



**CITY PLAN COMMISSION  
Agenda**

**Thursday, July 23, 2015 at 5:00 pm  
Municipal Building  
625 52nd Street - Room 202 - Kenosha, WI 53140**

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Mayor Keith Bosman - Chairman, Alderperson Scott Gordon - Vice-Chairman  
Alderperson Jan Michalski, Alderperson Kurt Wicklund,  
Patrick DeGrace, Anita Faraone, Robert Hayden, Bradley Kleba, Anderson Lattimore and Jessica Olson

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Call to Order and Roll Call

Approval of Minutes from July 9, 2015

1. Conditional Use Permit to construct a physical fitness center in the existing warehouse at 1326 35th Street and a Request for Relief to the off-street parking requirements of Section 6.02 F.26 (c) of the Zoning Ordinance. (HarborPark Cross Fit) (District 6) PUBLIC HEARING

Public Comments

Commissioner Comments

Staff Comments

Adjournment

*If you are disabled in need of assistance, please call 262.653.4030 at least 72 hours before this meeting.  
Notice is hereby given that a majority of the members of the Common Council may be present at the meeting.  
Although this may constitute a quorum of the Common Council, the Council will not take any action at this meeting.*

**CITY PLAN COMMISSION**  
**Minutes**  
**July 9, 2015**

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**MEMBERS PRESENT:** Alderperson Gordon, Alderperson Michalski, Alderperson Wicklund, Anita Faraone, Bradley Kleba and Anderson Lattimore

**MEMBERS EXCUSED:** Mayor Bosman, Patrick DeGrace and Robert Hayden and Jessica Olson

**STAFF PRESENT:** Rich Schroeder

The meeting was called to order at 5:00 p.m. by Alderperson Gordon and roll call was taken.

A motion was made by Ms. Faraone and seconded by Mr. Lattimore to approve the minutes of the June 18, 2015 meeting. The motion passed. (Ayes 6, Noes 0)

Items 1 through 5 were read.

1. **Ordinance by the Mayor - To Annex 37.298 acres of land, more or less, located South of STH 142, West of I-94 and North of CTH N from the Town of Paris to the City of Kenosha. (Route 142, LLC/#2/State of Wisconsin) (District 16) PUBLIC HEARING**
2. **Zoning Ordinance by the Mayor - To Rezone property located at the Northwest Corner of 38th Street and Interstate 94 from A-2 Agricultural Land Holding District to M-2 Heavy Manufacturing District in Conformance with Section 10.02 of the Zoning Ordinance. (Route 142, LLC/#2) (District 16) PUBLIC HEARING**
3. **Zoning Ordinance by the Mayor - To Rezone properties located East of 128th Avenue and North of 38th Street from A-2 Agricultural Land Holding District to M-2 Heavy Manufacturing District in Conformance with Section 10.02 of the Zoning Ordinance. (Route 142, LLC/#2) (District 16) PUBLIC HEARING**
4. **Zoning Ordinance by the Mayor - To Rezone property located South of State Highway 142 and West of Interstate 94 from A-2 Agricultural Land Holding District to M-2 Heavy Manufacturing District in Conformance with Section 10.02 of the Zoning Ordinance. (Route 142, LLC/#2) (District 16) PUBLIC HEARING**
5. **Resolution by the Mayor - To Amend the Official Map for the City of Kenosha, Wisconsin, to include the Annexation of (Parcel #45-4-221-244-0201, #45-4-221-251-0410, #45-4-221-251-0305, #45-4-221-251-0310 and #45-4-221-251-0315) and State owned right-of-way on STH 142 and the West Frontage Road in the Town of Paris, Kenosha County, Wisconsin. (Route 142, LLC/#2) (District 16) PUBLIC HEARING**

Public hearing opened.

Brad Folkert, Director of Construction for Uline, 12575 Uline Drive, Pleasant Prairie, was available for questions.

Public hearing closed.

Rich Schroeder, Deputy Director, gave an overview of the items.

