

Cornfield Malls, Downtown Redevelopment  
and Democratic Performance

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### Abstract

Nine proposals to develop enclosed shopping malls, either in the outskirts of Lawrence, KS, or in its downtown, are evaluated according to three democratic ideals:

**Responsible Representation:** Did the policymaking process empower (primarily) elected representatives and (secondarily) the voting public while also being responsive to the persuasive participation of public administrators, community notables, group leaders, and individual activists?

**Complex Equality:** Were the outcomes most responsive to those interests in the community that normally fail to have their preferences reflected in policy? Or were there legitimate explanations for continued unresponsiveness to normally subordinate interests?

**Principle-Policy Congruence:** Were the outcomes consistent with the broad policy principles that are dominant in the community's political culture, such as the goals of promoting economic growth, protecting the downtown, and facilitating widespread citizen participation?

During the past decade, eight shopping mall proposals were rejected by the City and County Commissions. Had these proposals been accepted, democratic performance would have suffered because such outcomes would have involved external or elite domination, bias toward dominant interests in the community, and a failure to act in accordance with widely-held cultural values. One proposal--for a Riverfront Plaza--was accepted and supported, and this result, too, was consistent with democratic ideals.

These results suggest that downtown redevelopment policies in Lawrence are more influenced by democratic factors than by economic ones. In contrast to the negative assessment that the pluralist power structure in Lawrence has resulted in an inability to act, a positive assessment is presented: Lawrence has empowered itself by making democratic and fair developmental decisions that reflect its own cultural values.

## Cornfield Malls, Downtown Redevelopment, and Democratic Performance

Lawrence (Kansas) has earned a reputation as "the Mount Everest of mall development"--alluring but risky.<sup>1</sup> Lawrence's allure stems from the fact that it is one of the largest metropolitan areas in the country without an enclosed shopping mall, or at least it held this distinction until April, 1990, when a relatively small, factory-outlet shopping center opened its doors along the city's riverfront. For more than a decade, developers have argued that between \$40 to \$60 million in annual sales have "leaked" out of Lawrence to shopping centers in nearby Kansas City and Topeka, and eight major malls have been proposed to capitalize on this economic opportunity. But Lawrence represents a significant risk because developers have invested great time, energy, and money planning these projects and attempting to win the political support necessary for their approval, and on each occasion they have been rejected.

This paper will argue that the rejections of these large-scale mall proposals constitute victories for the democratic and pluralist political processes of Lawrence; only the small Riverfront Plaza achieved the kind of political support that made the development consistent with three important democratic ideals to be outlined in the next section. Nevertheless, these outcomes are surprising given the prevailing theoretical perspective on urban politics that argues that cities are driven to seek and approve projects like shopping malls that provide jobs, generate wealth that can be circulated among community residents, enhance the tax base for city government, and thus serve the economic interests of the city.<sup>2</sup> In achieving outcomes that are more consistent with democratic ideals than with economic imperatives, Lawrence may well be a deviant case among American cities. But an analysis of the Lawrence case can add to our understanding of the potential conflict that can occur between economic development and democratic ideals and of how democracy can sometimes prevail.

### Three Ideals of Pluralist Democracy

Most scholars and citizens committed to pluralist democracy may agree that community decision-makers should strive to realize the goals of responsible representation, complex equality, and principle-policy congruence.

Responsible Representation. This criterion requires that predominant power to resolve public policy decisions reside with elected representatives, who normally exercise their independent judgments, but who are open to the persuasive participation of

other actors while remaining accountable to voters. Table 1 provides a scale of responsible representation based on whether or not the dominant preferences of various actors are reflected in policy outcomes.

Responsible representation is lowest (at Levels 1 to 3) when policies reflect the dominant views of neither representatives nor the public. If an outside developer is able to build a mall despite the opposition of most representatives, citizens, notables, bureaucrats, group leaders, and individual activists, the lowest level on the scale of responsible representation--external domination--has occurred. If developmental policies reflect the preferences of bureaucrats and/or notables but are inconsistent with the dominant preferences of representatives, citizens, groups, and activists, the relatively undemocratic conditions of bureaucratic or elite dominance (Level 2) have been attained. If decisions are consistent with the dominant preferences of group leaders (mobilizers) and/or individual activists but are inconsistent with the dominant preferences of representatives and citizens, Level 3 of responsible representation--minority dominance--occurs.

Responsible representation is moderate (at Levels 4 to 7) when representatives and citizens have conflicting preferences such that developmental policies are consistent with the dominant preferences of either representatives or citizens but not both. When the majority of representatives and the majority of citizens have conflicting policy preferences, democratic performance is enhanced when the proper formal authorities are empowered. For the most part, state constitutions delegate policymaking authority to elected representatives. They also specify when and how final authority reverts back to voters by providing for referenda on certain kinds of issues when appropriate petitions are submitted.

If there is no provision for a referenda, Level 4 of responsible representation--instructed delegation--occurs when the majority of representatives support a policy, when they perceive accurately that most citizens oppose their position, and when they consequently abandon their independent judgments and act as agents of the public. At Level 4, representatives unnecessarily defer to citizen preferences, but responsible representation is not seriously impaired; after all, elections make representatives accountable to voters and prompt representatives to act as instructed delegates. If there is a provision for a referendum and if citizens use the procedures that invoke a referendum, the voters have authority. Responsible representation is at Level 5A when voters override the judgments of representatives and impose dominant citizen preferences through referenda. In Level 5B situations, representatives appropriately use their formal authority to make policy decisions on the basis of their own judgments. Higher levels of responsible representation (Levels 6 and 7) require that other actors support these judgments. At Level 6, notables and/or

Table 1 Variations in Responsible Representation on Issues: Relationships between the Dominant Preferences of Various Actors and Policy Outcomes

Levels of Responsible Representation	Elected Representatives	Citizens		Notables	Bureaucrats	Mobilizers	Individual Activists
		Actual	Perceived				
1. External domination	-	-	-	-	-	-	-
2. Elite or bureaucratic dominance	-	-	-	+ or	+	-	-
3. Minority dominance (and misrepresentation)	-	-	NR or +	NR	NR	+	+
4. Representatives act as instructed delegates	-	+	+	NR	NR	NR	NR
5. Unsupported control by formal authorities							
A. Voters act through referendum	-	+	NR	NR	NR	NR	NR
B. Representatives act as trustees	+	-	-	-	-	-	-
6. Elite or bureaucratic persuasiveness	+	-	NR	+	+	-	-
7. Minority persuasiveness	+	-	NR	NR or	NR	+	+
8. Majority will	+	+	+	NR	NR	- or	-
9. Mass will	+	+	+	- or	-	+	+
10. Consensus	+	+	+	+	+	+	+

+ : Outcome congruent with dominant preferences.  
 - : Outcome incongruent with dominant preferences.  
 NR : Not relevant to determination of responsible representation; dominant preference can be either congruent or incongruent with policy outcomes.

TABLE 2

Responsible Representation:  
 Percentage of Various Types of Actors Supporting Mall Proposals

Proposal	Outcome	Reps	Citizens Poll Perc		Notables	Burs	Mobs	Acts	R. R.
Cornfield	Reject	0	29	38	12	0	14	35	10
Bunker	Reject	0	30	10	67	50	38	29	9
Sizeler	Reject	68	42	48	100	100	90	55	4
Towncenter	Reject	44	21	36	88	100	40	54	8-9
Collister	Reject	4	--	33	25	8	5	20	10
Warmack	Reject	2	--	34	27	6	5	20	10
Law Square	Reject	2	--	40	45	22	12	20	10
DIC	Reject	40	--	38	42	40	50	22	10
Riverfront	Accept	90	67	77	68	90	68	56	10

bureaucrats agree with the judgments of representatives. This situation is different from elite or bureaucratic dominance (Level 2), because the majority of representatives agree with the views of notables or bureaucrats. At Level 7, representatives are supported by mobilizers or activists.

Levels 8, 9, and 10 of responsible representation deal with situations where the dominant preferences of representatives and citizens coincide and where their views are reflected in developmental decisions. Although each of these situations is relatively democratic, other types of actors may dissent from the outcome. At Level 8, policy outcomes and representative judgments reflect the "majority will" (or dominant citizen preferences), but most mobilizers and/or activists hold conflicting preferences. At Level 9, outcomes and representative judgments reflect dominant citizen, group, and activist preferences, but either bureaucrats or elites dissent. Finally, at Level 10, or "consensus," policy outcomes reflect the dominant preferences of representatives, citizens, notables, bureaucrats, mobilizers, and activists.

The level of responsible representation that is achieved for particular mall projects thus depends on the distribution of support for these projects among citizens, representatives, and various other types of participants and on the policy outcome. Democratic ideals suggest that external, bureaucratic, elite, and minority domination should be avoided and that "consensus" be sought, but only intermediate levels of responsible representation may be attainable given the diversity of views that can prevail among citizens and participants.

Complex Equality. This criterion requires that developmental policies be most responsive to those interests in the community that normally fail to have their preferences reflected in policy or that there be reasonable explanations for why normally subordinate interests should bear yet another policy defeat. This democratic ideal is concerned with the possibility of there being persistent divisions or cleavages within communities (for example, on the basis of class or race); cumulative losses by one side of the cleavage (for example, the lower class or minorities) raise questions about "systematic biases" in decision-making.<sup>4</sup> While strong egalitarians may think that there should be simple equality among interests (e.g., a policy victory for the rich on one issue should be followed by a policy victory for the poor on another issue of equal importance), the criterion of complex equality recognizes that inequalities in responsiveness to competing interests may have legitimate explanations rooted in such factors as their unequal representation, participation, and public support. Thus, if a policy decision on a mall issue adds to the cumulative losses of an already subordinate interest in the community, the fairness of the outcome will be brought into question. If there is no reasonable explanation for the apparent bias against the subordinate

interest--if, for example, that interest participated as extensively as its opponent and if its position were as popular as that of its opponent--then the policy decision could be regarded as unjust, as a violation of the ideal of complex equality.

