

AN ORDINANCE TO APPROVE AMENDMENTS TO THE LARGE-SCALE REDEVELOPMENT PROJECT KNOWN AS “THE WILMINGTON FLATS”

#0398

Sponsor:

**Council
Member
Johnson**

WHEREAS, Section 48-476 of the City Code authorizes (i) the submission of applications to the City for approval of large-scale redevelopment projects and (ii) City Council, after review by the City Planning Commission (the “Planning Commission”), to approve, with or without revisions, or disapprove such applications and the accompanying site plans, after holding a public hearing; and

WHEREAS, in 2013, Woodlawn Trustees, Inc. (the “Applicant”) submitted an application and an accompanying site plan to the City for a seven-phased large-scale redevelopment project named “The Wilmington Flats,” being located generally upon the lands bounded by Fourth, Ferris, Seventh, Grant, and Union Streets (the “Project”); and

WHEREAS, the Planning Commission, via its Resolution 9-13, recommended approval of the Project subject to various conditions contained in such Resolution; and

WHEREAS, on December 12, 2013, City Council, after holding a duly advertised public hearing, approved the Project via Ordinance Nos. 13-040 and 13-041, subject to the conditions set forth in Planning Commission Resolution 9-13; and

WHEREAS, since 2013, Phases I, II, and III of the Project have been completed and are occupied; and

WHEREAS, pursuant to City Code Section 48-476, any modification of a site plan approved by City Council requires a new application to be processed in accordance with the same procedure as the original application, including review by the Planning Commission and approval by City Council after a public hearing; and

WHEREAS, in September 2023, the Applicant submitted an application (the “Application”) for approval of amendments to the site plan for the Project, namely, (i) minor

amendments to site and building layout to Blocks E/F, G and H, (ii) a redesign of Block M (Phase V of the Project) from 6 (six) buildings to one (1) single apartment building, and (iii) the elimination of two parking garages originally planned for construction on Blocks E/F and I/J, all as indicated on the August 24, 2023 site plans prepared by Landmark Science and Engineering that are attached hereto and incorporated herein as Exhibit “A” (collectively, the Amendments”); and

WHEREAS, at its November 21, 2023 meeting, the Planning Commission adopted Planning Commission Resolution 10-23, which recommends the approval of the Amendments; and

WHEREAS, City Council deems it necessary and appropriate to approve the Amendments as recommended by the Planning Commission and as depicted on Exhibit “A,” which is attached hereto and incorporated herein.

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

SECTION 1. The Amendments (i) contained in the Application and the approval of which was recommended by the Planning Commission in its Resolution 10-23 and (ii) depicted on Exhibit “A”, which is attached hereto and incorporated herein, are hereby approved.

SECTION 2. The Department of Licenses and Inspections is hereby authorized to issue any and all building permits in accordance with the Amendments.

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

First Reading..... March 7, 2024
Second Reading..... March 7, 2024
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved this ____ day of _____, 2024.

Mayor

SYNOPSIS: This Ordinance approves the Woodlawn Trustees, Inc.’s application for amendments to the site plan for the large-scale redevelopment project known as “The Wilmington Flats.”

