

CASE SUMMARY • CONDITIONAL DISTRICT REZONING

City Council Legislative Hearing • August 4, 2026

Project Planner | Haley Hopkins

1. Case Overview and Status

Application to rezone ± 1.76 acres located at **524 S. College Road** from O&I, Office and Institutional district, to CB(CD), Community Business (Conditional District) for Convenience Store and Fuel Station. Wilmington (College RD) WW, LLC, Applicant, 602-908-1424, and Boomtown Advisors, LLC, Owner, 252-633-3006.

Staff Recommendation

- Conditional Approval

Planning Commission

- 7/8/2026, Conditional Approval, 6-0

City Council

- Legislative Hearing scheduled for 8/4/2026



CD-6-226

Attachment 2
Aerial Imagery
524 S College Rd

- Site
- Parcels



12/10/2025

Report Organization

1. Case Overview & Status
2. Executive Summary & Recommendation
3. Analysis
4. Attachments

2. Executive Summary & Recommendation

2.1 Proposal

- The applicant proposes to rezone the subject site from O&I, Office and Institutional district to CB(CD), Community Business (Conditional District) for a retail convenience store with associated fuel pumps.
- Retail with fuel pumps as an accessory use is not permitted in O&I, Office and Institutional district.
- This project consists of a single building and a canopy for fuel pumps. Access is provided to the site from a right-in, right-out driveway located along S. College Road as well as an access easement from University Drive. A sidewalk along S. College Road will be provided with this project.
- The existing retail building (former Furniture Fair) will be removed in conjunction with this proposal.