In order to evaluate complex equality, the history of recent policy decisions must be known--there needs to be a record of the "political standings" of various interests in the community. An analysis of Lawrence issues has shown that there have been few racial cleavages in the community and that there is no persistent bias against the lower class; thus, the ideal of complex equality would not be seriously compromised by adoption of a mall proposal that was opposed by the lower class or blacks while being supported by the upper class or whites. However, that analysis has revealed substantial inequalities in responsiveness in regard to other social and ideological cleavages. Overall, recent policy outcomes in Lawrence have tended to coincide with the preferences of residents of the more affluent neighborhoods at the outskirts of town, men, longer-term residents of the community, members of "the Growth Machine," and fiscal conservatives. In contrast, residents of the less affluent inner-city neighborhoods, women, short-term residents of the community, preservationists, and fiscal liberals have normally sustained policy defeats. If policy outcomes on mall issues are inconsistent with the preferences of these subordinate interests, an analysis must be conducted to determine whether such apparent bias represents a continuing pattern of discrimination against the subordinate interest.

Principle-Policy Congruence. This criterion is achieved when policy decisions reflect the principles (or general social, economic, and political goals) that are dominant in local political cultures. Local cultures can emphasize many diverse values, but surveys of Lawrence citizens and interviews with participants have revealed that the following principles are dominant within Lawrence and relevant to shopping mall and downtown redevelopment issues:<sup>6</sup>

**Land Use:** City officials should protect the community from developers who want to build facilities that adversely change the character of residential neighborhoods or the downtown.

**Economic Growth:** Local governments should encourage economic growth by providing tax incentives, services, and other inducements to attract new industry and commerce to the community.

**Public Spending:** Local governments should provide more and better services and facilities even if taxes must be raised proportionately.

The Public Interest: If a project is generally beneficial for the community as a whole or for most citizens in the community, officials should approve and promote the project even if some individuals are hurt by it.

Citizen Participation: In local politics, it is usually best to let decisions on major community projects be made by voters.

The goal of principle-policy congruence is thus furthered by mall proposals that pose minimal threats to the downtown or adjacent neighborhoods, that promote economic growth, that tap the willingness of citizens to bear higher taxes for facilities that serve the public interest, and that offer extensive opportunities for citizen participation. The dominance of protectionist land-use principles in Lawrence has made it difficult for mall proposals to achieve principle-policy congruence, for it is widely believed that "suburban" or "cornfield" malls can devastate the downtown and that downtown redevelopment can alter the character of the central business district and invade adjacent residential neighborhoods. The dominance of pro-growth principles in Lawrence allows principle-policy congruence to be furthered by many mall proposals, but some projects may be perceived as having negligible or even negative economic effects because they threaten the economic vitality of existing firms and areas. The dominance of liberal public spending principles in Lawrence means that the community may be willing to incur the public expenses associated with downtown redevelopment, but citizens must be convinced that the facility is in the public interest and consistent with other community values such as protecting the historical and aesthetic qualities of the existing downtown. Finally, proposals that emerge without public participation and adequate opportunity for citizen approval (through a referendum) violate widespread citizen-participation norms in Lawrence and thus undermine principle-policy congruence. Developing a mall proposal that is consistent with various aspects of the political culture has been a huge challenge for developers and community policymakers.

Summary Evaluations. The appendix outlines the methods used to determine the extent to which the outcomes of various mall issues have been consistent with the ideals of responsible representation, complex equality, and principle-policy congruence.

Table 2 presents the policy OUTCOMES and estimates of the support for each proposal among elected representatives [REPS], CITIZENS (as measured by public opinion polls [POLL] and as perceived by representatives [PERC]), notables [NOTS], bureaucrats [BURS], group leaders (MOBS), and individual activists [ACTS]. The levels of responsible representation [RR] that resulted on each proposal is indicated in the last column.

Table 3 indicates the kinds of cleavages that occurred on each issue. If complex equality is unthreatened because there was simply a significant difference, but no cleavage, among interests (e.g., as when only 8 percent of women participants but 47 percent of men participants favored the first Cornfield Mall<sup>8</sup>), the interest to whom the outcome was most responsive is indicated in parentheses. If complex equality was unthreatened because the cleavage involved class or racial conflict (where there is no recent history of inequality in Lawrence) or because a previously subordinate interest prevailed, the winning side is indicated in normal font. If a dominant interest emerged victorious, and subsequent analysis suggests that there is a reasonable explanation for the continued success of the interest on the issue, the winning side is indicated and underlined. If a dominant interest had emerged victorious and subsequent analysis provided no explanation for its continued success, the winning side would have been indicated in bold type. There are, however, no instances of apparent discrimination and injustice in the resolution of mall proposals in Lawrence using the criterion of complex equality.

Table 4 summarizes principle-policy congruence for the mall issues. The data in the LAND USE column indicate whether the outcomes of each issue were consistent with dominant protective land-use principles; the data in the ECONOMIC GROWTH column indicate whether the outcomes of each issue were consistent with dominant economic growth principles, and so forth. Instances of principle-policy congruence are signified by a "+" in the appropriate cell. Instances of principle-policy incongruence are signified by a "-" in the appropriate cell. The "NR" designation in a cell means that there is no basis for regarding the principle as being relevant to the issue.

The remainder of this paper discusses each of the mall proposals that have arisen in Lawrence, focusing on whether their outcomes have been consistent with the ideals of responsible representation, complex equality, and principle-policy congruence. A conclusion considers the implications of these results for urban and democratic theory.

### The First Cornfield Mall Proposal

In October 1978, Jacobs, Visconsi, Jacobs (JVJ)--a nationally-prominent, Cleveland-based developer of shopping malls--purchased an option on a 62-acre tract just beyond Lawrence's southern city limit and, within a few months, proposed building a suburban shopping center containing three major department stores and 457,000 square feet of retail space. Opposition to JVJ's first Cornfield Mall proposal materialized immediately among representatives and notables who expressed concern that the proposed mall would inevitably lead to the deterioration of the central business district (CBD), a downtown that--compared to those in many other

TABLE 3

Social and Ideological Cleavages:  
The Winning Sides on Lawrence Mall Issues

	Class	Race	Neighbor- hood	Gender	Length of Residence	Pro-growth vs Preservation	Fiscal Ideology
Cornfield	Upper	--	--	(Women)	--	Preserve	Libs
Bunker	--	--	(Center)	(Women)	--	Preserve	(Cons)
Sizeler	Lower	--	Center	Women	--	--	<u>Cons</u>
Towncenter	--	--	Center	Women	--	Preserve	(Cons)
Collister	--	--	Center	--	<u>Long-term</u>	Preserve	(Libs)
Warmack	--	--	Center	--	<u>Long-term</u>	Preserve	(Libs)
Law. Square	--	--	Center	--	<u>Long-term</u>	Preserve	(Libs)
DIC	--	--	--	--	--	--	(Cons)
Riverfront	--	--	--	--	--	--	--

TABLE 4

Principle-Policy Congruences on Mall Issues

Dominant Principles in Lawrence's Political Culture

	Land Use	Economic Growth	Public Spending	Public Interest	Citizen Participation
Cornfield	+	-	+	NR	NR
Bunker	+	NR	NR	NR	NR
Sizeler	+	NR	-	NR	NR
Towncenter	+	-	-	NR	+
Collister	+	-	NR	NR	NR
Warmack	+	-	NR	NR	NR
Law Square	+	-	NR	NR	NR
DIC	-	-	NR	NR	-
Riverfront	+	+	+	+	+

+: Outcome consistent with dominant principle, as specified in heading.

-: Outcome inconsistent with dominant principle.

NR: Principle not relevant to the proposal.

communities having suburban malls--is economically prosperous, aesthetically attractive, and historically significant. The question of utilizing the city's comprehensive planning and zoning controls to prohibit the Cornfield Mall soon became a major issue in the spring 1979 election for the City Commission, and the public elected two Commissioners--Bob Schumm and Marci Francisco--who clearly opposed the mall and a third Commissioner--Don Binns--who indicated that he preferred that the mall be located downtown. Shortly after the election, all five Commissioners indicated their opposition to the Cornfield Mall by voting to annex the proposed site but failing to provide it with the needed commercial zoning designation. Representatives, notables, and downtown businessmen then asked JVJ to consider building a mall downtown. JVJ agreed, thus providing at least a temporary victory for opponents of a cornfield mall.

The data in Table 2 reveal that Lawrence achieved a high level of responsible representation by rejecting the Cornfield Mall, as all representatives, the majority of citizens, and most other types of participants opposed the project; given the distribution of support and opposition for the project, permitting this mall to be built would have been an instance of "external domination," an imposition of the will of external actors against the preferences of Lawrence citizens and participants.

The data in Table 3 reveal that some cleavages emerged among participants on the issue; thus, we should analyze whether this outcome violated the ideal of complex equality by discriminating against normally subordinate interests in the community. First, women participants were significantly more opposed to the Cornfield Mall than men, but the majority or both men and women supported the mall. By being especially responsive to the preferences of women, who normally suffer from gender bias in Lawrence,<sup>9</sup> complex equality was enhanced rather than diminished. Second, participant supporters of the Cornfield Mall tended to be members of the Growth Machine and fiscal conservatives--their broad political orientations gave priority to promoting economic growth and keeping taxes as low as possible. Participant opponents tended to be preservationists and fiscal liberals--their political orientations gave priority to restrictive land-use planning and providing increased public spending for such projects as downtown redevelopment, to stave off the threat of a cornfield mall. Since policymakers in Lawrence usually are more responsive to the Growth Machine and fiscal conservatives, the victory for their counterparts on this issue again enhanced complex equality. Finally, there was class conflict on the issue with the lower class most supportive of the Cornfield Mall while the middle and upper classes were most opposed to it. While this is the most problematic finding in terms of achieving complex equality, it must be remembered that Lawrence has not exhibited a persistent pattern of discrimination against the lower class. And, in any event, there is little evidence that

policymakers discriminated against the lower class on this issue; what mattered was that most citizens and participants opposed the Cornfield Mall, not that support for the mall was drawn disproportionately from the lower class. Thus, on balance, the rejection of the Cornfield Mall must be regarded as consistent with the ideal of complex equality.