A motion was made by Ms. Faraone and seconded by Mr. Lattimore to approve Item 1. The motion passed. (Ayes 6, Noes 0)

A motion was made by Ms. Faraone and seconded by Mr. Lattimore to approve Item 2. The motion passed. (Ayes 6, Noes 0)

A motion was made by Ms. Faraone and seconded by Alderperson Wicklund to approve Item 3. The motion passed. (Ayes 6, Noes 0)

A motion was made by Ms. Faraone and seconded by Mr. Kleba to approve Item 4. The motion passed. (Ayes 6, Noes 0)

A motion was made by Ms. Faraone and seconded by Mr. Lattimore to approve Item 5. The motion passed. (Ayes 6, Noes 0)

#### **Public Comments**

No public comments.

#### **Commissioner Comments**

Ms. Faraone asked that in the future when we have a controversial item, we have the City Attorney present for questions. Ms. Faraone also asked to be treated with dignity and respect.

Alderperson Gordon cautioned the Commissioners that if there is a question of legality and a motion to defer, it may be in order to defer the item to get clarity.

#### **Staff Comments**

No Staff comments.

A motion to adjourn was made by Alderperson Wicklund and seconded by Alderperson Gordon.

A motion was made by Alderperson Michalski and seconded by Mr. Lattimore to re-open the Commissioner Comments. The motion passed. (Ayes 6, Noes 0)

Ms. Faraone said there has never been a lawsuit from items passed at the City Plan Commission level, only at the Common Council level.

Alderson Gordon said a deferral was asked for to get an opinion from our legal department.

A motion was made by Alderson Michalski and seconded by Alderson Wicklund to adjourn. The motion passed. (Ayes 6, Noes 0) The meeting adjourned at 5:13 p.m.

*Minutes Prepared by: Kay Schueffner, Department of Community Development & Inspections*

