

AN ORDINANCE TO APPROVE THE MAJOR SUBDIVISION PLAN FOR “501 SOUTH WALNUT STREET/CHRISTINA CROSSING” AND TO AUTHORIZE THE CITY TO ACCEPT THE DEDICATION OF HOWARD STREET, LOCATED BETWEEN SOUTH MARKET STREET AND SOUTH WALNUT STREET, AS A PUBLIC RIGHT-OF-WAY, OFFICIALLY NAME THE DEDICATED STREET AS HOWARD STREET, AND ADD IT TO THE OFFICIAL CITY MAP

#0251

Sponsor:

**Council
Member
Harlee**

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, Christina Crossing SC TIC 1, LLC Christina Crossing SC TIC 2, LLC Christina Crossing SC TIC 3, LLC Christina Crossing SC TIC 4, LLC Christina Crossing SC TIC 5, LLC Christina Crossing SC TIC 6, LLC Christina Crossing SC TIC 7, LLC Christina, Christina Crossing SC TIC 8, LLC, Christina Crossing SC TIC 9, LLC Christina Crossing SC TIC 10, LLC, Christina Crossing SC TIC 11, LLC, Christina Crossing SC TIC 12, LLC, and Christina Crossing SC LLC (collectively, the “Applicants”) are the owners of the Christina Crossing shopping center (the “Shopping Center”), which includes a private street segment that provides vehicular access to the Shopping Center; and

WHEREAS, during the nineteenth and twentieth centuries, a street known as “Marsh Lane” was situated where the current private street segment lies and during the development of the Shopping Center, “Marsh Lane” was vacated and became part of the Shopping Center’s parcel territory; and

WHEREAS, the original “Howard Street”, which was initially located a few hundred feet south of “Marsh Lane”, was removed from the Official City Map in 2007 via Substitute No. 1 to Ordinance No. 06-088 with the intention of relocating it further to the south, but the relocation never happened; and

WHEREAS, when the Shopping Center was constructed, a new private street segment (i) was placed along the former “Marsh Lane”, (ii) was unofficially identified as the relocated “Howard Street”, (iii) is currently identified by City street signs as “Howard Street”, and (iv) features a DART bus stop serving line #14; and

WHEREAS, the private street segment (being a portion of Tax Parcel No. 26-050.00-069) contains 0.682 acres of territory and consists of an approximately 32-foot wide cartway that is approximately 786 feet long located between South Market and South Walnut Street (the “Street Bed”), as legally described on Exhibit “A” that is attached hereto and incorporated herein; and

WHEREAS, the Applicants, through their agent, have requested for the City to accept the dedication of the Street Bed as a public right-of-way, officially name it “Howard Street, and add it to the Official City Map, as depicted on Exhibits “B” and “C” that are attached hereto and incorporated herein, to (i) allow pedestrian, public transit, and vehicular traffic to access the Shopping Center and pass back and forth between South Market Street and South Walnut Street on an official City street rather than a private drive and (ii) provide public and perimeter fire lane access required by the City Fire Marshal’s Office for the proposed Luxor II 125-unit apartment complex located immediately north of the Street Bed; and

WHEREAS, the Applicants, through their agent, have also requested that the City approve and adopt the major subdivision plan for “501 South Walnut Street/Christina Crossing” (the “Plan”), which is attached hereto and incorporated herein as Exhibit “C”, that (i) subdivides the Street Bed and (ii) includes the dedication of an additional 0.18 acres of territory surrounding the Street Bed to the City (thus, creating a total dedication of 0.862 acres), which will allow the City to (i) complete the sidewalk sections along the south side of the Street Bed that do not currently exist, (ii) install truncated domes and ramps at crosswalks

serving the Shopping Center to comply with the Americans with Disabilities Act (as amended), and (iii) add public light poles, all of which need to occur to meet City street standards on the south side of the Street Bed, with the topography of the north side of the Street Bed preventing such improvements on that side; and

WHEREAS, there are no findings to suggest that the acceptance of the dedication of the Street Bed will be detrimental to the surrounding properties, the public, or public safety; and

