

AN ORDINANCE TO ANNEX A PARCEL OF LAND LOCATED WITHIN CATHEDRAL CEMETARY AT 2400 LANCASTER AVENUE, BEING NEW CASTLE COUNTY TAX PARCEL NO. 07-036.30-060, CONTAINING APPROXIMATELY 26.82 ACRES, CONTIGUOUS WITH THE CITY BOUNDARY IN THE VICINITY OF THE SOUTHWEST NEIGHBORHOOD ANALYSIS AREA, NEW CASTLE COUNTY, DELAWARE, AND IN CONNECTION THEREWITH, TO AMEND THE BOUNDARIES OF COUNCILMANIC DISTRICT NUMBER SEVEN, THE BUILDING ZONE MAP, AND THE SUPPLEMENTAL BUILDING ZONE MAP – FLOOD DISTRICTS – AND TO ADD THE ANNEXED TERRITORY TO THE CITY’S CORPORATE BOUNDARIES.

#4392

**Sponsor:
Council
Member
Williams**

WHEREAS, the City of Wilmington is authorized to extend its corporate limits pursuant to the provisions of 22 Del. C. § 101A by an Ordinance duly enacted by the City Council; and

WHEREAS, the City of Wilmington has received a Petition for Annexation from Catholic Cemeteries, Inc., owner of Cathedral Cemetery located at 2400 Lancaster Avenue, Wilmington, Delaware, and the City of Wilmington desires to annex New Castle County Tax Parcel No. 07-036.30-060 that lies within Cathedral Cemetery, contiguous to the City boundary in the vicinity of the Southwest neighborhood analysis area, and being more particularly described in Exhibit “A” attached hereto and incorporated herein by this reference (the “territory”), which property is adjacent to the current boundaries of the City of Wilmington; and

WHEREAS, in connection with the proposed annexation, the City Planning Commission, at its meeting held on August 15, 2017, reviewed this ordinance and its provisions that the Official Building Zone Map and the Supplemental Building Zone Map – Flood Districts – of the City of Wilmington be amended to reflect the annexation of the territory and that a zoning classification of R-3 (One Family Row Houses) be assigned to all of the territory, and approved same via City Planning Commission Resolution 7-17; and

WHEREAS, this annexation is consistent with the Neighborhood Comprehensive Development Plan for the Southwest, as amended by City Planning Commission Resolution 6-17 to include the annexed territory to the boundaries of the southwest analysis area within the City limits and recommends the appropriate land use and zoning for the territory.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON HEREBY ORDAINS:

SECTION 1. That the City of Wilmington annex the territory as described in Exhibit “A” attached hereto and incorporated herein by this reference.

SECTION 2. Section 48-97 of the Wilmington City Code and the “Building Zone Map, City of Wilmington, Delaware” dated February 2006, are hereby amended by adding the territory described in Exhibit “A” attached hereto and incorporated herein by this reference to the Map and by assigning the zoning classification of R-3 (One Family Row Houses), as illustrated on the Map attached hereto Exhibit “B” to the same and adding it to the Supplemental Building Zone Map as illustrated on the Map attached hereto as Exhibit “C”.

SECTION 3. That the description of the 7th Councilmanic District in Section 2-31(3) of the City Code is hereby amended to include the territory described in Exhibit “A” attached hereto and incorporated herein by this reference, and as illustrated on the Map attached hereto as Exhibit “D” and made a part hereof.

SECTION 4. That the corporate boundaries of the City of Wilmington as set forth in 40 Del. Laws Ch. 179 and 46 Del. Laws Ch. 236 and Section 1-1 of the City Code, as amended, be and the same are hereby altered to include the territory as described in Exhibit “A” attached hereto and incorporated herein by this reference, which territory consists of approximately 26.82 acres of land owned by Catholic Cemeteries, Inc.

SECTION 5. This Ordinance shall be deemed effective immediately upon its date of passage by City Council and approval by the Mayor.

First Reading..... August 31, 2017
Second Reading..... August 31, 2017
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved as to form this ____ day of _____, 2017.

Assistant City Solicitor

Approved this ____ day of _____, 2017.

Mayor

SYNOPSIS: This Ordinance provides for the annexation of New Castle County Tax Parcel No. 07-036.30-060, containing a total of approximately 26.82 acres. This parcel is outside of the City and borders the southwestern boundary of the City, New Castle County, Delaware. It also amends the description of the 7th Councilmanic District to include the annexed parcel therein. Additionally, it includes the annexed parcel on the Building Zone Map and on the Supplemental Building Zone Map with the Zoning Classification of R-3 (One Family Row Houses). Finally, it adds the parcel to the City's corporate boundaries.

FISCAL IMPACT STATEMENT: Fiscal impact estimates there is no expenditure cost to either the City of Wilmington's General Fund or Water/Sewer Fund for the next three fiscal years and beyond.

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