



VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

PLANNING BOARD MEETING MINUTES

September 21, 2021 – 6:30pm
Village Hall – 10004 New Town Road
Regular Meeting (Virtual Meeting)

AGENDA ITEMS

1. Call to Order

Chairman Jones called the meeting to order at 6:30pm.

2. Determine Quorum

Chairman Jones determined a quorum was present.

Present: Chairman Jones, Vice-Chair Cates

Present Virtually via Webex: Malinda Daniel, Michael Lavelle, Richard Holzberg, Ken Marino, Kent Renner, Councilman Marcolese (*Council Liaison*)

Absent: None

Staff Present: Hunter Nestor, Austin W. Yow, Tom Weitnauer, Christina Amos (*joined by phone at 8:55pm*)

3. Adoption of the Agenda

MOTION: Vice-Chair Cates moved to adopt the agenda as presented. Michael Lavelle seconded the motion.

VOTE: The motion passed unanimously, 7-0.

4. Adoption of the Minutes for: 8/17/21

MOTION: Richard Holzberg moved to adopt the minutes as presented. Vice-Chair Cates seconded the motion.

VOTE: The motion passed unanimously, 7-0.

5. Public Comment Period

No comments were given.

ITEMS OF DISCUSSION

TIME STAMP 2:45

1. Perform the Function of the Design Review Board to Discuss and Review Marvin Gardens Phase II Submissions (*See attached, Item 1., which is included as a reference in these minutes*).

Hunter Nestor, Planning & Zoning Administrator, explained that applications have been received for Outparcel 2, Commercial Building 4, and for signage for Phase II of the Marvin Gardens development.

a. Outparcel 2 Development

Hunter Nestor, Planning & Zoning Administrator, explained that the Outparcel 2 was previously approved in the conditional zoning and that the submission is consistent with the design standards for the Marvin Gardens ICD. Board members asked questions about screening, parking, and landscaping.

MOTION: Richard Holzberg moved to approve the application, contingent upon engineer review to ensure compliance with the design standards for the Marvin Gardens ICD. Chairman Jones seconded the motion.

VOTE: The motion passed unanimously, 7-0.

b. Commercial Building 4 Development

Asa Harris and Bill Fisher of Harris Development Partners gave a brief explanation of the orientation of the building on the parcel. Board members asked questions regarding outdoor amenities and external aesthetics. Mr. Nestor explained that the submission is consistent with the design standards of the Marvin Gardens ICD.

MOTION: Malinda Daniel moved to approve the application as presented. Vice-Chair Cates seconded the motion.

VOTE: The motion passed unanimously, 7-0.

c. **Sign Application**

Mr. Harris stated that the proposed signage uses the font from the Marvin seal and serves both the Village and Publix well. Board members asked questions about the font and the illumination of the sign.

MOTION: Vice-Chair Cates moved to approve the sign as signage as rendered, contingent upon construction plans being reviewed by Village Staff for compliance. Malinda Daniel seconded the motion.

VOTE: The motion passed unanimously, 7-0.

TIME STAMP 1:00:00

2. **Discussion and Review of Minor Subdivision Application 21-12732 (9819 Chestnut Road)** (See attached, Item 2., which is included as a reference in these minutes). Mr. Nestor explained that the final plat for the minor subdivision has been submitted. The applicant has complied with the Planning Board’s previous recommendation of contacting NCDOT about driveway approval. NCDOT has agreed to allow one shared driveway for three of the four properties. Mr. Nestor added that the applicant has complied with all the requirements in the Village’s ordinances. The Board asked questions regarding setbacks.

MOTION: Richard Holzberg moved to recommend approval to the Council as submitted. Malinda Daniel seconded the motion.

VOTE: The motion passed unanimously, 7-0.

TIME STAMP 1:05:45

3. **Discussion and Review of the Marvin Heritage District Small Area Plan** (See attached, Item 3., which is included as a reference in these minutes). Mr. Nestor explained that this Small Area Plan was created to help build the foundation of the future zoning ordinance. The purpose of this document is to help provide a greater understanding of the form-based code. He added that all the language was pulled from the form-based code of which the Board previously recommended approval. The document would be adopted as an amendment to the Village’s Land Use Plan. Mr. Nestor explained that the Marvin Heritage District Strategic Plan Committee previously recommended approval of the Small Area Plan at their September 9 meeting. The Board asked questions regarding the proposed future land use map and allowable uses in depth.

Michael Lavelle left the meeting unexcused at 8:25pm. Kent Renner left the meeting unexcused at 8:48pm. Village Manager Christina Amos called into the meeting at approximately 8:56pm. The Planning Board agreed by consensus to defer consideration of the Small Area Plan to their next meeting.

AGENDA ITEMS

1. **Review of Action Items**

- There were no action items.

TIME STAMP 2:37:55

2. **Board Member Comments**

Vice-Chair Cates: She encouraged Mr. Nestor to hang in there.

Malinda Daniel: She encouraged Mr. Nestor to hang in there. She thanked everyone for coming.

Richard Holzberg: He thanked staff for their hard work and the other Planning Board members for their comments.

Councilman Marcolese: He stated he was happy to be the Council Liaison to the Planning Board.

ADJOURNMENT

MOTION: Vice-Chair Cates moved to adjourn the meeting at 9:12pm. Richard Holzberg seconded the motion.

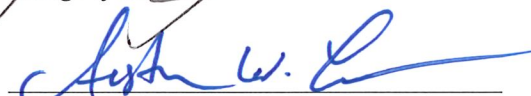
VOTE: The motion passed unanimously, 7-0. Michael Lavelle and Kent Renner having left the meeting unexcused were recorded as “Yea” votes.

Adopted: 10-19-2021





John Jones, Planning Board Chairman
Village of Marvin



Austin W. Yow
Village Clerk & Assistant to the Manager



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TO: Planning Board/Design Review Board

FROM: Hunter Nestor, Planning and Zoning Administrator

SUBJECT: Design Review Board Review of Marvin Gardens Phase II Development Applications

DATE: September 16, 2021

Background

Harris Development Group has submitted three applications for development in the Marvin Gardens ICD. The conditional district rezoning for Marvin Gardens was originally approved November 1, 2016. All signage, landscaping and elevations for properties zoned as conditional districts are required to go through the Design Review Board (DRB) process for review and approval and for any subsequent amendments. Once DRB has reviewed and made recommendation, the application is heard by Village Council under new business.

Marvin Gardens ICD is a 38+ acre mixed-use project that includes an anchor retail building, multi-tenant shops and an "age-restricted" residential community. The ICD approval currently in place includes a 49,098 square foot grocery store, approximately 26,000 square feet of additional "shops" and 4 individual "out-parcels" for retail use buildings along Providence Road. This project is being built in phases with the Publix grocery and 2 multi-tenant shop buildings was part of Phase I and now the applicant is moving on to Phase II.

The DRB is tasked with reviewing the applications and plans, and shall approve any plans submitted to it unless those plans:

1. Violate any standards or conditions delineated or depicted in an approved Conditional District Site Plan or conditional use permit, as applicable;
2. Violate Village codified ordinances;
3. Violate Land Use Plan standards;
4. Would cause development not to be in harmony with its surrounding area;
5. Would cause development to lie outside the spirit and intent of the ordinances;
6. Plans are required which have not been submitted;
7. Plans pose safety concerns or traffic congestion management difficulties;
8. Plans contradict standards in adopted land use policy or design manuals.

Current

The overall site and construction plans have been approved. These application are extension of those plans. Staff will provide a conformance report to the Board and have additional information during the meeting.

DESIGN REVIEW BOARD

§ 151.215 DESIGN REVIEW.

(A) *Overview.*

(1) The design review process is intended to interpret and enforce the design regulations contained in the village ordinance, the Land Use Plan and other adopted land use and design policy documents. Design review and approval is required for final site design plans, individual building design plans, landscaping plans and signs for nonresidential uses and development within Conditional Zoning Districts. Other development may also require design review and approval pursuant to village ordinances or Council direction.

(2) The following is an overview of essential steps in the design review process.

- (a) Initial meeting;
- (b) Application;
- (c) Staff and outside agency review;
- (d) Design review and approval;
- (e) Council confirmation/determination.

(B) *Purpose.* The purpose of design review shall be:

- (1) To protect and promote the appearance, character and economic value of properties located within the village's corporate limits. In particular, to encourage, and better articulate, positive visual experiences along all major and minor roads.
- (2) To ensure design of development respects and preserves the rural heritage and environmental resources found within the village.
- (3) To warrant the use of sound and creative design principles by applicants in designing proposed projects, in order to produce high quality site planning and architectural design, use of high-quality materials, construction methods and techniques.
- (4) To ensure site planning, building, design and construction practices promote resource conservation through climate responsive design, use of renewable energy and resources.
- (5) To maintain the natural beauty of the village and to preserve and encourage the public's ability to enjoy it.
- (6) To verify the exterior appearance of proposed structures and individual buildings; along with associated landscaping, parking and signs, and ensure the designs are compatible and harmonious with the themes, design, scale and context of surrounding properties.
- (7) To ensure conflicts between land uses are minimized, environmental values of development sites are preserved, and adverse physical or visual effects; which might otherwise result from unplanned or inappropriate development, design or placement, are minimized or eliminated.
- (8) To analyze and undertake pertinent development research, or inform and educate the public concerning any matters within its purview.
- (9) To perform other duties as directed by the Council, including reviewing development plans when design review is a condition of approval.

(C) *General provisions.*

(1) *Specific site & design plans.* Specific site & design plans and design plans are precise site plans and design plans for individual buildings architecture, landscaping and signs for non-residential buildings and buildings within a Conditional District. The term 'specific site & design plans' may be interchangeably used with the term 'design plans' and both terms shall refer to the sum total of all items, plans, elevations, exhibits and documents outlined in division (E) of this section which receive review and approval in accord with procedures in this subchapter.

(2) *Design review by Planning Board.* The Planning Board shall perform all design review functions. When performing these functions, the Planning Board shall endeavor to fulfill the design review purposes set forth in division (B) of this section. Any references made to the Design Review Board shall refer to, and be interpreted to mean, the Planning Board performing design review functions in accord with this section.

(3) *Non-residential structures & Conditional District development.* Non-residential structures and Conditional District development shall require the submission of specific site & design plans for individual buildings, architecture, landscaping, signs and common areas. These plans shall be approved by the Design Review Board, pursuant to the procedures in this section.

(4) *Simultaneous review of design plans and civil design plans.* Specific site & design plans, pursuant to § 151.215, for individual buildings, landscaping, signs and common areas may be reviewed concurrent with preliminary site and civil design plans, reviewed pursuant to Chapter 150. However, both plan types must still receive approval pursuant to the applicable processes for each plan type.

(5) *Engineering and consulting fees.* The Zoning Administrator, Planning Board and Village Council may require that particular plans or studies receive engineering, consultant or outside agency review. Prior to plan approval, applicants shall be responsible for reimbursing the village for all engineering and consulting services with respect to review of the plans, in accord with the adopted fee schedule.

(6) *Design plans in accord with Conditional District standards.* Specific site & design plans, presented for design review and approval, must be in conformity with Conditional District site plan, development standards, conditions, applicable codified ordinances, the Land Use Plan and adopted land use policy documents.

(7) *Initiating vertical construction.* Design review approval is a prerequisite for zoning permit approval. Zoning permits shall not be issued for any non-residential structure, or structure within a Conditional District until specific site & design plans have received design review and approval. No individual building shall be erected without design review. No landscaping may be installed unless plans for landscaping have been approved by the Planning Board in accordance with design review processes. No signs may be installed or raised unless all applicable plans for signs have received design review and approval in accord with the provisions of this section.

(D) *Process.* Specific site & design plans for non-residential structures and structures within a Conditional District shall be reviewed in accord with the following process:

(1) *Initial meeting.* The applicant shall schedule an appointment with the Zoning Administrator. At the initial meeting, the Zoning Administrator will explain the design review process and detail which ordinances, policies, plans, conditions and site standards apply to the application. The Zoning Administrator will outline which specific site & design plans are required to fulfill the applicant's purpose.

(2) *Application filing:*

(a) An application shall be considered complete and ready for processing upon submission of a completed filing form, the submission of requisite fees, and the provision of all required items, documents, details, site plans, maps, elevations, and reports outlined in division (E) of this section that are pertinent to an individual building, lot, use, pedestrian-use area, or landscaped common open space requiring approval pursuant to this subchapter.

(b) An applicant can expect that site plans, architectural building plans, landscaping plans and sign plans, outlined in division (E) of this section, that are directly associated with the following uses, will be

required together to meet complete application requirements:

1. All site and design plans related to a non-residential individual building;
2. All site and design plans related to a pedestrian-use area or lot;
3. All site and design plans for a common open space (e.g. development's entranceway);
4. All site and design plans for residential, dwelling-unit models within a development.

(c) In consultation with the Zoning Administrator, the applicant may submit a set of plans for separate and independent review which do not fall under one of the categories outlined in division (D)(2)(b) of this section. However, the Planning Board or Village Council need not review plans submitted to them if either, in their sole discretion, determine individual plans cannot be reviewed effectively without simultaneously reviewing other required design plans, delineated herein and in division (E) of this section.

(d) If the Planning Board or Village Council determine additional plans, required pursuant to division (E) of this section, are needed for their review, applicable review time shall be extended 30 days and commence once all required plans are provided; pursuant to distribution requirements in this subchapter, and the Planning Board or Council begins deliberating on the substantive merits of the application.

(e) Specific site and design plans must comply with village ordinances, conditions of approval, approved development standards and the Land Use Plan. An applicant who submits alternative plans; which differ from approved plans, conditions, development standards or ordinances must provide a conformance report and may only be considered under each of the following conditions:

1. Design plans are substantially similar to any conceptual design plans approved for the development, when applicable;

2. The alternative design plans proposed offer superior aesthetic appeal, higher-quality materials and/or more thoughtful and safe site design arrangements than that which might otherwise be required pursuant to applicable standards;

3. The alternative design plans do not impact provisions provided to abutting properties, diminish setbacks, screening, buffers or landscaping, and do not increase the residential or commercial development density in any manner.

4. Subsequent to receiving Planning Board approval, the alternative plans are placed on the Village Council agenda, under new business, for Village Council discussion, review and final approval.

(5) *Zoning Administrator review and recommendation.*

(a) *Administrative evaluation.* Once an application is received, the Zoning Administrator responsible for reviewing the application shall, within 30 days of receipt, evaluate the application. The Zoning Administrator shall note the findings in order to provide comments to the applicant and the Planning Board. The Zoning Administrator shall evaluate the following:

1. Evaluate whether the application is complete in accord with requirements outlined in division (D) (2) of this section;

2. Evaluate whether submittals include required plan details pursuant to division (E) of this section;

3. Evaluate each plan's level of consistency with approved plans, conditions, development standards, ordinances, the Land Use Plan and adopted land use policy documents;

4. Evaluate whether each design plan contains sufficient-enough information to determine whether design plans meet with approval criteria delineated in division (D)(7)(g) of this section.

(b) *Review by outside agents, engineers & consultants.* The Zoning Administrator shall also provide plans to engineers, consultants or outside agents as needed, to assist the village with the application's

evaluation and assessment. Prior to Village Council approval, applicants shall be responsible for reimbursing the village for all engineering and consulting services with respect to review of the plans, in accord with the adopted fee schedule.

(c) *Zoning Administrator comments.* After evaluating the application, the Zoning Administrator shall provide the applicant with written review comments. Within five days of receipt of the comments the applicant shall, in writing, notify the Zoning Administrator of any intent to amend the application. All revisions required or proposed must be submitted and clearly delineated on the plans. Revised digital copies of plans must also be provided. The Zoning Administrator shall have up to 30 days following the submission of any revisions to conduct additional review.

(d) *Application distribution.* If no communication is received, or the application does not intend to make application revisions, the Zoning Administrator shall consider the administrative review complete. The Zoning Administrator shall specify the number of application copies required from the applicant and arrange for copies of the application to be distributed to the Planning Board.

(e) *Planning staff report & recommendation.* The Zoning Administrator shall prepare a staff report for the Planning Board, which outlines all relevant staff findings and provides a recommendation. The report shall also outline the application's level of compliance with applicable site plans, site standards, conditions, ordinances and the Village Land Use Plan. The report shall be distributed to the Planning Board seven days prior to the Board's scheduled meeting.

(7) Design review and approval.

(a) *Application distribution.* The Zoning Administrator shall distribute copies of the application to the Planning Board at least 15 days prior to the Board's next regularly scheduled meeting, occurring after the Zoning Administrator has completed assessment of the application.

(b) *Design review report.* The Zoning Administrator's report shall be distributed to the Planning Board approximately seven days prior to the Board's scheduled meeting.

(c) *Review timeline.* The Planning Board shall have 60 days from the date on which it begins deliberating upon the substantive merits of the application, to submit its recommendation to the Council. The 60 days may be extended by the Village Council upon request of the Planning Board. If a recommendation is not made during this time-period, the application shall be forwarded to the Council without a recommendation.

(d) *Compliance with standards.* The Planning Board shall consider the degree to which the application complies with Conditional District standards and conditions, as applicable, conditional use permit conditions; as applicable, village ordinances, the adopted Land Use Plan, other adopted land use policy documents and the North Carolina General Statutes.

(e) *Conditions requiring design review discretion.* In the event a condition permits the Planning Board to evaluate plans according to the Planning Board's subjective discretion, the Planning Board shall endeavor to fairly evaluate submitted plans against the overall design plans submitted and approved for the same development, if applicable, as well as criteria outlined in division (D)(7)(g)3., 4. and 5. of this section. Design review authorities will work in good-faith effort with the applicant to establish plans that are mutually agreeable to both parties.

(f) *Rules of procedure.* Planning Board member participation shall be in accord with the Board Rules and Procedures consistent with State General Statutes, Planning Board powers and duties, § 151.200.

(g) *Design review deliberation.* The Planning Board will approve submitted plans unless it finds one or more of the following statements to be true:

1. Plans violate standards or conditions delineated or depicted in an approved Conditional District Site Plan or conditional use permit, as applicable;

2. Plans violate village codified ordinances;

3. Plans violate Land Use Plan standards;
4. Plans would cause development not to be in harmony with its surrounding area;
5. Plans would cause the development to lie outside the spirit and intent of the ordinances;
6. Plans are required which have not been submitted, pursuant to this section;
7. Plans pose potential safety concerns or traffic congestion management difficulties;
8. Plans contradict standards in adopted land use policy or design manuals.

(h) *Design review determination.* After reviewing submitted plans, the Planning Board shall have the authority to:

1. Approve the application;
2. Deny the application;
3. Approve the application with modifications to bring plans into compliance with approval criteria, or modifications otherwise agreed to by the applicant;
4. Request or allow the applicant to resubmit modified plans for further study.

(i) If the applicant submits modified plans, the Planning Board shall have 30 days from the date the revised plans are presented to the Board, to review those plans.

(j) The Planning Board's determinations shall be based solely upon whether the plans satisfy the criteria outlined in division (D)(5)(g) of this section. The Planning Board shall not issue approval on specific site & design plans until they have been updated to reflect all required modifications.

(k) The meeting minutes of the Planning Board shall accurately record all motions. When applicable, the meeting minutes shall also record the Planning Board's reasons for their decisions. Prior to the date on which applicable specific site & design plans are placed on the Council agenda, the Zoning Administrator shall provide the Council with the Planning Board meeting minutes for the Council's consideration.

(l) Approved plans shall be placed on the agenda of the next regularly scheduled Council meeting under the consent agenda, for affirmation of approval.

(m) If the Planning Board denies approval of specific site & design plans, it shall state the reasons for denial. Design review applications, which are denied approval, shall also be placed on the next regularly scheduled meeting of the Council under new business for discussion and consideration. The Council will review the plans and may issue a determination. Unless the Council directs otherwise, specific site & design plans denied Council approval shall receive further design review until plans provided are sufficient.

(n) If an applicant provides alternate plans, which diverge from previously approved Conditional District site plans, elevations, conditions or ordinances; as outlined in division (D)(2)(e) of this section, than the alternative plans shall be placed on the Village Council agenda, under new business, for final approval after receiving Planning Board approval.

