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Planning Commission Staff Report

Meeting Date: November 13, 2019

From: Andrew Stanislav, Planner *AS*

Location: 18730 Olive Street Road

Applicant: NAI Desco on behalf of Spirit Valley Development, LLC

Description: **Spirit Valley Business Park II (P.Z. 42-2007 Time Extension Request):** A request for a one (1) year extension of time to commence construction for a 27.4 acre tract of land zoned “PI” Planned Industrial District located south of Olive Street Road and west of Wardenburg Road.

SUMMARY

Daniel Hayes of NAI Desco, on behalf of Spirit Valley Development, LLC, has submitted a request for a one (1) year extension of time to commence construction for P.Z. 42-2007 Spirit Valley Business Park II (18730 Olive Street Road). The Department of Planning and Development Services has reviewed the request and submits the following report.

HISTORY OF SUBJECT SITE

On December 3rd, 2007, the City of Chesterfield approved Ordinance 2413 which changed the zoning of the subject site from a “NU” Non-Urban District to a “PI” Planned Industrial District. On August 23rd, 2010, the Planning Commission approved the Site Development Concept Plan to allow for seven (7) lots to be developed individually. The lots have not been platted and remain undeveloped.

City of Chesterfield Ordinance 2413 requires the commencement of construction within two (2) years of approval of the Site Development Concept Plan or Site Development Plan unless otherwise authorized by ordinance. The ordinance 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 Planning Commission has previously granted approval for seven (7) time extensions to commence construction: November 26th, 2012; September 30th, 2013; September 22nd, 2014; September 30, 2015; November 28th, 2016; August 28, 2017; and October 8, 2018.

The extension granted last year requires construction to commence prior to November 28th, 2019; however the developer does not anticipate construction prior to this date for the reasons noted in the request. The current request is to allow for a one (1) year time extension for the commencement of construction.

LAND USE AND ZONING OF SURROUNDING PROPERTIES

Direction	Land Use	Zoning
North	Undeveloped	“NU” Non-Urban and “AG” Agriculture
South	Spirit of St. Louis Airpark	“M3” Planned Industrial
East	Office/Warehouse	“PI” Planned Industrial
West	Undeveloped	“NU” Non-Urban



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 the City of Chesterfield Ordinance 2413. Based on this review, Staff recommends approval of a one (1) year extension to commence construction as requested by the applicant. **If approved, the time extension would be valid until November 28th, 2020.**

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. 42-2007 Spirit Valley Business Park II (18730 Olive Street Road)."
- 2) "I move to approve the request for a one (1) year extension of time to commence construction for P.Z. 42-2007 Spirit Valley Business Park II (18730 Olive Street Road) with the following conditions..." (conditions may be added, eliminated, altered or modified)

Attachment: Request Letter from Daniel Hayes, NAI Desco

October 14, 2019

Mr. Andrew Stanislav
Planner
City of Chesterfield
690 Chesterfield Parkway West
Chesterfield, Missouri 63017-0760



***Re: Construction commencement extension on Site Development Concept Plan-
City Ordinance No. 2413- Spirit Valley Business Park/phase II***

Dear Mr. Stanislav:

Please let this letter serves as written confirmation of Spirit Valley Development's request to extend the required construction commencement date per Ordinance No. 2413 that governs the phase II property owned by Spirit Valley Development, LLC, and roughly located just west of Phase I-Spirit Valley Business Park on Olive Street Road in Chesterfield Valley.

The property is currently being marketed for sale or lease by my firm NAI Desco on behalf of Spirit Valley Development, LLC. There are no plans to commence with the construction by Spirit Valley Development, LLC to develop this site (phase II of Spirit Valley Business Park) due to the general lack of activity over the past several years in west end of Chesterfield valley. Many property owners are in our same position of looking for users. We would therefore respectfully request an extension to the requirement for the commencement of construction to one year beyond approval date from the city. The present deadline is November 28, 2019 per your letter. Please advise me as to what steps I need to take to have this request considered or if this letter is sufficient to begin the process.

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

Sincerely,

A handwritten signature in black ink that reads "Daniel W. Hayes". The signature is fluid and cursive, with a long horizontal line extending to the right.

Daniel W. Hayes
Principal
NAI DESCO