

CASE SUMMARY • GENERAL DISTRICT REZONING

City Council Legislative Hearing • July 15, 2025

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1. Case Overview and Status

Application to rezone ±0.81 acres located at **3816 Market Street** from O&I, Office and Institutional district to CB, Community Business. (PBW Holdings., Owner, 910.443.0746, PBW Holdings, LLC, Applicant, davespetrino@gmail.com, 910.443.0746)

Staff Recommendation

- Approval

Planning Commission

- Approval, 7-0

City Council

- Legislative Hearing scheduled for 7/15/2024



Z-8-625

Attachment 2
Aerial Imagery
3816 Market St

- Site
- Parcels



0 50 100
Feet

5/1/2025

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 site from O&I, Office and Institutional district to CB, Community Business.
- The parcel is currently occupied by a parking lot that serves the adjacent development.

2.2 Community Outreach

2.2.1 Public Hearing Notices

	Planning Commission 6/4/2025 Public Hearing	City Council 7/15/2025 Public Hearing (tentative)
<i>Signs Posted By</i>	5/20/2024	7/3/2025
<i>Letters mailed to property owners within 300 feet By</i>	5/20/2024	7/3/2025
<i>Advertisement Date(s)</i>	5/30/2024	7/4/2025 & 7/11/2025

2.2.2 Other

Staff have received no communication regarding the proposal at the time of this writing.

2.3 Staff Recommendation: **APPROVAL**

2.3.1 Criteria for Review and Recommendation

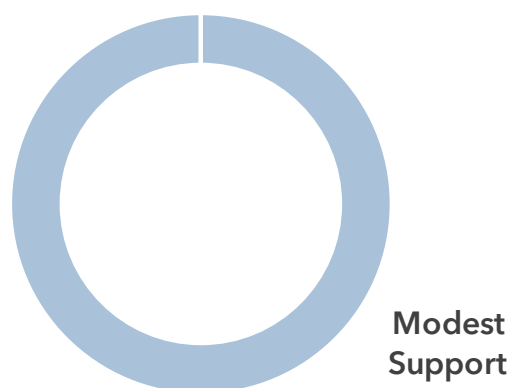
General rezoning decisions are made in consideration of identified relevant adopted land use plans for the area, including comprehensive, district, area, neighborhood, corridor, and other policy documents.

2.3.2 Basis for Staff Recommendation

In reviewing the application, staff finds the following:

- The site is located along a Major Corridor/Regional Parkway and Conceptual Green Connection on the Create Wilmington Comprehensive Plan Growth Strategies Maps.
- The Plan promotes compatible commercial development and uses along major corridors as well as appropriate transitions between commercial areas and nearby residential neighborhoods.
- The proposed general rezoning is generally consistent with the recommendations of the Create Wilmington Comprehensive Plan. While staff has evaluated the proposal for consistency with several policies, the policies identified below provide modest support for the proposed rezoning:

- **1.6.4** Within commercial districts, development should be designed at a height, mass, scale, and form that is appropriate and provides a suitable transition to the surrounding areas.
- **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.



