

AN ORDINANCE TO APPROVE THE RIVERSIDE PHASE 3 MAJOR SUBDIVISION PLAN AND TO AUTHORIZE THE CITY TO ACCEPT THE DEDICATION OF NEW SEGMENTS OF EAST 25TH STREET, EAST 26TH STREET, EDGEMOOR AVENUE, AND ROSEMONT AVENUE AS PUBLIC RIGHTS-OF-WAY AND ADD THEM TO THE OFFICIAL CITY MAP

#0358

Sponsor:

Council
Member
Oliver

WHEREAS, the City of Wilmington is authorized to establish and revise plans of streets and alleys by the provisions of Sections 1-101, 2-306, and 5-400 of the City Charter, such actions to be done in accordance with applicable provisions of State law and Section 42-11 of the City Code; and

WHEREAS, VanDemark and Lynch, Inc., on behalf of the Wilmington Housing Authority and Kingswood Community Center, Inc. (collectively, the “Applicants”), has requested that the City approve and adopt the major subdivision plan known as “Riverside Phase 3”, which is attached hereto and incorporated herein as Exhibit “A” (the “Plan”); and

WHEREAS, as part of the Plan, the Applicants have requested that five (5) current non-contiguous tax parcels (being Tax Parcel Nos. 26-030.00-011, 26-030.00-019, 26-030.00-021, 26-030.00-079, and 26-030.00-080) be subdivided into seven (7) new parcels (being parcels A1, A2, C1, C2, C3, D1, and D2), as depicted on the attached Exhibit “A”; and

WHEREAS, as part of the Plan, the Applicants have requested that the City accept the dedication of six (6) new segments of streets as public rights-of-way as follows: (i) one (1) segment of East 25th Street totaling 350 feet in length and 50 feet in width between North Claymont Street and Bowers Street; (ii) three (3) segments of East 26th Street totaling 1,086 feet in length between North Claymont Street and the termination at the Amtrak railroad viaduct property, two (2) of which will total 660 feet in length and 70 feet in width between North Claymont Street and Rosemont Avenue and will also include a roundabout at the

intersection of East 26th Street and Rosemont Avenue and one (1) of which will total 426 feet in length and 80 feet in width between Rosemont Avenue and the Amtrak railroad viaduct property; (iii) one (1) curving segment of Edgemoor Avenue totaling approximately 168 feet in length and 50 feet in width connecting East 27th Street to the easternmost segment of East 26th Street and connecting Edgemoor Avenue to the northern ingress/egress of the proposed parking lot to serve the Kingswood Community Center; and (iv) one (1) segment of Rosemont Avenue totaling 58 feet in length and 50 feet in width connecting Rosemont Avenue to the southern ingress/egress of the proposed parking lot to serve the Kingswood Community Center (collectively, the “New Street Segments”); and

WHEREAS, as part of the Plan, the Applicants have requested that the City add the New Street Segments to the Official City Map and give them the names of the respective streets to which they are additions, namely “East 25th Street,” “East 26th Street,” “Edgemoor Avenue,” and “Rosemont Avenue”; and

WHEREAS, there are no findings to suggest the acceptance of the New Street Segments would be detrimental to the surrounding properties, the public, or public safety; and

WHEREAS, the New Street Segments would be located as (i) depicted in the Plan, which is attached hereto and incorporated herein as Exhibit “A”; (ii) described in this Ordinance; and (iii) described in the legal descriptions that are attached hereto and incorporated herein as in Exhibit “B”; and

WHEREAS, the street beds of the New Street Segments are owned by the Wilmington Housing Authority and Kingswood Community Center, Inc., respectively; and

WHEREAS, once the New Street Segments are built in compliance with all City

standards, including, but not limited to, all requirements of the Department of Public Works, they, including their street beds, will be conveyed by the Wilmington Housing Authority and Kingswood Community Center, Inc. to the City; and

