



REPORT TO PLANNING & ZONING COMMISSION

CITY OF MARYLAND HEIGHTS

APPLICATION NUMBER	CUP24-0005
APPLICATION (PROJECT) NAME	WESTPORT PICKLEBALL CLUB
APPLICANT NAME	Westport Pickleball Club 1360 Orchard View Drive, St. Louis, MO 63146
PROPERTY OWNER NAME	11675 Fairgrove Ind LLC 8112 Maryland Avenue, Suite 250, St. Louis, MO 63105
APPLICANT'S REQUEST	Conditional Use Permit to allow fourteen indoor racquet sports (pickleball) courts
SITE LOCATION	North side of Fairgrove Industrial Boulevard
STREET ADDRESS	11675 Fairgrove Industrial Boulevard
PARCEL/LOCATOR NUMBER	14N510541
EXISTING ZONING DISTRICT	"PDM" Planned District—Manufacturing
TOTAL SITE AREA	2.25 acres
PUBLIC HEARING	April 9, 2024
REPORT ISSUED	April 4, 2024
CASE MANAGER	Michael Zeek, AICP
RECOMMENDATION	APPROVAL

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DESCRIPTION OF EXISTING SITE CONDITIONS

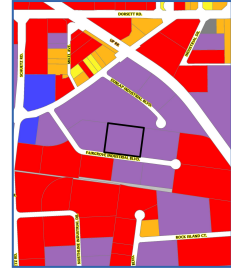
The 2.25 acre site is located on the north side of Fairgrove Industrial Boulevard, east of Fee Fee Road. It is developed with a 50,000 square foot warehouse building constructed in 1968. Parking and loading areas are located on the west and east sides of the building. A rail spur is located to the rear (north) of the building.



REFER TO FIGURE 1

NEIGHBORHOOD CONDITIONS/LAND USE

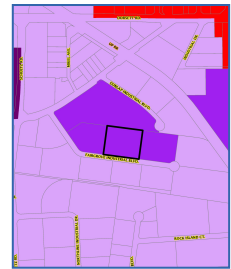
Abutting the site to the north is a newspaper publisher (*St. Louis Post-Dispatch*). Abutting the site to the east is a granite counter wholesaler (*Stoneland*). South of the site across Fairgrove Industrial Boulevard is an auto parts wholesaler (*AI's Automotive Supply*). Abutting the site to the west is a parking lot for *St. Louis Post-Dispatch*.



REFER TO FIGURE 2

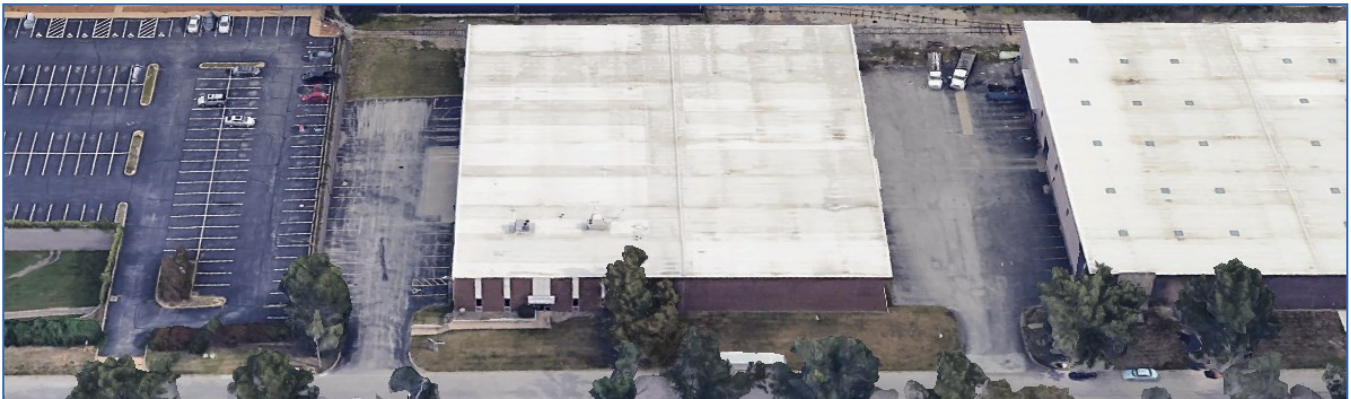
ZONING CONTEXT

The subject property and other adjoining properties to the west, north, and east are zoned "PDM" Planned District—Manufacturing and governed by Ordinance 2001-2047. All other surrounding properties in this area are zoned "M-1" Office, Service, and Light Manufacturing District.



