

Wilmington, Delaware
September 21, 2023

#0351

Sponsor:

**Council
Member
Mills**

WHEREAS, under the Downtown Development Districts Act, 22 *Del. C.* § 1901 *et seq.* (the “Act”), the State of Delaware (the “State”) may designate districts within the State’s cities, towns, and unincorporated areas that will qualify for significant development incentives and other State benefits (the “Downtown Development Districts Program”); and

WHEREAS, these districts are known as Downtown Development Districts (“Development Districts”); and

WHEREAS, the State designated the City of Wilmington’s (the “City”) initial Development District (the “Wilmington District”) on January 11, 2015; and

WHEREAS, under the Act, each participating government must submit a plan that includes the boundaries of, and a detailed planning and development strategy for, its Development District (the “District Plan”), and the City’s District Plan has been reviewed and approved on an annual basis by the State’s Office of State Planning Coordination (the “OSPC”) and the State’s Cabinet Committee on State Planning Issues (the “CCSPI”) since the Wilmington District was designated; and

WHEREAS, under the Act, each applicant must also propose incentives that address local economic and community conditions and that will help achieve the purposes set forth in the Act (the “Local Incentives”), and such Local Incentives were included in the City’s application for the designation of the Wilmington District; and

WHEREAS, the State has subsequently approved several amendments to the Wilmington District’s boundaries, which the City requested to maximize incentives and benefits within the Wilmington District; and

WHEREAS, the Wilmington District’s boundaries currently contain 249.28 acres of land; and

WHEREAS, in November 2022, the OSPC increased the maximum territorial allowance for Development Districts located in cities with populations of over 30,000 residents to 275 acres; and

WHEREAS, governmental agencies are not eligible to participate in the Downtown Development Districts Program to the extent that government-owned properties would benefit, and the boundaries of the Wilmington District currently include 1.00 acre of land located at 516 North King Street (being Tax Parcel No. 26-035.40-084) that is owned by the State (the “State Acre”); and

WHEREAS, the State Acre contains the former Customs House building and is part of the State’s planned New Castle County Courthouse office expansion; and

WHEREAS, in April 2023, the City proposed amending the Wilmington District by adding 26.38 acres to its boundaries and removing the State Acre, thereby increasing the Wilmington District by a net 25.38 acres and bringing the final total proposed Wilmington District territory to 274.66 acres (the “Proposed Amendment”); and

WHEREAS, on April 6, 2023, City Council adopted Resolution 23-019, which supported the submission of the Proposed Amendment to the OSPC and the CCSPI; and

WHEREAS, on July 18, 2023, the CCSPI approved the Proposed Amendment with the imposition of the following condition: “[t]he City of Wilmington meet with representatives of OSPC and DSHA to evaluate strategies to improve the utilization of the program within the existing boundary in order to meet the needs of the neighborhood revitalization set forth in their district plan” (the “State-Approved Amendment”); and

WHEREAS, the City anticipates being able to satisfy the CCSPI's condition within the next six (6) months; and

WHEREAS, on July 19, 2023, the OSPC sent a letter to the City documenting the CCSPI's approval of the State-Approved Amendment and noting a correction to be included in the State-Approved Amendment that, according to the State's records, the City was proposing to add 26.36 acres to the Wilmington District's boundaries rather than 26.38 acres, therefore resulting in a net increase of 25.36 acres rather than 25.38 acres; and

WHEREAS, the City's Department of Land Use and Planning agrees with the OSPC's correction to the State-Approved Amendment, which is reflected on the map attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, via the State-Approved Amendment, the City would like to amend the Wilmington District by adding 26.36 acres to its boundaries and removing the State Acre, thereby increasing the Wilmington District by a net 25.36 acres and bringing the final total proposed Wilmington District territory to 274.64 acres, as illustrated on the map attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, based upon the fact that the City's approximately eight (8) years of participation in the Downtown Development Districts Program has resulted in private investors and property owners completing new construction and rehabilitation projects valued at over 255 million dollars, City Council reaffirms its strong belief that the Wilmington District stimulates investment in the City's commercial business district and its adjacent neighborhoods, therefore strengthening the financial vitality and urban fabric of the City; and

WHEREAS, in light of the foregoing, City Council deems it necessary and appropriate to approve the State-Approved Amendment.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that City Council hereby approves the State-Approved Amendment to expand the Wilmington District’s boundaries from 249.28 acres to 274.64 acres, as illustrated on the map attached hereto and incorporated herein as Exhibit “A”.

Passed by City Council,





ATTEST: _____
City Clerk

SYNOPSIS: This Resolution approves an amendment to expand the boundaries of the City’s Downtown Development District from 249.28 acres to 274.64 acres, as illustrated on the map attached to this Resolution as Exhibit “A”.