The data in Table 4 indicate that Lawrence's political culture provided conflicting guidance as to the resolution of the issue. First, Lawrence supports economic growth. According to a 1981 staff report of the Lawrence-Douglas County Planning Commission, the Cornfield Mall would provide significant economic benefits for Lawrence: it would employ more than 600 persons; annual sales of \$40 million were projected; and property tax and sales tax collections would contribute approximately \$500,000 to local governments annually. Because of these considerations, there was a significant relationship between supporting the Cornfield Mall and supporting economic growth, making economic-growth principles relevant to the issue.<sup>10</sup> By rejecting the Cornfield Mall, policymakers failed to act consistently with dominant economic-growth principles in the community.

However, Lawrence also supports land-use policies that protect the CBD (and other areas) from developmental threats. Lawrence's comprehensive plan, Plan 95, designates the CBD as the main shopping area in the community, and public improvements had been made downtown during the 70s to enhance its vitality. Because some downtown merchants could be expected to relocate in the mall and others might be unable to survive the competition from the mall, there were widespread fears about the deterioration of the downtown. The Downtown Lawrence Association commissioned their own market feasibility study, which challenged the idea that there was widespread leakage of retail sales from the community. Unless the Cornfield Mall could create new markets in the community, its development could merely redistribute sales, jobs, and tax collections from the downtown to the outskirts of town. To the extent that the Cornfield Mall prospered, the downtown might decline resulting in the under-utilization of public utilities downtown, the blight associated with boarded-up storefronts, and various intangible and psychological losses. For many citizens, the existing downtown is "the heart of the community" and a source of community pride. Cultural, historical and aesthetic values were at stake for many citizens in their struggle to protect the CBD from a cornfield mall.<sup>11</sup> Rejecting the Cornfield Mall was thus consistent with dominant restrictive land-use principles.

Moreover, the Cornfield Mall has been most supported by those with conservative public-service principles; its supporters argued that there would be relatively few public costs associated with the development, at least relative to downtown redevelopment, and that the mall would keep taxes low by broadening the tax base. But

liberal public-service are dominant in the political culture of Lawrence, leading to the argument that citizens were--at least in principle--willing to incur the necessary public expenditures to locate an appropriate shopping mall in the CBD in order to save the downtown.

By rejecting the Cornfield Mall, policymakers gave priority to protectionist land-use principles and liberal public-spending principles over economic-growth principles, and thus achieved as much principle-policy congruence as possible on the issue.

### The Bunker Mall Proposal

Seeking to achieve economic growth while protecting the downtown, leaders from the business and university communities and governmental representatives formed an organization called ACTION 80, INC. in June, 1979.<sup>12</sup> Action 80 hired urban development and design consultants and traffic and parking consultants to provide technical assistance to accommodate downtown redevelopment. When no other developers indicated a willingness to participate without compensation in the planning of a downtown mall, ACTION 80 turned its undivided attention to JVJ proposals.

In June, 1980, the JVJ-ACTION 80 proposal was presented to the City Commission and the public. Called "the Bunker Mall" by its critics, the proposal required the demolition of existing buildings in a four-block area in order to accommodate in the downtown what was essentially a suburban-style mall. Functional and historically-significant buildings on the east side of Massachusetts Street, the main street through the CBD, would have to be torn down, and stores on the west side of Massachusetts Street would confront a massive brick wall. Parking ramps would be built to the east of the mall, abutting and thus invading East Lawrence residential areas. Only the Chamber of Commerce indicated mild support for the project. Other concerned groups, such as the ad-hoc Citizens for a Better Downtown, were appalled. JVJ asked the Commission for its response within a month, but the Commission hired another consulting firm--Robert Teska Associates of Evanston, Illinois--to study downtown development and critique the JVJ plan. During the fall of 1980, a process was thus initiated to search for an alternative downtown redevelopment project, one that would not destroy the existing CBD to save it from the continuing threat of a cornfield mall.<sup>13</sup>

Given widespread opposition to the Bunker Mall, as shown in Table 2, a high level of responsible representation was achieved by its rejection. Only the notables of Lawrence tended to support the project; deferring to their wishes would have resulted in the malady of elite domination.

Rejection of the Bunker Mall was also consistent with the ideals of complex equality, as shown in Table 3. Women and residents of central-city neighborhoods tended to be more opposed to it than men and residents living in the outskirts of town; by responding positively to these normally subordinate interests in Lawrence, equal treatment was promoted. The cleavage between the Growth Machine and preservationists that occurred on the Cornfield Mall issue reappeared on the Bunker Mall issue, and another victory for the preservationists enhanced equal treatment of these rivals. A significant difference between fiscal conservatives and fiscal liberals also appeared, with conservatives most strongly opposed to the Bunker Mall. The resulting victory for conservatives enhanced the unequal responsiveness to these two forces in the community. However, in this instance conservatives had public support overwhelming on their side, justifying their favored treatment, and satisfying the ideal of complex equality.

The rejection of the Bunker Mall proposal also was consistent with the ideal of principle-policy congruence, as shown in Table 4. First, the argument that the Bunker Mall was consistent with dominant pro-growth principles in the community could not be sustained. Teska's report did confirm that a downtown mall, like a suburban mall, would contribute to the economic growth of the community because it would recoup sales leakages to other cities and generate jobs. Nevertheless, arguments based on pro-growth principles did not seem to contribute to support for the Bunker Mall. Although some persons with pro-growth principles supported the project, many others with pro-growth principles supported the search for more attractive redevelopment alternatives. Thus, pro-growth principles were not relevant to the resolution of the Bunker Mall proposal.

Similarly, the Bunker Mall proposal seemed to raise issues regarding the level of governmental services and taxation. Teska estimated that the municipal government would have to spend \$25 million to prepare the site to JVJ's specifications. Even if some federal funding were obtained, the public at-large would have to foot much of the bill to pay off bonds for such improvements as parking ramps, utility relocations, and street construction. Although the dominant policy principles in the community include a willingness to increase taxes for service improvements, these principles did not translate into support for the Bunker Mall.

Finally, the Teska report reinforced community sentiment that the JVJ proposal was inadequate in terms of land-use principles by criticizing its lack of integration with the rest of the downtown and East Lawrence. Participant preferences regarding the Bunker Mall were significantly influenced by their land-use principles, suggesting that concerns about the downtown and encroachment on East Lawrence were central to the issue. In order to respect the restrictive land-use principles that are dominant in Lawrence, Commissioners needed to reject the Bunker Mall proposal. Because

only restrictive land-use principles were clearly relevant to the issue and because these principles weighted against the Bunker Mall, principle-policy congruence was achieved by its rejection.

### The Sizeler Proposal

A significant shift in the search for a solution to the downtown redevelopment issue occurred at the end of 1980 and beginning of 1981 when efforts were made to emphasize public planning. The JVV experiences had convinced many participants that outside developers were unlikely to be responsive to local concerns about the integrity of the downtown and that the community should take responsibility for initiating redevelopment plans rather than be placed in a position of reacting to the plans of developers and to market forces. In March, 1981, the city hired Teska, Inc. to develop a comprehensive downtown plan since its staff had been sensitive to the need for extensive public involvement in the planning process. In April, 1981, voters elected Nancy Shontz and Tom Gleason--two advocates of open planning for downtown--to the Commission.

In December, 1981, a comprehensive plan was approved that emphasized adaptive re-use and in-fill rather than wholesale demolition. According to the plan, the development of free-standing department stores would be the most welcome addition to the downtown. Given the reluctance of department stores to locate outside of a mall, the plan also permitted a relatively small enclosed retail complex. The Commission then appointed a Downtown Improvement Committee (DIC) to search for a "developer of record" and oversee implementation of the comprehensive downtown plan. In September, 1982, Sizeler Realty Co., of Kenner, Louisiana, was selected as developer of record from among nine firms that had indicated an interest in the project. In January, 1983, Sizeler presented several options for development, each of which was in the same general location as the earlier Bunker Mall and involved an enclosed shopping complex. Members of the Commission and the DIC were initially favorable toward the plans. By locating the bulk of the mall one-half block east of Massachusetts Street, only minimal disruption to existing store-fronts on Massachusetts Street was anticipated. Moreover, development was to be phased in, and Sizeler promised to be responsive to public concerns.

Despite these advantages, the Sizeler proposal was greeted with limited public enthusiasm. Perhaps City Commissioners and the DIC could have rallied public support behind the project, but four of the Commissioners who had nurtured the redevelopment process left office soon after the Sizeler plans were revealed.<sup>14</sup> The 1983 Commission election could not be construed as a mandate against the Sizeler proposal, as the newly-elected Commissioners--David Longhurst, Ernest Angino, and Mike Amyx--did not campaign against the project, yet each of these newcomers played an important role

in its abandonment. Amyx, a barber whose shop was adjacent to the footprint of the mall, asserted two months after his election that he had "yet to have one person come up to me and say they honestly supported the mall;"<sup>15</sup> he urged his fellow Commissioners to investigate again the possibility of building free-standing department stores. A month later, newly-elected Mayor David Longhurst--citing design flaws (the project didn't "grab" him), cost considerations,<sup>16</sup> and lack of public support--proposed that the Sizeler project be abandoned. Although only Amyx supported Longhurst's motion, the Sizeler project began to unravel.