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

W0123972

EXHIBIT A

GENERAL DATA

- TAX PARCEL NUMBER: (SEE LIST THIS PAGE)
- GROSS AREA: 10.44+/- ACRES
- EXISTING ZONING: R-3 (ONE-FAMILY ROW HOUSES)
- WATER SUPPLY: CITY OF WILMINGTON.
WATER SUPPLY IS SUBJECT TO THE APPROVAL OF THE DELAWARE STATE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL AND THE DELAWARE DEPARTMENT OF PUBLIC HEALTH.
- SANITARY SEWER: PUBLIC - CITY OF WILMINGTON.
SEWERAGE IS SUBJECT TO THE APPROVAL OF THE CITY OF WILMINGTON AND DNREC. AT THE TIME OF APPROVAL OF THIS PLAN, SEWER CAPACITY EXISTED TO ACCOMMODATE THE ANTICIPATED FLOWS GENERATED BY THIS ADDITIONAL DEVELOPMENT. CITY OF WILMINGTON HAS COMMITTED TO PROVIDE SEWER IN ACCORDANCE WITH THE LAND DEVELOPMENT IMPROVEMENT AGREEMENT FOR THIS DEVELOPMENT. THE OWNER OF THIS PROPERTY, HIS SUCCESSOR OR ASSIGNS, SHALL BE RESPONSIBLE FOR EXTENDING SEWER SERVICE TO EACH ON-SITE BUILDING SHOWN WITHIN THE AREA OF INTEREST.
- DEBRIS DISPOSAL: NO DEBRIS WILL BE BURIED OR DISPOSED OF ON THIS SITE.
- FIRE PROTECTION: ALL FIRE LANES, FIRE HYDRANTS, SPRINKLERS, STANDPIPE CONNECTIONS AND FIRE EXITS SHALL BE MARKED AND PROTECTED IN ACCORDANCE WITH THE DELAWARE STATE FIRE PREVENTION REGULATIONS.
- THE DESIGN REVIEW AND PRESERVATION COMMISSION OF THE DEPARTMENT OF PLANNING AND URBAN DESIGN APPROVED THE DEMOLITION OF EXISTING BUILDINGS WITHIN WILMINGTON FLATS (RESOLUTION 21-13 AND PERMIT REFERRAL DR-1438) ON AUGUST 15, 2013.
- THE CITY OF WILMINGTON COUNCIL APPROVED ORDINANCE 13-040, LARGE SCALE RE-DEVELOPMENT KNOWN AS WILMINGTON FLATS ON DECEMBER 12, 2013.
- THE CITY OF WILMINGTON COUNCIL APPROVED ORDINANCE 13-041, THE REMOVAL AND DISPOSITION OF SPRINGER STREET FROM THE OFFICIAL CITY MAP ON DECEMBER 12, 2013.
- ALL "BULB OUTS" TO BE LOCATED WITHIN PROPOSED PARKING LOTS WILL BE CONSTRUCTED WITH ROLLED CURB AND GUTTER TO ACCOMMODATE EMERGENCY APPARATUS.
- THE REMOVAL OF EXISTING OR THE PLACEMENT OF STREET TREES SHALL REQUIRE A PERMIT FROM THE CITY OF WILMINGTON.
- PEDESTRIAN CONNECTIONS WILL BE PROVIDED FROM EACH PROPOSED BUILDING FRONT ENTRANCE AND THE PUBLIC SIDEWALK AND FROM EACH PROPOSED BUILDING REAR ENTRANCE AND THE ASSOCIATED PARKING LOT AND/OR INTERNAL SIDEWALK SYSTEM.
- PROPOSED OFF-STREET PARKING LOTS SHALL HAVE PARKING LOT LANDSCAPING AS FOLLOWS.

BLOCK NO.	AREA OF LANDSCAPE
D	416 SF
E/F	945 SF
G	450 SF
H	450 SF
I/J	945 SF
K	416 SF
L	360 SF
M	360 SF

PROPERTIES KNOWN AS WILMINGTON FLATS.

EXISTING TAX PARCELS	INST#	ADDRESS
26-026.20-003	20131231-0079960	401 FERRIS ST.
26-026.20-001	20131231-0079960	500 FERRIS ST.
26-026.20-009	20131231-0079960	500 BAYARD AVE.
26-026.20-020	20131231-0079960	500 N. BANCROFT PARKWAY
26-026.20-023	20131231-0079960	400 N. BANCROFT PARKWAY
26-026.20-018	20131231-0079960	600 N. BANCROFT PARKWAY
26-026.20-005	20131231-0079960	600 BAYARD AVE.
26-019.40-056	20131231-0079960	600 FERRIS ST.
26-019.40-068	20131231-0079960	800 GRANT AVE.