Figure 2.1-A: Proposed Site Plan

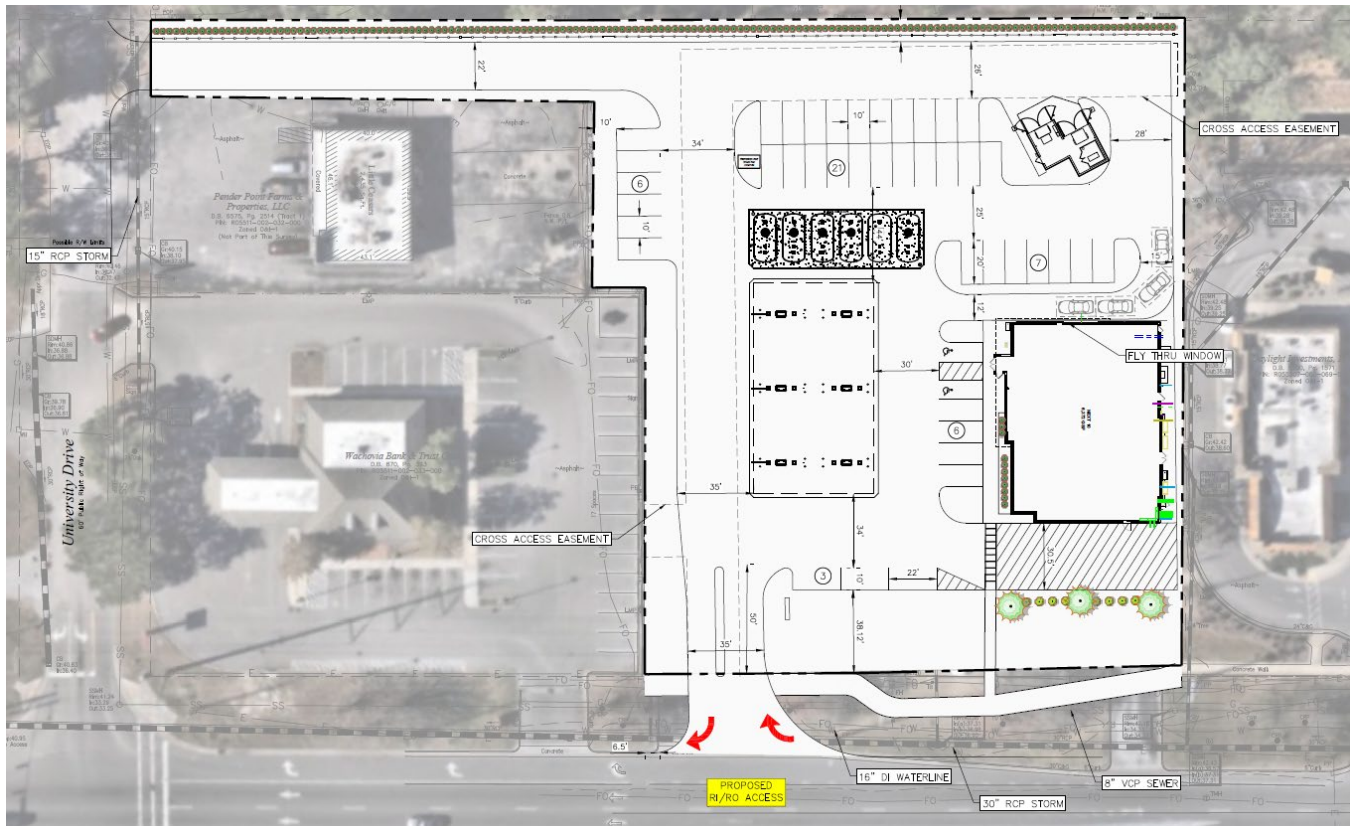


Figure 2.1-B: Proposed Elevations (provided by the applicant):

College Road elevation



University Drive elevation



2.2 Community Outreach

2.2.1 Community Meetings

A community meeting was held on February 13, 2025, at the Holiday Inn Express, 160 Van Campen Blvd. There were 3 people in attendance. Questions concerned access to the site via University Drive. As a result of the meeting, an easement was obtained to provide access from University Drive. A copy of the community meeting report is attached (Attachment #4).

2.2.2 Public Hearing Notices

	Planning Commission 7/8/2026 Public Hearing	City Council 8/4/2026 Public Hearing
Signs Posted By	6/23/2026	7/21/2026
Letters mailed to property owners within 300 feet By	6/23/2026	7/21/2026
Advertisement Date(s)	6/29/2026	7/24/26 & 7/31/26

2.2.3 Other

Two comments in opposition have been received regarding this item, expressing concerns about the proposed connection to University Drive and the increase in trip generation to and near the site.

2.3 Staff Recommendation: **CONDITIONAL APPROVAL**

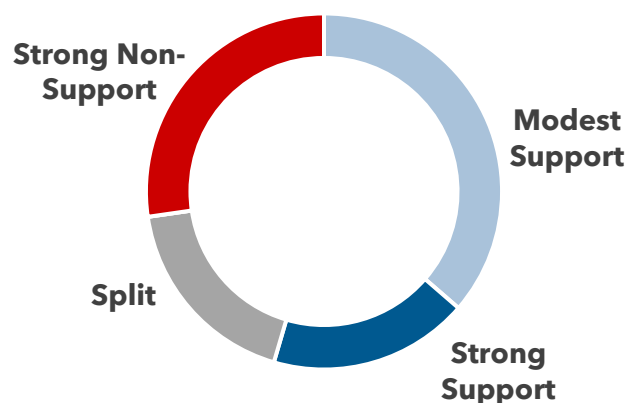
2.3.1 Criteria for Review and Recommendation

Section 18-586(C)(1) of the Land Development Code (LDC) states: Conditional map amendment decisions shall be made in consideration of identified relevant adopted land use plans for the area, including comprehensive, strategic, district, area, neighborhood, corridor and other policy documents.

2.3.2 Basis for Staff Recommendation

In reviewing the application, staff notes:

- The Comprehensive Plan promotes quality design and site planning to ensure that new development, infill, and redevelopment are implemented with minimal adverse impacts on the desired character of the existing built environment.
- The proposed infill development is consistent with the surrounding area, takes advantage of existing utilities, and introduces additional goods and services to the area.
- The proposed rezoning is consistent with the Create Wilmington Comprehensive Plan. While staff has evaluated the proposal for consistency with several policies, the policy identified below strongly supports the proposed rezoning:
 - **1.3.10.** Development should be built upon an interconnected system, potentially including frontage and backage roads, to provide visibility from the major street while limiting driveway connections to the major street.



