

VICINITY MAP

**OPEN SPACE CALCULATION**

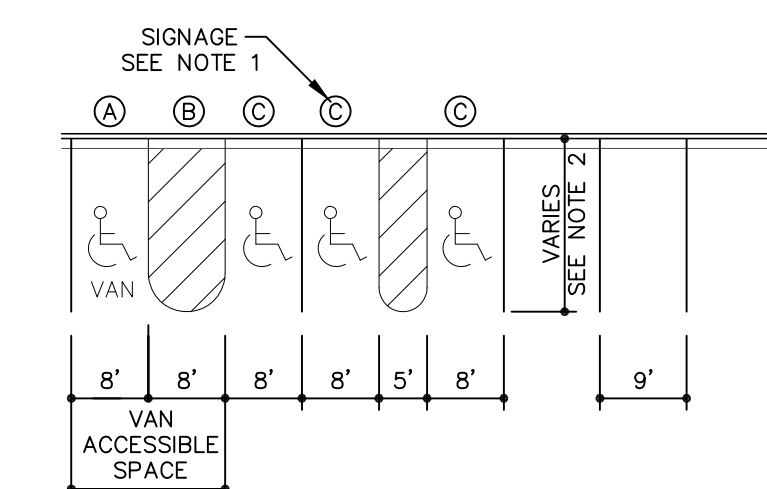
Total Land Area	64140 sf	Marvin Grove - Tract 1A			
Building Description	Buildings	Driveway/ Parking Area	Grassed Area	Sidewalk/ Plaza Area	Total
1-1/2 STORY	1467	23348	5637	5959	
PORCH	1068		1245	3058	
ADDITION	1548		541	774	
2 STORY	5000		847	990	
2 STORY	4813		2452		
			1693		
			3700		
Subtotal	13896	23348	16115	10781	64140
Percentage of Total	21.67%	36.40%	25.12%	16.81%	100.00%

**OPEN SPACE CALCULATION**

Total Land Area	87325 sf	Marvin Grove - Tracts 1B and 2			
Building Description	Buildings	Driveway/ Parking Area	Grassed Area	Sidewalk/ Plaza Area	Total
1-3 STORY	1243	23120	405	7045	
STORAGE	205		242	1091	
2 STORY	5000		147	868	
2 STORY	5000		854	315	
5% ADJUST	1343		319		
			414		
			450		
			3839		
			297		
			701		
			34427		
Subtotal	12791	23120	42095	9319	87325
Percentage of Total	14.65%	26.48%	48.20%	10.67%	100.00%

**MARVIN GROVE TRACT 1B NOTES:**

1. THE STREET ADDRESS OF THE PROPERTY IS 9904 NEW TOWN RD, MARVIN, NC.
2. THE TAX PARCEL IDENTIFICATION NUMBER FOR THE SUBJECT PROPERTY IS 06225009B.
3. THE PROPERTY SHOWN HEREON HAS ACCESS TO NEW TOWN ROAD, A PUBLIC STREET.
4. THE TOTAL AREA OF THE PROPERTY SURVEYED CONTAINS 87,325 SQUARE FEET OR 2.005 ACRES, MORE OR LESS.
5. THE PROPERTY IS PRESENTLY ZONING RESIDENTIAL SFR-1.
6. THE MAXIMUM NUMBER OF BUILDING STORIES IS TWO, (2).
7. THE MAXIMUM BUILDING HEIGHT IS 35 FEET.
8. THE TOTAL NUMBER OF PARKING SPACES FOR BOTH MARVIN GROVE PHASES 1 AND 2 IS 112 SPACES. FORTY SEVEN (47) SPACES ARE LOCATED ON THE PHASE 1 PROPERTY AND SIXTY FIVE (65) SPACES ARE LOCATED ON THE PHASE 2 PROPERTY WITH A TOTAL OF SIX (6) HC SPACES.
9. THIS PROPERTY IS NOT LOCATED IN AN AREA DESIGNATED AS ZONE X. SEE FIRM PANEL 3710445500J WITH AN EFFECTIVE DATE OF OCTOBER 16, 2008.
10. EACH PHASE OF MARVIN GROVE DEVELOPMENT WILL UTILIZE A DOUBLE DUMPSTER. SEE THE PROPOSED LOCATION ON MARVIN GROVE DEVELOPMENT TRACT 1A AND TRACT 1B PARCEL.



**TYPICAL PARKING**

- NOTE:
1. SEE ACCESSIBLE AND PARKING STANDARD DETAIL FOR SIGNAGE TYPES.
  2. ACTUAL PARKING SPACE DIMENSIONS ARE PROVIDED ON SITE PLAN.
  3. HANDICAPPED PARKING SPACES SHALL NOT EXCEED 2% MAXIMUM SLOPE IN ANY DIRECTION.