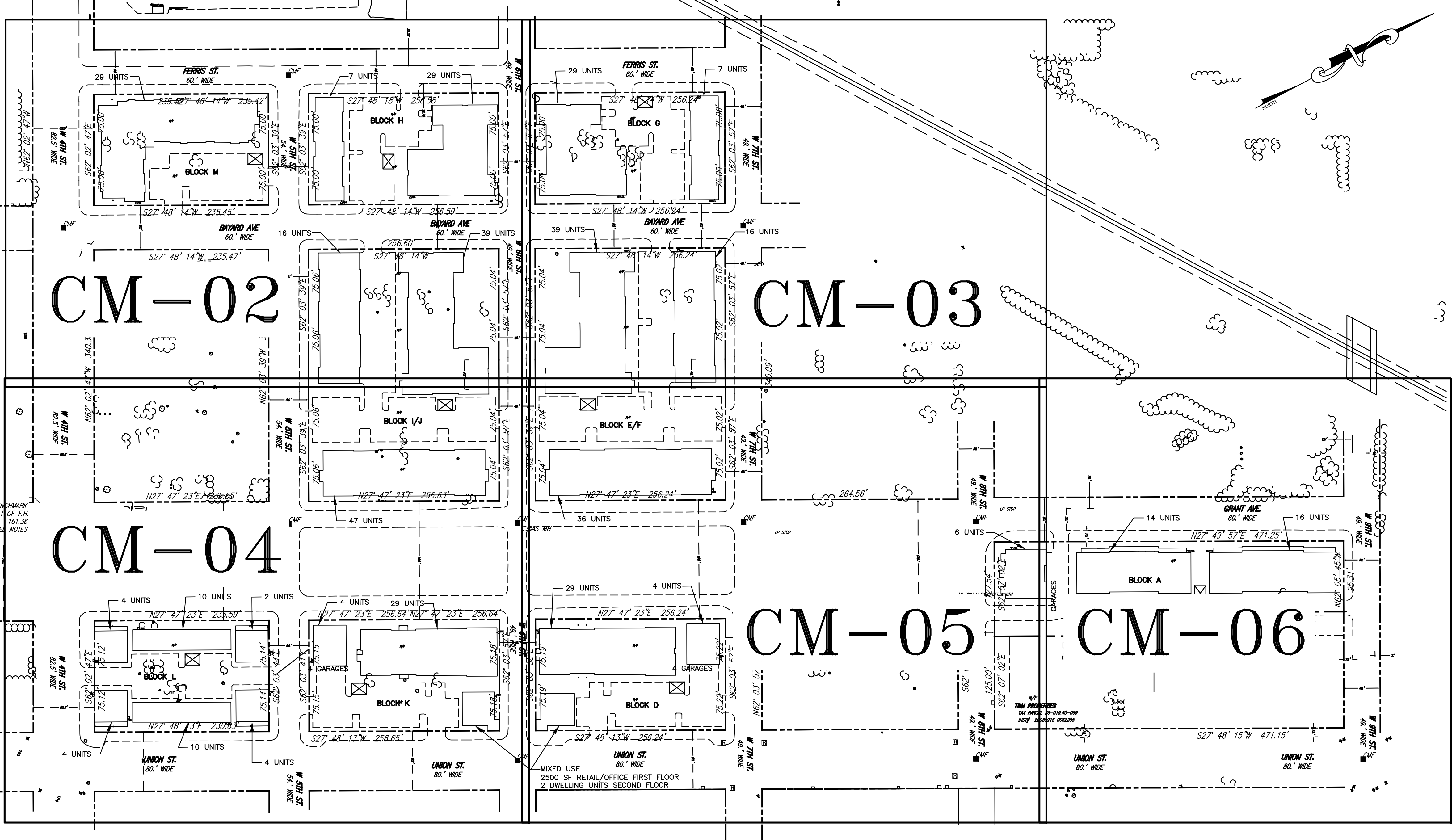
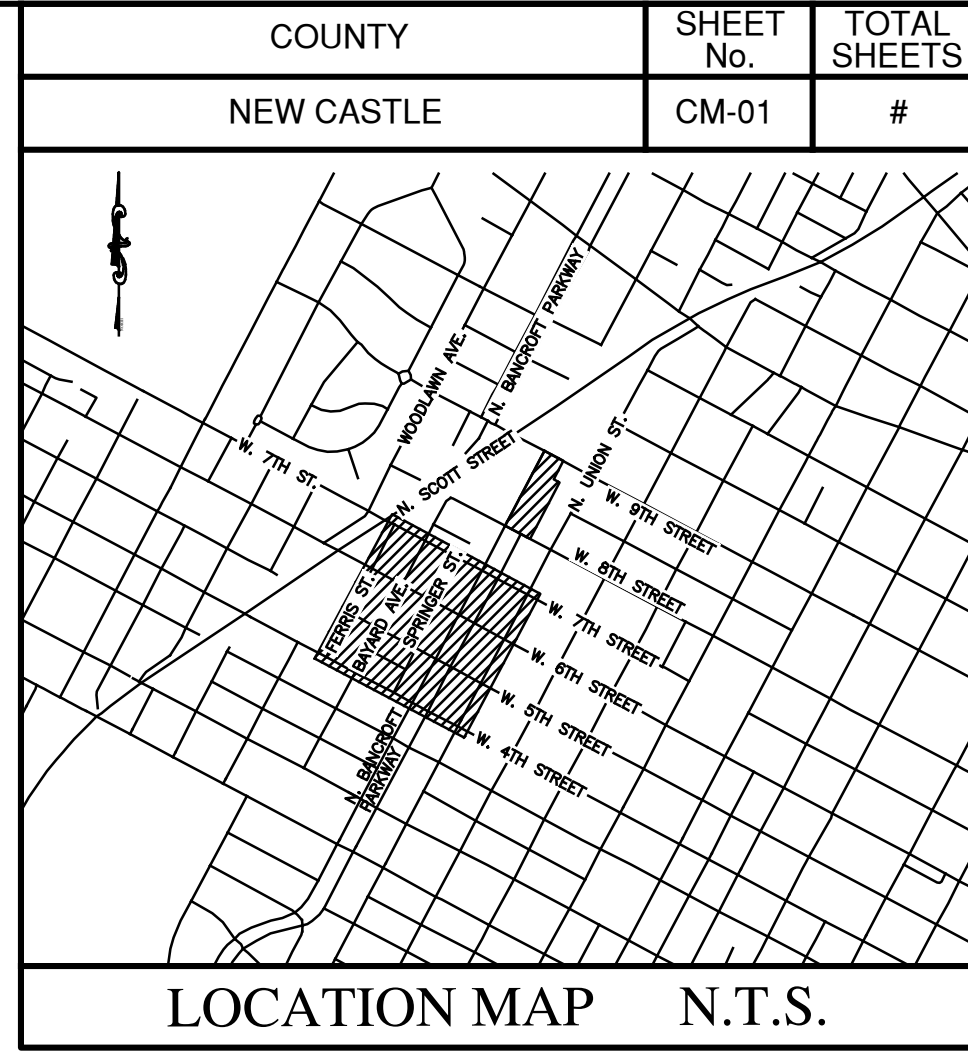
LOCATED IN WILMINGTON, DE 19805-