Draft

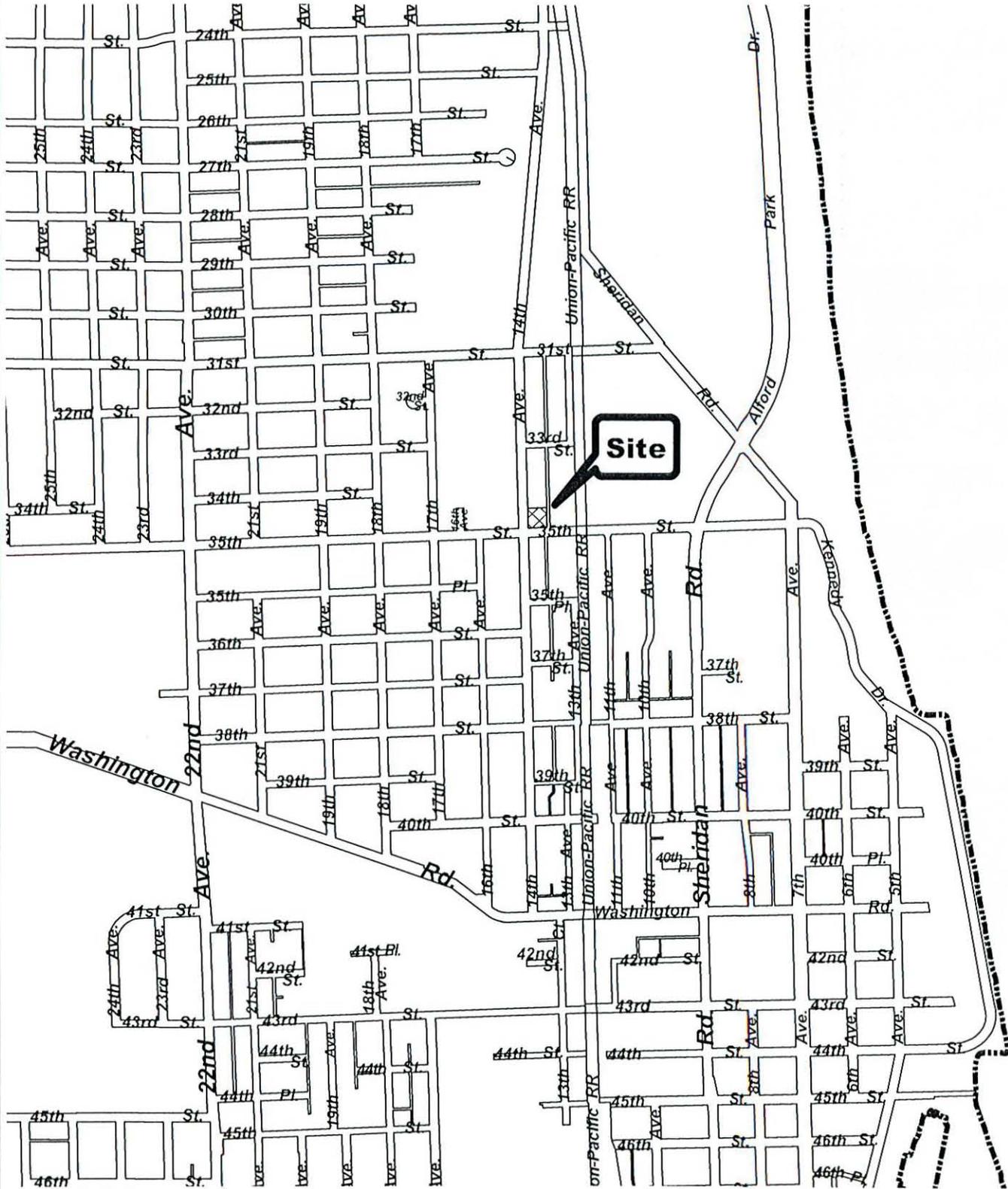


1. The following Conditions of Approval will run with the land and shall be included in a document recorded with the Kenosha County Register of Deeds:
  - a. The applicant shall obtain all required construction permits from the Department of Community Development & Inspections.
  - b. All signs shall comply with Chapter 15 of the Code of General Ordinances and the applicant shall obtain sign permits for all new signs. A separate submission and permits are required for all signs. Sign information provided under the Conditional Use Permit is for reference only and does not constitute sign permit approval.
  - c. The development shall be constructed per the approved plans on file with the Department of Community Development & Inspections, Room 308, 625 52nd Street, Kenosha, WI 53140. Any changes to the approved plans shall require an amendment to the Conditional Use Permit. All changes shall be submitted to the Department of Community Development & Inspections for review and approval.
  - d. Prior to the issuance of any Occupancy permits, the Conditional Use Permit shall be recorded with the Kenosha County Register of Deeds. The recording fees for the Conditional Use Permit shall be submitted by the applicant.
  - e. Compliance with City and State and/or Federal Codes and Ordinances and any Conditions noted in the recorded Developers Agreement. The buildings shall comply with the current Code standards in effect upon application for a building permit.
  - f. All trash containers shall be stored within the enclosure or building. The applicant/owner shall be responsible for waste collection and removal for the development. The City of Kenosha shall not provide waste collection or removal services or incur any cost in this regard.
  - g. The applicant shall meet all applicable Conditions of Approval and obtain an Occupancy Permit within twelve (12) months of City Plan Commission approval of the Conditional Use Permit or the Conditional Use Permit shall be null and void.
  - h. All vehicles shall be parked within the designated paved areas.
  - i. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged fencing, landscaping or building shall be replaced or reconstructed per the approved plans.
  - j. Compliance with the Operational Plan dated July 15, 2015.
2. The following conditions of approval shall be satisfied with City Staff prior to the issuance of any construction permits.
  - a. The City Plan Commission shall grant relief to the minimum off-street parking spaces required, or a minimum of twenty-four (24) paved off-street parking spaces are required to be shown on the Site Plan and constructed prior to issuance of an Occupancy Permit. Plans for the paved parking area would have to be reviewed by City Staff prior to construction.