WHEREAS, the Department of Land Use and Planning reviewed the New Street Segments and found that they will increase traffic circulation and access to public utilities, which will be beneficial the surrounding area; and

WHEREAS, the Department of Land Use and Planning reviewed the proposed street names of “East 25th Street,” “East 26th Street,” “Edgemoor Avenue,” and “Rosemont Avenue” in accordance with the City Planning Commission’s “Guidelines for the Naming and Renaming of Streets” and found that proposed names met such guidelines; and

WHEREAS, the Department of Public Works has no objections to the proposed naming of the New Street Segments; and

WHEREAS, the Fire Marshal’s Office has no comments or objections to the Plan; and

WHEREAS, the City Planning Commission has adopted Planning Commission Resolution 4-23, which recommends the approval of the Applicants’ Plan, including the acceptance of the dedication of the New Street Segments and their addition to the Official City Map, subject to the satisfaction of certain requirements set forth in Resolution 4-23 that were requested by the Department of Public Works and its Director of Transportation and Department of Land Use and Planning, respectively (collectively, the “Requirements”); and

WHEREAS, City Council deems it necessary and appropriate to approve the Applicants’ Plan, to accept the dedication of the New Street Segments, and to add them to the Official City Map with the names of “East 25th Street,” “East 26th Street,” “Edgemoor

Avenue,” and “Rosemont Avenue,” respectively.

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

SECTION 1. The Plan (being the major subdivision plan known as “Riverside Phase 3”) is hereby approved as depicted on Exhibit “A” attached hereto and incorporated herein, subject to satisfaction of the Requirements.

SECTION 2. The acceptance of the dedication of the New Street Segments to be known as “East 25th Street,” “East 26th Street,” “Edgemoor Avenue,” and “Rosemont Avenue,” respectively, as depicted on Exhibit “A” attached hereto and incorporated herein, is hereby approved.

SECTION 3. All City Departments are hereby authorized to take any and all necessary actions required for the execution and recordation of the Plan, the acceptance of the dedication of the New Street Segments, and the addition of the New Street Segments to the Official City Map.

SECTION 4. This Ordinance shall be deemed effective immediately upon its date of passage by City Council and approval by the Mayor.

First Reading..... October 19, 2023
Second Reading..... October 19, 2023
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2023.