WHEREAS, the Department of Land Use and Planning supports the dedication of the Street Bed because there are no findings to suggest that the acceptance of the dedication of the Street Bed will be detrimental to the surrounding properties, the public, or public safety and, in fact, the dedication will be a positive addition to the Official City Map by (i) providing a permanent connection between South Market Street and South Walnut Street that will improve circulation and provide access to the Shopping Center and (ii) satisfying certain requirements of the City Fire Marshal's Office for the proposed Luxor II apartment complex; and

WHEREAS, the Department of Public Works has no objection to the acceptance of the dedication of the Street Bed; and

WHEREAS, the Department of Public Works - Transportation Division has no objection to the acceptance of the dedication of the Street Bed as long as the existing Shopping Center lighting remains separate from the Street Bed roadway so that City crews are able to control the power and maintenance of the street lighting as needed and to give a clear demarcation of responsibility; and

WHEREAS, the City Fire Marshal's Office has no objection to the acceptance of the dedication of the Street Bed, which will provide permanent access to replace a temporary

private easement between the Applicants and 400 Market Rentals LLC that allows a second means of ingress/egress and perimeter fire lane access from the formally dedicated Street Bed into the parking lot serving the site situated at 400 South Market Street, which is the location of the proposed Luxor II complex; and

WHEREAS, the Department of Land Use and Planning, the Department of Public Works, the Department of Public Works - Transportation Division, and the City Fire Marshal's Office all have no objections to the approval of the Plan; and

WHEREAS, the Plan, including the acceptance of the dedication of the Street Bed as a public right-of-way to be named "Howard Street" and an additional 0.18 acres of territory surrounding the Street Bed, is consistent with the South Walnut Street Urban Renewal Plan and the Citywide comprehensive plan entitled "Wilmington 2028: A Comprehensive Plan for Our City and Communities"; and

WHEREAS, pursuant to Section 2-3(b) of the City Code, the official names of City-owned streets are established via ordinance of City Council officially designating such name, upon recommendation of the City Planning Commission; and

WHEREAS, the Department of Land Use and Planning has reviewed the proposed street name of "Howard Street" for the Street Bed in accordance with the City Planning Commission's "Guidelines for the Naming and Renaming of Streets" and has found that the proposed name meets such guidelines; and

WHEREAS, the City Planning Commission has adopted Planning Commission Revised Resolution 7-26, which recommends the approval of (i) the acceptance of the dedication of the Street Bed as a public right-of-way, subject to any requirements and conditions stipulated by the Department of Public Works, (ii) its addition to the Official City Map, and (iii) the naming of the Street Bed as "Howard Street"; and

WHEREAS, the City Planning Commission has adopted Planning Commission Resolution 11-26, which recommends the approval of the Plan, including the acceptance of the dedication of an additional 0.18 acres of territory surrounding the Street Bed, subject to any requirements and conditions stipulated by the Department of Public Works; and

WHEREAS, City Council deems it necessary and appropriate to approve (i) the Plan, (ii) the acceptance of the dedication of the Street Bed as a public right-of-way, as well as an additional 0.18 acres of territory surrounding the Street Bed, subject to any requirements and conditions stipulated by the Department of Public Works, (iii) the addition of the Street Bed and the additional 0.18 acres of territory surrounding the Street Bed to the Official City Map, and (iii) the naming of the Street Bed as “Howard Street”.

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

SECTION 1. The acceptance of the dedication of the Street Bed (being a portion of Tax Parcel No. 26-050.00-069) as a public right-of-way and its addition to the Official City Map, as legally described on Exhibit “A” and depicted on Exhibits “B” and “C” attached hereto and incorporated herein, is hereby approved, subject to any requirements and conditions stipulated by the Department of Public Works.

SECTION 2. The naming of the Street Bed as “Howard Street”, as depicted on Exhibits “B” and “C” attached hereto and incorporated herein, is hereby approved.

SECTION 3. The Plan (being the major subdivision plan for “501 South Walnut Street/Christina Crossing”), including the dedication of an additional 0.18 acres of territory surrounding the Street Bed, is hereby approved as depicted on Exhibit “C” attached hereto and incorporated herein, subject to any requirements and conditions stipulated by the Department of Public Works.