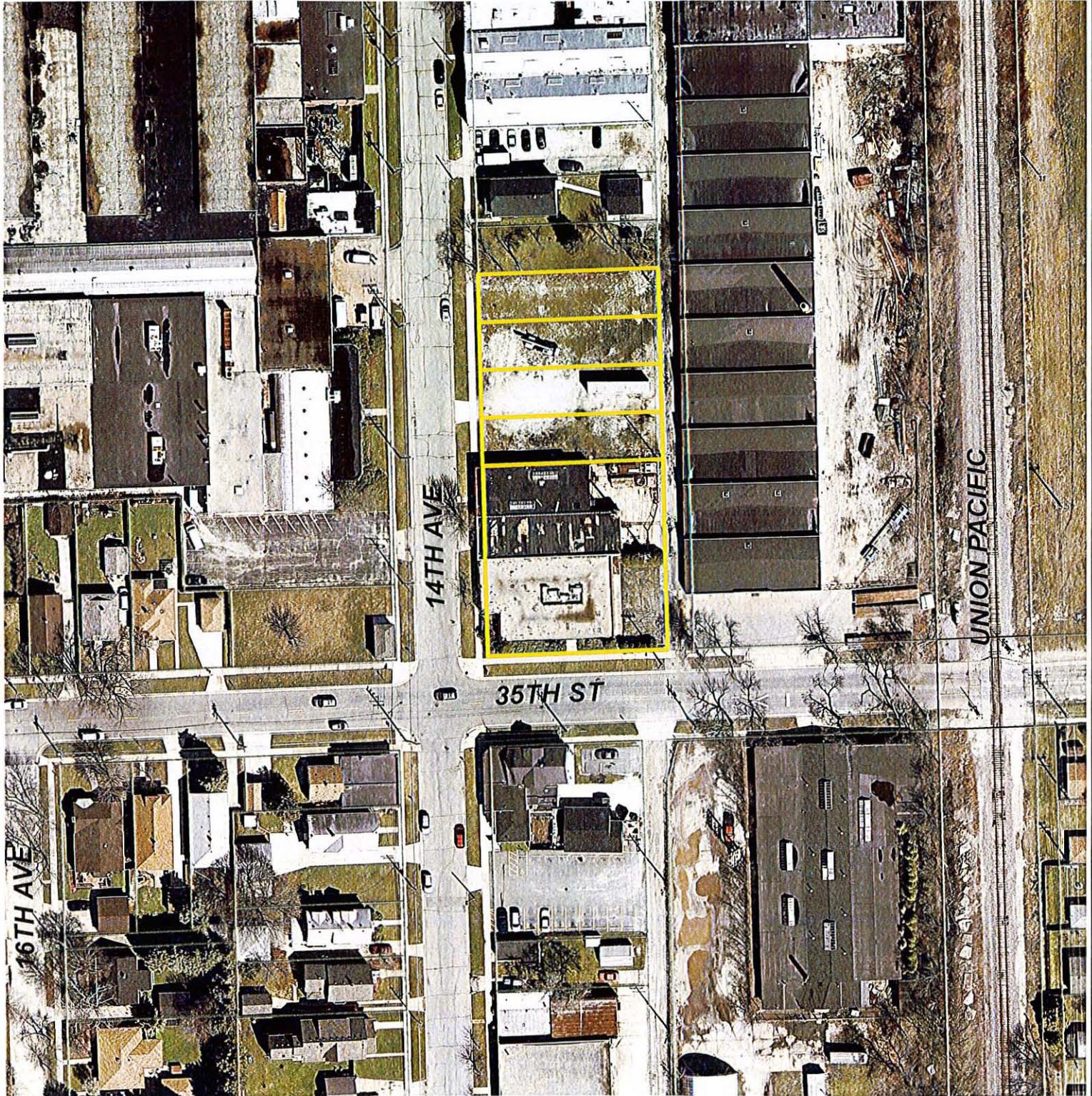
# City of Kenosha

## Vicinity Map

### HarborPark Crossfit CUP



General Location Map



# ZONING ORDINANCE FOR THE CITY OF KENOSHA, WISCONSIN

## 7. Physical Fitness Center in the M-1 or M-2 Districts.

- a. Building Plan as required in Section 4.05 B. and Section 14 of this Ordinance.
- b. Site Plan as required in Section 4.05 C. and Section 14 of this Ordinance, plus:
  - (1) Indicate the location of any off-street parking spaces dedicated to the use per Section 6.0 of the Zoning Ordinance.
- c. Drainage Plan as required in Section 4.05 D. and Section 14 of the Zoning Ordinance.
- d. Landscape Plan as required in Section 4.05 E. and Section 14.08 H.
- e. Utility Plan as required in Section 4.05 F. and Section 14 of the City of Kenosha Zoning Ordinance.
- f. Operational Plan, which includes:
  - (1) Name and address of facility operator;
  - (2) Facility maintenance detail; and,
  - (3) Hours of operation.
- g. One or more of the plans identified hereinabove may be waived at the discretion of the Reviewing Authority.
- h. The conditional use permit shall require and the conditional use shall comply with the following:
  - (1) The use shall be located wholly within an enclosed building;
  - (2) The use shall comprise less than fifty (50%) percent of the gross square footage of the building in which it is located.
  - (3) Requirement imposed by the Common Council in the conditional use permit that addresses issues that may have an adverse social, economic or environmental impact or that may affect the health, safety or welfare of abutting or neighboring properties of the City as a whole.

## D. INSTITUTIONAL AND OTHER CONDITIONAL USES

### 1. Uses and Structures in a Floodway (FW) District.

- a. **Building Plan** as required by §4.05 B. of the Zoning Ordinance, plus:
  - (1) When permitted, proposed structures shall include a plan indicating how the structure will be floodproofed and constructed so as to not catch or collect debris nor be damaged by floodwaters.
