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Planning Commission Staff Report

Project Type: Construction Commencement Time Extension

Meeting Date: September 26, 2016

From: Cecilia Hernandez
Project Planner

Location: 17970 Chesterfield Airport Road, 609 Cepi Drive, 17975 Edison Avenue

Petition: P.Z. 15-2009 Chesterfield Airport Commerce Park (Insituform Technologies, Inc.)

Description: **Chesterfield Airport Commerce Park (P.Z. 15-2009 Time Extension Request):** A request for a one (1) year extension of time to commence construction for three properties totaling 10.546 acres zoned “PI” Planned Industrial District located at 17970 Chesterfield Airport Road, 609 Cepi Drive, and 17975 Edison Avenue (17V240153, 17V240331, 17V330311).

PROPOSAL SUMMARY

Cushman & Wakefield, on behalf of Aegion (parent company of Insituform Technologies) has submitted a request for a one (1) year extension of time to commence construction for P.Z. 15-2009 Chesterfield Airport Commerce Park (Insituform Technologies, Inc.). The Planning and Development Services Division has reviewed the request and submits the following report.

LAND USE AND ZONING HISTORY OF SUBJECT SITE

The site was originally comprised of three different tracts of land. The first tract (labeled “A” in the map on the next page), located off Chesterfield Airport Road, was originally zoned “M3” Planned Industrial District prior to the incorporation of the City of Chesterfield. In September 1998, the tract was rezoned to “PC” Planned Commercial District via Ordinance 1455 and amended in May 2001 for building requirements. A Site Development Section Plan was approved on May 8th, 2000 for this tract but nothing was ever built.

Surrounding Land Use & Zoning

Direction	Land Use	Zoning
North	Sentrus Place (vacant)	"PI" Planned Industrial District
South	Damian Kroenung Estates (vacant)	"PI" Planned Industrial District
East	Chesterfield Executive Park	"M3" Planned Industrial District
West	Natoli and Insituform	"M3" Planned Industrial District



The second tract (labeled "B" in the map on the left) located off Cegi Drive was a part of the Chesterfield Executive Park development. It was also zoned "M3" Planned Industrial District prior to the incorporation of the City of Chesterfield. In January 2001, the tract was rezoned to "PI" Planned Industrial District via Ordinance 1707. A Site Development Section Plan was approved on July 9th, 2001 for this tract but nothing was ever built.

The third tract (labeled "C" in the map on the left), which is a piece of land located off Edison Avenue, was zoned "M3" Planned Industrial District prior to the incorporation of the City of Chesterfield. In April 1992, the permitted uses were amended via

Ordinance 674. In February 1994, Ordinance 674 was repealed by Ordinance 882 to amend the building requirements and uses then amended by Ordinance 1030 for uses. In May 2006, Ordinance 1030 was amended by Ordinance 2264 for setback requirements. This tract has never been developed.

In March of 2010, this development consisting of the three above mentioned tracts was zoned "PI" Planned Industrial District via Ordinance Number 2598. On October 11th, 2010, the Planning Commission approved a Site Development Concept Plan. All three tracts remain undeveloped today.

The Planning Commission has previously granted approval of four (4) time extensions to commence construction: October 8th, 2012; September 30th, 2013; September 22nd, 2014; and October 8th, 2015.

SUBMITTAL INFORMATION

City of Chesterfield Ordinance 2598 requires the commencement of construction within two (2) years of approval of the Site Development Plan or Site Development Concept Plan unless otherwise authorized by ordinance. The ordinance also states **where due cause is shown by the developer, the Planning Commission may extend the period to commence construction for not more than one (1) additional year.** A letter from the applicant is attached to this report and provides details for this request.

The extension granted last year requires construction to commence prior to October 8th, 2016; however the developer does not anticipate construction prior to this date for the reasons listed in the request. The current request is to allow for a one (1) year time extension for the commencement of construction from the October 8th, 2016 deadline.

DEPARTMENTAL INPUT

Staff has reviewed the request for an extension of time to commence construction and the conditions for development contained within the "Attachment A" of City of Chesterfield Ordinance 2598. Based on this review, Staff recommends approval of a one (1) year extension to commence construction as requested by the applicant and recommends approval of the request. **If approved, the time extension would be valid until October 8th, 2017.**

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 one (1) year extension of time to commence construction for P.Z. 15-2009 Chesterfield Airport Commerce Park (Insituform Technologies, Inc.)."
- 2) "I move to approve the request for a one (1) year time extension to commence construction for P.Z. 15-2009 Chesterfield Airport Commerce Park (Insituform Technologies, Inc.) with the following conditions..." (Conditions may be added, eliminated, altered or modified)

Cc: Aimee Nassif, Planning and Development Services Director

Attachments: Request from Cushman & Wakefield

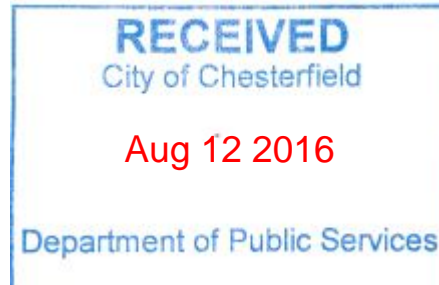


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Sent via email: JHenry@chesterfield.mo.us

August 12, 2016

City of Chesterfield
690 Chesterfield Parkway W
Chesterfield, MO 63017
Attn: Jessica Henry
636.573.4741



RE: Site Development Concept Plan – City Ordinance No. 2598

Dear Ms. Henry,

This letter serves as written acknowledgement of your email dated August 8, 2016 concerning Ordinance No. 2598 that governs the property owned by our client Aegion (parent company of Insituform Technologies). The properties are roughly located just west of the intersection of Chesterfield Airport Road and Cepi Drive and the intersection of Cepi Drive and Edison Avenue.

The property is currently being marketed for sale by a real estate company on behalf of Aegion. There are no plans at this time for Aegion, or a third-party buyer, to develop on either site. We would therefore like to respectfully request an extension to the requirement for the commencement of substantial construction prior to October 8, 2016.

Thank you for your consideration and please do not hesitate to call me with any questions.

Sincerely,

Cushman & Wakefield
Commercial Real Estate Service Provider for Aegion

A handwritten signature in blue ink that reads "Daniel Wessel".

Daniel Wessel
Associate Vice President
314.817.2194