At Longhurst's urging, the Commission made a request for additional downtown proposals. When a group of local developers, engineers, and architects organized as the Town Center Venture Corporation (TCVC) and proposed the Towncenter Mall in a different location--at the north end of CBD which was more blighted than the area in the Sizeler footprint--support for the Sizeler project collapsed. On November 8, 1983, after six weeks of discussion of the relative merits of the Sizeler proposal and the new Towncenter proposal, the Commissioners voted 3-1-1 in favor of Towncenter.<sup>17</sup> The sole remaining Commissioner from the 1981-83 Commission, Nancy Shontz, remained loyal to the Sizeler project, but Angino, who had previously supported Sizeler, cast his vote for Towncenter, claiming that the new proposal was "more doable" as it enjoyed more support among Commissioners and the public.

The rejection of the Sizeler Mall was problematic in terms of responsible representation. Table 2 shows that most Commissioners supported the project. All those in office during the incubation period of the proposal were supportive. Only two of the new Commissioners--Amyx and Longhurst--indicated independent judgments in opposition to the project. Angino and another newcomer to the Commission, Howard Hill, saw much of value in the Sizeler proposal, and each attributed their negative votes to its lack of popular support. Their perception of public opposition was not based on overwhelming protest participation. Indeed, Table 2 shows that organized groups (such as the Chamber of Commerce and the Citizens for a Better Downtown) were strongly supportive, and a thin majority of individual activists were also supportive. When Commissioners spoke of the lack of public support, they were instead referring to their encountering, in their informal encounters with citizens, little public enthusiasm for the project. Because a subsequent poll revealed that their perceptions of public opinion were correct, they (and thus the Commission as a whole) acted as instructed delegates; they set aside their independent judgments and rejected the Sizeler on the basis of their correct reading of public sentiment. Perhaps a higher level of responsible representation could have been achieved if the reluctant commissioners had used their leadership position to try to persuade the public of the merits of the Sizeler proposal; after all, a 10-15 percent shift in the always volatile opinions of the public could have led to a

majority of all participants and citizens supporting the project. But given the distribution of public support at the time, Commissioners could not be strongly criticized for acting as agents of the public.

Several cleavages appeared on the Sizeler Mall issue, but only that between fiscal conservatives and fiscal liberals raises difficulties for the achievement of complex equality. As shown in Table 3, the Sizeler Mall was more opposed by the lower class, residents of central-city neighborhoods, and women than by their counterparts; by responding to these interests, equal treatment was enhanced. The rejection of the Sizeler proposal was also a victory for fiscal conservatives over liberals. Since conservatives tend to dominate liberals in Lawrence politics, possible explanations for the apparent bias must be considered. One obvious explanation for conservative success on the issue is that they had public opinion on their side. Additionally, fiscal conservatives had succeeded in electing Amyx and Longhurst to the Commission in 1983; by achieving a significant level of representation on the 5-member commission, fiscal conservatives were well-positioned to persuade the vacillating Commissioners. Thus, it would be hard to maintain that the tilt toward conservative interests on the issue was without justification.

Although the proponents of the Sizeler Mall sought to develop a project that conformed to principles that have been dominant in the community's political culture, the evidence in Table 4 suggests that they failed to convince participants and citizens that they had succeeded in this endeavor. Like the Cornfield Mall and Bunker Mall proposals, the Sizeler project promised economic growth. Pete Whiteknight, Chairman of DIC in 1982-83, projected that the Sizeler Mall would retain about \$24 million in the community that was being lost to shopping centers in Topeka and Kansas City, would provide 700-800 jobs, and would provide increased tax revenues.<sup>18</sup> Nevertheless, many people who supported economic growth in principle opposed the Sizeler project because they perceived a less expensive alternative in the cornfields or because they thought that the Towncenter proposal could provide equivalent levels of growth. Thus, economic-growth principles failed to become relevant to the resolution of the Sizeler issue.

Proponents of the Sizeler proposal also argued that it was sensitive to community concerns about protecting the downtown and neighborhoods. They claimed that the project clearly offered less disruption of the CBD than the Bunker Mall and that it provided security for the CBD against the threat of future cornfield mall proposals. Such arguments convinced the Downtown Lawrence Association (the DLA) to support the project<sup>19</sup> but had little impact on the preferences of participants or citizens generally. Indeed, as shown in Table 4, most persons with protectionist land-use principles opposed the Sizeler project as an unneeded intrusion on

the CBD. Most participants thought the Sizeler project would displace too many businesses and demolish too many historically-significant buildings. Thus, dominant restrictive land-use principles weighed against the development.

Finally, Sizeler proponents argued that the public expenditures associated with the project--estimated to be about \$18 million--were significantly less than those of the proposed Bunker Mall and that these expenditures would protect the community against such "hidden costs" of a cornfield mall as the projected decline in the tax base downtown and the need to extend public facilities (like sewers and water) to the site of a suburban mall. As shown in Table 4, those participants with liberal spending-and-taxation principles tended to support the Sizeler project. However, such participants could not persuade those Commissioners (like Longhurst and Amyx) who were most committed to keeping taxes low that the Sizeler project was a good public investment.

To the extent that the Sizeler proposal created desired growth while protecting the downtown, the public's willingness to raise taxes for desirable projects might have led to the public's ultimate approval of general obligation bonds to finance the project. Commissioners Longhurst, Amyx, Angino, and Hill found little pre-existing support for the Sizeler project and were unwilling or unable to build that support by persuading the public that the Sizeler project conformed reasonably well to the community's economic-growth, land-use, and public-service principles. Although supported by the majority of Commissioners who dealt with the issue, the project was abandoned because of perceived citizen opposition.

### The Towncenter Proposal

When City Commissioners chose Towncenter over Sizeler, they picked a "pretty picture," a concept with the potential to correspond to community principles and values. Originally, Towncenter was presented as a relatively small two-story development spanning the 600 block of Massachusetts Street, an area that was relatively blighted. Part of the appeal of the original design was that two historical landmarks in downtown Lawrence--the Opera House and the Eldridge Hotel--would be retained immediately adjacent to Towncenter, providing incentives for their restoration. Finally, the public costs of Towncenter were originally estimated at \$15.2 million (\$3 million less than the Sizeler project), and the public-at-large would be<sup>20</sup> responsible for only \$3.4 million in general obligation bonds.

Such attractions prompted the City Commission to continue to assert its commitment to Towncenter for three and a half years. On several occasions, Commissioners indicated their hostility to alternative cornfield proposals. They renewed an amended contract

with Towncenter as the city's developer of record in 1985; under the new arrangement, JVJ joined Towncenter in a joint venture with JVJ's role focusing on securing commitments from national department stores to anchor the mall. The Commission also established an Urban Renewal Agency to determine that the area was legally blighted, to clear the area, and to arrange a financing package.

Like the Sizeler project, however, the Towncenter proposal could not sustain the enthusiasm of the public. Skepticism about the project was enhanced because the developers preferred to work privately, and announcements about progress on the mall--especially about securing commitments from major department stores--were slow in coming. Finally, in October, 1986, Towncenter submitted site plans for the project, but these plans increased rather than reduced public apprehension. The small mall had grown; the developers argued that new market conditions required a larger mall to deter other developers from building a competing mall in the cornfields. To protect their interests, key investors had insisted that Towncenter contain three department stores, and two of the national chains insisted that their stores be on a single level. Such changes extended the footprint of the mall and required closing Vermont Street, a major artery bearing traffic from the Kansas River bridge. Additionally, plans now showed a six-level parking ramp rather than an underground garage as initially specified. Both the aesthetics and the location of the parking ramp were questioned, as downtown merchants argued that the ramp would serve only the mall. In general, the new design struck many people as more closely approximating those of typical suburban malls than the pretty pictures that had been presented three years earlier.

While the Towncenter proposal was slowly unfolding, the community became embroiled in another controversy: a proposal to build a trafficway south and west of town. By committing \$8 million in City and County funds to the trafficway without holding a public referendum, fears were sparked that representatives were proceeding with major projects without adequate public involvement. A group of activists thus mobilized under the name of Citizens for a Better Downtown (CBD) and collected petitions calling for a binding referendum on Towncenter. Most Commissioners questioned the legality of the proposed referendum and thought that a referendum should be deferred until essential elements of the plan--such as which department stores would anchor the mall and what would be the public costs--were clarified. Nevertheless, they also recognized that CBD leaders were successfully appealing to citizen-involvement principles, and they placed three advisory questions on the April, 1987, ballot.<sup>21</sup> In addition to expressing their preferences regarding Towncenter through the referenda questions, citizens could also reject the bids for re-election by Longhurst, Angino, and Hill--three of the Commissioners who had been strong supporters of Towncenter.

The results of the April, 1987, referenda and commission contests were unambiguous, as 56 percent of registered voters turned out--shattering the community's previous best turnout record of 37 percent--to indicate their unhappiness with Towncenter. Less than 30 percent of the voters cast pro-mall ballots on each of the three referenda questions. Equally convincing was the results of the city commission vote, as Longhurst, Angino and Hill were defeated by three anti-mall challengers. Within a month, Towncenter was dismissed as the city's developer of record.

The election insured a reasonably high level of responsible representation on the issue. While most bureaucrats and notables supported the project, most citizens and (after the election) most representatives did not. Given the distribution of support on the issue, proceeding with the project would have amounted to elite and bureaucratic dominance. Instead, "mass will" (Level 9) on the scale of responsible representation was approached.

As with the Sizeler project, several cleavages emerged on the Towncenter project, but only that between fiscal conservatives and fiscal liberals is problematic for the achievement of complex equality. (The victories of women, preservationists, and central-city residents again enhanced political parity in Lawrence decision-making.) While the outcome of the Towncenter issue added to the cumulative dominance of conservatives over liberals in Lawrence, the overwhelming public support of the position of fiscal conservatives in the referendum clearly justifies their victory in this instance.

Principle-policy congruence was beyond the reach of policy-makers on the Towncenter project because dominant cultural principles that were relevant to the project provided conflicting guidance about its resolution.

