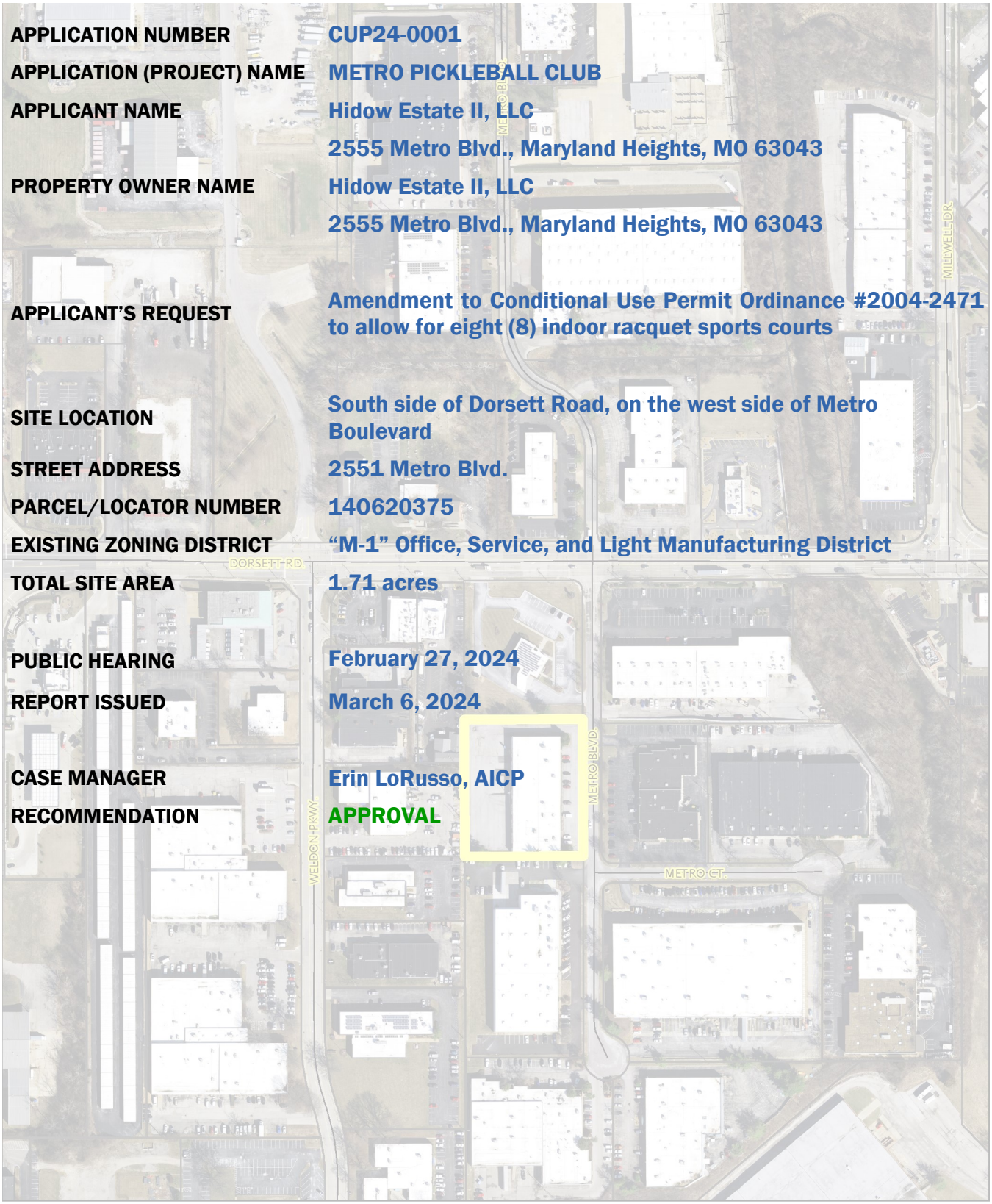
REPORT TO PLANNING & ZONING COMMISSION

CITY OF MARYLAND HEIGHTS

APPLICATION NUMBER	CUP24-0001
APPLICATION (PROJECT) NAME	METRO PICKLEBALL CLUB
APPLICANT NAME	Hidow Estate II, LLC 2555 Metro Blvd., Maryland Heights, MO 63043
PROPERTY OWNER NAME	Hidow Estate II, LLC 2555 Metro Blvd., Maryland Heights, MO 63043
APPLICANT'S REQUEST	Amendment to Conditional Use Permit Ordinance #2004-2471 to allow for eight (8) indoor racquet sports courts
SITE LOCATION	South side of Dorsett Road, on the west side of Metro Boulevard
STREET ADDRESS	2551 Metro Blvd.
PARCEL/LOCATOR NUMBER	140620375
EXISTING ZONING DISTRICT	"M-1" Office, Service, and Light Manufacturing District
TOTAL SITE AREA	1.71 acres
PUBLIC HEARING	February 27, 2024
REPORT ISSUED	March 6, 2024
CASE MANAGER	Erin LoRusso, AICP
RECOMMENDATION	**APPROVAL**



DESCRIPTION OF EXISTING SITE CONDITIONS

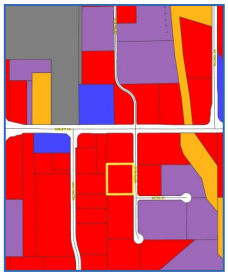
The 1.71 acre site is located on the west side of Metro Boulevard, south of Dorsett Road, just west of its intersection with Millwell Drive. It is developed with a 24,903 square foot office flex building constructed in 1976. The site's parking lot is located in the front of the building along Metro Boulevard, with unstriped pavement at the rear of the building, which is currently utilized to access the functioning loading docks.



