

City of Wilmington

Rysheema J. Dixon
City Council Member At-Large

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Community Development & Urban Planning Committee

Rysheema J. Dixon, Chair
Nnamdi O. Chukwuocha
Yolanda McCoy, Vice-Chair
Ernest "Trippi" Congo, II
Zanthia Oliver
Va'Shun "Vash" Turner
Dr. Hanifa Shabazz, Ex-Officio Member

NOTICE

Community Development & Urban Planning Committee Meeting

Thursday, June 14, 2018

5:00 p.m.

1st Floor Council Committee Room

Agenda

1. A Resolution Approving the Amendments to the Browntown/Hedgeville Neighborhood Comprehensive Development Plan
2. A Resolution Approving the Amendments to the South Wilmington Neighborhood Comprehensive Development Plan
3. **Ord. 18-018** (1) Annex and Rezone the Following Eight (8) Parcels of Land: (A) Territory 1, Being 800 South Market Street (Tax Parcel ID No. 10-001.00-015), 810 South Market Street (Tax Parcel ID No. 10-001.00-016), 800 South Walnut Street (Tax Parcel ID Nos. 10-001.00-077, 10-001.00-019, and 10-001.00-020), 0 Garasches Lane (Tax Parcel ID No. 10-001.00-022), and a Separate but Adjacent Property also Known as 0 Garasches Lane (Tax Parcel ID No. 26-057.00-050), Containing Approximately 4.51 Acres Contiguous with the City Boundary in the Vicinity of the South Wilmington Analysis Area, New Castle County, Delaware From New Castle County H I (Heavy Industrial) Zoning Classification to City of Wilmington M-1 (Light Manufacturing) Zoning Classification; and (B) Territory 2, Being 787 South Madison Street (Tax Parcel ID No. 07-040.30-001), Containing Approximately 3.72 Acres Contiguous with the City Boundary in the Vicinity of

CONTINUED ON NEXT PAGE

Any members of the public who wish to speak during the committee meeting will be limited to three minutes per agenda item. If the public's permission to comment is abused, the Chair may exercise greater discretion in limiting public comment.

CONTINUED FROM FIRST PAGE

the Browntown/Hedgeville Analysis Area, New Castle County, Delaware From New Castle County H I (Heavy Industrial) Zoning Classification to City of Wilmington W-2 (Waterfront Manufacturing/Commercial) Zoning Classification; and (2) Amend the Boundaries of the Fourth Councilmanic District, the Official Building Zone Map, and the Supplemental Building Zone Maps to Add the Annexed Territories into the City's Corporate Boundaries

4. An Ordinance to Amend Chapter 48 of the City Code to Update the Zoning Code
5. A Resolution Approving Amendments to the Neighborhood Comprehensive Development Plan for the East Side Analysis Area
6. **Ord. 18-019** Rezone Two Blocks (Seven Parcels) of Land Located in Downtown Wilmington within the Area Bounded by Front, Walnut, Second, and Lombard Streets from C-2 (Secondary Business Centers) to C-3 (Central Retail) Zoning Classifications

(06/05/18)

Any members of the public who wish to speak during the committee meeting will be limited to three minutes per agenda item. If the public's permission to comment is abused, the Chair may exercise greater discretion in limiting public comment.

Wilmington, Delaware
July 12, 2018

#4528

Sponsor:

Council
Member
Harlee

WHEREAS, Section 5-600 of the Wilmington City Charter provides that modifications to the City's Comprehensive Development Plan may be recommended by the Planning Department with the advice of the City Planning Commission and adopted by City Council resolution after a public hearing; and

WHEREAS, the "Neighborhood Comprehensive Development Plan for Browntown/Hedgeville" (the "Browntown/Hedgeville Comprehensive Plan") was adopted by City Council on June 18, 1992 and later amended on March 5, 2009; and

WHEREAS, Ordinance No. 18-018 has been introduced to City Council to: (i) annex into the City of Wilmington corporate limits a certain property located at 787 South Madison Street, being Tax Parcel ID No. 07-040.30-001 (the "Property") and to (ii) rezone the Property from New Castle County zoning designation of HI-1 (Heavy Industrial) to City of Wilmington zoning designation of W-2 (Waterfront Manufacturing/Commercial); and

WHEREAS, the Property is currently located within New Castle County and is contiguous with the City corporate limits in an area immediately adjacent to the Browntown/Hedgeville Comprehensive Development Plan Analysis Area; and

WHEREAS, the City Planning Commission has considered the Planning Department's analysis and testimony along with other evidence and testimony at its duly advertised public meeting held on April 17, 2018; and

WHEREAS, at its meeting on April 17, 2018, the City Planning Commission passed Resolution 11-18, which recommended certain amendments to the Browntown/Hedgeville Comprehensive Plan Maps A through K in order to reflect: (i) the proposed annexation of the

Property into the City of Wilmington corporate limits and (ii) the proposed rezoning of the Property from New Castle County zoning designation of H I (Heavy Industrial) to City of Wilmington zoning designation of W-2 (Waterfront Manufacturing/Commercial), as illustrated on the maps attached hereto and made a part hereof as Exhibits "A" through "K"; and

WHEREAS, in accordance with Wilmington City Charter Section 5-600(a), a duly advertised public hearing is scheduled to be held on July 12, 2018.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the City Council hereby approves the amendments to the Browntown/Hedgeville Comprehensive Plan, which revise Plan Maps A through K to (i) include the Property within the City of Wilmington corporate limits and (ii) change the proposed land use designation for the Property from New Castle County zoning designation of H I (Heavy Industrial) to City of Wilmington zoning designation of W-2 (Waterfront Commercial/Manufacturing), as illustrated on the maps attached hereto and made a part hereof as Exhibits "A" through "K".

Passed by City Council,

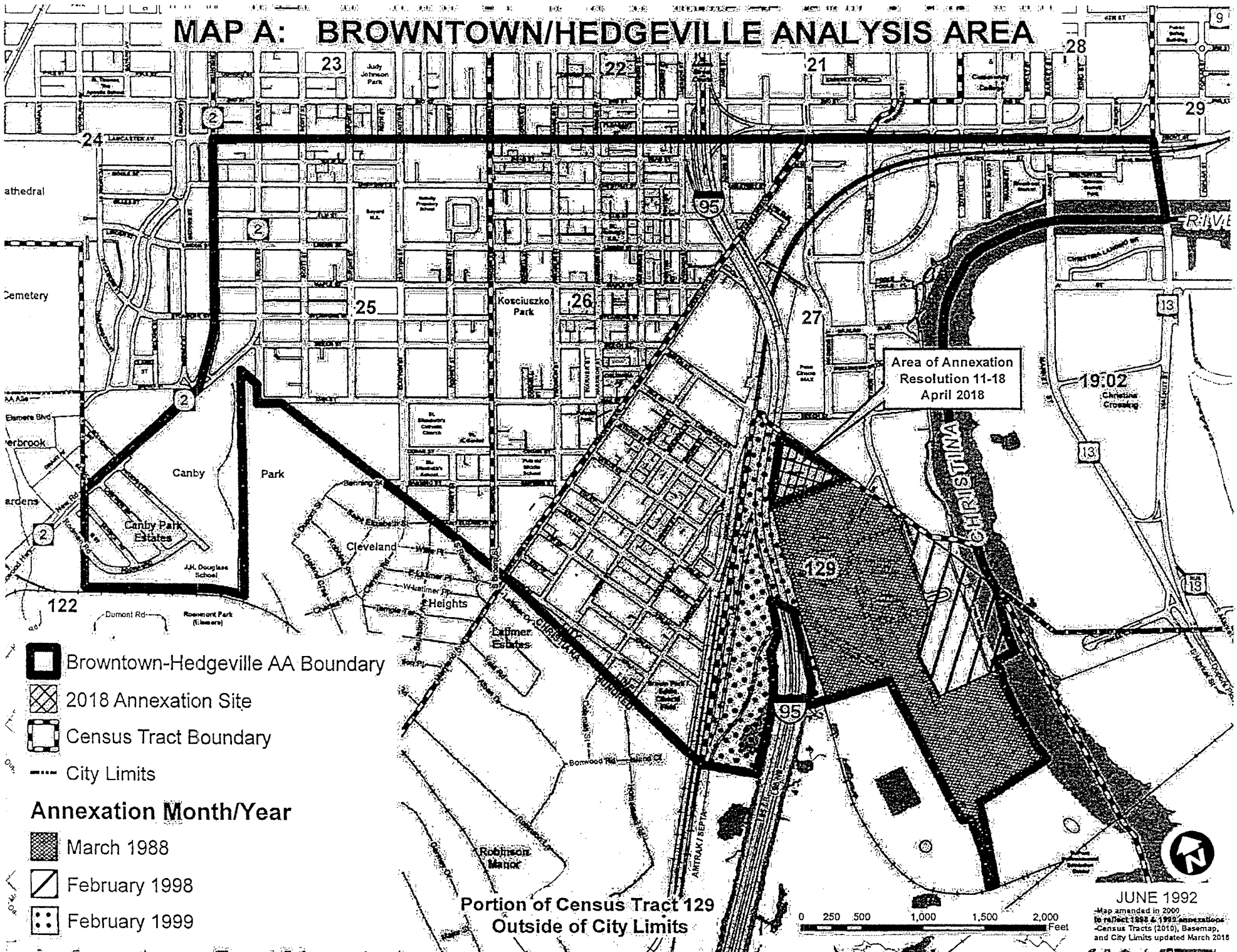
ATTEST:

City Clerk





SYNOPSIS: This Resolution approves amendments to the Neighborhood Comprehensive Development Plan for Browntown/Hedgeville to: 1) include as part of the plan the property located at 787 South Madison Street, Wilmington, Delaware, being Tax Parcel ID No. 07-040.30-001 and 2) to change the proposed land use designation for such property from New Castle County zoning designation of H I (Heavy Industrial) to City of Wilmington zoning designation of W-2 (Waterfront Manufacturing/Commercial).

EXHIBIT A




MAP A: BROWNTOWN/HEDGEVILLE ANALYSIS AREA



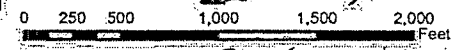
Area of Annexation
Resolution 11-18
April 2018

-  Browntown-Hedgeville AA Boundary
-  2018 Annexation Site
-  Census Tract Boundary
-  City Limits

Annexation Month/Year

-  March 1988
-  February 1998
-  February 1999

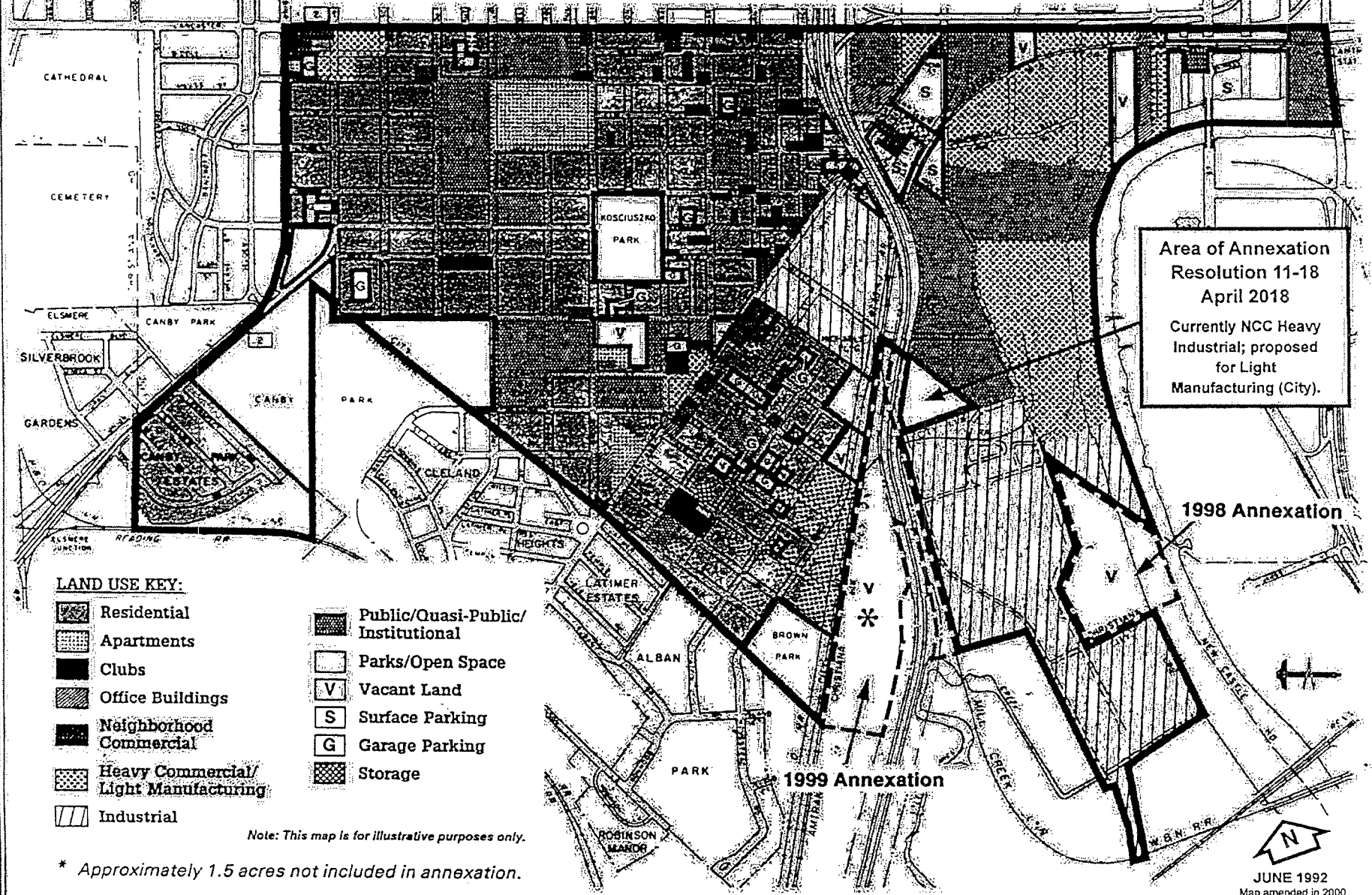
Portion of Census Tract 129
Outside of City Limits



JUNE 1992
Map amended in 2000
to reflect 1998 & 1999 Annexations
-Census Tracts (2010), Base map,
and City Limits updated March 2018

EXHIBIT B

MAP B: BROWNTOWN/HEDGEVILLE ANALYSIS AREA CURRENT LAND USE



Area of Annexation
Resolution 11-18
April 2018
Currently NCC Heavy
Industrial; proposed
for Light
Manufacturing (City).

1998 Annexation

1999 Annexation

LAND USE KEY:

- | | | | |
|--|--|--|---------------------------------------|
| | Residential | | Public/Quasi-Public/ Institutional |
| | Apartments | | Parks/Open Space |
| | Clubs | | V Vacant Land |
| | Office Buildings | | S Surface Parking |
| | Neighborhood Commercial | | G Garage Parking |
| | Heavy Commercial/ Light Manufacturing | | Storage |
| | Industrial | | |

Note: This map is for illustrative purposes only.

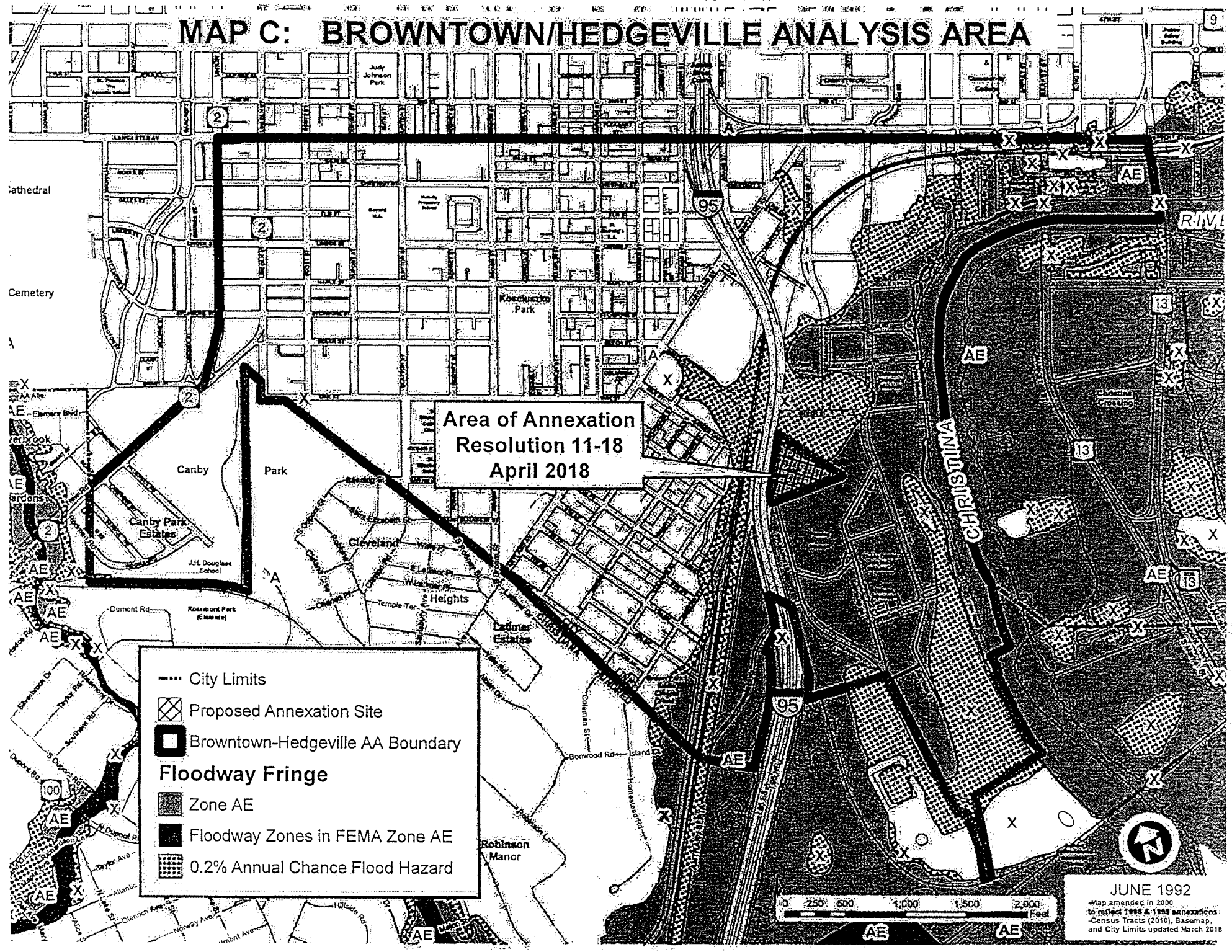
* Approximately 1.5 acres not included in annexation.

****2018 Annexation Site: Currently NCC Heavy Industrial; proposed for Light Manufacturing (City).**

JUNE 1992
Map amended in 2000
to reflect 1998 & 1999 annexations

EXHIBIT C

MAP C: BROWNTOWN/HEDGEVILLE ANALYSIS AREA



Area of Annexation
Resolution 11-18
April 2018

- City Limits
- ⊗ Proposed Annexation Site
- ▣ Browntown-Hedgeville AA Boundary
- Floodway Fringe**
- Zone AE
- Floodway Zones in FEMA Zone AE
- ▨ 0.2% Annual Chance Flood Hazard

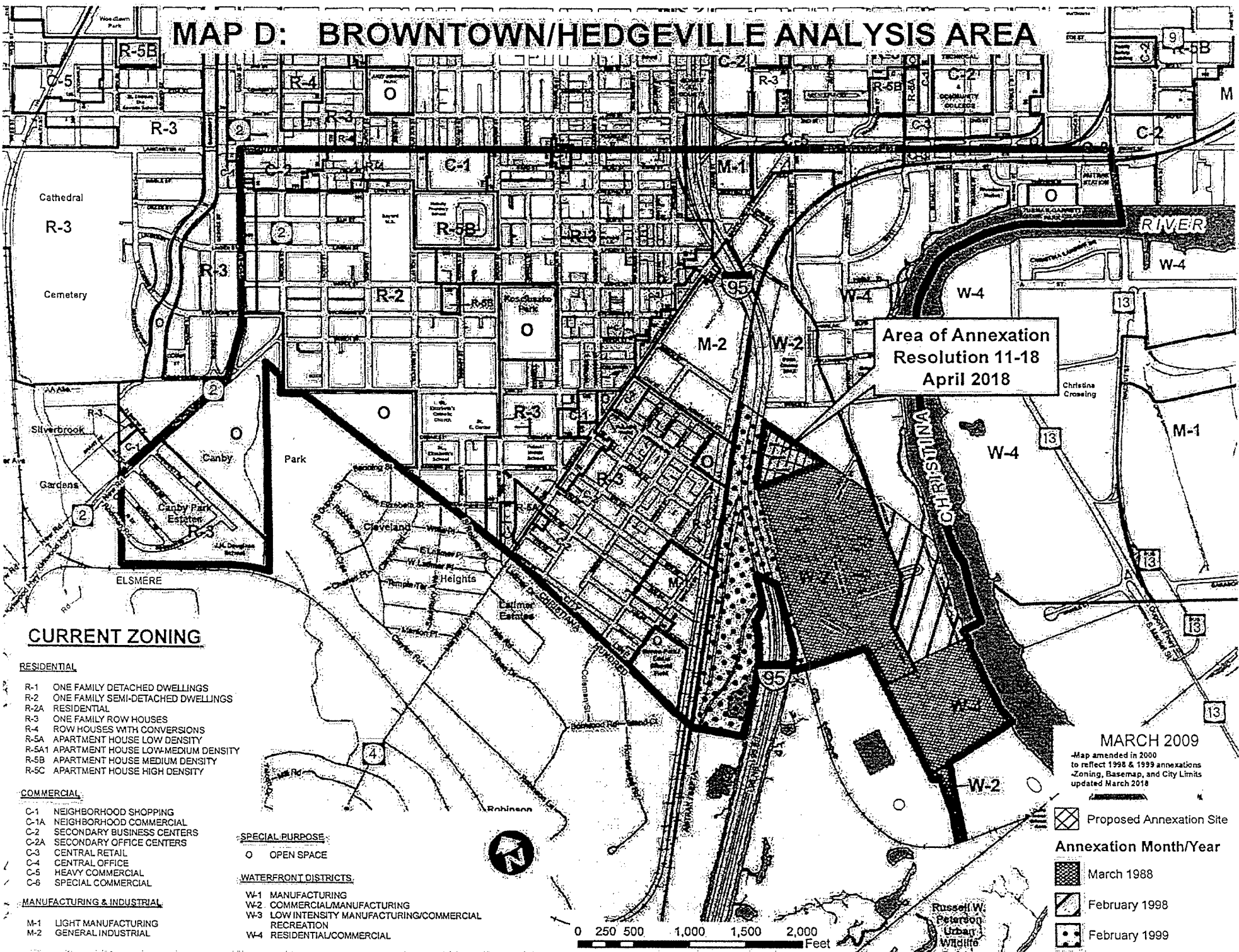
0 250 500 1,000 1,500 2,000 Feet



JUNE 1992
-Map amended in 2000
to reflect 1998 & 1999 annexations
-Census Tracts (2010), Basemap,
and City Limits updated March 2018

EXHIBIT D

MAP D: BROWNTOWN/HEDGEVILLE ANALYSIS AREA



Area of Annexation
Resolution 11-18
April 2018

CURRENT ZONING

- RESIDENTIAL**
- R-1 ONE FAMILY DETACHED DWELLINGS
 - R-2 ONE FAMILY SEMI-DETACHED DWELLINGS
 - R-2A RESIDENTIAL
 - R-3 ONE FAMILY ROW HOUSES
 - R-4 ROW HOUSES WITH CONVERSIONS
 - R-5A APARTMENT HOUSE LOW DENSITY
 - R-5A1 APARTMENT HOUSE LOW-MEDIUM DENSITY
 - R-5B APARTMENT HOUSE MEDIUM DENSITY
 - R-5C APARTMENT HOUSE HIGH DENSITY

- COMMERCIAL**
- C-1 NEIGHBORHOOD SHOPPING
 - C-1A NEIGHBORHOOD COMMERCIAL
 - C-2 SECONDARY BUSINESS CENTERS
 - C-2A SECONDARY OFFICE CENTERS
 - C-3 CENTRAL RETAIL
 - C-4 CENTRAL OFFICE
 - C-5 HEAVY COMMERCIAL
 - C-6 SPECIAL COMMERCIAL

- MANUFACTURING & INDUSTRIAL**
- M-1 LIGHT MANUFACTURING
 - M-2 GENERAL INDUSTRIAL

- SPECIAL PURPOSE**
- O OPEN SPACE

- WATERFRONT DISTRICTS**
- W-1 MANUFACTURING
 - W-2 COMMERCIAL/MANUFACTURING
 - W-3 LOW INTENSITY MANUFACTURING/COMMERCIAL RECREATION
 - W-4 RESIDENTIAL/COMMERCIAL

MARCH 2009

-Map amended in 2000 to reflect 1998 & 1999 annexations
-Zoning, Base map, and City Limits updated March 2018