2.4 Planning Commission Recommendation: **CONDITIONAL APPROVAL**

The Planning Commission held a legislative hearing on July 8, 2026. No one spoke in support or in opposition to the request, though two comments were received prior to the hearing. Following discussion, mainly concerning trip generation and site access from

University Drive, the Planning Commission voted to recommend conditional approval, 6-0, with a modification to condition 5 related to tree preservation and relocation to reflect circumstances under which preservation and relocation would not be possible.

2.5 Recommended Conditions

1. The use and development of the subject property shall comply with all regulations and requirements imposed by the Land Development Code, the City of Wilmington Technical Standards and Specifications Manual and any other applicable federal, state or local law, ordinance or regulation, as well as any condition stated below. In the event of a conflict, the more stringent requirement or higher standard shall apply.
2. Approval of this conditional district rezoning does not constitute technical approval of the site plan. Final approval by the Technical Review Committee and the issuance of all required permits must occur prior to release of the project for construction.
3. If, for any reason, any condition for approval is found to be illegal or invalid or if the applicant should fail to accept any condition following approval, the approval of the site plan for the district shall be null and void and of no effect and proceedings shall be instituted to rezone the property to its previous zoning classification.
4. The use and development of the subject property shall be in substantial compliance with the site plan and elevations as submitted and accepted by City Council on August 4, 2026.
5. Any existing trees removed within the right of way must be relocated onsite unless: (1) existing utilities prevent relocation, (2) relocation is expected to cause irreparable damage to the health of the tree, or (3) removal/relocation is denied by the North Carolina Department of Transportation.
6. All doors located on the street-facing façade shall be designed to present an inviting and pedestrian-oriented appearance through glazing, architectural detailing, or other design features that contribute to a welcoming, human-scaled building entry.
7. A pedestrian connection to the adjacent site zoned MD-17 to the west shall be provided to allow for pedestrian access upon the redevelopment of the adjacent site.
8. Parking and loading areas along the primary frontage of the site shall be screened with shrubbery, a grade change, low wall, or planted berm or any combination that serves to screen the parking from the adjacent roadway. The screen shall be at least 3 feet in height and may be incorporated into streetscape landscaping. The planting strip shall be at least four feet in width. Depressions and curb cuts shall be allowed for water quality protection.

