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October 20, 2008

Mr. Robert S. Weiner
New Castle County Councilman
Chatham
Wilmington, DE 19803

Ref: Barley Mill Plaza
Major Redevelopment Plan
Apex Engineering Dwg. # 07205000PLOTEXP3, dated 9/2/08

Dear Mr. Weiner:

I have had the opportunity to review the above drawing and would like to provide you with the following findings and comments:

1. Parcel No. 07-029.40-097 covering 3.9155 ACS. is zoned suburban (S) and is not contiguous to the proposed site parcels. Therefore, this parcel should not be considered part of the redevelopment plan and it should not be considered part of the open space. Omitting this parcel affects the total acreage devoted to open space.
Much of the open space is wooded wetlands including a small abandoned nature trail. The recreational use of open space should be clarified.
2. The existing 12 parcels totaling 92.0726 ACS. are zoned Office Regional (OR).

Section 40.02.224 of the Unified Development Code (UDC) defines Office, Regional (OR) District as follows:

- A. This district is intended to accommodate large regional employment centers that are primarily office employment together with support type uses.
- B. The character of this district is suburban transition with tall buildings and floor area ratios compatible with the concentration of jobs.
- C. Other land uses that support the office employment are permitted within the buildings and in larger developments as freestanding uses. Transit stops facilities shall be built into the development to reduce automobile traffic on surrounding roads. Mixed use structures are permitted for the same reason.

With 50.4% of the proposed gross floor area designated office, 24.5% designated commercial, and 25.1% designated residential, the question is does this proposed redevelopment meet the intent of a (OR) Office Regional District.

Office Regional (OR) allows commercial lodging with a limited review. A shopping center is not permitted in (OR) districts.

3. The drawing indicates one building will be 100% residential with 225 units, a second building will contain 150 residential units and 28,300 SF of retail space, and a third building will contain 325 residential units, 12,838 SF. of office, and 15,425 SF. of retail space. In total the three buildings will contain 700 dwelling units with an average floor area of 1,019 SF.
4. The drawing indicates an area as “Residential Amenities Area” which appears to meet the UDC requirement for outdoor areas. This area is adjacent to two of the three buildings. For the third building which contains 325 units no adjacent outdoor area is provided (ref. UDC section 40.03.318 C).
5. Section 40.03.318 D states in the OR and ON zoning districts a minimum of sixty –seven (67%) percent of the nonresidential gross floor of the mixed use development shall consist of office use. Based upon the site data the site just meets this requirement with 67.28%.
6. The drawing has a structure containing a 200 room hotel with 202,600 SF. and 32,685 SF. of retail space. The UDC General Use Table (40.03.110 A) shows the Commercial Lodging as a Limited Review (L) for an OR district.
7. Transit stops are not indicated on the drawing nor are school bus stops for school children living in the residential units.
8. Quality of life for the residents and office employees should be considered in this redevelopment plan. The site plan does not provide adequate recreational areas for children or adults living in the residential units. Walking paths or trails bike paths, ball diamonds, etc. should be provided for residents and office staff. In addition, areas for residential gardening and other recreation should be provided.

At a recent medical lecture I learned that life expectancy results 40% from lifestyle, 30% from genetics, 20% from public health, and 10% from medical care. Lifestyle includes such things as smoking, alcohol use, crime, drug use, and obesity. Public health care would include vaccines, quality of water and air quality. The quality of life affects childhood asthma and other respiratory diseases, diabetes, hypertension, obesity, cardiac disease. A modern development plan should reflect these concerns.

9. The drawing shows two new road accesses to the site. One new entrance is on Center Road – Route 141 and the second is on Lancaster Pike – Route 48. This second proposed new entrance would access Simca Road, a narrow road, and is presently fenced off not permitting entrance to the property.

10. The site data indicates 7,608 parking spaces will be provided based upon the UDC reduction table. Two questions must be answered: (1) does this proposed project meet the Federal Clean Water Act of 1972, and (2) will the existing infrastructure support this increase in automobile traffic?
11. One building which is 100% retail (45,575SF.) has a bicycle parking area. This is the only bicycle parking area shown. Bicycle parking areas should be provided at all residential buildings and retail stores.

UDC section 40.03.527 states all parking facilities containing more than ten (10) parking spaces shall provide one (1) bicycle parking space or locker for each ten (10) parking spaces in the lot. No more than twenty (20) bicycle parking spaces shall be required in any one (1) facility.

Bob, I thank you for the opportunity to review the above Apex Engineering drawing for the proposed Barley Mill Plaza. If you have any questions, please do not hesitate to contact me.

Very truly yours,

William H. Rowe