(6) *Effect of approval.*

(a) Specific site & design plans shall be updated and in final form, prior to approval. However, in the event design plans have not been updated to reflect conditions placed on those plans by the Planning Board and the Council, the Zoning Administrator shall ensure all design plans are revised and in compliance, prior to issuing a zoning permit pursuant to § 151.182.

(b) Once the Zoning Administrator has verified plans comply with all applicable ordinances, conditions and prior approvals, a zoning permit may be issued.

(7) *Effect of denial.*

(a) If the Council denies approval of specific site & design plans, the applicant shall re-submit required plans pursuant to processes and requirements in this section. Re-submitted plans must sufficiently address issues raised during the initial design review period in order to be placed back into the processing cycle.

(b) No zoning permit for a non-residential building, or building within a Conditional District, shall be issued until the Planning Board and the Council have approved specific site & design plans in accord with this section.

(E) *Design review application requirements.* The applicant shall submit copies of an application in the number required by the Zoning Administrator. Applications may not proceed through the review process outlined herein without a completed application, the submission of requisite fees, information required by the ordinance, information required by conditions of approval, and the provision of all details, site plans, elevations, studies and documents required per the following list of application requirements:

(1) *Application filing and design review application documents and reports.*

(a) *Application filing form:* An application filing form signed by the applicant or property owner, including name, address and telephone number.

(b) *Application fee:* Per the adopted fee schedule.

(c) *General statement of intent:* A statement by the applicant providing the building type, intended uses, approximate square footage and height, and general design features.

(d) *General description:* A general description of the existing and adjacent land uses along with color photographs of the existing site and building(s) and adjacent sites and buildings taken from the perspective of the public streets adjacent to the site. This shall only be required for non-residential uses that have not received prior development approval.

(e) *Conformance report:* When alternative or divergent plans are provided in application, a written report shall be included which delineates why divergent plans or alternative plans are being provided, how alternative plans differ from village ordinances, approved conditions or development standards yet meet with the requirements outlined in division (D)(2)(c) of this section.

(f) *Other plans:* Copies of preliminary site & civil design plans and approved Conditional District application, inclusive of the approved preliminary site plan and all approved documents and exhibits.

(g) *Additional information:* Additional information may be required at the discretion of the Zoning Administrator, the Planning Board or the Council.

(h) *Electronic copies:* An electronic copy of all specific site & design plans listed within this section (.jpg or .pdf extensions only). Files must be executable without particular access codes or passwords.

(2) *Specific site design plans for individual buildings.* Specific site & design plans shall be prepared by an engineer or landscape architect, licensed to practice in the state, and include the following information:

(a) *Boundary survey:* The boundary, as determined by survey, of the area to be developed with all bearings and distances shown and the location within the area, or contiguous to it, of any existing streets, railroad lines, water courses, easements, or other significant features of the tract.

(b) *Scale & north arrow:* A scale no smaller than one inch equals 40 feet. Denote the scale both graphically and numerically with north arrow.

(c) *Vicinity map:* Include a vicinity map at a scale no smaller than one inch equals 1,200 feet showing the location of the development with respect to adjacent streets and properties.

(d) *Site calculations:* Provide the following: impervious area calculations, building square floor area ratio, footage building, parking calculations, acreage in parks, public and private open space, parcel acreage.

(e) *Site details*: Provide surrounding or adjacent street names, the owner's name and address, the name of the surveyor, the names, addresses and uses of adjoining property owners and residents, the name of the county and state in which the development is located, the date of plan preparation, the current and proposed zoning classification of the tract to be developed, and the zoning classification of adjoining properties.

(f) *Site design*: Depict the following:

1. *Principal structures*: The exact location, footprint, size, dimensions and use of structure(s) to be developed upon the lot along with labels indicating relevant elements, dimensions and square footage on the site plan.

2. *Accessory structures and service areas*: The exact location of all dumpsters, dumpster enclosures waste collection devices, storage areas, service areas, loading docks, loading zones with labels indicating relevant elements and dimensions on the site plan.

3. *Parking and loading facilities*: The exact design, form, size, dimensions and location of off-street parking, loading spaces, loading bays, drive-through facilities, parking medians, islands and walkways indicating the type of surfacing, size, angle of stalls, width of aisles, and a specific schedule showing the number of parking spaces provided with labels indicating relevant elements and dimensions on the site plan.

4. *Open space or land conservation*: The exact location and design of conservation areas, recreation areas, active and passive open space, public and private open space, public or private amenities or improvements, calculated areas of required and dedicated open space. Publicly accessible open space must show access points, trail locations, with labels indicating relevant elements and dimensions on the site plan.

5. *Site access, vehicular circulation and walkway improvements*: Depict the location and dimensions of existing and proposed points of access to public right-of-ways and primary access drives, major drive aisles, streets, alleys, with labels indicating relevant elements and dimensions on the site plan.

6. *Streetscape plans & pedestrian walkway improvements*: The exact location and dimensions of any sidewalks along and around building frontages, the proposed location and arrangement of pedestrian access points to the site, pedestrian routes to and from public sidewalks, greenways, primary buildings, pedestrian gathering areas, through parking lots and pedestrian crossings over vehicular pavement, with labels indicating relevant elements and dimensions on the site plan.

7. *Lot data, setbacks lines and buffer lines*: The exact shape, dimensions and location of lots to be built upon, property lines, building setback lines, parking setback lines, required or proposed buffer lines, any building restriction area per environmental inventory studies, with labels indicating relevant elements and dimensions on the site plan.

8. *Signage*: The exact location, size, height, and orientation of proposed signs with labels indicating relevant elements and dimensions on the site plan.

9. *Easements*: The location and size of all easements and rights-of-way, including utility easements, drainage easements, public access easements for sidewalks, trails, greenways, and other pedestrian and bicycle facilities, public rights-of-way and connections to rights-of-way, conservation easements and landscape easements as described below, with labels indicating relevant elements and dimensions on the site plan.

(3) *Specific individual building design plans*. Individual building design plans shall be prepared by an engineer or landscape architect, licensed to practice in the state and, at a minimum, include the following:

(a) *Site data*: Describe the location with north arrow, dimensions of site boundaries, acreage, information about ownership and uses, and existing or potential uses of adjacent property, proposed on-site uses, the name of the county and state which the development is located, the date of plan preparation, and the zoning classification of the tract to be developed.

- (b) *Scale & north arrow*: Denote the scale both graphically and numerically with north arrow.
- (c) *Floor plans*: Scaled drawings of all floor plans, including square footage calculations for each floor (see § 151.016, Technical Elevations).
- (d) *Four-sided, color technical elevations*: Four-sided, color, vertical elevations of each façade, indicating, heights, floor levels, roof form and pitch, exterior treatments, materials, architectural elements and materials, color schemes, fixtures, attachments, door and window locations, openings, sills, bulkheads, columns, etc. Detailed building material and color scheme exhibits required for roofing, siding, doors, windows or elements of the façade, pursuant to § 151.016. For residential dwelling units: Produce technical elevations for each residential dwelling type or model available for sale in the development.
- (e) *Illustrative renderings*: Color illustrations, drawn to scale, providing a pedestrian's of relative scale among individual building, architectural elements, landscaping, signs, lighting and other fixtures. Drawings should illustrate the character of the development and depict how design elements and fixtures will coordinate to create a cohesive and appealing village space in accord with the Land Use Plan.
- (4) *Specific landscape design plans*: Landscape design plans shall, at a minimum, provide the following details:
- (a) *Boundary survey*: The boundary, as determined by survey, of the area to be developed with all bearings and distances shown and the location within the area, or contiguous to it, of any existing streets, railroad lines, water courses, easements, or other significant features of the tract.
- (b) *Scale & north arrow*: Denote the scale both graphically and numerically with north arrow. The landscape design plan shall not be at a scale smaller than one inch equal to 100 feet.
- (c) *Vicinity map*: Include a vicinity map at a scale no smaller than one inch equals 1,200 feet showing the location of the development with respect to adjacent streets and properties.
- (d) *Site details*: Provide surrounding or adjacent street names, the owner's name and address, the name of the surveyor, the names, addresses and uses of adjoining property owners and residents, the name of the county and state in which the development is located, the date of plan preparation, the current and proposed zoning classification of the tract to be developed, the zoning classification of adjoining properties and their uses.
- (e) *Landscape easements*: Required landscape easements along streets, sidewalks, trails, greenways, common areas and other pedestrian-use areas, or maintained in common and regulated by maintenance agreements and other instruments.
- (f) *Existing landscape data*: The exact location, type, and quantity of existing plant materials, including those areas to be left in a natural state.
- (g) *Plant lists*: Plant lists with common name, botanical name, quantity, spacing, and size of all proposed landscape material at the time of planting.
- (h) *Landscape protection*: Methods and details for preserving the critical root zone of existing plant materials during construction.
- (i) *Installation details*: Planting and installation details as necessary to ensure conformance with all required ordinances and conditions.
- (j) *Streetscape plans & pedestrian walkway improvements*: The exact location and dimensions of any sidewalks, curbs and gutters to be installed around the perimeter of the development, along and around building frontages, through parking lots, pedestrian crossings over vehicular pavement and other required street and internal circulation network improvements as required.
- (k) *All proposed landscaping*: A tree mitigation chart, pursuant to Chapter 93 of the Marvin Code. The exact location, type, quantity and size (at planting and maturity) of all earthen berms and plants proposed or

required, along with labels and descriptions on the plans, for the following areas on the site:

1. The perimeter of the district; including plantings within buffers;
2. The exterior perimeter preservation strips and interior preservation areas;
3. Along public right-of-ways; including street trees and streetscapes;
4. At primary entrances to the development or at any residential entranceway;
5. Around entrance walls, monument signs or any ground sign;
6. Along primary access drives and major drive aisles;
7. Lot line perimeters; including outparcel perimeter lot line landscaping;
8. Parking lot perimeter landscape buffers, including landscaping in perimeter islands;
9. Around individual buildings: along foundations, or in planter boxes;
10. Within and around common open spaces, parks, amenities and pedestrian-use areas;
11. Within any other proposed landscape strip planter boxes;

12. The exact location and description of other landscape and hardscape improvements throughout the site, such as earthen berms, walls, fences, screens, sculptures, fountains, street lights, parking area lights, courtyards, walkways, paved areas, and irrigation system sprinklers for all landscaping in common areas.

(l) *Buffers and screening*: The exact location, type, quantity and size (at planting and maturity) of all plants proposed or required, along with labels and descriptions on the plans, required pursuant to the ordinance, conditions of approval or otherwise proposed for planted buffers, perimeters of the district, public rights-of-ways, residential property lines, perimeter lot lines, parking lot perimeters, between uses of higher intensity and lower intensity and screening provisions along public rights-of-way, parking and vehicular uses, service areas, equipment, waste collection devices, loading zones and areas, utility easements, and vehicular use area screening and screening for elements viewable from public rights-of-way, access drives, major drive aisles, adjacent residential development, and any other screening landscaping and buffers otherwise required or proposed.

(m) *Landscaping for primary entrances and monument signs*: Outline areas for entrance landscaping and landscaping around wall signs. Detailed plans including the location, type, quantity and size (at planting and maturity) of all plants proposed or required, along with labels on the plans, at primary entrances and areas around entrance signs.

(n) *Illustrative renderings*: If the applicant is proposing alternative landscape plans, different that is required the ordinances, the applicant must provide landscape renderings which demonstrate the unique nature and appeal of the proposed district; including renderings of landscaping along right-of-ways, at primary entrances, in and around buildings and uses, in and around pedestrian spaces and plazas, etc.

(5) *Specific structural sign plans*: At a minimum, the following plans and details are required for the installation of permanent ground signs or attached signs.

(a) *Signage site plan*.

1. *Boundary survey*: The boundary, as determined by a survey of the area to be developed, with all bearings and distances shown, the location within the surrounding area, or area contiguous to it, of any existing streets, railroad lines, water courses, easements, or other significant features of the tract.

2. *Scale and north arrow*: The site plans shall include the information required by the ordinance and prepared at a minimum scale of one inch to 100 feet. Denote the scale both graphically and numerically with north arrow.

3. *Civil design plan landscaping*: Preliminary site & civil design landscaping plans around the perimeter of lot, or in landscape easements, which are adjacent to the site plan for an individual building and/or around any sign being erected.

4. *Specific landscape design plans*: Per division (E)(4) of this section.

5. *Sign data*: The exact location, scale and orientation of any proposed ground signs or freestanding signs, including structures and/or ornamentation associated with proposed signs, the location of any utilities, mechanisms or adjuncts for external illumination.

(b) *Elevations and section drawings*: Scaled, color, elevation drawings of each sign depicting the following:

1. Color, scaled drawings of the sign, providing perspective from the pedestrian viewpoint, providing the relative scale between buildings, landscaping and signs. For ground signs, drawings should illustrate how landscaping will be integrated into establishment of the sign.

2. The exact placement of any attached sign on the façade of a principal building.

3. The exact placement of any ground sign as viewed from the right-of-way.

4. The overall sign dimensions, the maximum dimensions permitted per ordinance regulations or conditions, the height, width and depth of the proposed sign, all elements of the sign, the sign area and the sign copy.

5. A depiction of the sign copy, including proposed colors, typeface, font, graphics or insignia.

6. Installation and section drawings detailing all sign parts, adjuncts and materials.

7. Installation and section drawings detailing any external or internal illumination mechanisms.

8. Installation and section drawings detailing the mounting or suspension mechanisms.

(c) *Additional plan information*. Additionally, sign plans shall include the following information:

1. Computation of total existing sign area and proposed sign area.

2. A list of proposed signs, which do not require a permit.

3. A copy of preliminary site and civil design plans, as applicable.

4. A copy of the approved Conditional District preliminary site plan, as applicable.

5. Additional details outlined in application filing form checklists.

(Ord. OR-2016-07-06, passed 7-12-2016)



VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

Application Date: 8/27/2021

Application Number: _____

APPLICATION FOR COMMERCIAL ZONING PERMIT

Address of Subject Property:

1621 Providence Road South

Applicant(s) Name: Asa Harris - Harris Development Partners

Phone: 919-410-6022

Address of Applicant: 128 E. Hargett Street, Suite 203

FAX: _____

Raleigh, North Carolina

Zip Code: _____

Email: asa@hdevp.com

Owner(s) Name: Publix North Carolina, LP

Phone: 863-284-5522

ATTN: Dalton Locke

Address of Owner: 3300 Publix Corporate Parkway

FAX: _____

Lakeland, Florida

Zip Code: 33811

Email: dalton.locke@publix.com

Lot Information:

Tax Parcel Number: 06183011

Subdivision Name: Marvin Gardens Lot or Bldg #: _____

Zoning District: B- Business CC-CD- Commercial Corridor Marvin Gardens I-CD

Request is for (check all that apply):

New Building Construction Upfit/Addition (Same Commercial Use)

New Commercial Use (describe): _____

Provide all Proposed Setback and Building Information (N/A for existing Buildings):

Front Yard * Rear Yard * (L) Side Yard * (R) Side * Building *
Setback Setback Setback Yard Setback Height *

APPLICATION FOR COMMERCIAL ZONING PERMIT – PAGE 2

GRADING: Any proposed grading or fill that will alter the existing topographic conditions of the lot more than two feet or any alteration to existing channels, swales, or easements shall require Village approval. **No grading shall take place prior to approval.**

Please check all of the following that apply:

- This project requires the existing topographic conditions to be altered more than 2 ft. and/or requires an existing channel, swale, or easement to be altered. I have attached the required Grading Review Application and all necessary information.
- This project **does not** require alteration of more than 2 ft. to the existing topography nor does it require alteration of an existing channel, swale, or easement.

FLOODPLAIN: Development within a Floodplain is severely restricted per Section 151.292 of the Zoning Ordinance. *Please **initial** one of the following:*

- There is existing floodplain located on the lot to which this permit applies and this floodplain is indicated on the attached survey. Base Flood Elevation (BFE) and Regulatory Flood Protection Elevations (FPE) are provided.
- ATH There is no existing floodplain located on the lot to which this permit applies.

Is there a creek within 200 feet of your lot? No If so, what is the approximate distance? 900 feet

TREE REMOVAL: A Tree Removal Permit is required before removing:

1. Canopy trees twelve (12) inches or larger in diameter-at-breast-height (dbh) and understory trees four (4) inches or larger dbh excluding individually owned, residentially zoned lots of record that existed on or before October 19, 2004 that are less than five (5) acres in area.
2. Trees growing on a slope greater than twenty-five (25) percent.
3. Any threatened or endangered species of tree as defined by the North Carolina State Department of Environmental Conservation or any Heritage or Specimen trees, as defined by the Village, regardless of size.

*Please **initial** one of the following:*

- ATH This project does not require the removal of any trees from the lot.
- This project does require the removal of trees from the lot, but we are exempt from a Tree Removal Permit for the following reason(s): _____
- A Tree Removal Permit Application is attached.

OTHER ORDINANCE REQUIREMENTS: *(Please **initial** that you have read each of the following notices)*

- ATH Any approved permit shall be valid for six months from the date of issuance.
- ATH **Most signs must be approved by the Design Review Board. Please attach a sign permit for each sign that will be associated with this commercial use. Multiples of the same sign may be on one sign permit.**
- ATH All outdoor lighting installed must comply with the Village of Marvin Lighting Ordinance.
- ATH Foundation permits and certificates of compliance shall be required for new and expanded structures. (Some accessory structures may be exempt. Ask Zoning Administrator for details.)

APPLICATION FOR COMMERCIAL ZONING PERMIT – PAGE 3

CERTIFICATION:

I hereby certify that the information provided herein, to the best of my knowledge is correct. Any violation of an approved zoning permit may be grounds for its revocation along with any associated building permit.

I have attached the following: (please check)

- A fee, in accordance with the current fee schedule adopted by the Village of Marvin. Please note: all fees for regulation approval in the Village of Marvin are non-refundable, and checks that are returned will be subject to a returned check fee in accordance with the current fee schedule adopted by the Village of Marvin.
- A copy of a scaled, sealed dimensional survey drawn by a registered surveyor or engineer which shows the exact shape and dimensions of the lot to be built on; the exact shape, dimensions, use and location of other structures on the lot; the exact location of the proposed structure and required setback lines. If the residence to be constructed is located on a lot of 10+ acres, the survey need not be drawn and certified by an engineer or surveyor provided that the proposed residence is located not closer than two-hundred (200) feet from any lot boundary line.
- A floor plan of the proposed structure.
- A drawing showing the exterior of the building including height and drawn to scale.


Applicant's Signature

8/27/2021
Date

RETURN INFORMATION Please check:

- Email permit to me
- Fax permit to me
- Call when ready & I will pick up

No application shall be considered complete unless accompanied by all information required above.

THIS SECTION FOR OFFICE USE ONLY

To the best of my knowledge, this application is complete. Based on such information, I hereby _____ this zoning permit.