3. Analysis

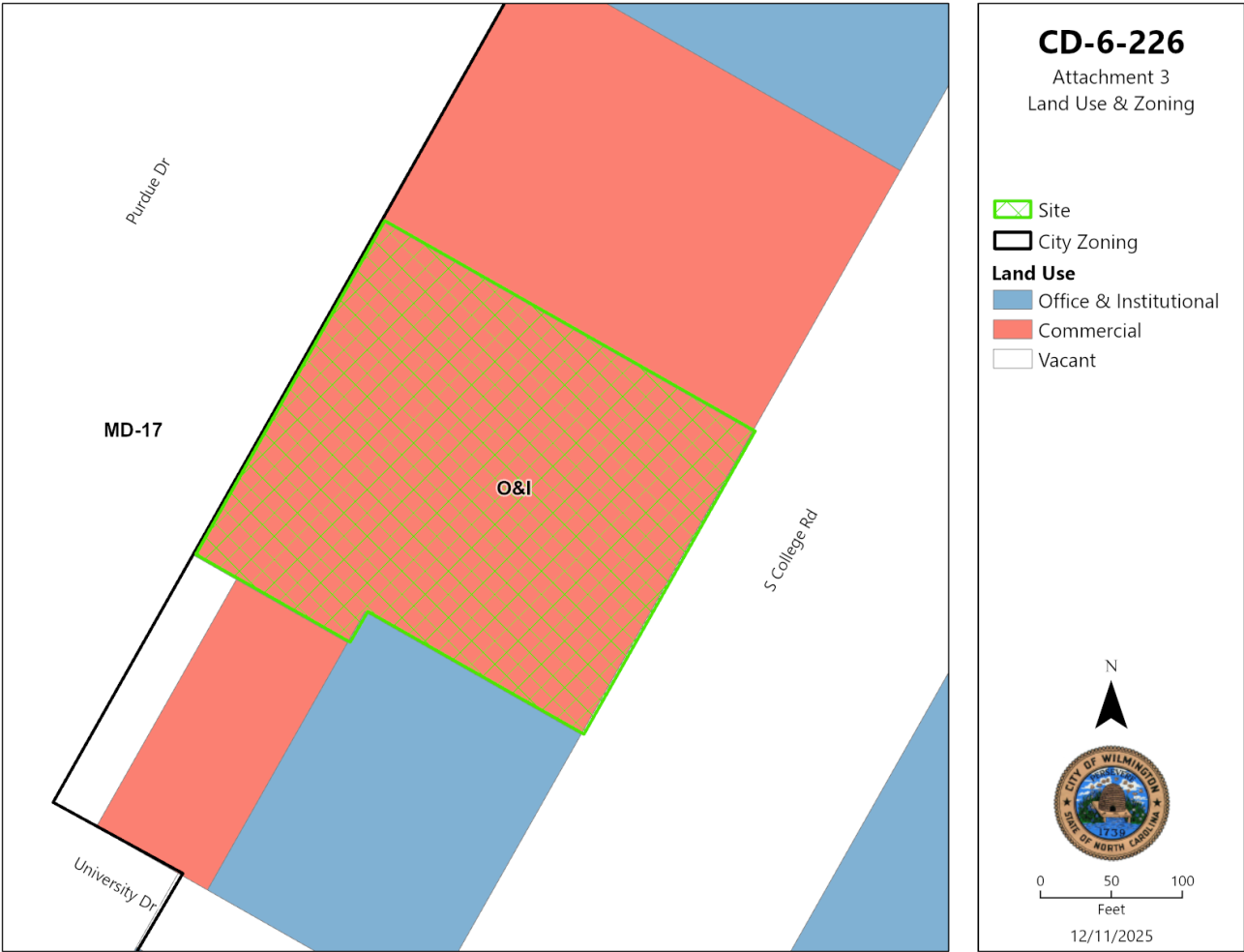
3.1 Site History

- Site has been utilized for retail purposes and has an existing building that was most recently utilized as a furniture sales location for Furniture Fair.
- On May 28, 2026, the Board of Adjustment granted two variances for the project. One variance allowed for the removal of a 32" long leaf pine specimen tree at 4945 University

Drive. A variance was also granted to allow for a drive-through facility located less than 200-feet from the adjacent residential zoning to the west. The proposed drive-through facility is located 138 feet from the adjacent residential zoning.

3.2 Area Context and Existing Conditions

Map 3.1-A: Land Use and Zoning



	Current Zoning	Existing Land Use(s)
Subject Property	O&I	Commercial, Retail
North	O&I	Food Service, Bank
South	O&I	Right-of-way, Vacant
East	O&I	Right of Way
West	MD-17	Vacant

3.3 Consistency of Proposed Development with Land Development Code (LDC) Requirements

The following information represents a preliminary analysis of the proposed development’s compliance with applicable LDC requirements per section 18-157(B). Full site plan review

and approval will be required from the TRC prior to construction release. Key components are identified and summarized below.

3.3.1 Zoning District Purpose Statements

- **O&I, Office and institutional district (existing):** This district is intended to accommodate professional and medical offices, institutions of various sizes, places of assembly, and complementary uses without the added traffic and development intensity associated with broad commercial and retail activities. The O&I district is well suited to supporting higher education and health care centers and office uses, along with complementary uses such as small-scale retail, services, and restaurants. When appropriate conditions are met, residential uses, in combination with compatible office and institutional uses, are appropriate within this district to support a desirable live/work environment.
- **CB, Community business district (proposed):** This district is intended to integrate appropriately scaled office, retail, and personal service uses with adjacent or surrounding residential neighborhoods. The purpose of the CB district is to create convenient, walkable nodes that serve the day-to-day needs of nearby residents. Ideally, these nodes should be located at street intersections and may be created on infill sites or through redevelopment. To ensure that the allowed uses are compatible with the surroundings and consistent with this intent, building size limits may be imposed, along with other spatial standards, to regulate the scale of the development and minimize additional vehicular traffic.

