

AN ORDINANCE TO APPROVE THE ANCHORAGE OVERLOOK MAJOR SUBDIVISION PLAN AND AUTHORIZE THE CITY TO REMOVE A SEGMENT OF ANCHORAGE STREET FROM THE OFFICIAL CITY MAP, IMPROVE A SEGMENT OF ANCHORAGE STREET AND NAME IT ANCHORAGE STREET EXTENDED, CREATE A NEW STREET NAMED LEVI LANE, AND ACCEPT THE DEDICATION OF ANCHORAGE STREET EXTENDED AND LEVI LANE AS PUBLIC RIGHTS-OF-WAY AND ADD THEM TO THE OFFICIAL CITY MAP

#0119

Sponsor:

**Council
Member
McCoy**

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, Apex Engineering, Inc., on behalf of Brown Town, LLC (collectively, the “Applicants”), has requested that the City approve and adopt the major subdivision plan known as “Anchorage Overlook”, which is attached hereto and incorporated herein as Exhibit “A” (the “Plan”); and

WHEREAS, as part of the Plan, the Applicants have requested that three (3) tax parcels known as 10 Seventh Avenue, 1400 Anchorage Street, and 1315 Brown Street (being Tax Parcel Nos. 26-048.20-271, 26-048.20-044, and 26-048.20-042, respectively) be subdivided into thirty-eight (38) new parcels for the purpose of creating a new 38-unit townhouse development; and

WHEREAS, as part of the Plan, the Applicants have requested the removal from the Official City Map of an approximately 120 feet long by 40 feet wide segment of a paper street called “Anchorage Street” where such street meets Seventh Avenue (the “Street Bed”); and

WHEREAS, while it has been determined that the City owns the 20 feet wide portion of the Street Bed that is northwesterly of the center line of such Street Bed, the current

ownership of the 20 feet wide portion of the Street Bed that is southeasterly of the center line of such Street Bed is unknown; and

WHEREAS, there are no findings to suggest that the removal of the Street Bed would create a detriment to the public or to public safety; and

WHEREAS, there is a lack of public interest in the Street Bed; and

WHEREAS, as part of the Plan and as further depicted on Exhibit “B” attached hereto and incorporated herein, the Applicants have requested (i) that the City retain and improve to City standards, at Brown Town, LLC’s expense, an approximately 80 feet long by 40 feet wide segment of Anchorage Street where such street meets Eighth Avenue to allow for ingress and egress for the proposed townhouse development and (ii) to name such segment “Anchorage Street Extended”; and

WHEREAS, as part of the Plan and as further depicted on Exhibit “B” attached hereto and incorporated herein, the Applicants have requested (i) that the City build to City standards, at Brown Town, LLC’s expense, a new L-shaped street of varying widths that would connect Brown Street with Seventh Avenue and (ii) to name such street “Levi Lane”; and

WHEREAS, as part of the Plan and as further depicted on Exhibit “B” attached hereto and incorporated herein, the Applicants have requested for the City to accept the dedication of “Anchorage Street Extended” and “Levi Lane” as public rights-of-way and add them to the Official City Map; and

WHEREAS, there are no findings to suggest that the acceptance of “Anchorage Street Extended” and “Levi Lane” would be detrimental to the surrounding properties, the public, or public safety; and

WHEREAS, the Department of Land Use and Planning has reviewed the proposed street names of “Anchorage Street Extended” and “Levi Lane” in accordance with the City Planning Commission’s “Guidelines for the Naming and Renaming of Streets” and has found that the proposed names meet such guidelines; and

WHEREAS, the development proposed in the Plan, including the removal of the Street Bed and the acceptance and dedication of “Anchorage Street Extended” and “Levi Lane”, is consistent with the recommendations of the Citywide comprehensive plan entitled “Wilmington 2028: A Comprehensive Plan for Our City and Communities”; and

WHEREAS, the approval of the Plan is conditioned upon the incorporation of certain revisions requested by the Department of Land Use and Planning and the satisfaction of certain requirements of the Department of Public Works and the Fire Marshal’s Office as stated in the Department of Land Use and Planning’s August 15, 2025 Memorandum to the City Planning Commission and City Planning Commission Resolution 9-25 (collectively, the “Conditions”); and

WHEREAS, the City Planning Commission has adopted Planning Commission Resolution 9-25, which recommends the approval of the Applicants’ Plan, including the removal of the Street Bed from the Official City Map, the naming of “Anchorage Street Extended” and “Levi Lane”, the acceptance of the dedication of “Anchorage Street Extended” and “Levi Lane” as public rights-of-way, and their addition to the Official City Map, subject to the satisfaction of the Conditions; and

WHEREAS, City Council deems it necessary and appropriate to approve the Applicants’ Plan, including the removal of the Street Bed from the Official City Map, the naming of “Anchorage Street Extended” and “Levi Lane”, the acceptance of the dedication

of “Anchorage Street Extended” and “Levi Lane” as public rights-of-way, and their addition to the Official City Map, subject to the satisfaction of the Conditions.