Most citizens of Lawrence support governmental subsidies to business for the promotion of economic growth. Because the Towncenter project was projected to have approximately the same positive impacts on growth as other mall projects, it would seem that Lawrence citizens ignored their pro-growth principles when they rejected the Towncenter Mall. However, while participants related their positions on Towncenter to their principles regarding growth, citizens did not.<sup>22</sup> Clearly, many citizens who support growth in principle voted against Towncenter. Among the possible explanations for such incongruence, three stand out. First, some voters, noting the large number of new shopping developments that had been built throughout the community in recent years, may have questioned whether Towncenter would have added significant new economic resources to the community or would have simply displaced existing ones. Second, some voters may have believed that desirable growth could be realized through alternative retail

proposals. Third, voters may have been motivated by other principles.

Among the principles that competed with economic-growth principles on the Towncenter issue were those involving protecting neighborhoods and the downtown from disruptive developments, as shown in the land-use cell of Table 4. In public debate about Towncenter, arguments were made that the project would both save and cripple the downtown. On the one hand, supporters argued that Towncenter represented the community's last chance to avoid a cornfield mall and avert the deterioration of the CBD projected to result from a cornfield mall. On the other hand, opponents argued that the footprint of Towncenter was redeveloping appropriately through market forces. And opponents claimed that the design of the mall and the location of the parking ramps were not adequately integrated into the existing downtown, the result being that Towncenter might harm, not help, the existing CBD. Finally, the site plan that Towncenter submitted in October, 1986, moved the mall to within a block of Old West Lawrence (OWL) where historical-preservation values are strong and where there were concerns about protecting the neighborhood against increased traffic. As a consequence, members of the OWL Association became highly visible opponents of the mall, and they appealed to the neighborhood-protection values of others in the community. Such concerns seem to have prevailed among participants, as those with stronger protection principles were most likely to oppose Towncenter.

Voters thus had to weigh their concerns about economic growth with those about downtown and neighborhood protection when they voted on the Towncenter proposal. Also weighing against Towncenter was its cost. While most Lawrence citizens hold liberal public-service principles and are willing in principle to pay higher taxes for public improvements, they had to be convinced that the Towncenter Mall constituted a communal good worth the price of higher tax bills. Although public costs were difficult to determine at the time of the referendum, the original estimate that the mall would cost \$3.2 million in general obligation bonds was clearly inadequate, both because of the increased size of the mall and because UDAG funds were rapidly drying up.

In order to convince the public to support Towncenter in accordance with their dominant liberal spending-and-taxing principles, Towncenter supporters emphasized that the mall served the public interest. According to Joel Jacobs, a leading community notable and the head of the Urban Renewal Agency, the Towncenter Mall should be viewed as a quasi-public "Lawrence Mall,"<sup>23</sup> benefiting the community as a whole. Supporters of Towncenter hoped that citizens would believe that the project warranted public funding because it would be a facility that would be available and used by all Lawrentians, it would save the existing downtown, and

it would thus contribute to their sense of community. However, citizens did not significantly relate their widely-held public-interest principles to their preferences on the issue, probably contributing to the defeat of Towncenter.

The conflicting implications of the community's economic growth and protective land-use principles, and the subjectivity involved in determining whether or not Towncenter served the public interest enhanced the argument that the issue could only be resolved by public vote. By finally holding a referendum on Towncenter, the issue was resolved in a way that was consistent with the only principle that provided unambiguous guidance: letting the people decide.

### Three More Cornfield Proposals

The decisive rejection of the Towncenter proposal by Lawrence voters resulted in renewed interest in the development of cornfield malls. Within a few months, three proposals for rezonings to accommodate suburban malls were submitted to the Lawrence-Douglas County Planning Commission. Because these proposals had many similar features, because public hearings on these proposals were held simultaneously, and because each of these proposals raised similar concerns about the violation of democratic ideals, they can be discussed and analyzed together.

The Collister Proposal. In June, 1987, a local partnership owning property just beyond the western city limit of Lawrence--on the northwest corner of the intersection of Sixth Street (US 40) and Wakarusa Drive--requested that 55 acres be rezoned to permit construction of a 500,000 square-foot mall. The spokesperson for the partnership, attorney Ed Collister, realized that the key to a cornfield mall was well-located and properly-zoned land. He argued that the "Rock Chalk Ranch" location was ideal because the Clinton mini-comprehensive plan designated the area for (small-scale) commercial development and because Sixth Street was becoming a major commercial area in Lawrence. Rezoning Rock Chalk Ranch would attract a nationally-prominent mall developer to the site which, he argued, would be superior to other suburban sites under consideration. The Collister proposal was thus unique among the mall proposals in that a specific developer was never identified and a specific plan was never presented.

The Warmack Proposal. Shortly after Collister made his rezoning request, Ed Warmack, a developer from Fort Smith, Arkansas, announced that he had purchased an option on 152 acres of land just beyond the southwestern city limits, at the corner of Clinton Parkway and Wakarusa Drive. Several months later he unveiled drawings for a 350,000-400,000 square-foot mall, and linked his proposal to Lawrence becoming the home of Dillard's regional distribution center. According to Warmack, Dillard's would build their center in

Lawrence only if there was a Dillard's store in town, presumably as the anchor of his mall.

The Lawrence Square Proposal. According to most participants, the most serious and meritorious cornfield proposal was that of Jacobs, Visconsi, Jacobs (JVJ), who urged reconsideration of their original Cornfield Mall proposal. While Collister could offer no specific developer and no concrete plans, and while Warmack's reputation was diminished by his building an uninspiring mall in Salina (130 miles west of Lawrence) that had contributed to the deterioration of its downtown, even JVJ's opponents admitted that JVJ was well-qualified for the task. In July JVJ unveiled plans for "Lawrence Square," a 360,000 square foot mall anchored by Sears and Dillard's department stores. The location--at the southeast corner of Iowa Street (US 59) and Armstrong Road on the southern edge of the city--had been zoned partially as floodplain and partially for residential uses when it was annexed into the city in 1979. Arguing that Iowa Street was becoming a major commercial strip in Lawrence and that the proposed "Southern Bypass" would provide easy access to the location, they requested commercial zoning for the land on which they had held an option for almost ten years.

JVJ spokesmen were clear that the company was losing patience with the community's rejections of its previous proposals and that it would file legal suit against the city if its rezoning request were denied; from JVJ's viewpoint, the intent and result of restrictive zoning was to protect downtown merchants from economic competition. As a result, the process of considering JVJ's rezoning request took on a quasi-legal flavor, as opponents of Lawrence Square (and the other cornfield mall proposals) wanted to ensure that courts would uphold decisions by the Planning Commission, the City Commission, and the County Commission to deny each of the rezoning requests.

In the 1978 case of *Golden vs. Overland Park*, the Kansas Supreme Court had listed guidelines for local governing bodies in resolving rezoning applications. In brief, the Court had upheld the idea that local governments could legally maintain restrictive zoning designations if such zoning:

- (1) was consistent with nearby property,
- (2) was necessary to retain the character of the neighborhood,
- (3) was suitable for the property,
- (4) did not cause the property to remain vacant for an extended period of time,
- (5) was necessary to prevent detrimental affects on nearby property,

- (6) resulted in gains to public health, safety, and welfare that outweighed the hardships imposed on the property owners, and/or
- (7) conformed with the Comprehensive Plan of the community.

In its recommendations to the Planning Commission, the planning staff argued that the present restrictive zonings were consistent with "the Golden Rules." Opponents of the cornfield malls, who organized as the Coalition to Keep Plan 95 Alive, ensured that its speakers addressed each of the guidelines during the public hearings, which were recorded by court stenographers. Throughout, opponents maintained that the referenda results in April simply reflected opposition to the Towncenter proposal and not opposition to downtown redevelopment, abandonment of Lawrence's Comprehensive Plan, or public support for a cornfield mall.<sup>24</sup> The fact that a Downtown Improvement Committee had been appointed and was pursuing an alternative downtown project (see below) was given as evidence that the community was still committed to its Comprehensive Plan and its downtown.

After extended hearings and deliberations, the Planning Commission announced in February, 1988, its rejection of the Collister request; in March it rejected JVJ's request; in April it turned down the Warmack proposal. The City Commission then unanimously rejected Lawrence Square, and the County Commission (which had jurisdiction over the sites beyond the city limits) unanimously rejected the Collister and Warmack proposals. Predictably, law suits were filed. But, in March, 1989, US District Court ruled in JVJ vs. the City of Lawrence that the city had acted within its authority in rejecting the rezoning request, a decision upheld at the appellate level in March, 1991. In April, 1991, a Douglas County District Court also ruled in favor of the city.

The rejection of the cornfield mall proposals were clearly consistent with the ideal of responsible representation. No public official, no organized group, and few individuals spoke out in support of any of the mall proposals. Only the Lawrence Journal-World indicated much support for the suburban malls, as even the Lawrence Chamber of Commerce maintained a neutral position. Polls showed that the public was divided into three main groups on the issue: some wanted a cornfield mall, some wanted a downtown mall, and some wanted no mall. None of these positions ever achieved the support of the majority of the community,<sup>25</sup> and all but one of the Commissioners perceived that pro-cornfield mall preferences comprised a minority position in the community. Because the cornfield malls lacked majority support from any set of actors within the community, decisions to permit such malls would have been instances of external domination.

Proponents of the cornfield malls would also be hard pressed to assert that their rejection was unjust, at least as conceptualized on the basis of complex equality. Policymakers did perceive some cleavages on the issue, but, for the most part, their decisions were responsive to normally subordinate interests in the community and thus promoted equal overall responsiveness. As shown in Table 3, the outcomes of these mall issues were more responsive to those living in central-city neighborhoods, to preservationists, and to fiscal liberals than to those living in the outskirts of town, the Growth Machine, and fiscal conservatives. The most problematic bias was that involving the length-of-residency cleavage. According to policymakers, the cornfield mall proposals tended to be supported by the newer residents of Lawrence who had come from communities where mall-life flourished; long-term residents of Lawrence, in contrast, were perceived as more skeptical of the benefits of a mall and more interested in protecting the downtown. By responding to long-term residents over newcomers, policymakers were exasperating inequality between these two forces, but such a bias was not regarded as unfair by Commissioners for two main reasons. First, Commissioners denied that they were explicitly discriminating against newcomers and in favor of long-term residents; in their judgment, newcomers simply happened to be on the wrong side of these issues. Second, they viewed newcomers as much less active and organized on the issue than long-term residents; by responding to the more involved interest, Commissioners felt they were reacting appropriately to democratic pressures. In short, there appeared to be legitimate explanations for continuing to respond to long-term residents over newcomers.

