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## Planning Commission Staff Report

**Project Type:** Construction Commencement Time Extension

**Meeting Date:** November 28, 2016

**From:** Justin Wyse  
Senior Planner

**Location:** 18730 Olive Street Road

**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.

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### **PROPOSAL 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 Planning and Development Services Division has reviewed the request and submits the following report.

### **LAND USE AND ZONING HISTORY OF SUBJECT SITE**

On December 3<sup>rd</sup>, 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 23<sup>rd</sup>, 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 today.

The Planning Commission has previously granted approval of four (4) time extensions to commence construction: November 26<sup>th</sup>, 2012; September 30<sup>th</sup>, 2013; September 22<sup>nd</sup>, 2014; and September 30, 2015.

### Surrounding Land Use and Zoning

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



### SUBMITTAL INFORMATION

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 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 November 26<sup>th</sup>, 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.

### 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 has no concerns with 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 November 28<sup>th</sup>, 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. 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)

cc: Aimee Nassif, Planning and Development Services Director

Attachment: Letter from Daniel Hayes, NAI Desco

November 22, 2016

Mr. Justin Wyse  
Senior 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. Wyse:

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 immediate plans at this time for Spirit Valley Development, LLC to develop this site (phase II of Spirit Valley Business Park) due to economic conditions over the past several years that we have all endured. We would therefore like to 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 26, 2016 per the attached letter just received from you. 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,



Daniel W. Hayes  
Principal  
NAI DESCO