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

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

SECTION 2. The removal of the Street Bed from the Official City Map, which is depicted on Exhibit “A” attached hereto and incorporated herein, is hereby approved.

SECTION 3. The property rights to the portion of the Street Bed not owned by the City shall be determined judicially in accordance with applicable State statutes.

SECTION 4. The naming of “Anchorage Street Extended” and “Levi Lane”, as depicted on Exhibits “A” and “B” attached hereto and incorporated herein, is hereby approved.

SECTION 5. The acceptance of the dedication of “Anchorage Street Extended” and “Levi Lane” as public rights-of-way and their addition to the Official City Map, as depicted on Exhibits “A” and “B” attached hereto and incorporated herein, is hereby approved.

SECTION 6. All City Departments are hereby authorized to take any and all necessary actions required for the execution and recordation of the Plan, the removal of the Street Bed from the Official City Map, the naming of “Anchorage Street Extended” and “Levi Lane”, the acceptance of the dedication of “Anchorage Street Extended” and “Levi Lane”, and the addition of “Anchorage Street Extended” and “Levi Lane” to the Official City Map.

SECTION 7. This Ordinance shall be deemed effective immediately upon its date of passage by City Council and approval by the Mayor.

First Reading.....October 2, 2025
Second Reading.....October 2, 2025
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

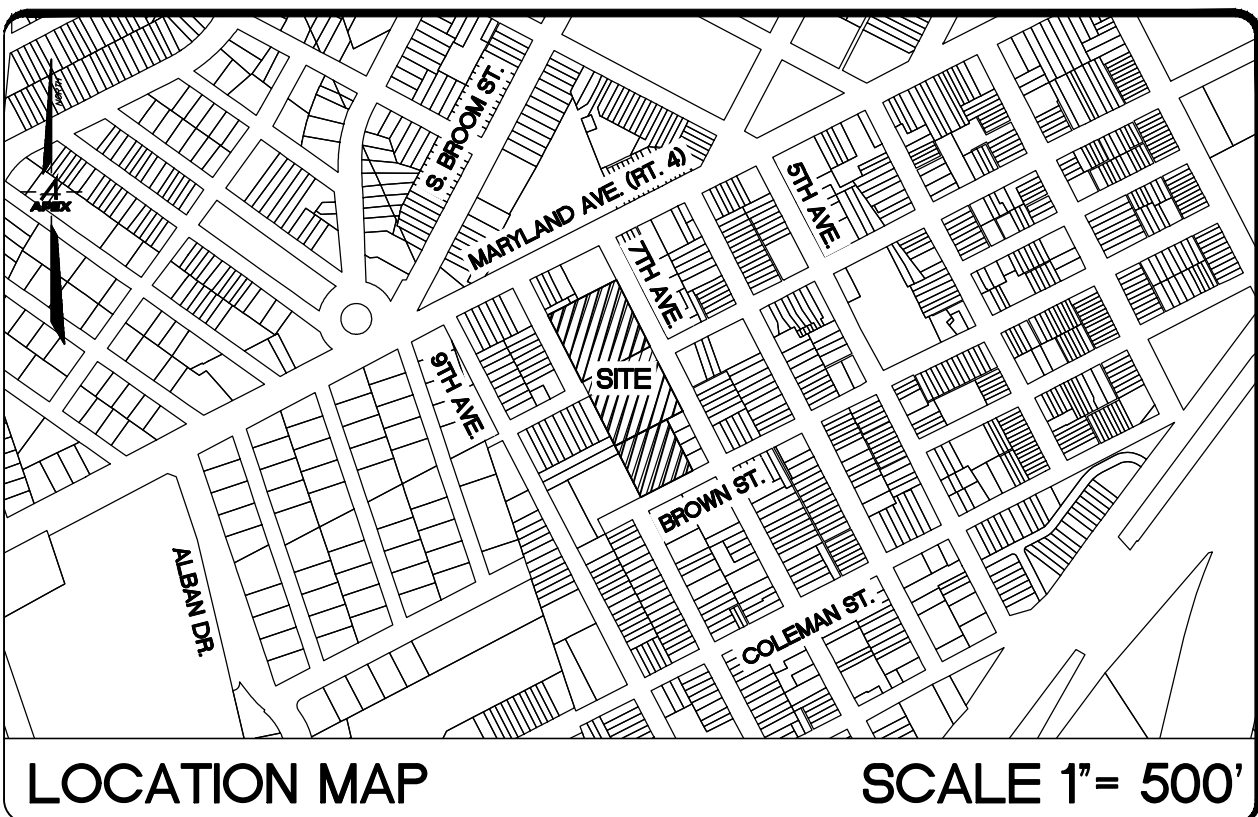
Approved this ____ day of _____, 2025.