**PARKING CALCULATIONS:**

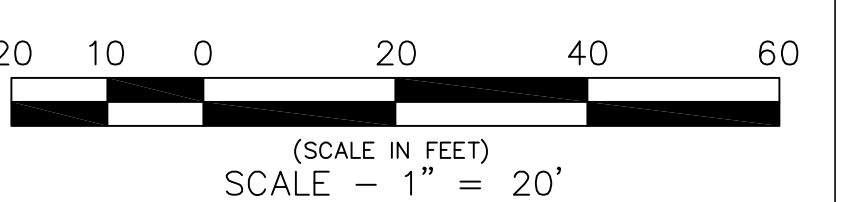
A. BUILDINGS: NONE REQUIRED  
46500 SF  
THEREFORE, 112 TOTAL SPACES PROVIDED  
108 REGULAR SPACES  
6 HANDICAPPED SPACES

**OWNER:**

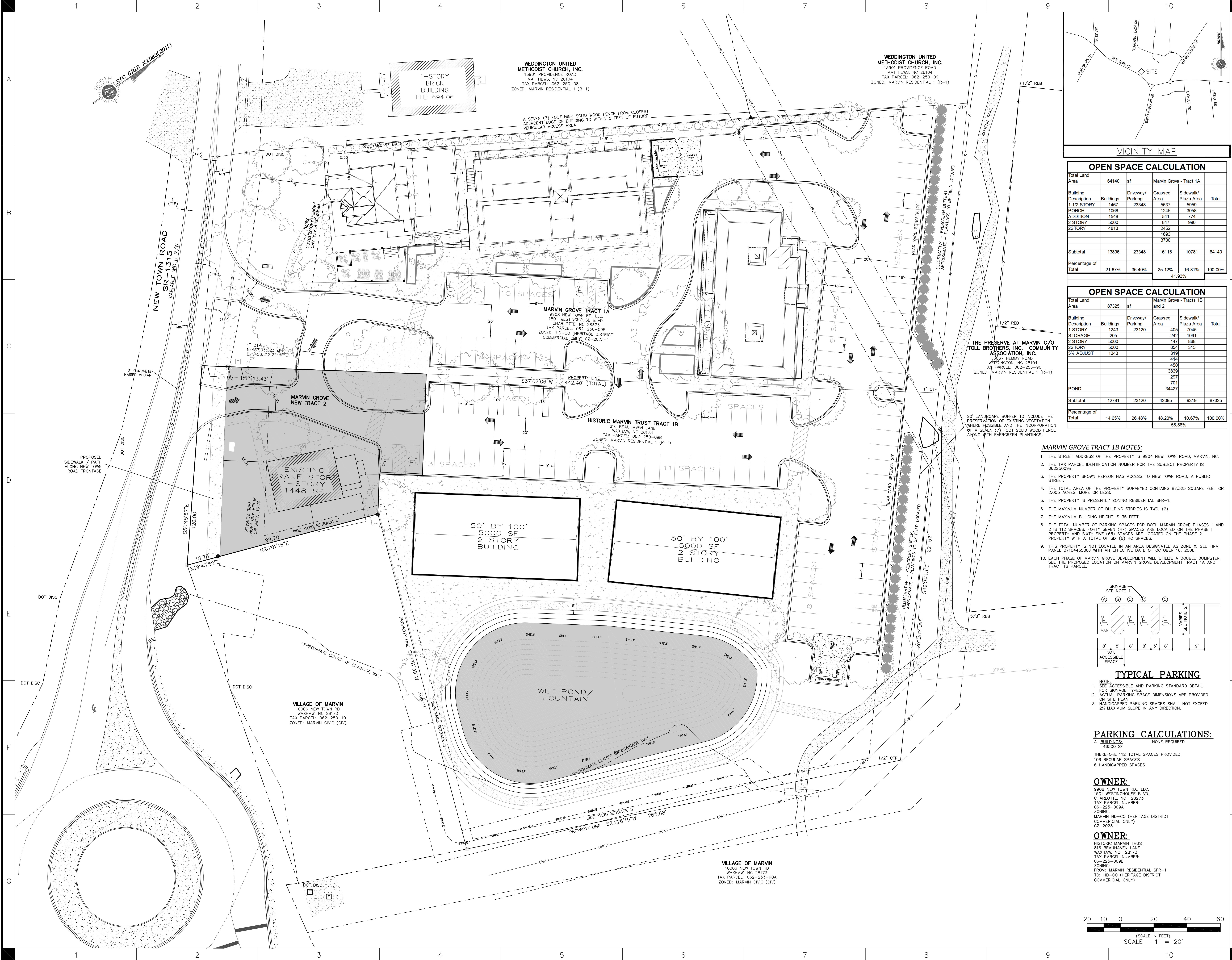
9908 NEW TOWN RD., LLC.  
1501 WESTINGHOUSE BLVD.  
CHARLOTTE, NC 28273  
TAX PARCEL NUMBER:  
06-225-009A  
ZONING:  
MARVIN HD-CO (HERITAGE DISTRICT  
COMMERCIAL ONLY)  
CZ-2023-1

**OWNER:**

HISTORIC MARVIN TRUST  
816 BEAUHAVEN LANE  
WAXHAW, NC 28173  
TAX PARCEL NUMBER:  
06-225-009B  
ZONING:  
FROM: MARVIN RESIDENTIAL SFR-1  
TO: HD-CO (HERITAGE DISTRICT  
COMMERCIAL ONLY)



SCALE - 1" = 20'



AMENDED SITE AND LANDSCAPE PLAN (MARVIN GROVE)