- Proposed Annexation Site
- Annexation Month/Year**
- March 1988
- February 1998
- February 1999

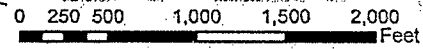
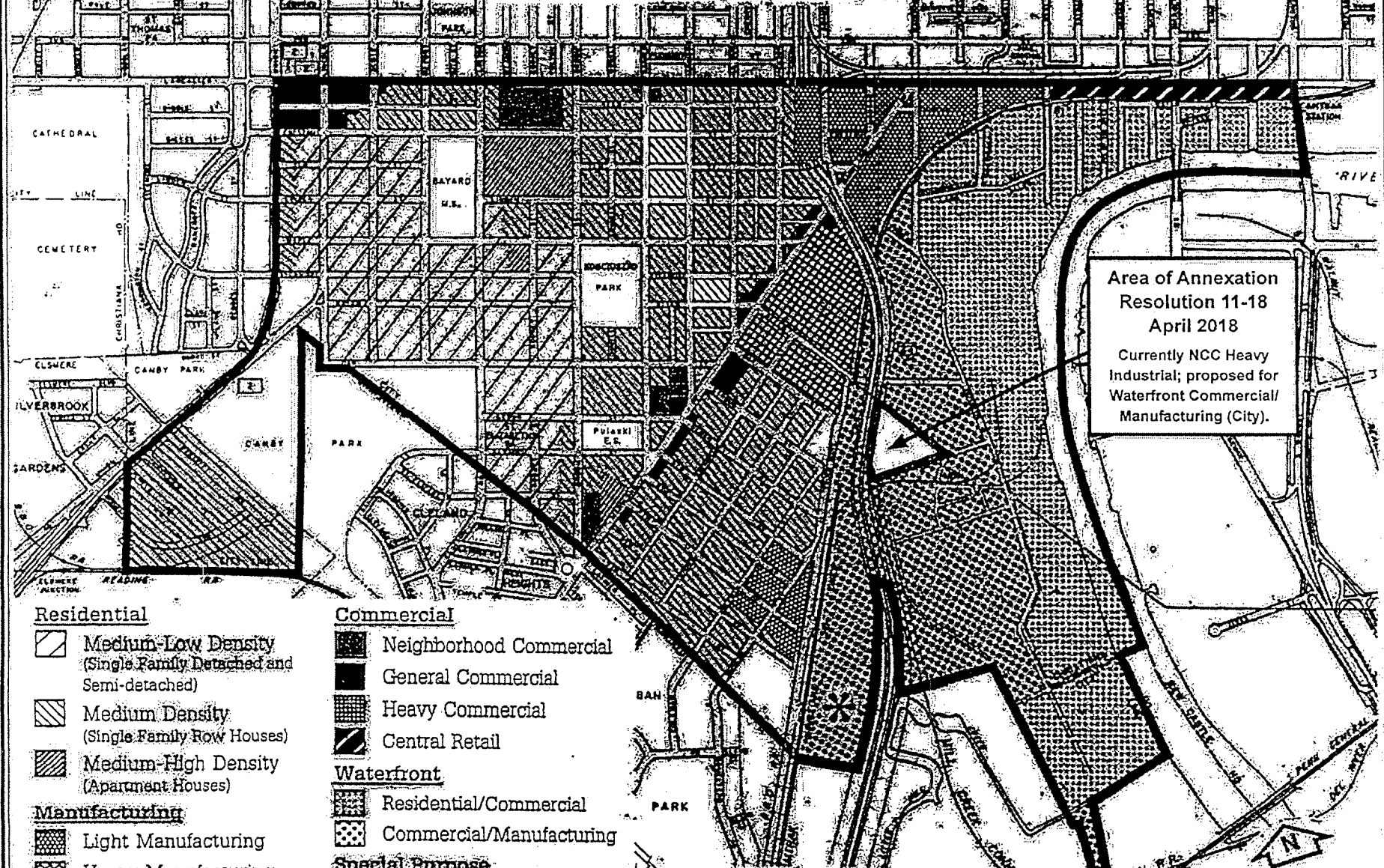


EXHIBIT E




MAP E: BROWNTOWN/HEDGEVILLE ANALYSIS AREA

PROPOSED LAND USE





Area of Annexation
 Resolution 11-18
 April 2018
 Currently NCC Heavy
 Industrial; proposed for
 Waterfront Commercial/
 Manufacturing (City).





Residential

-  Medium-Low Density
(Single Family Detached and Semi-detached)
-  Medium Density
(Single Family Row Houses)
-  Medium-High Density
(Apartment Houses)



Manufacturing

-  Light Manufacturing
-  Heavy Manufacturing


Commercial

-  Neighborhood Commercial
-  General Commercial
-  Heavy Commercial
-  Central Retail


Waterfront

-  Residential/Commercial
-  Commercial/Manufacturing

Special Purpose

-  Open Space/ Parkland

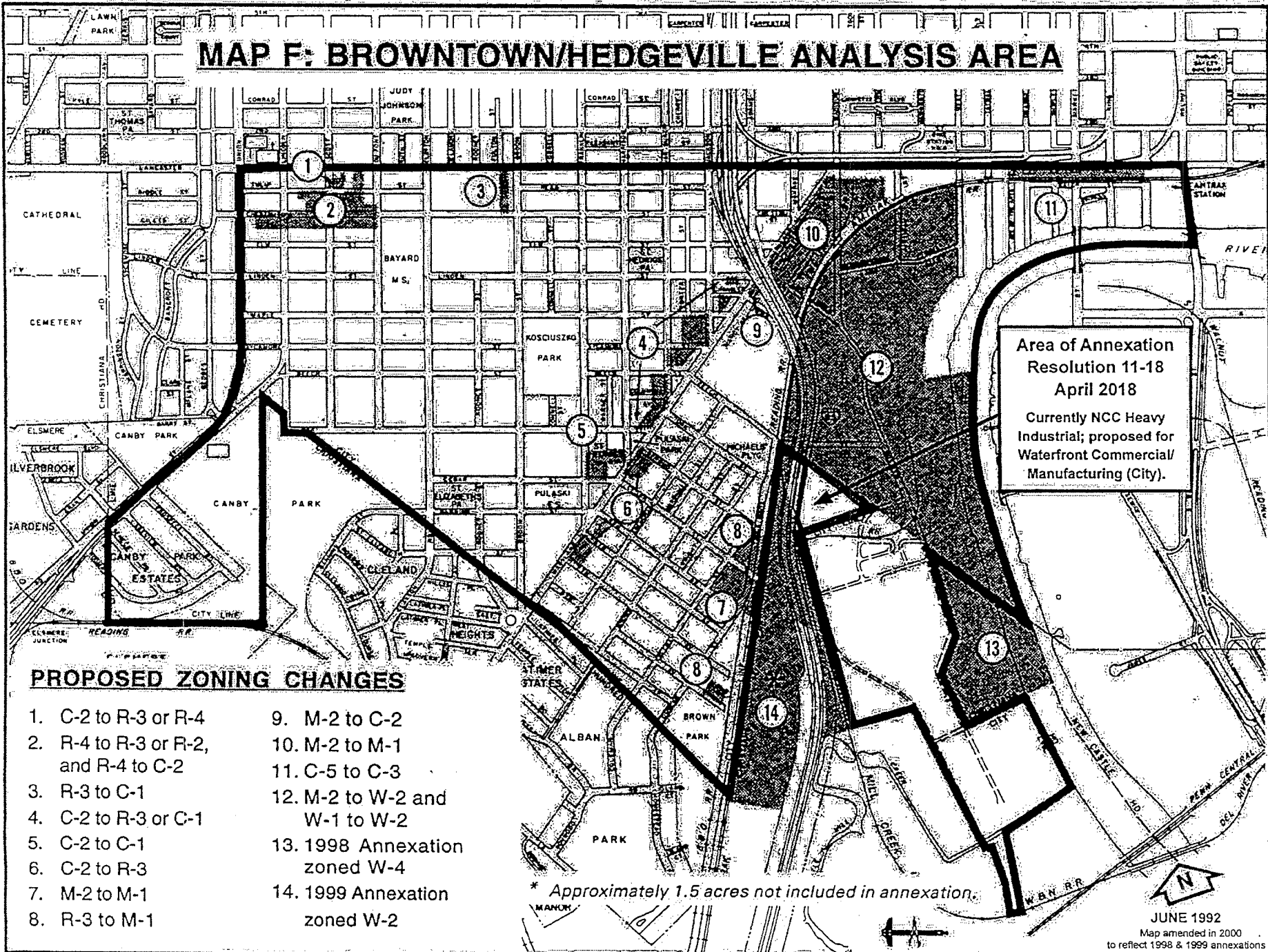
* Approximately 1.5 acres not included in annexation.

 Note: This map is for illustrative purposes only.

March 2009
 Map amended in 2009
 to reflect 2009 rezoning

EXHIBIT F

MAP F: BROWNTOWN/HEDGEVILLE ANALYSIS AREA



Area of Annexation
 Resolution 11-18
 April 2018
 Currently NCC Heavy
 Industrial; proposed for
 Waterfront Commercial/
 Manufacturing (City).

PROPOSED ZONING CHANGES

- | | |
|---|----------------------------------|
| 1. C-2 to R-3 or R-4 | 9. M-2 to C-2 |
| 2. R-4 to R-3 or R-2, and R-4 to C-2 | 10. M-2 to M-1 |
| 3. R-3 to C-1 | 11. C-5 to C-3 |
| 4. C-2 to R-3 or C-1 | 12. M-2 to W-2 and W-1 to W-2 |
| 5. C-2 to C-1 | 13. 1998 Annexation zoned W-4 |
| 6. C-2 to R-3 | 14. 1999 Annexation zoned W-2 |
| 7. M-2 to M-1 | |
| 8. R-3 to M-1 | |

* Approximately 1.5 acres not included in annexation.

JUNE 1992
 Map amended in 2000
 to reflect 1998 & 1999 annexations

EXHIBIT G

MAP G: BROWNTOWN/HEDGEVILLE ANALYSIS AREA

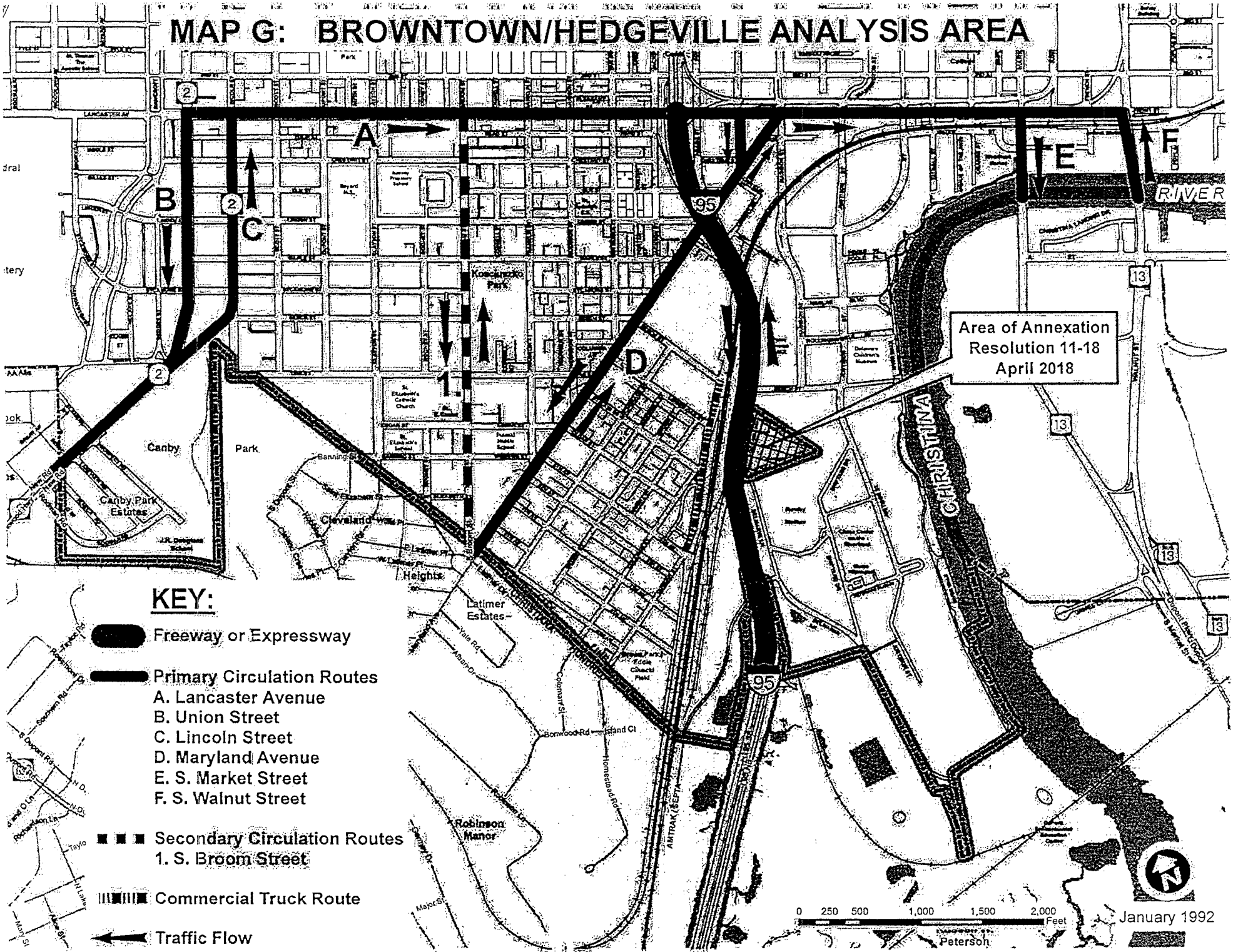
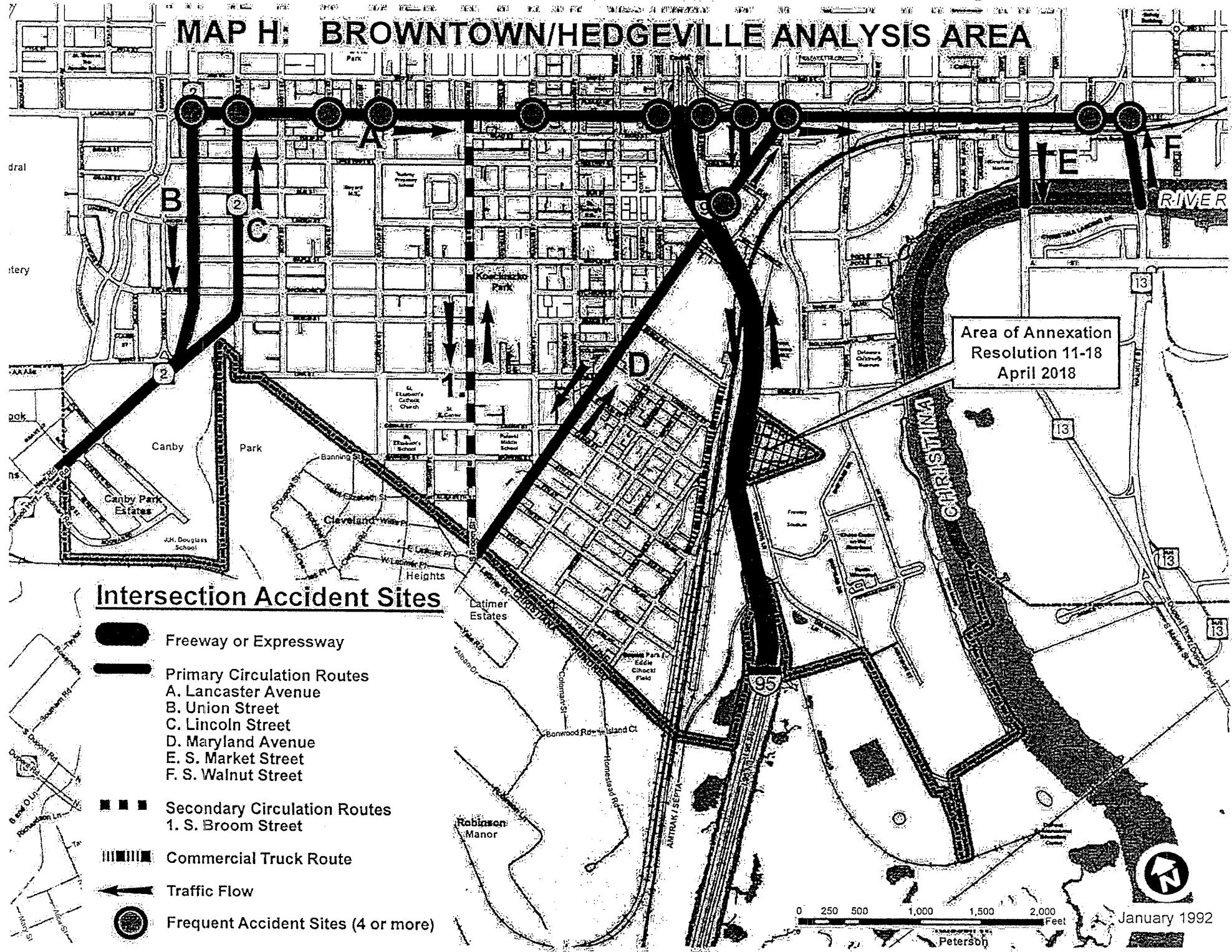








EXHIBIT II

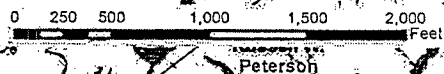
MAP H: BROWNTOWN/HEDGEVILLE ANALYSIS AREA



Area of Annexation
Resolution 11-18
April 2018

Intersection Accident Sites

-  Freeway or Expressway
-  Primary Circulation Routes
 - A. Lancaster Avenue
 - B. Union Street
 - C. Lincoln Street
 - D. Maryland Avenue
 - E. S. Market Street
 - F. S. Walnut Street
-  Secondary Circulation Routes
 - 1. S. Broom Street
-  Commercial Truck Route
-  Traffic Flow
-  Frequent Accident Sites (4 or more)

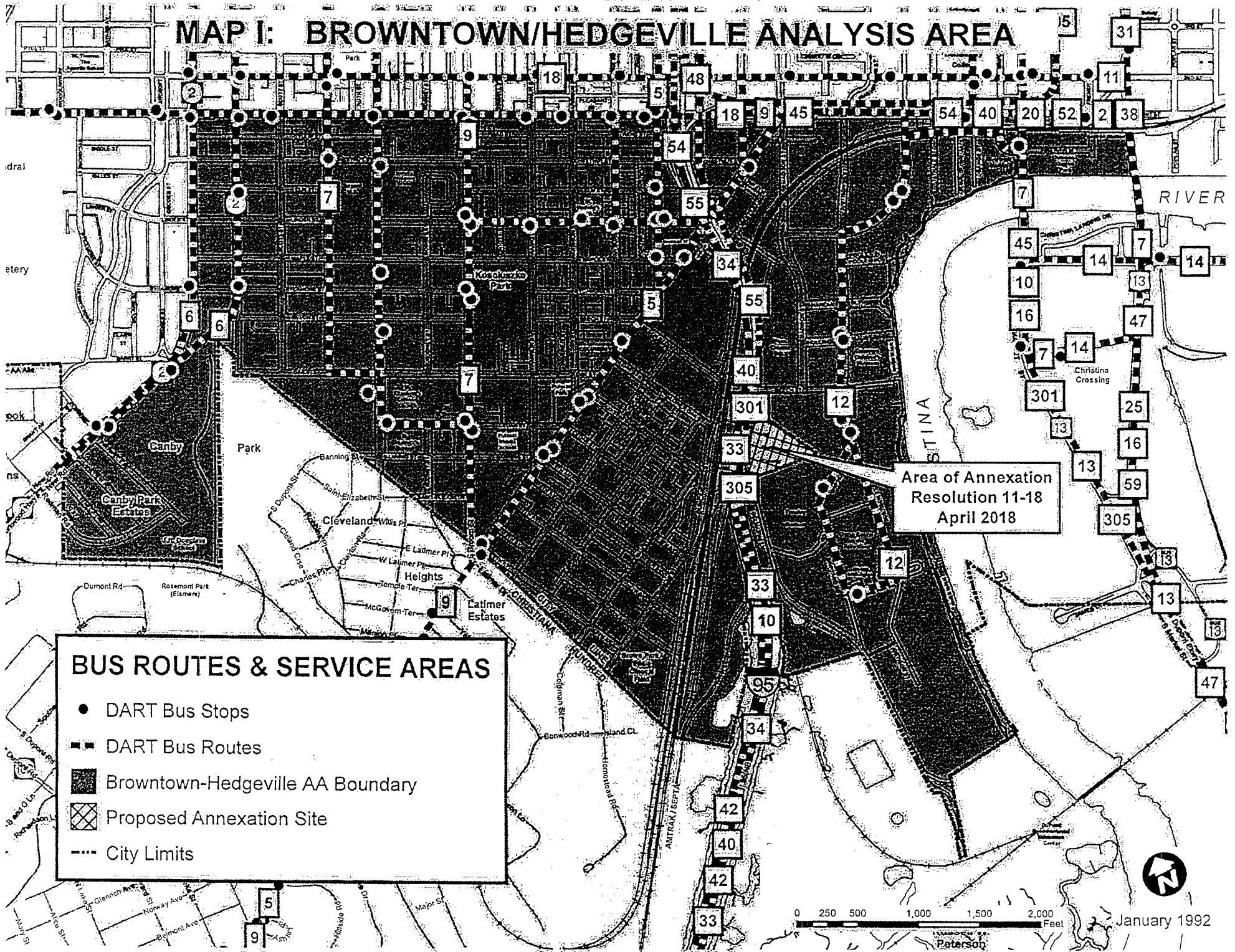


January 1992

Peterson

EXHIBIT I

MAP I: BROWNTOWN/HEDGEVILLE ANALYSIS AREA



BUS ROUTES & SERVICE AREAS

- DART Bus Stops
- DART Bus Routes
- Browntown-Hedgeville AA Boundary
- ▨ Proposed Annexation Site
- City Limits

Area of Annexation
Resolution 11-18
April 2018

0 250 500 1,000 1,500 2,000 Feet

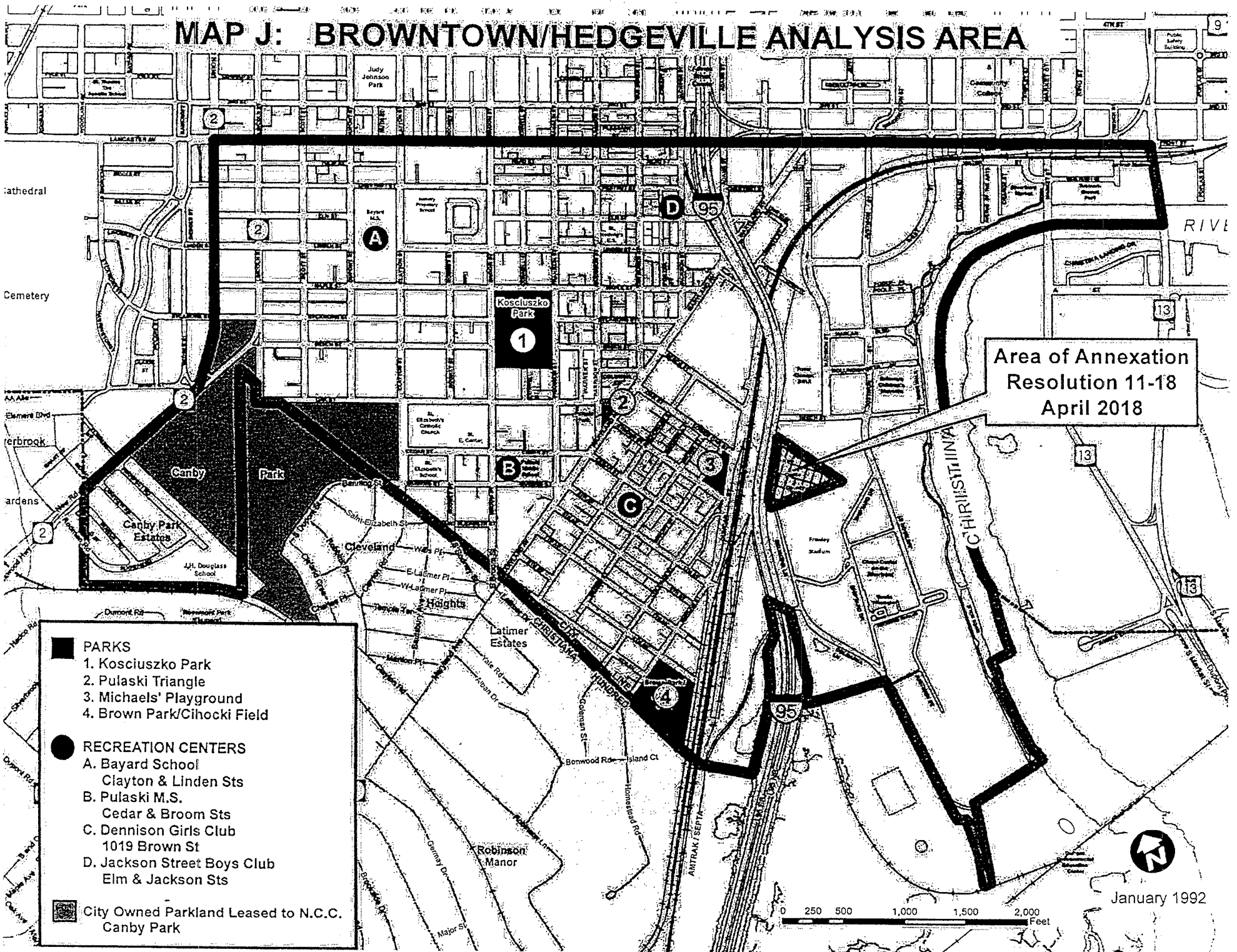


January 1992

Peterson

EXHIBIT J

MAP J: BROWNTOWN/HEDGEVILLE ANALYSIS AREA



Area of Annexation
Resolution 11-18
April 2018

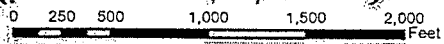
PARKS

- 1. Kosciuszko Park
- 2. Pulaski Triangle
- 3. Michaels' Playground
- 4. Brown Park/Cihocki Field