3.3.2 Parking

- Section 18-341.1 of the Land Development Code requires retail uses to have a minimum of 1 parking space per 300 square feet. The maximum parking allowed would be 22 off-street parking spaces. The site plan proposes 43 off-street parking spaces; the parking study justifying this increase will need to be reviewed and approved by the Technical Review Committee.

3.3.3 Buffers, Landscaping and Trees

- A landscape plan is required. Streetscape requirements must be fulfilled for this project.
- Section 18-323 of the Land Development Code requires transitional buffers between prescribed zoning districts. A Class A transitional buffer is required along the rear of the property as it is adjacent to MD-17, High-density multiple-dwelling residential district.
- Staff has recommended a condition requiring additional landscaping to screen the proposed loading zone along the S. College Road frontage to enhance the visual aesthetic along the primary frontage. The screening shall be at least 3 feet in height and may be incorporated into streetscape landscaping. The planting strip shall be at least four feet in width.

3.3.4 Environment

- The site is not located within the Special Flood Hazard Areas. The site does not contain jurisdictional wetlands.

3.3.5 Stormwater

- This project is proposing 66,523 square feet of impervious coverage. The as-built conditions currently have 67,470 square feet of impervious coverage. This is a proposed reduction of 947 square feet. Designs for on-site stormwater management will be reviewed for compliance with the city's stormwater management regulations.