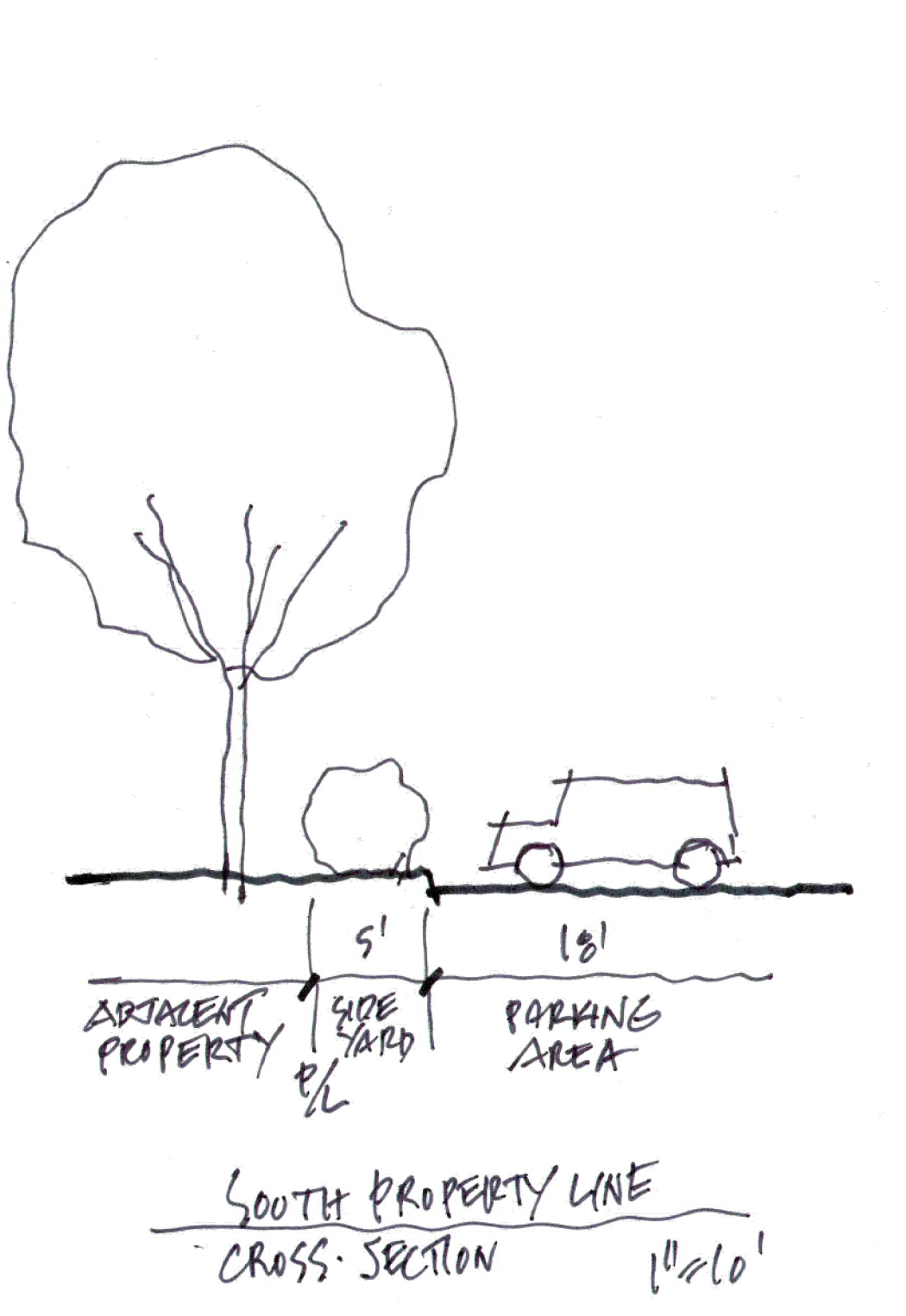
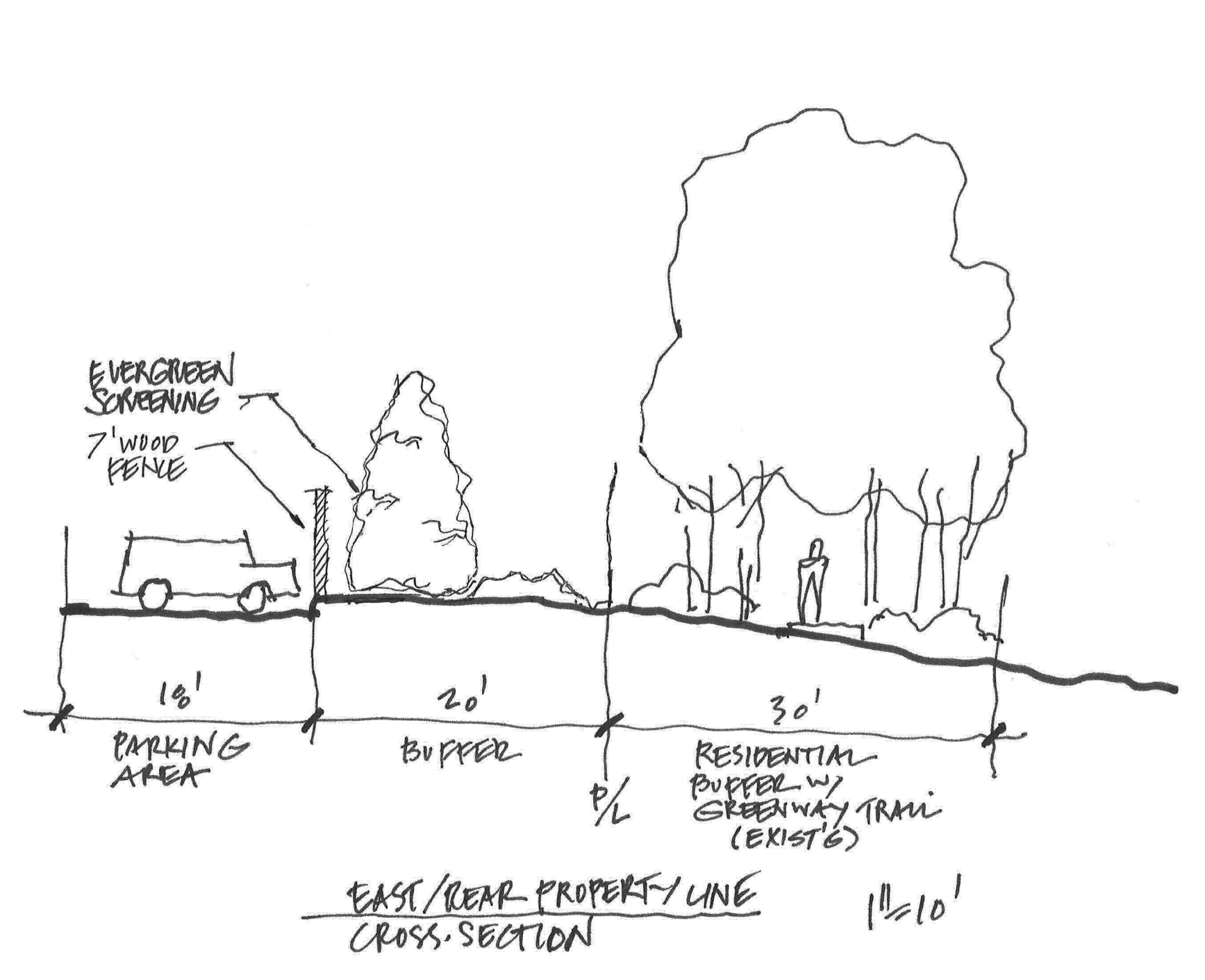