RECREATION CENTERS

- A. Bayard School
Clayton & Linden Sts
- B. Pulaski M.S.
Cedar & Broom Sts
- C. Dennison Girls Club
1019 Brown St
- D. Jackson Street Boys Club
Elm & Jackson Sts

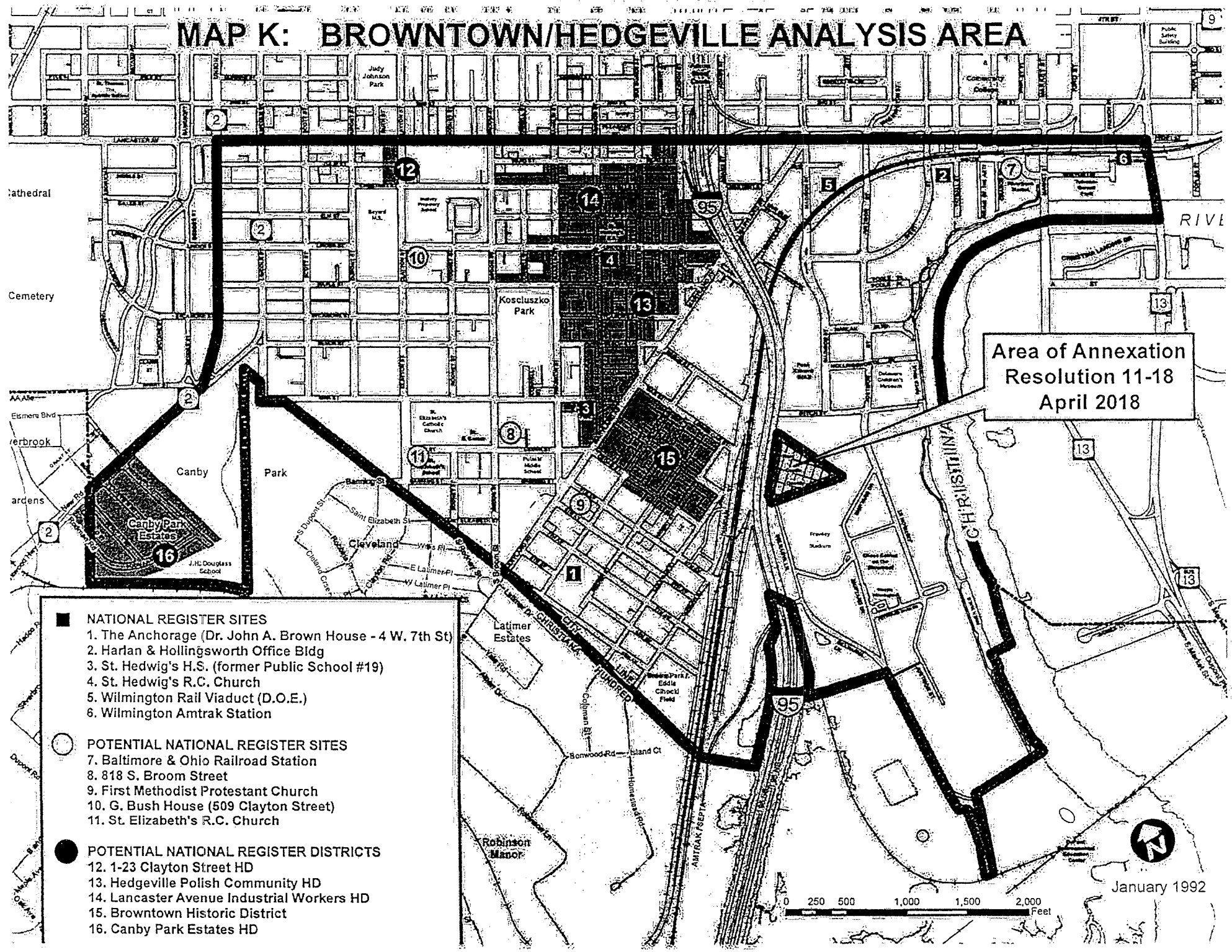
City Owned Parkland Leased to N.C.C.
Canby Park



January 1992

EXHIBIT K

MAP K: BROWNTOWN/HEDGEVILLE ANALYSIS AREA



Area of Annexation
Resolution 11-18
April 2018

- NATIONAL REGISTER SITES
 1. The Anchorage (Dr. John A. Brown House - 4 W. 7th St)
 2. Harlan & Hollingsworth Office Bldg
 3. St. Hedwig's H.S. (former Public School #19)
 4. St. Hedwig's R.C. Church
 5. Wilmington Rail Viaduct (D.O.E.)
 6. Wilmington Amtrak Station

- POTENTIAL NATIONAL REGISTER SITES
 7. Baltimore & Ohio Railroad Station
 8. 818 S. Broom Street
 9. First Methodist Protestant Church
 10. G. Bush House (509 Clayton Street)
 11. St. Elizabeth's R.C. Church

- POTENTIAL NATIONAL REGISTER DISTRICTS
 12. 1-23 Clayton Street HD
 13. Hedgeville Polish Community HD
 14. Lancaster Avenue Industrial Workers HD
 15. Browntown Historic District
 16. Canby Park Estates HD

0 250 500 1,000 1,500 2,000 Feet

January 1992

Wilmington, Delaware
July 12, 2018

#4529

Sponsor:

Council
Member
Harlee

WHEREAS, Section 5-600 of the Wilmington City Charter provides that modifications to the City's Comprehensive Development Plan may be recommended by the Planning Department with the advice of the City Planning Commission and adopted by City Council resolution after a public hearing; and

WHEREAS, the "Neighborhood Comprehensive Development Plan for South Wilmington" (the "South Wilmington Comprehensive Plan") was adopted by City Council on May 17, 1990 and later amended on December 1, 2016; and

WHEREAS, Ordinance No. 18-018 has been introduced to City Council to: (i) annex into the City of Wilmington corporate limits certain properties located at 800 South Market Street, 810 South Market Street, 800 South Walnut Street, 0 and 410 Garasches Lane, and a separate but adjacent property also known as 10 Garasches Lane, Wilmington, Delaware, being Tax Parcel ID Nos. 10-001.00-015, 10-001.00-016, 10-001.00-077, 10-001.00-019, 10-001.00-020, 10-001.00-022, and 26-057.00-050 (collectively, the "Properties"), which will become part of the South Wilmington Comprehensive Development Plan Analysis Area and (ii) rezone the Properties from New Castle County zoning designation of H I (Heavy Industrial) to City of Wilmington zoning designation M-1 (Light Manufacturing); and

WHEREAS, the Properties are located within New Castle County and are contiguous with the City corporate limits in an area immediately adjacent to the South Wilmington Comprehensive Plan Analysis Area; and

WHEREAS, the City Planning Commission has considered the Planning Department's analysis and testimony along with other evidence and testimony at its duly advertised public meeting held on April 17, 2018; and

WHEREAS, at its meeting on April 17, 2018, the City Planning Commission passed Resolution 10-18, which recommended certain amendments to the South Wilmington Comprehensive Plan Maps A through I in order to reflect: (i) the proposed annexation of the Properties into the City of Wilmington corporate limits and (ii) the proposed rezoning of the Properties from New Castle County zoning designation of H I (Heavy Industrial) to City of Wilmington zoning designation M-1 (Light Manufacturing), as illustrated on the maps attached hereto and made a part hereof as Exhibits "A" through "I"; and

WHEREAS, in accordance with Wilmington City Charter Section 5-600(a), a duly advertised public hearing is scheduled to be held on July 12, 2018.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the City Council hereby approves the amendments to the South Wilmington Comprehensive Plan, which revise Plan Maps A through I to (i) include the Properties within the City of Wilmington corporate limits and (ii) change the proposed land use designation for the Properties from New Castle County zoning designation of H I (Heavy Industrial) to City of Wilmington zoning designation M-1 (Light Manufacturing), as illustrated on the maps attached hereto and made a part hereof as Exhibits "A" through "I".

Passed by City Council,

ATTEST: _____
City Clerk

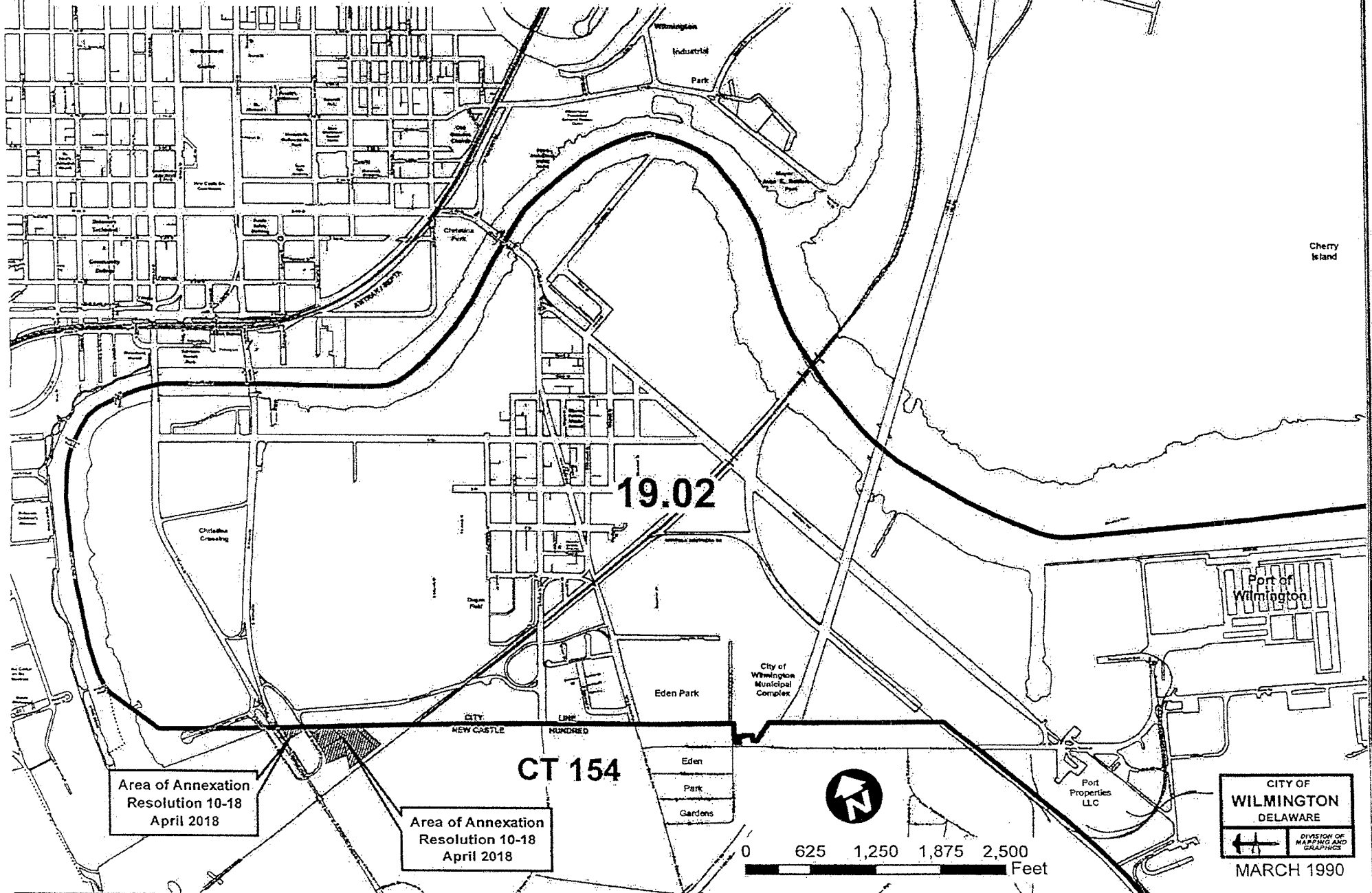
SYNOPSIS: This Resolution approves amendments to the Neighborhood Comprehensive Development Plan for South Wilmington to: 1) include as part of the plan the properties located at 800 South Market Street, 810 South Market Street, 800 South Walnut Street, 0 and 410 Garasches Lane, and a separate but adjacent property also known as 0 Garasches Lane, Wilmington, Delaware, being Tax Parcel ID Nos. 10-001.00-015, 10-001.00-016, 10-001.00-077, 10-001.00-019, 10-001.00-020, 10-001.00-022, and 26-057.00-050 and 2) to change the proposed land use designation for such properties from New Castle County zoning designation of H I (Heavy Industrial) to City of Wilmington zoning designation M-1 (Light Manufacturing).

W0099244

EXHIBIT A

MAP A

SOUTH WILMINGTON COMPREHENSIVE PLAN Analysis Area - Census Tract 19.02



19.02

CT 154

Area of Annexation
Resolution 10-18
April 2018

Area of Annexation
Resolution 10-18
April 2018

0 625 1,250 1,875 2,500
Feet









CITY OF
WILMINGTON
DELAWARE
DIVISION OF
MAPPING AND
GRAPHICS
MARCH 1990

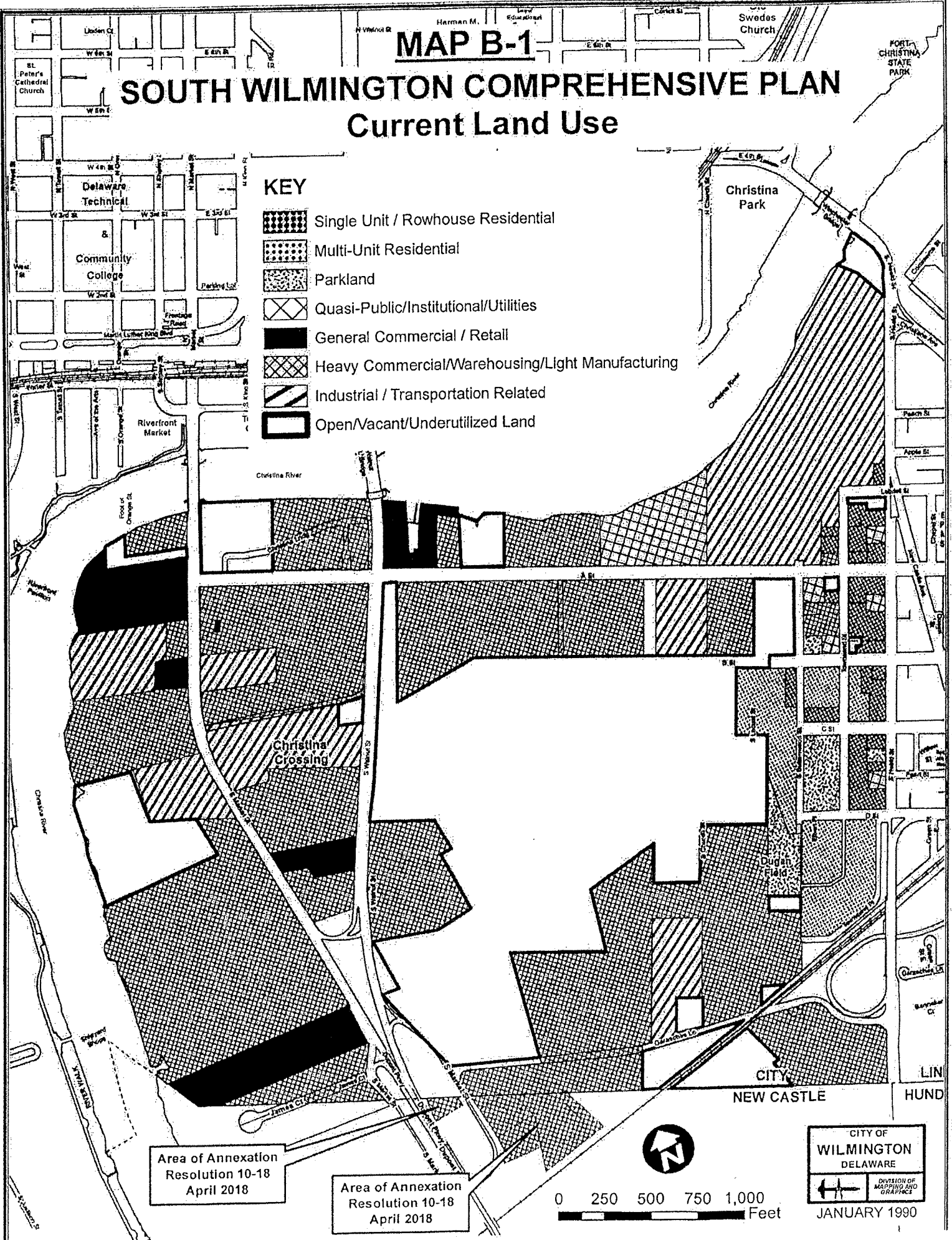
EXHIBIT B

MAP B-1

SOUTH WILMINGTON COMPREHENSIVE PLAN Current Land Use

KEY

-  Single Unit / Rowhouse Residential
-  Multi-Unit Residential
-  Parkland
-  Quasi-Public/Institutional/Utilities
-  General Commercial / Retail
-  Heavy Commercial/Warehousing/Light Manufacturing
-  Industrial / Transportation Related
-  Open/Vacant/Underutilized Land



Area of Annexation
Resolution 10-18
April 2018

Area of Annexation
Resolution 10-18
April 2018

0 250 500 750 1,000
Feet

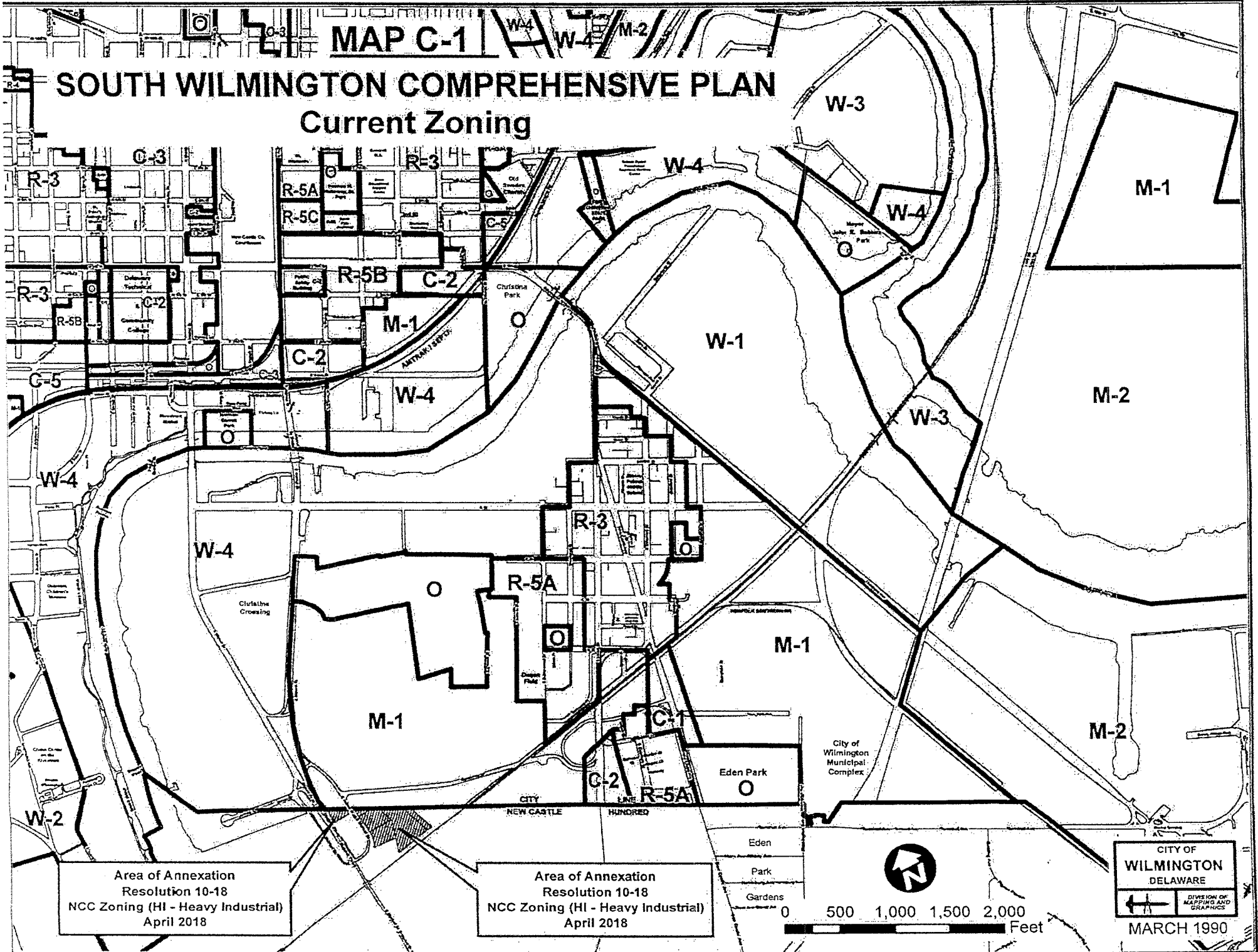


CITY OF
WILMINGTON
DELAWARE
DIVISION OF
MAPPING AND
GRAPHICS
JANUARY 1990

EXHIBIT C

MAP C-1

SOUTH WILMINGTON COMPREHENSIVE PLAN Current Zoning



Area of Annexation
Resolution 10-18
NCC Zoning (HI - Heavy Industrial)
April 2018

Area of Annexation
Resolution 10-18
NCC Zoning (HI - Heavy Industrial)
April 2018

CITY OF
WILMINGTON
DELAWARE

DIVISION OF
MAPPING AND
GRAPHICS

MARCH 1990

EXHIBIT D

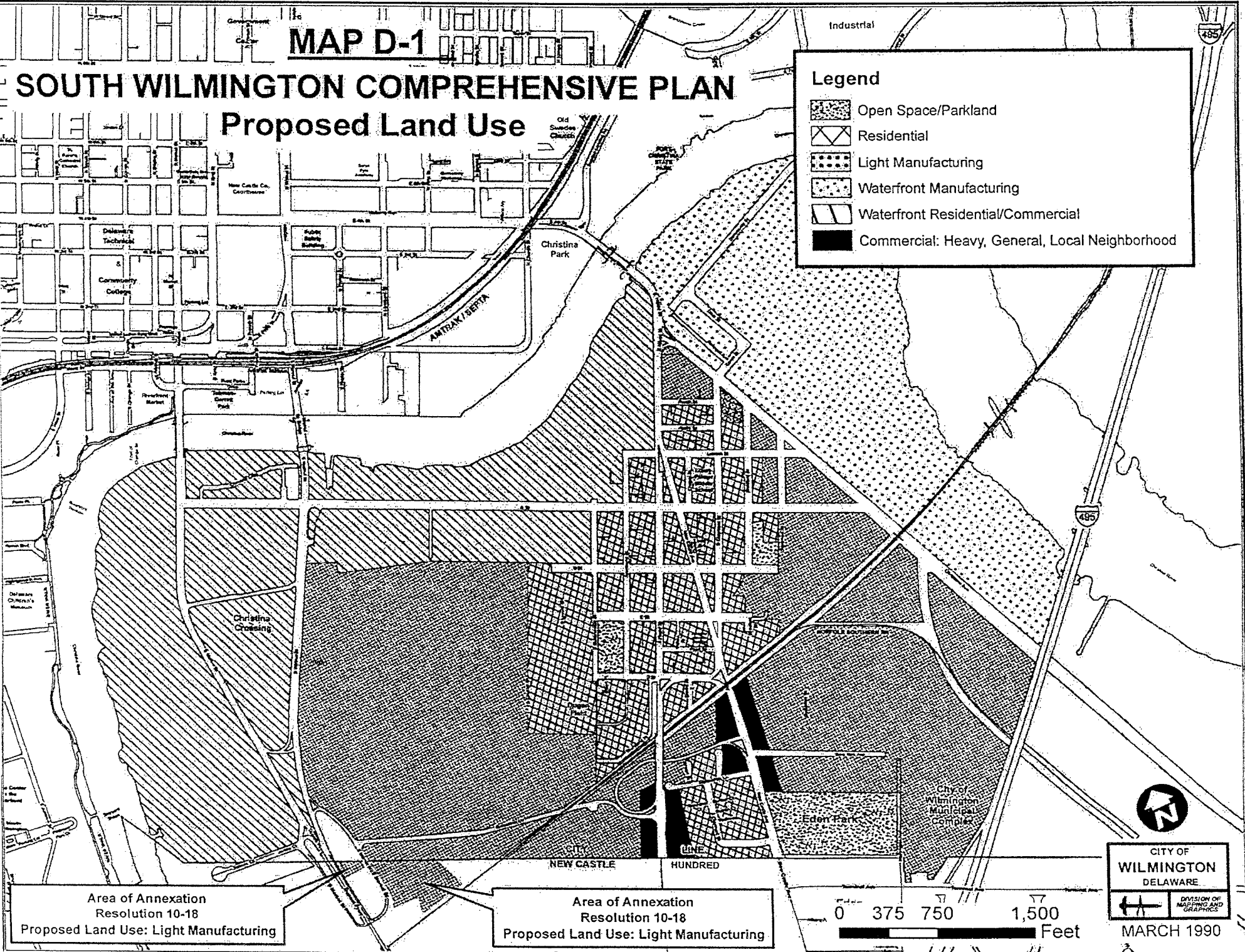
MAP D-1

SOUTH WILMINGTON COMPREHENSIVE PLAN

Proposed Land Use

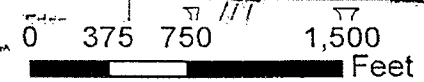
Legend

- Open Space/Parkland
- Residential
- Light Manufacturing
- Waterfront Manufacturing
- Waterfront Residential/Commercial
- Commercial: Heavy, General, Local Neighborhood