REFER TO FIGURE 3

REFER TO APPENDIX—SUPPLEMENTAL MAPS AND EXHIBITS



EXISTING CONDITIONS MATRIX

DIRECTION	EXISTING LAND USE	ZONING DISTRICT	COMMENTS
North	Newspaper publisher	"PDM"	<i>St. Louis Post-Dispatch</i>
East	Granite counter wholesaler	"PDM"	<i>Stoneland</i>
South	Auto parts wholesaler	"M-1"	Across Fairgrove Ind. Blvd. (<i>AI's Automotive Supply</i>)
West	Parking lot	"PDM"	<i>St. Louis Post-Dispatch</i>



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REQUEST

Westport Pickleball Club intends to reoccupy the existing building with an indoor recreation facility consisting of up to fourteen pickleball courts. A players lounge would also provide beverages, light snacks, and sports programming. The club would operate from 8:00 a.m. to 10:00 p.m. seven days a week, and would employ one full-time manager and up to twelve part-time employees. There would typically be up to five employees in the building at one time. Daily activities would include by-the-hour play, quarterly leagues, and organized play. Several tournaments could be hosted throughout the year. The applicant's narrative is included in the appendix of this report. 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.*
- *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 and the building code. The use adds to the diversity of the City's business mix and is focused on recreation and entertainment.

"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 matter.

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

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ANALYSIS (Cont.)

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 would not produce excessive noise nor odor. The traffic typically generated by the facility could be accommodated without roadway improvements. The proposed fourteen hour per day schedule would not be an issue as the site is located within an industrial neighborhood. Because tournaments have the potential to result in greater impacts, particularly from a traffic standpoint, the draft ordinance requires the occupant to obtain a Special Event License from the City Clerk's Office for tournaments or other events which are extraordinary to the typical operation of the club and potentially require more parking than that which is provided on-site. The Special Event License process allows the Police Department and Fire District to be notified so that the appropriate services can be provided.

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.

The pickleball courts and accessory uses would be contained entirely within the existing building. Therefore, no adverse visual impacts would result from the proposed use. It is likely that the use would have positive visual impacts thanks to reinvestment in the building and site.

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



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ANALYSIS (Cont.)

Sufficient infrastructure is in place to support the proposed use. For indoor racquet sports courts, the Zoning Code requires four parking spaces per court. With fourteen courts proposed, fifty-six parking spaces are required. Given the dimensions of the existing parking lots on the east and west sides of the building, they should support approximately sixty parking spaces if striped in accordance with the Zoning Code. This would satisfy the minimum parking requirements of the Code. Tournaments or other special events would require additional parking. Such parking could be provided in the adjoining lot to the west operated by *St. Louis Post-Dispatch*. Ordinance 2001-2047 allows off-site parking on this lot by right, so no City approval of such arrangement is required. The applicant would simply need to negotiate an off-site parking agreement with the owner. The Special Event License process would ensure that sufficient parking is required for tournaments or other large events.

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 a new recreational use in Maryland Heights while protecting the public health, safety, and general welfare.