Approve Disapprove

(If Applicable) Tree Removal Permit # _____ Grading Permit # _____

Sign Permits # _____

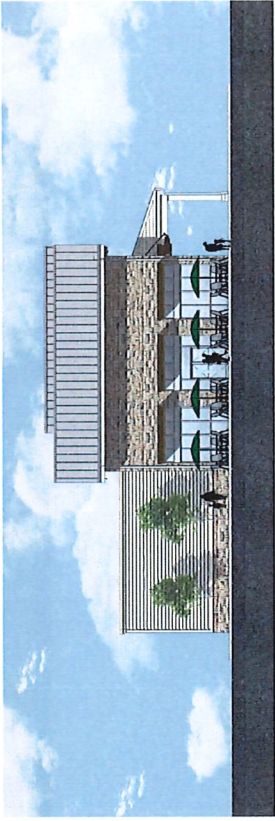
Conditions placed on this permit are as follows: _____

Zoning Administrator

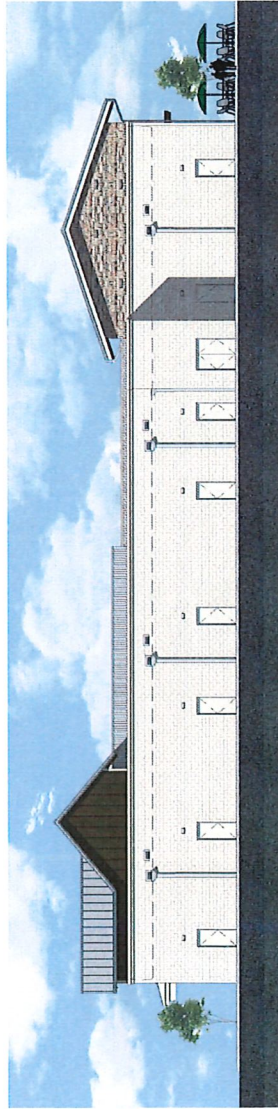
Date



RETAIL SOUTH ELEVATION



RETAIL WEST ELEVATION



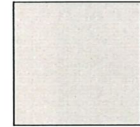
RETAIL NORTH ELEVATION



RETAIL EAST ELEVATION



PAINT
SW 7562
ROMAN COLUMN



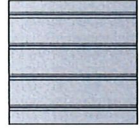
PAINT
SW7575
CHOPSTICKS



PAINT
SW 7041
VAN DYKE BROWN



STONE
BORAL
EDGESTONE
MOJAVE



METAL ROOF
ZING GREY
BERRIDGE



MARVIN GARDENS

DESIGN DEVELOPMENT - OUTBLDG. 4

MARVIN, NC

08.10.2021

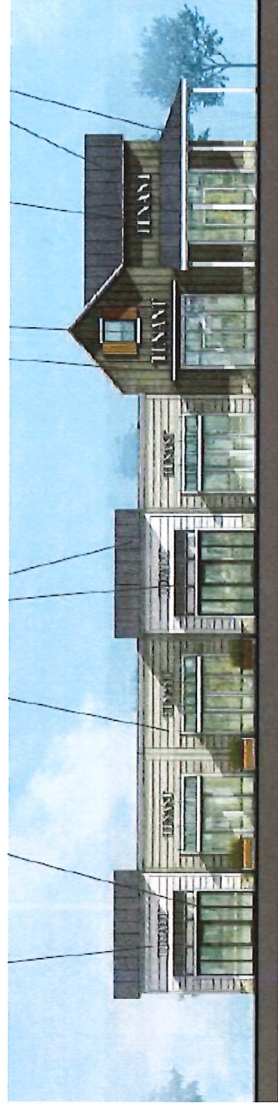




RETAIL SOUTH ELEVATION



RETAIL EAST ELEVATION



PREVIOUSLY APPROVED DESIGN



PREVIOUSLY APPROVED DESIGN

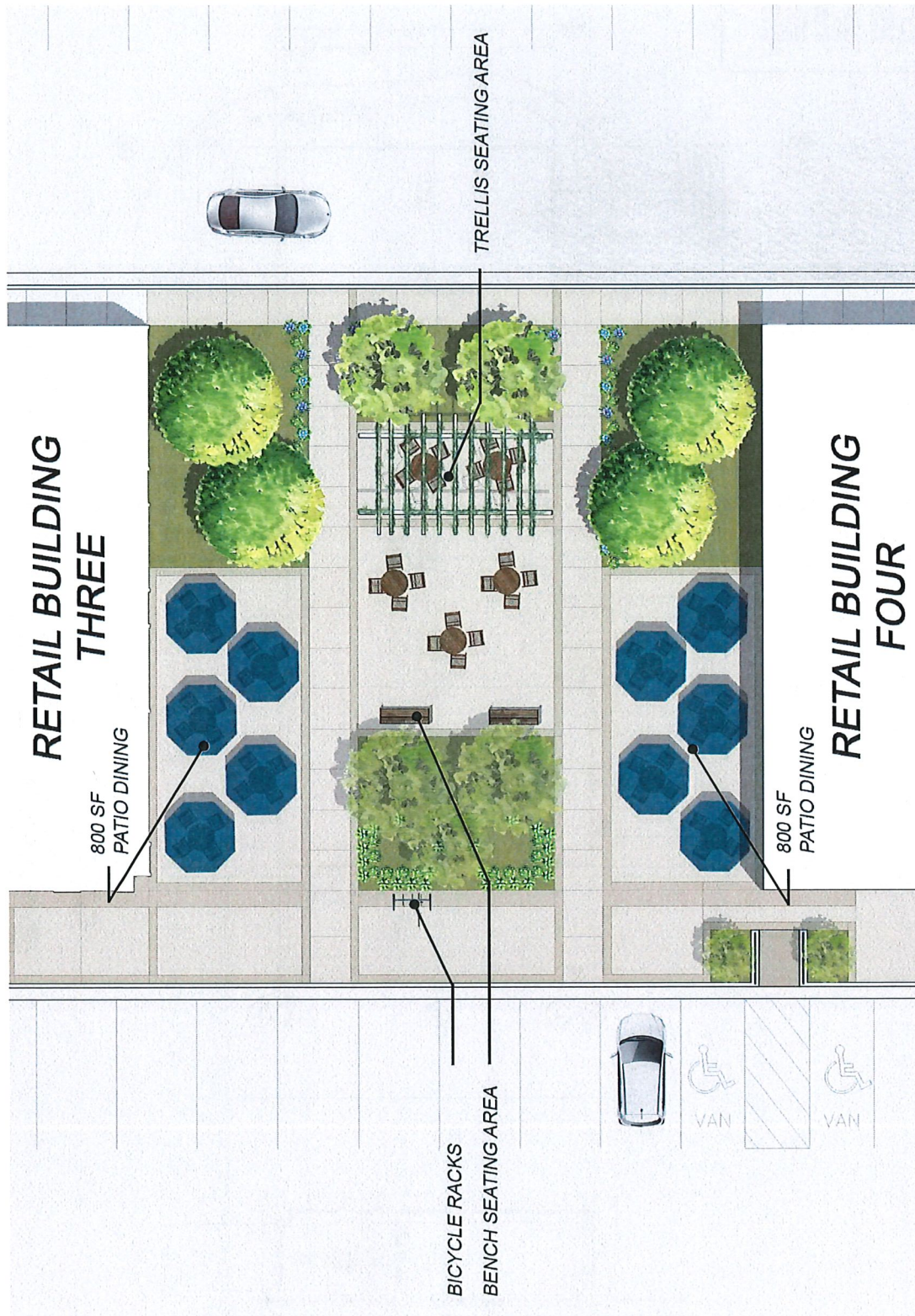


MARVIN GARDENS

DESIGN DEVELOPMENT - OUTBLDG. 4

MARVIN, NC

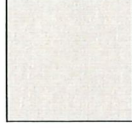
08.10.2021



INCRETE SYSTEMS
 COLOR-CRETE
 SUN BUFF



INCRETE SYSTEMS
 COLOR-CRETE
 CANYON BUFF



MARVIN GARDENS

DESIGN DEVELOPMENT

MARVIN, NC

08.10.2021



NOT FOR CONSTRUCTION

WILLIAM JOE FISHER
ARCHITECT 0011871
A2.1
PROJECT NO. 230537

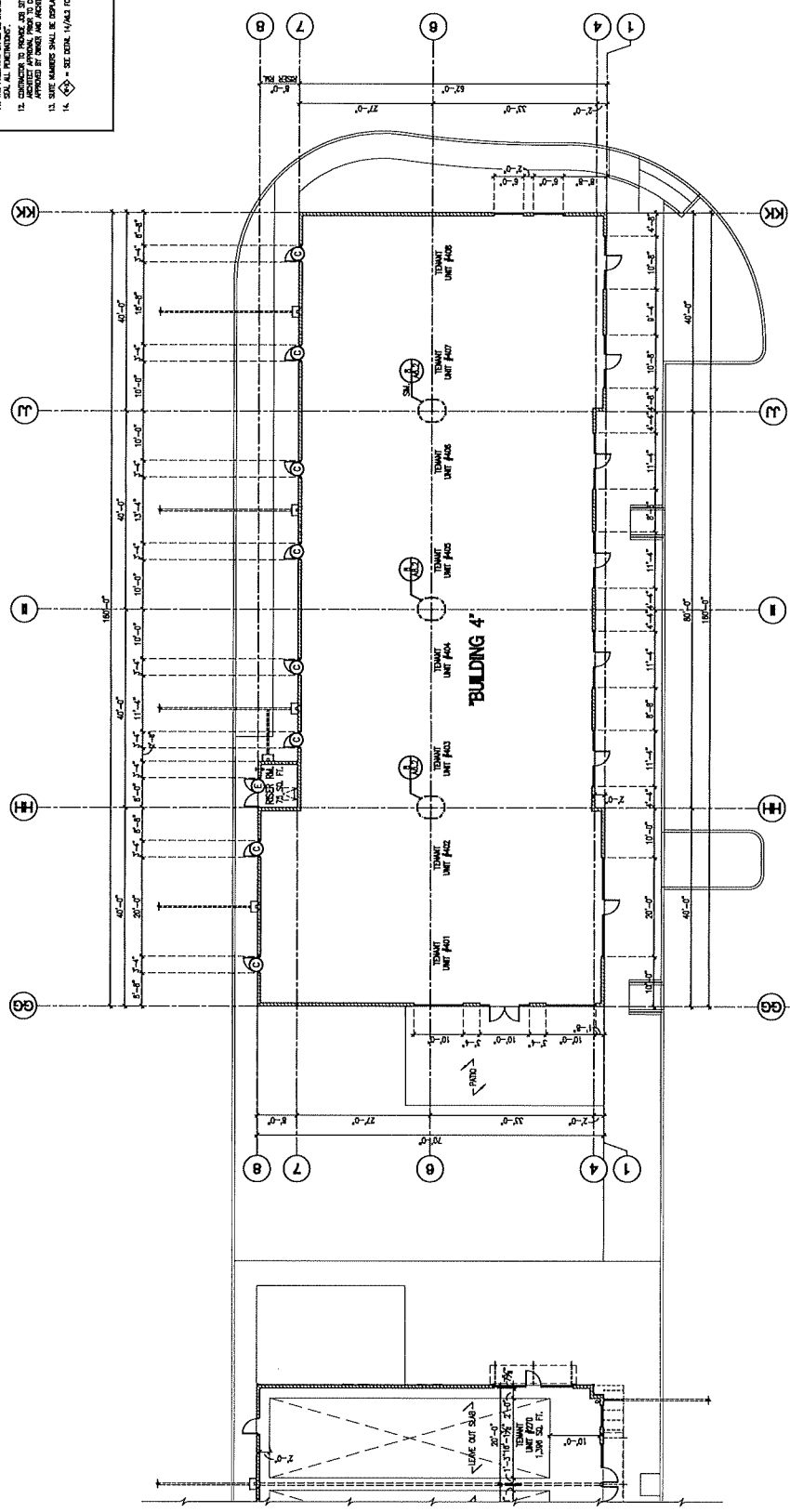
FLOOR PLAN
RETAIL BUILDING '4'
VILLAGE AT MARVIN GARDENS
1819 PROVIDENCE RD (#310-380)
MARVIN, NC 28173

FISHER AND ASSOCIATES, P.L.L.C.
ARCHITECTS
INTERIOR DESIGNERS
2305 BELLEAIR RD., CLEVELAND, TN 37044 (727) 442-4200
628455

RELEASED FOR:
BID _____
PERMIT _____
CONSTR. _____
RESPONDING _____

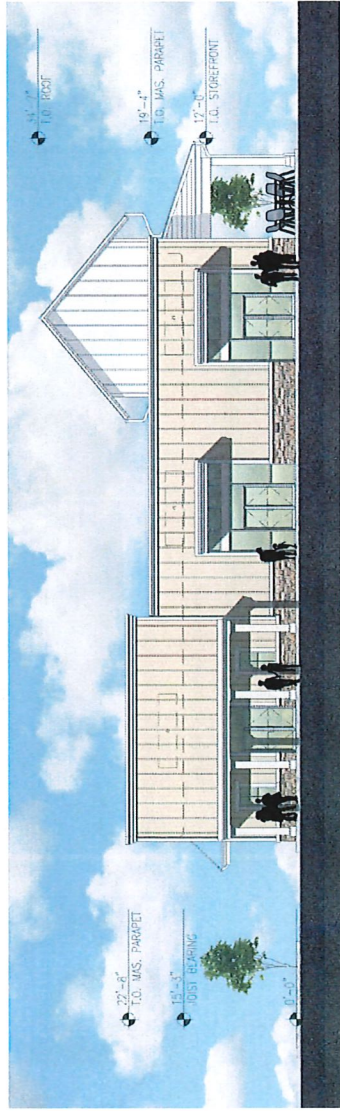
GENERAL NOTES

1. EXISTING LAYOUT SHALL BE RECONSTRUCTED TO MEET ALL REQUIREMENTS OF THE 2015 IBC INCLUDING VIBRA 1 & 201, 201.1, 201.2, 201.3, 201.4, 201.5, 201.6, 201.7, 201.8, 201.9, 201.10, 201.11, 201.12, 201.13, 201.14, 201.15, 201.16, 201.17, 201.18, 201.19, 201.20, 201.21, 201.22, 201.23, 201.24, 201.25, 201.26, 201.27, 201.28, 201.29, 201.30, 201.31, 201.32, 201.33, 201.34, 201.35, 201.36, 201.37, 201.38, 201.39, 201.40, 201.41, 201.42, 201.43, 201.44, 201.45, 201.46, 201.47, 201.48, 201.49, 201.50, 201.51, 201.52, 201.53, 201.54, 201.55, 201.56, 201.57, 201.58, 201.59, 201.60, 201.61, 201.62, 201.63, 201.64, 201.65, 201.66, 201.67, 201.68, 201.69, 201.70, 201.71, 201.72, 201.73, 201.74, 201.75, 201.76, 201.77, 201.78, 201.79, 201.80, 201.81, 201.82, 201.83, 201.84, 201.85, 201.86, 201.87, 201.88, 201.89, 201.90, 201.91, 201.92, 201.93, 201.94, 201.95, 201.96, 201.97, 201.98, 201.99, 201.100.
2. ALL EXISTING WORK SHALL BE DEMOLISHED AND DISPOSED OF IN ACCORDANCE WITH LOCAL, STATE AND FEDERAL REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR DEMOLITION AND DISPOSAL OF MATERIALS.
3. ALL EXISTING WORK SHALL BE VERIFIED BY VISUAL INSPECTION AND MEASUREMENT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR DEMOLITION AND DISPOSAL OF MATERIALS.
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10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR DEMOLITION AND DISPOSAL OF MATERIALS.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR DEMOLITION AND DISPOSAL OF MATERIALS.
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13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR DEMOLITION AND DISPOSAL OF MATERIALS.
14. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR DEMOLITION AND DISPOSAL OF MATERIALS.

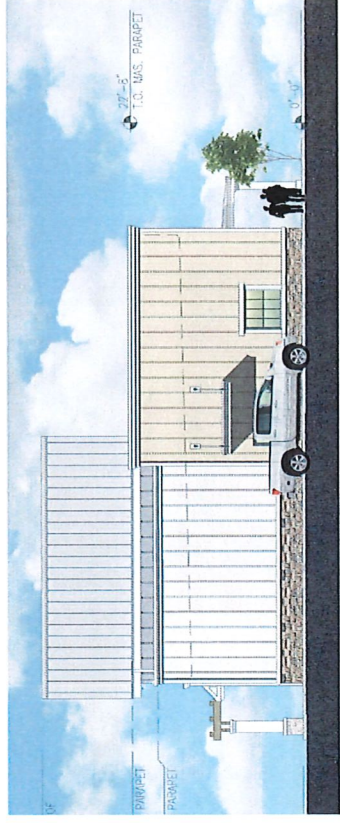


1 FLOOR PLAN
1/4" = 1'-0"

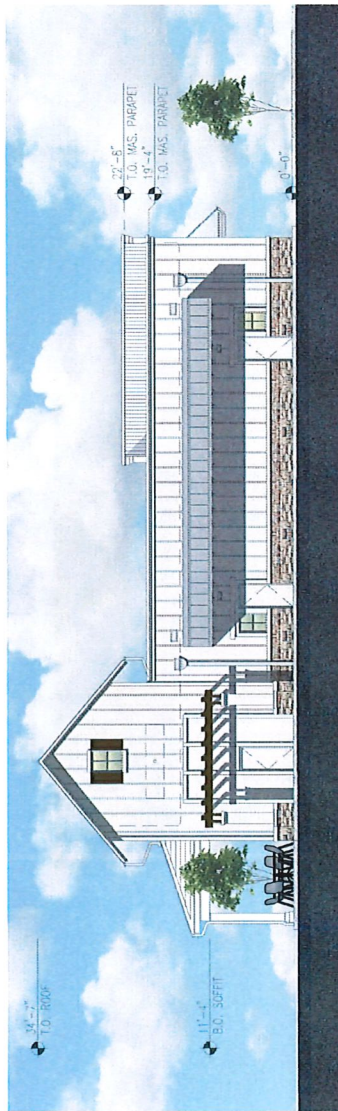
2015 IBC INCLUDING VIBRA 1 & 201, 201.1, 201.2, 201.3, 201.4, 201.5, 201.6, 201.7, 201.8, 201.9, 201.10, 201.11, 201.12, 201.13, 201.14, 201.15, 201.16, 201.17, 201.18, 201.19, 201.20, 201.21, 201.22, 201.23, 201.24, 201.25, 201.26, 201.27, 201.28, 201.29, 201.30, 201.31, 201.32, 201.33, 201.34, 201.35, 201.36, 201.37, 201.38, 201.39, 201.40, 201.41, 201.42, 201.43, 201.44, 201.45, 201.46, 201.47, 201.48, 201.49, 201.50, 201.51, 201.52, 201.53, 201.54, 201.55, 201.56, 201.57, 201.58, 201.59, 201.60, 201.61, 201.62, 201.63, 201.64, 201.65, 201.66, 201.67, 201.68, 201.69, 201.70, 201.71, 201.72, 201.73, 201.74, 201.75, 201.76, 201.77, 201.78, 201.79, 201.80, 201.81, 201.82, 201.83, 201.84, 201.85, 201.86, 201.87, 201.88, 201.89, 201.90, 201.91, 201.92, 201.93, 201.94, 201.95, 201.96, 201.97, 201.98, 201.99, 201.100.