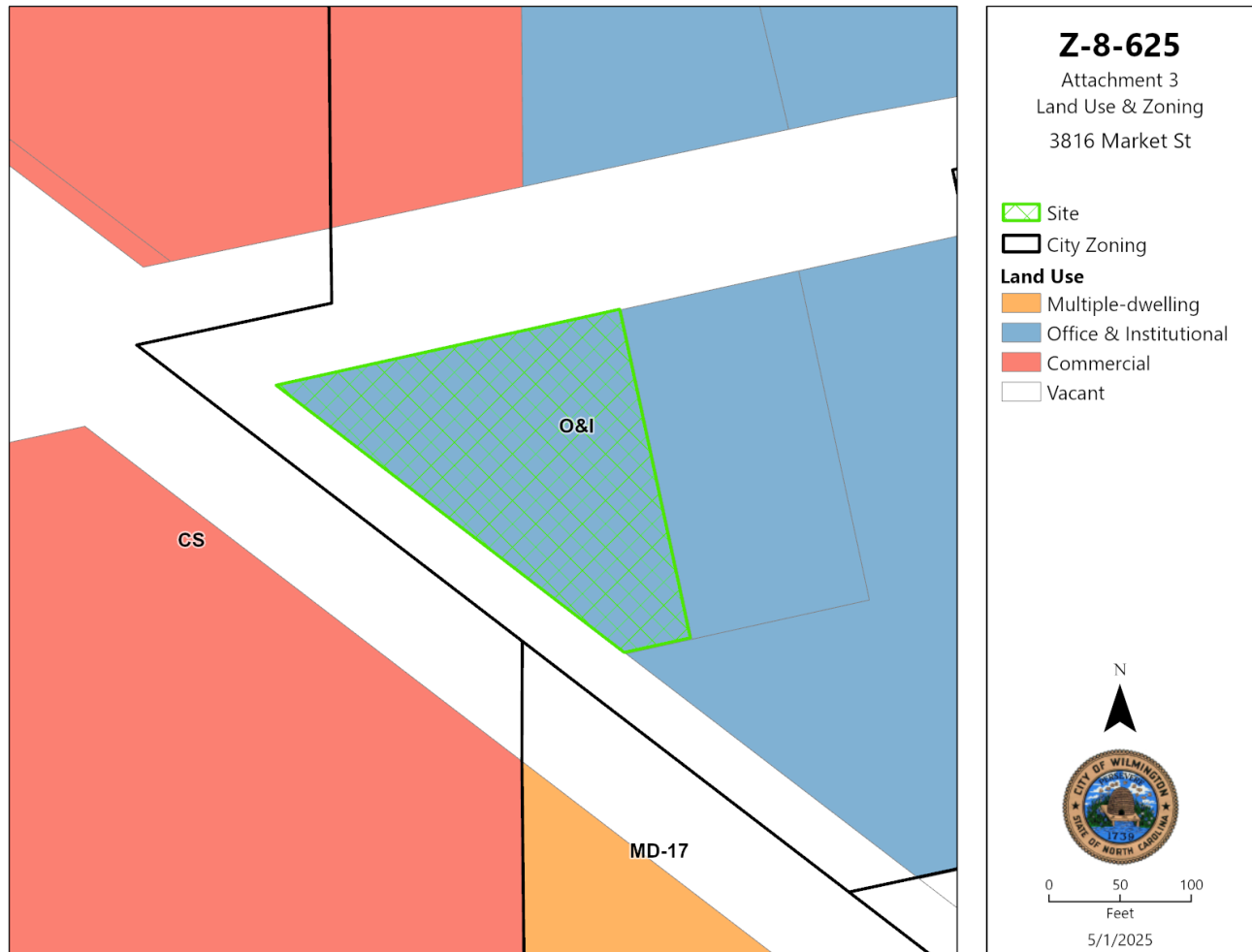
2.4 Planning Commission Recommendation

The Planning Commission held a legislative hearing on June 4, 2025. No one spoke in favor of or in opposition to the request. No written communications regarding the proposed rezoning were received. Following discussion, the Planning Commission voted to recommend approval, 7-0.

Analysis

2.5 Area Context and Existing Conditions

- The site includes one parcel, totaling approximately ±0.81 acres. The site is currently zoned O&I, Office and Institutional district and is currently occupied by a parking lot serving the adjacent property.
- The site is primarily surrounded by commercial and institutional uses. An automobile care center and restaurant are located to the north of the site across Market Street, a multi-dwelling residential complex to the south, a construction company office to the east, and an automobile parts store to the west across the railroad right-of-way.