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FINDINGS AND RECOMMENDATION

CONSISTENCY WITH COMPREHENSIVE PLAN

1. Staff finds that the request is consistent with the Comprehensive Plan.

CONSISTENCY WITH ZONING CODE

2. Staff finds that the request is consistent with the “M-1” Office, Service, and Light Manufacturing District.

IMPACT ON NEIGHBORHOOD CHARACTER

3. Staff finds that the proposed use would not have a substantial adverse impact on neighborhood character.

BURDEN OF PROOF

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

RECOMMENDATION

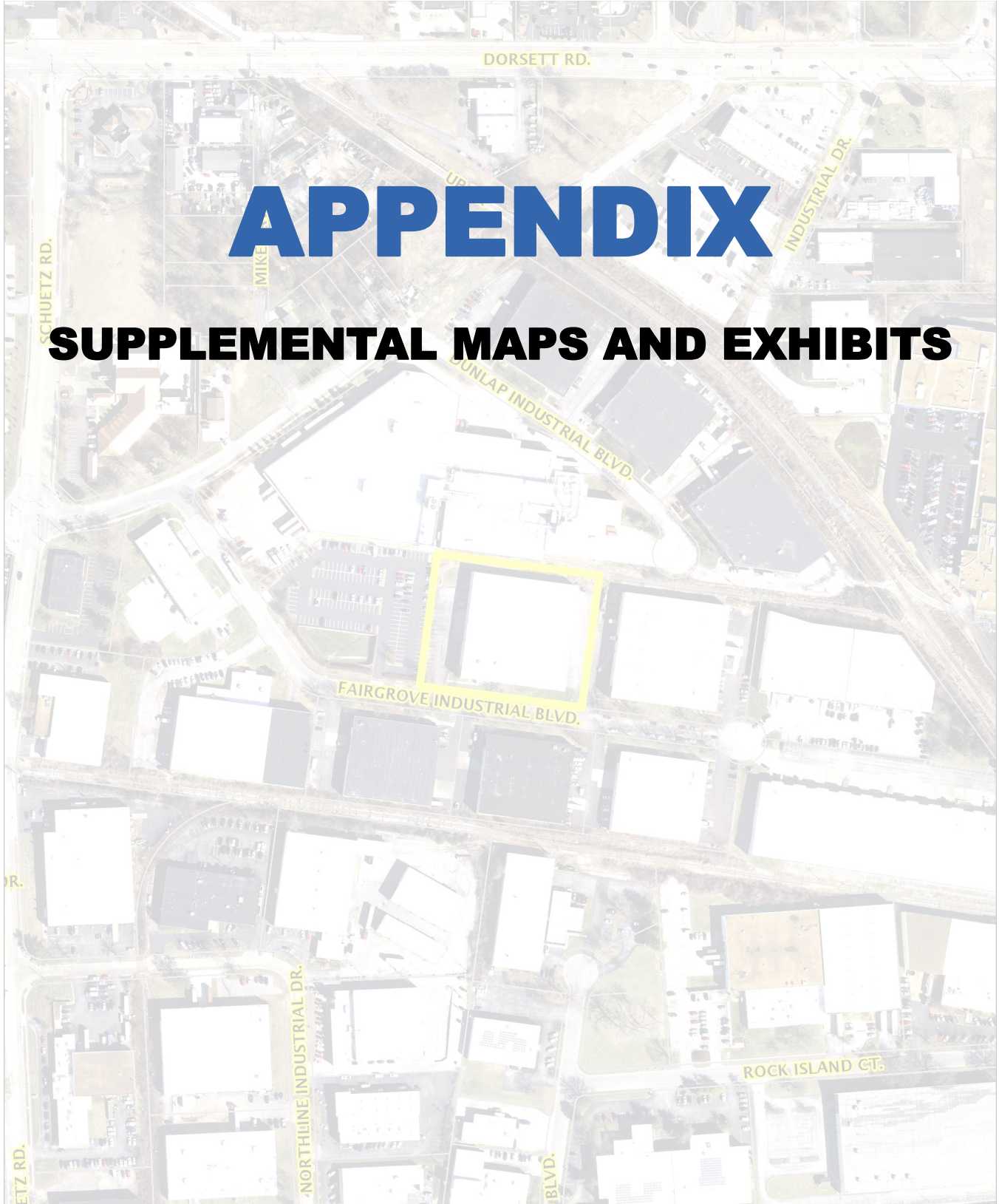
Based on the above findings, staff recommends approval of Conditional Use Permit Application CUP24-0004, *Westport Pickleball Club*, subject to the conditions of the draft ordinance attached to this report.

A handwritten signature in black ink that reads "Michael Zeek".

Michael Zeek, AICP
Director of Community Development



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FIGURE 1: AERIAL PHOTOGRAPH



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AGRICULTURAL	INDUSTRIAL	RESIDENTIAL (MFD)	UTILITY
BUSINESS	INSTITUTIONAL	RESIDENTIAL (SFD)	VACANT LAND
COMMERCIAL	RECREATIONAL	TRANSPORTATION	