3.4 Consistency with Adopted Plans

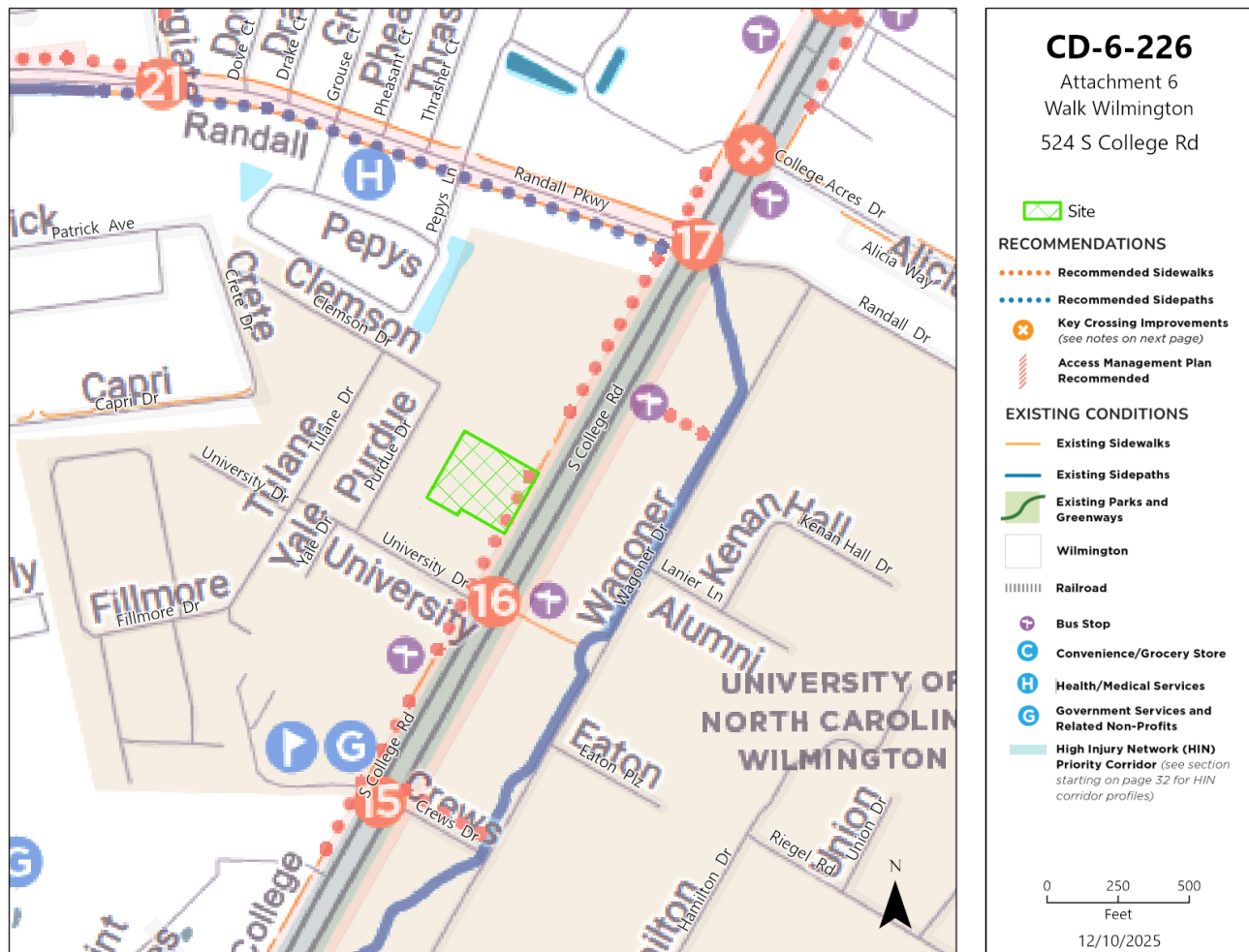
3.4.1 CAMA Plan

- The property is designated as Urban in the 2006 CAMA plan.

3.4.2 Walk Wilmington Plan

The Walk Wilmington Plan recommends an interconnected network of sidewalks along this side of the street. A sidewalk will be installed along the property frontage as part of this project, consistent with Walk Wilmington recommendations.

Map 3.4.2-A: Walk Wilmington Map



3.5 Consistency with *Create Wilmington Comprehensive Plan*

The Comprehensive Plan identifies three questions to be considered when determining the consistency of a proposed use or zoning district with the Comprehensive Plan:

- Is the proposal consistent with the themes and policies contained in the Comprehensive Plan?
- Is the form and function of the proposed development appropriate for the category designated on the Growth Strategy Maps?
- Will community facilities, parks, and other infrastructure be available at the appropriate levels to serve the development as proposed?

Analysis of policies that are applicable to the proposed amendment are organized pursuant to these three considerations. Only policies that directly relate to the location and design of development and associated infrastructure have been included in this analysis. (Policies that recommend changes to regulation as well as policies that recommend action by the City or other organizations were deemed not applicable to this proposal.)

Not all policies carry equal weight; applicability and priority of policies may depend on the specifics of the proposal.

The policy analysis uses the following symbology:

Strong Support



Modest Support



Split (Modest Support & Modest Non-Support)



