

OFFICE CLUB POINT ZONE CHANGE

LAND USE STATEMENT

JULY 2024

REQUEST

N.E.S. Inc., on behalf of Purgatory Land Holdings LLC requests approval of a zone change from MX-M (Mixed-Use Medium Scale) and BP (Business Park) to MX-M (Mixed-Use Medium Scale).

LOCATION AND ZONING

The Office Club Point rezone project site is comprised of 2.1 acres, is located northwest of Briargate Pkwy and Explorer Drive, and is currently undeveloped. The site is currently split zoned with BP (Business Park) and MX-M (Mixed-Use Medium Scale), though majority of the site is within the MX-M zone district. Surrounding zone districts include MX-M to the southwest, south, and east of the parcel. These adjacent parcels are developed with hotel and office uses. The parcel to the west is split zoned with BP and A zone districts and is being used as open space. The parcel to the north is zoned A and is developed as a golf course.



CONFORMANCE WITH LAND USE STATEMENT REVIEW CRITERIA (CODE SECTION 7.5.514.A-3.a)

The Manager may waive the requirement for approval of a Land Use Plan if the Manager determines that requiring approval of a Land Use Plan would not serve the purposes of this Section or the UDC because:

- 1. The land area under review is less than ten (10) acres and is planned to be developed in a single phase;**
The proposed rezone site is 2.1 acres and will be developed in a single phase.
- 2. The land is contained in and subject to a previously approved Master or Concept Plan;**
This site is within the Briargate Master Plan boundaries which was first approved in 2003 and most recently amended in 2020 (CPC MP 07-00061-A8MN20). This Master Plan identifies this site as intended to be used for Regional Commercial (RC) which is consistent with the proposed MX-M zone district.
- 3. The land is included in a Development Plan application;**
Development plan file number AR DP 06-00357 was approved for this site in 2006. The site was never developed according to this plan but did receive land use approval.
- 4. The land area is part of an established surrounding development pattern;**
The lot proposed to be rezoned is part of an established development pattern. The properties to the south and southwest of the site are both developed as hotels. The property to the east is developed as offices. The property directly west is undeveloped and intended for preservation of the stream. The property directly north is a 225-acre golf course. The proposed rezone to MX-M would allow for the development of similar uses to what exists in the surrounding area.
- 5. The proposed zoning pattern for the land aligns with adjacent existing zoning or development; and/or**
The project site is currently split-zoned with BP and MX-M zone districts. Most of the subject lot's area is within the MX-M zone district. The 3 parcels southwest, directly south, and east of the parcel are all zoned MX-M and were included in the same rezone request and approval (CPC P 97-00267; Ord. 97-179) as the partial zoning on the subject lot. The intent to rezone this lot to MX-M was demonstrated in 1997 but technical errors were made and remnant BP zoning remained. This rezone will rectify the split zoning at the site and bring it into conformity with the zoning of the other lots in the Office Club Subdivision. The parcel to the west of the site is split zoned BP and A but is used as open space and conservation of the stream. The parcel to the north is zoned A and being used as a golf course.
- 6. Major infrastructure or urban services for the land including but not limited to access points and roadway systems, have already been established and are not proposed to be changed.**
There is an existing 30' platted access easement that provides vehicular access to the site. Connections to all major utilities are also proximal to the site.