Mayor

SYNOPSIS: This Ordinance approves the “Anchorage Overlook” major subdivision plan and authorizes the City to (i) remove a portion of Anchorage Street from the Official City Map, (ii) improve a portion of Anchorage Street and name it Anchorage Street Extended, (iii) create a new street and name it Levi Lane, and (iv) accept the dedication of Anchorage Street Extended and Levi Lane as public rights-of-way and add them to the Official City Map.

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

EXHIBIT A



SITE DATA

1. TAX PARCEL NUMBERS:
- | | | |
|---------------|---------------|---------------|
| 26-048.20-271 | 26-048.20-044 | 26-048.20-042 |
|---------------|---------------|---------------|
2. OWNER INFORMATION: (EQUITABLE WILMINGTON HOUSING PARTNERSHIP 4 7TH AVENUE WILMINGTON, DE 19805)
- | | |
|--|--|
| OWNER IS BKS ASSOCIATES, LLC) WILMINGTON HOUSING PARTNERSHIP 800 N. FRENCH ST., 7TH FLOOR WILMINGTON, DE 19801 | WILMINGTON HOUSING PARTNERSHIP 800 N. FRENCH ST., 7TH FLOOR WILMINGTON, DE 19801 |
|--|--|
3. SOURCE OF TITLE: INST. #202205180053112
- | | |
|------------------------|------------------------|
| INST. #200911050071065 | INST. #200911050071065 |
|------------------------|------------------------|
4. PROPERTY ADDRESSES:
- | | | |
|--|---|-------------------------------------|
| 10 SEVENTH AVENUE WILMINGTON, DE 19805 | 1400 ANCHORAGE ST. WILMINGTON, DE 19805 | 1315 BROWN ST. WILMINGTON, DE 19805 |
|--|---|-------------------------------------|
5. AREA OF EXIST. PARCELS:
- | | | |
|----------|----------|----------|
| 0.56 AC. | 0.66 AC. | 0.52 AC. |
|----------|----------|----------|
6. AREA OF RIGHT-OF-WAY ACQUISITION: 0.18 AC.
7. ZONING/USE: R-3 ONE FAMILY ROW HOUSES
- BUILDING SETBACKS: (R-3)
- | | |
|-----------------|--|
| STREET YARD | 15' MIN. |
| SIDE YARD | 0' MIN./5' MIN. ADJACENT TO RIGHT-OF-WAY |
| REAR YARD | 20' MIN. (3 STORIES OR LESS) |
| BUILDING HEIGHT | 40' MAX. (3 STORIES) |
8. LOT RESTRICTION: MINIMUM LOT WIDTH 16FT MINIMUM LOT AREA 1600 S.F.
9. SITE AREA BREAKDOWN:
- | | EXISTING | PROPOSED |
|-------------------|---------------------|---------------------|
| LOT AREA: | 1.729 ACRES (90.4%) | 1.276 ACRES (66.7%) |
| DEDICATED R.O.W.: | 0.184 ACRES (9.6%) | 0.511 ACRES (26.7%) |
| OPEN SPACE: | 0.000 ACRES (0.0%) | 0.126 ACRES (6.6%) |
| TOTAL | 1.913 ACRES (100%) | 1.913 ACRES (100%) |
10. PARKING: REQUIRED: 1 SPACE/FAMILY x 38 = 38 SPACES (OFF-STREET) PROVIDED: 89 SPACES
11. WATER SUPPLY: CITY OF WILMINGTON
12. SEWER: CITY OF WILMINGTON
13. DATUM / BENCHMARK: NAD 83 (HORIZONTAL) NAVD 88 (VERTICAL) BENCHMARK IS THE OUT INVERT OF A SANITARY SEWER MANHOLE IN 8TH AVENUE AT ELEVATION 88.48.
14. DATE OF SURVEY: JULY 5, 2022 BY APEX ENGINEERING INC.
15. FLOODPLAIN: NO PORTION OF THIS SITE IS WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO FEMA FIRM MAP #10003C0152L DATED JANUARY 22, 2020.
16. UTILITIES: EXISTING UTILITIES ARE SHOWN IN ACCORDANCE WITH THE BEST AVAILABLE INFORMATION. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE UTILITY COMPANIES INVOLVED IN ORDER TO SECURE THE MOST ACCURATE INFORMATION AVAILABLE AS TO UTILITY LOCATIONS AND ELEVATION. NO CONSTRUCTION AROUND OR ADJACENT TO UTILITIES SHALL BEGIN WITHOUT NOTIFYING THEIR OWNERS AT LEAST 48 HOURS IN ADVANCE. THE CONTRACTOR SHALL TAKE THE NECESSARY PRECAUTIONS TO PROTECT THE EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICE AND ANY DAMAGE DONE TO THEM DUE TO HIS NEGLIGENCE SHALL BE IMMEDIATELY AND COMPLETELY REPAIRED AT THE CONTRACTOR'S EXPENSE. TO LOCATE EXISTING UTILITIES IN THE FIELD PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL CONTACT MISS UTILITY OF DELMARVA (TELEPHONE 800-282-8555).
17. MAINTENANCE NOTE: FOR MAINTENANCE OF THE COMMON FACILITIES INCLUDING THE PRIVATE PARKING AREA AND PRIVATE OPEN SPACE SHOWN ON THE PLAN, SEE THE MAINTENANCE DECLARATION DATED AND OF RECORD IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NEW CASTLE COUNTY, STATE OF DELAWARE, INSTRUMENT NO. _____
18. SITE DISTURBANCE: PROPOSED DISTURBED AREA = 2.1 ACRES
19. VARIANCES: ZONING BOARD OF ADJUSTMENT CASE 7.1.24, DECISION FILED FEBRUARY 14, 2024 GRANTED 1,275 SQUARE FOOT LOT AREA (1,600 MIN. REQUIRED) FOR 26 PROPOSED LOTS: 2, 3, 6, 7, 10-15, 18-21, 24-29, 32-37