Area of Annexation
Resolution 10-18
Proposed Land Use: Light Manufacturing

Area of Annexation
Resolution 10-18
Proposed Land Use: Light Manufacturing



CITY OF
WILMINGTON
DELAWARE

DIVISION OF
MAPPING AND
GRAPHICS

MARCH 1990

EXHIBIT E

MAP E-1

SOUTH WILMINGTON COMPREHENSIVE PLAN

Proposed Zoning

RESIDENTIAL

- R-1 ONE FAMILY DETACHED DWELLINGS
- R-2 ONE FAMILY SEMI-DETACHED DWELLINGS
- R-2A RESIDENTIAL
- R-3 ONE FAMILY ROW HOUSES
- R-4 ROW HOUSES WITH CONVERSIONS
- R-5A APARTMENT HOUSE LOW DENSITY
- R-5B APARTMENT HOUSE LOW-MEDIUM DENSITY
- R-5C APARTMENT HOUSE HIGH DENSITY

COMMERCIAL

- C-1 NEIGHBORHOOD SHOPPING
- C-1A NEIGHBORHOOD COMMERCIAL
- C-2 SECONDARY BUSINESS CENTERS
- C-2A SECONDARY OFFICE CENTERS
- C-3 CENTRAL RETAIL
- C-4 CENTRAL OFFICE
- C-5 HEAVY COMMERCIAL
- C-6 SPECIAL COMMERCIAL

MANUFACTURING & INDUSTRIAL

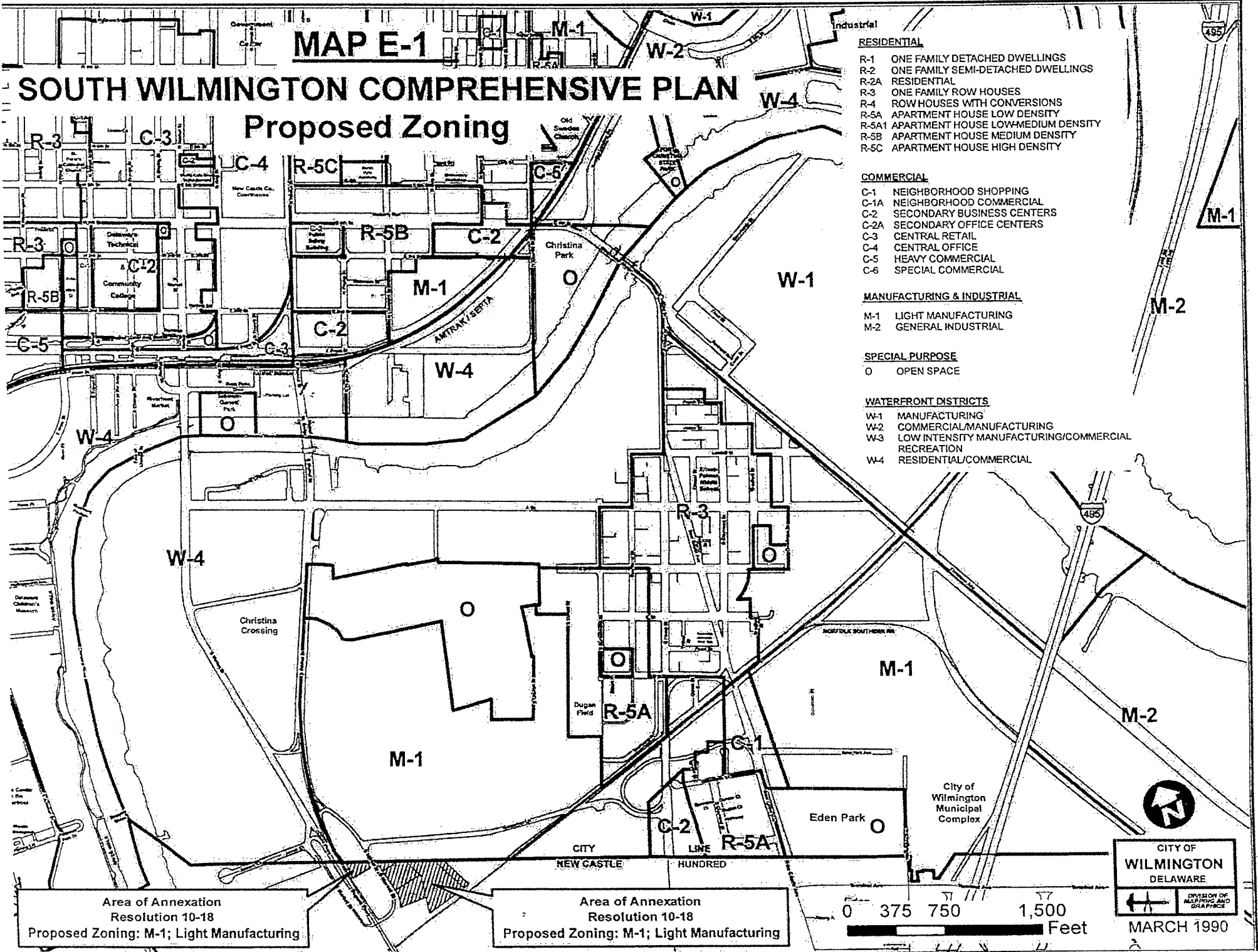
- M-1 LIGHT MANUFACTURING
- M-2 GENERAL INDUSTRIAL

SPECIAL PURPOSE

- O OPEN SPACE

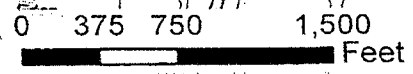
WATERFRONT DISTRICTS

- W-1 MANUFACTURING
- W-2 COMMERCIAL/MANUFACTURING
- W-3 LOW INTENSITY MANUFACTURING/COMMERCIAL RECREATION
- W-4 RESIDENTIAL/COMMERCIAL



Area of Annexation
Resolution 10-18
Proposed Zoning: M-1; Light Manufacturing

Area of Annexation
Resolution 10-18
Proposed Zoning: M-1; Light Manufacturing



CITY OF
WILMINGTON
DELAWARE

DIVISION OF
PLANNING AND
GRANTEE

MARCH 1990

EXHIBIT F

MAP F

SOUTH WILMINGTON COMPREHENSIVE PLAN Areas of Zoning Difference

KEY:

WATERFRONT ZONING

1. M-2 to W-2
2. M-1, M-2, W-1 and R-3 to W-4
3. M-2 to W-1
4. M-2 to W-1

RESIDENTIAL ZONING

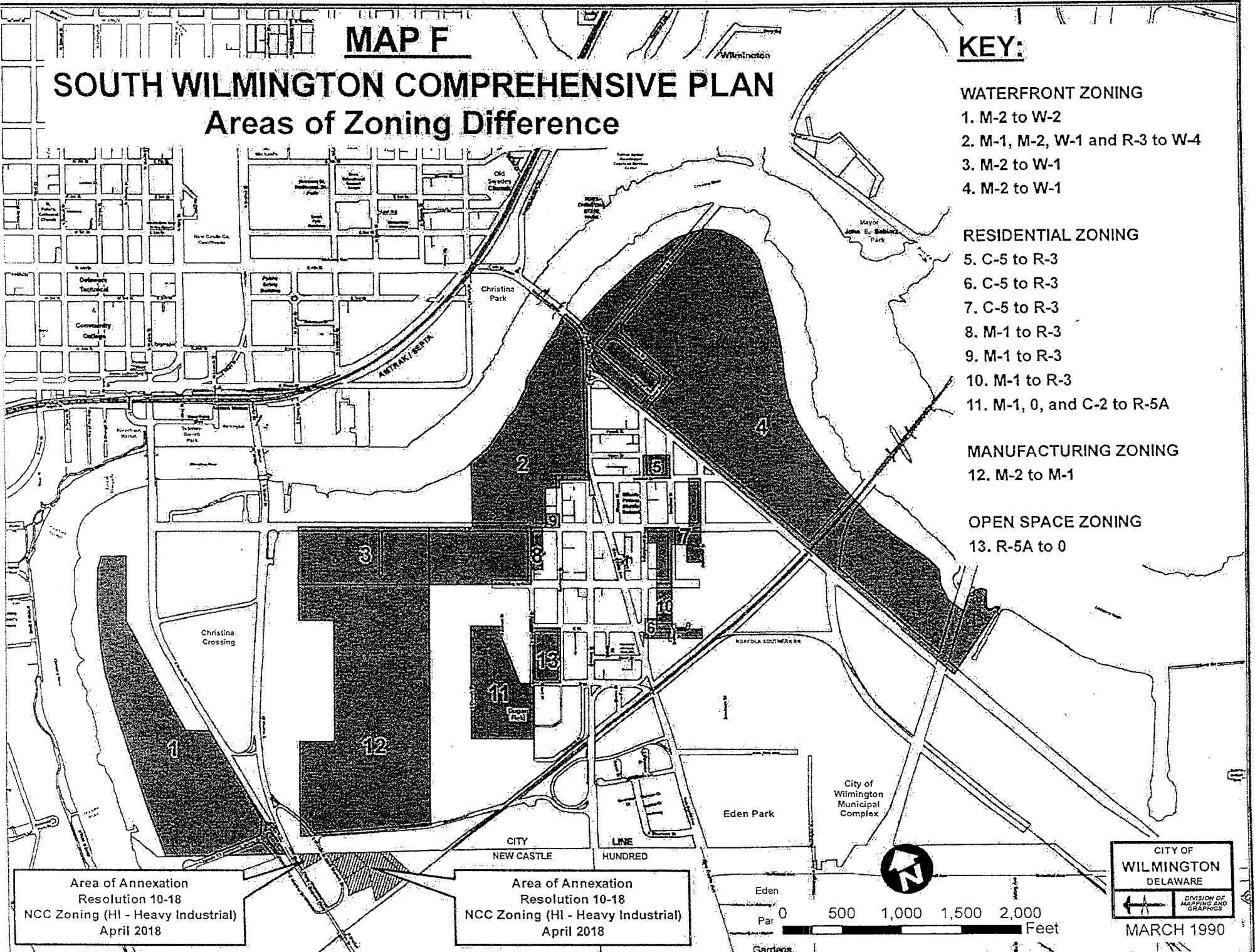
5. C-5 to R-3
6. C-5 to R-3
7. C-5 to R-3
8. M-1 to R-3
9. M-1 to R-3
10. M-1 to R-3
11. M-1, 0, and C-2 to R-5A

MANUFACTURING ZONING

12. M-2 to M-1

OPEN SPACE ZONING

13. R-5A to 0



Area of Annexation
Resolution 10-18
NCC Zoning (HI - Heavy Industrial)
April 2018

Area of Annexation
Resolution 10-18
NCC Zoning (HI - Heavy Industrial)
April 2018

CITY OF
WILMINGTON
DELAWARE
DIVISION OF
MAPPING AND
GRAPHICS
MARCH 1990





EXHIBIT G

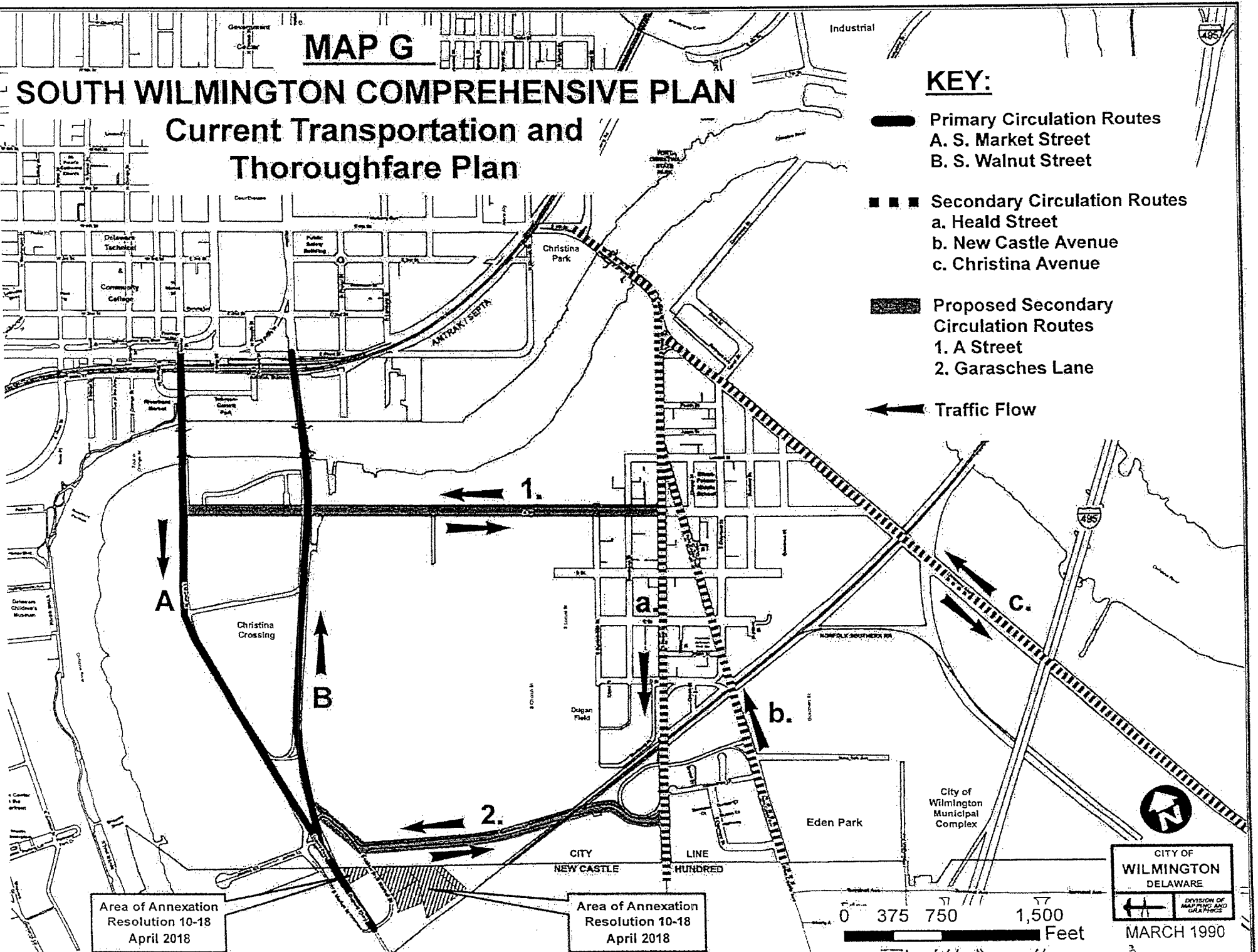
MAP G

SOUTH WILMINGTON COMPREHENSIVE PLAN

Current Transportation and Thoroughfare Plan

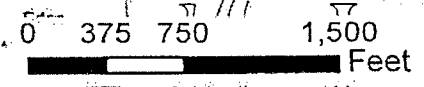
KEY:

-  Primary Circulation Routes
 - A. S. Market Street
 - B. S. Walnut Street
-  Secondary Circulation Routes
 - a. Heald Street
 - b. New Castle Avenue
 - c. Christina Avenue
-  Proposed Secondary Circulation Routes
 - 1. A Street
 - 2. Garasches Lane
-  Traffic Flow



Area of Annexation
Resolution 10-18
April 2018

Area of Annexation
Resolution 10-18
April 2018



CITY OF
WILMINGTON
DELAWARE

DIVISION OF
MAPPING AND
GRAPHICS

MARCH 1990

EXHIBIT H

MAP H

SOUTH WILMINGTON COMPREHENSIVE PLAN Flood Plain Map

City Limits
Floodway Fringe
Zone AE
Floodway Zones in FEMA Zone AE
0.2% Annual Chance Flood Hazard

Area of Annexation
Resolution 10-18
April 2018

Area of Annexation
Resolution 10-18
April 2018



0 500 1,000 1,500 2,000 Feet

CITY OF
WILMINGTON
DELAWARE
DIVISION OF
MAPPING AND
GRAPHICS
MARCH 1990

EXHIBIT I

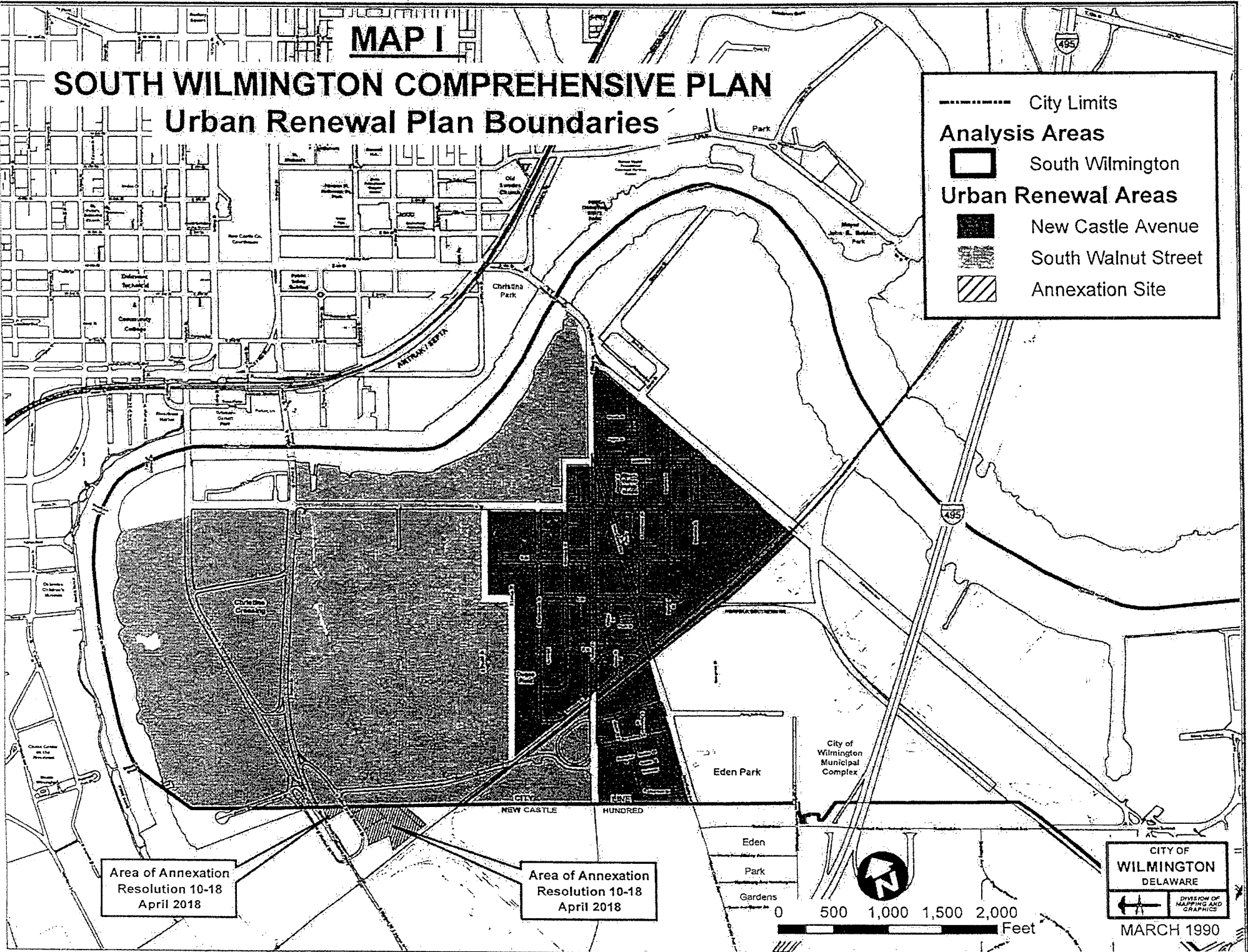
MAP I

SOUTH WILMINGTON COMPREHENSIVE PLAN Urban Renewal Plan Boundaries

----- City Limits

Analysis Areas

- South Wilmington
- New Castle Avenue
- ▨ South Walnut Street
- ▧ Annexation Site



Area of Annexation
Resolution 10-18
April 2018

Area of Annexation
Resolution 10-18
April 2018



CITY OF
WILMINGTON
DELAWARE

DIVISION OF
MAPPING AND
GRAPHICS

MARCH 1990

#4513

Sponsor:

Council
Member
Harlee

AN ORDINANCE TO (1) ANNEX AND REZONE THE FOLLOWING EIGHT (8) PARCELS OF LAND: (A) TERRITORY 1, BEING 800 SOUTH MARKET STREET (TAX PARCEL ID NO. 10-001.00-015), 810 SOUTH MARKET STREET (TAX PARCEL ID NO. 10-001.00-016), 800 SOUTH WALNUT STREET (TAX PARCEL ID NOS. 10-001.00-077, 10-001.00-019, AND 10-001.00-020), 0 GARASCHE LANE (TAX PARCEL ID NO. 10-001.00-022), AND A SEPARATE BUT ADJACENT PROPERTY ALSO KNOWN AS 0 GARASCHE LANE (TAX PARCEL ID NO. 26-057.00-050), CONTAINING APPROXIMATELY 4.51 ACRES CONTIGUOUS WITH THE CITY BOUNDARY IN THE VICINITY OF THE SOUTH WILMINGTON ANALYSIS AREA, NEW CASTLE COUNTY, DELAWARE FROM NEW CASTLE COUNTY H I (HEAVY INDUSTRIAL) ZONING CLASSIFICATION TO CITY OF WILMINGTON M-1 (LIGHT MANUFACTURING) ZONING CLASSIFICATION; AND (B) TERRITORY 2, BEING 787 SOUTH MADISON STREET (TAX PARCEL ID NO. 07-040.30-001), CONTAINING APPROXIMATELY 3.72 ACRES CONTIGUOUS WITH THE CITY BOUNDARY IN THE VICINITY OF THE BROWNTOWN/HEDGEVILLE ANALYSIS AREA, NEW CASTLE COUNTY, DELAWARE FROM NEW CASTLE COUNTY H I (HEAVY INDUSTRIAL) ZONING CLASSIFICATION TO CITY OF WILMINGTON W-2 (WATERFRONT MANUFACTURING/COMMERCIAL) ZONING CLASSIFICATION; AND (2) AMEND THE BOUNDARIES OF THE FOURTH COUNCILMANIC DISTRICT, THE OFFICIAL BUILDING ZONE MAP, AND THE SUPPLEMENTAL BUILDING ZONE MAPS TO ADD THE ANNEXED TERRITORIES INTO THE CITY'S CORPORATE BOUNDARIES

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 Petitions for Annexation from the Riverfront Delaware Corporation of Delaware, Baul's Towing Services, LLC, and Richard L. Dyton, owners of various parcels, as described herein, situated in New Castle County and contiguous to the City boundaries in the vicinities of the South Wilmington Analysis Area and the Browntown/Hedgeville Analysis Area; and

WHEREAS, Baul's Towing Services, LLC and Richard L. Dyton have each entered into an agreement to sell their respective parcels to the Riverfront Corporation of Delaware, with the closing on each sale scheduled to occur in the near future; and

WHEREAS, the City of Wilmington desires to annex certain parcels which are currently owned by or which will soon be owned by the Riverfront Development Corporation of Delaware, more particularly described as approximately 4.51 acres contiguous to the South Wilmington Analysis Area, being 800 South Market Street (Tax Parcel ID No. 10-001.00-015), 810 South Market Street (Tax Parcel ID. No. 10-001.00-016), 800 South Walnut Street (Tax Parcel ID Nos. 10-001.00-077, 10-001.00-019, and 10-001.00-020), 0 Garasches Lane (Tax Parcel ID No. 10-001.00-022), and a separate but adjacent property also known as 0 Garasches Lane (Tax Parcel ID No. 26-057.00-050), and being more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference (collectively, "Territory 1"); and

WHEREAS, in connection with the proposed annexation of Territory 1, the City Planning Commission, at its meeting held on April 17, 2018, reviewed this Ordinance and its provisions that the Official Building Zone Map (Exhibit "B"), the Supplemental Building Zone Map (Exhibit "C"), and the Map of the Fourth Councilmanic District (Exhibit "D") of the City of Wilmington be amended to reflect the annexation of Territory 1 and that a City of Wilmington zoning classification of M-1 (Light Manufacturing) be assigned to all of Territory 1, and approved the same via City Planning Commission Resolution 10-18; and

WHEREAS, the City of Wilmington further desires to annex another parcel owned by the Riverfront Development Corporation of Delaware, more particularly described as approximately 3.72 acres contiguous to the Browntown/Hedgeville Analysis Area, being 787 South Madison Street (Tax Parcel ID No. 07-040.30-001), being more particularly described in Exhibit "E" attached hereto and incorporated herein by this reference ("Territory 2"); and

WHEREAS, a small portion of Territory 2 was previously conveyed by the

Riverfront Development Corporation of Delaware to the Delaware Department of Transportation (“DelDOT”) for the purpose of building adjacent roadways, and DelDOT has informed the City that it does not object to the proposed annexation of Territory 2; and

WHEREAS, in connection with the proposed annexation of Territory 2, the City Planning Commission, at its meeting held on April 17, 2018, reviewed this Ordinance and its provisions that the Official Building Zone Map (Exhibit “F”), the Supplemental Building Zone Map (Exhibit “G”), and the Map of the Fourth Councilmanic District (Exhibit “H”) of the City of Wilmington be amended to reflect the annexation of Territory 2 and that a City of Wilmington zoning classification of W-2 (Waterfront Manufacturing/Commercial) be assigned to all of Territory 2, and approved the same via City Planning Commission Resolution 11-18.