Modest Non-Support



Strong Non-Support



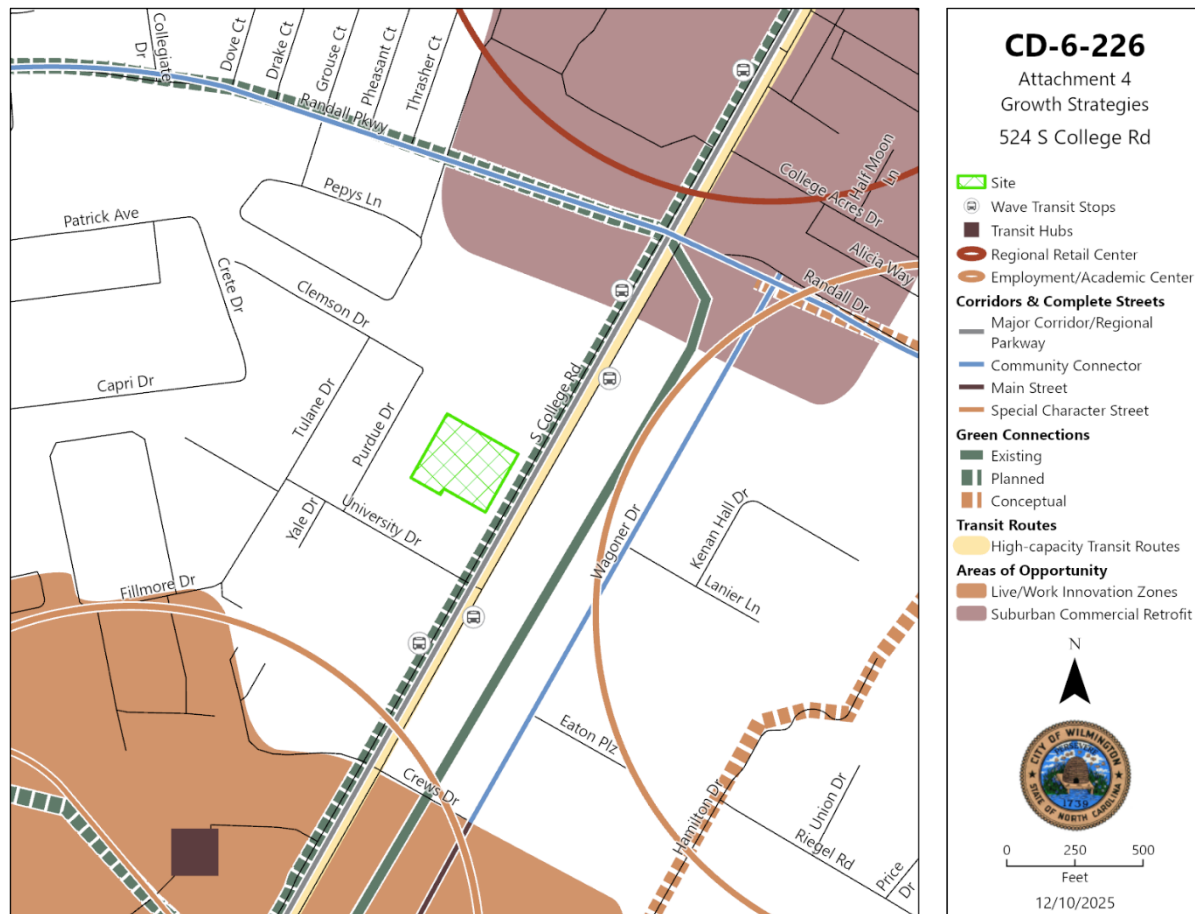
3.5.1 Is the Proposal consistent with the policies contained in the Comprehensive Plan?

1 Development and City Building	
Citywide Growth	
1.2.1	Development should create places, streets, and spaces that are visually attractive, safe, accessible, functional, inclusive, have their own distinct identities, and maintain or improve desired character. 
1.2.2	Development should occur in a compact pattern that reinforces the efficient provision of public services and utilities, improves the performance of the transportation network, preserves open space, and reduces negative impacts of low-intensity and noncontiguous development patterns. 
Land Use and Transportation	
1.3.10	Development should be built upon an interconnected system, potentially including frontage and backage roads, to provide visibility from the major street while limiting driveway connections to the major street. 
Compatibility	
1.4.1	Quality design and site planning should be promoted so that new development infill and redevelopment is implemented with minimal adverse impacts on desired character of the existing built environment. 
Neighborhood Conservation and Revitalization	

1.7.9	Infill development should enhance or improve the existing physical development pattern of the area. The development of lots that have been historically difficult to infill or redevelop should be facilitated.	↑
Infill and Redevelopment		
1.11.3	Areas well-suited for infill and redevelopment, should be redeveloped in a way that maintains or enhances the desired character of the surrounding area, improves access to goods, services, and amenities, increases housing options, and improves the overall quality of life in the vicinity.	↑
5	Economic Development (Policies)	
Commercial Corridor Reinvestment		
5.1.2	Mixed-use redevelopment should be promoted as a means of revitalizing and enhancing economic development in commercial corridors and creating transit- and pedestrian-oriented development patterns.	↓
9	Urban Design and Placemaking	
Unique Wilmington		
9.1.2	Visual interest should be created with well-designed building facades, storefront windows, and attractive signage and lighting. Poorly articulated, monolithic or box-like facades should be avoided, especially those placing large, blank walls adjoining public spaces.	↓
Corridors and Main Streets		
9.4.1	Strip commercial development and auto-oriented building and site designs should be discouraged along certain corridors as shown on the Growth Strategies Maps. Efficient site design, shared parking between complementary uses, and strategic use of landscaped areas to collect stormwater should be encouraged.	↓

3.5.2 Is the form and function of the proposed development appropriate for the category designated on the Growth Strategies Maps?

Map 3.5.2-A: Growth Strategies Map



Areas of Opportunity

The subject property is not located in a designated Area of Opportunity on the Growth Strategies Map.

