

CASE SUMMARY • GENERAL DISTRICT REZONING

City Council Legislative Hearing • July 15, 2025

Project Planner | Patrick O'Mahony | 910.341.3260 | patrick.omahony@wilmingtonnc.gov

1. Case Overview and Status

Application to rezone ±2.08 acres located at **3606 Market Street** from O&I, Office and Institutional district to CS, Commercial Services. (Nourish NC Inc., Owner, 910.465.0995, Cindee Wolf, Design Solutions, Applicant, cwolf@lobodemar.biz, 910.620.2374).

Staff Recommendation

- Denial

Planning Commission

- Approval, 7-0

City Council

- Legislative Hearing scheduled for 7/15/2025



Z-7-525

Attachment 2
Aerial Imagery
3606 Market St

- Site
- Parcels

N



0 50 100
Feet

4/4/2025

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 CS, Commercial Services.
- The parcel is currently occupied by Nourish NC, Inc. and is being used as a warehouse for food storage and distribution in support of their non-profit organization activities.

2.2 Community Outreach

2.2.1 Public Hearing Notices

	Planning Commission 6/4/2025 Public Hearing	City Council 7/15/2025 Public Hearing
<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 communications regarding the proposal at the time of this writing.

2.3 Staff Recommendation: DENIAL

2.3.1 Criteria for Review and Recommendation

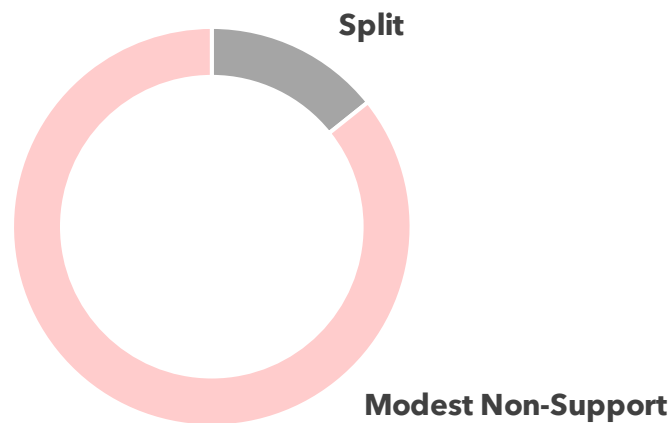
General rezoning decisions are made in consideration of identified relevant adopted land use plans for the area, including comprehensive, district, area, neighborhood, corridor, and other policy documents.

2.3.2 Basis for Staff Recommendation

- The Comprehensive Plan identifies this site as within a Suburban Commercial Retrofit Area of Opportunity, an Urban Mixed-Use Center, and a Transit-Oriented Mixed-Use Center.
- While the plan promotes mixed-use, pedestrian-scale development in these areas, the CS zoning designation is intended to accommodate intense commercial uses that are generally inconsistent with the desired development pattern outlined in the plan.
- The proposed general rezoning would allow by-right uses that would not be appropriate in this location such as manufacturing, industrial laundry services, and outdoor storage.
- An unconditioned rezoning request at this location does not adequately ensure the future development of this property will be compatible with adopted plans and the existing development pattern.
- The proposed general rezoning is generally inconsistent 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 non-support for the proposed rezoning:

- **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.
- **1.5.2** Integration and mix of uses should be provided within all “Areas of Opportunity” and “Mixed-use Centers” identified in the Growth Strategies Maps. These developments may vary in scale and intensity, but should all contribute to the city’s livability, manage future growth, and provide bike, pedestrian, and transit accessible destinations.