Map 3.1-A: Land Use and Zoning

	Current Zoning	Existing Land Use(s)
Subject Property	O&I	Parking Lot
North	O&I	Commercial
South	O&I	Institutional
East	O&I	Commercial
West	CS	Commercial

2.6 Site History

- A portion of the site was rezoned from MF-MH, Multiple-Family Residential District–Medium-high to O&I, Office & Institutional on 4/4/2023 to bring the entire site under a common zoning designation.

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

2.7.1 Existing Zoning District Purpose Statements

- **O&I, Office and Institutional district (existing):** The O&I 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.

2.8 Consistency with Adopted Plans

2.8.1 CAMA Plan

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

2.8.2 Walk Wilmington Plan

The 2023 Walk Wilmington Plan recommends pedestrian crossing improvements on the intersection of Market Street and Darlington Avenue near the site. Crosswalks and pedestrian countdown signals are proposed on the intersection of Market Street and Barclay Avenue.

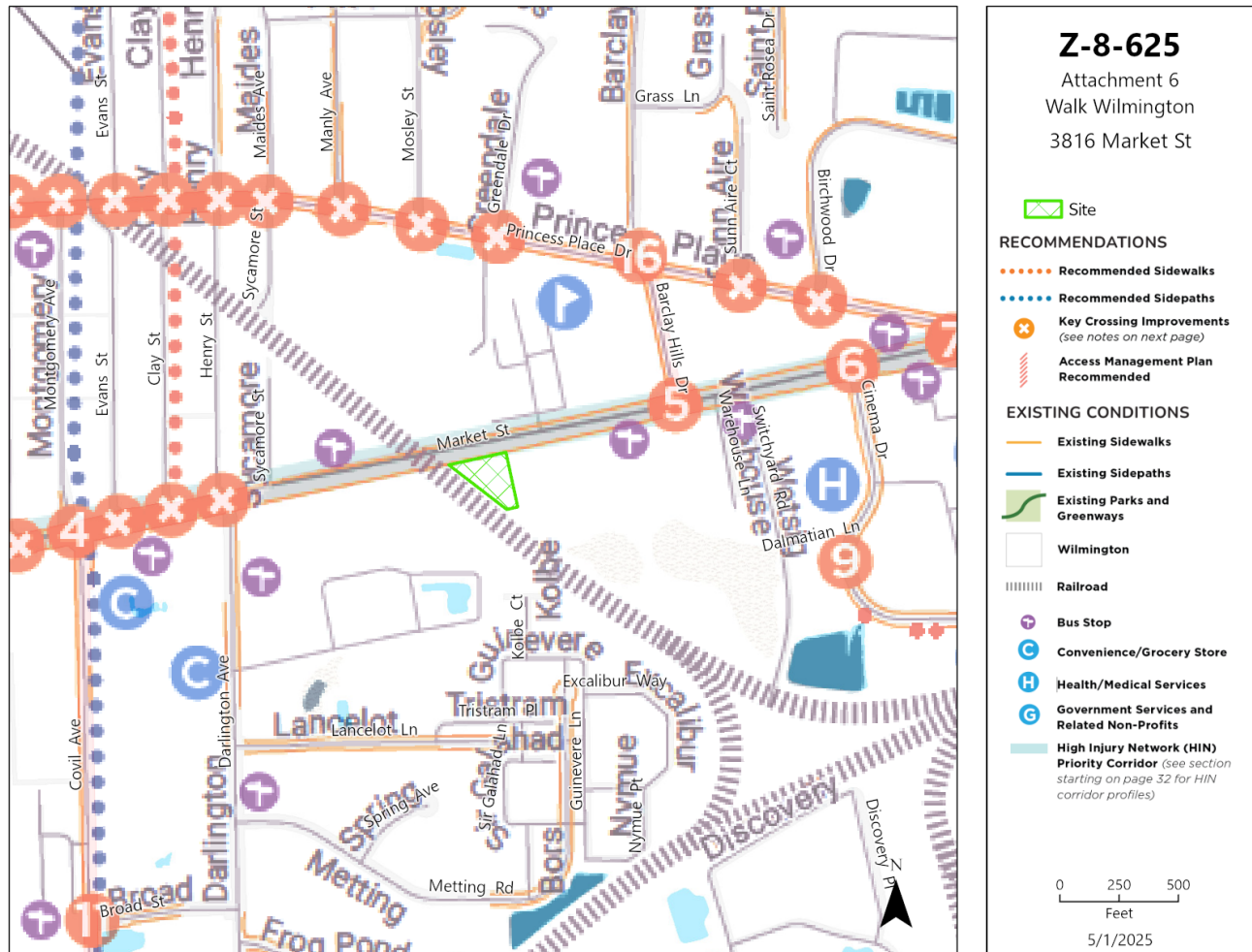


Figure 3.4.2-A: Walk Wilmington Map

2.9 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:

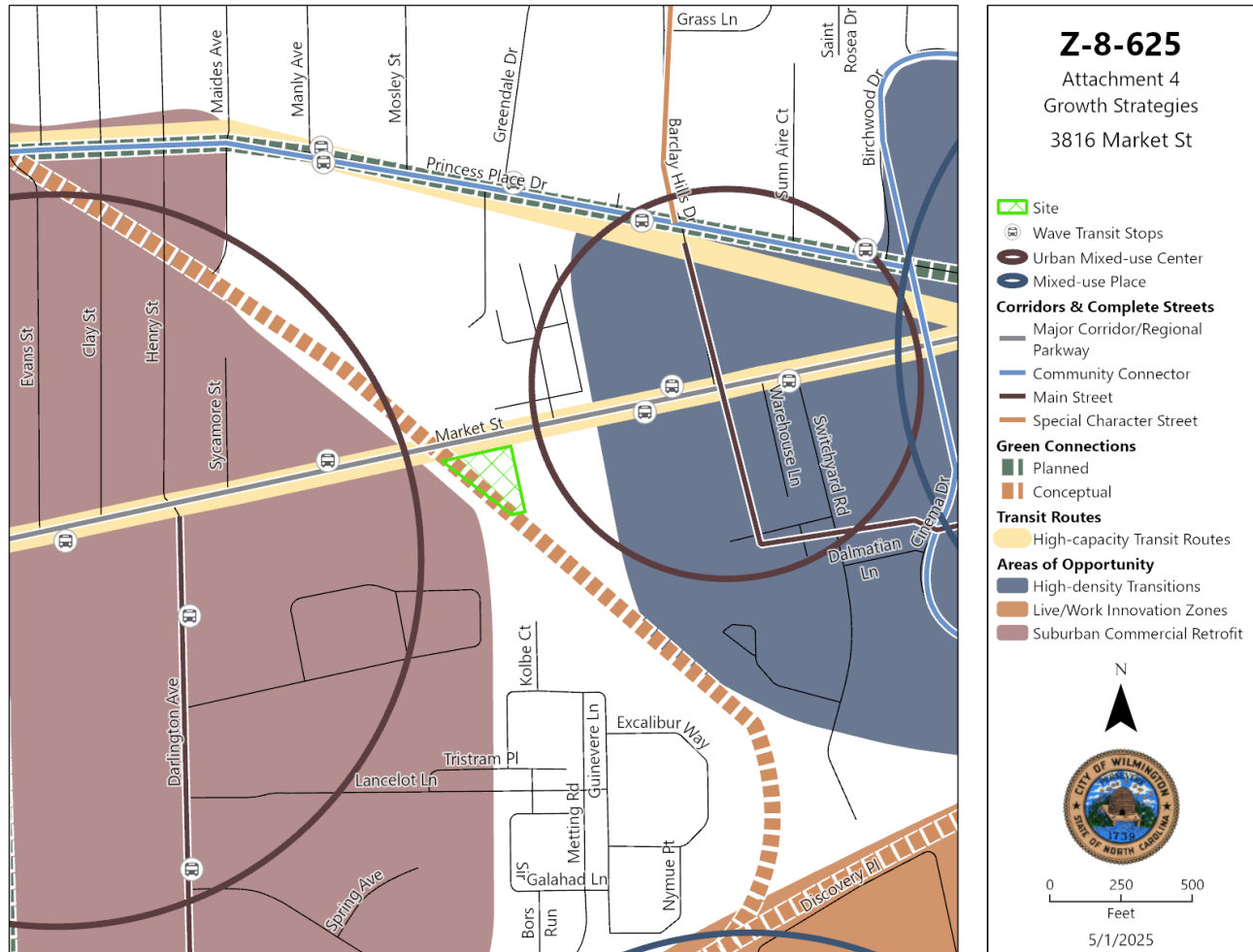
Strong Support	Modest Support	Split (Modest Support & Modest Non-Support)	Modest Non-Support	Strong Non-Support
				

