



VILLAGE OF MARVIN
NORTH CAROLINA

Marvin Village Hall
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Village Council Agenda Report

Meeting Date: Thursday, May 29, 2025

MarvinNC.gov

Title: Affirm the Design Review Board Approval of the Construction Plans and Elevations for the Whataburger Project (Marvin Gardens Outparcel 3)

Attachments: DRB Plan Set and Updated Elevations, **Action Requested:** Other

Draft Motion: Affirm the Design Review Board approval of the Whataburger Elevations and Construction Plans for Marvin Gardens Outparcel 3 as presented or with modifications, contingent on engineer review and all applicable outside agencies review and approval.

Budgetary Impact: No Budgetary Action Required

Background:

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.

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 voted on the application, it is then affirmed by the Village Council.

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 Village has received a zoning permit to develop Outparcel 3. This application is an extension of the original approved zoning and construction plans for the development of Marvin Gardens.

The Applicant has submitted their signage plan and DRB will review at their June meeting.

Staff recommends Village Council affirm the Design Review Boards approval of the Whataburger Elevations and Construction Plans as presented or with modifications, contingent on engineer review and all applicable outside agencies review and approval.