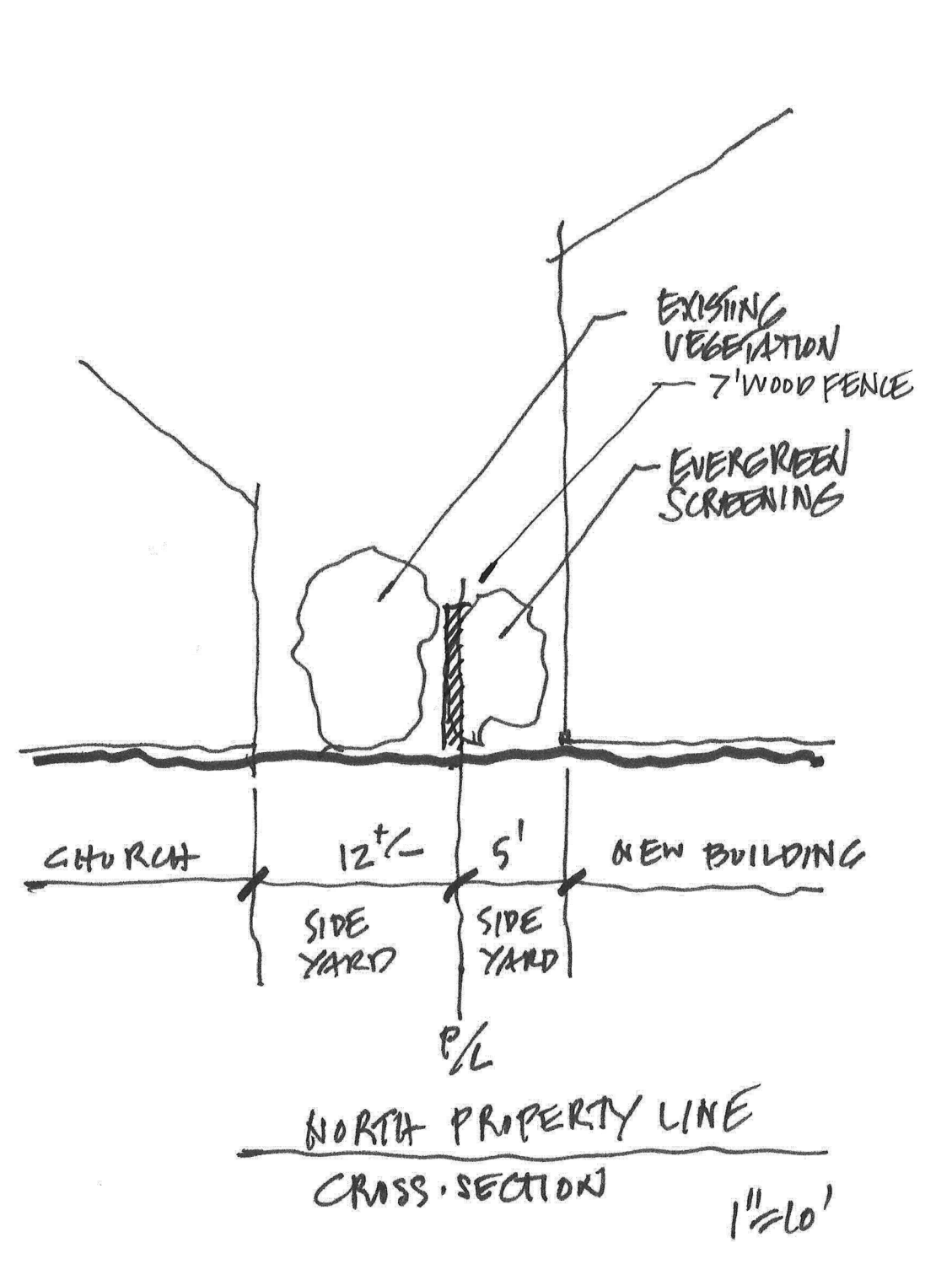
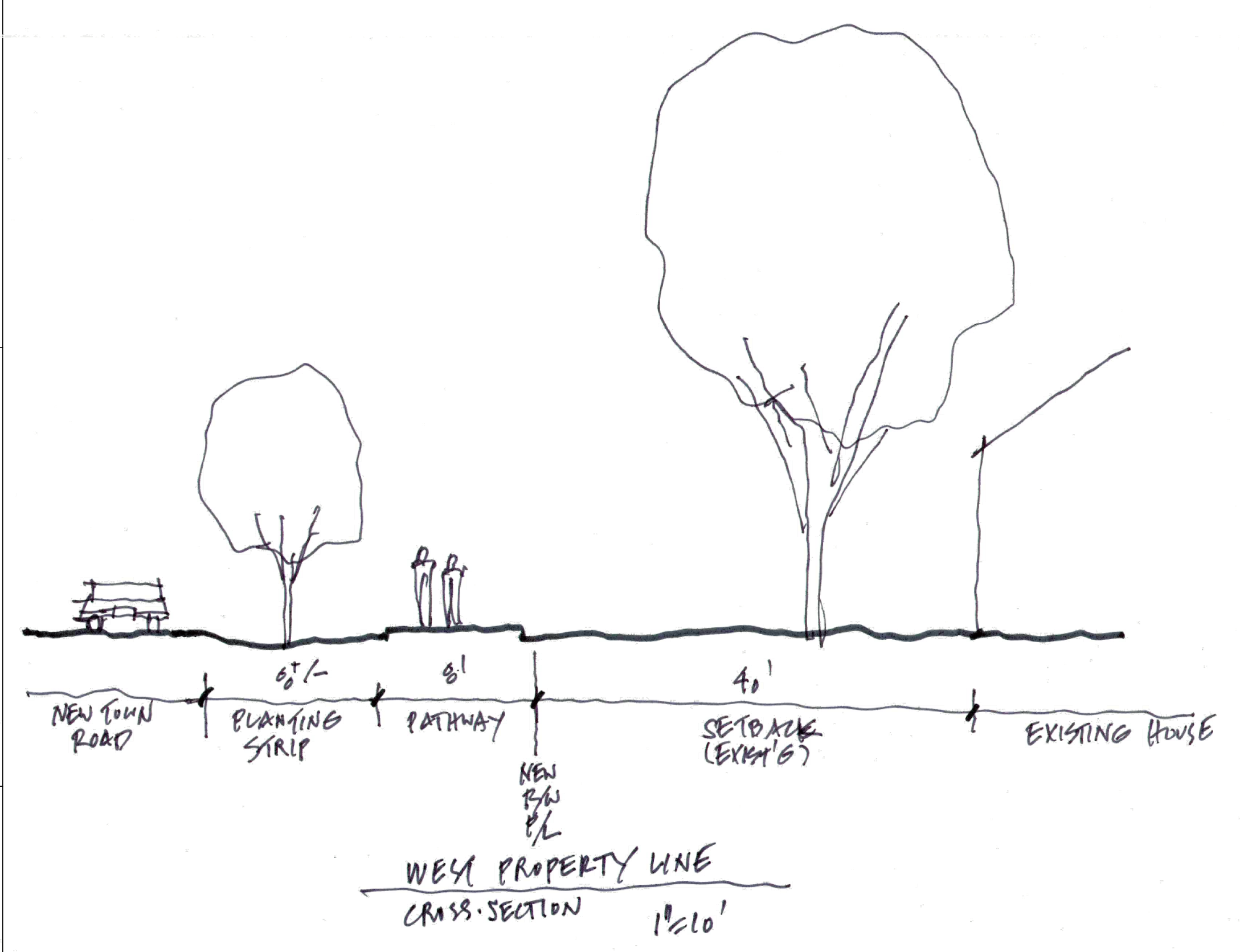
9908 NEW TOWN ROAD, LLC  
9904 NEW TOWN ROAD  
VILLAGE OF MARVIN, NC 28173