Perhaps the most significant criticism that mall proponents could make of the rezoning rejections was their claim that the malls would promote economic growth, in accordance with the pro-growth orientation that is dominant in Lawrence's political culture. However, while half of the Commissioners perceived the cornfield malls as strongly consistent with pro-growth norms in the community, the other half thought that the malls would either have no effect on the overall economy or could even have negative effects. No one disputed JVJ's claim that their mall would create 1000 temporary jobs during the construction phase, 700-900 jobs once the mall was in operation, or generate over \$1.1 million in local property and sales-tax receipts annually. But some Commissioners thought that Lawrence's pro-growth norms only applied to industries contributing to the export economy of the city; from their viewpoint, a cornfield mall would primarily compete with other local retailers and thus produce little in terms of real economic growth.

More relevant than pro-growth principles to the rezoning issues was the dominance of protectionist land-use norms in the local culture. Most Commissioners were able to rank the three proposals in terms of their compatibility with surrounding land. Although there were some objections that the Collister proposal

would promote "leapfrog growth" because it would be located almost a mile beyond existing developments, it was viewed as the least disruptive of the three proposals. The JVJ was regarded as more problematic because it would partially be located within a floodplain and because there was some residential areas in the vicinity. The Warmack proposal was clearly least desirable in terms of compatibility with the surrounding areas. First, there had been a concerted effort to keep commercial development off Clinton Parkway, retaining the main connection between Lawrence and Clinton Lake as a natural area to be enjoyed by bikers, joggers, and persons with other recreational interests. Second, the areas on either side of Clinton Parkway were quickly developing as rather affluent residential areas; it was feared that a large-scale mall in the area would create pressures for additional commercial development in the area and that such development would be at the expense of such residential growth. Third, the Warmack mall would be adjacent to (and perhaps surround) the Raintree Montessori Pre-School; its owners and the parents of almost 200 children enrolled there were horrified that the pastoral surroundings of the school would be replaced with traffic, noise, and threats to the safety of their children.

But probably more important than these incompatibilities with their immediate surroundings were the threats that the cornfield malls posed for the downtown. Each Commissioner saw each cornfield proposal as a significant threat to the central business district, and each regarded the strong sentiment in the community to protect the downtown as the most important factor weighing against the proposed rezonings.

Other community norms regarding public spending, acting on the basis of the public interest, and ensuring citizen participation did not provide clear guidance to the Commissioners. For example, Commissioners tended to agree that Lawrence citizens are, in principle, prepared to bear more taxes for worthwhile public improvements and services, but they were unsure how this norm applied to the rezoning requests. Some believed that Lawrence's liberal public-spending norms meant that Lawrentians were willing to have the city invest additional funds on downtown projects that would forestall a cornfield mall. Others believed that such norms did not extend so far as to indicate a willingness to increase taxes for downtown redevelopment; for these Commissioners, a cornfield mall was consistent with citizen desires to keep taxes as low as possible. Still other Commissioners thought that the costs of extending services (roads and sewers) to any of the sites--estimated by the planning staff to cost \$7.9-11.0 million--were more than citizens were willing to bear.

With public-spending, public-interest, and citizen-participation principles providing no clear guidance to the resolution of the rezoning requests, Commissioners were torn between the norms of promoting growth and protecting the downtown

and the land surrounding the proposed sites. Commissioners thought that protecting the downtown was more at stake than promoting economic growth on the issues; by giving priority to downtown protection, they achieved as much principle-policy congruence as possible on the issues.

### The DIC's Lawrence Concept

At the same time that developers were pursuing their cornfield malls, the newly-elected City Commission and other community leaders wanted to explore again downtown redevelopment. Hoping that it was still possible to locate shopping developments in the CBD that would generate economic growth, protect the downtown, tap into Lawrence's liberal public-spending culture, and provide ample opportunities for citizen participation, the Commissioners named a new Downtown Improvement Committee (the DIC) in June, 1987. The DIC proceeded to elect Bird Loomis (a leader of the neighborhood-based protest against Towncenter) as its chair, debated the merits of emphasizing new retail development versus seeking a more "mixed-use" approach to downtown redevelopment, hired an outside consultant (ZHA Inc. of Annapolis, Maryland), rejected the idea of free-standing department stores as impractical, and held (poorly attended) "listening sessions" in various neighborhoods throughout the city. After five months of deliberations, the DIC revealed their plan, which they labelled "the Lawrence Concept."

The DIC-ZHA plan called for a "cluster retail project"--a development intermediate between free-standing department stores and a full-blown enclosed mall. Three department stores would be built in the 700 to 900 blocks of Massachusetts Street, in the heart of downtown Lawrence. Three additional groups of "slot shops"--sixty stores in all--would be built as part of the new retail development. And the city would construct three parking ramps immediately adjacent to the development. Thirty-three to forty-two existing stores would have to be demolished (and relocated) to accommodate the project, but many of the more historically-significant buildings and prosperous businesses in the area would be retained and integrated into the project. Six skywalks would tie the whole business together, providing the climate-control associated with conventional shopping malls.

When the DIC unveiled its plan and invited citizens response through a "call-in" program on the local cable-TV station, the reaction to the design appeared to be generally positive. However, several hurdles had to be cleared to move from the Lawrence Concept to its implementation. One set of hurdles involved convincing developers and department stores to participate in the project. While ZHA said that a couple of developers had shown some interest in the Lawrence Concept, it was clear that Lawrence's anti-mall reputation and the unusual nature of the DIC design had scared off most reputable developers (including JVJ). The Lawrence Journal-World also ran several editorials maintaining that Sears, Dillards,

and other leading department stores had no interest in locating in the project. Initially, City Commissioners were undeterred by these obstacles. As Mayor Bob Schumm declared, "If stores want to come to this community, then they should come in as we want them to come in and not try to thrust themselves upon us."<sup>26</sup>

Financing constituted the second set of hurdles. The project was projected to cost between \$43 million and \$54 million during various stages of its planning, and a public-private partnership was envisioned to absorb these costs. While the developer would be expected to pay over \$20 million in construction costs, the city would have to clear existing buildings, relocate firms, build the parking ramps, and reconfigure public services in the area. The DIC came up with several plans to pay for the public's share of the costs. For example, in the initial plan, increases in the local sales tax were suggested, and in the final plan, increases in property taxes were required to pay part of the costs of bonds for the parking ramps. Each plan recognized that some federal aid in the form of a Urban Development Action Grant (UDAG) was essential. Qualifying for a UDAG by putting together the rest of the financial package by September, 1988, was a large hurdle. Each plan also envisioned use of Tax Increment Financing. TIFs permit local governments to apply increased property-tax revenues derived from redevelopment toward repayment of TIF bonds. Under Kansas State Law, TIFs must be approved by public referendum,<sup>27</sup> making public approval of the project another significant hurdle.

Despite these substantial hurdles, the DIC's most difficult problem in financing the Lawrence Concept involved creating a benefit district composed of landowners in the downtown to pay special tax assessments. The DIC and ZHA were firm in their conviction that merchants in the area should contribute to the funding of the project. As a ZHA consultant declared, "You drop all those retail magnets around them and their sales can't help but go up," and he projected that merchants adjacent to the new project could anticipate 50-60 percent increases in their annual sales.<sup>28</sup> As a result, the DIC proposed a plan which would bill owners of standard sized lots immediately adjacent to the project \$6,000-12,000 per year and thus increase rents in the area by as much as 50 percent. The plan would also assess downtown landowners more distant from the project and the parking ramps, but at much lower rates, in some cases at rates less than 5 percent of those next to the development. The DIC made several reductions and modifications in the assessment rates, but was unable to satisfy the opposition of many tenants in the area. While opponents were unable to come up with a valid petition opposing the benefit district, they succeeded in persuading Commissioners Bob Schumm and Sandy Praeger--who had supported the Lawrence Concept in principle--that the project was too large and intrusive on the downtown and that the funding packages placed too great of a burden on taxpayers.

Because a third Commissioner--Mike Amyx--had opposed the plan from its inception, the Lawrence Concept was abandoned in May, 1988.

Although there was a wide variety of views about the merits and deficiencies of the Lawrence Concept, most City Commissioners and other informed participants perceived the project as being consistent with dominant cultural principles that were relevant to the project. For the most part, the project was thought to contribute to economic growth, to be consistent with protectionist land-use planning (and Lawrence's Comprehensive and Downtown Plan), and to have provided adequate opportunities for citizen participation. By rejecting a proposal that was consistent with these important aspects of Lawrence's culture, principle-policy congruence was clearly thwarted and democratic performance suffered, as shown in Table 4.

Nevertheless, the Commissioners cannot be accused of irresponsible representation or unfairness because of their rejection of the project. In their reading of public opinion, there was more opposition than support for the Lawrence Concept among both participants and citizens. And although most of the Commissioners initially supported the project, they were eventually persuaded that it was fatally flawed. For the most part, these flaws were financial, as they thought that a much larger portion of the downtown businessmen needed to be willing to incur higher taxes in support of the project and that the public was not sufficiently enthusiastic about the project to willingly pay off the necessary bonds through higher local taxes. Thus, the outcome of the issue was another victory for fiscal conservatives in Lawrence, contributing to their continued domination over the fiscal liberals who supported the project. But Commissioners doubted that they were unfairly discriminating against fiscal liberals because, in their view, such liberals were at most luke warm about the project. By responding to the fiscal conservatives who opposed the project, the Commissioners believed they were acting consistently with democratic norms that protest participation should be listened to and that the taxpaying public had to be sold on the need of specific public improvements. In short, although the Lawrence Concept was generally viewed by policymakers as being consistent with broad cultural norms--including a willingness of the public to bear higher taxes for important public improvements--there was too much debate about whether the project, in the end, significantly increased economic growth and preserved the downtown to justify the public costs that were necessary to implement the concept.