2.9.1 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	
1.3.8	Pedestrian-friendly and transit-supportive development patterns should be promoted along multimodal corridors and areas identified for intensive transit investments. 
Compatibility	
1.4.4	Low- to medium-density residential areas and/or low-intensity mixed-use developments should serve as transitions between lower-density neighborhoods and more intensive commercial, residential, and mixed-use areas. Where appropriate transitions are not possible within a development site, infill and redevelopment adjacent to areas of lower intensities should provide effective physical buffers to avoid adverse impacts. 
Commercial Districts, Corridors, and Nodes	
1.6.4	Within commercial districts, development should be designed at a height, mass, scale, and form that is appropriate and provides a suitable transition to the surrounding areas. 
Neighborhood Conservation and Revitalization	
1.7.3	The need to increase housing supply, neighborhood commerce, and to mature as a city should be balanced with the need to protect desired neighborhood character, preserve historic resources, and protect the natural environment. 
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. 

2.9.2 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



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

Vehicular Traffic

- 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 E. Table 3.5.3-B indicates that the requested zoning would have an impact on vehicle trips generated at this site.

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

Road	Location	Volume	Planning Capacity	V/C	LOS
Market Street	Between Switchyard Ln and Darlington Ave.	38,565	46,539	0.83	E

Table 3.5.3-B. Estimated Trip Generation

- As there is no specific project proposed, the following analysis provides the trip generation for potential use under the CB district and assumes a build-out based on total site acreage.

Zoning	Land Use	Intensity	AM Peak Hour Trips	PM Peak Hour Trips	Average Weekday 2-way Volume Trips (ADT)
O&I (existing)	Medical Offices	54,000 SF*	138	217	2212
CB (proposed)	Retail (LU 822)	40,400 SF**	72	210	1935
NET DIFFERENCE			-66	-7	-277

*Assumes potential development based on 40% building lot coverage.

** Assumes potential development based on 30% building lot coverage.

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

Bicycle, Pedestrian and Transit Facilities

- There are existing sidewalks located along both sides of Market Street, which connects to the existing pedestrian network in the area.
- The nearest WAVE Transit stops are located on Market Street, approximately 200 feet from the site heading west toward Darlington Avenue, and approximately 350 feet from the site heading east towards Switchyard Lane.

Public Utilities

- The site has access to water and sewer mains along Market Street.

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

Utility Type	Ownership	Size	Location
Water Main (Existing)	CFPUA	8"	Market Street
Sewer Main (Existing)	CFPUA	8"	Market Street

3. Attachments

1. General Rezoning Application (Dated 4/16/2025)
2. Aerial Map (4/14/2025)
3. Land Use (Zoning) Map (4/8/2025)
4. Growth Strategies Map (4/8/2025)
5. Walk Wilmington Map (4/8/2025)
6. Planning Commission Consistency Statement (Dated 6/4/2025)
7. Draft Planning Commission Minutes (Dated 6/4/2025)