

AN ORDINANCE TO REZONE THREE PARCELS OF LAND LOCATED AT THE SOUTHEAST CORNER OF FOURTH AND SHIPLEY STREETS, COMMONLY KNOWN AS "HUMBLE PARK", FROM A ZONING CLASSIFICATION OF O (OPEN SPACE) TO A ZONING CLASSIFICATION OF C-3 (CENTRAL RETAIL)

#0144

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 15, 2022 meeting and adopted Planning Commission Resolution 2-22, which recommended approval of the rezoning of three parcels of land located at the southeast corner of Fourth and Shipley Streets, Wilmington, Delaware (being Tax Parcel Nos. 26-043.10-188, 26-043.10-189, and 26-043.10-190) (collectively, the "Parcels"), which are commonly known as "Humble Park", from a zoning classification of O (Open Space) to a zoning classification of C-3 (Central Retail), as illustrated on the map attached hereto and made a part hereof as Exhibit "A"; and

WHEREAS, in accordance with 10 *Del. C.* § 6201 *et seq.*, the City has petitioned the Superior Court of the State of Delaware to vacate the dedication of the Parcels as open space/parkland; and

WHEREAS, in accordance with and pursuant to Section 48-51 of the City Code, City Council deems it necessary and appropriate to rezone the Parcels from a zoning classification of O (Open Space) to a zoning classification of C-3 (Central Retail), 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 of Wilmington, Delaware", dated January 19, 2006 (as subsequently amended), are hereby amended by changing the zoning classification of three parcels of land located at the

southeast corner of Fourth and Shipley Streets, Wilmington, Delaware (being Tax Parcel Nos. 26-043.10-188, 26-043.10-189, and 26-043.10-190), which are commonly known as “Humble Park”, from a zoning classification of O (Open Space) to a zoning classification of C-3 (Central Retail), 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 consistent with the recommendations of the Citywide comprehensive plan entitled “Wilmington 2028: A Comprehensive Plan for Our City and Communities”, as amended by resolution of City Council in accordance with City Planning Commission Resolution 1-22.

SECTION 3. This Ordinance shall become effective upon the later of (i) passage by City Council and approval by the Mayor or (ii) the entry of an order by the Superior Court of the State of Delaware vacating the dedication of the Parcels as open space/parkland.

First Reading.....March 3, 2022
Second Reading.....March 3, 2022
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2022.

Mayor

SYNOPSIS: This Ordinance rezones three parcels of land located at the southeast corner of Fourth and Shipley Streets (being Tax Parcel Nos. 26-043.10-188, 26-043.10-189, and 26-043.10-190), which are commonly known as “Humble Park”, from a zoning classification of O (Open Space) to a zoning classification of C-3 (Central Retail).

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EXHIBIT A

PROPOSED REZONING

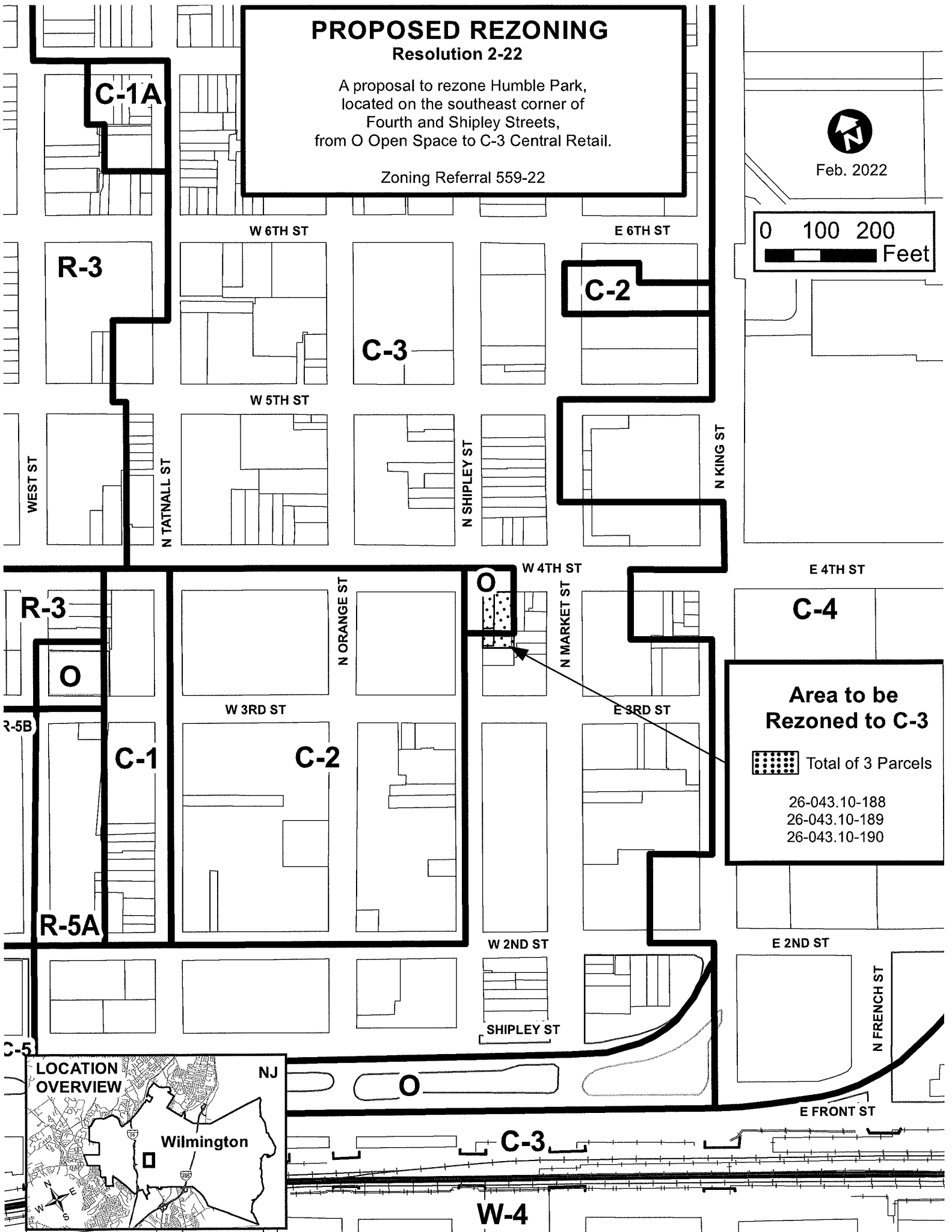
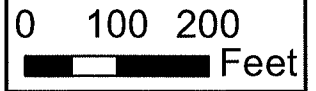
Resolution 2-22

A proposal to rezone Humble Park, located on the southeast corner of Fourth and Shipley Streets, from O Open Space to C-3 Central Retail.


Zoning Referral 559-22



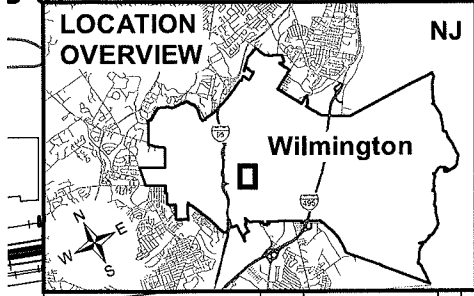
Feb. 2022



Area to be Rezoned to C-3

 Total of 3 Parcels

- 26-043.10-188
- 26-043.10-189
- 26-043.10-190



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