REFER TO FIGURE 1

NEIGHBORHOOD CONDITIONS/LAND USE

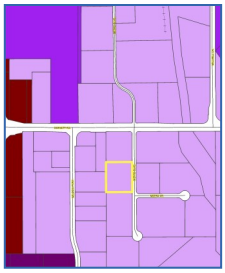
Abutting the site to the north is a bank with drive-through services (*UMB Bank*). East of the site and across Metro Boulevard, is a single-story multi-tenant office flex building, home to companies such as *Great Strides Behavioral Health* and *Foresite Healthcare*, in addition to a number of other medical-related uses. Adjacent and to the south of the site is *Grainger Industrial Supply*. Abutting the site to its west are pool management and service companies. See existing conditions matrix below.



REFER TO FIGURE 2

ZONING CONTEXT

The subject tract and other surrounding properties are zoned "M-1" Office, Service, and Light Manufacturing District. Ameren's campus to the northwest, across Dorsett Road is zoned "PDM" Planned District—Manufacturing and Edward Jones campus further west is zoned "PDO" Planned District—Office.



REFER TO FIGURE 3

REFER TO APPENDIX—SUPPLEMENTAL MAPS AND EXHIBITS



EXISTING CONDITIONS MATRIX

DIRECTION	EXISTING LAND USE	ZONING DISTRICT	COMMENTS
North	**Commercial Banking with Drive Through Services**	**"M-1"**	***UMB Bank***
East	**Ambulatory Health Care Services and various commercial uses**	**"M-1"**	**Across Metro Boulevard**
South	**Industrial Machinery and Equipment Merchant Wholesaler**	**"M-1"**	***Grainger Industrial Supply***
West	**Pool Management and Service Companies**	**"M-1"**	***Westport Pools, Pool Doctor, and Midwest Pools Management***

BACKGROUND AND REQUEST

As discussed at the Public Hearing on February 27, 2024, *Hidow Estate II, LLC* seeks to amend the conditional use permit ordinance governing the Property at 2551-2555 Metro Boulevard to allow for indoor pickleball. Conditional Use Permit Ordinance #2004-2471 permits an automotive and truck detailing facility at the Property. While the automotive-related use is no longer in operation, the ordinance remains with the Property. The applicant and owner of the building utilizes the site as a medical equipment wholesaler (*HiDow International TENS & EMS Technology*). The applicant intends on constructing an addition at the rear of the property for an additional 11,160 square feet. Six of the pickleball courts would be housed in the addition and two are anticipated to be located inside the existing warehouse, operating in conjunction with the wholesaling company. A truck turn analysis prepared by the applicant's engineer reveals that the proposed building and parking addition will not interfere with their deliveries, which occur every 2-3 months. No outdoor storage of materials is proposed. If approved, the pickleball courts would operate from 7:00 a.m. to 10:00 p.m. seven days a week, employ one person per shift, offer an online reservation system, and automated lighting and keyless entry. A Conditional Use Permit is required for indoor racquet sports courts throughout the City's zoning districts given the range of the scope for said operations.

ANALYSIS

In presenting any application for a Conditional Use Permit, the applicant must demonstrate that the proposed use meets the burden of proof criteria contained in Section 25-5.8, Burden of Proof, of the Zoning Code. An analysis of the five criteria contained in the Code follows.

1. *CONSISTENCY. THE CONDITIONAL USE IS DEEMED CONSISTENT WITH GOOD PLANNING PRACTICE IN THAT IT:*
   - A. *ADVANCES THE GOALS, OBJECTIVES, AND POLICIES OF THE COMPREHENSIVE PLAN.*
   - B. *ADVANCES THE PURPOSE AND INTENT OF THE UNDERLYING ZONING DISTRICT.*
   - C. *MEETS THE REQUIREMENTS CONTAINED IN THE ZONING CODE FOR THE SPECIFIC USE.*

COMPREHENSIVE PLAN

The goals and objectives of the Comprehensive Plan applicable to the current request are as follows:

- *Encourage a diversified mix of businesses to support a vibrant local economy.*
- *Encourage and support redevelopment and adaptive reuse of the Westport industrial area, as well as at Westport Plaza.*
- *Provide opportunities for existing businesses to expand and grow.*
- *Encourage a better/improved range of retail and services, including hospitality and entertainment.*

The proposed conditional use is consistent with these objectives. The proposed indoor pickleball courts are an appropriate use of the existing building, subject to the conditions of the draft ordinance. The site provides *Hidow Estate II, LLC* the opportunity to grow from its current location but such growth is limited due to the constraints of the site, particularly with regard to parking and building setbacks.

"M-1" DISTRICT

The stated purpose of the "M-1" Office, Service, and Light Manufacturing District is:

> *This zoning district is composed of those areas of the City whose principal use is or ought to be general office, hotel, entertainment, light manufacturing, warehousing, and other limited industrial uses. These uses generate a minimum of noise, glare, odor, dust, vibration, air and water pollutants, fire, explosive, radioactive and other hazards, and harmful or obnoxious*

ANALYSIS (Cont.)

matter.

The proposed conditional use is consistent with the purpose of the "M-1" District. It is a commercial recreation use that will not adversely impact adjoining properties if constructed and operated in accordance with the attached draft ordinance.