LEGEND

EXISTING	PROPOSED
PROPERTY LINE	PROPERTY LINE
CENTERLINE	CENTERLINE
IRON PIPE	IRON PIPE
CONCRETE MONUMENT	CONCRETE MONUMENT
DRILL HOLE FOUND	DRILL HOLE FOUND
SURVEY NAIL	SURVEY NAIL
WETLANDS BOUNDARY	WETLANDS BOUNDARY
N/A LIMIT OF DISTURBANCE	N/A LIMIT OF DISTURBANCE
5.3 CONTOUR	5.3 CONTOUR
50.00 SPOT ELEVATION	50.00 SPOT ELEVATION
3 SANITARY SEWER MANHOLE	3 SANITARY SEWER MANHOLE
SS SANITARY SEWER	SS SANITARY SEWER
CO CLEAN-OUT	CO CLEAN-OUT
15.00 DRAINAGE PIPE W/ SIZE & TYPE	15.00 DRAINAGE PIPE W/ SIZE & TYPE
CATCH BASIN	CATCH BASIN
DRAINAGE MANHOLE	DRAINAGE MANHOLE
DOWNSPOUT	DOWNSPOUT
FIRE HYDRANT	FIRE HYDRANT
WATER VALVE	WATER VALVE
WATER METER	WATER METER
FIRE DEPARTMENT CONNECTION	FIRE DEPARTMENT CONNECTION
6" W WATER LINE W/ SIZE	6" W WATER LINE W/ SIZE
OHE ELECTRIC LINE (OVERHEAD)	OHE ELECTRIC LINE (OVERHEAD)
UE ELECTRIC LINE (UNDERGROUND)	UE ELECTRIC LINE (UNDERGROUND)
UTILITY POLE W/ GUY WIRE	UTILITY POLE W/ GUY WIRE
ELECTRIC BOX	ELECTRIC BOX
ELECTRIC METER	ELECTRIC METER
LIGHT POLE	LIGHT POLE
ELECTRIC MANHOLE	ELECTRIC MANHOLE
TELEPHONE BOX	TELEPHONE BOX
TELEPHONE MANHOLE	TELEPHONE MANHOLE
COMMUNICATIONS LINE (CABLE, FIBER OPTIC, OTHER)	COMMUNICATIONS LINE (CABLE, FIBER OPTIC, OTHER)
GAS METER	GAS METER
GAS VALVE	GAS VALVE
GAS VENT	GAS VENT
GAS LINE	GAS LINE
GAS MANHOLE	GAS MANHOLE
FENCE	FENCE
EVERGREEN TREE	EVERGREEN TREE
DECIDUOUS TREE	DECIDUOUS TREE
WOODS LINE	WOODS LINE
CURB & CUTTER	CURB & CUTTER
CONCRETE SIDEWALK (MILL AND OVERLAY)	CONCRETE SIDEWALK (MILL AND OVERLAY)
IMPERVIOUS PAVEMENT (FULL DEPTH)	IMPERVIOUS PAVEMENT (FULL DEPTH)
STRUCTURE/BUILDING	STRUCTURE/BUILDING
SOIL BORING	SOIL BORING
TEST PIT	TEST PIT
MONITORING WELL	MONITORING WELL
SIGN	SIGN
TRAFFIC SIGNAL	TRAFFIC SIGNAL
PULL BOX	PULL BOX
STREET ADDRESS	STREET ADDRESS
LOT NUMBER	LOT NUMBER
SOIL BOUNDARY AND TYPE	SOIL BOUNDARY AND TYPE
TRUNCATED DOMES	TRUNCATED DOMES

PURPOSE OF PLAN

THE PURPOSE OF THIS PLAN IS TO VACATE A PORTION OF THE ANCHORAGE STREET RIGHT-OF-WAY, COMBINE THE THREE EXISTING PARCELS, AND SUBDIVIDE THE PROPERTY TO CREATE 38 TOWNHOUSE PARCELS.