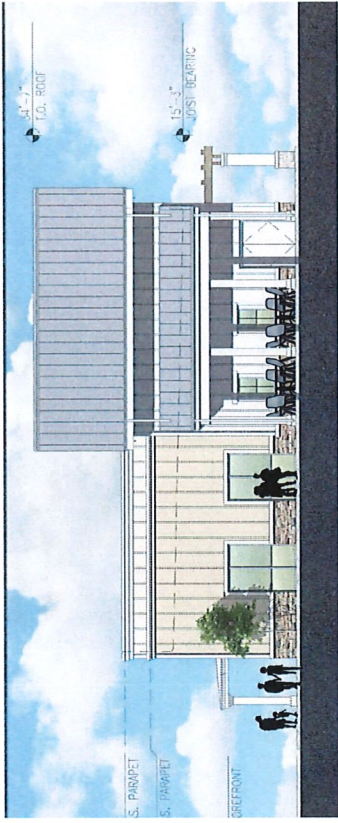
RETAIL SOUTHEAST ELEVATION



RETAIL SOUTHWEST ELEVATION



RETAIL NORTHWEST ELEVATION



RETAIL NORTHEAST ELEVATION



PAINT
SW 7004
SNOWBOUND



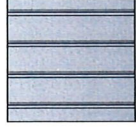
PAINT
SW 7575
CHOPSTICKS



PAINT
SW 7041
VAN DYKE BROWN



STONE
BORAL
COUNTRY
EDGESTONE
MOJAVE



METAL ROOF
ZING GREY
BERRIDGE

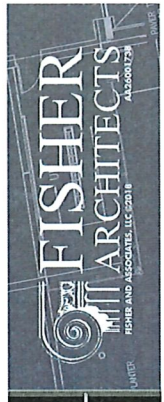


MARVIN GARDENS

DESIGN DEVELOPMENT - OUTBDG 5

MARVIN, NC

08.19.2021





RETAIL SOUTHEAST ELEVATION



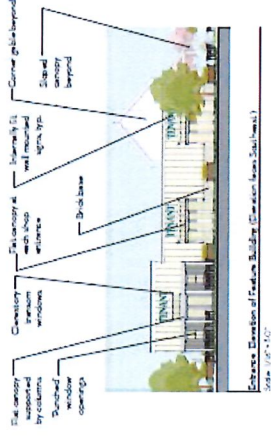
RETAIL NORTHWEST ELEVATION



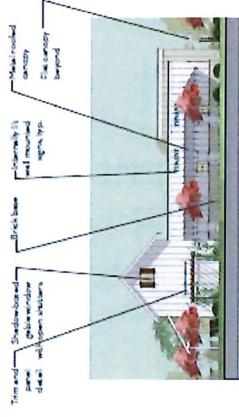
RETAIL SOUTHWEST ELEVATION



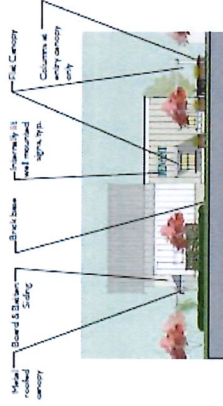
RETAIL NORTHEAST ELEVATION



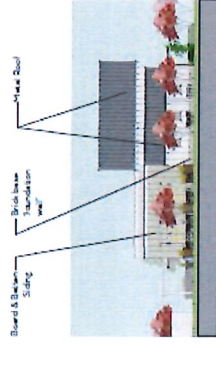
SE Elevation of Marvin Building (Elevation from Southwest)
Date: 08/19/21



NW Elevation of Marvin Building (Elevation from Southwest)
Date: 08/19/21



SW Elevation of Marvin Building (Elevation from Southwest)
Date: 08/19/21



NE Elevation of Marvin Building (Elevation from Northwest)



MARVIN GARDENS

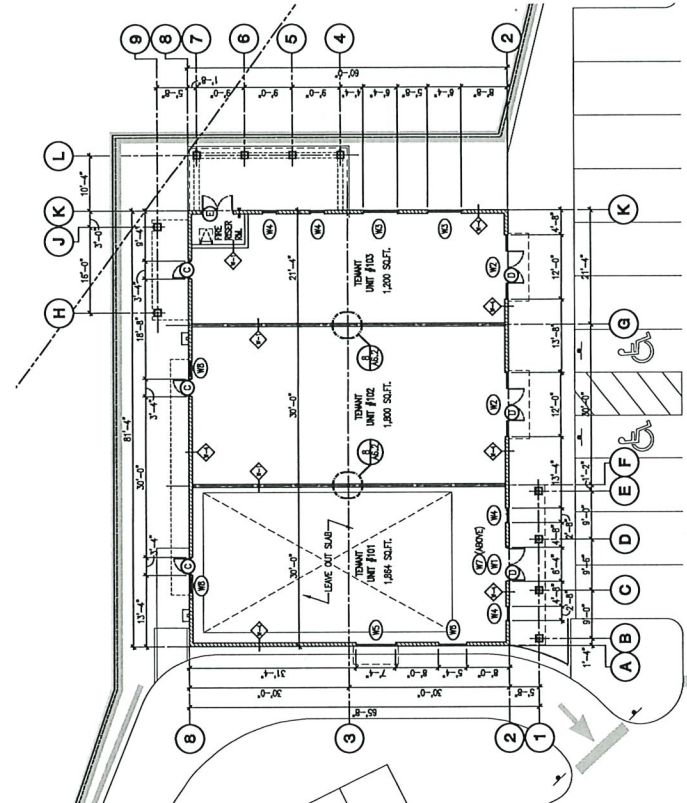
DESIGN DEVELOPMENT - OUTBIDG 5

MARVIN, NC

08.19.2021



- GENERAL NOTES**
1. DIMENSIONS LISTED SHALL MEET REQUIREMENTS OF AISC STEEL EDITIONS INCLUDING WPA 1 & 2.
 2. ALL DIMENSIONS SHALL MEET REQUIREMENTS OF AISC STEEL EDITIONS INCLUDING WPA 1 & 2.
 3. ALL EXTERIOR DOOR LOCKS SHALL COMPLY WITH AISC STEEL EDITIONS INCLUDING WPA 1 & 2. ALL EXTERIOR DOOR LOCKS TO COMPLY WITH EXCEPTION #2. INDOOR DOOR ARE TO COMPLY WITH AISC STEEL EDITIONS INCLUDING WPA 1 & 2.
 4. WHERE THE DIMENSIONS ON THESE SHALL BE IN CONFORMANCE WITH AISC STEEL EDITIONS INCLUDING WPA 1 & 2. DIMENSIONS SHALL BE A MINIMUM OF ONE DIMENSION FOR EVERY 2.00 FT. DIMENSION SHALL BE 1/8" MINIMUM.
 5. THE PROJECT COMPLETION WITH THE AIA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION.
 6. THE ENTIRE BUILDING IS TO BE FULLY FINISHED INCLUDING ALL INTERIOR WALLS, CEILING, FLOORING, AND FINISHES. ALL INTERIOR WALLS SHALL BE FINISHED WITH GYPSONUM BOARD AND FINISHES. ALL INTERIOR WALLS SHALL BE FINISHED WITH GYPSONUM BOARD AND FINISHES. ALL INTERIOR WALLS SHALL BE FINISHED WITH GYPSONUM BOARD AND FINISHES.
 7. ALL DIMENSIONS INCLUDING THE "FINISH" DIMENSION, UNLESS OTHERWISE NOTED, SHALL BE TO THE FINISH SURFACE OF THE MATERIAL SPECIFIED. DIMENSIONS SHALL BE TO THE FINISH SURFACE OF THE MATERIAL SPECIFIED.
 8. ALL STRUCTURAL AND MECHANICAL STEEL SHALL BE FINISHED WITH GYPSONUM BOARD AND FINISHES. ALL STRUCTURAL AND MECHANICAL STEEL SHALL BE FINISHED WITH GYPSONUM BOARD AND FINISHES. ALL STRUCTURAL AND MECHANICAL STEEL SHALL BE FINISHED WITH GYPSONUM BOARD AND FINISHES.
 9. SEE SHEET A-1 FOR DETAIL SHOP DRAWINGS AND FINISH SCHEDULES.
 10. THERE SHALL BE A MINIMUM OF 1/2" FINISHED FLOOR ELEVATION BETWEEN ADJACENT FLOOR SURFACES.
 11. DIMENSIONS SHALL BE TO THE FINISH SURFACE OF ALL INTERIOR WALLS. THE FINISH SURFACE SHALL BE TO THE FINISH SURFACE OF ALL INTERIOR WALLS. THE FINISH SURFACE SHALL BE TO THE FINISH SURFACE OF ALL INTERIOR WALLS.
 12. DIMENSIONS TO PROVIDE JOB SITE MEASUREMENTS OF ALL EXTERIOR FINISHES AND COLORS FOR MATERIALS PROVIDED AND TO BE ACCORDANCE WITH MANUFACTURER'S DIMENSIONS. DIMENSIONS MUST BE TO THE FINISH SURFACE OF ALL EXTERIOR FINISHES AND COLORS FOR MATERIALS PROVIDED AND TO BE ACCORDANCE WITH MANUFACTURER'S DIMENSIONS. DIMENSIONS MUST BE TO THE FINISH SURFACE OF ALL EXTERIOR FINISHES AND COLORS FOR MATERIALS PROVIDED AND TO BE ACCORDANCE WITH MANUFACTURER'S DIMENSIONS.
 13. DATE NUMBERS SHALL BE DISPLAYED AT ALL LOCATIONS FOR EACH DATE.
 14. DATE NUMBERS SHALL BE DISPLAYED AT ALL LOCATIONS FOR EACH DATE.



1 FLOOR PLAN
 3/32" = 1'-0"



VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

Application Date: 8/27/2021

Application Number: _____

APPLICATION FOR COMMERCIAL ZONING PERMIT

Address of Subject Property:

1601 Providence Road South

Applicant(s) Name: Asa Harris - Harris Development Partners

Phone: 919-410-6022

Address of Applicant: 128 E. Hargett Street, Suite 203

FAX: _____

Raleigh, North Carolina

Zip Code: _____

Email: asa@hdevp.com

Owner(s) Name: Publix North Carolina, LP

Phone: 863-284-5522

ATTN: Dalton Locke

Address of Owner: 3300 Publix Corporate Parkway

FAX: _____

Lakeland, Florida

Zip Code: 33811

Email: dalton.locke@publix.com

Lot Information:

Tax Parcel Number: 06183011D

Subdivision Name: Marvin Gardens Lot or Bldg #: _____

Zoning District: _____ B- Business _____ CC-CD- Commercial Corridor Marvin Gardens I-CD

Request is for (check all that apply):

New Building Construction Upfit/Addition (Same Commercial Use)

New Commercial Use (describe): _____

Provide all Proposed Setback and Building Information (N/A for existing Buildings):

Front Yard * Rear Yard * (L) Side Yard * (R) Side * Building *
Setback Setback Setback Yard Setback Height

APPLICATION FOR COMMERCIAL ZONING PERMIT – PAGE 2

GRADING: Any proposed grading or fill that will alter the existing topographic conditions of the lot more than two feet or any alteration to existing channels, swales, or easements shall require Village approval. **No grading shall take place prior to approval.**

Please check all of the following that apply:

- This project requires the existing topographic conditions to be altered more than 2 ft. and/or requires an existing channel, swale, or easement to be altered. I have attached the required Grading Review Application and all necessary information.
- This project **does not** require alteration of more than 2 ft. to the existing topography nor does it require alteration of an existing channel, swale, or easement.

FLOODPLAIN: Development within a Floodplain is severely restricted per Section 151.292 of the Zoning Ordinance. Please **initial** one of the following:

- There is existing floodplain located on the lot to which this permit applies and this floodplain is indicated on the attached survey. Base Flood Elevation (BFE) and Regulatory Flood Protection Elevations (FPE) are provided.
- ATH There is no existing floodplain located on the lot to which this permit applies.

Is there a creek within 200 feet of your lot? No If so, what is the approximate distance? 900 feet

TREE REMOVAL: A Tree Removal Permit is required before removing:

1. Canopy trees twelve (12) inches or larger in diameter-at-breast-height (dbh) and understory trees four (4) inches or larger dbh excluding individually owned, residentially zoned lots of record that existed on or before October 19, 2004 that are less than five (5) acres in area.
2. Trees growing on a slope greater than twenty-five (25) percent.
3. Any threatened or endangered species of tree as defined by the North Carolina State Department of Environmental Conservation or any Heritage or Specimen trees, as defined by the Village, regardless of size.

Please **initial** one of the following:

- ATH This project does not require the removal of any trees from the lot.
- This project does require the removal of trees from the lot, but we are exempt from a Tree Removal Permit for the following reason(s): _____
- A Tree Removal Permit Application is attached.

OTHER ORDINANCE REQUIREMENTS: (Please **initial** that you have read each of the following notices)

- ATH Any approved permit shall be valid for six months from the date of issuance.
- ATH **Most signs must be approved by the Design Review Board. Please attach a sign permit for each sign that will be associated with this commercial use. Multiples of the same sign may be on one sign permit.**
- ATH All outdoor lighting installed must comply with the Village of Marvin Lighting Ordinance.
- ATH Foundation permits and certificates of compliance shall be required for new and expanded structures. (Some accessory structures may be exempt. Ask Zoning Administrator for details.)


APPLICATION FOR COMMERCIAL ZONING PERMIT – PAGE 3

CERTIFICATION:

I hereby certify that the information provided herein, to the best of my knowledge is correct. Any violation of an approved zoning permit may be grounds for its revocation along with any associated building permit.

I have attached the following: (please check)

- A fee, in accordance with the current fee schedule adopted by the Village of Marvin. Please note: all fees for regulation approval in the Village of Marvin are non-refundable, and checks that are returned will be subject to a returned check fee in accordance with the current fee schedule adopted by the Village of Marvin.
- A copy of a scaled, sealed dimensional survey drawn by a registered surveyor or engineer which shows the exact shape and dimensions of the lot to be built on; the exact shape, dimensions, use and location of other structures on the lot; the exact location of the proposed structure and required setback lines. If the residence to be constructed is located on a lot of 10+ acres, the survey need not be drawn and certified by an engineer or surveyor provided that the proposed residence is located not closer than two-hundred (200) feet from any lot boundary line.
- A floor plan of the proposed structure.
- A drawing showing the exterior of the building including height and drawn to scale.


Applicant's Signature

8/27/2021
Date

RETURN INFORMATION Please check:

- Email permit to me
- Fax permit to me
- Call when ready & I will pick up

No application shall be considered complete unless accompanied by all information required above.

THIS SECTION FOR OFFICE USE ONLY

To the best of my knowledge, this application is complete. Based on such information, I hereby _____ this zoning permit.
Approve Disapprove

(If Applicable) Tree Removal Permit # _____ Grading Permit # _____

Sign Permits # _____

Conditions placed on this permit are as follows: _____

Zoning Administrator

Date

SITE PLAN

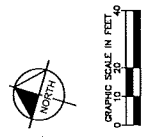
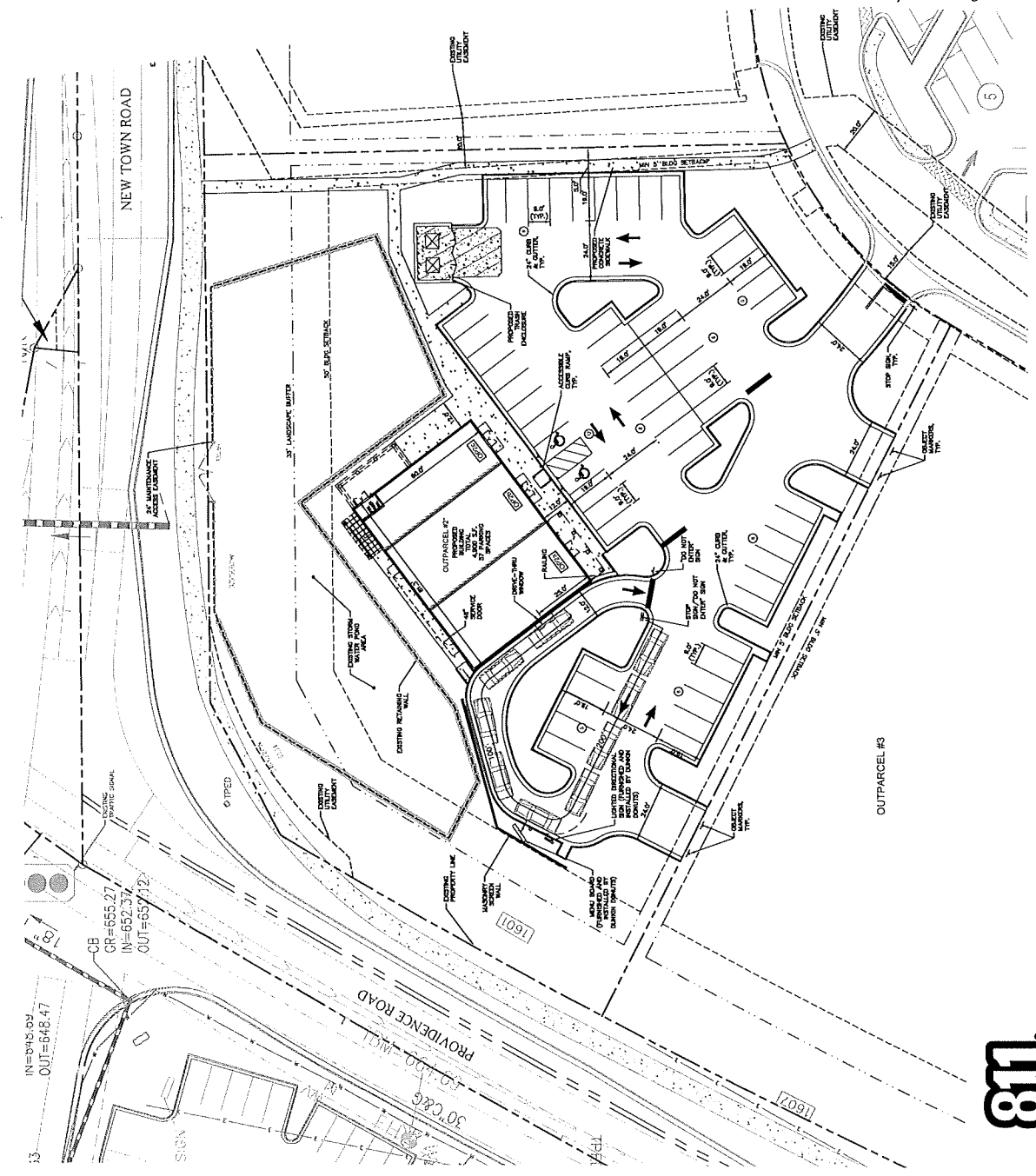
GENERAL NOTES:
 1. EXISTING UTILITIES SHOWN ARE IN ACCORDANCE WITH THE MOST RECENT RECORD DRAWINGS AND FIELD SURVEY. THE LOCATION AND DEPTH OF UTILITIES SHOULD BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
 2. THE SUBJECT PROPERTY IS NOT LOCATED WITHIN A FLOODPLAIN AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF UTILITIES PRIOR TO CONSTRUCTION.

SITE LEGEND

	PROPERTY LINE
	EASEMENT LINE
	FENCE
	STANDARD CURB AND GUTTER
	PARKING SPACE COUNT
	SIDEWALK
	LIGHT POLE
	WALKWAY
	DRIVEWAY
	DIRECTIONAL PAVEMENT ARROW
	ACCESSIBLE RAMP
	DEPRESSED CURB RAMP
	LIGHT DUTY ASPHALT
	HEAVY DUTY ASPHALT
	STANDARD DUFF CONCRETE
	HEAVY DUTY CONCRETE
	CONCRETE SEWER

SITE DATA

EXISTING ZONING	UD
EXISTING USE	VACANT
COMMITMENT, SITE AREA	1.07 AC (44,627 SF)
PROPERTY RETENTION	AS SHOWN ON PLAN
DEVELOPMENT	RECREATION
PROPOSED USE	RECREATION
PROPOSED # OF BUILDINGS	1 (AS SHOWN TOTAL)
PROPOSED # OF PARKING	108 (AS SHOWN TOTAL)
PROPOSED # OF BALANCE	0
PROPOSED # OF BALANCE (AS SHOWN)	0
PROPOSED # OF BALANCE (AS SHOWN)	0
PROPOSED # OF BALANCE (AS SHOWN)	0
PROPOSED # OF BALANCE (AS SHOWN)	0
PROPOSED # OF BALANCE (AS SHOWN)	0



Know what's below.
 Call before you dig.