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

SECTION 1. The City of Wilmington annex Territory 1 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 of Wilmington, Delaware” dated January 19, 2006 (as subsequently amended) are hereby amended by: (i) adding Territory 1 to the Building Zone Map, as illustrated on Exhibit “B” attached hereto and incorporated herein by this reference; (ii) assigning the City of Wilmington zoning classification of M-1 (Light Manufacturing) to Territory 1, as illustrated on the Building Zone Map attached hereto as Exhibit “B” and incorporated herein by this reference; and (iii) adding Territory 1 to the Supplemental Building Zone Map, as illustrated on the Map attached hereto as Exhibit “C” and incorporated herein by this

reference.

SECTION 3. The description of the Fourth Councilmanic District in Section 2-31(4) of the City Code is hereby amended to include Territory 1, as illustrated on the Map attached hereto as Exhibit “D” and incorporated herein by this reference.

SECTION 4. 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 Territory 1, which territory consists of approximately 4.51 acres of land either currently owned by or which will soon be owned by the Riverfront Development Corporation of Delaware.

SECTION 5. The City of Wilmington annex Territory 2 as described in Exhibit “E” attached hereto and incorporated herein by this reference.

SECTION 6. Section 48-97 of the Wilmington City Code and the “Building Zone Map of Wilmington, Delaware” dated January 19, 2006 (as subsequently amended) are hereby amended by: (i) adding Territory 2 to the Building Zone Map, as illustrated on Exhibit “F” attached hereto and incorporated by this reference; (ii) assigning the City of Wilmington zoning classification of W-2 (Waterfront Manufacturing/Commercial) to Territory 2, as illustrated on the Building Zone Map attached hereto as Exhibit “F” and incorporated herein by this reference; and (iii) adding Territory 2 to the Supplemental Building Zone Map, as illustrated on the Map attached hereto as Exhibit “G” and incorporated herein by this reference.

SECTION 7. The description of the Fourth Councilmanic District in Section 2-31(4) of the City Code is hereby amended to include Territory 2, as illustrated on the Map attached hereto as Exhibit “H” and incorporated herein by this reference.

SECTION 8. 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 Territory 2, which territory consists of approximately 3.72 acres of land, the majority of which is owned by the Riverfront Development Corporation of Delaware and a small portion of which is owned by DelDOT.

SECTION 9. This Ordinance shall be deemed effective immediately upon its date of passage by City Council and approval by the Mayor.

First Reading.....April 19, 2018
Second Reading.....April 19, 2018
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2018.

Mayor

SYNOPSIS: This Ordinance provides for the annexation and rezoning of 800 South Market Street, 810 South Market Street, 800 South Walnut Street, 0 Garasches Lane, and a separate but adjacent property also known as 0 Garasches Lane, being Tax Parcel ID Nos. 10-001.00-015, 10-001.00-016, 10-001.00-077, 10-001.00-019, 10-001.00-020, 10-001.00-022, and 26-057.00-050, containing approximately 4.51 acres contiguous with the City boundary in the vicinity of the South Wilmington Analysis Area, New Castle County, Delaware (collectively, the "South Wilmington Parcels") from New Castle County H I (Heavy Industrial) zoning classification to City of Wilmington M-1 (Light Manufacturing) zoning classification. This Ordinance also provides for the annexation and rezoning of 787 South Madison Street, being Tax Parcel ID No. 07-040.30-001, containing approximately 3.72 acres contiguous with the City boundary in the vicinity of the Browntown/Hedgeville Analysis Area, New Castle, County Delaware (the "Browntown/Hedgeville Parcel") from New Castle County H I (Heavy Industrial) zoning classification to City of Wilmington W-2 (Waterfront

Manufacturing/Commercial) zoning classification. In addition, this Ordinance amends the description of the Fourth Councilmanic District, the Official Building Zone Map, and the Supplemental Building Zone Maps to add the annexed South Wilmington Parcels and the annexed Browntown/Hedgeville Parcel into 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 its Water/Sewer Fund for the next three fiscal years and beyond.

EXHIBIT A

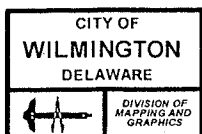
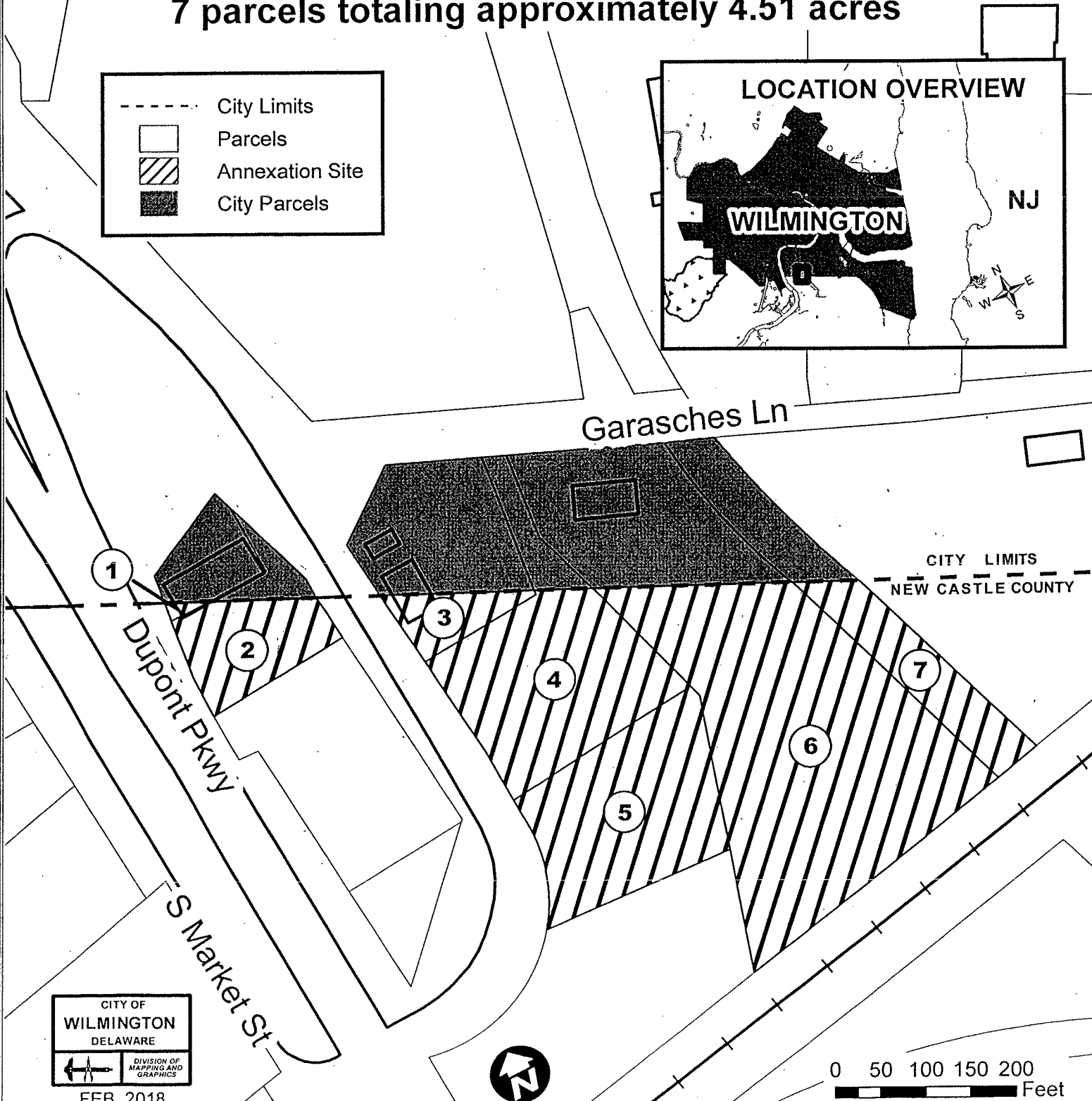
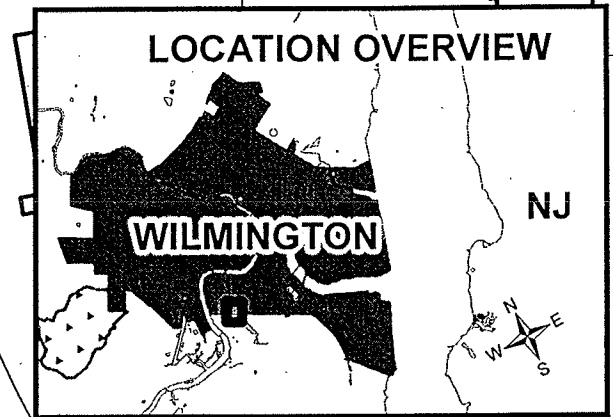
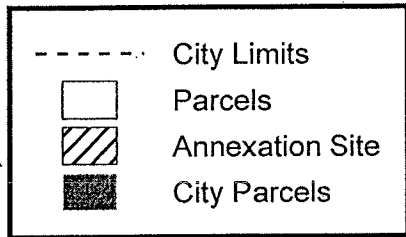
MAP 1

PROPOSED AREA OF ANNEXATION S. Walnut Street and Garasches Lane

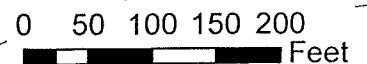
⑦ Tax Parcels:

- 1.) 10-001.00-015, 2.) 10-001.00-016, 3.) 10-001.00-077, 4.) 10-001.00-019,
5.) 10-001.00-020, 6.) 10-001.00-022, 7.) 26-057.00-050

7 parcels totaling approximately 4.51 acres



FEB. 2018



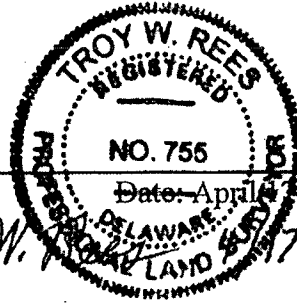
DESCRIPTION OF
ANNEXATION OF LAND INTO THE CITY OF WILMINGTON
PARCEL 10-001.00-015
CITY OF WILMINGTON, DELAWARE

BEGINNING on the easterly right of way line of South Market Street with a variable width right of way and the division line between City of Wilmington and Christiana Hundred/New Castle County, Delaware, also being located on the 1st or North 64° 39' 41" East 106.40 foot line at a distance of 31.22 feet from the beginning of, in a deed from Shirley Wilson to Riverfront Development Corporation of Delaware, dated May 17, 202017 and recorded in the Office of the Recorder of Deeds in and for the County of New Castle, Delaware in Instrument Number 20170519-0024997, and having a meridian reference to the State of Delaware Grid North NAD 83/91; thence binding on said division line between City of Wilmington and Christiana Hundred/New Castle County, Delaware, as now surveyed

- 1) South 62° 04' 57" East, 86.53 feet to the point on the 4th or South 02° 45' 22" West, 79.75 foot line as said in a deed from Shirley Wilson to Riverfront Development Corporation of Delaware
- 2) South 02° 45' 22" East, 29.77 feet to a point
- 3) South 87° 14' 38" West, 113.80 feet to a point on the proposed right of way as shown on State of Delaware, Department of Transportation, Right-of-Way Plans entitled "Christina River Bridge Approaches", Contract Number: T200512102 and acquired by a deed Riverfront Development Corporation of Delaware to State of Delaware, acting by and through the Department of Transportation; thence binding on said proposed right of way line
- 4) northeasterly, 62.84 feet along the arc of a curve to the left having a radius of 800.00 feet, subtended by a chord of North 06° 55' 09" East, 62.82 feet to a point
- 5) North 64° 39' 41" East, 31.22 feet to the point of beginning

CONTAINING 6,117 square feet or 0.1404 of an acre of land, more or less.

BEING the part of the lands as described in a Special Warranty deed Shirley M. Wilson to Riverfront Development Corporation of Delaware, dated May 17, 2017 and as recorded in the Office of the Recorder of Deeds in and for the County of New Castle, Delaware in Instrument Number 20170519-0024997 and property plan entitled "Wilson Properties" recorded or intended to be recorded



Rummel, Klepper and Kahl, LLP
Troy W. Rees
Professional Land Survey Delaware No. 755

Troy W. Rees
Date: April 17, 2018
4/17/18

**DESCRIPTION OF
ANNEXATION OF LAND INTO THE CITY OF WILMINGTON
PARCEL 10-001.00-016
CITY OF WILMINGTON, DELAWARE**

BEGINNING on the westerly right of way line of South Walnut Street with a variable width right of way and the division line between City of Wilmington and Christiana Hundred/New Castle County, Delaware, also being located on the 3rd or South 21° 04' 18" East 139.53 foot line at a distance of 65.51 feet from the beginning of, in a deed from Shirley Wilson to Riverfront Development Corporation of Delaware, dated May 17, 202017 and recorded in the Office of the Recorder of Deeds in and for the County of New Castle, Delaware in Instrument Number 20170519-0024997, and having a meridian reference to the State of Delaware Grid North NAD 83/91; thence binding on part the said 3rd, 4th thru 6th lines of said deed from Wilson to Riverfront Development Corporation of Delaware, as now surveyed

- 1) South 21° 04' 18" East, 74.02 feet to a point
- 2) South 02° 45' 22" East, 65.30 feet to a point
- 3) South 87° 14' 38" West, 170.00 feet to a point on the east side of the South Market Street with a variable right of way width; thence binding on said right of way,
- 4) North 02° 45' 22" West, 47.14 feet to a point on the proposed right of way as shown on State of Delaware, Department of Transportation, Right-of-Way Plans entitled "Christina River Bridge Approaches", Contract Number: T200512102 and acquired by a deed Riverfront Development Corporation of Delaware to State of Delaware, acting by and through the Department of Transportation; thence binding on said proposed right of way line
- 5) northeasterly, 66.96 feet along the arc of a non-tangent curve to the right having a radius of 750.00 feet, subtended by a chord of North 06° 57' 49" East, 66.94 feet to a point of reverse curve
- 6) northeasterly, 5.00 feet along the arc of a curve to the left having a radius of 800.00 feet, subtended by a chord of North 09° 20' 54" East, 5.00 feet to a point on the 1st or North 87° 14' 38" East, 126.15 feet as described in said deed from Wilson to Riverfront Development Corporation of Delaware; thence binding on part of said 1st and 2nd line
- 7) North 87° 14' 38" East, 113.80 feet to a point



- 8) North 02° 45' 22" West, 29.77 feet to a point on the division line between City of Wilmington and Christiana Hundred/New Castle County, Delaware; thence binding on said division line
- 9) South 62° 04' 57" East, 23.93 feet to the point of beginning

CONTAINING 19,743 square feet or 0.4532 of an acre of land, more or less.

BEING the part of the lands as described in a Special Warranty deed Shirley M. Wilson to Riverfront Development Corporation of Delaware, dated May 17, 2017 and as recorded in the Office of the Recorder of Deeds in and for the County of New Castle, Delaware in Instrument Number 20170519-0024997 and property plan entitled "Wilson Properties" recorded or intended to be recorded.

Rummel, Klepper and Kahl, LLP
Troy W. Rees
Professional Land Survey Delaware No. 755

Troy W. Rees



DESCRIPTION OF
ANNEXATION OF LAND INTO THE CITY OF WILMINGTON
PARCEL 10-001.00-077
CITY OF WILMINGTON, DELAWARE

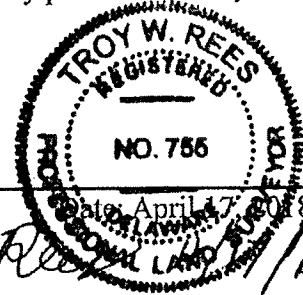
BEGINNING on the easterly right of way line of South Walnut Street with a 60 foot wide right of way and the division line between City of Wilmington and Christiana Hundred/New Castle County, Delaware, also being located on the fourth or North 02° 45' 22" West 153.19 foot line at a distance of 4.23 feet from the end of said line, in a deed from Shirley Wilson to Riverfront Development Corporation of Delaware, dated May 17, 202017 and recorded in the Office of the Recorder of Deeds in and for the County of New Castle, Delaware in Instrument Number 20170519-0024997, and having a meridian reference to the State of Delaware Grid North NAD 83/91; thence binding on the said division line between City of Wilmington and Christiana Hundred/New Castle County, Delaware, as now surveyed

- 1) South 62° 04' 57" East, 176.45 feet to a point on the 2nd line or S 09° 09' 53" West, 177.74; thence binding on part of said 2nd, 3rd and part of the 4th line
- 2) South 09° 09' 53" West, 60.25 feet to a point
- 3) South 87° 14' 38" West, 139.32 feet to a point on the easterly right of way line of South Walnut Street, a 60' wide right-of-way; thence binding on said easterly right of way line of said South Walnut Street, as now surveyed
- 4) North 02° 45' 22" West, 148.96 feet to a point of beginning

CONTAINING 15,410 square feet or 0.3538 of an acre of land, more or less.

BEING the part of the lands as described in a Special Warranty deed Shirley M. Wilson to Riverfront Development Corporation of Delaware, dated May 17, 2017 and as recorded in the Office of the Recorder of Deeds in and for the County of New Castle, Delaware in Instrument Number 20170519-0024997 and property plan entitled "Wilson Properties" recorded or intended to be recorded.

Rummel, Klepper and Kahl, LLP
 Troy W. Rees
 Professional Land Survey Delaware No. 755



**DESCRIPTION OF
ANNEXATION OF LAND INTO THE CITY OF WILMINGTON
PARCEL 10-001.00-019**

CITY OF WILMINGTON, DELAWARE

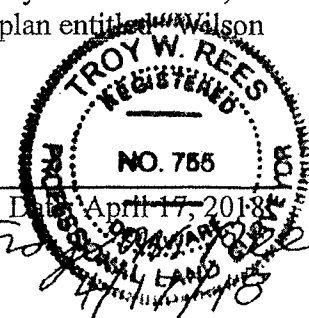
BEGINNING on the and the division line between City of Wilmington and Christiana Hundred/New Castle County, Delaware, also being located on the first or South 08° 18' 53" West 123.75 foot line at a distance of 120.63' from the beginning of said first line, in a deed from Shirley Wilson to Riverfront Development Corporation of Delaware, dated May 17, 202017 and recorded in the Office of the Recorder of Deeds in and for the County of New Castle, Delaware in Instrument Number 20170519-0024997, and having a meridian reference to the State of Delaware Grid North NAD 83/91; thence binding on the said part of said 1st, 2nd, 3rd, 4th, 5th and part of the 6th of said deed from Wilson to Riverfront Development Corporation of Delaware, as now surveyed

- 1) South 08° 18' 53" West, 3.12 feet to a point
- 2) South 16° 03' 52" East, 232.44 feet to a point
- 3) South 87° 14' 38" West, 229.89 feet to a point on the easterly right of way line of South Walnut Street, a 60' wide right-of-way; thence binding on said South Walnut Street, as now surveyed
- 4) North 02° 45' 22" West, 185.27 feet to a point
- 5) North 87° 14' 38" East, 139.32 feet to a
- 6) North 09° 09' 53" East, 60.25 feet to a point on said division line between City of Wilmington and Christiana Hundred/New Castle County, Delaware
- 7) South 62° 04' 57" East, 29.32 feet to the point of beginning

CONTAINING 40,369 square feet or 0.9267 acres of land, more or less.

BEING the part of the lands as described in a Special Warranty deed Shirley M. Wilson to Riverfront Development Corporation of Delaware, dated May 17, 2017 and as recorded in the Office of the Recorder of Deeds in and for the County of New Castle, Delaware in Instrument Number 20170519-0024997 and property plan entitled "Wilson Properties" recorded or intended to be recorded.

Rummel, Klepper and Kahl, LLP
Troy W. Rees, Professional Land Survey Delaware No. 755



DESCRIPTION OF
ANNEXATION OF LAND INTO THE CITY OF WILMINGTON
PARCEL 10-001.00-020
CITY OF WILMINGTON, DELAWARE

BEGINNING at a point on the southerly division line between City of Wilmington and Christiana Hundred/New Castle County, Delaware on the easterly right of way line of South Walnut Street, a 60' wide right-of-way, South 02 45' 22" West, 334.23 feet to the point being at the beginning of the fourth or South 88° 35' 30" East, 229.885 foot line of Parcel No. 3 as described in a deed from Ruth J. Eskridge to Donald W. Wilson and Shirley M. Wilson, dated June 15, 1965 and recorded in the Office of the Recorder of Deeds in and for the County of New Castle, Delaware in Deed of Record D-75 Page 541, said point also being at the end of the third or North 88° 35' 30" West 229.885 foot line of Parcel No. 2 as described in aforesaid deed from Eskridge to Wilson, having a meridian reference to the State of Delaware Grid North NAD 83/91; thence binding on said fourth line of Parcel No. 3, and binding on the third line of Parcel No. 2, reversely, as now surveyed,

- 1) North 87° 14' 38" East, 229.89 feet to a point at the beginning of the fifth or South 11° 54' 00" East 14.691 foot line of Parcel No. 3 as described in aforesaid deed from Eskridge to Wilson, said point also being in the fifth or North 12° 15' 25" West 247.13' line of the deed from Garasches Lane Trust, Billy G. Church, Trustee to Baul's Towing and Service, LLC, dated April 4, 2016, and recorded in the Office of the Recorder of Deeds in and for the County of New Castle, Delaware in document number 20160404-0015456; thence binding on said fifth line of Parcel No. 3 of the aforesaid deed from Eskridge to Wilson, and also with a portion of the said fifth line of the deed from Garasches Lane Trust to Baul's Towing, LLC, reversely, as now surveyed,
- 2) South 16° 03' 52" East, 14.69 feet to a point on the beginning of the sixth or South 83° 21' 45" West 364.239 foot line of Parcel No. 3 as described in aforesaid deed from Eskridge to Wilson, said point also being at the beginning of the fourth or North 20° 30' 05" East 308.17' line of the aforesaid deed from Garasches Lane Trust to Baul's Towing, LLC; thence binding part of said sixth line of Parcel No. 3 of the aforesaid deed from Eskridge to Wilson, and with a portion of said fourth line of the aforesaid deed from Garasches Lane Trust to Baul's Towing, LLC, reversely, as now surveyed,
- 3) South 16° 41' 38" West, 173.51 feet to a point at the end of the third or South 81° 33' 45" East 224.70 foot line of the deed from Anthony M. Domino, Jr. and Joyce Ann Domino to A.M. Domino, Jr. Salvage Co., dated September 8, 1969 and as recorded in the Office of the Recorder of Deeds in and for the County of New Castle, Delaware in Deed of Record W-82 Page 938; thence binding reversely on said third



line of aforesaid deed from Domino to A.M. Domino, Jr. Salvage Co., reversely, as now surveyed,

- 4) North 85° 43' 48" West, 224.72 feet to a point on the easterly right of way line of South Walnut Street right of way line, with a 60' right of way, said point also being in the second line of Parcel No. 3 as described in aforesaid deed from Eskridge to Wilson; thence with part of said second line as now surveyed,
- 5) Northeasterly, 133.88 feet along the arc of a curve to the left, having a radius of 180.00 feet, subtended by a chord of North 18° 33' 08" East, 130.82 feet to a point at the beginning of the third or North 01° 24' 30" East, 28.54 foot line of Parcel No. 3, as described in the aforesaid deed from Eskridge to Wilson; thence binding on said third line of Parcel No. 3 and said right of way, as now surveyed
- 6) North 02° 45' 22" West, 28.54 feet to the point of beginning

CONTAINING 36,806 square feet or 0.8450 of an acre of land, more or less.

