

RESOLUTION NO. 2026-29

**A Resolution to reaffirm the approval of the Subdivision Plan of the Battery,
427 W. 7th Street as approved by Resolution 2026-17
NCCo. Tax Parcel No. 21-014.00-400
(427 W. Seventh Street, “The Battery”)**

WHEREAS, JAKSN LLC has applied to the City of New Castle for subdivision approval for the property located at 427 W. Seventh Street, known as New Castle County Tax Parcel Number 21-014.00-400, and known further as “The Battery”; and

WHEREAS, the purpose of this subdivision is to create three (3) lots as shown on that certain plan set prepared by MidAtlantic Engineering Partners, LLC last dated February 6, 2026, which is attached here as “Exhibit A”; and

WHEREAS, the Building Official has determined that the application is in conformity with the Subdivision and Zoning Regulations of the City of New Castle and recommended to City Council that the Subdivision Plan be approved; and

WHEREAS, the Planning Commission has also reviewed the application and determined that it is in conformity with the Subdivision and Zoning Regulations of the City of New Castle and recommends to City Council that the Subdivision Plan be approved.

WHEREAS, City Council approved A Resolution Approving a Site Plan for The Battery on March 10, 2026, but the associated Site and Subdivision Plans were not recorded within the noted 45-day period, thereby requiring this reconfirmation of approval.

NOW, THEREFORE BE IT RESOLVED that the application of JAKSN LLC for subdivision approval for the property located within the municipal limits of the City of New Castle at 427 W. Seventh Street, known as New Castle County Tax Parcel Numbers 21-014.400, as shown on that certain plat prepared by MidAtlantic Engineering Partners, LLC, last dated February 6, 2026, said plat being attached here as “Exhibit A” reflecting such subdivision, is approved and such plat shall be entitled to be recorded in the Office of the Recorder of Deeds, in and for New Castle County, State of Delaware. The applicant shall record the Subdivision within 45 days of the date of this Resolution and inform the Building Official of recordation. Failure to

record the Subdivision within the aforementioned time frame shall render this Resolution null and void.

BE IT FURTHER RESOLVED that said approval is granted upon the following conditions:

a) The property owner, its successors and assigns, agrees to comply with applicable subdivision and zoning code regulations of the City of New Castle should it elect to build or alter improvements on any lot. Recording of this plat does not ensure or guarantee constructability. Complete building permit applications meeting all applicable City, State and Federal regulations must be submitted to and approved by the City prior to obtaining building permits.

PASSED this 12th day of May, 2026

Suzanne Souder, City Council President

Nermin Zubaca, Councilperson

Joseph F. Day, III, Councilperson

Brian Mattaway, Councilperson

Andrew H. Zeltt, Councilperson

Attest:

Courtaney Taylor, City Clerk