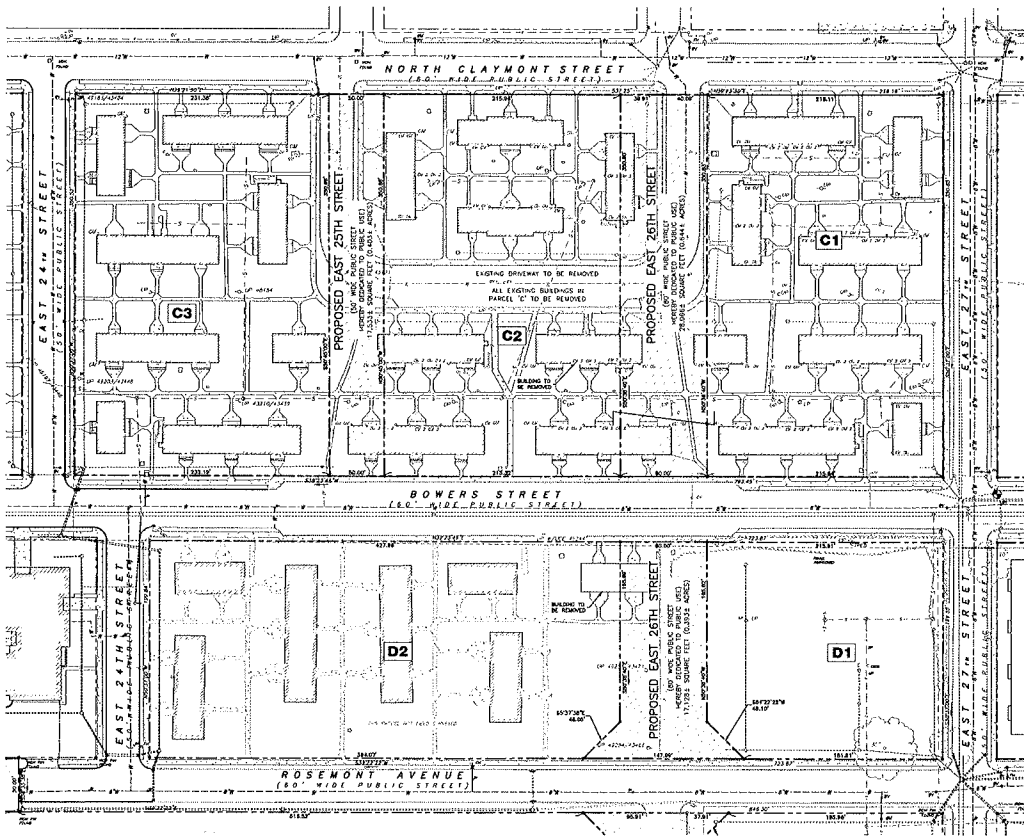
Mayor

SYNOPSIS: This Ordinance approves the “Riverside Phase 3” major subdivision plan and authorizes the City to accept the dedication of new segments of East 25th Street, East 26th Street, Edgemoor Avenue, and Rosemont Avenue and add them to the Official City Map.

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

W0122710

EXHIBIT A



LOTS C1 AND C2 TO
BECOME ONE TAX PARCEL



**VANDEMARK
& LYNCH, INC.**
ENGINEERS - SURVEYORS

PROJECT NAME

**RIVERSIDE
PHASE 3**

WILMINGTON, DE, 19802

SEAL

SCALE: 1"=40'

PLAN TYPE

**PRELIMINARY
MAJOR
SUBDIVISION
PLAN**

SCALE: 1"=40'

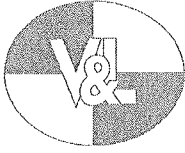
REVISIONS

PROJECT NUMBER: 24541-20
SURVEYED BY: TM
DRAWN BY: GUS, JG
PROJECT MANAGER: SHR
INSR. GRID: 1141958
DATE: 6/15/27
FILE: 24541-20-PRELU-01
APPLICATION #: 2024-XXXXX
DRAWINGS: 12/05/27

2

SHEET 1932 24-06
SHEET 2 OF 2 REV 0

EXHIBIT B



**VANDEMARK
& LYNCH, INC.**
ENGINEERS • PLANNERS • SURVEYORS

File No. 24541.20-RECORD-01

4305 MILLER ROAD
WILMINGTON, DE 19802-1901
(302) 764-7635 FAX (302) 764-4170
www.vandemarklynch.com

August 16, 2023

Description of **East 25th Street (to be dedicated)**, situate between North Claymont Street and Bowers Street, City of Wilmington, New Castle County, Delaware.

ALL THAT CERTAIN tract, piece or parcel of land, situate between North Claymont Street and Bowers Street, City of Wilmington, New Castle County, Delaware and shown on a plan prepared by VanDemark & Lynch, Inc., Engineers, Planners and Surveyors, Wilmington, Delaware, File No. 24541.20-RECORD-01, dated August 15, 2023, entitled "Major Subdivision Plan, Riverside Phase 3", said plan to be recorded among the Land Records in and for New Castle County, and being more particularly described as follows, to wit:

BEGINNING at a southerly corner for Parcel 'C2', Riverside Phase 3 (to be recorded), on the northwesterly side of Bowers Street (a 60 foot wide public street), said point being measured South 39°23'46" West, 511.25 feet from the intersection of the southwesterly side of East 27th Street (a 50 foot wide public street) with said northwesterly side of Bowers Street;

THENCE from the said point of Beginning, continuing along said northwesterly side of Bowers Street, South 39°23'46" West, 50.00 feet to a point, an easterly corner for Parcel 'C3', said Riverside Phase 3;