R3 ZONING REQUIREMENTS

	REQUIRED	PROVIDED	FLOOR AREA RATIO
LOT AREA ROW HOUSE	1600 SF	N/A	BLOCK LOT AREA BUILDING FAR
LOT WIDTH ROW HOUSE	16FT	N/A	A 1.31±AC 55,701SF 0.98
LOT AREA SEMI DETACHED	2500FT	N/A	D 0.88±AC 44,919SF 1.17
LOT WIDTH SEMI DETACHED	25FT	N/A	E/F 2.00±AC 125,171SF 1.44
LOT AREA ALL OTHER USES	4000SF	N/A	G 0.86±AC 44,937SF 1.20
LOT WIDTH ALL OTHER USES	40FT	N/A	H 0.88±AC 44,937SF 1.17
BUILDING SETBACK ALL USES	15'	5' (MIN)	I/J 2.00±AC 125,171SF 1.44
REAR YARD SETBACK ALL OTHER USES	20'	20' (MIN)	K 0.89±AC 44,919SF 1.16
SIDE YARD SET BACK ALL USES	0'	N/A	L 0.81±AC 29,144SF 0.83
			M 0.81±AC 16,532SF 0.47
			TOTAL 10.44±FAC 527,431GSF 1.10

*DETACHED UNITS MUST HAVE 2-SIDEYARDS 5FT EACH
SEMI-DETACHED UNITS MUST HAVE ONE SIDE YARD OF 5FT
FAR RATIOS N/A 1.21

TOTAL NO. DWELLING UNITS 460
PARKING REQUIRED (R-3)
460 DWELLING UNITS X 1 SPACE/UNIT = 460 SPACES
1 SPACE/500SF X 4260SF (OFFICE RETAIL) = 10 SPACES
TOTAL PARKING REQUIRED = 470 SPACES
TOTAL PARKING PROVIDED = 341 SPACES



-SITE PLAN-

CERTIFICATION OF PLAN ACCURACY

I, _____, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE WITH A BACKGROUND IN CIVIL ENGINEERING OR A PROFESSIONAL SURVEYOR IN THE STATE OF DELAWARE. TO THE BEST OF MY KNOWLEDGE AND BELIEF, I CERTIFY THAT THE INFORMATION ON THIS PLAN IS TRUE AND CORRECT TO THE ACCURACY REQUIRED BY ACCEPTED SURVEYING STANDARDS AND PRACTICES. THE PROPOSED CONSTRUCTION, AS SHOWN ON THE PLAN, COMPLIES WITH ALL APPLICABLE LAWS AND REGULATIONS.

SIGNATURE _____ DATE _____

CERTIFICATION OF OWNER

I, _____, HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THE SUBDIVISION THEREOF WAS MADE AT MY DIRECTION, THAT I ACKNOWLEDGE THE SAME TO BE MY ACT AND PLAN AND DESIRE THE SAME TO BE RECORDED AS SUCH ACCORDING TO THE LAW, AND IN ACCORDANCE WITH THE SUBDIVISION AND LAND DEVELOPMENT REGULATIONS OF THE CITY OF WILMINGTON.