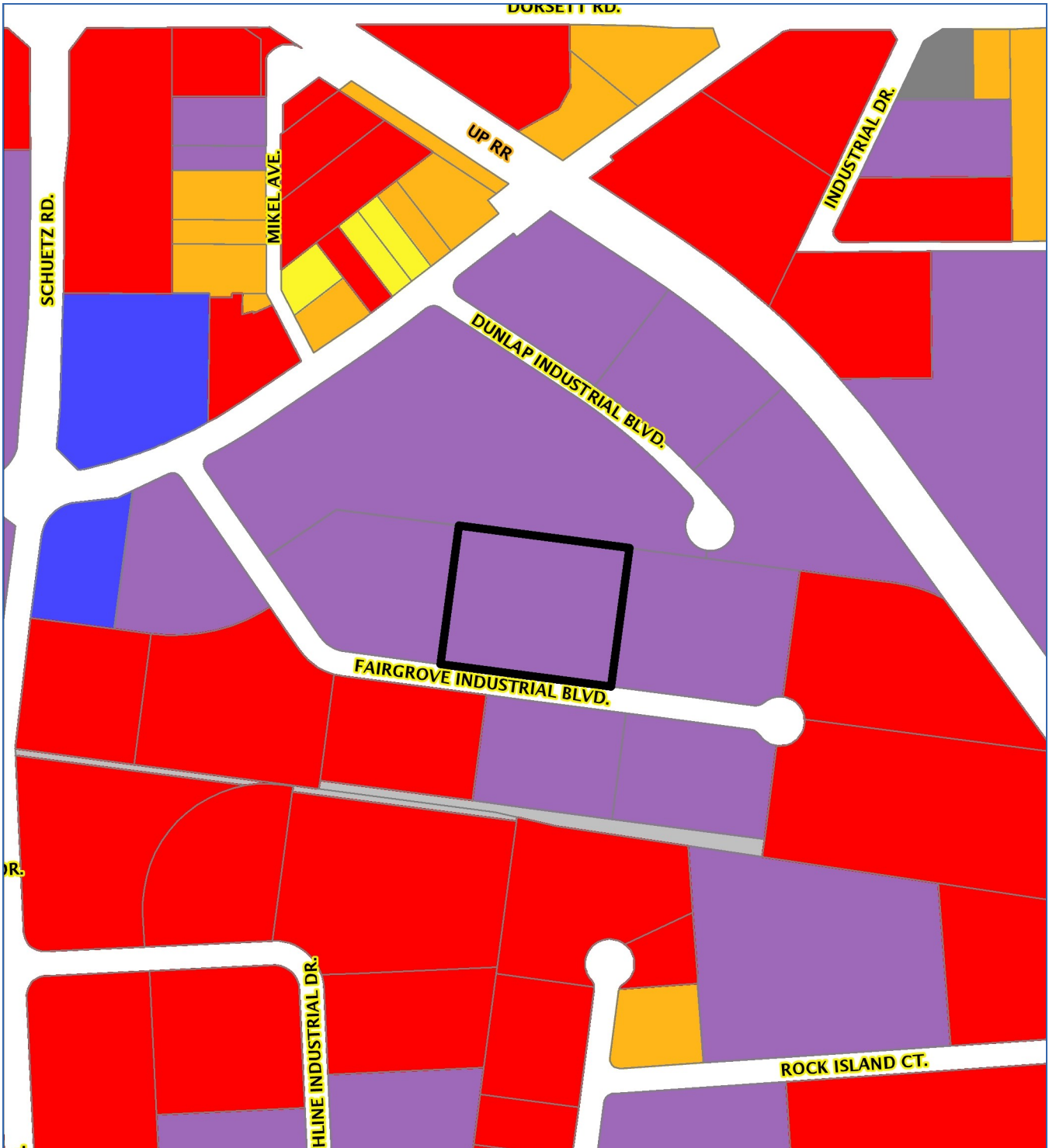


FIGURE 2: EXISTING LAND USE PATTERN

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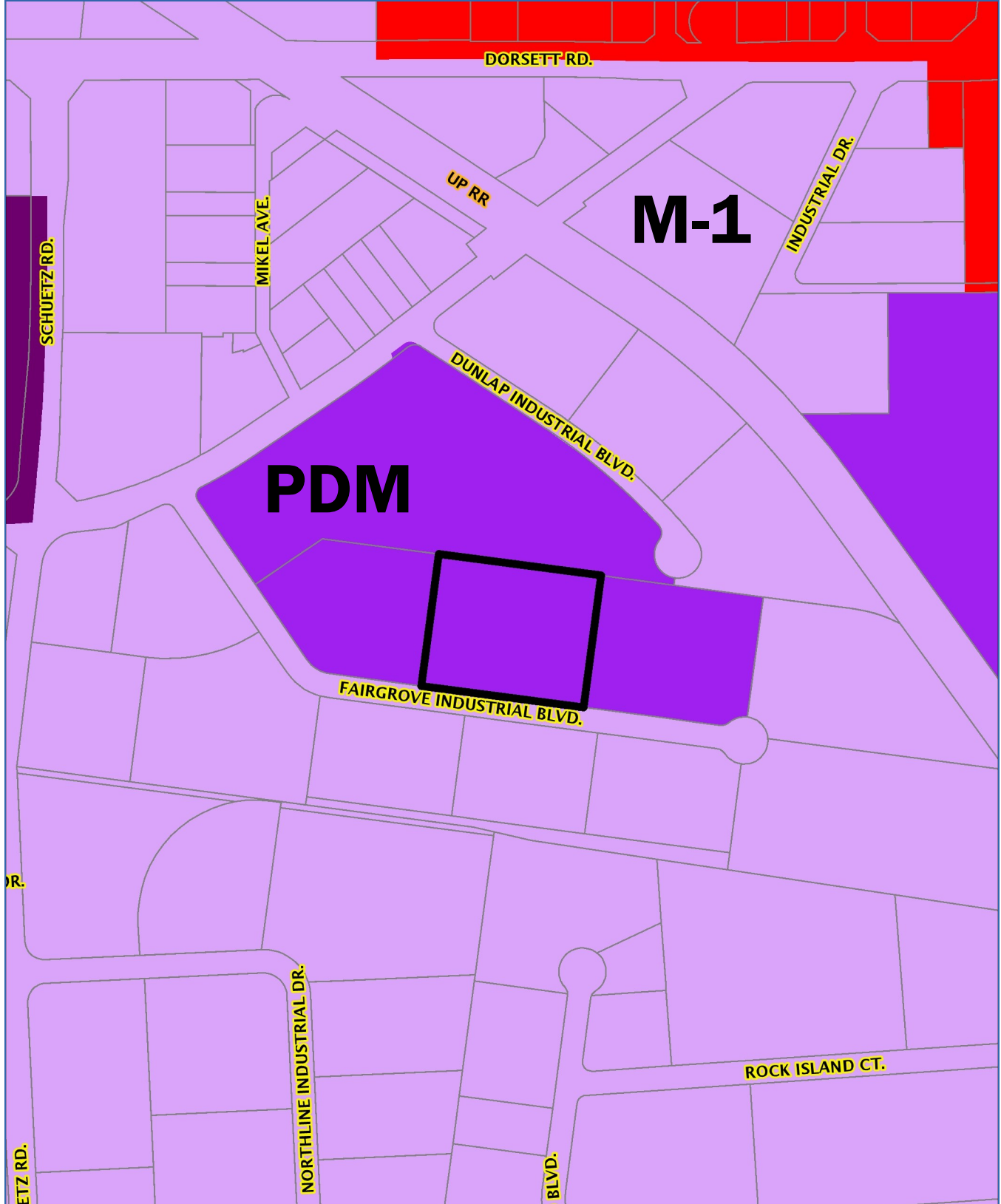


FIGURE 3: ZONING MAP



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CITY OF MARYLAND HEIGHTS

To: City of Maryland Heights
Fr: Tim Butz and James Carlton of CBsports LLC
Re: Written narrative of Pickleball Club Project
Da: March 18, 2024

Please accept this written narrative to submit for the Conditional Use Permit for the Westport Pickleball Project. The purpose of this project is to provide an indoor pickleball facility to the St. Louis pickleball Community on a membership basis. The club will consist of 14 indoor courts, a player's lounge providing beverages, light snacks, sports programming, and just a general area to relax after playing. The club will be open 7 days a week from 8 am to 10 Pm. The staffing will include 1 full time Operations Manager and roughly 8-12 part time employees Working around 24 hours a week. Daily activities will include regular membership play by the hour, quarterly leagues, organized play, and several tournaments throughout the year. Catered events will also be an option to the community, including fundraisers. There will usually only be about 4 to 5 employees in the building at one time, unless it is a special event. We will not be cooking any food on sight. The premises will also have a shower for the men's and women's bathroom.

Please let us know if you would need further information on our project.

James Carlton and Timothy Butz

EXHIBIT A: NARRATIVE

Recommendation of Planning Commission

BILL NO.