2.4 Planning Commission Recommendation

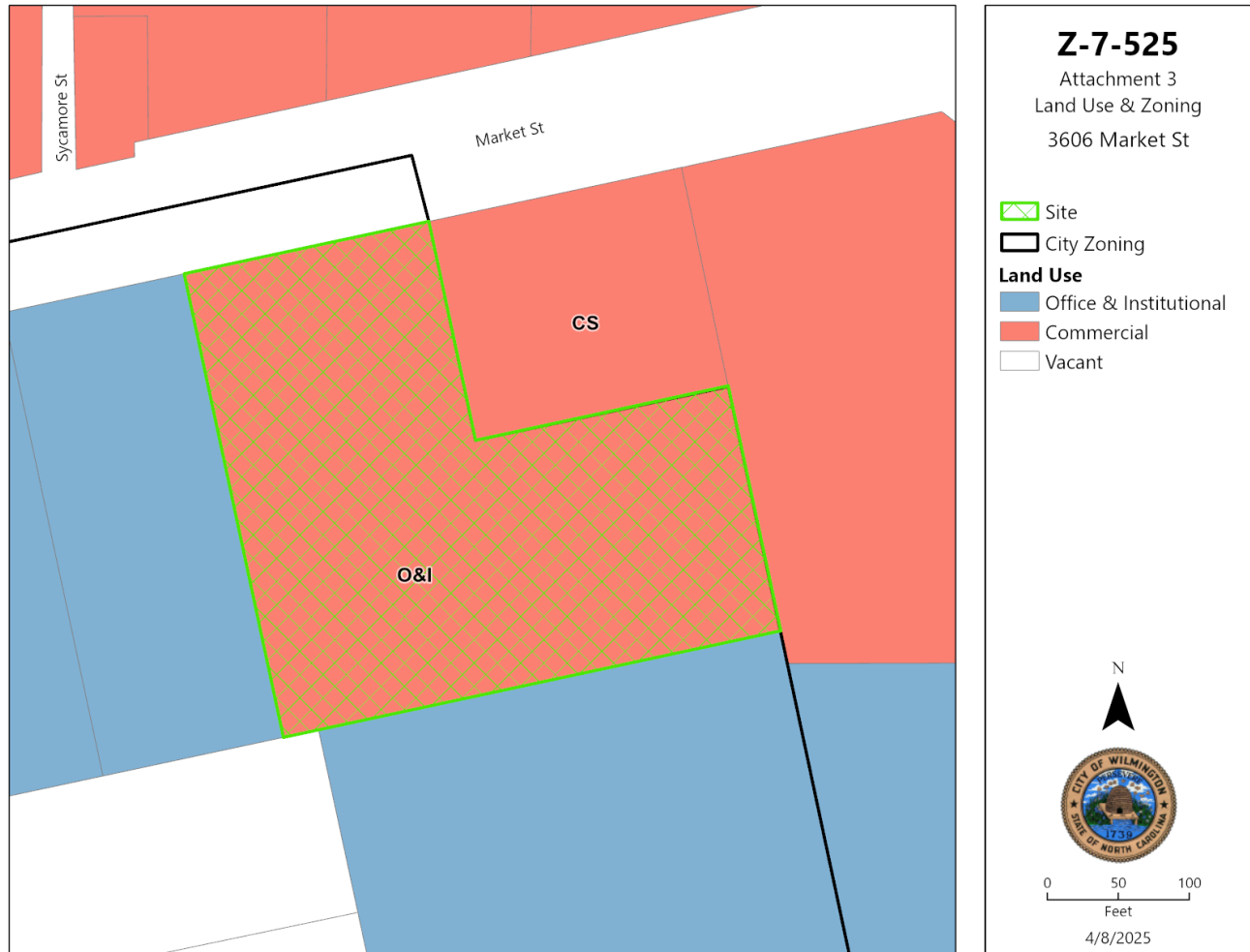
The Planning Commission held a legislative hearing on June 4, 2025. No one spoke in favor of or in opposition to the request. No written communications regarding the proposed rezoning were received. Following discussion, the Planning Commission voted to recommend approval, 7-0.