BEING the part of the lands as described in a Special Warranty deed Shirley M. Wilson to Riverfront Development Corporation of Delaware, dated May 17, 2017 and as recorded in the Office of the Recorder of Deeds in and for the County of New Castle, Delaware in Instrument Number 20170519-0024997 and property plan entitled "Wilson Properties" recorded or intended to be recorded

Rummel, Klepper and Kahl, LLP
Troy W. Rees
Professional Land Survey Delaware No. 755



7, 2018

7/17/18

HOWARD L. ROBERTSON, INC.

Registered Professional Engineers and Land Surveyors

801 BRANDYWINE BOULEVARD – WILMINGTON, DELAWARE 19809

Telephone: (302)764-2456 Fax: (302)764-7022

March 28, 2018

Legal Description for Tax Parcel 10-001.00-022

To be annexed into the City of Wilmington

0 Garasches Lane

ALL that certain lots pieces or parcel of land with the buildings thereon erected, situate in the New Castle Hundred, New Castle County and State of Delaware, known as 0 Garasches Lane, being Tax Parcel 10-001.00-022 and being more particularly bounded and described on a plan entitled Mortgage Survey Plan – Property of Riverfront Development Corporation of Delaware, said plan dated March 26, 2018 and prepared by Howard L. Robertson, Inc., Registered Professional Engineers and Land Surveyors and being more particularly bounded and described as follows, to-wit:

BEGINNING at a corner of Tax Parcel 10-001.00-022 and Tax Parcel 26-057.00-010, said point also being a point on the division line between the City of Wilmington and New Castle Hundred/New Castle County Delaware said point being distant from the point of intersection formed by the southwesterly side of Garasches Lane (at 40 feet wide) with the westerly side of the South Walnut Street Branch of the Wilmington and Northern Railroad Right of Way (at 50 feet wide) by a curve to the left having a radius of 741.78 feet an arc distance of 141.71 feet to a point of curve of a curve to the left having a radius of 741.78 and said point being distant from the previous point by a chord of South 06 degrees 42 minutes 11 seconds East 141.52 feet; thence from said point of beginning along said 741.78 foot radius curve to the left an arc distance of 42.64 feet to a point said point being distant from the previous point by a chord of South 13 degrees 49 minutes 27 seconds East 42.63 feet; thence South 15 degrees 28 minutes 15 seconds East 349.62 feet to a point on northwesterly side of the Norfolk Southern Railroad Right of Way; thence thereby South 83 degrees 00 minutes 20 seconds West 343.05 feet to a corner for tax parcel 10-001.00-021; thence thereby and also by tax parcel 10-001.00-020 North 20 degrees 30 minutes 05 seconds East 308.17 to a corner for tax parcel 10-001.00-020; thence thereby and also by tax parcel 26-001.00-019 North 12 degrees 15 minutes 25 seconds West 247.13 feet; thence North 12 degrees 07 minutes 20 seconds East 1.19 feet to a point on the division line between the City of Wilmington and New Castle Hundred/New Castle County Delaware and a corner for tax parcel 26-057.00-009; thence along the division line between the City of Wilmington and New Castle Hundred/New Castle County Delaware South 58 degrees 29 minutes 06 seconds East 212.71 feet to the point and place of Beginning. Containing within said metes and bounds 2.228 acres, be the same more or less.

HOWARD L. ROBERTSON, INC.

Registered Professional Engineers and Land Surveyors

801 BRANDYWINE BOULEVARD – WILMINGTON, DELAWARE 19809

Telephone: (302)764-2456 Fax: (302)764-7022

March 28, 2018

Legal Description for Part of Tax Parcel 26-057.00-050

To be annexed into the City of Wilmington

A portion of 0 Garasches Lane

ALL that certain lots pieces or parcel of land with the buildings thereon erected, situate in the New Castle Hundred, New Castle County and State of Delaware, known as the portion of 0 Garasches Lane located within New Castle Hundred, a portion of Tax Parcel 26-057.00-050 and being more particularly bounded and described on a plan entitled Mortgage Survey Plan – Property of Riverfront Development Corporation of Delaware, said plan dated March 26, 2018 and prepared by Howard L. Robertson, Inc., Registered Professional Engineers and Land Surveyors and being more particularly bounded and described as follows, to-wit:

BEGINNING at a point on the division line between the City of Wilmington and New Castle Hundred/New Castle County Delaware said point also being on the division line between tax parcels 26-057.00-047 and 26-057.00-050 and being distant the following five (5) courses and distances from the intersection of the centerline of Garasches Lane with the centerline of South Market Street (at 80 feet wide); (1) South 63 degrees 49 minutes 54 seconds East 687.24 feet to a point; (2) by a 741.78 foot radius curve to the left an arc distance of 33.90 feet to a point on the southwesterly side of Garasches Lane (at 60 feet wide) said point being distant from the previous point by a chord of South 00 degrees 23 minutes 47 seconds East 33.89 feet; (3) thence along the southwesterly side of Garasches Lane South 62 degrees 39 minutes 54 seconds east 57.84 feet to a corner for tax parcel 26-057.00-047; (4) thence thereby by a curve to the left having a radius of 691.76 feet an arc distance of 133.82 feet to a point, said point being distant from the previous point by a chord of South 09 degrees 34 minutes 24 seconds 133.61 feet (5) South 15 degrees 06 minutes 54 seconds East 9.66 feet to the point and place of beginning; thence from said point of beginning and continuing by tax parcel 26-057.00-047 South 15 degrees 06 minutes 54 seconds East 347.41 feet to a point on northwesterly side of the Norfolk Southern Railroad Right of Way; thence thereby South 83 degrees 21 minutes 41 seconds West 50.55 to a corner for tax parcel 10-001.00-022; thence thereby the following two (2) courses and distances (1) North 15 degrees 06 minutes 54 seconds West 349.62 feet to a point of curve of a curve to the right having a radius of 741.78 feet; (2) along said 741.78 foot radius curve to the right an arc distance of 42.64 feet to a point on the division line between the City of Wilmington and New Castle Hundred/New Castle County Delaware and a corner for tax parcel 26-057.00-010; thence along the division line between the City of Wilmington and New Castle Hundred/New Castle County Delaware South 58 degrees 07 minutes 45 seconds East 71.50 feet to the point and place of Beginning. Containing within said metes and bounds 0.425 acres, be the same more or less.

EXHIBIT B

MAP 2

PROPOSED AMENDMENT TO THE OFFICIAL BUILDING ZONE MAP

Tax Parcels:

10-001.00-015, 10-001.00-016, 10-001.00-077, 10-001.00-019,
10-001.00-020, 10-001.00-022, 26-057.00-050

| | |
|-------|-----------------|
| ----- | City Limits |
| □ | City Zoning |
| □ | Parcels |
| ▨ | Annexation Site |
| ■ | City Parcels |

LOCATION OVERVIEW

WILMINGTON NJ

M-1

W-4

Garasches Ln

Heavy Industrial

Heavy Industrial

Dupont Pkwy

S Market St

Proposed Rezoning:
HI : Heavy Industrial (County)
to M-1: Light Manufacturing (City)

CITY OF WILMINGTON DELAWARE

DIVISION OF MAPPING AND GRAPHICS

FEB. 2018

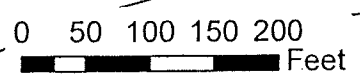


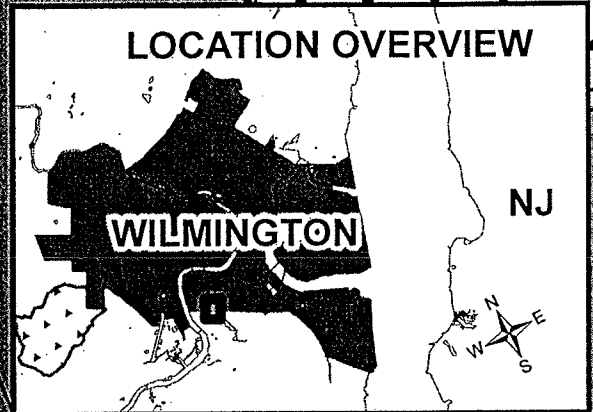
EXHIBIT C

MAP 3

SUPPLEMENTAL BUILDING ZONE MAP

Tax Parcels:

10-001.00-015, 10-001.00-016, 10-001.00-077, 10-001.00-019,
10-001.00-020, 10-001.00-022, 26-057.00-050



--- City Limits
□ Parcels
▨ Annexation Site
■ City Parcels

Floodway Fringe

■ Zone AE
■ Floodway Zones in FEMA Zone AE
● 0.2% Annual Chance Flood Hazard

Garasches Ln

CITY LIMITS
NEW CASTLE COUNTY

DuPont Pkwy
S Market St

CITY OF
WILMINGTON
DELAWARE

DIVISION OF
MAPPING AND
GRAPHICS

FEB. 2018

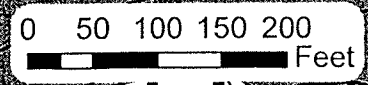


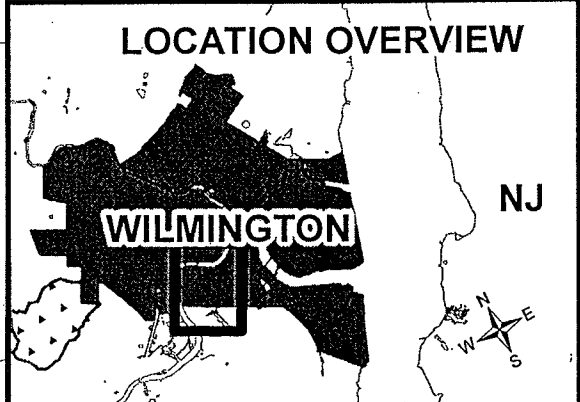
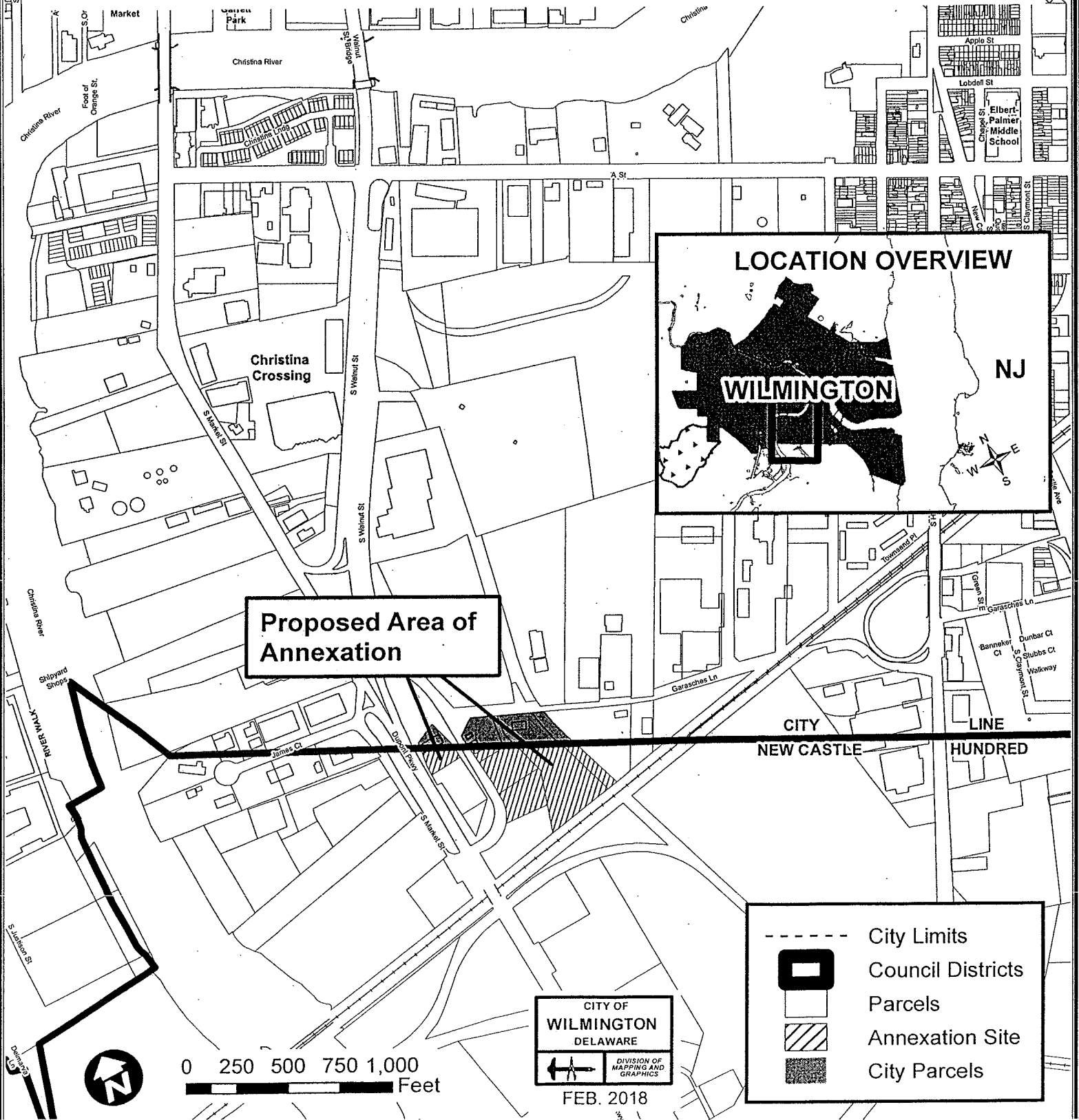
EXHIBIT D

MAP 4

PROPOSED AREA OF ANNEXATION Annexation to be added to City Council District No. 4

Tax Parcels:

10-001.00-015, 10-001.00-016, 10-001.00-077, 10-001.00-019,
10-001.00-020, 10-001.00-022, 26-057.00-050



Proposed Area of Annexation

CITY LINE
NEW CASTLE HUNDRED

| | |
|-----|-------------------|
| --- | City Limits |
| □ | Council Districts |
| □ | Parcels |
| ▨ | Annexation Site |
| ■ | City Parcels |

CITY OF
WILMINGTON
DELAWARE

DIVISION OF
MAPPING AND
GRAPHICS

FEB. 2018

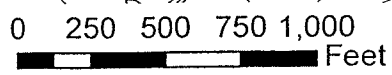


EXHIBIT E

MAP 1

PROPOSED AREA OF ANNEXATION S. Madison Street and Interstate 95

Tax Parcel: 07-040.30-001

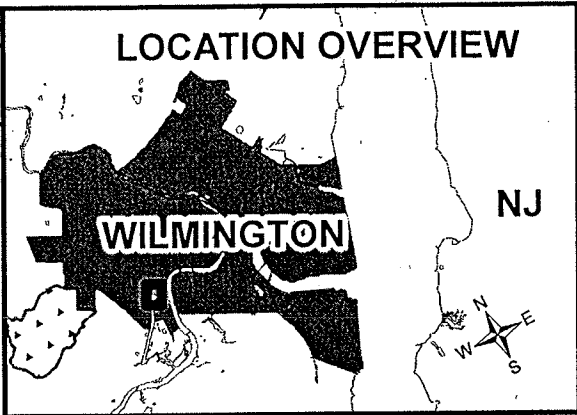
1 parcel totaling approximately 3.72 acres

HOLLINGSWORTH AVE

S. MADISON

S. JUSTISON ST

S. JUSTISON ST



BEECH ST

DUNCAN ST



NEW CASTLE COUNTY

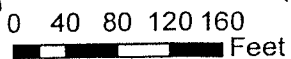
| | |
|-------|-----------------|
| ----- | City Limits |
| | Annexation Site |
| | City Blocks |

FRAWLEY STADIUM

CITY OF
WILMINGTON
DELAWARE

DIVISION OF
MAPPING AND
GRAPHICS

APRIL 2018



**DESCRIPTION OF ANNEXATION OF
RIVERFRONT DEVELOPMENT CORPORATION OF DELAWARE
LAND INTO THE CITY OF WILMINGTON
TAX PARCEL 07-040.30-001 (COUNTY)
CITY OF WILMINGTON, DELAWARE**

BEGINNING at a point on the westerly side of South Madison Street, with a variable wide public right-of-way, as shown on State of Delaware, Department of Transportation, Right-of-Way Plans entitled "Christina River Bridge Approaches", Contract Number: T200512102, and division line between City of Wilmington and Christiana Hundred/New Castle County, Delaware, said point also being 19.77 feet from the beginning of the 19th or North 08° 07' 13" West, 100.70 foot line of the deed dated July 13, 2016, as conveyed by Riverfront Development Corporation of Delaware to the State of Delaware acting by and through the Department of Transportation, as recorded in the Office of Recorder of Deeds in and for the County of New Castle, Delaware in Instrument Number 20160812-0040454; thence binding reversely on part of said 19th and 18th lines of said deed, as now surveyed

- 1) South 08° 07' 13" West, 19.77 feet to a point; thence
- 2) southwesterly, 39.27 feet along the arc of a curve to the right having a radius of 25.00 feet, subtended by a chord of South 53° 07' 13" West, 35.36 feet to a point on the north side of Shipyard Drive, a 50' wide right of way, as shown on said right-of-way plans; thence binding reversely on the 17th, 16th, 15th and 14th lines of the aforementioned deed, and with the right of way line of Shipyard Drive; as now surveyed
- 3) North 81° 52' 47" West, 454.73 feet to a point; thence
- 4) North 08° 07' 13" East, 18.00 feet to a point; thence
- 5) North 81° 52' 48" West, 13.42 feet to a point on the westerly side of Stadium Drive; thence binding on said Stadium Drive right-of-way
- 6) North 08° 43' 49" East, 83.39 feet to a point on the 4th line of the deed dated July 13th, 2016, as conveyed by Riverfront Development Corporation of Delaware to the State of Delaware acting by and through the Department of Transportation, as recorded in the Office of Recorder of Deeds in and for the County of New Castle, Delaware in Instrument No. 20160713-0034024; thence binding on said 4th line and all of the 5th, 6th, 7th, 8th, 9th and 10th lines of said deed, as now surveyed



7) northeasterly, 32.32 feet along the arc of a curve to the right having a radius of 867.15 feet, subtended by a chord of North 18° 04' 32" East, 32.32 feet on the westerly side of Stadium Drive, a proposed variable width public right-of-way, as shown on said right-of-way plan; thence binding on said Stadium Drive right-of-way, as now surveyed

8) northeasterly, 31.60 feet along the arc of a curve to the right having a radius of 1,420.00 feet, subtended by a chord of North 37° 38' 40" East, 31.60 feet to a point; thence

9) North 38° 16' 56" East, 273.93 feet to a point; thence

10) North 35° 04' 00" East, 35.53 feet to a point; thence

11) northeasterly, 45.43 feet along the arc of a curve to the right having a radius of 109.79 feet, subtended by a chord of North 26° 14' 55" East, 45.11 feet to a point; thence

12) North 41° 46' 20" East, 2.96 feet to a point on the division line between City of Wilmington and Christiana Hundred/New Castle County, Delaware; thence binding on said division line

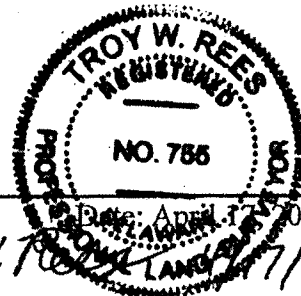
13) South 26° 56' 45" East, 525.10 feet to the point of beginning.

CONTAINING 133,211 square feet or 3.0581 acres of land, more or less.

BEING part of Parcel 1 of the same lands as described in a deed from Delmarva Power & Light Company to Riverfront Development Corporation of Delaware, dated July 11, 2016 and as recorded in the Office of the Recorder of Deeds in and for the County of New Castle, Delaware in Instrument Number: 20160713-0034024.

Rummel, Klepper and Kahl, LLP
Troy W. Rees
Professional Land Survey Delaware No. 755

Troy W. Rees
Date: April 17, 2018
LAND SURVEY



**DESCRIPTION OF ANNEXATION OF
PART OF SHIPYARD DRIVE AND SOUTH MADISON STREET
INTO THE CITY OF WILMINGTON
TAX MAP 07-040.30 (COUNTY)
CITY OF WILMINGTON, DELAWARE**

BEGINNING at a point on the 11th or North 81° 48' 15" West, 839.45 foot line in the deed dated July 13, 2016, as conveyed by Riverfront Development Corporation of Delaware to the State of Delaware acting by and through the Department of Transportation, as recorded in the Office of Recorder of Deeds in and for the County of New Castle, Delaware in Instrument Number 20160812-0040454, as shown on State of Delaware, Department of Transportation, Right-of-Way Plans entitled "Christina River Bridge Approaches", Contract Number: T200512102, also being the south side of Shipyard Drive with a 50 foot wide right of way and the division line between City of Wilmington and Christiana Hundred/New Castle County, Delaware, said point also being 267.80 feet from the beginning of said line; thence binding on part of said 11th and 12th thru 19th lines of said deed, as now surveyed

- 1) North 81° 48' 15" West, 571.65 feet to a point on the westerly side of Stadium Drive, a proposed variable width public right-of-way, as shown on said right-of-way plan; thence binding on said Stadium Drive right-of-way
- 2) North 12° 39' 45" East, 85.64 feet to a point
- 3) northeasterly, 66.68 feet along the arc of a curve to the right having a radius of 867.15 feet, subtended by a chord of North 14° 54' 14" East, 66.67 feet to a point
- 4) South 08° 43' 49" West, 83.39 feet to a point
- 5) South 81° 52' 48" East, 13.42 feet to a point
- 6) South 08° 07' 13" West, 18.00 feet to a point on the north side of said Shipyard Drive right of way; thence binding on said
- 7) South 81° 52' 47" East, 454.73 feet to a point
- 8) northeasterly, 39.27 feet along the arc of a curve to the left having a radius of 25.00 feet, subtended by a chord of North 53° 07' 13" East, 35.36 feet to a point on the west side of South Madison Street, with variable width right of way, as shown on said right-of-way plans; thence binding on said right of way line

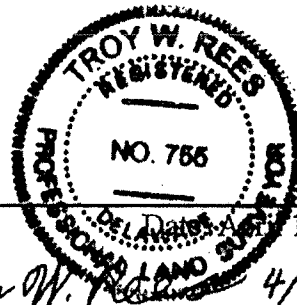
Description of Annexation of
Part of Shipyard Dr and South Madison Street
Page 2

9) North 08° 07' 13" East, 19.77 feet to a point to a point on the division line between City of Wilmington and Christiana Hundred/New Castle County, Delaware; thence binding on said division line

10) South 26° 56' 45" East, 113.30 feet to the point of beginning.

CONTAING 27,938 square feet or 0.6414 acre of land, more or less.

BEING part of the same lands as described in a deed from Riverfront Development Corporation of Delaware to State of Delaware, acting by and through the Department of Transportation, dated July 13, 2016 and as recorded in the Office of the Recorder of Deeds in and for the County of New Castle, Delaware in Instrument Number: 20160812-004.