SIGNATURE _____ DATE _____

APPROVED FOR RECORDATION

DATE _____ DIRECTOR OR PLANNING CITY OF WILMINGTON

THE PURPOSE OF THIS PLAN IS TO MODIFY BUILDING UNITS AND PARKING SPACES IN THE LARGE SCALE RE-DEVELOPMENT KNOWN AS WILMINGTON FLATS.

COUNTY	SHEET No.	TOTAL SHEETS
NEW CASTLE	CM-01	#

200 CONTINENTAL DRIVE
NEWARK, DE 19713
PHONE (302) 328-8877
FAX (302) 328-8844
WWW.LANDMARK-SE.COM
INFO@LANDMARK-SE.COM

201 HESKETH BLVD., SUITE 104
ABERDEEN, MD 21001
PHONE (410) 283-0000
FAX (410) 283-8441
INFO@LANDMARK-SE.COM

Landmark
Science & Engineering

DESIGNED BY: XXX DATE: 8/24/23
CHECKED BY: TOW LAST MODIFIED: 8/24/23
COMM. NO. C 2461-1 FILE NO. XXX

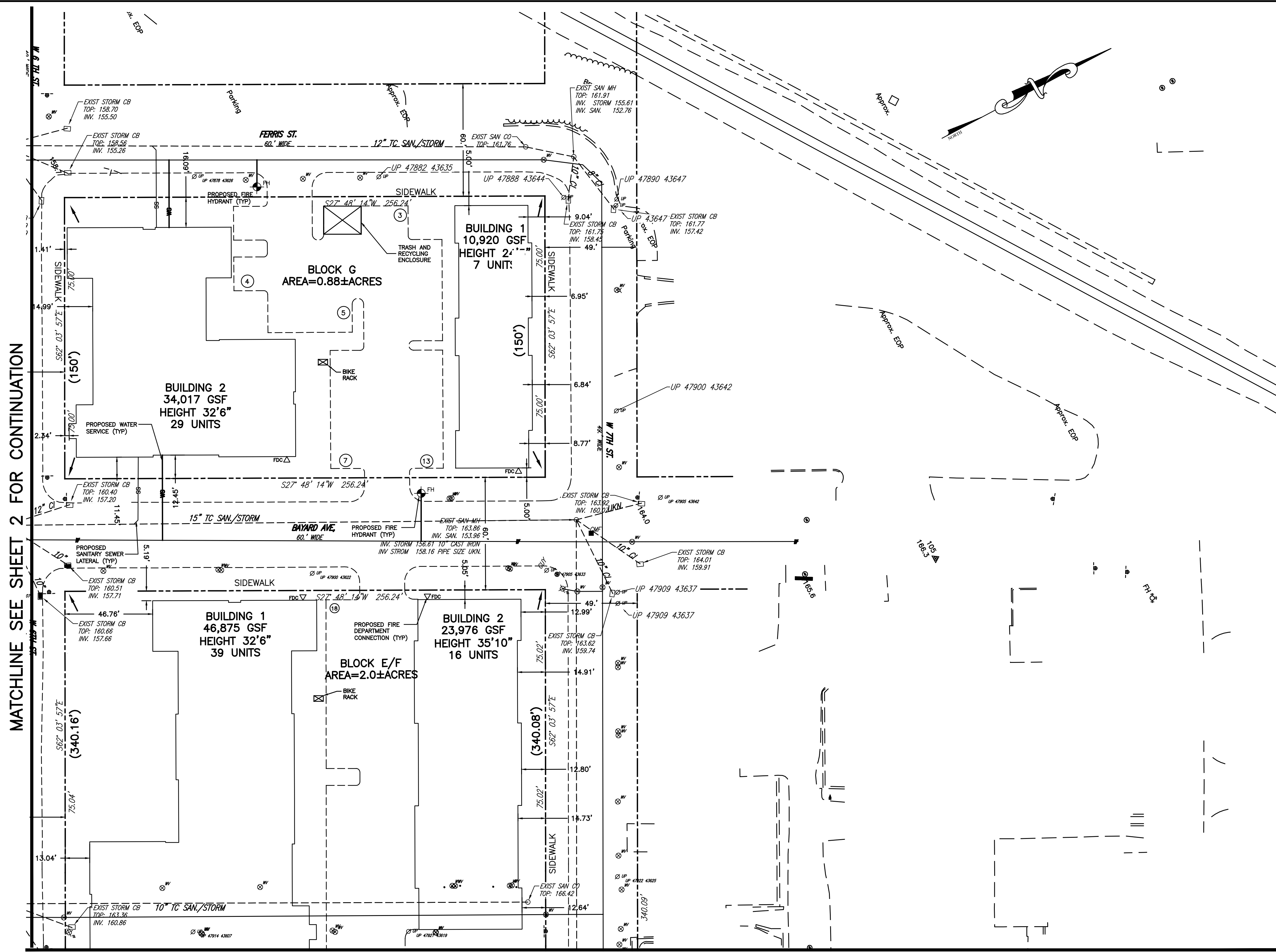
DRAWING NAME: SITE PLAN/DWG SHEET NO. 1 of 2