**SHEET STATUS**

REV	DATE	COMMENT	BY
	09/12/2024	ISSUED FOR REVIEW	TGW

DRAWN BY: TGW  
CHECKED BY: TGW  
JOB NO: 231001  
SHEET NO:  
RZ-2.0

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ZEPSA CAPITAL, LLC  
REZONING PETITION #:  
DEVELOPMENT STANDARDS:  
SITE DEVELOPMENT DATA:  
--ACREAGE: ±3.568 ACRES  
--TAX PARCEL #S: 06-225-009A; 06-225-009B  
--EXISTING ZONING: MHD-CO; SFR-1  
--PROPOSED ZONING: MHD-CO-CZ (MARVIN HERITAGE DISTRICT -COMMERCIAL ONLY)  
--EXISTING USES: RESIDENTIAL/VACANT  
--PERMITTED USES:  
THAT PORTION OF THE SITE DESIGNATED AS "TRACT 1A" AND "TRACT 1B" ON THE REZONING SITE PLAN MAY BE DEVOTED TO ALL LISTED (I.E. "BY RIGHT") USES, SPECIAL USES, AND USES LISTED WITH ADDITIONAL STANDARDS IN THE HERITAGE DISTRICT OVERLAY AS SHOWN ON TABLE 5.1 OF THE MARVIN DEVELOPMENT ORDINANCE. ALL SPECIAL USES ALLOWED IN THE HERITAGE DISTRICT OVERLAY DISTRICT SHALL REQUIRE A SPECIAL USE PERMIT.  
THAT PORTION OF THE SITE DESIGNATED AS "NEW TRACT 2" ON THE REZONING SITE PLAN IS INCLUDED IN THE CONDITIONAL REZONING TO AVOID NON-COMPLIANCE WITH THE MDO'S DIMENSIONAL REQUIREMENTS FOR RESIDENTIAL LOTS. ACTUAL IMPROVEMENTS AND PERMITTED USES (OTHER THAN CONVENIENCE STORE WITHOUT GAS PUMPS) ON NEW TRACT 2 SHALL BE DETERMINED AT A LATER DATE FOLLOWING THE PROCESS OUTLINED IN ARTICLE 5.4 OF THE MDO FOR CONDITIONAL ZONING.  
THE FUTURE DETERMINATION OF ACTUAL IMPROVEMENTS OR MODIFICATIONS TO PERMITTED USES ON NEW TRACT 2 SHALL BE APPLICABLE ONLY TO NEW TRACT 2, AND SHALL IN NO WAY AFFECT THE IMPROVEMENTS AND PERMITTED USES CONTEMPLATED BY THESE DEVELOPMENT STANDARDS FOR THE AREAS OF THE SITE DESIGNATED AS TRACT 1A AND TRACT 1B ON THE REZONING SITE PLAN. NO USES OR IMPROVEMENTS SHALL BE ALLOWED ON NEW TRACT 2 THAT WOULD RESULT IN TRACT 1A OR TRACT 1B FAILING TO MEET THE TERMS OF THESE DEVELOPMENT STANDARDS.  
--MAXIMUM SQUARE FEET OF DEVELOPMENT:  
THE MAXIMUM NET FLOOR AREA THAT MAY BE DEVOTED TO COMMERCIAL USE SHALL NOT EXCEED 46,500 SQUARE FEET; PROVIDED, HOWEVER, THAT THE MAXIMUM GROSS FLOOR AREA FOR NEW TRACT 2 SHALL NOT EXCEED 1,500 SQUARE FEET.  
--MAXIMUM BUILDING HEIGHT: 2 STORIES OR ORDINANCE MAXIMUM (35 FEET).  
--MAXIMUM NUMBER OF BUILDINGS: 6 (EXISTING CRANE HOUSE WITH ADDITION, EXISTING CRANE STORE, AND FOUR NEW COMMERCIAL BUILDINGS).  
--PARKING: THE NUMBER OF PARKING SPACES MAY BE REDUCED FROM THE 112 DESIGNATED ON THE REZONING SITE PLAN PROVIDED THAT EITHER: (I) OFF-PREMISES PARKING IS SECURED; (II) AS REQUIRED TO MEET DUMPSTER OR LOADING SPACE REQUIREMENTS; OR (III) AS APPROVED BY THE VILLAGE PLANNING DIRECTOR; PROVIDED HOWEVER, THAT THE PLANNING DIRECTOR SHALL APPROVE ANY REDUCTION OF PARKING SPACES DETERMINED BY DEVELOPER AS REASONABLY NECESSARY TO FACILITATE PRESERVATION OF TREES OR BETTER OVERALL SITE DESIGN AND TRAFFIC CIRCULATION.

- GENERAL PROVISIONS:
  - SITE LOCATION - THESE DEVELOPMENT STANDARDS, REZONING SITE PLAN (AKA "MASTER PLAN") AND LANDSCAPE PLAN, DEVELOPMENT AGREEMENT, AND OTHER GRAPHICS, IF ANY, SET FORTH ON SHEET RZ-2.0 FORM THIS REZONING PLAN (COLLECTIVELY REFERRED TO AS THE "REZONING PLAN"), ASSOCIATED WITH THE SITE PLAN AMENDMENT AND REZONING APPLICATION FILED BY ZEPSA CAPITAL, LLC ("APPLICANT") TO ACCOMMODATE THE DEVELOPMENT OF A COMMERCIAL VILLAGE TO INCLUDE USES ALLOWED IN THE MHD-CO ZONING DISTRICT ON AN APPROXIMATELY 3.568 ACRE SITE LOCATED AT 9904 & 9908 NEW TOWN ROAD IN THE VILLAGE OF MARVIN ("VILLAGE"), (UNION COUNTY) NORTH CAROLINA (THE "SITE").
  - ZONING DISTRICTS/ORDINANCE - DEVELOPMENT OF THE SITE WILL BE GOVERNED BY THE REZONING PLAN AS WELL AS THE APPLICABLE PROVISIONS OF THE MARVIN DEVELOPMENT ORDINANCE (THE "ORDINANCE"). ANY DEVIATION FROM THE ORDINANCE REQUIRES A WRITTEN STATEMENT OF JUSTIFICATION PREPARED BY THE APPLICANT FOR CONSIDERATION AND APPROVAL BY THE VILLAGE COUNCIL. UNLESS THE REZONING PLAN ESTABLISHES DIFFERENT STANDARDS, THE REGULATIONS ESTABLISHED UNDER THE MARVIN DEVELOPMENT ORDINANCE SHALL GOVERN.
  - GRAPHICS AND ALTERATIONS - THE SCHEMATIC DEPICTIONS OF THE USES, PARKING AREAS, SIDEWALKS, STRUCTURES AND BUILDINGS, DRIVEWAYS AND OTHER DEVELOPMENT MATTERS AND SITE ELEMENTS (COLLECTIVELY, THE "DEVELOPMENT/SITE ELEMENTS") SET FORTH ON THE REZONING PLAN SHOULD BE REVIEWED IN CONJUNCTION WITH THE PROVISIONS OF THESE DEVELOPMENT STANDARDS. THE LAYOUT, LOCATIONS, SIZES AND FORMULATIONS OF THE DEVELOPMENT/SITE ELEMENTS DEPICTED ON THE REZONING PLAN ARE GRAPHIC REPRESENTATIONS OF THE DEVELOPMENT/SITE ELEMENTS PROPOSED.
- ACCESS AND TRANSPORTATION:
  - VEHICULAR ACCESS TO THE SITE WILL BE FROM NEW TOWN ROAD IN THE MANNER GENERALLY DEPICTED ON THE REZONING SITE PLAN.
  - THE PLACEMENT AND CONFIGURATION OF THE VEHICULAR ACCESS POINT(S) ARE SUBJECT TO ANY MINOR MODIFICATIONS REQUIRED TO ACCOMMODATE FINAL SITE DEVELOPMENT AND CONSTRUCTION PLANS AND TO ANY ADJUSTMENTS REQUIRED FOR APPROVAL BY NCDOT IN ACCORDANCE WITH APPLICABLE PUBLISHED STANDARDS.

