



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: October 8, 2012

From: Justin Wyse, AICP
Senior 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.

Surrounding Land Use and Zoning

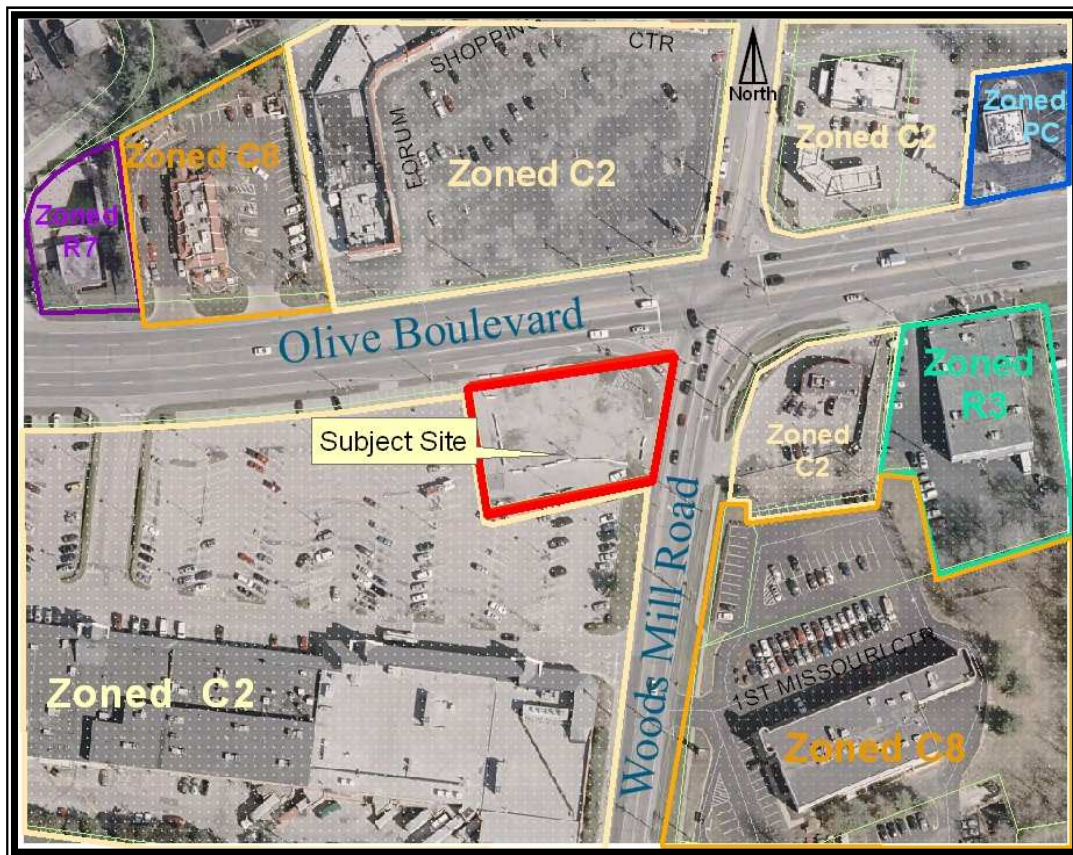
The land use and zoning for the properties surrounding this parcel are as follows:

North: Forum Shopping Center is zoned “C-2” Commercial District.

South: Four Seasons Shopping Center is zoned “C-2” Commercial District.

East: Jiffy Lube is zoned “C-2” Commercial District.

West: Four Seasons Shopping Center is zoned “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.

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. The current request is to allow for a two year time extension of the requirement for the submission of a Site Development Plan from the date of approval of the request. The request cites current economic conditions as the basis for their request.

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, 2014.**

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)

Attachments: Letter from Doster Ullom, LLC

cc: Aimee Nassif, Planning and Development Services Director



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 25, 2012

Sent via E-mail and U.S. Mail

Justin Wyse
City of Chesterfield
690 Chesterfield Pkwy W.
Chesterfield, MO 63017-0760

Re: Spirit Energy – 13506 Olive Blvd.

Dear Justin:

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.

Due to current economic conditions, the owners have not yet been able 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.

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,

A handwritten signature in black ink, appearing to read "W B Remis". The signature is fluid and cursive.

William B. Remis

cc: Chris Kempf
Greg Yawitz