CM-01

Know what's below.
Call before you dig.
MISS UTILITY PHONE: 1-800-257-7777
PROTECT YOURSELF, GIVE THREE WORKING DAYS NOTICE

COUNTY	SHEET No.	TOTAL SHEETS
NEW CASTLE	CM-03	#

LOCATION MAP N.T.S.



MATCHLINE SEE SHEET 2 FOR CONTINUATION

MATCHLINE SEE SHEET 5 FOR CONTINUATION

UNIT TABLE

BLOCK	AREA	BUILDING AREA	FAR	TOTAL DWELLING UNITS	PARKING REQUIRED	PARKING PROVIDED
G	0.86±ACS	44,937 GSF	1.20	36	36	32
E/F	2.00±ACS	110,351 GSF	1.27	91	91	61

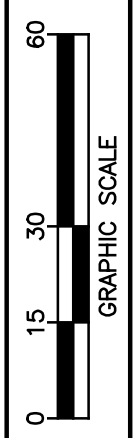
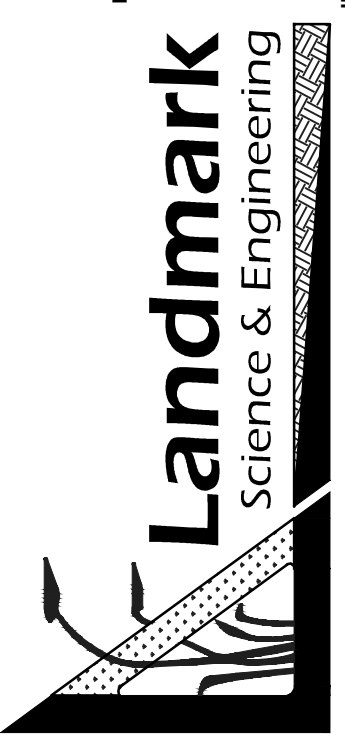
REVISIONS

SITE PLAN FOR
WILMINGTON FLATS
CITY OF WILMINGTON - NEW CASTLE COUNTY, DELAWARE

OWNER:
WOODLAWN APARTMENTS, INC.
1020 N. BANCROFT PARKWAY
WILMINGTON, DE 19805
302-655-6215 (P)
302-655-6894 (F)