3. Analysis

3.1 Area Context and Existing Conditions

- The site includes one parcel, totaling approximately ± 2.08 acres. The site is currently zoned O&I, Office and Institutional district and is being used as a warehouse for food storage and distribution.
- The site is primarily surrounded by commercial and institutional uses. A restaurant is located to the north of the site across Market St., US Army Corps of Engineers to the south, a motel to the west, and vehicle sales to the east.
- Access is currently provided from Market Street.

Map 3.1-A: Land Use and Zoning



	Current Zoning	Existing Land Use(s)
Subject Property	O&I	Warehouse and distribution center
North	CS	Commercial
South	O&I	Institutional
East	O&I	Commercial
West	CS	Commercial

3.2 Site History

- The site was previously approved as a “Social Services” use which was permitted within the O&I zoning district in the City’s previous Land Development Code. As part of the Land Development Code update in 2021, Social Services uses were incorporated into the “Office” use classification.

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

3.3.1 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.
- **CS, Commercial Services district (proposed):** This district is intended to accommodate intense business uses that frequently require outdoor storage, may involve machinery, and have minimal customer traffic. Uses include building contractors, repair services, wholesaling, and some light industry. The CS district is intended to be located near industrial areas and may serve as a transitional district between industrial and commercial uses.

3.4 Consistency with Adopted Plans

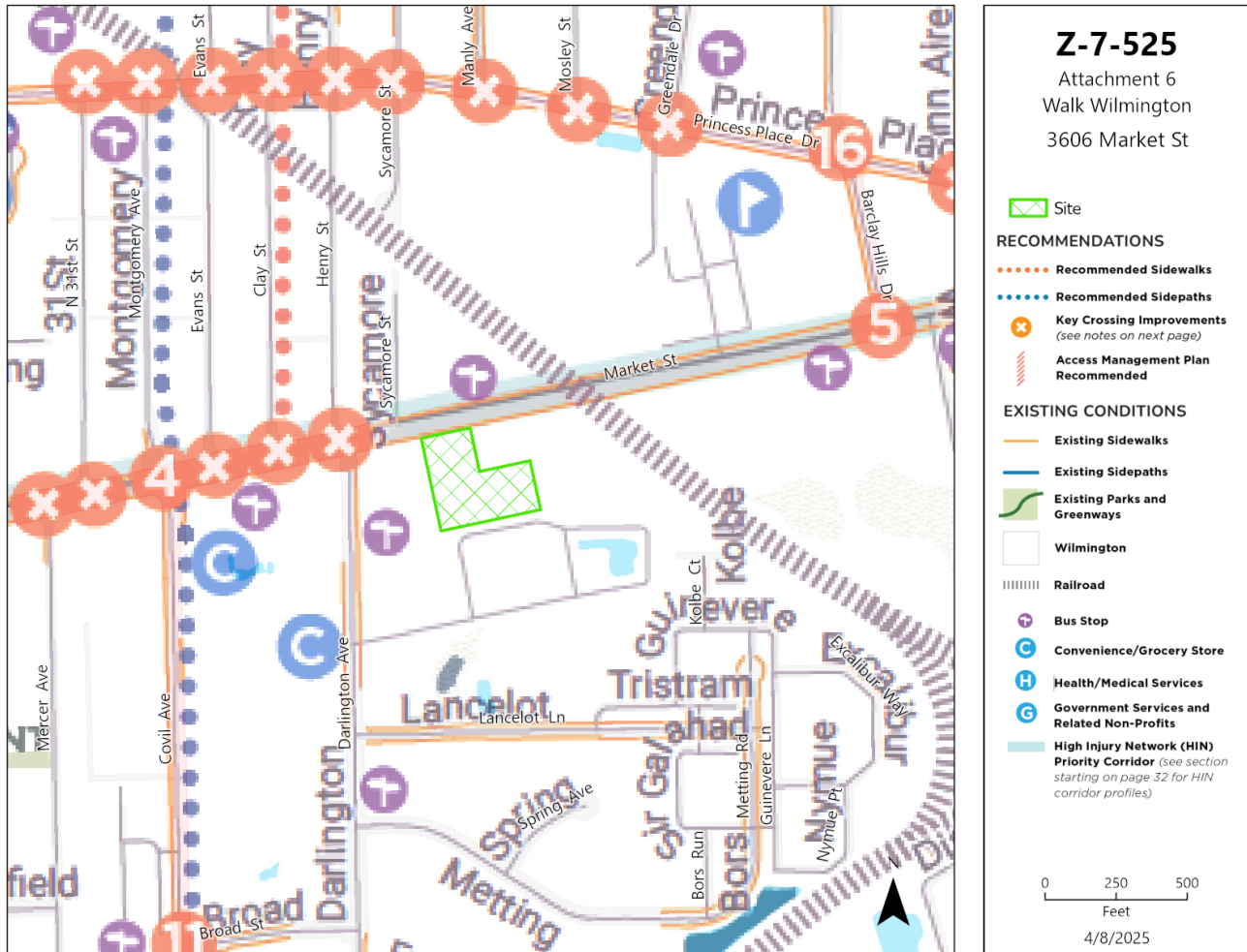
3.4.1 CAMA Plan

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

3.4.2 Walk Wilmington Plan

The 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



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:

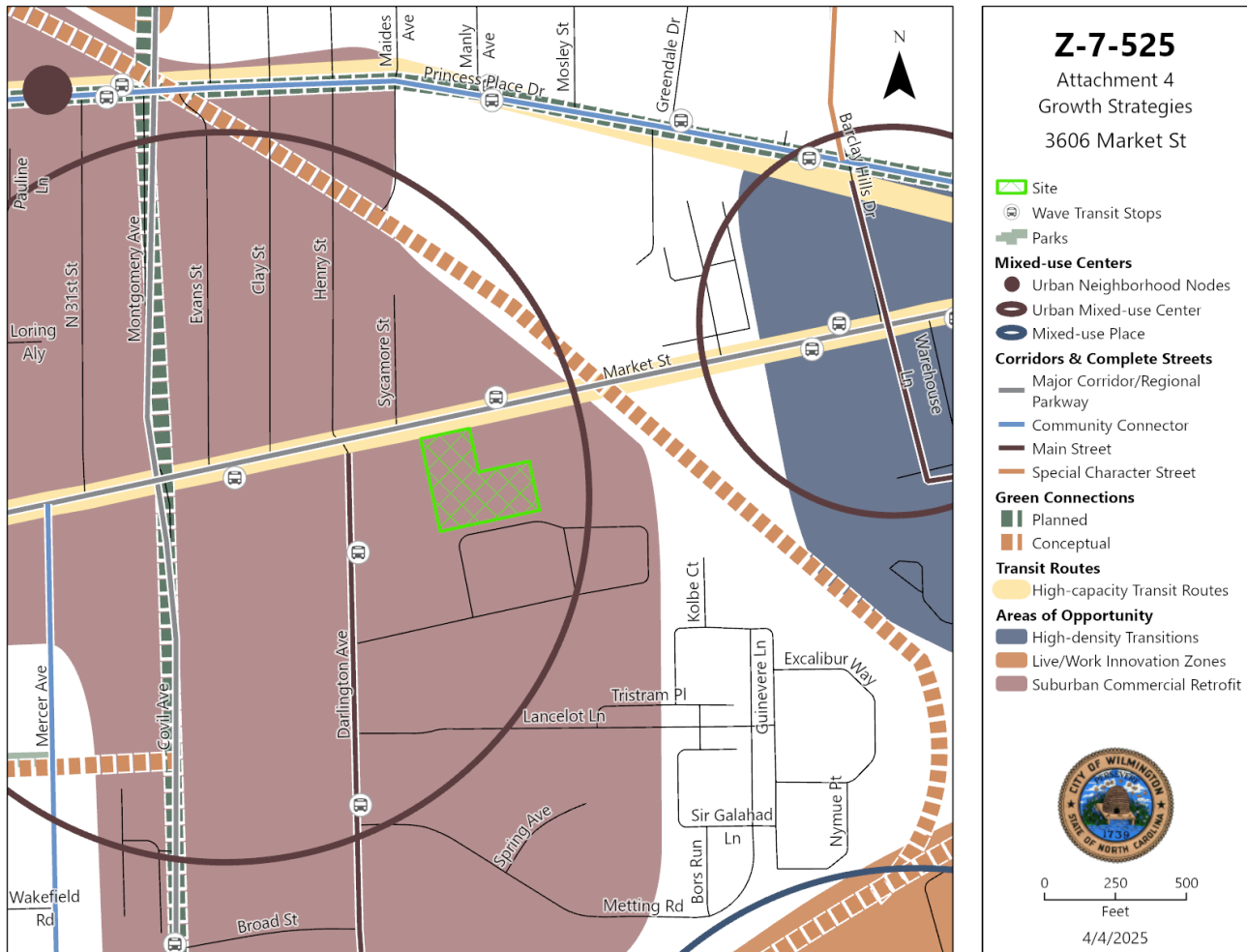
Strong Support	Modest Support	Split (Modest Support & Modest Non-Support)	Modest Non-Support	Strong Non-Support
				