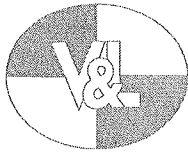
THENCE along the northeasterly line for said Parcel 'C3', North 50°45'00" West, 350.66 feet to a point on the southeasterly side of North Claymont Street (a 60 foot wide public street);

THENCE along said southeasterly side of North Claymont, North 39°21'50" East, 50.00 feet to a point, the westerly corner for said Parcel 'C2';

THENCE along the southwesterly line for said Parcel 'C2', South 50°45'00" East, 350.68 feet to the point and place of Beginning.

Containing within said metes and bounds, 17,533 square feet (0.403 acres) of land, being the same, more or less...

KG



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4305 MILLER ROAD
WILMINGTON, DE 19802-1901
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July 27, 2023

Description of **East 26th Street (to be dedicated)**, situate between AMTRAK Railroad, and North Claymont Street, City of Wilmington, New Castle County, Delaware.

ALL THOSE CERTAIN tracts, pieces or parcels of land, described in three (3) parts, situate between AMTRAK Railroad, and North Claymont Street, City of Wilmington, New Castle County, Delaware and shown on a plan prepared by VanDemark & Lynch, Inc., Engineers, Planners and Surveyors, Wilmington, Delaware, File No. 24541.20-RECORD-01, dated July 27, 2023, entitled "Major Subdivision Plan, Riverside Phase 3", said plan to be recorded among the Land Records in and for New Castle County, and being more particularly described as follows, to wit:

Part 1:

BEGINNING at a westerly corner for Parcel 'A1', Riverside Phase 3 (to be recorded), on the southeasterly side of Rosemont Avenue (a 50 foot wide public street), said point being measured South 39°22'22" West, 195.96 feet from the intersection of the southwesterly side of East 27th Street (a 50 foot wide public street) with said southeasterly side of Rosemont Avenue;

THENCE from the said point of Beginning, along a southwesterly line for said Parcel 'A1', South 05°39'42" East, 42.19 feet to a point;

THENCE in part, along a southwesterly line for said Parcel 'A1', in part, along the southwesterly terminus of Edgemoor Avenue (a 50 foot wide street to be dedicated to public use, said Riverside Phase 3) and, in part, along the southwesterly line for Parcel 'A2', said Riverside Phase 3, South 50°38'40" East, 415.52 feet to a point on the northwesterly side of AMTRAK Railroad, formerly Philadelphia, Baltimore and Wilmington Railroad Company (a variable width railroad right of way);

THENCE along said northwesterly side of AMTRAK Railroad, in part, being a southeasterly line for land now or formerly of Kingwood Community Center, Inc. (Deed Record F, Volume 80, Page 363), South 55°01'52" West, 72.70 feet to a point;

THENCE through said land now or formerly of Kingwood Community Center, Inc., the two (2) following described courses and distances:

1. North 50°38'40" West, 391.74 feet to a point; and
2. South 84°22'22" West, 48.10 feet to a point on said southeasterly side of Rosemont Avenue;

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East 26th Street, Riverside Phase 3, City of Wilmington

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THENCE along said southeasterly side of Rosemont Avenue, North 39°22'22" East, 133.82 feet to the point and place of Beginning.

Containing within said metes and bounds, 31,513 square feet (0.723 of an acre) of land, being the same, more or less...