#### **The Riverfront Plaza**

Shortly after the Lawrence Concept was abandoned, the Chelsea Group, a development firm with offices in New York and New Jersey, announced plans to build a factory-outlet shopping center in Lawrence. The proposed site was immediately adjacent to City Hall along the south bank of the Kansas River in an area that would

extend the downtown without encroaching on it. The largely abandoned Bowersock Mills and Power Co. would be razed and replaced with a 200,000 square-foot "shopping center" containing about 45 stores.

Chelsea required city approval and support for the project in several ways. First, the city, which owned the land under the Bowersock, had to extend the lease agreement which Chelsea had purchased from the Bowersock. Second, a minor rezoning of the land had to be approved. Third, the city was asked to contribute \$3.5 million to build a parking facility and reconfigure the roads in the area to improve access to the site. And, finally, the city was asked to approve \$16.5 in Industrial Revenue Bonds for the project, enabling Chelsea to qualify for a property-tax abatement. Under new appraisal policies, Chelsea would have been liable for about \$450,000 in property taxes annually, but the IRB agreement required a \$150,000 annual fee for city services in lieu of taxes for 10 years.

By November, 1988, these agreements were completed, and all that stood in the way of construction was securing various permits from such agencies as the US Army Corps of Engineers and the Kansas Department of Wildlife and Parks. In order to secure these permits, Chelsea had to minimize the environmental impact of the development and accommodate the bald eagles that fed in the area during the winter by agreeing to preserve some trees along the river banks, to close the proposed promenade between the plaza and the river during the winter, and to design windows that masked human activity within the Plaza from the eagles. While securing these approvals delayed construction of the project, it did not derail it. In April, 1990, the Riverfront Plaza held its grand opening, and Lawrence's distinction of being one of the largest cities in the country without a mall hinged on whether the Riverfront was "a Plaza" or a "Mall."

Unlike the previous shopping mall proposals, the Riverfront project coincided with democratic ideals. As shown in Table 2, there was extensive support for the project among citizens and various types of participants. During the Fall of 1987, the DIC had commissioned a survey of citizen attitudes about downtown, and one of its most unambiguous findings was that riverfront development was widely regarded as desirable.<sup>29</sup> Commissioners perceived little opposition to the project, either among the inactive public or among participants. Although some citizens expressed concerns about the eagles and about saving the more historical portions of the Bowersock, there was no organized opposition to the project. Even the Lawrence Association of Neighborhoods, which worried about encroachment on East Lawrence, publicly supported the project. In short, approval of the Riverfront Plaza achieved a high level of responsible representation because it was widely supported by City Commissioners, citizens, and various kinds of participants.

Because of this widespread support, Commissioners perceived no significant cleavages on the issue. As a result, there were no charges that any community interest had been treated unfairly, and thus no basis for suggesting that the criterion of complex equality was undermined by approval of the project.

The Riverfront Plaza also conformed well with dominant community norms that were relevant to the project. City Commissioners and other informed participants thought that the project protected the downtown, promoted economic growth, permitted citizen participation, served the public interest, and thus was the kind of project that warranted increased public spending (and minimal increases in taxes). Indeed, the Riverfront Plaza was viewed as much more consistent with these goals than was the Lawrence Concept. While most Commissioners thought that the DIC project would protect the downtown, promote economic growth, and allow for adequate citizen participation, there was disagreement among Commissioners on each of these points. In contrast, the only disagreement among Commissioners regarding the Riverfront Plaza was over how strongly the project adhered to these community values.

City Commissioners are under no illusions that the Riverfront Plaza was or is a "saving grace" that will forever protect the downtown from the threat of a cornfield mall or the need for other downtown redevelopment projects. However, unlike other shopping development proposals, the Riverfront seemed to contribute to the vitality of the downtown rather than detract from it. Unlike other downtown projects, the Riverfront Plaza could be built without demolishing a single store and without the need to relocate a single business. Unlike the cornfield malls, it increased, rather than decreased, business in the CBD. And while the development was adjacent to the East Lawrence neighborhood, its riverfront location ensured that its impact on the neighborhood would be minimal. For these reasons, Commissioners uniformly gave the project high positive ratings as being compatible with community norms of protecting the downtown and residential developments from intrusive developments.

Although the Riverfront project would generate a smaller payroll (\$3.75 million the first year) and contribute fewer taxes to local governments (about \$500,000 the first year) than previous mall proposals, it was regarded as a superior contributor to economic growth because it promised to draw new customers to Lawrence (rather than simply redistribute sales within the community). After nine months in operation, it was claimed that 65 percent of the customers were from out of town and that downtown merchants had experienced significant increases in sales due to spillover effects from the Plaza.<sup>30</sup>

The Riverfront project was also viewed as being consistent with citizen participation norms. Although planned by an outside

development firm and presented to the city as a fairly complete proposal, Chelsea was much more open in its relations with the community than, for example, JVJ and Dwayne Schwada had been in pursuit of their Towncenter project. The City Commission also provided citizens with many opportunities to express their concerns during hearings regarding the project. Compared to the Sizeler proposal and the DIC's Lawrence Concept, few citizens actually participated in the policymaking process regarding Riverfront, but the receptivity of Chelsea and the City Commission to citizen input fostered the impression that here was a project which was not been foisted on an unwilling community.

In general, the Riverfront Plaza was viewed by Commissioners as being consistent with the public interest; it was "for the greater the good of the greater number" because it had positive economic effects and few discernable costs. The absence of shopping malls in Lawrence had reduced the shopping alternatives of Lawrence consumers, but the Riverfront Plaza promised a significant correction of this deficiency. No one doubted that a factory-outlet shopping center, offering many goods at 40 to 70 percent discounts, was in the interest of the consuming public.

Thus, Lawrence's liberal public-spending principles finally became salient in the resolution of shopping-mall issues. Those principles assert that most citizens are willing to incur somewhat higher taxes for necessary and useful public improvements. The provision of a parking facility to serve the Riverfront was necessary for the completion of the project and the project was viewed as a useful addition to the community. The costs to the public were also considerably less than those associated with other projects--either downtown or in the cornfields. As a consequence, no public opposition emerged to the city's \$3.5 million investment in the project.

### Conclusions

For over a decade, the "shopping mall issue" has dominated Lawrence politics. While some voices in the community--such as the editorial pages of the Lawrence Journal-World--complain about lack of resolution on the issue, this paper offers an alternative interpretation of these events. The rejection of various cornfield mall proposals and downtown redevelopment projects should be regarded as a series of victories for democratic ideals in Lawrence. Each mall that was defeated should have been defeated. Given the lack of support for these projects among the Commissioners, various kinds of participants, and the public, acceptance of these proposals would have resulted in irresponsible representation. Given the distribution of support for these proposals, acceptance of these proposals could have contributed to unfair discrimination against normally subordinate interests in the community. Given the inconsistency of these proposals with such dominant cultural norms as the need to protect the downtown and to allow adequate

opportunities for citizen participation, most proposals were appropriately rejected.

In contrast to other shopping-mall proposals, the Riverfront proposal was consistent with the democratic ideals of responsible representation, complex equality, and principle-policy congruence. The city's acceptance of--and, indeed, support for--the Riverfront Plaza illustrates that democratic ideals need not constitute impossible barriers to economic progress and growth.

Probably the most distinctive feature of the Riverfront Plaza was its modest scale; it is about half the size of the other proposals. Because of its modest size, it could be more easily accommodated within the community. It could be built near the downtown without disrupting it. It could fill a niche in the retail market without threatening existing businesses. It could be built without costing the public an arm-and-a-leg.

Shopping-mall developers will undoubtedly continue to keep an eye on the Lawrence market, and they will continue to believe that Lawrence needs a full-scale mall. As Lawrence grows it will, of course, need additional retail space. But perhaps the lesson of the past decade is that such space can be provided without the disruptive effects that are threatened by full-scale malls. Perhaps smaller projects are necessary to achieve widespread public support, to be consistent with cultural norms, and thus to be compatible with democratic ideals.

The resolution of shopping-mall issues in Lawrence has been more consistent with democratic ideals than with economic-imperatives. Perhaps by rejecting certain large-scale cornfield mall and downtown redevelopment proposals, Lawrence has undermined its economic interests. Perhaps it has put social, cultural, and political considerations ahead of economic ones. In this respect, Lawrence may be a deviant case among American communities, but it may also simply be at the forefront of a post-materialist world that questions the urgency of purely economic considerations.<sup>31</sup>

By resolving these mall issues in a manner that was consistent with democratic ideals, Lawrence exercised its independence from the forces of external and elite domination. In this sense, Lawrence empowered itself by rejecting proposals that were found to be unsuitable and by being receptive to a proposal that coincided with its cultural norms and values.

In a recent highly-provocative analysis, Clarence Stone has reconceptualized community power as a process by which communities empower themselves by "bringing about enough cooperation among disparate community elements to get things done."<sup>32</sup> By reminding us that power involves "the power to" accomplish various collective goals--not just the power of some persons and interests to dominate

others--Stone invites us to develop better theories about the processes and conditions that enable a community to exercise "the power to." The present analysis seeks to extend Stone's argument. As Stone suggests, theories of community empowerment are desperately needed. But these theories should focus not only on the processes and conditions that enhance the power of a community to build expressways, develop low-income public housing, hire black police<sub>33</sub> officers, desegregate the schools, launch a mass-transit system . . . or build shopping centers. Instead these theories should focus on the processes and conditions that empower a city to resolve each of its pressing policy issues in a manner that is consistent with democratic ideals. In short, we need to understand why most cities seem powerless to assert their own visions of their futures when confronted by "economic imperatives" while other communities--like Lawrence--empower themselves by resolving issues democratically and fairly, according to their own dominant values and norms.