ORDINANCE NO. 2024-DRAFT

AN ORDINANCE ENACTING A CONDITIONAL USE PERMIT ORDINANCE FOR AN INDOOR PICKLEBALL CLUB AT 11675 FAIRGROVE INDUSTRIAL BOULEVARD (Petition of Metro Pickleball Club with the consent of 11675 Fairgrove Industrial, LLC)

WHEREAS, a Public Hearing was held before the Planning Commission regarding the proposed Conditional Use Permit contained in this Ordinance; and

WHEREAS, the Planning Commission has determined that the proposed use satisfies the criteria for conditional uses as set forth in the Zoning Code of the City of Maryland Heights; and

WHEREAS, the Planning Commission has recommended approval of the conditions contained in this Ordinance; and

WHEREAS, the City Council has reviewed the recommendation of the Planning Commission and has determined that the Conditional Use Permit is appropriate.

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

Section 1: A Conditional Use Permit is approved for real estate in the City of Maryland Heights for a 2.25 acre parcel of land located at 11675 Fairgrove Industrial Boulevard with a legal description as follows:

A tract of land being Lot B of the Resubdivision of Lot 1A of Resubdivision of Lot 1 of St. Louis Post-Dispatch Depot, a subdivision recorded in Plat Book 364 Book 116, being more particularly described as follows according to said Plat: Beginning at a point on the northern right-of-way of Fairgrove Industrial Boulevard, said point being the southeastern corner of Lot B and the southwestern corner of Lot 1B of the aforementioned subdivision, thence along the northern right-of-way of Fairgrove Industrial Boulevard North 82 degrees 2 minutes 5 seconds West 347.25 feet; thence North 7 degrees 34 minutes 36 seconds East 282.02 feet; thence South 82 degrees 2 minutes 5 seconds East 347.25 feet; thence South 7 degrees 59 minutes 31 seconds West 282 feet to the point of beginning. Said tract contains 2.25 acres, more or less.

Section 2: The Conditional Use Permit is granted subject to all rules and regulations and to conditions set forth for the property described in Section 1 as follows:

I. PERMITTED USES

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

- A. All permitted land uses in the “M-1” Office, Service, and Light Manufacturing District.
- B. Indoor Racquet Sports Courts (Land Use Code #713942), subject to the limitations set forth in this ordinance.

II. USE AND DEVELOPMENT LIMITATIONS

Indoor Racquet Sports Courts shall be subject to the following limitations:

- A. A maximum of fourteen (14) indoor courts shall be permitted. No outdoor courts shall be permitted.
- B. Accessory Uses – The following accessory uses shall be permitted in conjunction with the use:
 - 1. Administrative offices.
 - 2. Food and beverage concessions, limited to the sales which occur in conjunction with the racquet sports courts. All necessary permits from the St. Louis County Department of Health shall be obtained.
 - 3. Sporting goods stores, limited to sales of goods specifically related to the recreational uses being conducted at this facility.
 - 4. Sports and recreation instruction, limited to customers/clients of this facility.
 - 5. Any other accessory use not listed above, subject to the review and approval of the City Planner.
- C. Special Events - Special events such as tournaments shall be permitted subject to the following requirements:
 - 1. For the purpose of this ordinance, special events shall be defined as those events which are extraordinary to the typical operation of the facility and potentially require more parking than that which is provided on-site.
 - 2. No more than twelve (12) special events per year shall be permitted.
 - 3. Special events shall require approval of a Special Event License, in accordance with Section 13-181, Special Event License, of the Municipal Code.

IV. GENERAL LIMITATIONS

- A. Penalties for noncompliance and abandonment shall be governed by Section 25-5.17, Time Limit of Conditional Use Permit.
- B. The building and site shall be maintained in accordance with the Property Maintenance Code.
- C. Landscaped areas shall be properly maintained. Plant materials shall be replaced or replanted as determined by annual inspection of the site by the City Planner or his/her assigns.
- D. Every use, activity, process or operation on the site shall comply with the performance standards prescribed in Article 17, Environmental Standards, of the Zoning Code.
- E. In the event of a disagreement between any owner/operator and the City Planner as to whether the use of the site meets the criteria or conditions set forth in this ordinance, such disagreement shall be submitted to the Planning Commission for recommendation to the City Council, which shall make the decision on such disagreement, provided the Developer shall have the right to appeal such decision pursuant to Article 9, Variiances, of the Zoning Code and to pursue any other available legal or equitable remedy.
- F. No new business license or occupancy permit for the conditional use(s) permitted herein shall be approved in connection with a change of owner/operator or expansion without verification by the City Planner that the use of the site will continue to meet the conditions of this ordinance.

Section 3: 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