  - (2) This plan shall be certified by a registered professional engineer that the floodproofing measures are consistent with the flood velocities, forces, depths, and other factors associated with the regional flood.
  - (3) Plans for municipal water supply and sanitary sewerage systems shall indicate that the system is floodproofed to an elevation at least two (2') feet above the elevation of the regional flood and is designed to eliminate or minimize the infiltration of floodwater into the system.
- b. **Site Plan** as required by §4.05 C. of the Zoning Ordinance.
- c. **Drainage Plan** as required by §4.05 D. of the Zoning Ordinance, plus:
  - (1) Existing topography, including spot elevations of existing buildings, structures, high points, and wet areas, with any previous flood elevations.
  - (2) Floodplain boundaries.
  - (3) Soil characteristics.
  - (4) Proposed topography of the site denoting elevations and natural drainage after construction and any proposed storm water retention area.
- d. **Landscape Plan** as required by §4.05 E. of the Zoning Ordinance.
- e. **Utility Plan** as required by §4.05 F. of the Zoning Ordinance.
- f. **Operational Plan:**
  - (1) Show that the use or improvement will not impede drainage, will not cause ponding, will not obstruct the floodway, will not increase flood flow velocities, will not increase the flood stage, and will not retard the movement of floodwaters.
  - (2) Include a copy(ies) of any required water use permit pursuant to Chapter 30 of the Wisconsin Statutes or wetland fill permit pursuant to §404 of the Federal Water Pollution Control Act.
- g. Compliance with §3.20 of the Zoning Ordinance.
- h. Any use requiring a water use permit pursuant to Chapter 30 of the Wisconsin Statutes or a wetland fill permit pursuant to §404 of the Federal Water Pollution Control Act shall secure said permit prior to approval of the Conditional Use Permit.

Harbor Park CrossFit

City of Kenosha

July 15, 2015

# Conditional Use Permit Operational Plan

Per the conditional use guidelines, I am submitting the following required information per your request.

