

Agenda Item#: 2.Request: 1415 & 1417 42nd Street – modify an existing RB (CD), Regional Business (Conditional District)Case Number: CD-PC-2026-0004Hearing Date: 7/8/2026

Planning Commission Consistency Statement
(To be read into the record as a motion, seconded and voted upon)



Approval - this request is consistent with the objectives and policies of the following plans adopted by the City of Wilmington:

- | | |
|--|---|
| ☒ Create Wilmington Comprehensive Plan | ☐ South 17 th St/Independence Blvd. Corridor Plan |
| ☐ Wrightsville Avenue 2030 (WA2030) | ☐ NorthSide Community Plan |
| ☐ Vision 2020: A Waterfront Downtown | ☐ SouthSide Small Area Plan |
| ☐ Carolina Beach Road Corridor Plan | ☐ Market Street Corridor Study |
| ☐ College Road Corridor Plan | ☐ Wrightsville Sound Small Area Plan |
| ☐ Market Street Corridor Plan | ☐ Other: _____ |
| ☐ Oleander Drive Corridor Plan | |
| ☐ Dawson-Wooster Corridor Plan | |

The Planning Commission considers its approval to be reasonable and in the public interest because: (Please provide reasons which can be found in the staff report (maybe found under strong support sections or through public hearing)

The proposal introduces additional goods and services while maintaining the existing character of the surrounding area.

Therefore, the Planning Commission recommends approval of this request.

Rejected - this request is not consistent with the objectives and policies of the following plans adopted by the City of Wilmington:

- | | |
|--|---|
| ☒ Create Wilmington Comprehensive Plan | ☐ South 17 th St/Independence Blvd. Corridor Plan |
| ☐ Wrightsville Avenue Land Use Plan | ☐ NorthSide Community Plan |
| ☐ Vision 2020: A Waterfront Downtown | ☐ SouthSide Small Area Plan |
| ☐ Carolina Beach Road Corridor Plan | ☐ Market Street Corridor Study |
| ☐ College Road Corridor Plan | ☐ Wrightsville Sound Small Area Plan |
| ☐ Market Street Corridor Plan | ☐ Other: _____ |
| ☐ Oleander Drive Corridor Plan | |
| ☐ Dawson-Wooster Corridor Plan | |

The Planning Commission considers its rejection to be reasonable and in the public interest because:

The proposal is not consistent with the desired character of the surrounding area.

Therefore, the Planning Commission recommends rejection of this request.

Comments:

This report reflects the recommendation of the City of Wilmington Planning Commission, this the 8th day of July 2026.

Attest:


 Planning Commission Chairman John Lennon

Conditions as Outlined in Case Summary:

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, and local law, ordinance, or regulation, as well as the conditions 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 accordance with the site plan as submitted and accepted by City Council on August 2, 2022.
5. ~~The proposed uses~~ Permitted Uses shall be limited to ~~the existing nightclub, and personal service use, along with the proposed~~ retail garden shop, restaurant, food catering services, artisan food and beverage production, small-scale general retail, general personal services, offices, studios, performing arts, fine arts, dance, martial arts, and recreation facility (private).
6. An 8-foot-tall opaque wooden fence shall be required along the northern and eastern property lines adjacent to the R-10, Residential zoning district.