction and in accommodating a number of design-related requests. Furthermore, the efforts of one Town Council member to build bridges surprised some of the merchants and was crucial for their eventual support of the project.


The town might have stressed the potential for mutual gain in order to reduce the impression of "imposition." Many merchants were able to see this potential but a few became so hardened in a positional bargaining mode that they were easily able to over-

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look likely gains. The slightly different cultural perspective of one restaurant owner was interesting. He was thrilled to “get something for nothing” from the government and although he was concerned about the disruption, he could see the potential for a very positive outcome.

This dispute also illustrates that stakeholders peripheral to the main issue, such as the media, can influence the progression of the dispute and the type and substance of the eventual outcome. As several parties involved with the Streetscape dispute noted, government is often perceived as big and insensitive. The media never fail to portray that insensitivity in grueling detail despite efforts to accommodate the wishes of as many stakeholders as possible. Since, to quote the town’s landscape architect, “it’s not fun being half the story,” planners and town representatives must look at even the most humdrum local planning issues from the perspective of the local media early in the process. Armed with the understanding of the value of conflict to the local media, planners will perhaps incorporate some additional measures into preliminary planning efforts to head off potential “headline goldmines.” By identifying some of the issues ripe for media coverage and exploitation early in the process, planners may be able to defuse them through careful handling.

Conclusion

Much of the analysis section concentrates on the town, to the point that a reader may think we blame the town for the dispute. We do not mean to implicate the town, especially considering the childish and positional behavior on the part of a few of the merchants. We do, however, think that it is incumbent on the town to “pre-mediate” new projects as if they were going to become acrimonious in order to recognize and head off potential conflicts. This step was missing during the first phase of Streetscape but seems to have become an important part of the preparation for future phases. 

Endnotes

1. See Godschalk *et al.* 1994.
2. See Fisher, Ury, and Patton 1991.

References

- Fisher, Ury and Patton. 1991. *Getting to Yes: Negotiating Agreement Without Giving In*. New York: Penguin Books.
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