



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

Planning Commission Staff Report

Project Type: Site Development Plan Time Extension

Meeting Date: September 22, 2012

From: Jessica Henry
Project Planner

Location: 13506 Olive Blvd.

Petition: P.Z. 04-2009 Spirit Energy (13506 Olive Blvd.)

Description: **Spirit Energy (P.Z. 04-2009 Time Extension)**: A request for a two (2) year extension of time to submit a Site Development Plan for a 0.31 acre tract of land zoned "PC" Planned Commercial district located on the southwest corner of Olive Blvd. and Woods Mill Rd. (Locator 16Q330902).

PROPOSAL SUMMARY

William Remis of Doster Ullom, LLC, on behalf of Spirit Energy LLC, has submitted a request for two (2) year extension of time to submit a Site Development Plan for P.Z. 04-2009 Spirit Energy (13506 Olive Blvd). The Planning and Development Services Division has reviewed the request and submits the following report.

LAND USE AND ZONING HISTORY OF SUBJECT SITE

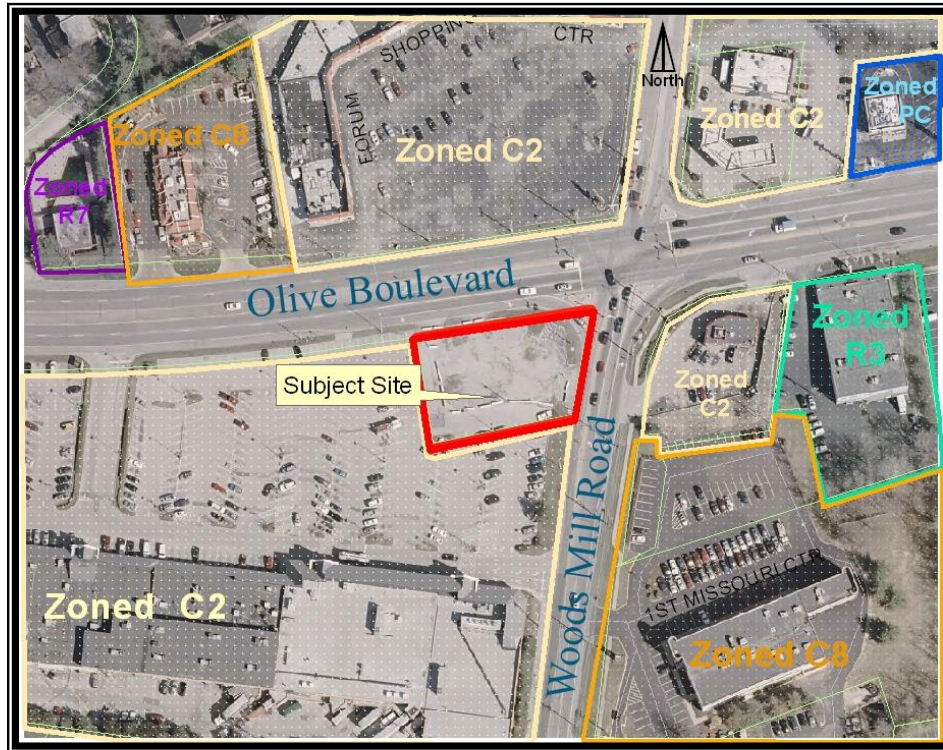
In January of 2010, the City of Chesterfield approved Ordinance 2592 which changed the zoning of the subject site from a "C-2" Shopping District to a "PC" Planned Commercial District. Approved uses and development criteria for the site were included in the Attachment A of Ordinance 2592. Prior to approval of Ordinance 2592, the site was permitted to develop under the terms and conditions of the "C-2" Shopping District including the conditional use of a filling station authorized under Conditional Use Permit #17.

Per the requirements of Ordinance 2592, a Site Development Plan was required to be submitted by June 20, 2011. An eighteen (18) month extension was approved in May of 2011. However, this time period lapsed and, subsequently, in October of 2012, the applicant requested and was granted a two year time extension for the submittal of a Site Development Plan by the Planning Commission.

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Surrounding Land Use and Zoning

Direction	Land Use	Zoning
North	Forum Shopping Center	"C-2" Commercial District
South	Four Seasons Shopping Center	"C-2" Commercial District
East	Jiffy Lube	"C-2" Commercial District
West	Four Seasons Shopping Center	"C-2" Commercial District



SUBMITTAL INFORMATION

City of Chesterfield Ordinance 2592 has the requirement for a Site Development Plan to be submitted within eighteen (18) months from the date of approval of the Preliminary Plan. 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 require a new public hearing to be held.

Spirit Energy has recently executed a license and granted permission to the City of Chesterfield Department of Public Services to initiate a beautification project consisting of turf and landscaping. The City Council has authorized and funded this project, which is currently in progress. It is expected that the landscape work will be completed by the fall of 2014. Please note that the landscaping is not intended to be permanent and the City has committed that the proposed improvements will not impact the owner’s development rights and that the City will remove the improvements at the demand of the Owner.

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The owners currently have no immediate plans to develop the property but would like to preserve the zoning on the parcel for as long as possible so as to ensure that options remain available for future development. The current time extension will expire on October 8, 2014.

DEPARTMENTAL INPUT

Staff has reviewed the request for an extension of time to file a Site Development Plan and the conditions for development contained within the Attachment A of City of Chesterfield Ordinance 2592. Based on this review, Staff has no concerns with a two (2) year extension for the submittal of a Site Development Plan as requested by the applicant and recommends approval of the request. **If approved, the time extension would be valid until October 8th, 2016.**

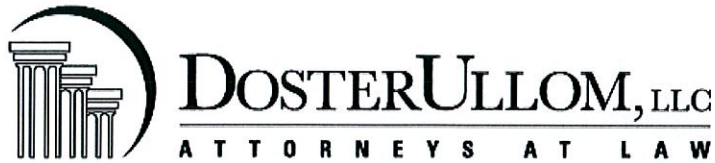
MOTION

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 two (2) year extension of time to submit a Site Development Plan for P.Z. 04-2009 Spirit Energy (13506 Olive Blvd.)."
- 2) "I move to approve the request for a two (2) year extension of time to submit a Site Development Plan for P.Z. 04-2009 Spirit Energy (13506 Olive Blvd.) with the following conditions..." (Conditions may be added, eliminated, altered or modified)

Cc: Aimee Nassif, Planning and Development Services Director

Attachments: Letter from Doster Ullom, LLC



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

William B. Remis
bremis@dosterullom.com

September 2, 2014

Sent via E-mail and U.S. Mail

Jessica Henry
City of Chesterfield
690 Chesterfield Pkwy W.
Chesterfield, MO 63017-0760



Re: Spirit Energy – 13506 Olive Blvd.

Dear Jessica:

We represent the owners of 13506 Olive Boulevard. In accordance with Attachment A of Ordinance 2592, we hereby request a two year extension of the time period for plan submittal required by the Ordinance.

As with our prior requests, economic conditions have frustrated the owners ability to secure an appropriate user for this location. However, the owners are continuing with their efforts to market the property, and as such, would like to preserve the zoning at the parcel for as long as possible.

Note that recently, the owners entered into a License Agreement with the City which permits the City to plant some landscaping and enhance the appearance of this Property. We would appreciate your apprising the Planning Commission of this recent development and ask that they take this into consideration as part of their determination on whether to extend the zoning.

Please contact the undersigned if you have any questions and let us know when this will be on the agenda for a Planning Commission meeting. Thank you for your assistance.

Very truly yours,

William B. Remis

cc: Chris Kempf
Greg Yawitz