200 CONTINENTAL DRIVE
NEWARK, DE 19713
PHONE (302) 325-9877
WWW.LANDMARK-SE.COM
INFO@LANDMARK-SE.COM

201 HESSLEY COX BLVD.,
ABERDEEN, MD 21001
PHONE (410) 398-9444
FAX (410) 398-9444
INFO@LANDMARK-SE.COM

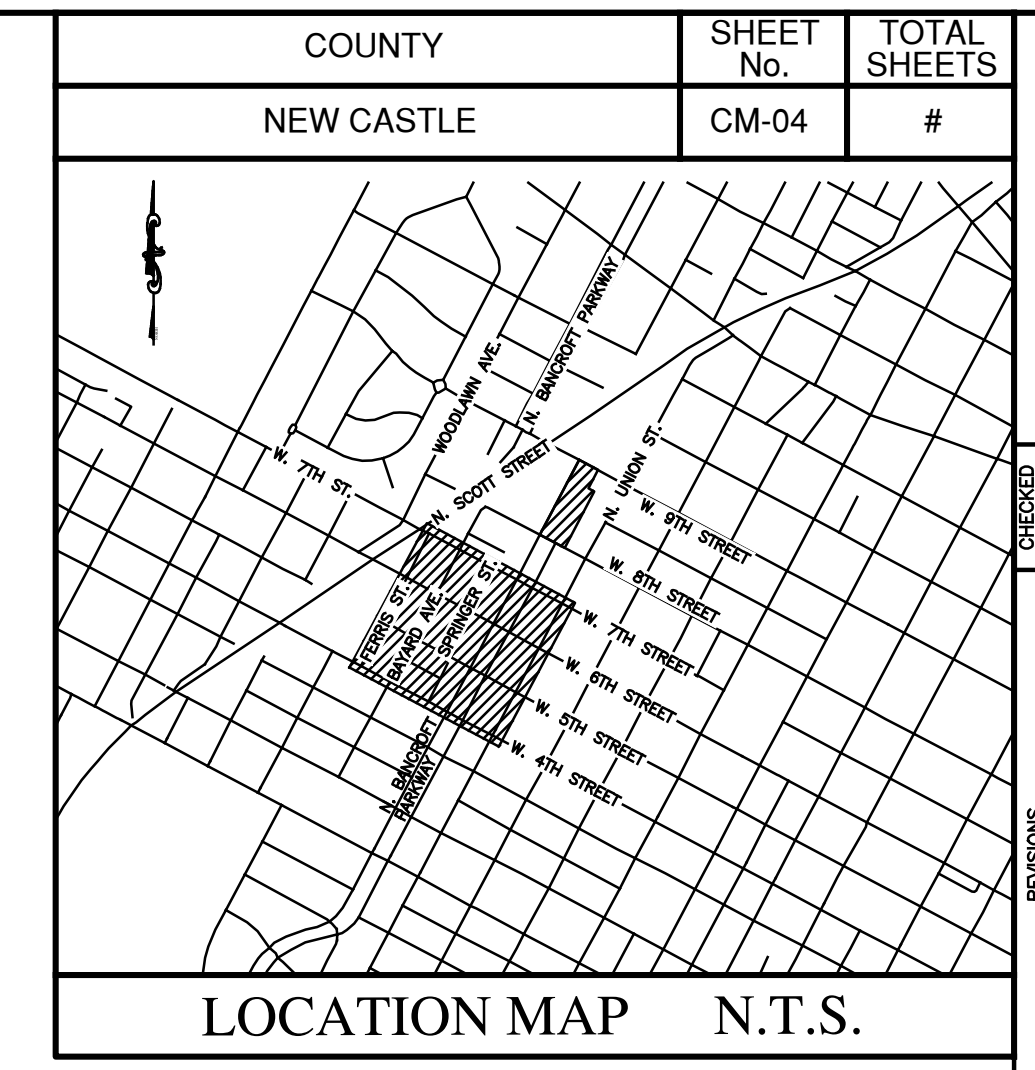
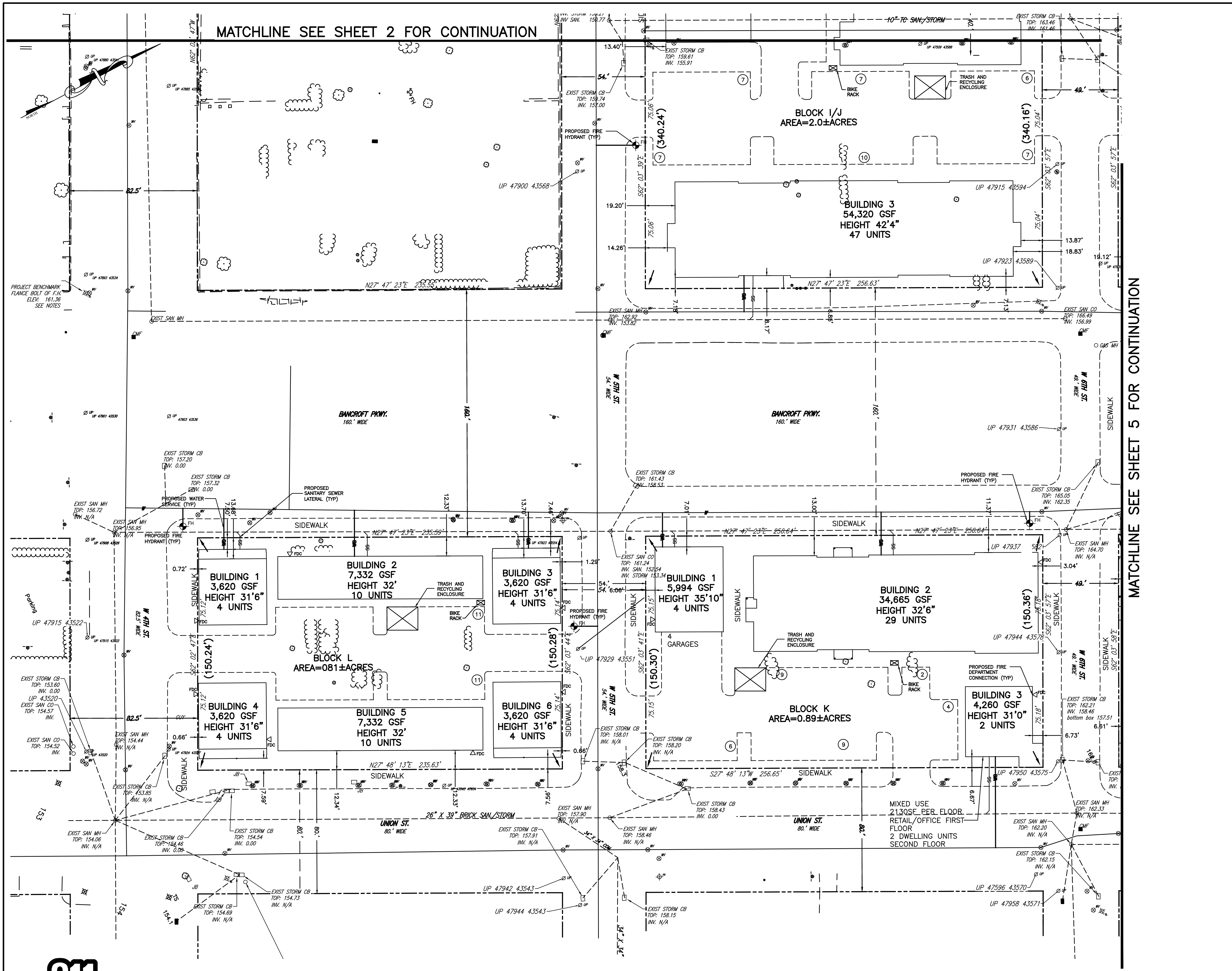