APPROVED FOR RECORDATION

DIRECTOR OR DESIGNATED REPRESENTATIVE
CITY OF WILMINGTON
DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE

PRELIMINARY PLAT
MAJOR SUBDIVISION PLAN

FOR
ANCHORAGE OVERLOOK

CITY OF WILMINGTON NEW CASTLE COUNTY DELAWARE

APEX ENGINEERING
INCORPORATED
27 W. MARKET STREET NEWPORT, DELAWARE 19804
(302) 994-1900 (302) 994-9089 FAX

30 15 0 30 60 90

SCALE
1" = 30'

DATE:
10/03/2023

SHEET NO.
1

SURVEYED BY:
JS/KP

DRAWN BY:
JRB

OF
2

MICROFILM NO.

CHECKED BY:
SGD

PROJECT / FILE NUMBER
22146000PLOT-PRELIMSUB

REVISION

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CERTIFICATION OF OWNERSHIP

I, ROBERT L. WEIR, HEREBY CERTIFY THAT WILMINGTON HOUSING PARTNERSHIP CORPORATION IS 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.

ROBERT L. WEIR
DIRECTOR
DEPT. OF REAL ESTATE AND HOUSING

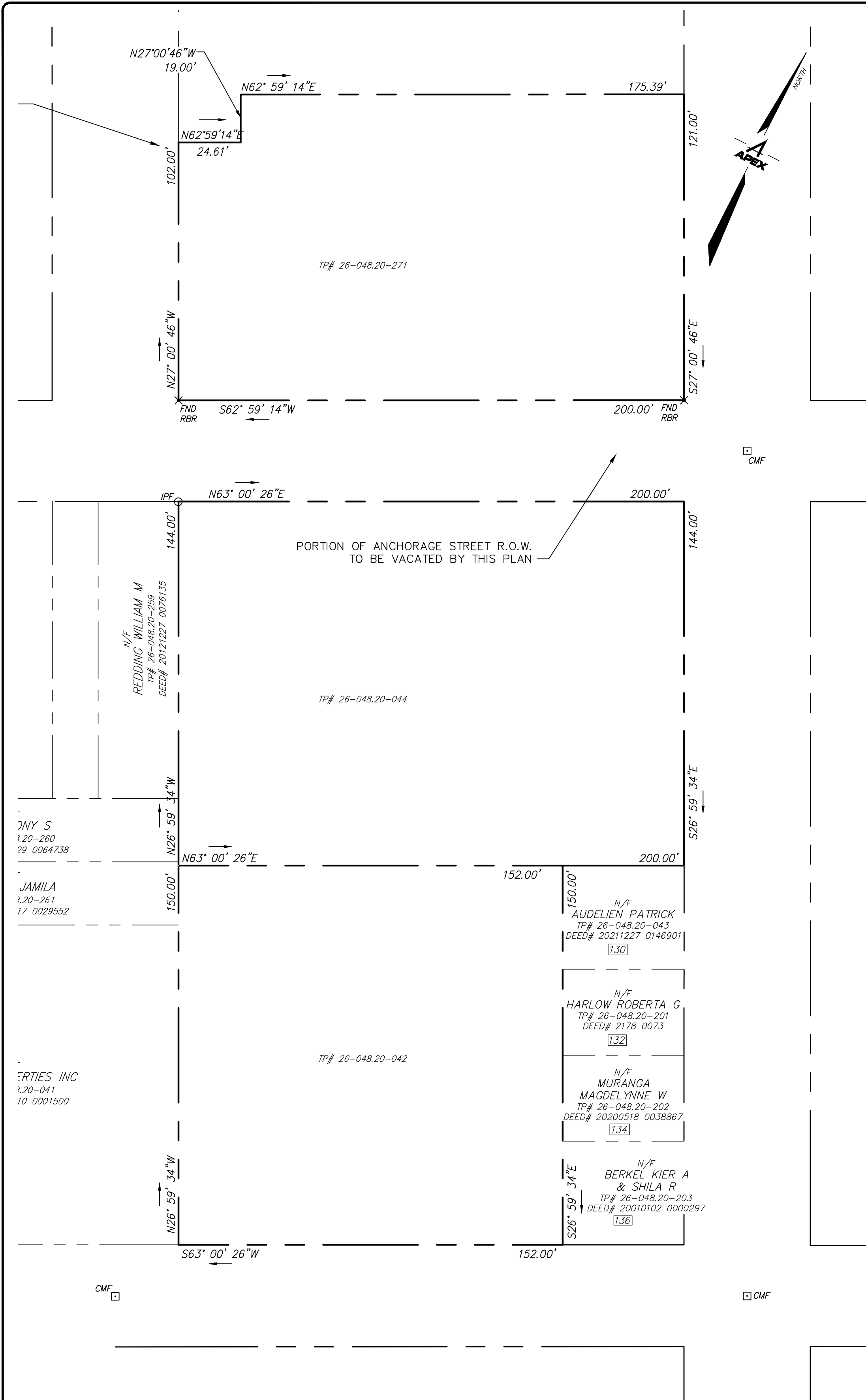
DATE

CERTIFICATION OF ACCURACY

I, STEPHEN G. DAVIES, HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF DELAWARE WITH A BACKGROUND IN CIVIL ENGINEERING 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.

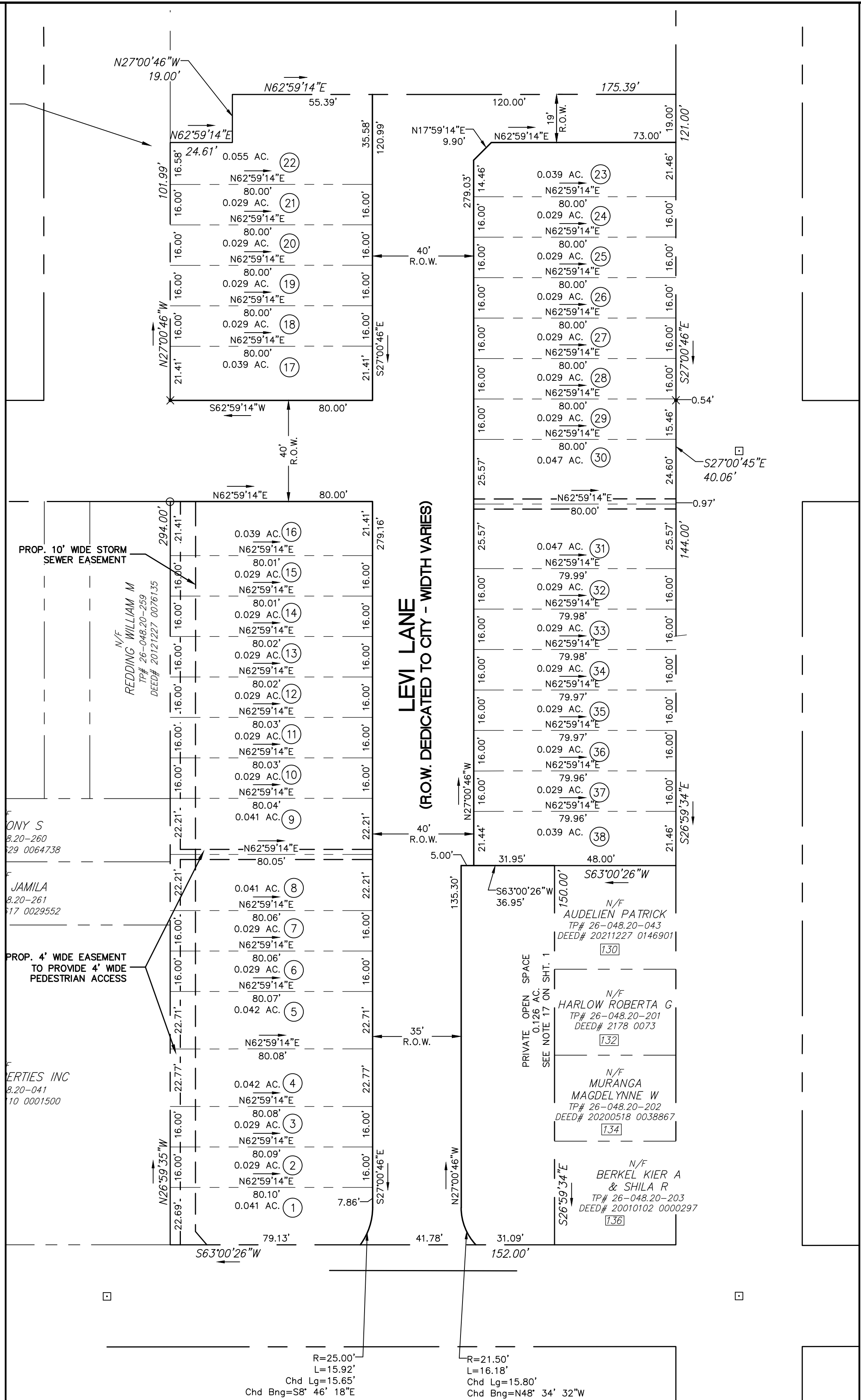
STEPHEN G. DAVIES, P.E.
REGISTRATION #7690

