

This editorial comment appeared in the Sunday, October 13th edition of *The Village Advocate*.

## Rosemary Square "Controversy": Does Our Word Mean Anything?

For more than two years now, the proposed Rosemary Square project has proceeded deliberately through public discussions and, with great pain to involve the public and satisfy each step of the public process, agreements were made between the town of Chapel Hill and the private developers. Even the choosing of the developer was a public process lasting more than seven months.

It has now worked its way through at least 25 identifiable public actions and approvals over the two years.

Most important was the agreement, the contract approved in January of this year, giving the town's word and its legal commitment to the project.

In this time of changing national priorities and diminishing federal support to municipalities, local governments are having to create new avenues to promote downtown revitalization. This public/private partnership project, initiated by the town, is an excellent example.

As they crossed into this new territory, the town and the developers took great care to take information about this project to the public.

The town did not do its work behind closed doors. Many of us viewed the three competitive proposals while their scale models were on display in the Municipal Building and the Public Library. Virtually every civic club in town was visited for a presentation and scrutiny. A 20-minute video was produced and shown at these clubs and the library, and repeatedly shown on the cable system. All of this took place before the contract was signed in January.

Despite this, with the specter of an election coming this fall, it is now apparent that the idea of proceeding with this long-standing and creatively exciting project is being made a major issue in the current election campaign. Opponents have distorted information, not sought clarifying data from the town or developer, and nitpicked at minor elements, all of which have been answered in the design to those who would take the trouble to ask officials.

Now, nearly a million dollars has already been spent on the project. The issue, then, is not legally or legitimately whether, but how, the town and developers are to proceed in making Rosemary Square a reality. Those

who charge the project had insufficient public airing, are, to put it charitably, simply mistaken.

The editor of the local paper, a candidate for mayor, and a slate of the candidates have made the project controversial by labeling it as such. Where were they when these public actions occurred?

- October 1983—Council *unanimously* authorizes manager to issue requests for proposals.
- November 1983—Manager reported to council on negotiations for purchase of Lot #2, the site west of NCNB.
- December 1983—Council approved parking revenue bonds for purchase of this portion of Lot #2.
- January 1984—Council extended deadline for public/private development proposals from February 1 to March 1.
- February 1984—Council scheduled work session for April 30 to discuss proposals.
- March 1984—Public hearing on three proposals received March 1st and published.
- April 30, 1984—Work session held by council on three proposals.
- May 29, 1984—Council requested local act from General Assembly necessary for project, approved June 22 by General Assembly.
- May 1984—Council held a work session and reached consensus to negotiate with Fraser Company for project whose scale model had previously been on public display at town hall and library.
- June 1984—Council adopted resolution to authorize negotiations with Fraser Company for 90 days.
- June 1984—Council authorized \$10,000 for legal and financial assistance and negotiations.
- September 1984—Council authorized additional 60 days for negotiations with Fraser Company, authorized additional \$30,000 for assistance and negotiations.
- November 1984—Manager gave council proposed 60-page development agreement with Fraser Company; council adopted resolution for the process for consideration, authorizing the manager to enter into a contract to acquire a Pearsall property for *additional parking* and to negotiate for Sloan property on Lot #2.
- December 1984—Council held work session on proposed development agreement.
- December 30, 1984 and January 6, 1985—Notices of January 7 forum published.

• January 7, 1985—Council held forum for comments by citizens on Rosemary Square development agreement.

• January 14, 1985—Council held work session on issues raised at January 7 forum and work session, authorized loans from the General Fund to pay for Pearsall property.

• January 30, 1985—Council *unanimously* approved Rosemary Square development, including various conditions that must be met for closing.

While the town was considering the project, none of the present opponents appeared at any of the public hearings or forums to express a word of opposition.

At the January 7, 1985, public hearing, the only public concern was expressed by Joe Herzenburg, whose expressed concern was that not enough public discussion had been given to the project's impact on North Street.

On December 9, 1984, it was noted here as a part of a call for public comment that virtually all of the interest in the project had been favorable and that it aroused virtually no opposition.

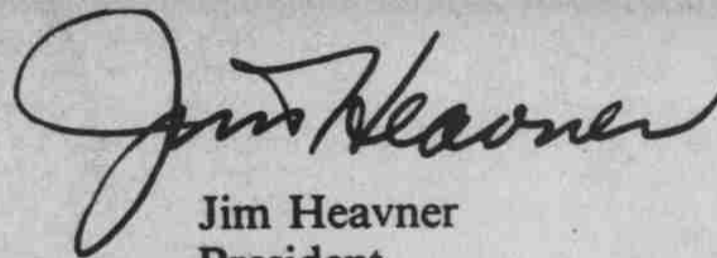
On February 10, the council's unanimous endorsement of Rosemary Square was called "a tribute to the careful consideration" given the development for more than a year.

Then, this spring brought a campaign to undo all of that, which ultimately tied the opposition to this fall's elections. It is always easy in a political campaign as well as in any project of this scope to rally opposition.

Someone noted that if we publicly debated the location of the University, then voted on whether to move it, we could fill the editorial page with letters from people who would do so.

Due process, then, can be thwarted by any who would hold our leaders hostage to a constant barrage of twisted information.

Thoughtful citizens of Chapel Hill will not be moved by hostile generalities about Rosemary Square, but will soberly consider its merits, the faith placed in our elected officials, the painfully long public process that developed the agreement, and what the alternatives are if this community attempts to change the rules in mid-game on yet another builder/investor, this one a contractual partner with a million dollars invested.

  
Jim Heavner  
President

presented by

**The Village Companies** 

Part of a series to stimulate public responsibility.

The cost of reprinting this editorial was paid by the Fraser Development Company.

## An Open Invitation:

*To learn more about*  
**Rosemary Square**

*For information*

Please stop by our office  
NCNB Plaza, Suite 404  
929-6400