ZONING CODE REQUIREMENTS

The Zoning Code does not include any specific requirements for the use other than required minimum parking spaces. See further discussion on page 5.

2. *OPERATIONAL IMPACTS. THE CONDITIONAL USE CAN BE OPERATED IN A MANNER THAT IS NOT DETRIMENTAL TO THE PERMITTED DEVELOPMENTS AND USES IN THE DISTRICT. IN DETERMINING THE IMPACTS OF THE PROPOSED USE ON SURROUNDING PROPERTIES, THE FOLLOWING FACTORS SHALL BE CONSIDERED:*

   A. *NOISE;*
   B. *ODOR;*
   C. *TRAFFIC;*
   D. *OPERATIONAL SCHEDULE; AND/OR*
   E. *OTHER SIMILAR FACTORS RELATED TO THE NATURE OF THE OPERATION.*

The proposed use can be operated in a manner that is not detrimental to surrounding uses. It is a commercial recreation use that should not produce noise, odor, or traffic atypical of the neighborhood. The applicant stated they will not host leagues or tournaments, minimizing traffic concerns. Further, the applicant will utilize an electronic reservation system, so demand will be managed appropriately and therefore traffic impacts should be limited to those related to the primary use of the site (a medical equipment wholesaler). The eight pickleball courts should not contribute to adverse traffic patterns if operated in accordance with the conditions of the draft ordinance.

3. *VISUAL IMPACTS. THE CONDITIONAL USE CAN BE DEVELOPED AND OPERATED IN A MANNER THAT IS BOTH VISUALLY COMPATIBLE WITH THE PERMITTED USES IN THE SURROUNDING AREA AND PROTECTS OR ENHANCES THE PUBLIC VIEWSHED. IN DETERMINING THE VISUAL IMPACT OF THE PROPOSED USE ON SURROUNDING PROPERTIES, THE FOLLOWING FACTORS SHALL BE CONSIDERED:*

   A. *DENSITY. EITHER THE NUMBER OF UNITS AND/OR SITE COVERAGE IN RESPECT TO THE IMMEDIATE NEIGHBORHOOD;*

   B. *MASSING AND SCALE. THE LOCATION, FLOOR AREA, AND/OR HEIGHT OF THE STRUCTURES ASSOCIATED WITH THE PROPOSED CONDITIONAL USE; AND*

   C. *SCREENING AND BUFFERS. THE USE OF LANDSCAPING, FENCING, SETBACKS OR OTHER DESIGN FEATURES TO MITIGATE THE VISUAL IMPACT OF THE PROPOSED CONDITIONAL USE.*

Indoor racquet sports courts are conditional because their operation can be vast or something more intimate, such as the current request. In this case, the range of the operation is limited to eight (8) courts without tournaments or leagues. If the applicant one day intends to convert the entire building to indoor pickleball, they would have to amend the ordinance to allow for a more intense pickleball facility to evaluate the potential for adverse impacts, in particular traffic and parking. The existing ordinance governing the site has a number of provisions pertaining to visual impacts, such as the prohibition of outdoor storage and storage of vehicles unrelated to the uses on site. Aside from the proposed addition at the rear of the building, there are no visual impacts associated with this request.

ANALYSIS (Cont.)

As the applicant did not ask for modifications, the draft ordinance requires the addition to meet the requirements of Article 13, Building Design Standards, of the Zoning Code. If the proposed design fails to meet the standards of Article 13, the applicant could apply for a waiver/modification from the Planning Commission.

4. *INFRASTRUCTURE. ADEQUATE FACILITIES EITHER EXIST OR WILL BE PROVIDED, INCLUDING BUT NOT LIMITED TO:*

   A. *ACCESS*
   B. *PARKING AND LOADING*
   C. *EMERGENCY SERVICES*
   D. *UTILITIES*
   E. *DRAINAGE*

Sufficient infrastructure is in place to support the proposed use, but like most properties in this neighborhood, parking is a constraint. While the rear of the site does not currently have formal parking spaces, the applicant intends to stripe the rear lot to create twenty-one (21) parking spaces in addition to the twenty-one (21) spaces already in place in the front of the building, for a total of forty-two (42) parking spaces. For indoor racquet sports courts, the Zoning Code requires four spaces per court. With 8 courts proposed, thirty-two (32) parking spaces are required. The applicant's primary business employees 9 people, meaning the parking improvements would meet the highest demand. The applicant has stated very few, if any, customers visit the site, so guest parking is of minimal concern. It was brought to staff's attention post public hearing that the Property has a parking agreement in place with a nearby company who leases ten (10) parking spaces from *Hidow*. As the parking agreement was finalized without approval from the City, staff had no record of such. Staff would remind the applicant that Conditional Use Permit #2004-2471 requires parking be in accordance with the Zoning Code. The Zoning Code requires shared parking agreements be subject to the review and approval of the City Planner. Nevertheless, the site is not large enough for a substantial parking expansion so this condition will limit the future growth of the business at this location.

5. *GENERAL WELFARE. THE CONDITIONAL USE IS DEEMED ESSENTIAL, CONVENIENT, OR DESIRABLE TO PRESERVE AND PROMOTE THE PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE OF THE CITY OF MARYLAND HEIGHTS.*

The Conditional Use Permit promotes the general welfare of the community by allowing an existing business to expand in Maryland Heights while protecting the public health, safety, and general welfare.