1) - Name and address of facility operator / manager:

- David Yandel (Coach) & Corian Yandel (Personal Trainer) - Co-Owners.

Address: 3111 - 56th Ave #101 Kenosha, WI 53144 262-818-8201

Care of Lake Front Fitness LLC / AKA Harbor Park CrossFit

- Jason Yule - Head Coach (Business Partner)
- Christopher Hickson - Coach (Business Partner)

All Correspondence can be sent to Harbor Park CrossFit 3111 - 56th Ave #101 Kenosha, WI 53144 262-358-9993

2) - Facility Maintenance Details:

Harbor Park CrossFit will conduct daily cleaning and disinfecting of the facility at the end of each work day. The facility will not have a dumpster or trash receptacle on the exterior of the building. This is due to the fact that we do not anticipate a large amount of trash accumulating. However, the bathrooms and interior space will have trash cans. The bags will be removed nightly and taken to an offsite garbage collection site.

### 3) - Hours of Operation:

The facility will be open daily, however the hours will vary based on client needs. The following is the daily hours of operation:

- Mondays - Fridays: 5:30am-8:30pm (Intermittent times)

Group Fitness / CrossFit & Personal Training Class Schedule:

- 5:30am-6:30am Group Class
- 6:30am-9:30am Open Gym (no Class scheduled)
- No classes will be scheduled from 9:30am-2:00pm - This time is reserved for private personal training and one-on-one coaching sessions
- 2:00pm-5:00pm Open gym (No Class Scheduled)
- 5:15pm-6:15pm Group Class
- 6:30pm-7:30pm Open Gym / Personal training and new client sessions
- 7:30pm-8:30pm Reserved for group class if needed based on reservations

• GYM WILL BE CLOSED FROM 9pm-5:30am Monday - Fridays

-Saturday & Sundays: 9:00am-1pm

Group Fitness / CrossFit & Personal Training Class Schedule:

- 9:00am-10:00am Group class scheduled
- 10:00am-11:00am Group Class Scheduled
- 11:00am-1:00pm Open Gym no group Classes Offered
- Gym will only be open from 9:00am-1:00pm Saturdays & Sundays and Closed from 1:00pm-9:00am.

Harbor Park CrossFit

Re: Request for relief on off street parking 1326-35 Street Kenosha, WI 53140

CC: Brian Wilke  
City of Kenosha Development Coordinator

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To Whom it May Concern,

Per the City of Kenosha's ordinance regarding parking requirements of 2 spaces per 400 square feet of business, I am requesting a relief on this requirement for our development opportunity at 1326-35th St. for a CrossFit facility. Our facility will be approximately 4800 sq ft, and we currently have enough room to accommodate 12 parking spaces in our parking lots, this does not include a gravel parking lot to the north of the building, which if allowed can accommodate more parking above and beyond our current 12.

We are are CrossFit gym, but we do not fit the typical mold of a normal gym. We will have limited operating hours throughout the day so parking will not always be needed. Secondly, when we do open for group classes, we will be capping our class sizes to no more than 10 people attending a class at any given time. We will also only have 2 staff members on duty during full class times. These 2 staff members for the majority of times will be carpooling because they live together and are husband and wife.

We currently anticipate our fullest classes, where 10 guests attend one class time, to be our 5pm-6pm classes.

I hope you will consider our request and determine that our proposal will be sufficient in granting us a relief to the current parking requirements.

I thank you for your time and consideration in this matter.