DATE



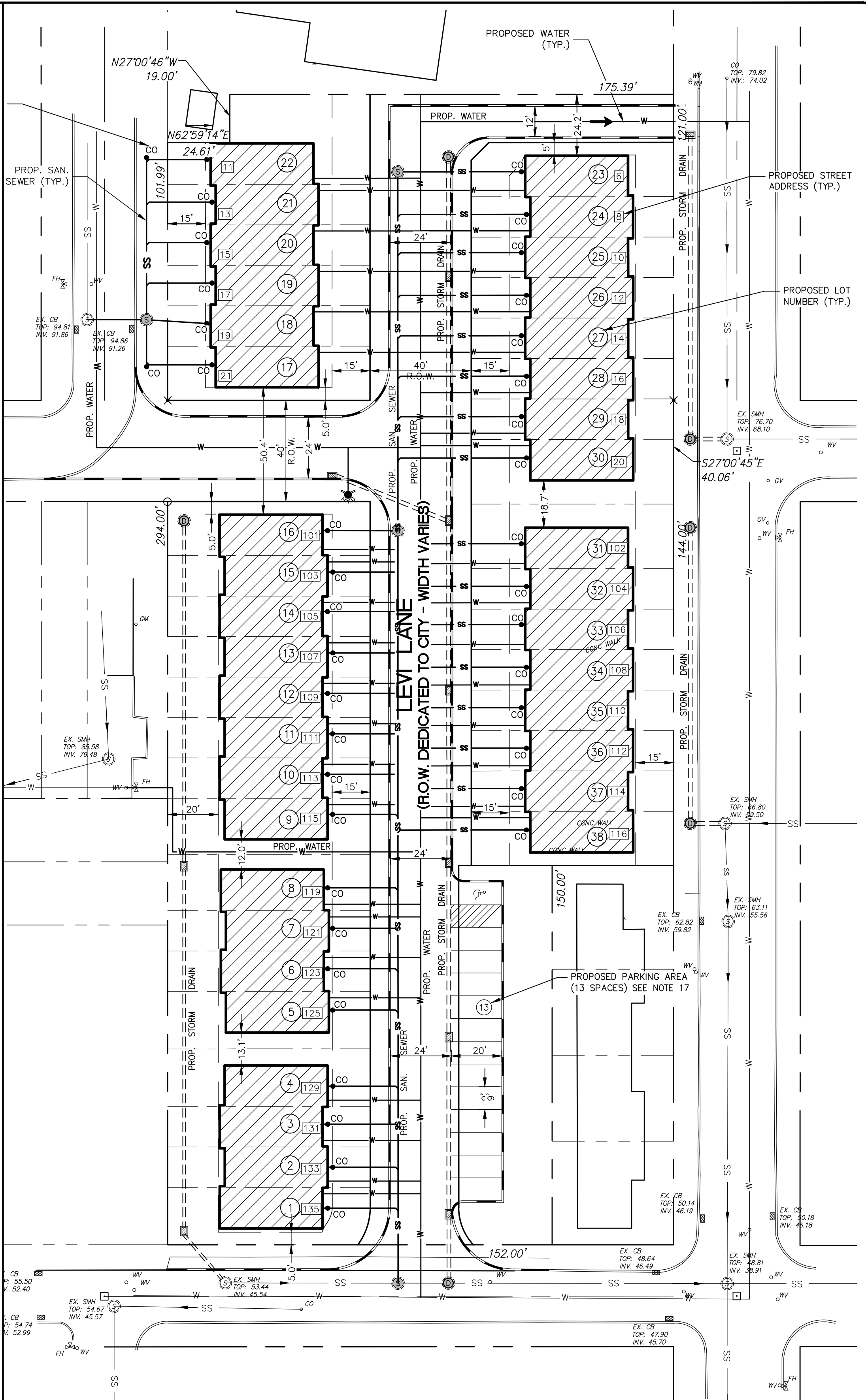
EXISTING PROPERTY PLAN

SCALE: 1" = 30'



PROPOSED PROPERTY PLAN

SCALE: 1" = 30'



UTILITY PLAN

SCALE: 1" = 30'