SECTION 4. 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 Street Bed as a public right-of-way and the additional 0.18 acres of territory surrounding the Street Bed and their addition to the Official City Map, and the naming of the Street Bed as "Howard Street".

SECTION 5. This Ordinance shall be deemed effective immediately upon its date of passage by City Council and approval by the Mayor.

First Reading.....June 18, 2026
Second Reading..... June 18, 2026
Third Reading.....

Passed by City Council,

President of City Council

ATTEST: _____
City Clerk

Approved as to form this 18th
day of June, 2026.

Elizabeth D. Power
Senior Assistant City Solicitor

Approved this ____ day of _____, 2026.

Mayor

SYNOPSIS: This Ordinance approves the “501 South Walnut Street/Christina Crossing” major subdivision plan and authorizes the City to (i) accept the dedication of “Howard Street” as a public right-of-way and 0.18 acres of territory surrounding “Howard Street”, (ii) add “Howard Street” and the surrounding 0.18 acres of territory to the Official City Map and (ii) officially name the dedicated street “Howard Street”.

FISCAL IMPACT STATEMENT: The Office of Management and Budget (OMB) has reviewed the Ordinance approving the major subdivision plan for “501 South Walnut Street/Christina Crossing” and authorizing the City to accept the dedication of Howard Street. OMB has also reviewed Exhibits A, B, and C to the Ordinance and supporting documentation from the Department of Land Use and Planning, City Planning Commission, and Department of Public Works.

The major subdivision plan dedicates approximately 0.86 acres to the City, consisting of the Howard Street roadbed and approximately 0.18 acres of additional right-of-way. The dedicated area includes associated public improvements necessary to meet City standards, including sidewalks, ADA-compliant ramps, public lighting, and related infrastructure.

Upon acceptance, Howard Street and the associated right-of-way improvements will become City infrastructure and will be incorporated into the City’s existing roadway maintenance program. The Public Works Department will assume responsibility for routine maintenance activities, including roadway upkeep, snow and ice response, street sweeping as applicable, pavement markings, signage, street lighting, sidewalk and ramp maintenance, drainage facilities, and future resurfacing or repairs.

The Public Works Department has advised that the Howard Street roadway is currently in a deteriorated condition and will require resurfacing. The estimated cost of milling, paving, permanent pavement striping, and utility adjustments is approximately \$53,800, which will be covered by existing street paving funds. To avoid damage to newly completed improvements, resurfacing will occur only after construction associated with the adjacent development is complete. The Department expects the resurfaced roadway to have a useful life of approximately seven to ten years and has indicated that future maintenance and repaving needs can be accommodated through the City’s regular street maintenance and paving programs. Because of the short length of the roadway segment, ongoing maintenance costs are expected to be minimal.

The Land Use and Planning Department has indicated that the major subdivision and Howard Street dedication will support public access, traffic circulation, and Fire Marshal access requirements for the adjacent Luxor II apartment development. The Department also

estimates that the associated development will generate more than \$1.27 million in City revenues over five years, including residential wage taxes, increased property taxes, construction payroll taxes, and permit fee revenues.

In summary, the Ordinance is expected to have a limited cost impact relative to the anticipated fiscal benefits. Acceptance of the Howard Street dedication will create City responsibility for the roadway and related right-of-way improvements, including future maintenance, inspection, and resurfacing. The only currently identified near-term cost is an estimated \$53,800 for milling, paving, permanent pavement striping, and utility adjustments, which will be funded through existing street paving funds. Ongoing maintenance obligations are expected to be de minimis due to the short length of the street segment and will be accommodated within the existing street maintenance and repaving programs. These costs are expected to be well offset by the anticipated fiscal benefits associated with the adjacent Luxor II apartment development, which is estimated to generate more than \$1.27 million in City revenues over a five-year period.

W0132462

EXHIBIT A



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

File No. 25197.20-RECORD-01

4305 MILLER ROAD
WILMINGTON, DE 19802-1901
(302) 764-7635 FAX (302) 764-4170
www.vdleng.com
December 3, 2025

Description of **Howard Street**, between South Market Street and South Walnut Street, south of 'A' Street, City of Wilmington, New Castle County, Delaware (part of Tax Parcel No. 26-050.00-069).