FINDINGS AND RECOMMENDATION

CONSISTENCY WITH COMPREHENSIVE PLAN

1. The City Planner finds that the request is consistent with the Comprehensive Plan.

CONSISTENCY WITH ZONING CODE

2. The City Planner finds that the request is consistent with the "M-1" Office, Service, and Light Manufacturing District.

IMPACT ON NEIGHBORHOOD CHARACTER

3. The City Planner finds that the proposed use would not have a substantial adverse impact on neighborhood character, subject to the conditions of the draft ordinance.

BURDEN OF PROOF

4. Overall, the City Planner finds that the request meets the burden of proof criteria for Conditional Use Permits.

RECOMMENDATION

Based on the above findings, the City Planner recommends approval of Conditional Use Permit Application CUP24-0001, *Metro Pickleball*, subject to the conditions of the draft ordinance attached to this report.

Erin LoRusso, AICP
City Planner

APPENDIX

SUPPLEMENTAL MAPS AND EXHIBITS

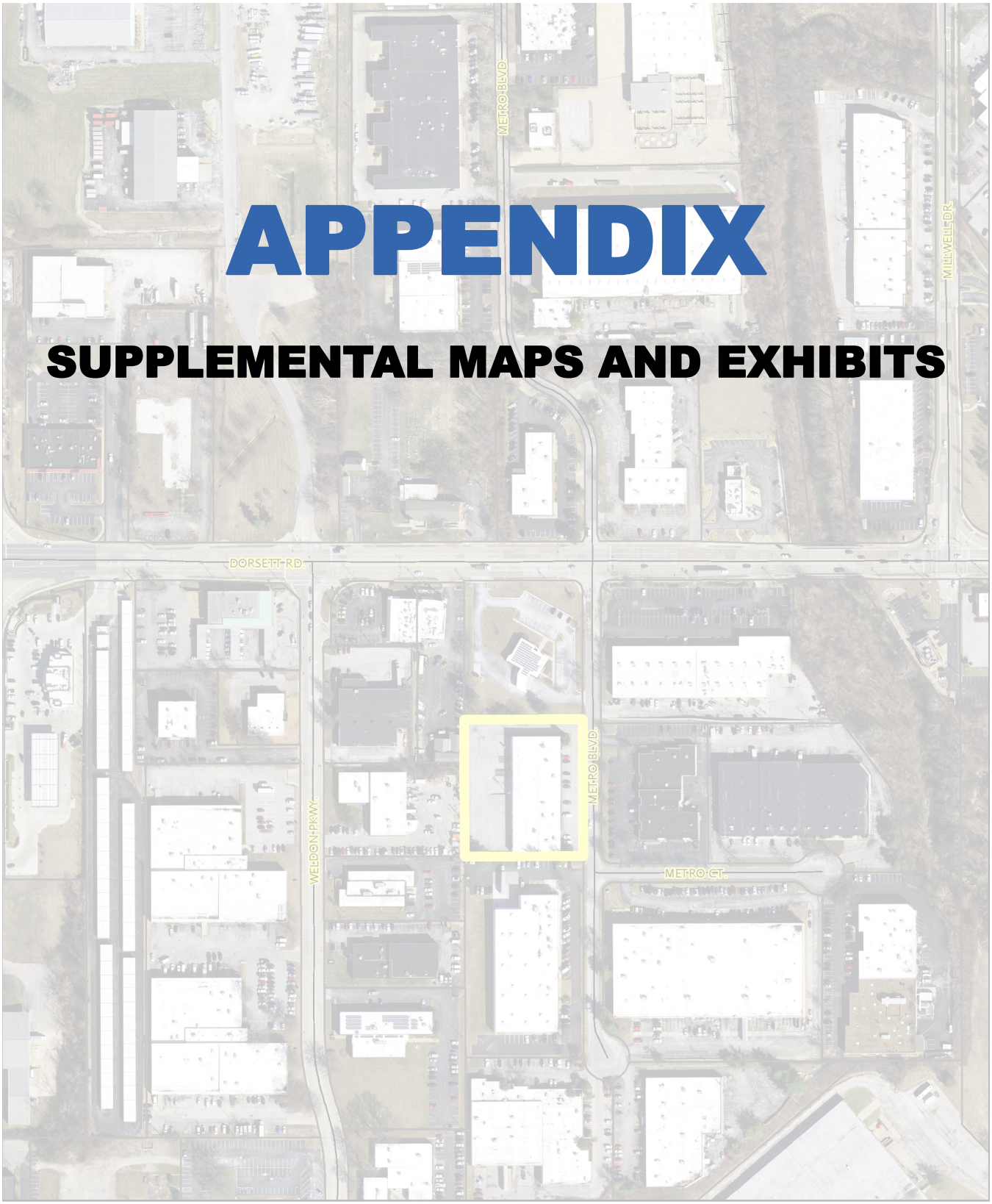




