



December 30, 2009

## Delaware business: Barley Mill Plaza riles residents

### Despite objections, developer forges ahead and project is unchanged

By *ANGIE BASIOUNY*  
*The News Journal*

A Pennsylvania-based developer is moving ahead with plans to rebuild the former DuPont Co. Barley Mill Plaza complex despite residents' objections that the project is too large and out of scale with the area.

Members of Citizens for Responsible Growth in New Castle County, a coalition of residents and civic groups, said they felt misled by Stoltz Real Estate Partners after working with the company for about a year to reach a compromise. The plan calls for razing the offices, 1 million square feet of space, currently on the site at Del. 141 and Lancaster Pike, and building nearly 2.9 million square feet of retail, office and residential space.

Residents were in talks with the developer about shrinking the project to a more palatable 1.6 million square feet and even spent \$30,000 of their own money to hire consultants to come up with alternative designs. But those talks came to a halt Dec. 18 when Stoltz filed an unchanged plan with New Castle County, seeking the government's final approval before it can apply for construction permits.

"There's nothing to be served by demonizing the other side -- that doesn't help at all -- but I think we feel a bit that we've been misled and strung along," said Richard Beck, a member of Citizens for Responsible Growth. "We were led to believe we were invited to forge community consensus on smaller and better plans."

Rick Cross, whose home in Westhaven borders Barley Mill Plaza, said he doesn't think Stoltz ever intended to do anything with the input from residents. He figures a proposed 11-story building that will overlook his backyard will block the afternoon sun.

"I think it was disingenuous," he said. "They pushed for the absolute maximum they were entitled to."

The project is considered a "by-right" plan by the county Department of Land Use, which gave its initial approval in March. By-right means the developers are entitled to build the project as long as it meets all regulations.

Tom Gailey, a spokesman for Stoltz, said the company had to file the plan unchanged because it was set to expire the next day.

"The plain and simple fact is there was a deadline," Gailey said. "It's not for a lack of trying on our side and the residents' side. There was lots of attempts to work at reducing density, and nothing came to fruition before the deadline."

He said the developers hope they can keep working with the residents to accommodate their requests.

"We're disappointed to hear they feel they were misled because we've talked as much as we could talk, and we'll talk some more," Gailey said. "No one on this side is saying it can't be worked out."

Councilman Robert Weiner, whose district includes the neighborhoods around Barley Mill Plaza, has

been outspoken in his opposition to the Barley Mill Plaza plan. He posted a lengthy discourse on his personal Web site and suggests the citizens take legal action against Stoltz.

"The Stoltz organization broke its promise and calculated that by waiting to the 11th hour it could cajole the community to agree to compromise in Stoltz's favor," said Weiner, an attorney. "It's not going to work."

Though he is a longtime advocate of mixed-use development and often repeats his mantra of "places where people can live, shop, work, play, pray and school their children," Weiner says the Stoltz plan doesn't meet those parameters because it's car-oriented and not designed as a walkable community.

He also said Stoltz is taking advantage of a county ordinance that encourages redevelopment by making the process easier. He said the Barley Mill Plaza project and others like it are prompting him to rethink the "thin" definitions in the ordinance. The intent of the legislation was to promote redevelopment of vacant and abandoned sites while preserving pristine land.

"That's how it was described to County Council when we voted on it," Weiner said. "I didn't foresee that it would apply to functioning office complexes such as Barley Mill Plaza."

Members of Citizens For Responsible Growth said they are considering a lawsuit to challenge Stoltz's by-right claim. They agree with Weiner that the Barley Mill plan brings up bigger questions about the county's redevelopment ordinance and the precedent such a project would set.

Mark Chura, who leads the citizen group, worries about Stoltz not being required to have a traffic impact study under the redevelopment ordinance. He pointed to \$360 million in road improvements needed around the King of Prussia (Pa.) mall, which is comparable in square footage to the Barley Mill Plaza proposal.

Ultimately, Chura said, taxpayers will foot the bill for road improvements to handle increased traffic at the Barley Mill site.

"When you see projects like that being granted bonuses, expedited reviews and a free pass on traffic, it can apply anywhere in the county," Chura said. "This is not a Brandywine Hundred issue. It's a New Castle County issue. It sets land use back 20 years."

Chura said they never intended to kill redevelopment at the site, they only wanted to keep it in check. He describes talks with the company as "cordial" and said they still have hope for change.

Stoltz spokesman Gailey said there is no timetable for beginning construction or completing the project. The developers have two years to get final approval from council.

When it is built, the project is estimated to create about 5,500 permanent jobs, Gailey said.

The Barley Mill Plaza project is one of five announced by Stoltz in March 2008.

One of the plans, a mixed-use space called Greenville Center at Kennett Pike and Buck Road, has received initial approval and is scheduled for a Planning Board hearing Jan. 5. The plan, which includes a 12-story tower, remains controversial, as residents fight it.

A third redevelopment plan for the New Castle Town Center, a shopping center at the old Parkway Gravel site on Churchmans Road and Del. 273, is still active. Gailey said the company expects to seek a rezoning on the property in about six months.

The remaining plan to build a mixed-use center at the corner of Concord Pike and Beaver Valley Road, and another plan to expand the Montchanin Corporate Center at Del. 141 and Montchanin Road, have expired.

Gailey said the company may refile those plans.

## Additional Facts

BY THE NUMBERS

Details on the redevelopment of Barley Mill Plaza

**1 million:** current square footage

**92 acres:** size of lot

**1.5 million square feet:** proposed office space

**713,750 square feet:** proposed residential space

**488,000 square feet:** proposed retail space

**222,000 square feet:** proposed hotel

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