- SHOULD THE ADJACENT PROPERTY OWNERS ELECT TO DEVELOP THEIR PROPERTIES AND PURSUE A CONNECTION BETWEEN THEIR PROPERTIES AND THE SITE IN THE FUTURE, THE OWNER OF THE SITE AGREES TO GRANT SAID ADJACENT PROPERTY OWNER(S) A CROSS ACCESS EASEMENT AGREEMENT; PROVIDED HOWEVER, THAT ALL COSTS RELATED TO THE CONSTRUCTION OF THE CONNECTION INTO THE SITE WILL BE BORN SOLELY BY THE RESPECTIVE ADJACENT PROPERTY OWNER.
- DEVELOPER AGREES TO CONSTRUCT AN EIGHT (8) FOOT ASPHALT SIDEWALK WITHIN THE EXISTING RIGHT OF WAY ALONG NEW TOWN ROAD, AS GENERALLY DEPICTED ON THE REZONING SITE PLAN, OR, UPON THE ELECTION OF APPLICANT, MAKE A PAYMENT TO THE VILLAGE (IN AN AMOUNT EQUAL TO THE DIRECT LINEAR FOOT COST OF THE ASPHALT MATERIAL FOR THE PROPOSED 8 FOOT ASPHALT SIDEWALK) IN LIEU OF SUCH CONSTRUCTION, AND THE VILLAGE SHALL CONSTRUCT THE SIDEWALK IN ACCORDANCE WITH THE MARVIN LOOP PROJECT (NCDOT PROJECT NO. BL-0012). APPLICANT RESERVES THE RIGHT TO MEANDER THE SIDEWALK OUT OF THE EXISTING RIGHT OF WAY TO AVOID PHYSICAL AND ENVIRONMENTAL CONSTRAINTS. UPON COMPLETION OF CONSTRUCTION, AND TO THE EXTENT TO EXCEEDS THE NEW TOWN RIGHT OF WAY, APPLICANT WILL DEDICATE AND/OR CONVEY AN EASEMENT FOR THE SIDEWALK TO THE VILLAGE IN A FORM REASONABLY ACCEPTABLE TO THE VILLAGE. APPLICANT SHALL HAVE NO OBLIGATION TO MAINTAIN, REPAIR OR REPLACE SAID SIDEWALK AFTER THE COMPLETION OF CONSTRUCTION. APPLICANT'S OBLIGATION TO CONSTRUCT THE SIDEWALK IS SUBJECT TO NCDOT APPROVAL AND MUST COMPLY WITH NCDOT AND VILLAGE PLANS FOR THE MARVIN LOOP.
- INTERNAL SIDEWALKS AND PEDESTRIAN CONNECTIONS SHALL BE PROVIDED ON THE SITE AS GENERALLY DEPICTED ON THE REZONING PLAN. THE INTERNAL SIDEWALKS MAY MEANDER TO SAVE EXISTING TREES AND AVOID OTHER TOPOGRAPHICAL CONSTRAINTS.
- APPLICANT SHALL CONSULT WITH NCDOT ON POTENTIAL ROAD IMPROVEMENTS ALONG NEW TOWN ROAD.
- PERMITTED USES & DEVELOPMENT AREA LIMITATION:
  - THE SITE MAY BE DEVELOPED AS A COMMERCIAL DEVELOPMENT TO INCLUDE UP TO 46,500 SQUARE FEET OF EXISTING AND NEW NET FLOOR AREA DEVOTED TO COMMERCIAL USE, AS SET FORTH HEREIN, TOGETHER WITH ANY ACCESSORY AND INCIDENTAL USES AS ALLOWED IN THE MHD-CO ZONING DISTRICT.
  - AS THE PROJECT DEVELOPS, APPLICANT RESERVES THE RIGHT TO USE AREAS INTENDED FOR DEVELOPMENT AS TEMPORARY PARKING UNTIL FULL BUILD OUT.
- BUFFERS, LANDSCAPING AND PARKING:
  - ALONG THE REAR OF THE SITE, APPLICANT WILL SCREEN THE SITE AND PARKING LOT FROM ADJACENT RESIDENTIAL USE BY PROVIDING A 20 FOOT VEGETATIVE BUFFER YARD, TO INCLUDE A SEVEN (7) FOOT TALL SOLID WOODEN FENCE AND A ROW OF EVERGREENS AS GENERALLY DEPICTED ON THE REZONING PLAN. SAID EVERGREENS SHALL BE A MINIMUM OF SIX (6) FEET IN HEIGHT AT THE TIME OF INSTALLATION.
  - APPLICANT SHALL PROVIDE A SEVEN (7) FOOT HIGH SOLID WOODEN FENCE ALONG A PORTION OF THE PROPERTY LINE BETWEEN TRACT 1A AND THE ADJACENT PROPERTY HAVING A PARCEL ID OF 062-250-08 AND HAVING AN ADDRESS OF 9914 NEW TOWN ROAD, IN THE LOCATION GENERALLY DEPICTED ON THE REZONING SITE PLAN.
- APPLICANT SHALL PROVIDE BICYCLE SPACES AS REQUIRED BY THE ORDINANCE.
- APPLICANT SHALL POST SIGNAGE DESIGNATING TWO PARKING SPACES AS LOADING ZONES DURING DESIGNATED HOURS OF THE DAY. SAID PARKING SPACES MAY BE USED FOR PARKING DURING ALL OTHER HOURS NOT DESIGNATED FOR LOADING.
- PARKING SPACES WITHIN THE PARKING LOT SHALL BE STRIPED ON PAVEMENT.
- A TREE REMOVAL/PRESERVATION PLAN SHALL BE APPROVED PRIOR TO LAND DISTURBING ACTIVITIES.
- A MAINTENANCE PLAN AND AGREEMENT FOR MAINTENANCE OF LANDSCAPING, AMENITY AREAS AND PARKING LOT SHALL BE PROVIDED AS PART OF THE CONSTRUCTION DOCUMENT AND DESIGN REVIEW APPROVAL PROCESS.
- NO TRASH FROM USES / TENANTS MAY BE LEFT OUTSIDE OR OUT BACK OF BUILDINGS FOR A PERIOD LONGER THAN TWENTY FOUR (24) HOURS.
- APPLICANT SHALL PROVIDE A LANDSCAPE PLAN FOR THE SITE AS PART OF THE CONSTRUCTION DOCUMENT AND DESIGN REVIEW APPROVAL PROCESS.
- NO INTERNAL BUFFER YARDS OR SETBACKS SHALL BE REQUIRED BETWEEN TRACT 1A, TRACT 1B, OR NEW TRACT 2.
- APPLICANT AGREES TO PROVIDE A 5 FOOT WALKING PATH AROUND THE WET DETENTION POND ("BMP") AS GENERALLY DEPICTED ON THE REZONING SITE PLAN.
- APPLICANT AGREES TO PROVIDE A FOUNTAIN OR AERATOR IN THE BMP AS GENERALLY DEPICTED ON THE REZONING SITE PLAN.