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No.	REVISIONS

Kimley-Horn
 & ASSOCIATES, INC.
 421 FAYETTEVILLE STREET, SUITE 600, RALEIGH, NC 27601
 PHONE: 919-871-2000 FAX: 919-877-7090
 #012

UTILITY PLAN

PROJECT NO: MARVIN GARDENS-OP2 LP
 PREPARED FOR: PUBLIC NORTH CAROLINA
 DATE: 8/29/2021
 SCALE: AS SHOWN
 DRAWN BY: JCM
 CHECKED BY: JCM
 DESIGNED BY: JCM

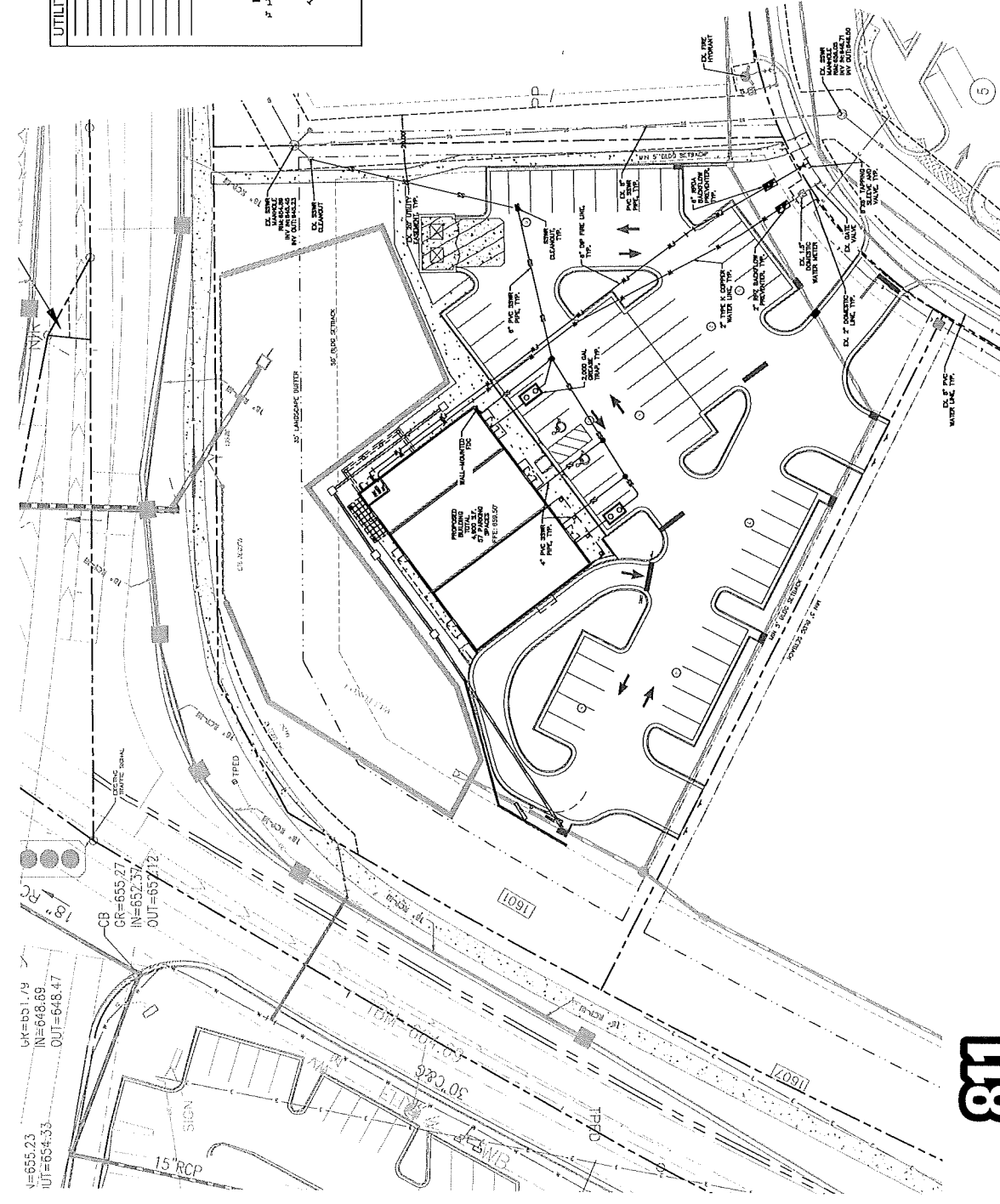
KHA PROJECT: 012437004
 SHEET NUMBER: **C4.0**

UTILITY LEGEND

	PROPERTY LINE
	WATER LINE
	FIRE LINE
	SANITARY SEWER LINE
	ELECTRIC
	FIBER OPTIC
	GAS
	POWER
	TELECOMMUNICATION
	CABLE
	LIGHT POLE
	WATER METER
	VALVE
	MANHOLE
	CATCH BASIN
	TRANSFORMER
	POLE
	SUPPORT STRUCTURE
	STREET LIGHT
	TRAFFIC SIGN
	PROPERTY SURVEY POINT

STANDARD SYMBOLS FOR UTILITIES:
 (S) SANITARY SEWER
 (W) WATER
 (F) FIRE
 (E) ELECTRIC
 (G) GAS
 (P) POWER
 (T) TELECOMMUNICATION
 (C) CABLE
 (L) LIGHT POLE
 (M) WATER METER
 (V) VALVE
 (MH) MANHOLE
 (CB) CATCH BASIN
 (TR) TRANSFORMER
 (PO) POLE
 (SS) SUPPORT STRUCTURE
 (SL) STREET LIGHT
 (TS) TRAFFIC SIGN
 (SP) SURVEY POINT

ALL CONSTRUCTION TO BE IN ACCORDANCE WITH ALL SPECIFICATIONS.
 THE SHEET PROPERTY IS NOT LOCATED WITHIN A ZONE 1 BASED ON THE 2018 FLOOD HAZARD MAP OF NORTH CAROLINA, OCTOBER 18, 2018.

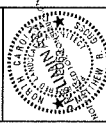


Know what's below.
 Call before you dig.

Sheet: Marvin Gardens-OP2 LP (C4.0) Utility Plan August 28, 2021 04:33 PM. K:\141_105\1012437004_01\PROJECTS\GARDENS-OP2_LP\CD\UTILTY_PLAN\C4.0.dwg

LANDSCAPE PLAN

RHA PROJECT
DATE: 8/25/2021
SCALE: AS SHOWN
DESIGNED BY: KIMLEY-HORN
CHECKED BY: KIMLEY-HORN

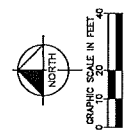


Kimley-Horn
© 2021 KIMLEY-HORN AND ASSOCIATES, INC.
421 FAYETTEVILLE STREET, SUITE 600, RALEIGH, NC 27601
PHONE: 919-871-2000 FAX: 919-877-2000
WWW.KIMLEY-HORN.COM #P-0102

No.	REVISIONS	DATE	BY

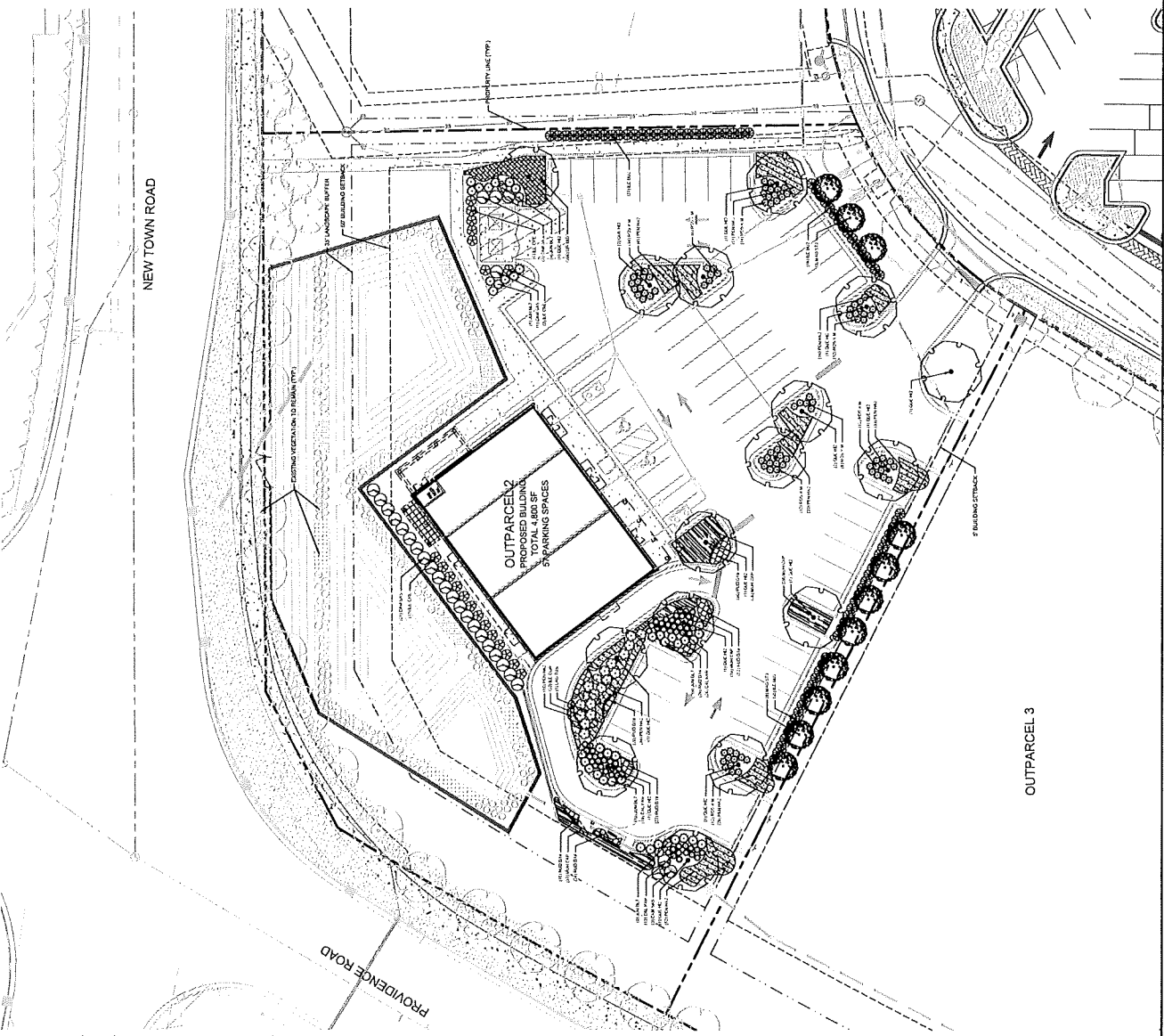
SHEET NUMBER
L1.0

ALL DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.
ALL DISTANCES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
ALL DISTANCES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
ALL DISTANCES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
ALL DISTANCES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.



PLANT SCHEDULE

SYMBOL	COMMON NAME	HEIGHT	SPACING	NOTES
○	CRAPPE WHITE CORAL PINE	15' Ht.	2' x 2'	
○	STAR MIMOSA	18' Ht.	2' x 2'	
○	HIGH BEECH OAK	14' Ht.	2' x 2'	
○	FOUNTAIN BELL SPIDER	18' Ht.	5' x 5'	
○	REDWATER CAMELLIA	4' Ht.	5' x 5'	
○	BURFORD DIVERSE HOLLY	4' Ht.	5' x 5'	
○	DWARF BURFORD HOLLY	3' Ht.	5' x 5'	
○	SEY FENOL JASMINE HOLLY	5' Ht.	5' x 5'	
○	BLUE STAR JUNIPER	5' Ht.	5' x 5'	
○	DWARF SPY GRANADOVER BEEZE	5' Ht.	5' x 5'	
○	DOG BARK LANTANA	1' Ht.	1' x 1'	
○	PINK MARY	1' Ht.	1' x 1'	
○	MARLEN DWAFF FOUNTAIN GRASS	1' Ht.	1' x 1'	
○	CONFIDENT	1' Ht.	1' x 1'	



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VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

SIGN PERMIT APPLICATION

Applicant(s) Name: Asa Harris, Harris Development Partners Phone: 919-410-6002
 Address of Applicant: 128 E. Hargett Street, Suite 203 FAX: _____
Raleigh, NC Zip Code: 27601
 Email: asa@hdevp.com

Owner(s) Name: Publix North Carolina LP Phone: _____
 Address of Owner: PO Box 32018 FAX: _____
Lakeland, FL Zip Code: 33802-2018
 Email: _____

Sign Contractor Company: TBD Phone: _____
(if different from Applicant)
 Contact Name: _____ Email: _____

SIGN INFORMATION:

Number of signs requested (must be identical to be included on the same permit: 1
 Parcel No. 06183011D Zoning: Marvin Gardens I-CD
 Address or Location of Proposed Sign: 1615 Providence Road South
 Business/Company/Subdivision Name: Marvin Gardens

The sign is:

- Alteration of Existing Sign New Installation Temporary

The sign type is a/an:

- Banner Wall Monument/Pylon
 Projecting/
Suspended Awning/Canopy Post & Arm
 Other: Gateway Sign

The sign is for a/an:

- Building (stand alone) Development Event or Sale
 Home Occupation Tenant Space Other Village Gateway Sign

The sign is:

- Freestanding Mounted

Type of Illumination:

- Internal External None

Area of sign face 80.00 sq. ft. (sign height x sign width)

Sign height 5.00 ft (sign height incl. base: 5.00 ft.) Sign width: 16.00 ft.

SIGN PERMIT APPLICATION – PAGE 2

Total Area permitted for ~~Wall~~ Signs: (Linear Ft of Tenant Space X 1 sq. ft): 0.00 sq. ft.

Attachments


In order to be considered complete, the following must accompany each application:

1. A rendering of the sign depicting the following information: dimensions, type of lettering, color(s) of the sign and lettering, and the location of the sign on the property or building. If this is a freestanding sign, you must attach a plot plan showing the location of the sign on the property.
2. Application fee paid in full must be received prior to the issuance of a sign permit (checks made payable to the Village of Marvin).

Note: Section 151.142 prohibits the location of any sign within the road right of way. If you are unsure of what the road right of way is adjacent to your site, please contact Village Staff.

Certifications

I hereby certify that the information provided herein, to the best of my knowledge is accurate and complete. Any violation of an approved permit may be grounds for its revocation.

Signature of Applicant:  Date: 09/01/2021

Printed Name of Applicant: Asa Harris, President

FOR OFFICE USE ONLY

To the best of my knowledge, this application is complete. Based on the information provided, I hereby

 APPROVE DISAPPROVE this permit application.

Comments/Conditions:

Zoning Administrator

Date

THIS PERMIT IS VALID FOR SIX (6) MONTHS FROM THE DATE OF ISSUE

2020

Publix

Site Recommendation Book

Publix Store 1704
Marvin Gardens
1615 Providence Road South
Marvin, Nc 28173
Cross Street: New Town Road & Providence Road

QID# 20-52434

Designer:
Chad Wike

Date:
11-3-2020

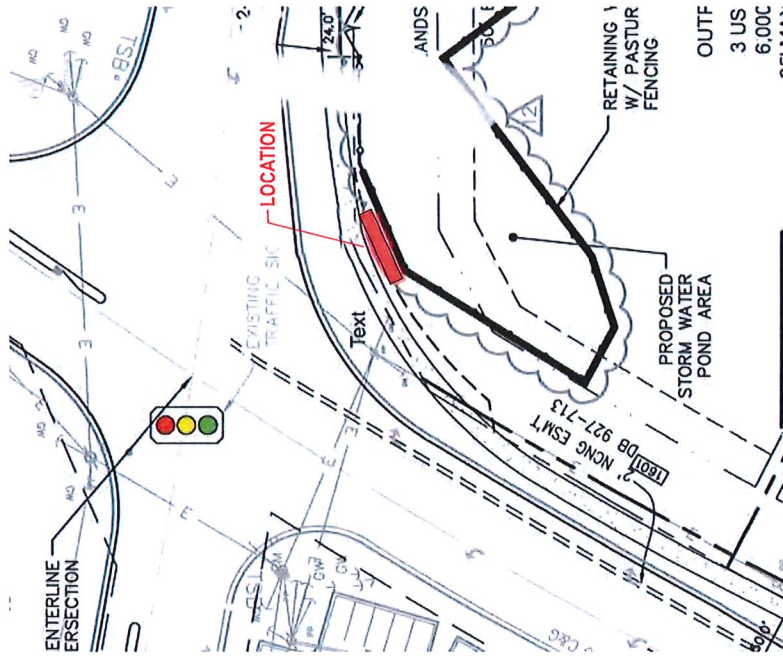


125 Hillside Drive Greenville, South Carolina 29607 Phone: 864-233-0401 National Toll Free: (800) 353-9132 www.hiltondisplays.com

Publix

Site Name: Marvin Gardens Property ID: 1704
Address: 1615 Providence Road South City/ST: Marvin NC QID #: 20-52434

Site Plan



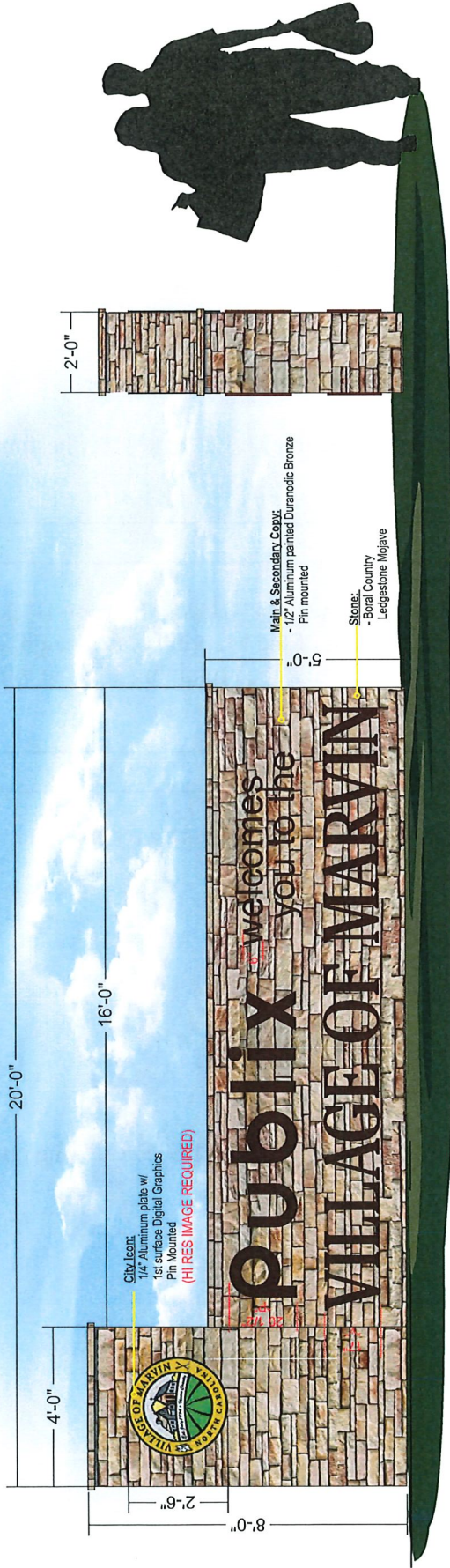
HILTONDISPLAYS
GREAT SIGNS FOR GREAT COMPANIES

125 Hillside Drive Greenville, South Carolina 29607 Phone: 864-233-0401 National Toll Free: (800) 353-9132 www.hiltondisplays.com

Publix

Site Name: Marvin Gardens Property ID: 1704
Address: 1615 Providence Road South City/ST: Marvin NC QID #: 20-52434

Gateway Sign Qty. 1



HILTONDISPLAYS
GREAT SIGNS FOR GREAT COMPANIES

125 Hillside Drive Greenville, South Carolina 29607 Phone: 864-233-0401 National Toll Free: (800) 353-9132 www.hitondisplays.com

Item 2.



VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

DATE: September 16, 2021
TO: Planning Board
FROM: Hunter Nestor, Planner and Zoning Administrator
SUBJECT: Minor Subdivision Application 21-12732 (9819 Chestnut Road)

Background

Grand Living Homes, on behalf of the owner, Richard and Margret Beck, submitted an application for a minor subdivision of the 8.53-acre lot at the front of the Marvin Estates neighborhood into a total of 4 lots. The existing house will remain on 2.66-acre, while the remaining acreage will create 3 new lots fronting Marvin Road.

Overview

LOCATION:

9819 CHESTNUT RD (Parcel Number 06-222008) (8.53 ACRES)

APPLICANT:

Grand Living Homes

PROPERTY OWNERS:

Richard Beck
Margret Beck

LAND USE AND ZONING:

The property is zoned R - MARVIN RESIDENTIAL DISTRICT. The property is located by the Marvin Estates Subdivision.

Surrounding Zoning:

North: R-Marvin Residential
South: R-Marvin Residential
East: R-Marvin Residential
West: R-Marvin Residential

Surrounding Land Use:

North: Residential
South: Residential
East: Residential/Vacant
West: Residential/Firethorne



VILLAGE OF MARVIN

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Review/Discussion

The current lot is zoned R, and qualifies for a small-tract, minor subdivision for meeting the following requirements:

- ***Involving not more than four lots:*** The subdivision proposal creates a total of three new lots for a total of 4 lots.
- ***On an existing approved street:*** Each new lot will have frontage on Marvin Road, and each have well over the minimum of 50 feet of frontage on a public road.
- ***Not involving any new street***
- ***Not requiring extension of public water or sewer:*** The current lot has well and septic, and the new lots will have well and septic.
- ***Creating no new or residual parcels not conforming to the requirements of these regulations and related ordinances:*** The new lots and the one residual lot containing the existing house comply with ordinances pertaining to lot design in Marvin's R-zoning.
- ***However, if a subdivider owns any property adjacent to the property being subdivided, the subdivision shall not qualify under the abbreviated procedure for a minor subdivision:*** The owner does not own any adjacent property.