FIGURE 1: AERIAL PHOTOGRAPH

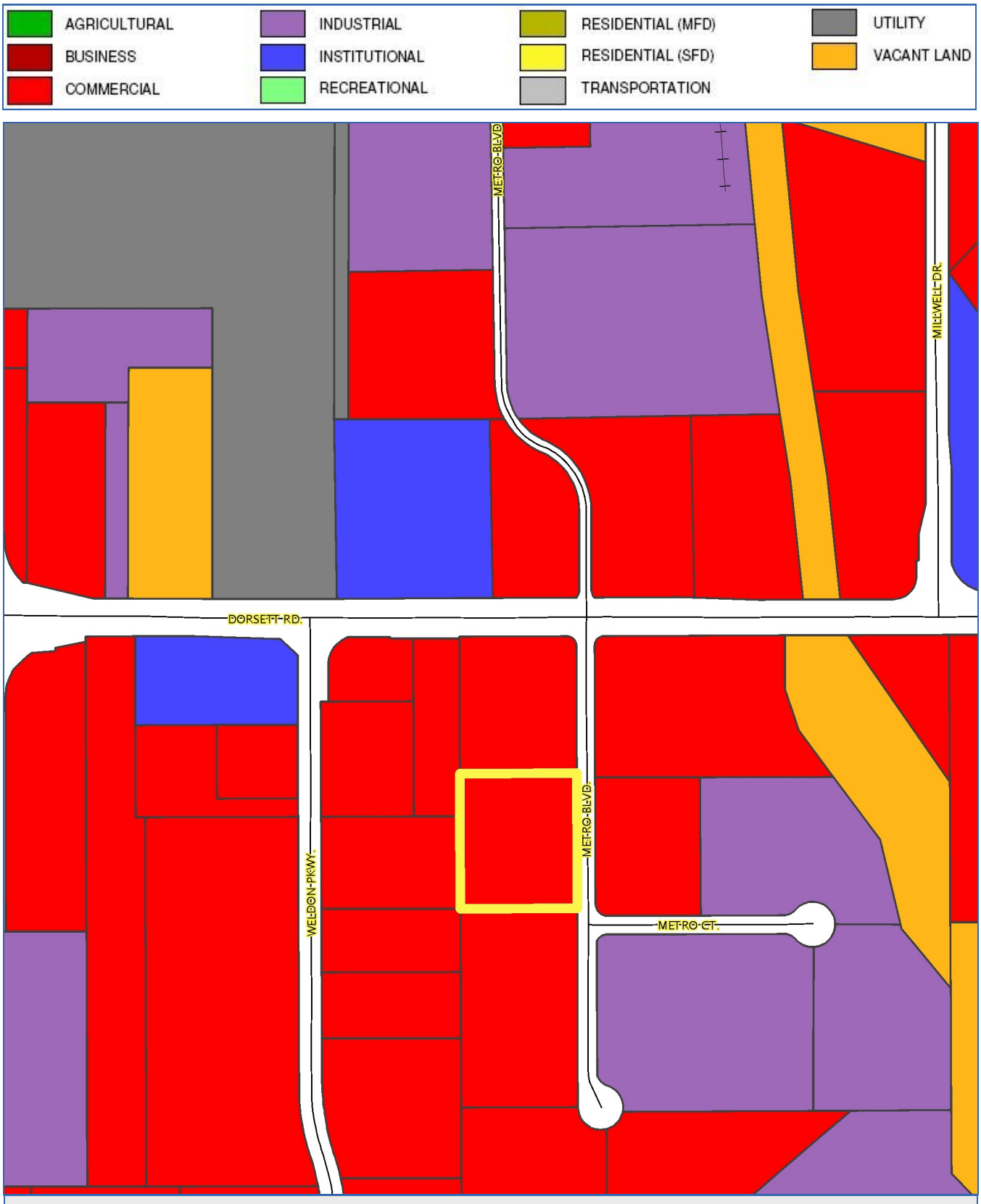


FIGURE 2: EXISTING LAND USE PATTERN

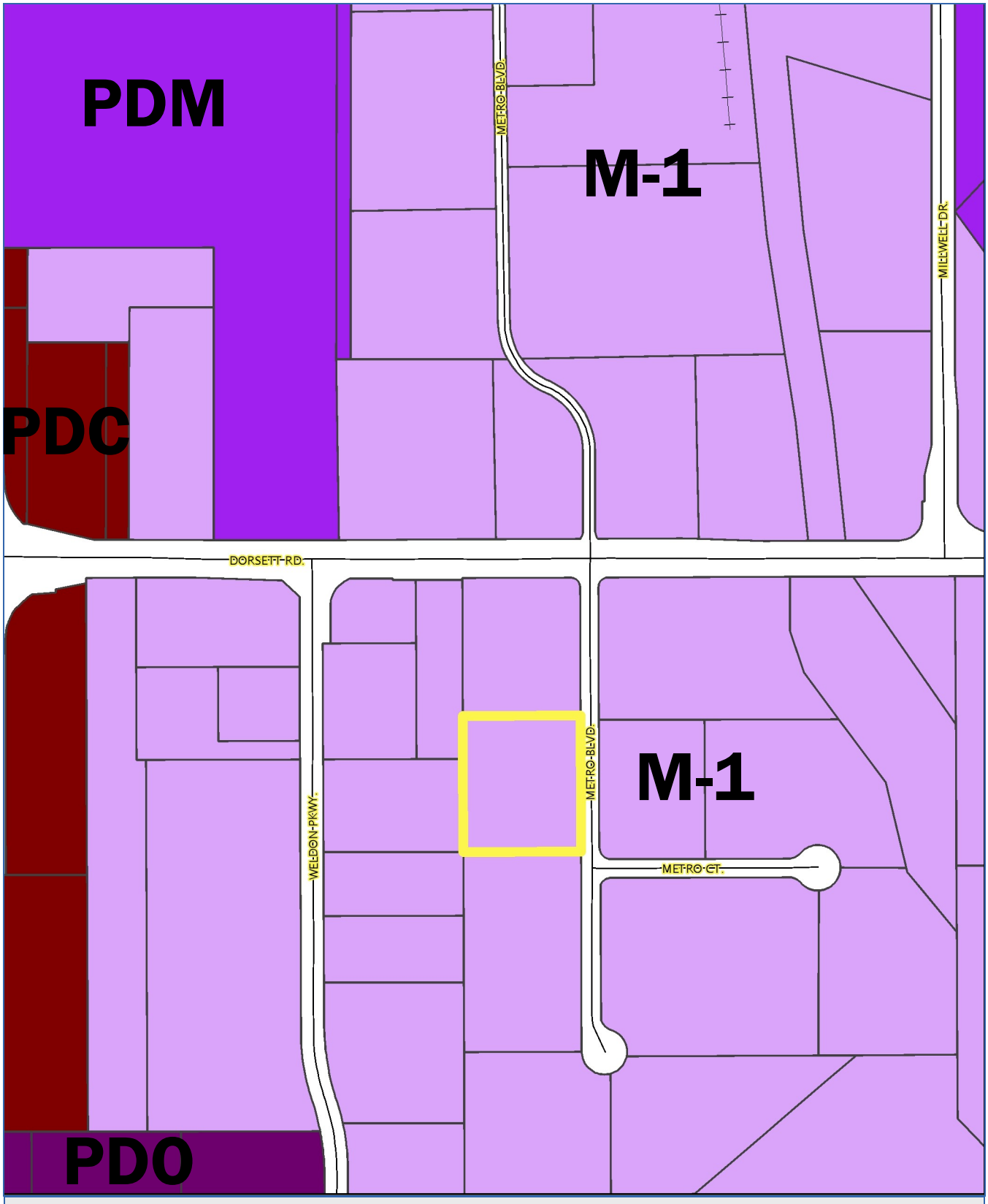


FIGURE 3: ZONING MAP

STOCK & ASSOCIATES
Consulting Engineers, Inc.

Hidow Estate II, LLC Narrative:

The Hidow Estate II, LLC facility in St Louis designs, manufactures and ships pre-programmed therapeutic TENS and EMS modes. The current facility is located on a 1.71-acre parcel located in Metro Business Park south of Dorsett Road and is zoned M-1.

Due to continued growth in existing markets and a strong pipeline of innovation, the business has outgrown its current footprint. To meet the current and future demand, the proposed development will expand operations with the addition of the following:

- Renovation of the existing 24,903 s.f. warehouse/office facility.
- 11,160 sq ft. addition to incorporate a total of 8 pickleball courts within the facility.

The development's uses include "Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers", which is a permitted use, and "Indoor Racquet Ball Sports" for which the Conditional Use Permit is needed. The proposed development's incorporation of pickleball courts will provide an improved range of retail and services and enhance the quality of life for the community.

This development will occur on the existing 1.71-acre lot and will not require rezoning. The proposed development and uses will adhere to the guidelines outlined in Sec. 25-11.10. - "M-1" Office, service, and light manufacturing district. of the city zoning code by providing general office, entertainment, and warehousing with minimal noise, air, and water pollution. Stormwater design shall conform with MSD guidelines.

Access to the site is provided by two existing Metro Boulevard entrances.

257 Chesterfield Business Parkway, St. Louis, MO 63005
636.530.9100 – Main | 636.530.9130 – Fax
www.stockassoc.com | general@stockassoc.com