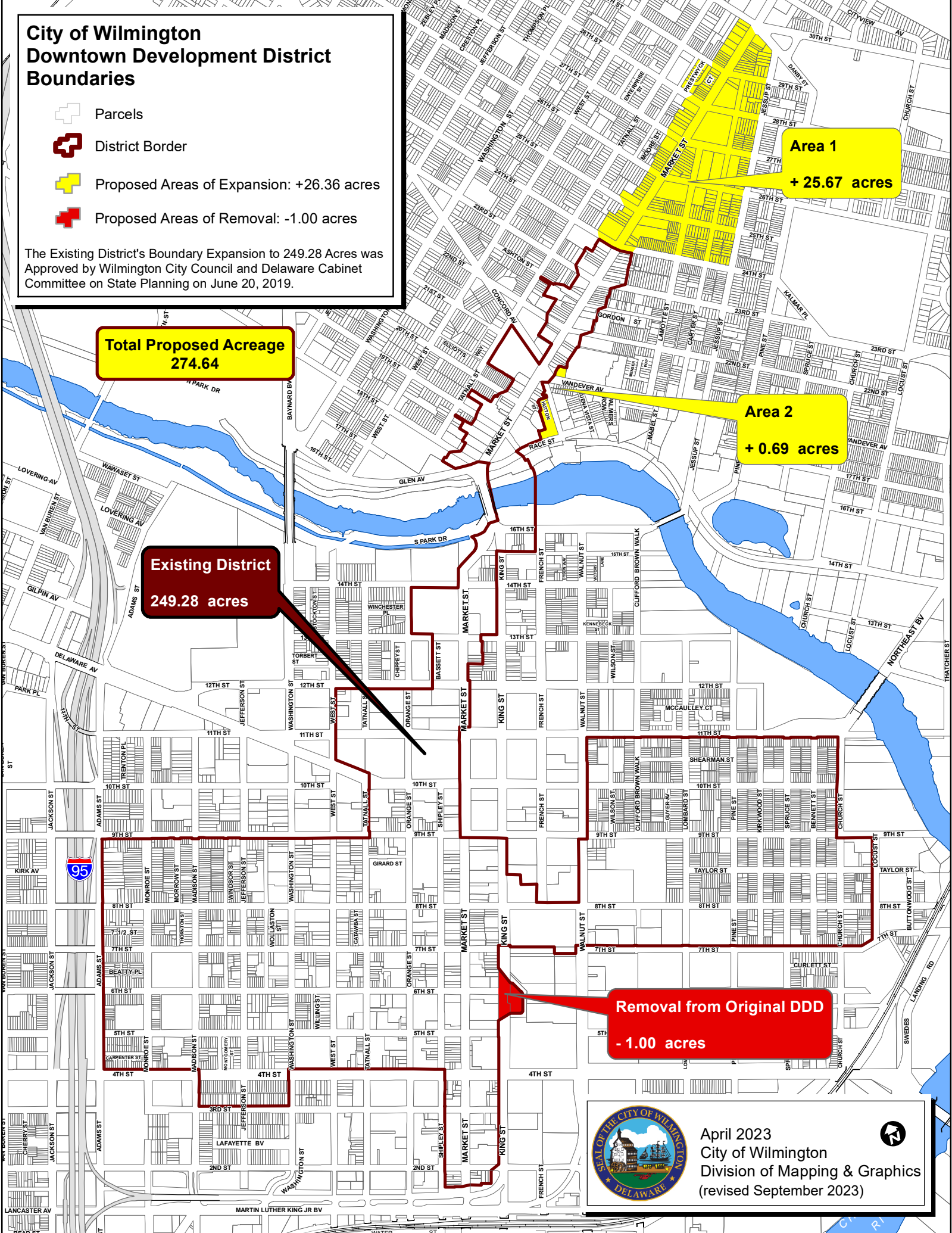
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EXHIBIT A

City of Wilmington Downtown Development District Boundaries

-  Parcels
-  District Border
-  Proposed Areas of Expansion: +26.36 acres
-  Proposed Areas of Removal: -1.00 acres

The Existing District's Boundary Expansion to 249.28 Acres was Approved by Wilmington City Council and Delaware Cabinet Committee on State Planning on June 20, 2019.



Total Proposed Acreage
274.64

Area 1
+ 25.67 acres

Area 2
+ 0.69 acres

Existing District
249.28 acres

Removal from Original DDD
- 1.00 acres



April 2023
City of Wilmington
Division of Mapping & Graphics
(revised September 2023)