Staff Recommendation

Staff recommends approval of the Minor Subdivision Application

MINOR SUBDIVISION.

(1) A subdivision:

- (a) Involving not more than four lots on an existing approved street; ✓
- ✓ (b) Not involving any new street or prospectively requiring any new street for access to interior property; ✓
- ✓ (c) Not requiring extension of public sewage or water lines or creation of new drainage easements through lots to serve property at the rear; and
- (d) Creating no new or residual parcels not conforming to the requirements of these regulations and related ordinance. ✓

(2) However, if the subdivider owns, leases, holds an option on, or holds any legal or equitable interest in any property adjacent to or located directly across a street, easement, road or right-of-way, from the property to be subdivided, the subdivision shall not qualify under the abbreviated, procedure for review of minor subdivisions.

§ 150.045 PROCEDURES FOR SECURING APPROVAL OF MINOR SUBDIVISIONS.

(A) Minor subdivisions, as defined in § 150.015, may be submitted through an abbreviated procedure. A subdivider may submit a general layout of the lots to be subdivided to the Zoning Administrator to be determine if the proposed subdivision meets the definition of a minor subdivision. If the Zoning Administrator determines that the proposed subdivision is a minor subdivision and conforms to the requirements and standards of this chapter, then the Zoning Administrator is authorized to allow the subdivider to prepare a final plat to be submitted as stated in § 150.050 (E).

(B) Plans which are not approved may be revised and resubmitted or follow the standard procedure for subdivision review. All revisions and corrections required by the village, other county or state agencies, or revisions proposed by the developer shall be clearly identified on the plans and resubmitted to the Zoning Administrator for review.

(C) Final plat. A final plat shall be submitted in accordance with the requirements of Appendix 1 and reviewed and approved the same as procedures set forth in § 150.050(E).

(D) A minor subdivision shall not be approved within three years, on any property which was part of the original property boundaries, by anyone, who owned, had an option on, or any legal or beneficial interest in the original subdivision at the time the original subdivision received preliminary or final plat approval.

(Ord. OR-2013-06-06, passed 6-10-2013)

(§ 150.050 (E))

E) Final plat submittal & review.

(1) Application; number of copies and contents. The subdivider shall submit three copies of the final plat to the Zoning Administrator. This submission shall be prepared in accordance with the provisions of this chapter and shall contain or be accompanied by all the information outlined in

Appendix 1. No final plat shall be deemed complete unless accompanied by a fee, in accordance with the fee schedule adopted by the Village Council. During the course of application review, the Zoning Administrator Council and the Planning Board may require that particular plans or details receive engineering or consultant review. Prior to Village Council approval, the village shall be reimbursed by the subdivider for all costs associated with village engineering and/or consulting services, with respect to review of submitted plans and applications.

(2) Zoning Administrator review and recommendation. A final plat shall be in conformity with approved sketch plans and preliminary site & civil design plans. The Zoning Administrator shall have up to 30 days following any revision to review and provide comments to the applicant regarding the final plat. The Zoning Administrator shall, where applicable, request review of the final plat by those state and county agencies having jurisdiction over the area being developed. All revisions and corrections required by the village, other county or state agencies or revisions proposed by the developer shall be clearly identified on the plans and resubmitted to the Zoning Administrator for review. ✓

(3) Planning Board review and recommendation.

(a) The Zoning Administrator shall submit the final plat to the Planning Board at least 15 days prior to the next meeting for its review and recommendation. The Planning Board shall be required to make a recommendation on the final plat within 60 days after the date at on which the Planning Board first began deliberating on the substantive merits of the plat. The 30 days may be extended by the Village Council upon request of the Planning Board. If the Planning Board fails to make a recommendation within this time period, the subdivider may seek approval of the final plat at the next regularly-scheduled Village Council meeting without a recommendation from the Planning Board. ✓

(b) The Planning Board shall consider the degree to which the application complies with village ordinances, the Village Land Use Plan, other adopted land use policy documents and the North Carolina General Statutes. ✓

(c) The meeting minutes of the Planning Board shall accurately record the Planning Board's motions. When applicable, the meeting minutes shall also record the Planning Board's reasons for issuing their recommendation.

(d) Prior to the Council meeting, the village staff shall provide the Planning Board meeting minutes to the Village Council for review along with a report detailing the Planning Board's motions and /or recommendations. Any plan corrections or revisions required shall be included on the plans before they are submitted to the Village Council for review.

(4) Village Council action; post approval administrative matters.

(a) Approval of the final plat shall be obtained from the Village Council. If approved, action by the Village Council shall be noted on three prints of the final plat. One print shall be returned to the subdivider. Two prints shall be retained by and become a permanent record of the village, one for the Village Clerk, one for the Zoning Administrator.

(b) The developer/owner shall submit to the Zoning Administrator mylars of the final plat approved by the Village Council within ten days of Council approval. The Zoning Administrator shall

have 15 days thereafter to review the mylars to be signed by the Mayor and recorded at the County Register of Deeds.

(c) A pdf or other mutually acceptable electronic copy of the final plat shall be submitted to the village prior to the signing of the mylars in a format compatible to the Union County/Village of Marvin GIS system.

(d) No final plat shall be approved until all improvements are installed or their execution guaranteed as set forth in this chapter and all certificates required on final plats by this chapter have been properly completed and signed.

(e) The Conditional District development standards and conditions shall be recorded and filed with the County Register of Deeds. The final plat for any parcel within a Conditional District shall also show, or reference the Conditional District development standards and conditions of the District. A copy of the Conditional District; inclusive of all conditions and standards, shall also be kept as a permanent record at Village Hall.

(Ord. OR-2013-06-06, passed 6-10-2013; Ord. OR-2013-11-01, passed 11-12-2013; Ord. OR-2014-05-03, passed 5-13-2014; Ord. OR-2016-07-05, passed 7-12-2016)



VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marviunc.org

SUBDIVISION APPLICATION LARGE TRACT/SMALL TRACT/MINOR

NAME OF PROPOSED SUBDIVISION: Grand Living Homes

LOCATION OF SUBDIVISION: Marvin Road

PARCEL ID 06222006 ZONING DISTRICT R TOTAL ACREAGE 8.54 # OF LOTS 4

DEVELOPER

NAME: Grand Living Homes

ADDRESS: 1012 Market Street, Suite 101
Fort Mill, South Carolina 29708

PHONE: 803-738-6375 EMAIL: thanson@paraclerealty.com

OWNER

NAME: Margaret & Richard Beck

ADDRESS: 9819 Chestnut Road
Marvin, North Carolina 28173

PHONE: 7042544042 EMAIL: _____

I (We), Margaret & Richard Beck as owner(s) of the property to be subdivided, authorize Grand Living Homes (Developer) to make this application to subdivide this property.

Margaret Beck
Owner(s)
dotloop verified
07/26/21 8:27 PM EDT
QRT8-BRET-CIBL-RBOL

Date
Richard Beck
dotloop verified
07/26/21 8:28 PM EDT
GOXA-MAWD-6QUB-RCEE

I (We) Grand Living Homes as developer(s) of the property to be subdivided have knowledge of the Village's Zoning, Subdivision, Tree, and Lighting Ordinances as they pertain to development in the Village of Marvin.

Hunter Nestor
Zoning Administrator

[Signature]
Developer

7-26-2021
Date

The Village shall be reimbursed by the subdivider for all costs associated with the Village's engineering and/or consulting services with respect to the review of the proposed subdivision. No submittal will be deemed complete unless accompanied by the appropriate fee and completed subdivision checklist.

P-2010-05-02 Adopted May 25, 2010
Whenever Elected Officials and/or Volunteer Board members meet with external representatives about issues involving development in the Village of Marvin, they will include a Village Council member, a second Board member, or the Village Administrator to accompany them at the meeting. This policy will help ensure accurate communication. The Board members will explain to the representative at the meeting that they are speaking as individuals and are not representing their respective Boards.

Fee Paid: 7/29/2021

Date: 7/29/2021

CK #



R. Joe Harris & Associates, Inc.

1186 Stonecrest Blvd., Tega Cay, S.C. 29708
(803) 802-1799

Via: RJH Delivery

September 2, 2021

Hunter Nestor
Planning & Zoning Director
Village of Marvin
10004 New Town Road
Marvin, North Carolina 28173

RE: BECK PROPERTY MINOR SUBDIVISION - TM#06222008
MINOR SUBDIVISION PLAT
Village of Marvin, NC

RJH Project #4753

Dear Mr. Nestor:

On behalf of Margaret & Richard Beck (Property Owners) and Grand Living Homes (Builder/Applicant), we have enclosed the following items for the Village of Marvin's review and consideration:

1. Three (3) copies of the proposed Minor Subdivision Plat dated 8/24/2021

If you should have any questions or require any additional information, please feel free to contact me at (803) 802-1799 or via email at brandonpridemore@rjoeharris.com.

Sincerely,
R. JOE HARRIS & ASSOCIATES, INC.

Brandon S. Pridemore, VP
Lead Engineering Consultant



R. Joe Harris & Associates, Inc.

1186 Stonecrest Blvd., Tega Cay, S.C. 29708
(803) 802-1799

Via: RJH Delivery

July 29, 2021

Hunter Nestor
Planning & Zoning Director
Village of Marvin
10004 New Town Road
Marvin, North Carolina 28173

RE: BECK PROPERTY MINOR SUBDIVISION - TM#06222008
Village of Marvin, NC

RJH Project #4753

Dear Mr. Nestor:

On behalf of Margaret & Richard Beck (Property Owners) and Grand Living Homes (Builder/Applicant), we have enclosed the following items for the Village of Marvin's review and consideration:

1. Completed Subdivision Application dated 7-26-2021
2. Minor subdivision review fee of \$400 (RJH Check #7790)
3. Three (3) copies of the Preliminary Site Plan (Minor Subdivision) dated 7-19-2021

If you should have any questions or require any additional information, please feel free to contact me at (803) 802-1799 or via email at brandonpridemore@rjoeharris.com.

Sincerely,
R. JOE HARRIS & ASSOCIATES, INC.

Brandon S. Pridemore, VP
Lead Engineering Consultant

DATE	ISSUED FOR	REV



VICINITY MAP - INT.S.

DEVELOPER & PROPERTY OWNER INFORMATION:

DEVELOPER:
 GRAND LIVING HOMES
 1012 Market Street, Suite 101
 Fort Mill, South Carolina 29708
 Attn: Tony Hanson

PROPERTY OWNER:
 N/F
 06222008
 8419 CHESTNUT ROAD BECK
 Waxhaw, North Carolina 28173

TAX PARCELS: 06222008

SITE ACREAGE: GROSS ACREAGE = 8.54 ACRES
 (Approx. 1.06 Acres in Existing Public R/W)
 NET ACREAGE = 7.48 ACRES (Less NCDOT R/W)

DENSITY: DENSITY TOTAL ACREAGE = 7.48 ACRES
 DENSITY TOTAL UNITS = 285 / 7.48 Acres = 0.38 UNITS/ACRE

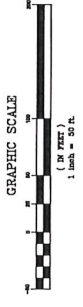
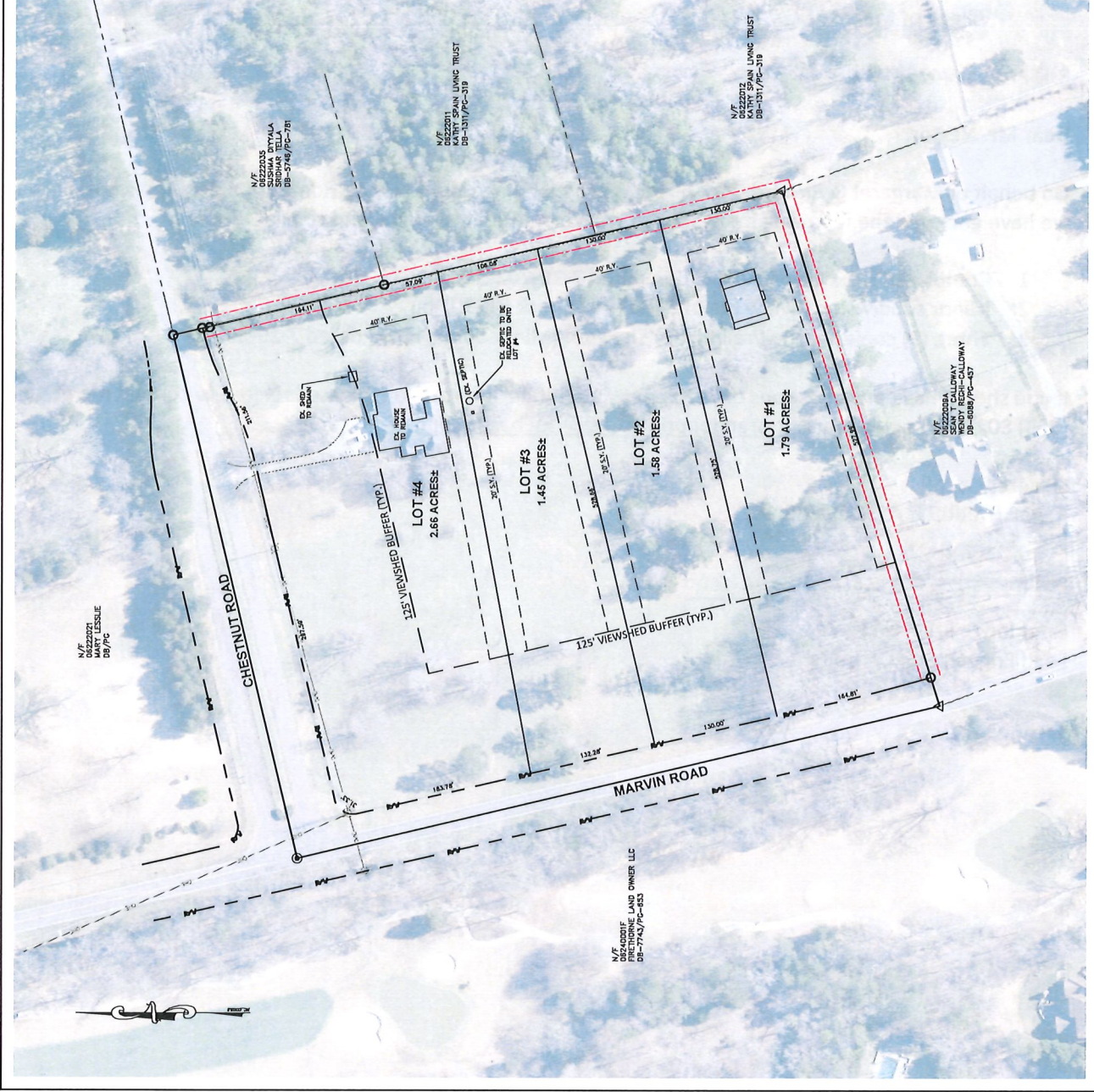
ZONING: R - Residential

MIN. LOT SIZE: 45,560 SF (1.0 Acres)

MIN. LOT WIDTH: 130 FT (@ Front Setback)

SETBACKS: Front Setback - 20 FT (125' Viewshed Buffer)
 Int. Side Yard - 20 FT (125' Viewshed Buffer)
 Rear Yard - 40 FT

OPEN SPACE: N/A



R. Joe Harris & Associates, Inc.
 Engineering • Land Surveying • Planning
 Architecture • Drafting • Estimating
 1012 Market Street, Suite 101
 Fort Mill, South Carolina 29708
 www.rjeharris.com

This drawing shall be used for construction purposes until the
 project is completed. It is the responsibility of the contractor to
 verify all dimensions and conditions on the ground before
 beginning construction. The Engineer's Agent or Contractor is the
 responsible party for any errors or omissions in the
 construction work.

REVIEW ONLY
 NOT FOR CONSTRUCTION

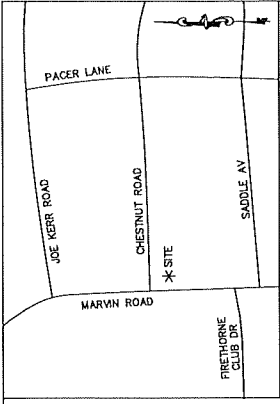
Project Designer	B. Pridemore
Project Checker	
Project Date	July 19, 2021

GRAND LIVING HOMES
 1012 Market Street, Suite 101
 Fort Mill, SC 29708

**BECK PROPERTY
 MINOR SUBDIVISION**

**Preliminary Site Plan
 (Minor Subdivision)**

Project No.	4753
Client No.	
Sheet No.	SD-1



VICINITY MAP - N.T.S.

- LEGEND:**
- IRON FOUND AS NOTED
 - IRON PIN SET AS REBAR
 - △ COMPUTED POINT, NO IRON SET
 - R/W RIGHT OF WAY
 - ⊖ POWER POLE
 - ⊖ NGS MONUMENT
- LINE-TYPES:**
- PROPERTY LINE
 - ADJOINER
 - OVERHEAD ELECTRIC
 - RIGHT OF WAY (R/W)
 - VEWISHED BUFFER
 - EXISTING EASEMENT
 - SETBACKS
 - ACCESS EASEMENT

FRONT SETBACK - 50 FT. (125' VEWISHED BUFFER)
 CORNER YARD - 25 FT. (125' VEWISHED BUFFER)
 SIDE YARD (SY) - 20 FT.
 REAR YARD (RY) - 40 FT.

REFERENCES:
 PG A FILE 328
 DB 5748 PG 781
 DB 6088 PG 457

AREA TABULATION:
 PLATTED LOTS=7,474 ACRES
 R/W AREA TO BE DEDICATED TO MDOT=1,061 ACRES
 TOTAL=8,535 ACRES

CERTIFICATE OF COMMERCE AND DEDICATION:

I, (NAME) HEREBY CERTIFY THAT I AM (THE OWNER(S) OF THE PROPERTY SHOWN HEREON) AND I HEREBY ACKNOWLEDGE THAT THIS PLAN AND ALLUDING TO BE ANY (OUR) FREE ACT AND DEED AND HEREBY ESTABLISH THE MINIMUM BUILDING SETBACKS, CORNER YARD, SIDE YARD, REAR YARD, FRONT YARD, AND OTHER SPACES AS SHOWN OR INDICATED. FURTHER, I (WE) CERTIFY THAT THE PROPERTY AS SHOWN HEREON IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE VILLAGE OF MARVIN.

OWNER(S) _____ DATE _____

I, (NOTARY PUBLIC) A NOTARY PUBLIC FOR SAO COUNTY OF LG HOMES-INC. A LIMITED LIABILITY COMPANY, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING INSTRUMENT BY THE SAID (OWNER(S)).

WITNESS MY HAND AND OFFICIAL SEAL OR STAMP.

THIS THE _____ DAY OF _____ 2021.