ALL THAT CERTAIN tract, piece or parcel of land with improvements thereon erected, situate between South Market Street and South Walnut Street, south of 'A' Street, City of Wilmington, New Castle County, Delaware and shown on a plan prepared by VanDemark & Lynch, Inc., Engineers, Planners and Surveyors, Wilmington, Delaware, as file No. 25197.20-RECORD-01, and being more particularly described as follows, to wit:

BEGINNING at an iron pin found, the southwesterly corner for land now or formerly of Riverfront Development Corporation of Delaware (Deed Record 20240118-0003673), being the northerly corner for Christina Crossing Retail Center (Instrument No. 20080314-0017466), land now or formerly of Christina Crossing SC TIC, ETAL, (Deed Record 20240117-0003213), on the easterly side of South Market Street (U.S. Route 13), a variable width public street, said point being measured, along said easterly side of South Market Street, the two (2) following described courses and distances from the intersection of the southwesterly side of 'A' Street (a variable width public street) with said southeasterly side of South Market Street:

1. South 27°47'00" West, 548.42 feet to a point; and
2. Southerly, by a curve to the left having a radius of 914.90 feet, an arc length of 201.87 feet to a point, said point being distant by a chord of South 21°27'44" West, 201.46 from the last described point;

THENCE from said Point of Beginning, along the southeasterly line for said land now or formerly of Riverfront Development Corporation of Delaware, South 73°37'09" East, 406.14 feet to a point on the northwesterly line for land now formerly of AHBZP Property Holdings LLC (Deed Record 20221103-0104569), being along said former vacated Marsh Lane;

THENCE along the southwesterly, and southeasterly lines for said line for land now formerly of AHBZP Property Holdings LLC, being along said former vacated Marsh Lane, the three (3) following described courses and distances:

1. South 23°42'01" West, 10.12 feet to a point;
2. South 73°14'39" East, 380.15 feet to a point; and
3. North 31°04'34" East, 10.37 feet to a point, the westerly corner for land now or formerly of Riverfront Development Corporation of Delaware (Deed Record 20170825-0043630);

THENCE along the southerly line for said land now or formerly of Riverfront Development Corporation of Delaware, North 87°38'14" East, 70.55 feet to a point on the northwesterly side of South Walnut Street (U.S. Route 13), a variable width public street;

THENCE along said northwesterly side of South Walnut Street, South $31^{\circ}07'28''$ West, 73.41 feet to a point;

THENCE through said Christina Crossing Retail Center, the nine (9) following described courses and distances:

1. North $73^{\circ}09'58''$ West, 570.82 feet to a point;
2. South $85^{\circ}59'43''$ West, 33.89 feet to a point;
3. South $15^{\circ}51'28''$ West, 11.25 feet to a point;
4. North $73^{\circ}06'38''$ West, 18.66 feet to a point;
5. North $16^{\circ}53'22''$ East, 10.20 feet to a point;
6. North $72^{\circ}53'12''$ West, 40.53 feet to a point;
7. North $17^{\circ}06'43''$ East, 3.92 feet to a point;
8. North $47^{\circ}33'08''$ West, 19.85 feet to a point; and
9. North $73^{\circ}14'50''$ West, 154.34 feet to a point on said easterly side of South Market Street;

THENCE along said easterly side of South Market Street, Northerly, by a curve to the right having a radius of 914.90 feet, an arc length of 44.87 feet to the point and place of Beginning, said point being distant by a chord of North $13^{\circ}44'10''$ East, 44.87 feet from the last described point.

Containing within said metes and bounds, 37,552 square feet (0.862 acres) of land, being the same, more or less...

AKG

EXHIBIT B

Resolution 7-26; MS 26-01:

A proposal to dedicate the bed of Howard Street, situated between South Market Street and South Walnut Street, to the City of Wilmington and to add it to the Official City Map.

MARKET ST

2605000017

2605000024

2605000083

32'

WALNUT ST

Existing Sidewalk

Existing Sidewalk

Proposed Retail E

Proposed Retail F

2605000069

2605000028

Legend

- Howard St Bed
- Existing Sidewalk
- Proposed Retail Site
- Tax Parcels
- Building Footprints

LOCATION OVERVIEW



APRIL 2026

EXHIBIT C