EXHIBIT A: NARRATIVE

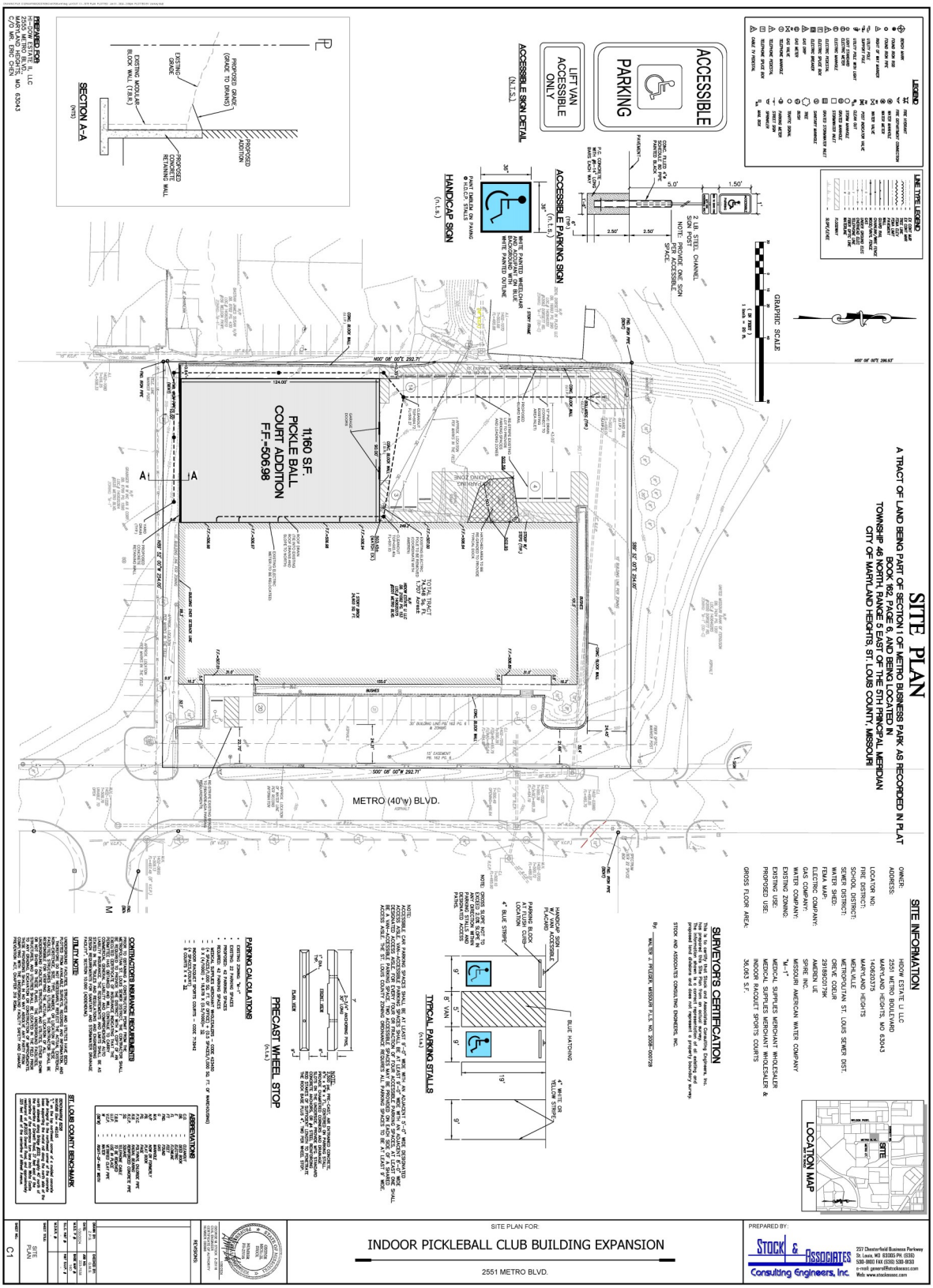


EXHIBIT B: SITE PLAN

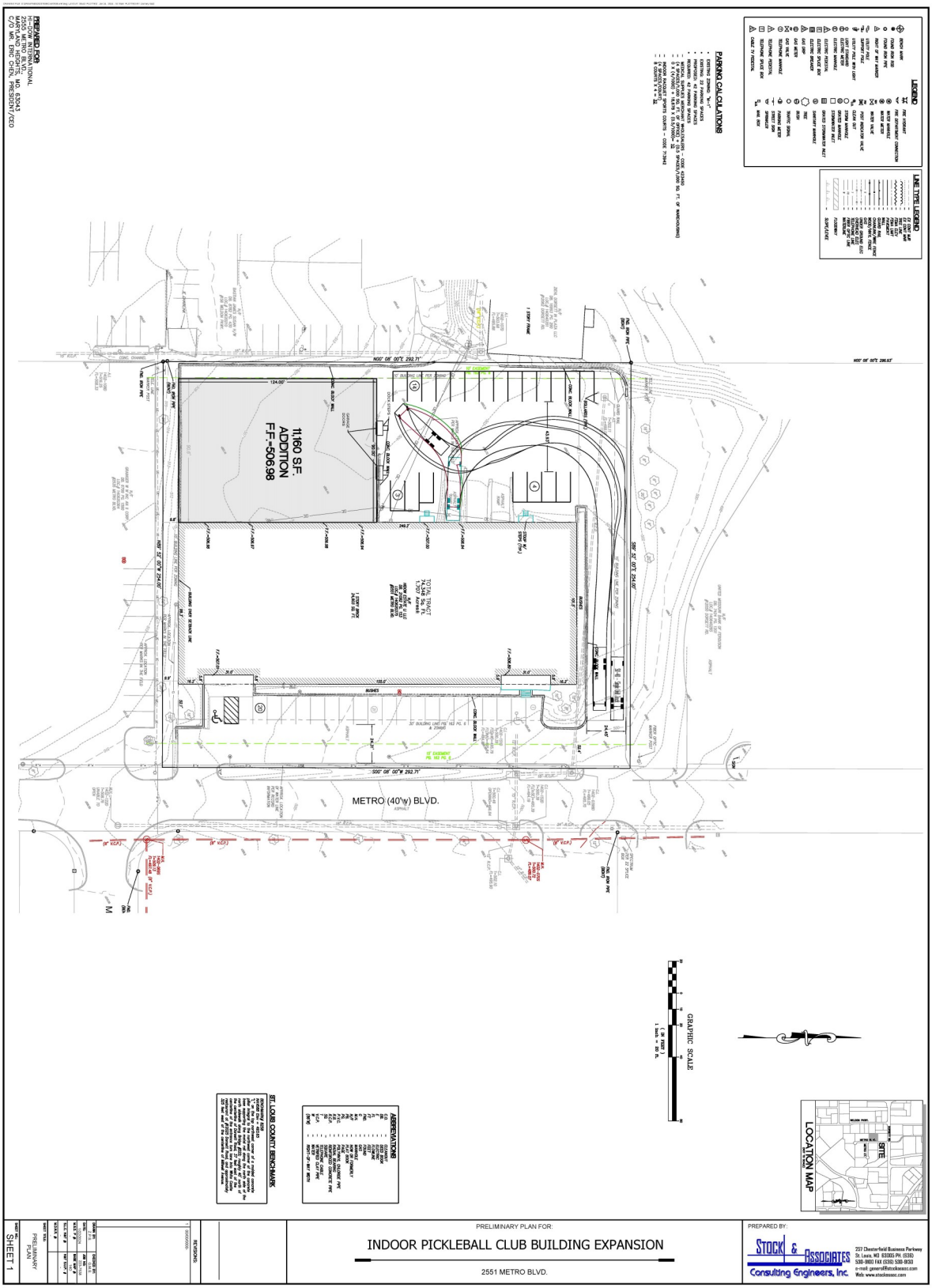


EXHIBIT C: TRUCK TURN ANALYSIS

Recommendation of Planning Commission

BILL NO. **ORDINANCE NO. 2024-DRAFT**

AN ORDINANCE AMENDING ORDINANCE 2004-2471 TO ALLOW INDOOR RACQUET SPORTS COURTS (PICKLEBALL) AT 2551-2555 METRO BLVD
(Petition of Hidow Estate II, LLC)