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.	
Mixed-Use Development		
1.5.2	Integration and mix of uses should be provided within all "Areas of Opportunity" and "Mixed-use Centers" identified in the Growth Strategies Maps. These developments may vary in scale and intensity, but should all contribute to the city's livability, manage future growth, and provide bike, pedestrian, and transit accessible destinations.	
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.	
Pedestrian-oriented Placemaking		
9.3.3	New development should promote pedestrian-oriented uses, especially those within Mixed-use Centers delineated in the Growth Strategies Maps. Automobile oriented uses and designs such as drive-through windows should be discouraged in these areas.	

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 designated as Suburban Commercial Retrofit Area of Opportunity on the Growth Strategies Map. Areas of Opportunity represent the parts of the city that have the greatest potential to accommodate future growth, infill, and new development. Efforts should be made to ensure a cohesive development pattern in these areas.

There are several types of Areas of Opportunity, and they vary in terms of land use hierarchy, intensity of development, and anticipated change. Each area has an overarching growth strategy. Development within an Area of Opportunity should be reflective of the underlying community development patterns.

The following policies were identified for the Suburban Commercial Retrofit Area of Opportunity and are applicable to the proposal.

Map	Area of Opportunity
Suburban Commercial Retrofit	

Add residential uses and make connections to nearby existing residential areas.



Mixed-Use Centers

The subject property is within a designated Urban Mixed-Use Center on the Growth Strategies Map. Mixed-use Centers identify locations where investment and revitalization should be concentrated in distinct nodal areas in order to accommodate walkability, vitality, placemaking, higher-density development patterns, and transit. This approach should be prioritized over a development pattern that dilutes the activity that new investment can bring to an area by spreading it out over too large of a geographic area and limiting transportation options.

There are several types of Mixed-use Centers, ranging in density, size, and regional impact. These are reflective of the underlying community development patterns in which they are located.

The following policies are identified for the Mixed-Use Place Mixed Use Center and are applicable to the proposal:

Map	Mixed Use Centers
Urban Mixed-Use Center	
Reinforce or introduce traditional urban development patterns characterized by a highly connected system of small blocks, alleys, numerous pedestrian connections, and a mix of building types.	↓
Include a rich mix of uses; limit single-use developments with large building footprints.	↓

3.5.3 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 D. 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 CS 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)	Social Services Office	36,000 SF*	70	71	477
CS (proposed)	Retail under 40,000 SF	36,000 SF*	85	237	1960
NET DIFFERENCE			+15	+166	+1,483

*Assumes potential development based on 40% 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.
- 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

4. Attachments

1. General Rezoning Application (Dated 3/24/2025)
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)