## Methodological Appendix

The evaluations of democratic performance are based on two methodologies: (1) an extensive and fairly complex "comparative-issues approach," and (2) a much simpler set of interviews conducted with city officials and other centrally-involved participants. For purposes of future research, it is important to discover if the second, easier methodology is an adequate substitute for the former. (Unless the comparative-issues method can be truncated, it seems unlikely that analyses of democratic performance across large samples of cities can be conducted, inhibiting the development of theories explaining the contextual factors that enhance and inhibit democratic performance.) While a full discussion of the adequacy of the simpler interview method cannot be provided here, it can be asserted that there was extensive reliability in the perceptions of those interviewed, suggesting that interviews may provide adequate data to further the study of democratic performance.

The original Cornfield Mall, Bunker Mall, Sizeler Mall, and Towncenter Mall proposals were analyzed using the comparative-issues approach described fully in Critical Pluralism.<sup>34</sup> In brief, this approach involved mapping and analyzing the broader political principles and the policy preferences of those representatives, bureaucrats, notables, group leaders, and issue-specific activists involved in the mall issues; the attitudes of uninvolved citizens about these issues were also measured through survey research. Thus, responsible representation was determined by surveying citizens and interviewing participants about their preferences, sorting these participants by the roles they occupied, and determining the amount of support for each mall proposal by the occupants of each role (e.g., commissioners, bureaucrats, notables, etc.). Complex equality was analyzed by sorting citizens and participants by their preferences and their backgrounds (e.g., gender, length of residence in the community) or attitudes (e.g., outlooks on economic growth versus preservation). If a cleavage (e.g., by gender) was indicated, the winning side was determined, and various explanations for the dominance of the winners were explored. Principle-policy congruence was analyzed by first determining, through survey research, the distribution of support for various alternative principles (e.g., whether or not local governments should subsidize economic growth, whether or not local governments should restrict property rights in order to be more sensitive to the rights of neighbors); the relevance of dominant principles in Lawrence to specific mall proposals was then indicated by significant differences in the principles of mall supporters and opponents. For example, if mall supporters were significantly more "pro-growth" than were mall opponents, economic-growth principles would be relevant to the issue.

The Collister, Warmack, Lawrence Square, Lawrence Concept, and Riverfront proposals were analyzed using data derived from interviews with the City and County Commissioners who resolved the issues, the City Manager, the President of the Lawrence Chamber of Commerce, and the Chair of the DIC. During the interviews, each person was asked to estimate on seven-point scales the amount of support for each project among commissioners, citizens, organized groups, individual activists, notables, and the city staff. The scores reported in Table 2 are the averages of the midpoints for the selected intervals on these scales. Each person was also presented a list of typical community cleavages (e.g., rich vs. poor, the Growth Machine vs. Preservationists) and asked to indicate if any of these divisions occurred on each issue. If respondents perceived a cleavage, they were asked to identify the positions of the competing sides and why they thought that the winning side prevailed. Table 3 reports the winning sides of those cleavages perceived by at least three of the respondents. Principles regarding land-use protection, economic growth, public spending, the public interest, and citizen participation were then discussed with each respondent, and they were asked to estimate community support for alternative principles; their estimates were remarkably close to those provided by the survey research portion of the comparative-issues method. Finally, the respondents were asked to indicate the dominant cultural principles that were relevant to each issue and to indicate the degree of consistency or inconsistency of each proposal with each relevant principle. Table 4 shows those instances when at least half of the respondents thought that a proposal was consistent (+) or inconsistent (-) with a dominant principle. An "NR" means that most respondents thought that a principle was irrelevant to an issue.

## Endnotes

<sup>1</sup>John Riordan, Executive Vice President of the International Council of Shopping Centers, New York City. Quoted in the Lawrence Journal-World, (LJW) 10-6-87.

<sup>2</sup>Paul Peterson, City Limits, Chicago: University of Chicago Press, 1981. The vast literature supporting and criticizing the economic paradigm is discussed in Clarence Stone and Heywood Sanders (eds.), The Politics of Urban Development, Lawrence: University Press of Kansas, 1987.

<sup>3</sup>These goals are discussed in much greater detail in Paul Schumaker, Critical Pluralism, Democratic Performance, and Community Power, Lawrence: University Press of Kansas, 1991. See chapter 2 in particular.

<sup>4</sup>Clarence Stone, "Systemic Power in Community Decision-Making: A Restatement of Stratification Theory," American Political Science Review 74 (1980): 978-990. Stephen Elkin, City and Regime in the American Republic, Chicago: University of Chicago Press, 1987.

<sup>5</sup>Schumaker, Critical Pluralism, pp. 174-88.

<sup>6</sup>Schumaker, Critical Pluralism, pp. 52-3.

<sup>7</sup>Paul Schumaker and Steven Maynard-Moody, "Downtown Redevelopment and Public Opinion: A Survey of Citizen Attitudes for the Downtown Improvement Committee." Report No. 135, Institute for Public Policy and Business Research, University of Kansas, 1988.

<sup>8</sup>Paul Schumaker and Nancy E. Burns, "Gender Cleavages and the Resolution of Local Policy Issues," American Journal of Political Science 32 (1988): 1079.

<sup>9</sup>Schumaker and Burns, "Gender Cleavages."

<sup>10</sup>See the appendix of Critical Pluralism for a discussion of the methodology used to discover the relevance of dominant cultural principles to concrete policy issues and for a table indicating the relationships between people's principles and their policy preferences.

<sup>11</sup>Surveys sponsored by the City Commission in 1980 and 1987 found that over 80 percent of Lawrence citizens rated the CBD as good or excellent aesthetically. Attempting to discover the basis for this high satisfaction with the existing downtown, a 1984 study by University of Kansas graduate students in urban design concluded that the downtown provided a "sense of balance," "human-scale" community, and "character" derived from diverse architectural styles emphasizing natural building materials. A 1971 urban renewal project providing trees and landscaping added to this sense of

naturalness. See Paul Caviness, et al., "Patterns in Downtown Design," Lawrence City Planning Office, Sept., 1984.

<sup>12</sup>Action 80 was composed largely of persons who were reputed to be among the "Top 20" community elites, as determined by a reputational study of community power conducted by journalism students just prior to the formulation of Action 80. See "Leaders Similar in Background," The University Daily Kansan, 5-8-78.

<sup>13</sup>Recognizing that their downtown proposal was doomed, JVJ requested that the original cornfield site be rezoned to permit the building of the mall there. This request was denied by the City Commission in January, 1981.

<sup>14</sup>Tom Gleason did not seek reelection. Marci Francisco initially intended to step down from the Commission but changed her mind after the filing deadline; her bid as a write-in candidate was unsuccessful. Don Binns lost. Barkley Clark resigned from the Commission shortly after the election, and Howard Hill was appointed as his replacement.

<sup>15</sup>LJW, 6-2-83: 9.

<sup>16</sup>LJW, 7-6-83: 1. Longhurst and other Sizeler opponents were concerned about the availability of Urban Development Action Grants (UDAGs) which were projected by its supporters to cover about half of the public costs of the project. While Sizeler would invest more than 250% of the UDAG funds requested (as specified by federal law), UDAG grants were highly competitive (being provided to only about 20 percent of the qualified applicants) and tended to be awarded to projects having higher ratios of private funds invested to federal funds requested.

<sup>17</sup>Amyx abstained, stating that he was concerned that his operating a barber shop in the footprint of the Sizeler Mall constituted a conflict of interest. Longhurst also owned a business in the footprint of the Sizeler Mall but nevertheless voted when the Kansas Office of the Attorney General said that no conflict of interest was involved.

<sup>18</sup>LJW, 6-11-83:1

<sup>19</sup>A survey of the dues-paying members of the DLA revealed that 69 percent supported developing a special benefit district to help finance public improvements required for the Sizeler Mall.

<sup>20</sup>The rest of the funding was projected to come from a federal UDAG grant, revenue-producing utility bonds, a special-benefit district, and tax-increment financing (TIFs).

<sup>21</sup>The first question asked whether "Massachusetts Street and Vermont Street shall be closed or vacated from Sixth to Eleventh

Street." Although the Towncenter proposal would have required that only one block of these streets be vacated, such wording may have heightened perceptions that the project would have been highly disruptive to the downtown. The second question asked whether the city should spend funds for the purpose of assisting in the development of an enclosed mall in the central business district. The third question asked whether the city should permit vacating any street in the CBD for purposes of constructing an enclosed mall.

<sup>22</sup>Schumaker, Critical Pluralism, p. 218.

<sup>23</sup>LJW, 3-16-86: 1.

<sup>24</sup>Schumaker and Maynard-Moody, "Downtown Redevelopment and Public Opinion," pp. 16-18.

<sup>25</sup>Schumaker and Maynard-Moody, "Downtown Redevelopment and Public Opinion," Appendix D.

<sup>26</sup>LJW, 4-26-88.

<sup>27</sup>The DIC also originally hoped that the Kansas Legislature would amend its TIF laws to permit increased sales-tax revenues from the project to be used to attain additional revenue for the project, but this part of the plan was eventually dropped.

<sup>28</sup>LJW, 11-8-87 and 11-11-87.

<sup>29</sup>Schumaker and Maynard-Moody, "Downtown Redevelopment and Public Opinion," p. 12.

<sup>30</sup>LJW, 1-6-91.

<sup>31</sup>Ronald Inglehart, Cultural Shift, Princeton NJ: Princeton University Press, 1990.

<sup>32</sup>Clarence Stone, Regime Politics: Governing Atlanta, 1946-1988, Lawrence, KS, University Press of Kansas, 1989.

<sup>33</sup>Stone, Regime Politics, p. 227.

<sup>34</sup>Schumaker, Critical Pluralism, Chapters 3 and 4 and Appendix A.