Rummel, Klepper and Kahl, LLP

Troy W. Rees

Professional Land Survey Delaware No. 755

Troy W. Rees 4/17/18

17, 2018

EXHIBIT F

MAP 2 PROPOSED AMENDMENT TO THE OFFICIAL BUILDING ZONE MAP

Tax Parcel: 07-040.30-001

HOLLINGSWORTH AVE

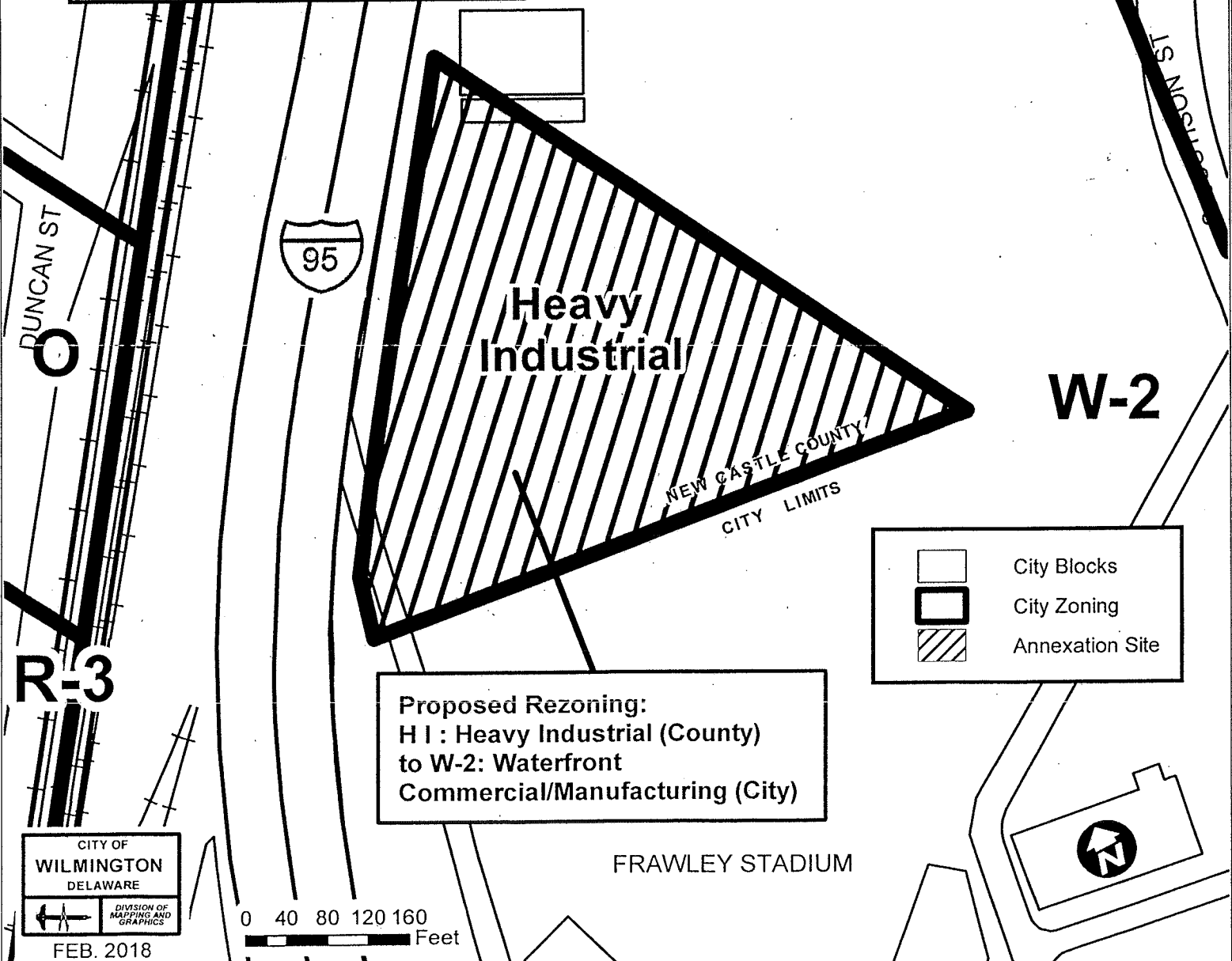
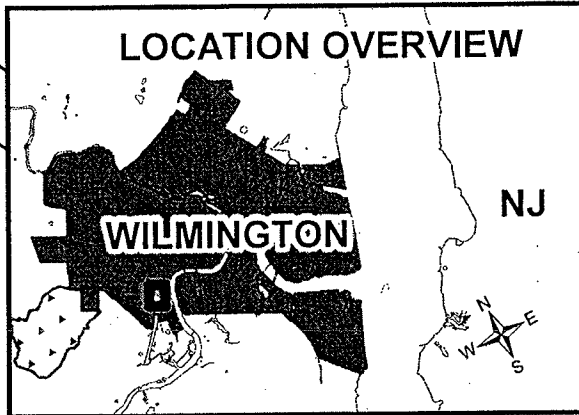
W-4

S. JUSTISON ST

S. MADISON

W-2

BEECH ST

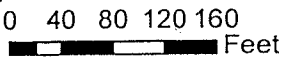


Proposed Rezoning:
HI : Heavy Industrial (County)
to W-2: Waterfront
Commercial/Manufacturing (City)

| | |
|--|-----------------|
| | City Blocks |
| | City Zoning |
| | Annexation Site |

CITY OF
WILMINGTON
DELAWARE

DIVISION OF
MAPPING AND
GRAPHICS

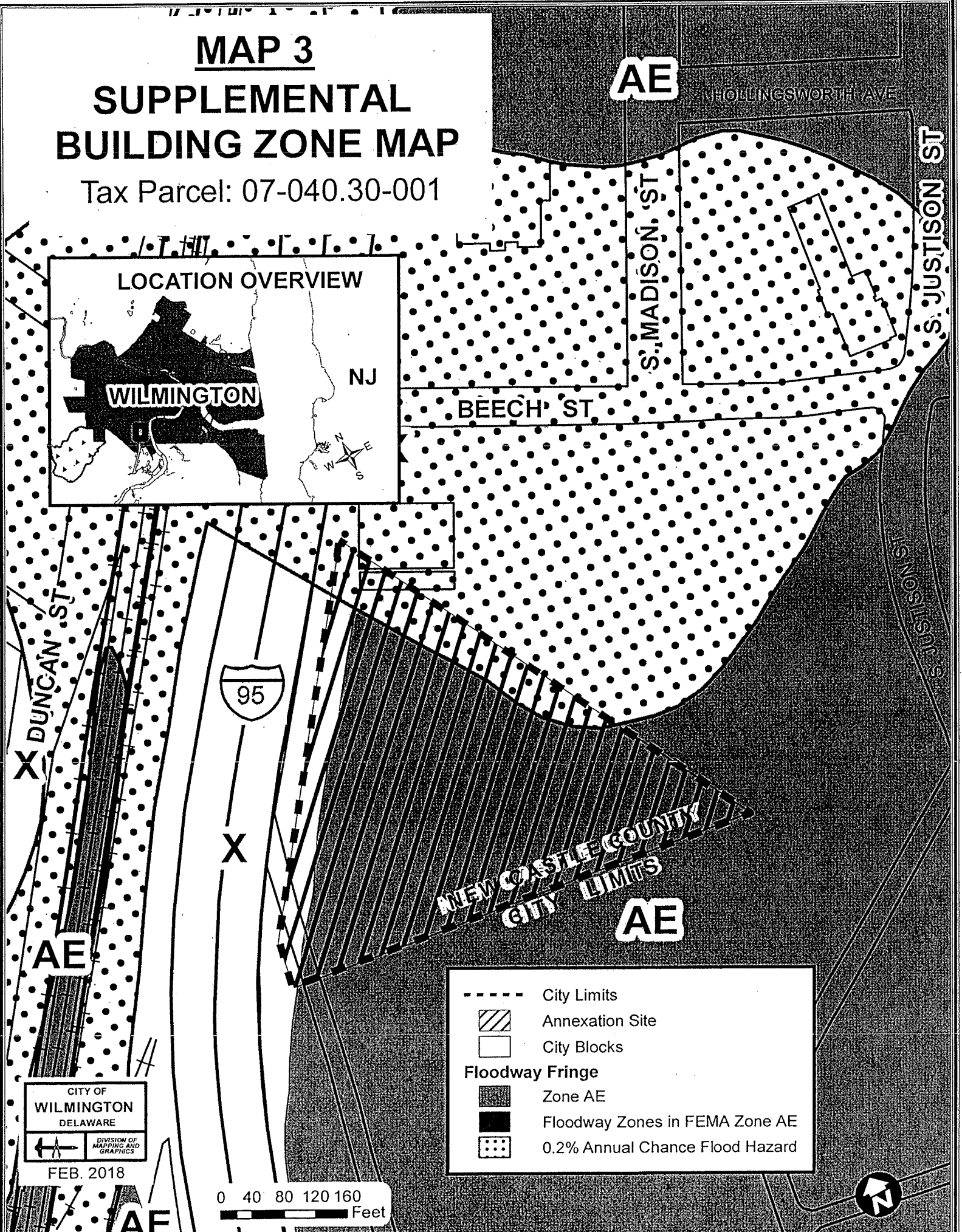
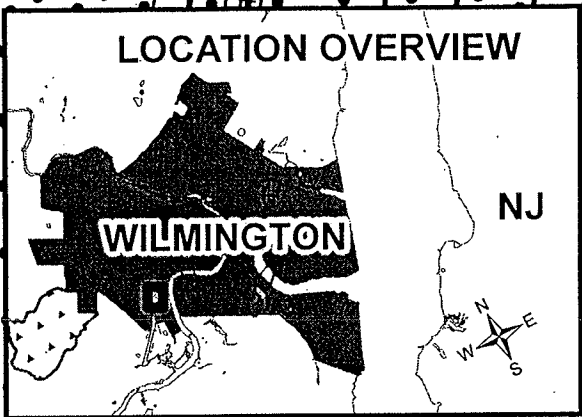


FEB. 2018

EXHIBIT G

MAP 3 SUPPLEMENTAL BUILDING ZONE MAP

Tax Parcel: 07-040.30-001



| | |
|------------------------|---------------------------------|
| ----- | City Limits |
| | Annexation Site |
| | City Blocks |
| Floodway Fringe | |
| | Zone AE |
| | Floodway Zones in FEMA Zone AE |
| | 0.2% Annual Chance Flood Hazard |

CITY OF
WILMINGTON
DELAWARE

DIVISION OF
MAPPING AND
GRAPHICS

FEB. 2018

0 40 80 120 160
Feet



EXHIBIT H

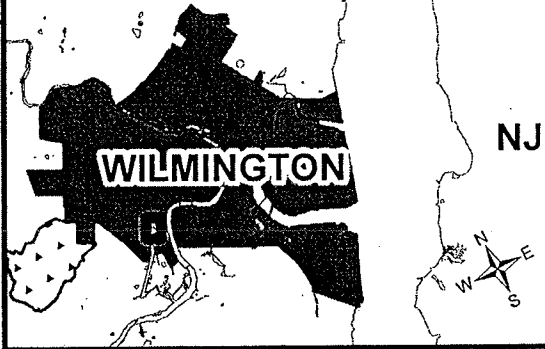
MAP 4

PROPOSED AREA OF ANNEXATION

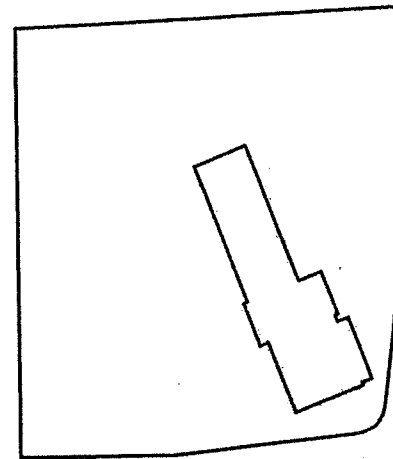
Annexation to be added to
City Council District No. 4

Tax Parcel: 07-040.30-001

LOCATION OVERVIEW



HOLLINGSWORTH AVE



S. JUSTISON ST

S. MADISON

BEECH ST

**Council
District 4**

S. JUSTISON ST

**Council
District 6**



NEW CASTLE COUNTY
CITY LIMITS

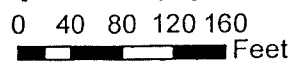
| | |
|-------|-------------------|
| ----- | City Limits |
| □ | City Blocks |
| ▣ | Council Districts |
| ▨ | Annexation Site |

Proposed Area of
Annexation -
To be Added to
Council District 4

FRAWLEY STADIUM

CITY OF
WILMINGTON
DELAWARE

DIVISION OF
MAPPING AND
GRAPHICS



FEB. 2018



AN ORDINANCE TO AMEND CHAPTER 48 OF THE CITY CODE TO UPDATE THE ZONING CODE

#4549

Sponsor:

Council
President
Shabazz

Council
Member
Dixon

WHEREAS, the Wilmington City Code establishes laws for operations within the City of Wilmington; and

WHEREAS, although the City Code is regularly amended, it nonetheless contains certain provisions that are no longer necessary or appropriate, as well as sections that require clarification; and

WHEREAS, recognizing the importance of the City Code, the City has embarked upon a comprehensive review of the Code to identify sections requiring revision and to propose such amendments through legislation; and

WHEREAS, at its May 22, 2018 meeting, the City Planning Commission reviewed the proposed Ordinance and, by its Resolution 15-18, recommended the proposed amendments to Chapter 48 of the City Code contained in the proposed Ordinance; and

WHEREAS, the City desires to make logical updates to the Zoning Code, such as correcting outdated cross references; and

WHEREAS, the City seeks to encourage the development of residential properties in the Central business district; and

WHEREAS, the City would like to make the process to obtain certain required approvals more efficient; and

WHEREAS, the City has determined that non-profit organizations and community associations should have greater opportunities to partner with the City on local parks; and

WHEREAS, the City desires to provide additional opportunities for development in W-4 districts; and

WHEREAS, the City would like to reduce storm water runoff to the City's combined sewer overflow system; and

WHEREAS, the City seeks to maintain the beauty of Wilmington and its landscaping; and

WHEREAS, City Council deems it necessary and proper to amend Chapter 48 of the City Code to effectuate the aforementioned changes.

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

SECTION 1. Section 48-443(a)(1) of the City Code, entitled "Parking spaces accessory to dwellings and related use" and subtitled "Apartment houses, unless exempted under subsection (2) of this subsection", is amended by deleting the stricken language to read as follows:

| | | |
|--|-----------------------|-----------------------------|
| Apartment houses, unless exempted under subsection (2) of this subsection: | | |
| | R-4 | Two for each three families |
| | R-2-A, R-5-A, R-5-A-1 | One for each family |
| | R-5-B | Two for each three families |
| | R-5-C, W-4 | One for each two families |

| | | |
|--|--------------------------|-----------------------------|
| | C-1, C-1-A, C-2, C-5 | Two for each three families |
| | C-3, C-4, C-6 | One for each two families |

SECTION 2. Section 48-212 of the City Code, entitled "Floor area ratios", is amended by deleting the stricken language to read as follows:

| District and Use | | Floor Area Ratio |
|-------------------------|-----------------|------------------|
| C-1 and C-1-A: All uses | | 1.5 |
| C-2: All uses | | 5.0 |
| C-2-A: All uses | | 1.0 |
| C-3: All uses | | 6.0 |
| C-4: | | |
| | Apartment house | 6.0 |
| | All other uses | 20.0 |
| C-5: All uses | | 3.0 |

| | |
|---------------|------|
| C-6: All uses | 10.0 |
|---------------|------|

SECTION 3. Section 48-473 of the City Code, entitled “Projections into required open spaces”, is amended by deleting the stricken language and adding the underlined language to read as follows:

(a) *Generally.* Every part of a required yard or court or other required open space shall be open and unobstructed to the sky except as otherwise permitted under sections 48-154, and 48-477 and division 2 of this article or by the following specified projections and encroachments:

(1) Uncovered steps, an open porch, or an enclosed porch may project into a required rear yard a distance of not more than ten feet in an R-1, R-2 or R-2-A district and a distance of not more than eight feet in an R-3, R-4, R-5-A, R-5-A-1, R-5-B or R-5-C district.

(2) Any permissible projection beyond the street line or the building setback line permitted ~~as follows: under sections 506 and 507 of the building code of the city.~~

- a. General: Except as herein provided, a part of any building hereafter erected and additions to an existing building theretofore erected shall not project beyond the lot lines or beyond the building line where such lines are established by the zoning law or any other statute controlling building construction.
- b. Below grade: A part of a building hereafter erected below grade that is necessary for structural support of the building shall not project beyond the lot lines, except that the footings of street walls or their supports which are located at least 8 feet below grade shall not project more than 12 inches beyond the street lot line.
- c. Above grade: All projections hereafter permitted beyond the street lot line or the building lot line above grade shall be so constructed as to be readily removable without endangering the safety of the building.
- d. Projections necessary for safety: In any specific application, the code official is authorized to designate by approved rules such architectural features and accessories which are deemed desirable or necessary for the health or safety of the public as well as the maximum extent to which such features shall project beyond the street lot line or the building line where established by statute,

subject to all provisions and restrictions that are otherwise prescribed by law, ordinance or rule of the authorities having jurisdiction over streets or public spaces.

- e. Permit revocable: Any permit granted or permission expressed or implied in the provisions of this code to construct a building so as to project beyond the street lot line or building line shall be revocable by the jurisdiction at will.
- f. Existing encroachments: Parts of existing buildings and structure which already project beyond the street lot line or building line are not required to be altered until their removal is directed by the proper authorities of the jurisdiction.

(3) Any other permissible encroachment into a required yard or court permitted ~~as follows: under section 508 of the building code of the city.~~

- a. Permissible projections: Every required court and yard shall remain unobstructed for its required area and full height, except for the projections permitted in the following subsection b.-g.
- b. Maximum encroachment: A part of any building or structure shall not extend into side courts, inner courts or yards required for light and ventilation of habitable and occupiable rooms by the zoning law or other statutes controlling building construction. The encroachment shall not exceed 20 percent of the legal area of the yard or court which is required for light and ventilation purposes.
- c. Accessories: In use groups R and I, clothes poles, arbors, garden trellises and other such accessories shall not be prohibited in the open spaces at ground level.
- d. Roof eaves: Roof eaves shall not project more than 3 feet beyond the face of the wall.
- e. Steps and architectural features: Steps, window sills, belt courses and similar architectural features, as well as rain leaders and chimneys, shall not project more than 2 feet beyond the face of the wall.
- f. Exterior stairways and fire escapes: Outside stairways, smokeproof tower balconies, fire escapes or other required elements of a means of egress shall not project more than 4 feet beyond the face of the wall.
- g. Motor vehicle parking: Where approved, required court and yard areas for automobile parking spaces or private garages not exceeding one story in height where accessory to and only for the occupants of a use group R occupancy are permitted, provided that required windows for light and ventilation are not obstructed thereby.

(b) *Compliance with section.* It shall be unlawful for any person to fail, neglect or refuse to comply with the provisions of subsection (a) of this section.

SECTION 4. Section 48-38(b)(8) of the City Code, entitled “Nonconforming uses and buildings”, is amended by deleting the stricken language and adding the underlined language to read as follows:

Whenever a nonconforming use has been discontinued for a period of one year, such use shall not thereafter be reestablished, and any future use shall be in conformity with the provisions of this chapter; except, that when such discontinuance is on account of any cause beyond the control of the owner or tenant, such as extended disability or service in the armed forces, the period of abandonment shall for the purpose of this chapter date from the termination of such cause. The discontinuance of any nonconforming use for a period of one year shall create a rebuttable presumption that the owner or tenant of the subject property intended to discontinue and abandon such nonconforming use. Except as provided in subsection 10 of this section, no such discontinued nonconforming use shall be reestablished after discontinuance for a period of one year, unless the reestablishment of such use is approved by the zoning board of adjustment based on a determination by the board that the discontinuance was due to a cause beyond the control of the owner or tenant or other set of facts clearly rebutting the presumption of intent to discontinue, such as ~~substantial work toward completion of renovation of the premises under a valid building permit~~ or inability to lease the premises to a tenant despite evidence of diligent, good faith efforts to do so. Failure to register a nonconforming use or failure to renew the registration of a nonconforming use shall be further evidence of the intent of the owner or tenant to discontinue such use. No discontinued nonconforming use shall be reestablished unless the application or appeal of the owner or tenant to the zoning board of adjustment for approval of such reestablishment is filed with the zoning administrator within one year of the beginning of the discontinuance of such use or of the termination of such cause or of such facts rebutting the presumption of intent to discontinue. Notwithstanding, the zoning administrator may administratively determine whether to approve the reestablishment of a nonconforming use when substantial work toward completion of renovation of the premises under a valid building permit has taken place and the other requirements of this subsection are met.

SECTION 5. Section 48-39 of the City Code, entitled “Restoration of existing buildings”, is amended by deleting the stricken language and adding the underlined language to read as follows:

(a) *For same nonconforming use.* Nothing in this chapter shall prevent the restoration of a building devoted to a nonconforming use for the same nonconforming use in the event that such building is damaged or destroyed by fire, explosion, act of God, or act of the public enemy subsequent to March 8, 1962, provided, that the restored building conforms with the building code of the city and the permits for restoration be applied for shall take place within not more than 12 months from the time of such damage or destruction.

(b) *For conforming use.* Nothing in this chapter shall prevent the restoration of a nonconforming building devoted to a conforming use in the event that such building is damaged or destroyed by fire, explosion, act of God, or act of the public enemy subsequent to March 8, 1962; provided, that the restored building conforms with the building code of the city and the permits for restoration be applied for shall take place within not more than 12 months from the time of such damage or destruction.

SECTION 6. Section 48-286(b)(3) of the City Code, entitled "O districts", is amended by deleting the stricken language and adding the underlined language to read as follows:

A park or playground owned ~~and~~ or operated by a nonprofit institution or a community association.

SECTION 7. Section 48-511 of the City Code, entitled "General requirements", is amended by deleting the stricken language and adding the underlined language to read as follows:

A parking lot and individual parking spaces in any district, whether in the form of any parking space accessory to a one-family or a two-family dwelling, parking spaces accessory to a dwelling for more than three families, or accessory to any nonresidential use, or in the form of a commercial parking lot, shall conform to the following special provisions:

(1) All areas devoted to access driveways or roadways, maneuvering areas and parking berths, pads or spaces shall be paved with materials which form an all-weather surface and shall be properly drained to a sewer or properly managed at the discretion of the commissioner of public works;

(2) It shall be so designed that no parking pad or space for any vehicle will project over any lot line or building setback; provided, however, that the zoning board of adjustment may approve one such parking space per family if each is to be accessory to an existing one-family or two-family dwelling

or to a one-family or two-family dwelling to be constructed, if curb cuts are minimized for such new construction or for existing dwellings, except that, the owner or owners together of two or more adjacent lots may apply for a greater number of parking spaces and the zoning board of adjustment may then approve a greater number not to exceed two parking spaces per lot, if only a single curb cut is proposed for both lots and further provided in any case that each such parking space:

- a. Shall conform to all other applicable requirements of this section;
- b. Shall not be detrimental to the character of the neighborhood; and
- c. Before taking final action on any application for such use, the zoning board of adjustment submits the application to the department of public works for review and report and receives such report;

(3) No other use shall be conducted from or upon the premises and no structure other than an attendant's shelter shall be erected thereon unless such use or structure is otherwise permitted in the district in which the parking lot is located or is a use on the premises to which the parking lot is accessory;

(4) No vehicular entrance or exit shall be within 25 feet of a street intersection as measured from the intersection of the nearest street lines;

(5) Any lighting used to illuminate it or any accessory structure shall be so arranged that all direct rays of light are confined to the surface of the parking lot; and

(6) No building permit shall be issued for a parking lot until the application for the same has been submitted to the department of public works for review and report and such report is received by the department of licenses and inspection; and

(7) All non-residential parking lot designs should incorporate current storm water management best practices, where practical, as described in section 11-311, to reduce storm water runoff to the City's combined sewer overflow system and to enhance the quality of storm water discharge. Non-residential parking lot owners may apply to the Department of Public Works for storm water credits outlined in the City Storm Water Credits and Fee Adjustment Appeals Manual, which may result in lower quarterly storm water charges.

SECTION 8. Section 48-530 of the City Code, entitled "Maintenance", is amended by deleting the stricken language and adding the underlined language to read as follows:

Each parking lot owner or parking garage owner, or their authorized agents, as the case may be, shall be responsible for the maintenance, repair and replacement of all landscaping, trees, interior and perimeter landscaping, screening, plants, materials and barriers required by the provisions of this subdivision. All plants and trees shall be tended and maintained in a healthy growing condition, replaced when necessary, and kept free of refuse and debris. All landscape materials shall be maintained in a safe and attractive condition. It shall be illegal to remove a street tree and fill or otherwise cover a street tree pit without written permission of the Department of Public Works, a copy of which shall be forwarded by the Department of Public Works to the zoning administrator.

SECTION 9. Section 48-371 of the City Code, entitled "Generally", is amended by deleting the stricken language and adding the underlined language to read as follows:

(a) Applicants for proposals for development on parcels that are divided between a waterfront district and another zoning district shall have the option of developing the entire parcel under the provisions of this section which relate to the waterfront zoning district in which the parcel is partially located.

(b) Each application for a permit shall be classified at the time of filing as either a minor development or major development by the zoning administrator based on the criteria set forth above in section 48-316.

(c) The department of licenses and inspections shall identify all applicable ordinances under which the proposal must be reviewed and shall inform the applicant that the department of commerce can provide assistance with necessary applications and arrange for such assistance when possible.

(d) Review of all development proposals will be based upon the waterfront review standards adopted by city council. Approval of a major or minor development according to the waterfront review standards shall be issued by the zoning administrator ~~in the form of a development permit.~~

(e) An applicant may submit preliminary plans, elevations and descriptions of proposed development to the zoning administrator for review a ~~development permit~~ before application for a building permit.

(f) The applicant shall show evidence that all applicable state and federal requirements for waterfront development have been or will be satisfied.

SECTION 10. Section 48-373(c) of the City Code, entitled “Major developments”, is amended by deleting the stricken language and adding the underlined language to read as follows:

During the review process, the applicant through the zoning administrator may consult with the staff of the planning department and may submit written modifications to its original application. No later than 40 calendar days after the planning department has received the application, it shall report its findings to the applicant and to the zoning administrator. All other city agencies wishing to comment shall do so by written statements to the planning department. The planning department report shall address each standard, and in any case where it finds a standard has not been met, will state the basis for its findings, and recommend conditions or modifications necessary to meet the standard. If the planning department finds that waterfront review standards have been met, the zoning administrator shall issue a permit. If the recommendation is for disapproval or for approval subject to conditions and recommendations, the applicant shall have 30 days to submit a revised application. If the revised application meets all the conditions and recommendations, the zoning administrator shall approve it ~~issue a development permit~~; otherwise, he shall deny the application. The applicant may appeal the decision of the zoning administrator as provided under section 48-69.