Part 2:

BEGINNING at a southerly corner for Parcel 'D1', Riverside Phase 3 (to be recorded), on the northwesterly side of Rosemont Avenue (a 50 foot wide public street), said point being measured South 39°22'22" West, 181.81 feet from the intersection of the southwesterly side of East 27th Street (a 50 foot wide public street) with said northwesterly side of Rosemont Avenue;

THENCE from the said point of Beginning, continuing along said northwesterly side of Rosemont Avenue, South 39°22'22" West along said line, 147.99 feet to a point, an easterly corner for Parcel 'D2', said Riverside Phase 3;

THENCE along the easterly and northeasterly lines for said Parcel 'D2', the two (2) following described courses and distances:

1. North 05°37'38" West, 48.05 feet to a point; and
2. North 50°38'40" West, 165.69 feet to a point on the southeasterly side of Bowers Street (a 60 foot wide public street);

THENCE along said southeasterly side of Bowers Street, North 39°23'46" East, 80.00 feet to a point, the westerly corner for said Parcel 'D1';

THENCE along the southwesterly and southerly lines for said Parcel 'D1', the two (2) following described courses and distances:

1. South 50°38'40" East, 165.62 feet to a point; and
2. North 84°22'22" East, 48.10 feet to the point and place of Beginning.

Containing within said metes and bounds, 17,128 square feet (0.393 of an acre) of land, being the same, more or less...

Part 3:

BEGINNING at a southerly corner for Parcel 'C1', Riverside Phase 3 (to be recorded), on the northwesterly side of Bowers Street (a 60 foot wide public street), said point being measured South 39°23'46" West, 215.94 feet from the intersection of the southwesterly side of East 27th Street (a 50 foot wide public street) with said northwesterly side of Bowers Street;

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East 26th Street, Riverside Phase 3, City of Wilmington

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THENCE from the said point of Beginning, continuing along said northwesterly side of Bowers Street, South 39°23'46" West, 80.00 feet to a point, an easterly corner for Parcel 'C2', said Riverside Phase 3;

THENCE along the northeasterly line for said Parcel 'C2', North 50°38'40" West, 350.80 feet to a point on the southeasterly side of North Claymont Street (a 60 foot wide public street);

THENCE along said southeasterly side of North Claymont, the two (2) following described courses and distances:

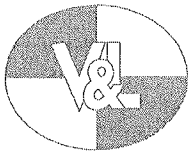
1. North 39°21'50" East, 39.91 feet to a point; and
2. North 39°23'30" East, 40.09 feet to a point, the westerly corner for said Parcel 'C1';

THENCE along the southwesterly line for said Parcel 'C1', South 50°38'40" East, 350.83 feet to the point and place of Beginning.

Containing within said metes and bounds, 28,066 square feet (0.644 of an acre) of land, being the same, more or less...

Containing a total area, within the above-described metes and bounds, of 76,707 square feet (1.761 acres) of land, being the same, more or less...

KG



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July 27, 2023

Description of **Edgemoor Avenue (to be dedicated)**, situate between East 27th Street and East 26th Street, City of Wilmington, New Castle County, Delaware.

ALL THAT CERTAIN tract, piece or parcel of land, situate between East 27th Street and East 26th Street (to be recorded), City of Wilmington, New Castle County, Delaware and shown on a plan prepared by VanDemark & Lynch, Inc., Engineers, Planners and Surveyors, Wilmington, Delaware, File No. 24541.20-RECORD-01, dated July 27, 2023, entitled "Major Subdivision Plan, Riverside Phase 3", said plan to be recorded among the Land Records in and for New Castle County, and being more particularly described as follows, to wit:

BEGINNING at an easterly corner for Parcel 'A1', Riverside Phase 3 (to be recorded), on the southwesterly side of East 27th Street (a 50 foot wide public street), said point being measured South 50°37'00" East, 451.29 feet from the intersection of the southeasterly side of Rosemont Avenue (a 50 foot wide public street) with said southwesterly side of East 27th Street;

THENCE from the said point of Beginning, continuing along said southwesterly side of East 27th Street, South 50°37'00" East, 51.67 feet to a point, the northeasterly corner for Parcel 'A2', said Riverside Phase 3;

THENCE along the northerly lines for said Parcel 'A2', the four (4) following described courses and distances:

