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690 Chesterfield Pkwy W • Chesterfield MO 63017-0760  
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

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## **Planning Commission Staff Report**

- Project Type:** Site Development Plan Time Extension
- Meeting Date:** February 14, 2011
- From:** Shawn Seymour, AICP  
Senior Planner
- Location:** A 3.038 acre tract and a 10.895 acre tract of land zoned "C8" Planned Commercial District located on the southwest and southeast corners respectively of the Baxter Road and Wild Horse Creek Road intersection.
- Petition:** P.Z. 28-2007 THF Chesterfield Seven Development (THF Chesterfield Seven Development LLC)
- Description:** **Chesterfield Village Parcels C-119 & C-148 (P.Z. 26-2008 Time Extension)**: A request for a twenty-four (24) month extension of time to submit a Site Development Plan for a 3.038 and a 10.895 acre tract of land zoned "C8" Planned Commercial District located on the southwest and southeast corners respectively of the Baxter Road and Wild Horse Creek Road intersection.

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### **Proposal Summary**

Chesterfield Village, Inc., has submitted a request for a twenty-four (24) month extension of time to submit a Site Development Plan for P.Z. 26-2008 Chesterfield Village Parcels C-119 & C-148 (Chesterfield Village, Inc.). The Department of Planning and Public Works has reviewed the request and submits the following report.

### **Site Area History**

Parcels C-119 and C-148 were zoned "C8" Planned Commercial District by Saint Louis County prior to the incorporation of the City of Chesterfield as part of the master plan for the Chesterfield Village Development by Sach's Properties. In May of 1996, the City of Chesterfield amended the Saint Louis County ordinance for this "C8" Planned Commercial District to add a 0.6 acre property to Parcel C-119. Parcel C-148 was subject to a Boundary Adjustment Plat that was approved by the City of Chesterfield in December of 2006 which modified the southern

boundary of the parcel that borders the Reserve at Chesterfield Village subdivision. Finally, in 2007 Wild Horse Creek Road was realigned, which required that the applicant dedicate a portion of Parcel C-148 for right-of-way for that road improvement.

Due to the above referenced addition of land, boundary adjustment, and right-of-way dedication the legal descriptions of both Parcel C-119 and C-148 as provided for in the "C8" Planned Commercial District were deemed inaccurate. In 2009, with the passage of City of Chesterfield Ordinance 2557 an amendment to this "C8" Planned Commercial District corrected the legal description inaccuracies.

### **Zoning Analysis**

As stated above parcels C-119 and C-148 were zoned "C8" Planned Commercial District by St. Louis County prior to the incorporation of the City of Chesterfield and are part of the Chesterfield Village Development by Sach's Properties. The current "C8" Planned Commercial District permits all of the uses provided for in the "C2" Shopping District and the "C6" Offices and Research Services District without a Conditional Use Permit. Fast Food Restaurants are prohibited. Offices are limited to 90,000 sf., restaurants are limited to 13,000 sf., and retail is limited to 44,000 sf.

### **Surrounding Land Use and Zoning**

The land use and zoning for the properties surrounding this parcel are as follows:

- North: The adjacent properties to the north are a school zoned "LLR" Large Lot Residential and a community center zoned "R2" Residence District (15,000 sq. ft.), and a church also zoned "R2" Residence District (15,000 sq. ft.).
- South: The adjacent property to the south is a residential subdivision, which is zoned "R5" Residence District (6,000 sq. ft.).
- East: The adjacent property to the east is the Riparian Corridor which is a conservation easement placed over the "C8" Planned Commercial District.
- West: The adjacent property located to the west is a residential subdivision, which is zoned "R1" Residence District.



**SUBMITTAL INFORMATION**

City of Chesterfield Ordinance 2557 has the standard requirement for a Site Development Plan or Site Development Concept Plan to be submitted within 18 months of the date of approval of the change of zoning by the City. However, where due cause is shown by the developer, the time interval may be extended by the Planning Commission. Failure to comply with the established time limits will result in the addition of a Public Hearing to be held at the time of Site Development Plan submittal. A letter from the applicant is attached to this report and provides details for this request.

**DEPARTMENTAL INPUT**

The expiration date for the time period to submit a Site Development Plan is February 3, 2011. The Developer is currently seeking a requested time extension as due to the economic conditions, they have no plans to develop this site in the immediate future. The twenty-four (24) month extension will change the deadline to submit a Site Development Plan to February 3, 2013. Staff has reviewed the request for an extension of time to file a Site Development Plan and has no outstanding issues related to this extension and requests action by the Planning Commission.

**MOTION**

The following options are provided to the Planning Commission for consideration relative to this application:

- 1) "I move to approve (or deny) the request for a twenty-four (24) month extension of time to submit a Site Development Plan for P.Z. 26-2008 Chesterfield Village Parcels C-119 & C-148 (Chesterfield Village, Inc.)."
  
- 2) "I move to approve the request for a twenty-four (24) month extension of time to submit a Site Development Concept Plan for P.Z. 26-2008 Chesterfield Village Parcels C-119 & C-148 (Chesterfield Village, Inc.) with the following conditions..." (Conditions may be added, eliminated, altered or modified)

Attachments: Letter from Applicant



St. Louis  
16090 Swingley Ridge Road  
Suite 620  
Chesterfield, MO 63017  
(636) 532-0042  
(636) 532.1082 Fax

Michael J. Doster  
mdoster@dosterullom.com

January 5, 2011

Sent via E-mail and U.S. Mail

Planning Commission  
City of Chesterfield  
690 Chesterfield Parkway West  
Chesterfield, Missouri 63017-0760

RE: P.Z. 26-2008 Chesterfield Village C-119 & C-148 (Chesterfield Village, Inc.)

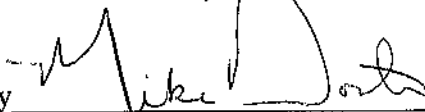
Dear Commissioners:

We represent the owner of Chesterfield Village Parcel C-119 and Parcel C-148 located at the intersection of the Southeast and Southwest Corners of the Wild Horse Creek Road and Baxter Road Intersection. Pursuant to Section II.E. of Ordinance 2557, we respectfully request a 24 month extension of the time period for plan submittal specified in Section II of the Ordinance. We have been advised that the current submittal deadline is February 3, 2011.

The owner has no current plans to develop the Property due to current economic conditions. The owner does not anticipate any development occurring at this location in the immediate future with one exception. The owner has expressed intent to donate part of the subject property for a Family History Center that will be a valuable asset to the community. The St. Louis County Library Foundation is currently engaged in the planning and fund raising process for this facility.

Staff may contact the undersigned if there are any questions, and we assume staff will let us know when this request will be on the agenda for a Planning Commission meeting. Thank you for your consideration.

DOSTERULLOM, LLC

By   
Michael J. Doster

cc: Shawn Seymour, Senior Planner  
Kathy Higgins