BY COMMISSION EXPIRES _____

NOTARY PUBLIC _____

SUBDIVISION PLAT
 PID: 06222008

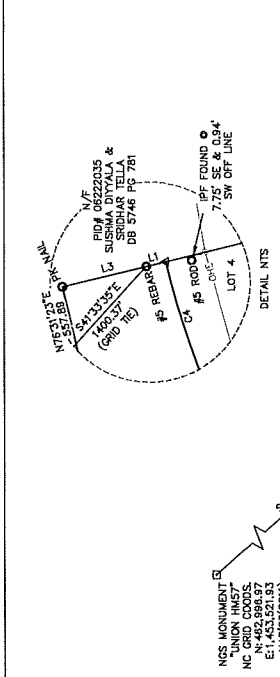
VILLAGE OF MARVIN, UNION COUNTY, NC

CURRENT OWNER:
 MARGARET L. & RICHARD N. BECK
 9819 CHESTNUT ROAD,
 WAXHAW NC, 28173

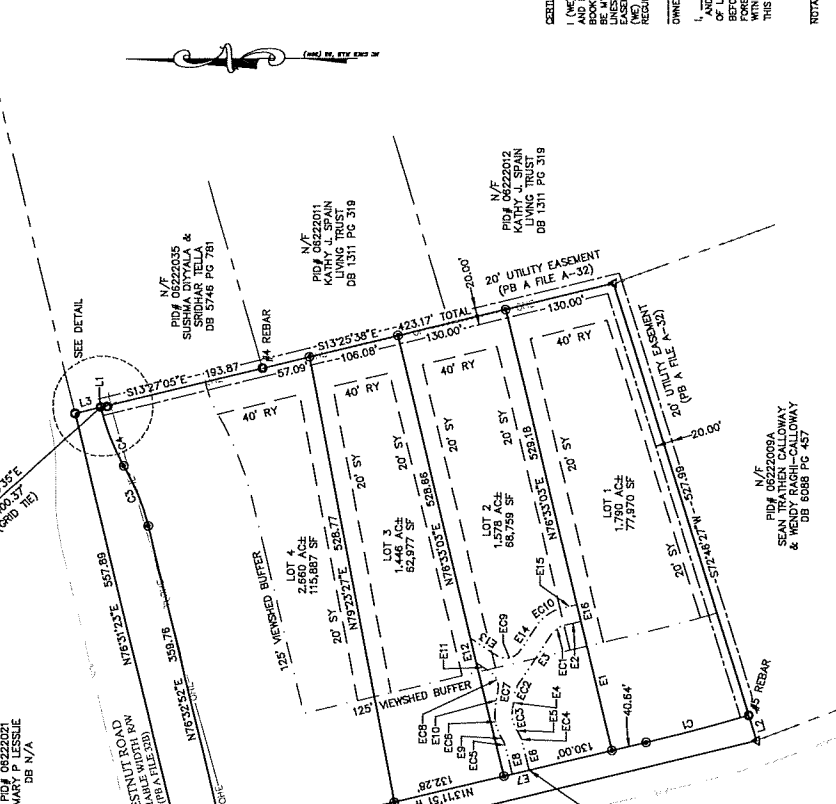
FOR REVIEW
 R. Joe Harris & Associates, Inc.
 Engineering & Land Surveying
 1186 STONECREST BLVD. TEGA, CA. 29708
 Phone: (803) 862-1939

Checked by: RJB
Scale: 1"=100'
Prepared by: DC
Date: 8-24-2021
Job No.: 4753

Sheet 1 of 1



DETAIL NTS



DIVISION OF HIGHWAYS, DISTRICT ENGINEER, CERTIFICATE:
 I HEREBY CERTIFY THAT THE RIGHT OF WAY DEDICATION SHOWN ON THIS PLAT IS APPROVED AND ACCEPTED BY THE PUBLIC RIGHT OF WAY BY THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, DIVISION OF HIGHWAYS.

DISTRICT ENGINEER _____ DATE _____

ONLY NORTH CAROLINA DEPARTMENT OF TRANSPORTATION APPROVED STRUCTURES ARE TO BE CONSTRUCTED ON PUBLIC RIGHT OF WAY.

SURVEYED AND MAPPED FOR:
 GRAND LIVING HOMES, LLC
 6230 FAIRWAY ROAD, SUITE 105
 CHARLOTTE, NC 28210

Easement Curve Table

Curve #	Length	Chord	Bearing	Delta
E1	22.48	30.00	S34°38'44"E	42°33'47"
E2	13.61	30.00	S89°05'30"E	2°59'45"
E3	18.18	30.00	N80°32'57"E	34°43'23"
E4	11.86	50.00	N69°52'09"E	13°21'48"
E5	7.00	30.00	N89°32'09"E	1°32'14"
E6	30.30	50.00	N80°32'57"E	34°43'23"
E7	2.61	50.00	S80°35'43"E	2°59'17"
E8	23.38	20.00	N67°24'09"E	6°58'32"
E9	31.42	20.00	S11°05'37"E	90°00'00"
E10	37.43	50.00	S34°38'44"E	42°33'47"

PG A FILE 328
 MARY P. LESSLE
 DB N/A

AREA TO BE DEDICATED TO PUBLIC R/W 1,061 AC 46,212 SF

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AREA TO BE DEDICATED TO PUBLIC R/W 1,061 AC 46,212 SF

- SURVEY INFORMATION:**
- THIS SURVEY IS A BOUNDARY OF EXISTING PARCEL OF LAND.
 - THIS PLAT IS TAX PARCEL #06222008
 - ZONING: RESIDENTIAL
 - ACREAGE OF THIS PLAT: 8.535 ACRES
 - TOTAL NUMBER OF LOTS ON THIS PLAT: 4
 - ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
 - THIS SURVEY IS NOT AN ALTA/AGSM LAND TITLE SURVEY.
 - AREA COMPUTED BY COORDINATE METHOD.
 - DASHED LINES INDICATE LINES NOT SURVEYED.
 - # REBAR SET ALL ALL PROPERTY OWNERS UNLESS NOTED OTHERWISE.
 - UNDIVIDED RATIO OF PRECISION IS 1:10,600
 - OVERHEAD ELECTRIC FIELD LOCATED, EASEMENT WIDTH UNKNOWN.
 - 20' ACCESS EASEMENT TO SERVE LOTS 1 AND 3.

Curve Table

Line #	Length	Chord	Bearing	Delta
L1	0.25	51327.05'E		
L2	30.96	57247.04'W		
L3	30.96	51327.05'E		

Curve Table

Curve #	Length	Chord	Bearing	Delta
C1	124.17	2370.62	N14°35'10"W	370°04"
C2	31.33	20.00	N31°40'31"E	89°44'43"
C3	75.89	261.16	N88°13'21"E	16°39'02"
C4	73.68	261.16	N88°39'03"E	16°39'49"

I, (NAME) THE MAP OR PLAT REVIEW OFFICER OF UNION COUNTY, HEREBY CERTIFY THAT THE MAP OR PLAT SUBMITTED FOR RECORDING MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

DATE _____ REVIEW OFFICER _____

CERTIFICATE OF SUBDIVISION ADMINISTRATOR - APPROVAL:
 THE UNDERSIGNED HEREBY CERTIFY THAT THE REQUIRED INSTRUMENTS HAVE BEEN FILED AND THE SUBDIVISION NUMBER IS ACCORDANCE WITH THE SPECIFICATIONS OF THE SUBDIVISION ORDINANCE OF THE VILLAGE OF MARVIN AND OTHER APPLICABLE REGULATIONS, OR THAT A PERFORMANCE OR INSPECTION REPORT HAS BEEN FILED WITH THE VILLAGE OF MARVIN TO ASSURE COMPLETION OF ALL REQUIRED IMPROVEMENTS IN CASE OF DEFAULT ON THE PART OF THE SUBDIVIDER.

DATE _____ ZONING ADMINISTRATOR (VILLAGE OF MARVIN) _____

CERTIFICATE OF APPROVAL BY THE VILLAGE COUNCIL:
 THIS SUBDIVISION PLAT HAS BEEN FOUND TO COMPLY WITH THE PROVISIONS OF THE SUBDIVISION ORDINANCE OF THE VILLAGE OF MARVIN AND IS APPROVED THIS _____ DAY OF _____ 2021 BY THE VILLAGE COUNCIL FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS.

DATE _____ MAYOR, VILLAGE OF MARVIN _____

ATTEST:
 DATE _____ ZONING ADMINISTRATOR (VILLAGE OF MARVIN) _____

I HAVE EXAMINED THE FLOOD INSURANCE RATE MAPS FOR UNION COUNTY, NORTH CAROLINA, PANEL NUMBER 3704-03-0000, DATED FEBRUARY 19, 2014, AND HEREBY CERTIFY THAT THIS PORTION OF PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

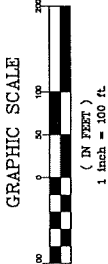
I, KENNETH M. GREEN, PLS. CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK _____ PAGE _____), THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK _____ PAGE _____ THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,600. THIS SURVEY WAS CONDUCTED WITH MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL.

THIS THE _____ DAY OF _____ 2021.

FOR REVIEW
 KENNETH M. GREEN, PLS

PROFESSIONAL SEAL
 NORTH CAROLINA
 PROFESSIONAL SURVEYOR
 SEAL C-4168
 R. JOE HARRIS & ASSOCIATES, INC.
 1186 STONECREST BLVD. TEGA, NC 29708
 PHONE: (803) 862-1939

PROFESSIONAL SEAL
 NORTH CAROLINA
 PROFESSIONAL SURVEYOR
 SEAL L-3512
 RICHARD N. BECK
 9819 CHESTNUT ROAD, WAXHAW, NC 28173



Item 3.



VILLAGE OF MARVIN

10004 New Town Road | Marvin, NC | 28173 | Tel: (704) 843-1680 | Fax: (704) 843-1660 | www.marvinnc.org

Memorandum

TO: Planning Board

FROM: Hunter Nestor, Village Planning & Zoning Administrator

SUBJECT: Proposed Amendments to the Village of Marvin 2020 Land Use Plan – Marvin Heritage District Small Area Plan, Draft #1, September 3, 2021

DATE: September 16, 2021

Earlier this summer, the Village Council scheduled a public hearing to consider adoption of the proposed Marvin Heritage District (MHD) Form-Based Code (amendment to Marvin's Zoning Ordinance) and then the rezoning of the properties in the district which had been vetted through the Marvin Planning Board and the MHD Strategic Plan Committee throughout a citizen engagement process. One of a few prerequisites to adoption of the proposed Form-Based Code Zoning Ordinance amendment identified during the meeting was the need to update content of Village Center Development: Policies and Goals references in the [Village of Marvin 2020 Land Use Plan](#) through a proposed plan amendment process.

The [Village of Marvin 2020 Land Use Plan](#), adopted November 10, 2020, provided: the Heritage District's vision, goals, and policies; and identified the general location and future land uses of the Heritage District (referenced as the "Village Center"). Through nearly nine months of work by Village staff, property owners, Marvin residents, the Strategic Plan Committee, the Planning Board, and the Village Council, the Village of Marvin Heritage District Form-Based Code (Zoning Ordinance amendment) was drafted. Before the Code could be adopted, Village staff realized that creation of a small area plan for the Marvin Heritage District became necessary as a proposed amendment to the Village of Marvin 2020 Land Use Plan. The proposed Form-Based Code has guided the principles of the Heritage District to mature to the point where supporting guidelines and goals for the District was needed. This small area plan expands data and planning principles refined throughout this year to reinforce existing policies in the [Marvin 2020 Land Use Plan](#).

Although the [Marvin 2020 Land Use Plan](#), and the addition of this small area plan shall be advisory in nature, without regulatory effect pursuant to North Carolina General Statutes (NCGS) Section 160D-501, plans shall be considered by the Planning Board and Village Council when considering proposed amendments to Marvin's Zoning Ordinance pursuant to NCGS Sections 160D-604 and 160D-605. The creation of this small area plan strengthens the foundation on the Marvin Heritage District Form-Based Code and captures the goals and visions that have been gathered from input from the property owners in the proposed district and

surround areas, citizens, the Strategic Plan Committee, the Planning Board, and the Village Council.

In other words, the recently changed state planning law (Chapter 160D) dictates local governments consider the consistency of proposed amendments to the zoning ordinances and zoning map to all their adopted comprehensive plans. The proposed amendment of this small area plan to the Village of Marvin Land Use Plan 2020 will help fulfill the required basis for a finding of consistency by the Planning Board and Village Council when considering adoption of the Marvin Heritage District Form-Based Code as an amendment to the [Village of Marvin Code of Ordinances](#), Title XV, Land Usage, Chapter 151, Zoning [Ordinance].

VILLAGE OF MARVIN



Marvin Heritage District Small Area Plan

Note (to be removed upon adoption): This document (including appendices), once adopted will become part of the Village of Marvin 2020 Land Use Plan and will be located at the back of the 2020 Land Use Plan. The map in this document, entitled, "Marvin Heritage District Small Area Plan – Future Land Use Map," once adopted, will amend and replace the "Village of Marvin Future Land Use Map" inset, currently labeled "Possible Village Center Subzones")

Note (to remain after adoption): This adopted Small Area Plan (including appendices), is part of the adopted Village of Marvin 2020 Land Use Plan. The adopted map included in this Small Area Plan entitled, "Marvin Heritage District Small Area Plan – Future Land Use Map," replaced the "Village of Marvin Future Land Use Map" inset, currently labeled "Possible Village Center Subzones"

Adopted: _____

DRAFT #1
September 2, 2021

Prepared by the Village of Marvin Planning Department

PURPOSE

One of eight goals adopted in the Village of Marvin 2020 Land Use Plan is to ***“Facilitate a Uniquely Identifiable Village Center that Promotes Marvin’s Heritage.”*** (Reference Goal D). Since the November 10, 2020 adoption of the 2020 Land Use Plan, Planning Staff through proactive citizen engagement began to create the official Marvin Heritage District through adopting language into the Village of Marvin Zoning Ordinance. During that process the Marvin Village Council directed Planning Staff to create the Marvin Heritage District small plan area during the Village Council Work Session on July 29, 2021.

The purpose of the Marvin Heritage District Small Area Plan is to set forth goals, policies, and implementation strategies intended to guide the present and future physical, social, and economic development of the Marvin Heritage District based upon data collected and analyses conducted addressing:

1. Inventory of existing conditions;
2. Values expressed by Citizens,
3. Citizen engagement to formulate a community vision;
4. Guiding principles for growth and development;
5. Pattern of desired growth and development and civic design, including the location, distribution, and characteristics of future land uses, form of land development and preservation, utilities, and transportation networks;
6. Plans and policies for provision of and financing of public infrastructure;
7. Recreation and open space;
8. Analysis and evaluation of implementation measures, including regulations and public investments

Applicable Excerpt of North Carolina General Statutes Regarding Adoption and Effect of Local Governments’ Comprehensive Plans, Including Their Small Area Plans

NC General Statutes, Chapter 160D, ‘Local Planning and Development,’ Article 5, ‘Planning,’ Section 160D-501, ‘Plans,’ Subsection (c), ‘Adoption and Effect of Plans,’ states, ***“...Plans adopted under this Chapter shall be advisory in nature, without independent regulatory effect. Plans adopted under this Chapter do not expand, diminish, or alter the scope of authority for development regulations adopted under this Chapter. Plans adopted under this Chapter shall be considered by the planning board and governing board when considering proposed amendments to zoning regulations as required by G.S. 160D-604 and G.S. 160D-605...”***

Note Regarding Boundary Lines on the Heritage District Small Area Plan’s Future Land Use Map

Boundaries of the Marvin Heritage District (external) and Future Land Uses (internal) shown on the Heritage District Small Area Plan’s Future Land Use Map are not zoning districts and are advisory in nature, without independent regulatory effect. These boundaries will be considered by the Planning Board and Village Council when considering map amendments (rezonings) to the Official Zoning Map. When the Planning Board and Village Council consider proposed rezonings, this map will be consulted. These boundary lines (external and internal) are generalized, and as such, are not intended to be precisely aligned with parcel lines.

DATA AND ANALYSIS

Existing Conditions

The Marvin Campus of the Weddington United Methodist Church lies at the heart of the proposed Heritage District.



Weddington United Methodist Church



Aerial View of Weddington United Methodist Church and Cemetery
Source: Google Earth

The Banks Presbyterian Church property is next to the current Village of Marvin Village Hall.



Banks Presbyterian Church



Banks Presbyterian Church Cemetery



Aerial View of Banks Presbyterian Church and Cemetery
Source: Google Earth

The proposed Heritage District includes the White residence and the general store.



The White Residence



Crane General Store

Citizen Engagement

NC General Statutes Section 160D-501, Plans, (a1), Plans, states, ***“The planning process shall include opportunities for citizen engagement in plan preparation and adoption.”*** Planning during the development of the original version of the Village of Marvin 2020 Land Use Plan, adopted November 10, 2020, provided ample opportunities for citizen engagement. Over the two years leading up to the Land Use Plan’s 2020 adoption in October of 2020 and since then, numerous citizen engagement opportunities have been provided throughout the development of this small area plan.

The community’s support for creation of a Heritage District was expressed in the [Village of Marvin, 2019 Community Survey Report](#) which was carried into the Land Use Plan. (Appendix A, provides key excerpts from the [Village of Marvin 2020 Land Use Plan](#).) Prior to the adoption of the 2020 Land Use Plan, the Village of Marvin hosted a two-day public workshop on June 11th and 12th with Village staff, officials, consulting land development and design experts (Construction Professionals Network Institute and NCGrowth-SmartUp), residents, and community members to study and formulate more focused recommendations for the Heritage District. This workshop would aid in the formation of a report from CPNI and NCGrowth-SmartUp entitled, [Building a Village Center and Creating Intentional Growth in the Village of Marvin, NC](#) (hereinafter, “Village Center Report”). The Village Center Report recommended the Village prepare a form-based code as a strategy to help accommodate the growth of mixed-use development, allowing some retail, commercial, and office space, while maintaining the aesthetic qualities that makes Marvin unique.

On November 10, 2020, the Village Council established and appointed members to the Village Center District Strategic Plan Committee (which would later be renamed as the Marvin Heritage District Strategic Plan Committee) with the primary objective, *“to create a strategic plan to guide and facilitate the development of the Marvin Heritage District.”* Over the course of its tenure, the Committee has been composed of between seven and nine members, including three members of the Planning Board. In early 2021, the Committee agreed with recommendation of the Village Center Report, that the creation of a form-based code to guide development in the Heritage District would be an appropriate tool as opposed to a conventional zoning ordinance.

Local governments in North Carolina are allowed to develop and implement form-based codes. Chapter 160D of the North Carolina General Statutes, Local Planning and Development Regulation, Article 1 authorizes local governments to divide its territorial jurisdiction into zoning districts of any number, shape, and area deemed best suited to carry out the purposes of 160D, which may regulate zoning districts through conventional as well as “*form-based districts, or development form controls, that address the physical form, mass, and density of structures, public spaces and streetscapes.*” Source of N.C.G.S Quote: [N.C.G.S. Section 160D-703\(a\)\(3\)](#)

Guiding Principles for Growth and Development

Pattern of Design, Growth, and Development.

Community participation in the 2019 Community Survey provided guidance and consistency for a desired pattern of design, growth, and development within the Marvin Heritage District. This input was incorporated in the initially adopted 2020 Land Use Plan, and the Village Center Report. The Village Center Report noted suggested strategies for ensuring “homegrown, context-sensitive, commercial development as opposed to development of large chains.” Commercial building types should mimic the allowable housing types without much deviation, to preserve the residential visual character of the Village. The Cottage Commercial Type draws upon the character of the Crane General Store (photograph above) and encourages infill of that nature. The conventional commercial square is included with the limitation of one per parent tract, which will yield at most three in total in the district. The Conventional Square Commercial will be very limited in size, having provisions to require visual variation along the frontage.

Throughout the Heritage District, pedestrian connectivity and the preservation of open space will be maximized. This is reflective of the 2019 Community Survey which showed strong support for an increase in walkability and open space, and concern that traffic is the most pressing issue in Marvin. Design standards for subdistricts protect adjacent existing neighborhoods by requiring transitional density of residential areas, and large, opaque buffers between commercial areas.

Employment Opportunities and Economic Development.

The economic development implications of the Heritage District largely depend on how Marvin decides to develop. Marvin residents and officials have expressed a desire for limited commercial development and local business development. This context is important in shaping the economic development considerations for the Village. In addition to the feasibility studies completed by the UNC’s School of Government’s Development Finance Initiative, further research may be necessary to better understand the economic development impacts of the Heritage District.

Plans and Policies for Public Infrastructure.

Limited Traffic Impact. It is difficult to predict the traffic impacts of the development of the Heritage District without a full traffic impact analysis. However, based on the current traffic situation and experience from similar cases, traffic impacts will likely be limited, especially relative to the current volumes of traffic.

Traffic impact is something that can be managed by thoughtful development of the Heritage District and adjacent neighborhoods. For example, as it stands, the Heritage District is only accessible by vehicle, meaning that any increased development in the Heritage District would likely increase traffic

as residents would have to drive out of their subdivision to access the Heritage District. On the other hand, constructing sidewalks and nature trails adjacent to the subdivisions would promote walking and biking, which would have a minimal impact on traffic and could lead to a greater push for more active transportation throughout Marvin. These services could also appeal to neighboring subdivisions who are currently outside of Marvin's corporate limits.