1. Southwesterly, by a curve to the right having a radius of 118.00 feet, an arc length of 41.18 feet to a point, said point being distant by a chord of South 56°41'19" West, 40.97 feet from the last described point;
2. South 66°41'12" West, 163.20 feet to a point of curvature;
3. Southwesterly, by a curve to the left having a radius of 82.00 feet, an arc length of 39.12 feet to a point of tangency, said point being distant by a chord of South 53°01'16" West, 38.75 feet from the last described point; and
4. South 39°21'20" West, 3.80 feet to a point on the northeasterly side of East 26th Street (a 70 foot wide street to be dedicated to public use, said Riverside Phase 3);

THENCE along said northeasterly side of East 26th Street, North 50°38'40" West, 50.00 feet to a point, a southwesterly corner for Parcel 'A1', said Riverside Phase 3;

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Edgemoor Avenue, Riverside Phase 3, City of Wilmington

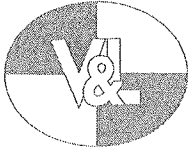
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THENCE along the southerly lines for said Parcel 'A2', the four (4) following described courses and distances:

1. North $39^{\circ}21'20''$ East, 3.80 feet to a point of curvature;
2. Northeasterly, by a curve to the right having a radius of 132.00 feet, an arc length of 62.96 feet to a point of tangency, said point being distant by a chord of North $53^{\circ}01'16''$ East, 62.37 feet from the last described point;
3. North $66^{\circ}41'12''$ East, 173.98 feet to a point; and
4. North $39^{\circ}22'22''$ East, 6.60 feet to the point and place of Beginning.

Containing within said metes and bounds, 12,361 square feet (0.284 acres) of land, being the same, more or less...

KG



**VANDEMARK
& LYNCH, INC.**
ENGINEERS • PLANNERS • SURVEYORS

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WILMINGTON, DE 19802-1901
(302) 764-7635 FAX (302) 764-4170
www.vandemarklynch.com

July 27, 2023

Description of a portion of **Rosemont Avenue (to be dedicated)**, situate at the existing southwesterly terminus of Rosemont Avenue, City of Wilmington, New Castle County, Delaware.

ALL THOSE CERTAIN tracts, pieces or parcels of land, situate at the existing southwesterly terminus of Rosemont Avenue, City of Wilmington, New Castle County, Delaware and shown on a plan prepared by VanDemark & Lynch, Inc., Engineers, Planners and Surveyors, Wilmington, Delaware, File No. 24541.20-RECORD-01, dated July 27, 2023, entitled "Major Subdivision Plan, Riverside Phase 3", said plan to be recorded among the Land Records in and for New Castle County, and being more particularly described as follows, to wit:

BEGINNING at the easterly end of the existing southwesterly terminus of Rosemont Avenue, at a westerly corner for land now or formerly of Kingwood Community Center, Inc. (Deed Record F, Volume 80, Page 363), said point being measured South 39°22'22" West, 846.30 feet from the intersection of the southwesterly side of East 27th Street (a 50 foot wide public street) with said southeasterly side of Rosemont Avenue;

THENCE from the said point of Beginning, through said land now or formerly of Kingwood Community Center, Inc., South 39°22'22" West, 56.53 feet to a point on a northeasterly line for other land now or formerly of Kingwood Community Center, Inc. (Deed Record L, Volume 57, Page 341);

THENCE along said northeasterly line for other land now or formerly of Kingwood Community Center, Inc., North 54°22'38" West, 50.11 feet to a point, the southerly corner for other land now or formerly of Wilmington Housing Authority (Deed Record G, Volume 57, Page 431);

THENCE along the southeasterly line for said other land now or formerly of Wilmington Housing Authority, North 39°22'22" East, 59.84 feet to a point, the westerly end of said existing southwesterly terminus of Rosemont Avenue;

THENCE along said existing southwesterly terminus of Rosemont Avenue, South 50°35'38" East, 50.00 feet to the point and place of Beginning.

Containing within said metes and bounds, 2,909 square feet (0.067 acres) of land, being the same, more or less...

KG