- APPLICANT AGREES TO PROVIDE A FOUNTAIN OR AERATOR IN THE BMP AS GENERALLY DEPICTED ON THE REZONING SITE PLAN.
- ARCHITECTURAL STANDARDS:
  - APPLICANT SHALL FENCE ANY AREA WITHIN THE VIEWSHED PLAZA USED FOR PLAYGROUND.
  - APPLICANT RESERVES THE RIGHT TO FENCE AROUND THE BMP TO BE LOCATED ON THE SITE.
- LIGHTING:
  - APPLICANT SHALL SUBMIT A LIGHTING PLAN CONSISTENT WITH ORDINANCE REQUIREMENTS.
  - APPLICANT SHALL PROVIDE A PHOTOMETRIC PLAN. LIGHT TRESPASSING SHALL NOT EXCEED ONE (1.0) FOOT CANDLE AT ANY PROPERTY LINE THAT ADJOINS RESIDENTIAL USES OR PROPERTY ZONED FOR RESIDENTIAL USES.
- AMENDMENTS TO THE REZONING PLAN:
  - FUTURE AMENDMENTS TO THE REZONING PLAN (WHICH INCLUDES THESE DEVELOPMENT STANDARDS) MAY BE APPLIED FOR BY THE THEN OWNER OR OWNERS OF THE PORTION OF THE SITE AFFECTED BY SUCH AMENDMENT IN ACCORDANCE WITH THE PROVISIONS OF THE ORDINANCE.
  - BINDING EFFECT OF THE REZONING APPLICATION:
    - IF THIS REZONING PETITION IS APPROVED, ALL CONDITIONS APPLICABLE TO THE DEVELOPMENT OF THE SITE IMPOSED UNDER THE REZONING PLAN WILL, UNLESS AMENDED IN THE MANNER PROVIDED UNDER THE ORDINANCE, BE BINDING UPON AND INURE TO THE BENEFIT OF THE APPLICANT, OWNER, AND SUBSEQUENT OWNERS OF THE SITE AND THEIR RESPECTIVE HEIRS, DEVISEES, PERSONAL REPRESENTATIVES, SUCCESSORS IN INTEREST OR ASSIGNS.

AMMENDED SITE AND LANDSCAPE PLAN (MARVIN GROVE)

9908 NEW TOWN ROAD, LLC  
9904 NEW TOWN ROAD  
VILLAGE OF MARVIN, NC 28173

SHEET STATUS

REV	DATE	COMMENT	BY
05	09/12/2024	ISSUED FOR REVIEW	TCW

DRAWN BY: TCW  
CHECKED BY: TCW  
JOB NO: 231001  
SHEET NO: RZ-2.1