Corridors & Complete Streets

A robust hierarchy of streets and paths is needed to achieve our desired growth patterns. This map identifies which roadways should be prioritized for automobiles and freight travel and where the needs of all modes of travel need to be balanced and prioritized. The types of corridors and complete streets vary based on preferred building conditions, street design, pedestrian priority, overall character, regional significance, and other factors.

The following policies are identified as Major Corridors and Regional Parkways principles and are applicable to the proposal:

Map	Corridors & Complete Streets
Major Corridors and Regional Parkways	
Prioritize motor vehicle mobility.	↑
Place buildings along these corridors back from the roadway to accommodate signage and some parking in front of the building, landscaped street yards, and parking lot landscaping.	↑

Transit that Works

The subject property is along a designated Transit That Works High-Capacity Transit Route on the Growth Strategies Map.

The following policy was identified for a High-Capacity Transit Route and applies to the proposal:

Map	Transit that Works
High-Capacity Transit Route	
Support higher-density residential development along priority transit corridors.	↓

4. Level of Service Impacts

4.1.1 Will community facilities, parks and other infrastructure be available at appropriate levels to serve the development as proposed?

Vehicular Traffic

- Access to the site would be provided by an access drive off S. College Road as well as via a 22-foot access easement from University Drive. A sidewalk will be provided with this project along S. College Road to interconnect with the existing network.
- Table 3.5.3-A below indicates that the surrounding street network is currently operating within its designed capacity at a level of service (LOS) of F. Table 3.5.3-B indicates that there would be an increase in the estimated vehicle trips associated with the proposal when compared to the maximum intensity allowed under the current zoning.

Table 3.5.3-A. Current Volumes, Capacities and Levels of Service

Road	Location	Volume	Planning Capacity	V/C	LOS
College Road	Between Randal Parkway & University Drive	62,323	31,026	2.01	F

Table 3.5.3-B. Estimated Trip Generation

Zoning	Land Use	Intensity	AM Peak Hour Trips	PM Peak Hour Trips	Average Weekday 2-way Volume Trips (ADT)
O&I (existing)	Furniture Store (existing)	33,540 sq. ft.	19	53	671
O&I (existing)	Fast Food Restaurant with Drive Thru (Permitted)	6,000 sq. ft.	134	89	1,262
O&I (existing)	Medical Office (Permitted)	30,600 sq. ft.	82	86	961
CB(CD) (proposed)*	Gas Station (proposed)	6,732 sq. ft. 12 fuel pumps	91	81	1,037

Source: Institute of Transportation Engineers Trip Generation, 11th Edition, 2021.

Note calculations are based on the recommended pass-by percentages in the ITE 11th Edition Trip Generation Manual.

* These numbers represent the adjusted new vehicle trips from the Traffic Impact Analysis, approved April 9, 2025.

Bicycle, Pedestrian and Transit Facilities

- A sidewalk exists to the east of the property in front of Bojangles. A sidewalk is also being provided as part of this project which will connect with the existing network.
- The nearest WAVE transit stops, north and south bound, are located along S. College Road between University Drive and Crews Drive, approximately 0.1 miles from the proposed development.

Public Utilities

- The site has access to water and sewer mains located along College Road.

Table 3.5.3-C. Cape Fear Public Utilities (CFPUA)

Utility Type	Ownership	Size	Location
Water Main (Existing)	CFPUA	16"	College Road
Sewer Main (Existing)	CFPUA	8"	College Road

5. Attachments

3. Conditional District Rezoning Application (dated 12/09/2025)
4. Community Meeting Report (dated 10/29/2025)
5. Proposed Site Plan (dated 5/29/2026)

6. Proposed Elevations (dated 6/30/26)
7. Aerial Map (dated 12/10/2025)
8. Land Use and Zoning Map (dated 12/11/2025)
9. Growth Strategies Map (dated 12/10/2025)
10. Walk Wilmington Map (dated 12/10/2025)
11. Planning Commission Public Comments
12. Planning Commission Consistency Statement (7/8/2026)
13. Draft Planning Commission Minutes (7/8/2026)