WHEREAS, Conditional Use Permit Ordinance 2004-2471 governs the office flex building located at 2551-2555 Metro Blvd.; and

WHEREAS, the Planning Commission has recommended approval of an amendment to Ordinance 2004-2471 to allow an indoor pickleball facility not to exceed eight (8) courts; and

WHEREAS, the City Council has reviewed the recommendation of the Planning Commission and has determined that the changes in conditions are appropriate.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARYLAND HEIGHTS, MISSOURI, AS FOLLOWS:

Section 1: Section 2.I, Permitted Uses, of Ordinance 2004-2471 is hereby amended as follows:

I. PERMITTED USES

The uses permitted in this Conditional Use Permit shall be as follows:

A. All permitted land uses in the "M-1" Light Manufacturing Zoning District.

B. Automobile and truck detailing facility, occupying no more than 12,250 square feet. Under no circumstances shall this ordinance be construed as a permit for any form of automotive repair.

C. Indoor Racquet Sports Courts (LUC #713942), subject to the limitations of this ordinance.

Section 2: Section III, Specific Development Requirements, of Ordinance 2004-2471 is hereby amended as follows:

K. Building Design – The addition shall be in accordance with Article 13, Building Design Standards, of the Zoning Code.

Section 3: Section V, Conditions Related to Specific Uses, of Ordinance 2004-2471 is hereby amended as follows:

A. Automobile and Truck Detailing

1. No automotive repair of any kind is permitted except as may be incidental to the permitted detailing use.

2. Customer vehicles may not be store outside overnight.

3. Customer vehicles may not be parked in the front or side yards at any time.

B. Indoor Racquet Sports Courts (Pickleball)

1. The indoor pickleball facility shall be limited to eight (8) courts.

2. Leagues and tournaments shall be carried out in accordance with Article VII, Special Event License, of the Municipal Code.

3. Under no circumstance shall this ordinance be construed as a permit for outdoor pickleball courts.

4. Noise levels regulated under the St. Louis County Noise Control Code shall conform to the requirements of the Code, subject to the review of the St. Louis County Department of Health.

Section 4: This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED BY THE CITY COUNCIL THIS _____ DAY OF _____ 2024.

_____
MAYOR/PRESIDING OFFICER

APPROVED BY THE MAYOR THIS ____ DAY OF _____2024.

_____
MAYOR

ATTEST:

_____
CITY CLERK

PLANNING COMMISSION RESOLUTION NO. 2024-3

A RESOLUTION ADOPTING FINDINGS AND CONCLUSIONS FOR APPLICATION CUP24-0001, INVOLVING AN AMENDMENT TO CONDITIONAL USE PERMIT ORDINANCE #2004-2471 ON BEHALF OF HIDOW ESTATE II, LLC, AT 2551-2555 METRO BOULEVARD

WHEREAS, the City of Maryland Heights has a Comprehensive Plan which guides the future growth and development in the community; and

WHEREAS, the City of Maryland Heights has a Zoning Code which regulates and controls the zoning and use of land and buildings in the City to promote the public safety, health, and general welfare of the citizens; and

WHEREAS, Article 5 of the Zoning Code sets forth the burden of proof criteria for Conditional Use Permits; and

WHEREAS, Eric Chen and George Stock, representing Hidow Estate II, LLC, applied for a Conditional Use Permit for indoor racquet sports courts at 2551 Metro Boulevard; and

WHEREAS, the Planning Commission reviewed the request for an amendment to Conditional Use Permit Ordinance #2004-2471 on February 27, 2024 and March 12, 2024.

THE PLANNING COMMISSION OF THE CITY OF MARYLAND HEIGHTS, MISSOURI, FINDS:

1. The conditional use advances the goals of the Comprehensive Plan, advances the purpose and intent of the underlying zoning district, and meets the requirements contained in the Zoning Code for the specific use;

2. The conditional use can be operated in a manner that is not detrimental to the permitted developments and uses in the district, subject to the conditions of the draft ordinance;

3. The conditional use can be developed and operated in a manner that is visually compatible with the permitted uses in the surrounding area, subject to the conditions of the draft ordinance;

4. Adequate facilities exist to support the conditional use at this location; and

5. The Conditional Use Permit will preserve and promote the public health, safety, and general welfare of the City of Maryland Heights.

NOW, THEREFORE, be it resolved by the Planning Commission of the City of Maryland Heights that Application CUP24-0001, Hidow Estate II, LLC, satisfies the burden of proof criteria of Section 25-5.8 of the Zoning Code.

PASSED BY THE PLANNING COMMISSION THIS 12TH DAY OF MARCH, 2024.

_____
CHAIRMAN

_____
SECRETARY OF THE BOARD

ATTEST:

_____
RECORDING SECRETARY