DRAWN BY: FEL	SCALE: 1"=30'	DATE: 8/24/23	SHEET NO. 3 of 7
DESIGNED BY: XXX	DATE: 8/24/23	FILE NO. XXX	
CHECKED BY: TOW	DATE: 8/24/23	FILE NO. XXX	
CONV. NO. C 2461-1	DATE: 8/24/23	FILE NO. XXX	
DRAWING NAME: SITE PLAN/DWG			

CM-03



Know what's below.
Call before you dig.
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PROTECT YOURSELF, GIVE THREE
WORKING DAYS NOTICE



COUNTY	SHEET No.	TOTAL SHEETS
NEW CASTLE	CM-04	#

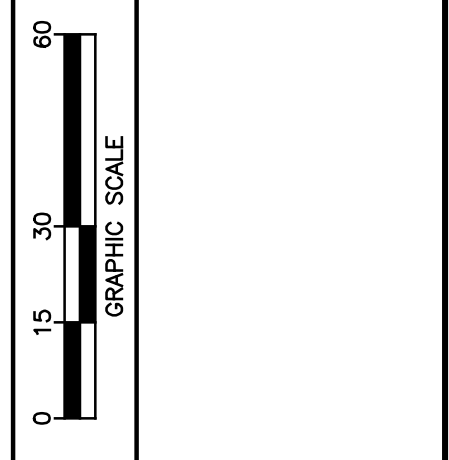
SITE PLAN FOR
WILMINGTON FLATS
 CITY OF WILMINGTON - NEW CASTLE COUNTY, DELAWARE

OWNER:
 WILMINGTON FLATS, INC.
 1000 N. BANCROFT PARKWAY
 WILMINGTON, DE 19805
 302-655-6215 (P)
 302-655-6284 (F)

200 CONTINENTAL DRIVE
 NEWARK, DE 19713
 PHONE (302) 323-9377
 WWW.LANDMARK-SE.COM
 INFO@LANDMARK-SE.COM

201 RESEARCH BLVD.
 ABERDEEN, MD 21001
 PHONE (410) 989-2144
 302-655-6215 (P)
 302-655-6284 (F)

Landmark
 Science & Engineering



UNIT TABLE

BLOCK	AREA	BUILDING AREA	FAR	TOTAL DWELLING UNITS	PARKING REQUIRED	PARKING PROVIDED
I/J	2.00±ACS	125,171 GSF	1.44	102	102	61
L	0.81±ACS	29,144 GSF	0.83	36	36	22
K	0.89±ACS	44,919 GSF	1.16	35	35 5 SPACES + (1 SPACE/500SF X 2130SF FOR RETAIL/OFFICES)	34

SCALE: 1"=30'
 DATE: 8/24/23
 DESIGNED BY: TOW
 CHECKED BY: TOW
 CON. NO.: C 2461-1

DATE: 8/24/23
 FILE NO.: XXX
 SITE PLANNING

SHEET NO.
 4 of 7

CM-04

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