Population Growth and Schools. The Heritage District's effect on population growth and Marvin schools will largely depend on the amount of residential development included in the district. Commercial development will have minimal impact on population growth and the school system, especially if the commercial development focuses on lower-wage work, such as food service, as employees will likely be unable to afford units in the existing housing stock.

Regarding residential development, specifically in the Marvin Heritage District, there is consensus among the community that the approximate number of residential dwelling units that could be developed under a conditional zoning district remain the same approximate number as the standards in the existing R-Marvin residential zoning district.

Recreation and Open Space.

Connectivity for pedestrians and cyclists should be planned throughout the Heritage District with pedestrian access to existing and future sidewalks and trails. Developments with trail networks on the Parks & Greenways Master Plan should provide trail connections from one side of the property to the other. These developments should provide connectivity to neighboring properties whenever possible to maintain continuity of travel through properties that currently remain vacant but are located where development is certain to occur. Pedestrian travel routes should be prioritized from each entryway and parking lots to each use, and the number of driveways that cross pedestrian routes should be minimized.

The pedestrian and cyclist should be prioritized over motorists when deliberating site specific design plans and amenities such as traffic calming methods, speed humps, raised crosswalks and raised intersections, pedestrian beacons/pushbuttons, and pedestrian-friendly materials.

Fishing within natural lakes, ponds, or stormwater detention ponds that are stocked could serve as another form of recreational use within the Heritage District. A catch and release fishing ordinance could help reduce maintenance costs associated with stocking water sources. Areas intended for fishing could be covered under a maintenance plan and agreement between the property owner and the Village.

Land dedicated as open space within the Heritage District as part of development proposals should be platted as such with permanent conservation. Areas platted to meet an open space requirement should be on a property owned by a common entity (such as an HOA or local non-profit) or be dedicated to the Village, and thus cannot be used to meet the minimum lot sizes of commercial or residential buildings.

All public open spaces, parks, and trails should be constructed at minimum to the standards of the Parks & Greenways Master Plan. Additional amenities and wider trails are encouraged. All public open spaces throughout the district should be accessible and connected by pedestrian trails or sidewalks, as well as to parking lots whenever possible. Open spaces with amenities should be either free to access or the membership fee is equal in cost for both the residents of the neighborhood and all residents of Marvin.

A fee-in-lieu program could be developed for consideration as part of development standards within the Heritage District. Specifically, this program would be for when a proposed development cannot provide the required minimum percentage of open space; the fee, as well as the limit of open space that the fee could be paid in lieu of should be established by the Village Council after receiving recommendations from the Planning Board and Marvin Heritage District Strategic Plan Committee, not to reduce open space beyond a minimum percentage of the tract of the proposed development.

The following types of areas could be counted as open space with qualifying thresholds prepared for the Heritage District's design and development standards: viewshed buffers, lake areas, wetland areas, stormwater detention ponds with attractive amenities, cemeteries and native burial grounds, church groves, undeveloped areas of the Village Hall property, neighborhood clubhouses/amenities and other created or natural open spaces the Heritage District design and development standards could include.

Analysis and Evaluation of Implementation Measures

Proposed Design and Development Standards

A Form-Based Code should be prepared and adopted to provide guidance and consistency for required standards and specifications for all properties located within the Marvin Heritage District in response to the 2019 Community Survey Report and to implement the 2020 Land Use Plan and the Village Center Report. The Form-based Code should provide a blueprint for future infill development, adaptive reuse, and preservation of structures within the Marvin Heritage District that reflects the character of the area.

The Village Center Report identified key opportunity parcels for infill development, redevelopment, conservation, and preservation. During the development of the Village Center Report, the community and design team arrived at a series of basic urban design and policy principles to guide appropriate infill development in the Heritage District to promote responsible growth, planning, and development.

The Form-based Code should recognize that rural patterns of development and some building types help perpetuate the character that makes Marvin distinctive. The Code will identify a set of principles to maintain the environment that has made Marvin so desirable, as well as to encourage infill to follow the desired pattern.

The Form-Based Code should include guidelines for design and materials like that of existing structures within the Heritage District boundary.

Sub-districts, house types, and lot characteristics should be carefully selected from the current and historic character of the Marvin area. Design and development standards should be crafted from current and historic characteristics of the Marvin area for each sub-district along with additional standards that apply to all sub-districts within the Heritage District.

Each of the four sub-district design standards set forth specifications related to building placement (lot size, lot width, setbacks, and building size) and building type. All new buildings in the Marvin Heritage District should meet the criteria of a designated building type to be provided in a Form-Based Code, and therefore should follow the prescribed minimum design standards set forth for that type, within the respective sub-districts. The Code should provide the Zoning Administrator flexibility to consider alternative architectural styles and details of residential building types when proposed alternatives meet or exceed the intent of the sub-district design standards. The minimum

design standards should contain regulations for properties in the Marvin Heritage District, based upon the following sub-districts:

Residential Only Heritage District (RO-HD): A sub-district intended for solely residential buildings. This sub-district is intended to provide additional housing to boost the vibrancy and walkability of the district as a whole and should have 100% residential uses.

Mixed Use Heritage District (MU-HD): A sub-district intended to be the bulk of the central area of the district. These parcels include properties that are larger and deeper or include smaller properties that adjoin larger properties, and thus are situated to have residential in the back and commercial in the front. Developments in this district should meet the intent of Mixed-Use and should all have no more than 30% of the total area as residential uses.

Commercial Only Heritage District (CO-HD): A sub-district intended to host only commercial uses. The proximity to Village Hall and narrow properties tend to favor commercial uses, and these uses should be buffered significantly from existing residential uses.

Civic Heritage District (Civic-HD): This sub-district holds the historic churches and site of the new Marvin Village Hall. These properties should be limited to civic uses and similar building vernacular to the churches and Village Hall or other similarly civic vernacular.

Parking space standards should be prepared for the Heritage District to include minimum parking spaces by development type, location of parking lots, parking surfaces, screening of parking lots, internal landscaping, connection of parking to buildings, bicycle racks, and plug-in electric vehicle (PEV) charging stations.

Phased Steps of Public Investments.

The streetscape is a vital component of the Heritage District, and so the construction of amenities and features along major roads should be coordinated between the Village and potential developers. Typical streetscapes along major roads should be carefully considered and addressed in the Heritage District's design and development standards, regarding the width between the edge of pavement and the front face of buildings.

During the Heritage District charrette, many participants raised concerns about the heavy traffic along New Town Road. This heavy traffic presents safety and pedestrian accessibility concerns as well as concerns about future congestion on New Town Road. Additionally, there are two traffic circles in the Heritage District with a third planned for 2022 at Marvin and New Town Road, which could potentially contribute to heavier traffic.

The Village should explore enactment of a Municipal Service District (MSD) for all properties within the Heritage District, having an additional tax rate that is yet to be determined. Property owners who currently reside on the property in the district may request to be exempted from the initial boundary of the MSD, but their property should be added into the MSD boundary before an application for development may be submitted.

The Marvin Loop Trail (North side of New Town Road, with crosswalks across New Town Road in some places) is a federally funded project and should be incorporated in all applicable site plans in the Heritage District. The Village should consider a requirement to have developers fund their proportionate portion of the local match of the trail or construct that section of the trail. Developments should create an easement or create a property which will be dedicated to the Village

for the Loop Trail. Other grants may be pursued by the Village to fund trails and open spaces while developers could be invited to assist with the applications for grants as desired.

Municipal Service District (MSD) revenue should be used to fund the development of trails and open spaces. The Village should operate and maintain all trails and public spaces dedicated to the Village. Public open spaces not dedicated to the Village should be maintained privately and obligated by a maintenance plan and agreement.

GOALS AND OBJECTIVES

Core Land Use Policy

CORE LAND USE POLICY D. VILLAGE CENTER DEVELOPMENT: FACILITATE A UNIQUELY IDENTIFIABLE VILLAGE CENTER THAT PROMOTES MARVIN'S HERITAGE

Goals and Objectives

PRINCIPLE GOAL: Foster a Village center (hereinafter named the “Marvin Heritage District”, “MHD” or “Heritage District”) that pays tribute to our rural heritage, incorporates pedestrian-oriented design, neighborhood uses and inter-connected greenways; all arranged to highlight Marvin’s rural character.

D.1. Goal 1: ESTABLISH THE PURPOSE, LOCATION, PHYSICAL ELEMENTS AND SCOPE OF DEVELOPMENT STANDARDS TO GUIDE CREATION OF THE HERITAGE DISTRICT

D.1.1 Objective 1: Facilitate a local destination of the Heritage District for residents, families and the community.

D.1.2 Objective 2: Develop a Heritage District between Marvin School Road and Marvin Road, along New Town Road.

D.1.3 Objective 3: Delineate the Heritage District using streetscapes, pedestrian-oriented travelways, furnishings and architecture.

D.1.4 Objective 4: Create Overlay Standards which would guide the creation of the Heritage District.

2. Goal 2: PREPARE STANDARDS AND SPECIFICATIONS TO GUIDE THE CHARACTER AND DESIGN THEMES FOR THE HERITAGE DISTRICT

D.2.1 Objective 1: Facilitate the creation of an identifiable Heritage District designed to give Marvin a uniquely identifiable character.

D.2.2 Objective 2: Require that signs and fixtures reflect rural themes.

D.2.3 Objective 3: Preserve, protect or enhance historically significant sites, buildings and natural scenic areas in the Heritage District.

D.2.4 Objective 4: Establish standards for distinct architecture that exhibits Marvin’s rural character.

D.3. Goal 3: PREPARE PLANNING, DESIGN AND DEVELOPMENT STANDARDS FOR THE HERITAGE DISTRICT

D.3.1 Objective 1: Create a walkable, compact core of neighborhood-friendly commercial, civic and public uses and spaces.

- D.3.2 Objective 2: Require usable open space and recreational amenities in conjunction with development within the Heritage District.
- D.3.3 Objective 3: Protect and highlight Marvin's tree lines and the stands of heritage trees located in the Heritage District.
- D.4. Goal 4: PREPARE PEDESTRIAN-FRIENDLY DESIGN STANDARDS FOR THE HERITAGE DISTRICT
- D.4.1 Objective 1: Require the development of safe pedestrian travelways, recreation areas and greenspaces with each new use in the Heritage District.
- D.4.2 Objective 2: Provide a network of greenways that connect green spaces and destinations in the Heritage District.
- D.4.3 Objective 3: Provide pedestrian furnishings along landscaped buffers that line Heritage District roadways.
- D.5. Goal 5: SUPPORT REDEVELOPMENT AND INFILL DEVELOPMENT IN THE HERITAGE DISTRICT
- D.5.1 Objective 1: Support infill development that is architecturally compatible with design themes for the Heritage District.
- D.5.2 Objective 2: Support adaptive reuse of single-family units architecturally consistent with new and old development in the Heritage District.
- D.5.3 Objective 3: Promote adaptive reuse or preservation of buildings and sites with historic value in the Heritage District.
- D.6. Goal 6: PREPARE DESIGN AND DEVELOPMENT STANDARDS FOR THE HERITAGE DISTRICT THAT ENSURE THE SCALE AND LAND USES OF NONRESIDENTIAL USES ARE APPROPRIATE FOR NEIGHBORHOOD NEEDS OF LOCAL RESIDENTS
- D.6.1 Objective 1: Prepare design and development standards specifications for nonresidential uses to establish architectural style, maximum building size and height limits in the Heritage District. [NOTE: [The Objective replaces the former objective since the Village is revising a planning tool to change from a floor area ratio standard to Form-based code. The previously adopted Objective stated, "Develop floor area standards for uses within the Village Center."].
- D.6.2 Objective 2: Ensure the scale of nonresidential development is appropriate for neighborhood needs of local residents.
- D.6.3 Objective 3: Prohibit large-scale uses and high-volume traffic generators in the Heritage District.

- D.7. Goal 7: *PREPARE A TABLE OF PERMITTED USES FOR THE HERITAGE DISTRICT*
- D.7.1 Objective 1: Permit residential uses in the Heritage District.
- D.7.2 Objective 2: Permit low-impact specialty shops, services, restaurants, office and civic uses.
- D.7.3 Objective 3: Permit civic and institutional-type uses that encourage community gathering (e.g. libraries and parks).
- D.7.4 Objective 4: Encourage desirable, small-scale uses.
- D.8. Goal 8: *MINIMIZE TRAFFIC IMPACTS AND MANAGE TRAFFIC CONCERNS*
- D.8.1 Objective 1: Carefully consider traffic and other potential impacts on adjacent neighborhoods and the Heritage District area.
- D.8.2 Objective 2: Minimize any high-traffic Permit low-impact specialty shops, services, restaurants, office and civic uses.
- D.8.3 Objective 3: Permit civic and institutional-type uses that encourage community gathering (e.g. libraries and parks).
- D.8.4 Objective 4: Encourage desirable, small-scale uses.
- D.9. Goal 9: *PARKING*
- D.9.1 Objective 1: Ensure parking areas are well-lit and well-screened from adjacent roadways.
- D.9.2 Objective 2: Locate parking and other utilitarian uses behind building façade lines, streetscapes and landscaping.
- D.9.3 Objective 3: Encourage and provide incentives for shared parking solutions within the Heritage District.
- D.10. Goal 10: *PARKING*
- D.10.1 Objective 1: Limit impact on the natural environment, adjacent neighborhoods, and surrounding roads.
- D.10.2 Objective 2: Require buffers between nonresidential structures, adjacent neighborhoods and along roadways.
- D.10.3 Objective 3: Ensure the protection of trees and appropriate landscaping.

D.11. Goal 11: PUBLIC INVOLVEMENT AND HERITAGE DISTRICT CONCEPT CREATION

D.11.1 Objective 1: Utilize and rely on resident opinions provided in the Land Use Plan Survey to draft the Heritage District design and development standards.

D.11.2 Objective 2: Draft Standards and provide preliminary sketches, idea boards and opportunities for resident input.

D.11.3 Objective 3: Encourage citizen participation, invite inspired ideas, listen to concerns and troubleshoot prospective challenges.

MARVIN HERITAGE DISTRICT SMALL AREA PLAN – FUTURE LAND USE MAP

While the Marvin Heritage District is envisioned as an integrated seamless grouping of land uses and building types, the geographic area of the overall district to be regulated by future design and development standards, are organized into the following four future land use designations within the general boundary of the Heritage District depicted in the map entitled, “Marvin Heritage District Small Area Plan – Future Land Use Map.”

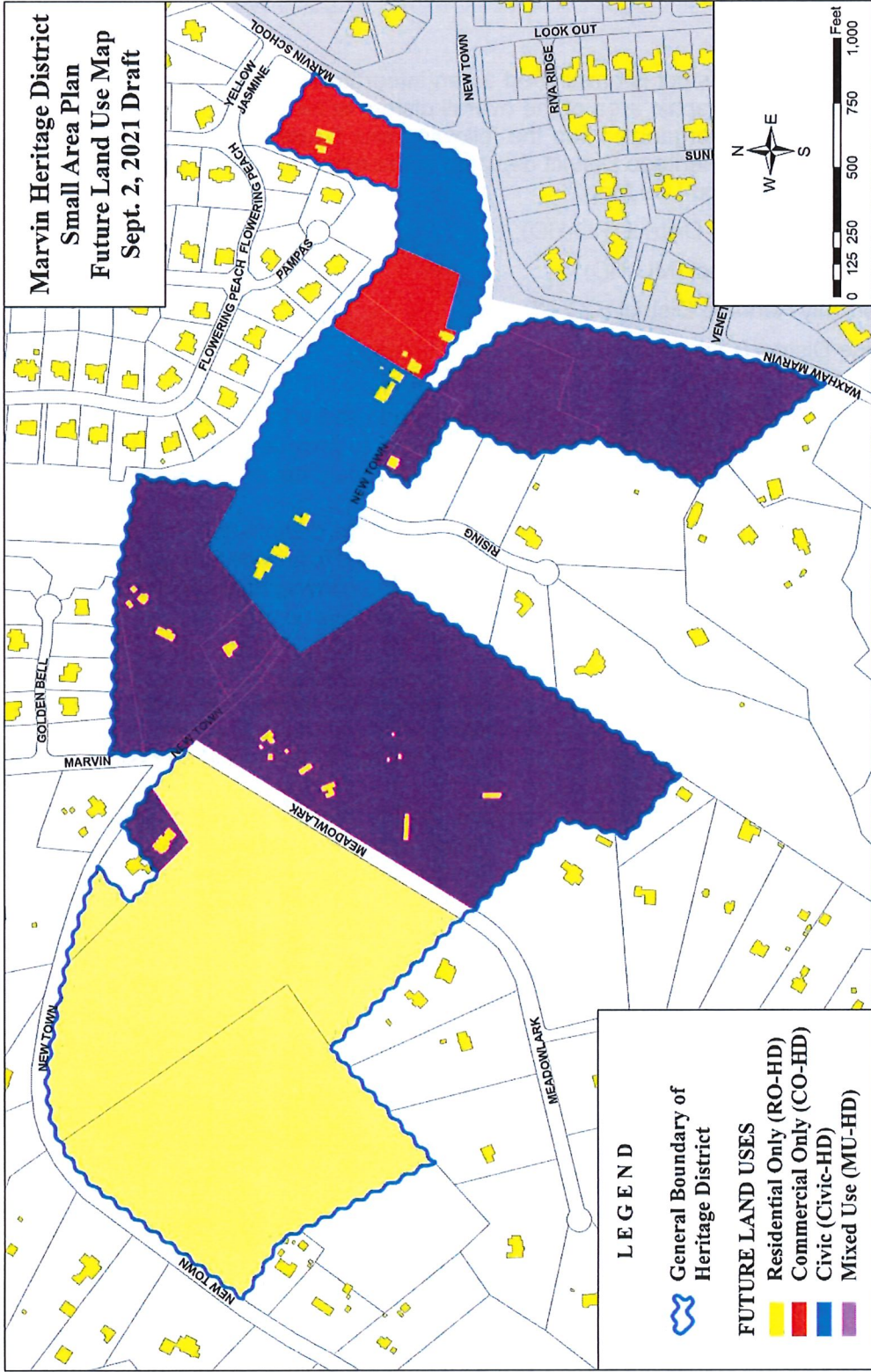
- Residential Only Heritage District (RO-HD);
- Mixed Use Heritage District (MU-HD);
- Commercial Only Heritage District (CO-HD); and
- Civic Heritage District (Civic-HD).

Residential Only Heritage District (RO-HD): The future land use for this designation is intended for solely residential buildings. This future land use is intended to provide additional housing to boost the vibrancy and walkability of the District as a whole, and should have 100% residential uses.

Mixed Use Heritage District (MU-HD): Future land uses for this designation are intended to be the bulk of the central area of the District. This designation is envisioned to provide parcels that are larger and deeper and thus are situated to have residential in the back and commercial in the front. Developments in this district should meet the intent of Mixed-Use and should all have no more than 30% of the total area as residential uses.

Commercial Only Heritage District (CO-HD): The future land use for this designation is intended to host only commercial uses. The proximity to Village Hall and narrow properties tend to favor commercial uses, and these uses should be buffered significantly from existing residential uses.

Civic Heritage District (Civic-HD): The future land use for this designation is intended to include the historic churches and site of the new Marvin Village Hall. Properties in this future land use designation should be limited to civic uses and similar building vernacular to churches and the Village Hall or other similarly civic uses.



Note: Boundaries of the Marvin Heritage District (external) and Future Land Uses (internal) shown on this map are not zoning districts and are advisory in nature, without independent regulatory effect. These boundaries will be considered by the Planning Board and Village Council when considering map amendments (rezonings) to the Official Zoning Map. When the Planning Board and Village Council consider proposed rezonings, this map will be consulted. These boundary lines (external and internal) are generalized, and as such, are not intended to be precisely aligned with parcel lines.

APPENDICES

Appendix A: Village of Marvin 2019 Community Survey Report

Appendix B: Building a Village Center and Creating Intentional Growth in the Village of Marvin, NC

Appendix A

Village of Marvin 2019 Community Survey Report

Appendix B

Building a Village Center and Creating Intentional Growth in the Village of Marvin, NC