PRELIMINARY PLAT
MAJOR SUBDIVISION PLAN
FOR
ANCHORAGE OVERLOOK
CITY OF WILMINGTON NEW CASTLE COUNTY DELAWARE

REV.	DATE	COMMENT	CHECKED



SCALE AS NOTED	DATE 10/03/2023	SHEET NO. 2
SURVEYED BY JS/KP	DRAWN BY JRB	OF 2
MICROFILM NO.	CHECKED BY SGD	REVISION
PROJECT / FILE NUMBER 22146000PLOT-PRELIMSUB		

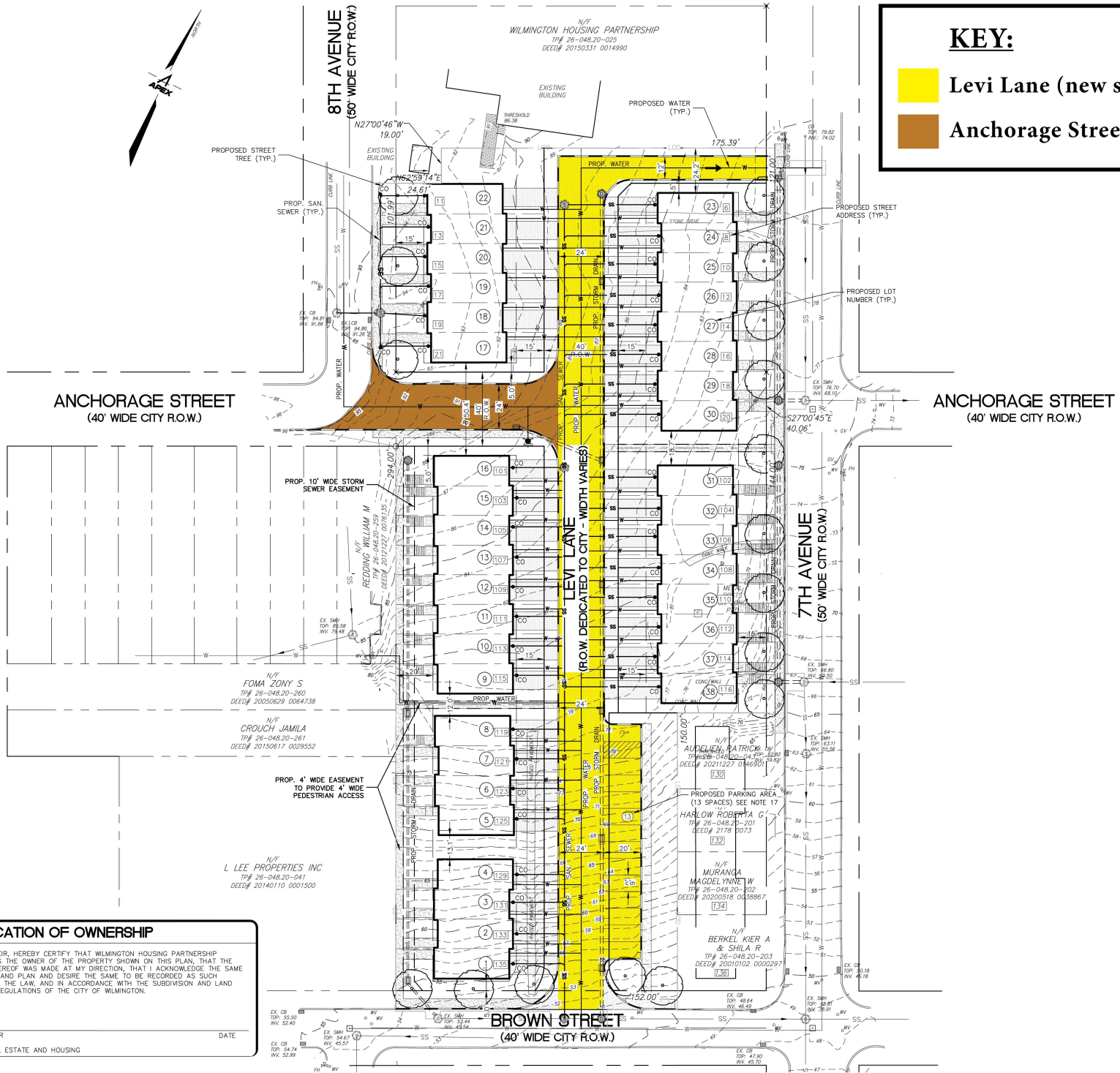
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EXHIBIT B



KEY:

- Levi Lane (new street)
- Anchorage Street Extended



CERTIFICATION OF OWNERSHIP

I, ROBERT L. WEIR, HEREBY CERTIFY THAT WILMINGTON HOUSING PARTNERSHIP CORPORATION IS 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.

ROBERT L. WEIR
DIRECTOR
DEPT. OF REAL ESTATE AND HOUSING

DATE