SECTION 11. Section 48-339(c) of the City Code, entitled “W-4 district” is amended by adding a subsection 11 to read as follows:

(11) Place of business of a builder, carpenter, caterer, cleaner, contractor, decorator, dyer, dressmaker, electrician, furrier, mason, milliner, optician, painter, photographer, plumber, roofer, shoemaker, tinsmith, upholsterer, and similar non-nuisance businesses; provided, that power propelling units of not more than five horsepower are used for processing equipment or machinery. The outdoor/exterior storage of materials and equipment, as well as automobile/truck repair services, are prohibited.

SECTION 12. This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

First Reading..... June 7, 2018
Second Reading..... June 7, 2018
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2018.

Mayor

SYNOPSIS: This Ordinance is part of a comprehensive set of revisions to the City Code to repeal certain provisions that are no longer necessary or appropriate and to amend sections that require clarification or updating. This Ordinance amends Chapter 48 of the City Code to make the following eleven changes to the Chapter 48 of the City Code: (1) eliminates the dedicated parking space requirement for apartment houses in C-3 and C-4 districts because this requirement is impractical and unnecessary; (2) eliminates the apartment house specific FAR in C-4 districts, so that the applicable FAR is the same for all uses in C-4 districts as is the case in the other commercial zoning districts; (3) replaces a defunct cross reference to the Building Code with the applicable language to improve clarity; (4) allows the Zoning Administrator to approve reestablishment of a nonconforming use when the respective property has been under active renovation during the period of non-use to make this process more efficient; (5) adjusts the time required for permits to be pulled to repair a property damaged by fire to make the timeline more practical; (6) allows parks or playgrounds owned or operated by a nonprofit institution or community association in O zoning districts; (7) provides information regarding storm water management best practices and storm water credits to promote better storm water management in nonresidential parking lot designs; (8) clarifies that landscaping requirements apply to all interior and perimeter landscaping and addresses the illegal removal of street trees; (9-10) removes references to a waterfront development permit to reflect longstanding practice; and (11) adds a special exception use to permit trade-like businesses in W-4 zoning districts with the approval of the Zoning Board of Adjustment to further development in an underutilized zoning district designation, while maintaining protections to ensure the uses are in keeping with the district requirements.

FISCAL IMPACT STATEMENT: This Ordinance has no significant anticipated fiscal impact.

W0099985

Wilmington, Delaware
July 2, 2018

#

Sponsor:

Council
Member
Harlee

WHEREAS, Section 5-600 of the Wilmington City Charter provides that modifications to the City's Comprehensive Development Plan may be recommended by the Planning Department with the advice of the City Planning Commission and adopted by City Council resolution after a public hearing; and

WHEREAS, the "Neighborhood Comprehensive Development Plan for the East Side Analysis Area" (the "East Side Comprehensive Plan") was adopted by City Council on April 1, 2004 and later amended on April 5, 2012; and

WHEREAS, Ordinance No. 18-019 has been introduced to City Council to amend the City's Official Building Zone Map relating to changing the zoning classifications of the two blocks (seven parcels) of land known as 100 and 102 N. Walnut Street, 300 East Second Street, 105 N. Poplar Street, 103 N. Poplar Street, 101 N. Poplar Street, 121 N. Poplar Street, and 100 and 110 N. Poplar Street, Wilmington, Delaware, being Tax Parcel ID Nos. 26-043.40-051, 26-043.40-203, 26-043.40-055, 26-043.40-054, 26-043.40-053, 26-043.40-050, and 26-043.40-141 (collectively, the "Parcels"), from C-2 (Secondary Business Centers) to C-3 (Central Retail) zoning classifications; and

WHEREAS, the City Planning Commission has considered the Planning Department's analysis and testimony along with other evidence and testimony at its duly advertised public meeting held on February 20, 2018; and

WHEREAS, at its meeting on February 20, 2018, the City Planning Commission passed Resolution 02-18, which recommended the following amendments to the East Side Comprehensive Plan in order to reflect the proposed rezoning of the Parcels from C-2

(Secondary Business Centers) to C-3 (Central Retail) zoning classifications: (i) revise Plan Map D-9, as illustrated on the map attached hereto and made a part hereof as Exhibit "A"; (ii) revise Plan Map E, as illustrated on the map attached hereto and made a part hereof as Exhibit "B"; and (iii) amend Section 1 of Chapter 3 of the Plan, as set forth on Exhibit "C" attached hereto and made a part hereof; and

WHEREAS, in accordance with Wilmington City Charter Section 5-600(a), a duly advertised public hearing is scheduled to be held on July 2, 2018.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the City Council hereby approves the following amendments to the East Side Comprehensive Plan: (i) revise Plan Maps D-9 and E to change the proposed land use designation for the Parcels from C-2 (Secondary Business Centers) to C-3 (Central Retail) zoning classifications, as illustrated on the maps attached hereto and made a part hereof as Exhibits "A" and "B" and (ii) amend Section 1 of Chapter 3 of the Plan to change the proposed land use designation for the Parcels from C-2 (Secondary Business Centers) to C-3 (Central Retail) zoning classifications, as set forth on Exhibit "C" attached hereto and made a part hereof.

Passed by City Council,


ATTEST: _____
City Clerk

SYNOPSIS: This Resolution approves amendments to the Neighborhood Comprehensive Development Plan for the East Side Analysis Area to change the proposed land use designation for two blocks (seven parcels) of land known as 100 and 102 N. Walnut Street, 300 East Second Street, 105 N. Poplar Street, 103 N. Poplar Street, 101 N. Poplar Street, 121 N. Poplar Street, and 100 and 110 N. Poplar Street, Wilmington, Delaware, being Tax Parcel ID Nos. 26-043.40-051, 26-043.40-203, 26-043.40-055, 26-043.40-054, 26-043.40-053, 26-043.40-050, and 26-043.40-141, from C-2 (Secondary Business Centers) to C-3 (Central Retail) zoning classifications.

EXHIBIT A

MAP D-9

EAST SIDE ANALYSIS AREA
Proposed Zoning Changes

 C-2 Rezoned to C-3

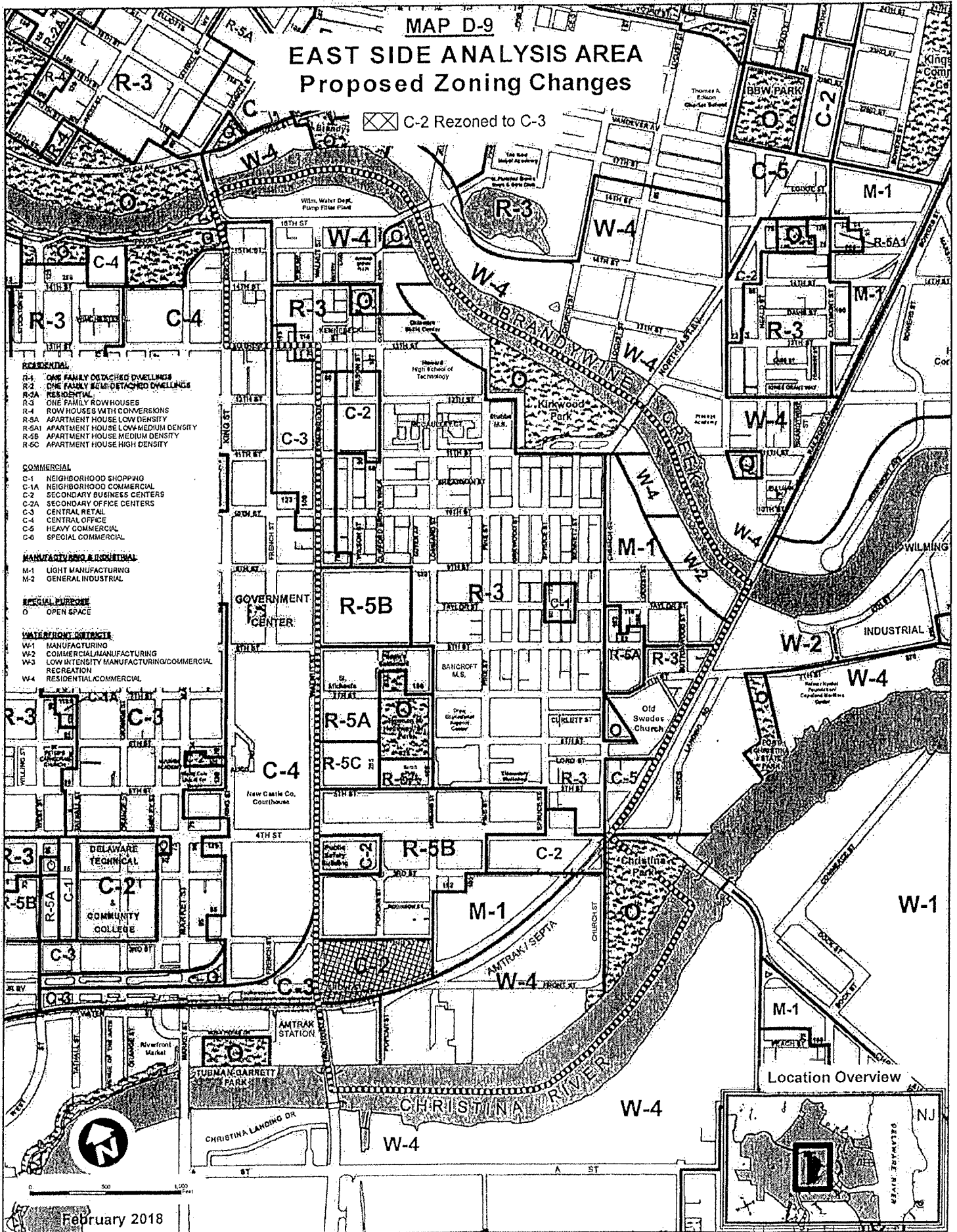
- RESIDENTIAL**
- R-1 ONE FAMILY DETACHED DWELLINGS
 - R-2 ONE FAMILY SEMI-DETACHED DWELLINGS
 - R-3 ONE FAMILY ROW HOUSES
 - R-3A ROW HOUSES WITH CONVERSIONS
 - R-5A APARTMENT HOUSE LOW DENSITY
 - R-5A1 APARTMENT HOUSE LOW/MEDIUM DENSITY
 - R-5B APARTMENT HOUSE MEDIUM DENSITY
 - R-6C APARTMENT HOUSE HIGH DENSITY

- COMMERCIAL**
- C-1 NEIGHBORHOOD SHOPPING
 - C-1A NEIGHBORHOOD COMMERCIAL
 - C-2 SECONDARY BUSINESS CENTERS
 - C-2A SECONDARY OFFICE CENTERS
 - C-3 CENTRAL RETAIL
 - C-4 CENTRAL OFFICE
 - C-5 HEAVY COMMERCIAL
 - C-6 SPECIAL COMMERCIAL

- MANUFACTURING & INDUSTRIAL**
- M-1 LIGHT MANUFACTURING
 - M-2 GENERAL INDUSTRIAL

- SPECIAL PURPOSE**
- O OPEN SPACE

- WATERFRONT DISTRICT**
- W-1 MANUFACTURING
 - W-2 COMMERCIAL/MANUFACTURING
 - W-3 LOW INTENSITY MANUFACTURING/COMMERCIAL RECREATION
 - W-4 RESIDENTIAL/COMMERCIAL



Location Overview

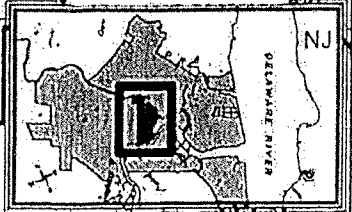
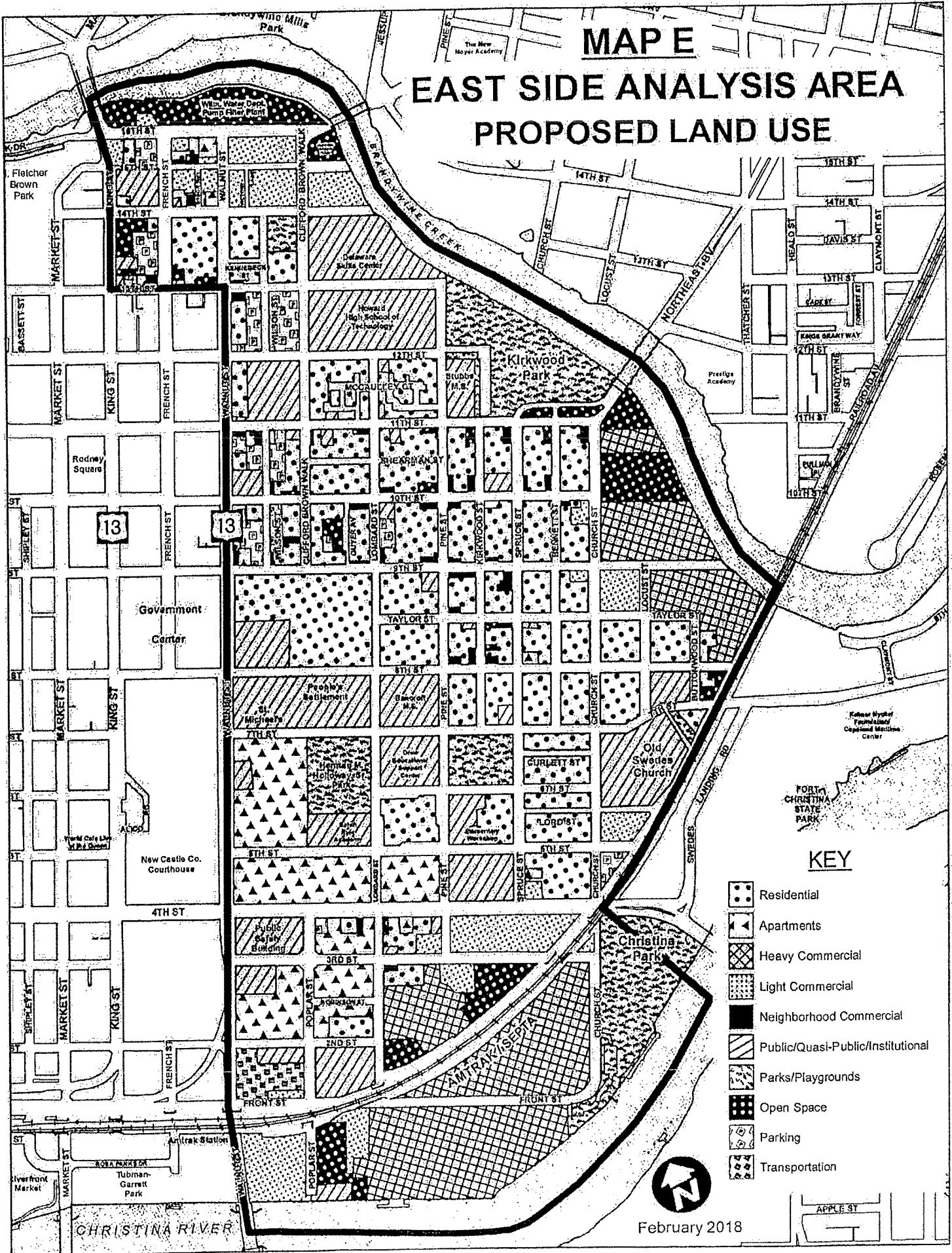


EXHIBIT B

MAP E EAST SIDE ANALYSIS AREA PROPOSED LAND USE



- KEY**
- Residential
 - Apartments
 - Heavy Commercial
 - Light Commercial
 - Neighborhood Commercial
 - Public/Quasi-Public/Institutional
 - Parks/Playgrounds
 - Open Space
 - Parking
 - Transportation



February 2018

APPLE ST

EXHIBIT C

Area 8 – The 100 and 200 Blocks of Front Street (Map D-9)

Recommendation – It is recommended that the C-2 zone bounded by Front, Walnut, Second and Lombard Streets be rezoned to C-3.

Rationale – This rezoning is proposed because C-3 (Central Retail) is more appropriate for this downtown area. C-3 is intended for areas adjacent to Central Business Districts, while C-2 (Secondary Business Commercial Centers) is intended for secondary shopping areas outside of the Central Business District, often along highways. C-3 zoning permits all uses permitted as a matter of right in C-2 districts (such as apartments, retail, offices and community centers), plus wholesale indoor storage and light manufacturing provided they are incidental to a retail establishment, rail or bus passenger terminals, and printing facilities. C-3 zoning is also appropriate for Area 8 because it does not change the status of the existing land uses and because it expands a C-3 zone located directly to the west of Area 8, adjacent to the western boundary of the ESAA.*

The rezoning of Area 8 is also proposed because C-3 zoning will permit a planned transit center to be constructed at 100 N. Walnut Street. Map E, updated March 2018, proposes a “Transportation” land use for the transit center site. This land use is intended to accommodate facilities and terminals for passenger transit that provide areas for passengers to access, wait for, and transfer between vehicles, along with the necessary fare payment operations. The facilities may include incidental commercial establishments and parking.

* This acronym for the East Side Analysis Area is used throughout the Plan.

AN ORDINANCE TO REZONE TWO BLOCKS (SEVEN PARCELS) OF LAND LOCATED IN DOWNTOWN WILMINGTON WITHIN THE AREA BOUNDED BY FRONT, WALNUT, SECOND, AND LOMBARD STREETS FROM C-2 (SECONDARY BUSINESS CENTERS) TO C-3 (CENTRAL RETAIL) ZONING CLASSIFICATIONS

#4516
Sponsor:
Council Member Harlee

WHEREAS, in accordance with and pursuant to Section 48-52 of the City Code, the City Planning Commission held a duly advertised public hearing at its February 20, 2018 meeting and adopted Planning Commission Resolution 3-18, which recommended approval of the rezoning of the two blocks (seven parcels) of land known as 100 and 102 N. Walnut Street, 300 East Second Street, 105 N. Poplar Street, 103 N. Poplar Street, 101 N. Poplar Street, 121 N. Poplar Street, and 100 and 110 N. Poplar Street, Wilmington, Delaware, being Tax Parcel ID Nos. 26-043.40-051, 26-043.40-203, 26-043.40-055, 26-043.40-054, 26-043.40-053, 26-043.40-050, and 26-043.40-141 (collectively, the "Parcels"), from C-2 (Secondary Business Centers) to C-3 (Central Retail) zoning classifications, as illustrated on the map attached hereto and made a part hereof as Exhibit "A"; and

WHEREAS, the City Council for the City of Wilmington deems it necessary and appropriate to rezone the Parcels from C-2 (Secondary Business Centers) to C-3 (Central Retail) zoning classifications, as illustrated on the map attached hereto and made a part hereof as Exhibit "A".

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

SECTION 1. Section 48-97 of the Wilmington City Code and the "Building Zone Map, City of Wilmington, Delaware," dated January 19, 2006 (as subsequently amended), are hereby amended by changing the zoning classifications of 100 and 102 N. Walnut Street, 300 East Second Street, 105 N. Poplar Street, 103 N. Poplar Street, 101 N. Poplar Street, 121

N. Poplar Street, and 100 and 110 N. Poplar Street, Wilmington, Delaware, being Tax Parcel ID Nos. 26-043.40-051, 26-043.40-203, 26-043.40-055, 26-043.40-054, 26-043.40-053, 26-043.40-050, and 26-043.40-141, from C-2 (Secondary Business Centers) to C-3 (Central Retail) zoning classifications, as illustrated on the map attached hereto and made a part hereof as Exhibit "A".

SECTION 2. The rezoning of the Parcels described herein and identified in Exhibit "A" attached hereto and made a part hereof is in accordance with the recommendations of the Neighborhood Comprehensive Development Plan for the East Side Analysis Area, as amended by City Planning Commission Resolution 2-18.

SECTION 3. This Ordinance shall be deemed effective immediately upon its date of passage by City Council and approval by the Mayor.

First Reading.....April 19, 2018
Second Reading.....April 19, 2018
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

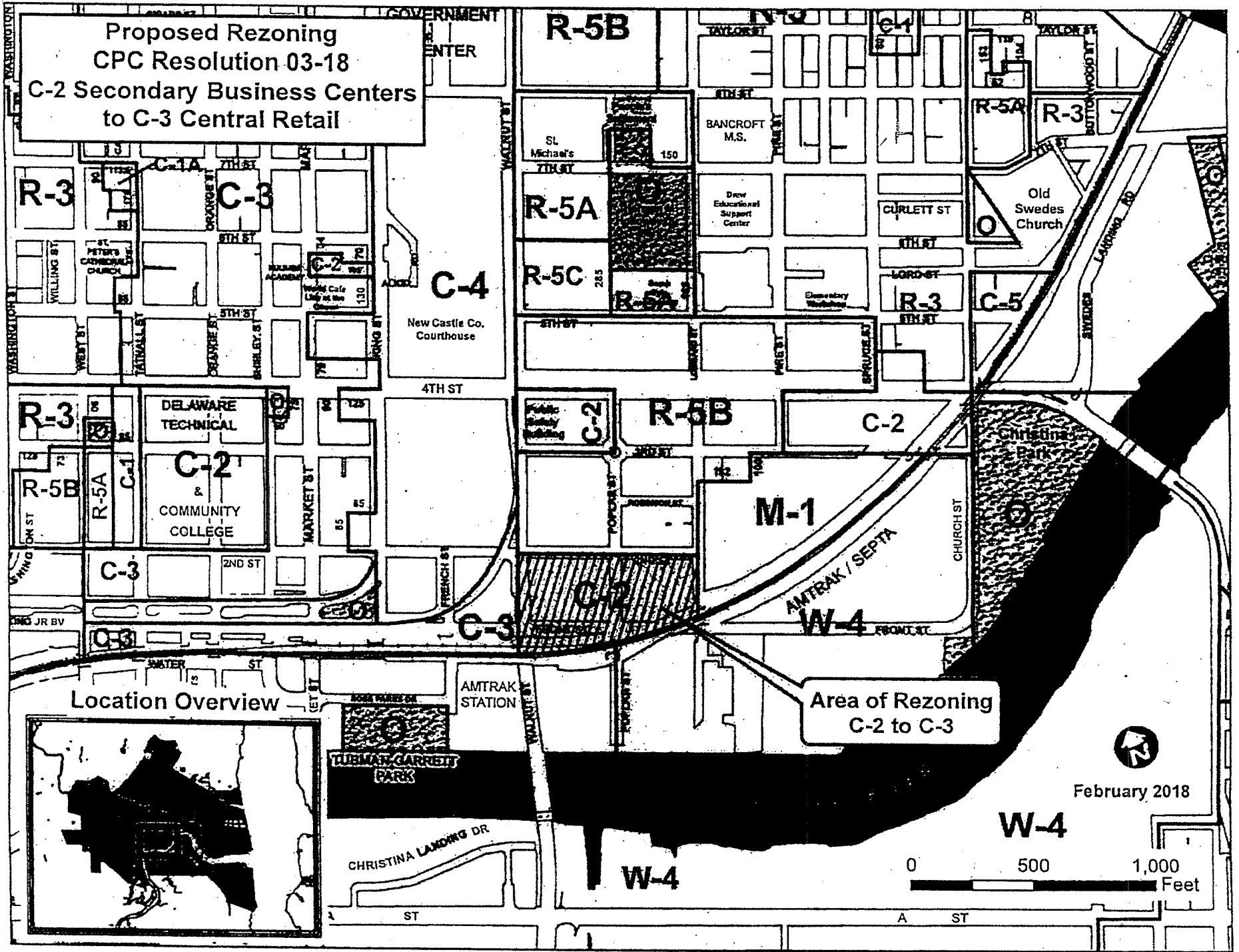
Approved this ____ day of _____, 2018.

Mayor

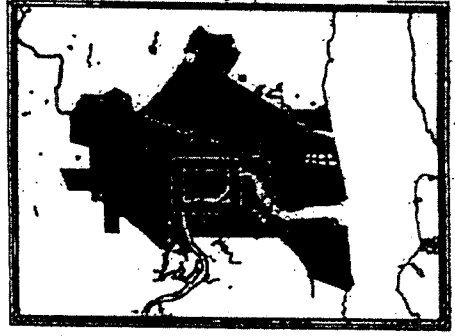
SYNOPSIS: This Ordinance rezones two blocks (seven parcels) of land bounded by Front, Walnut, Second, and Lombard Streets in Downtown Wilmington, being Tax Parcel ID Nos. 26-043.40-051, 26-043.40-203, 26-043.40-055, 26-043.40-054, 26-043.40-053, 26-043.40-050, and 26-043.40-141, from C-2 (Secondary Business Centers) to C-3 (Central Retail) zoning classifications.

EXHIBIT A

**Proposed Rezoning
CPC Resolution 03-18
C-2 Secondary Business Centers
to C-3 Central Retail**



Location Overview



**Area of Rezoning
C-2 to C-3**

February 2018