Sincerely,

David Yandel  
Harbor Park CrossFit

**Development Review Application  
City of Kenosha, Wisconsin**

**MAILING INFORMATION**

**NAME OF PROJECT:** Harbor Park CrossFit

Check one (1) of the following boxes to indicate the recipient of all correspondence:

Name and Address of Applicant (Please print):  
David Yandel / Christopher Hickson  
3111-56<sup>th</sup> AVE unit #101  
Kenosha, WI 53144  
 Phone: 262-818-8201  
 Fax: \_\_\_\_\_  
 E-Mail: Yandel.dave@yahoo.com

Name and Address of Architect/Engineer (Please print):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Fax: \_\_\_\_\_  
 E-Mail: \_\_\_\_\_

Name and Address of Property Owner (if other than applicant) (Please print):  
PAV Properties LLC (Dan & Felicia Parlica)  
4314-67<sup>th</sup> Street  
Kenosha, WI 53144  
 Phone: (262) 909-5008  
 Fax: \_\_\_\_\_  
 E-Mail: Felicia@FeliciaWerk.com

**PROJECT LOCATION**

Location of Development (street address and / or parcel number): 1326-35<sup>th</sup> Street Kenosha, WI 53140

**TYPE OF LAND DEVELOPMENT**

Check all that apply. Note: Additional information may be required within individual Sections.

<input type="checkbox"/>	Certified Survey Map	Section 1	Page 3
<input type="checkbox"/>	Concept Review ( <i>Land Division</i> )	Section 2	Page 4
<input type="checkbox"/>	Concept Review (Multi-Family Residential or Non-Residential)	Section 3	Page 5
<input checked="" type="checkbox"/>	Conditional Use Permit	Section 4	Pages 6 & 7
<input type="checkbox"/>	Developer's Agreement	Section 5	Page 8
<input type="checkbox"/>	Final Plat	Section 6	Pages 9 & 10
<input type="checkbox"/>	Lot Line Adjustment Survey	Section 7	Page 11
<input type="checkbox"/>	Preliminary Plat	Section 8	Pages 12 & 13
<input type="checkbox"/>	Rezoning	Section 9	Pages 14 & 15
<input type="checkbox"/>	Site Plan Review	Section 10	Pages 16 & 17

**PRIOR TO SUBMITTING THIS APPLICATION TO THE DEPARTMENT OF CITY DEVELOPMENT,  
PLEASE REVIEW THE APPROPRIATE SECTION(S) FOR FEES, REQUIREMENTS AND APPROPRIATE APPENDICES.**

Submit this cover page, completed application, applicable section(s) and appendices  
along with ALL required plans, information and fees to:

Department of Community Development & Inspections  
 Planning Division  
 625 52nd Street, Room 308  
 Kenosha, WI 53140

Phone: 262.653.4030  
 Fax: 262.653.4045

Office Hours:  
 M - F 8:00 am - 4:30 pm

**SECTION 4  
CONDITIONAL USE PERMIT**

<b>Additional Information Required:</b>	Building or Addition Square Footage: <u>48,250 FT</u>
	Existing Building Size: <u>11,000 SQ Ft</u>
	Site Size: <u>35,632SQ FT</u>
	Current # of Employees <u>4</u> Anticipated # of New Employees <u>4</u>
	Anticipated Value of Improvements _____

<b>Submittal Requirements:</b>	<ul style="list-style-type: none"> <li>➤ Ten (10) full size scaled copies of Specified Plans indicated below drawn at a standard engineering scale</li> <li>➤ Developer Site Plan/Conditional Use Permit Checklist (Appendix A)</li> </ul>
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<b>If Item to be Reviewed by Plan Commission/Common Council must Submit:</b>	<ul style="list-style-type: none"> <li>➤ One (1) 8 1/2" x 11" reduction <i>or</i> twenty (20) 11" x 17" reductions of the Site/Landscape Plan, Floor Plan and Colored Building Elevations (all sides)</li> <li>➤ Sample Board containing colored samples of all exterior building materials</li> </ul>
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Fees:	Building or Addition Size	Site size	Review Fee
Level 1	<= 10,000 sq. ft.	<= 1 acre	\$900 = City Plan Dept. <i>or</i> \$1,025 = CPC/CC
Level 2	10,001 - 50,000 sq. ft.	1.01 - 10 acres	\$1,175 = City Plan Dept. <i>or</i> \$1,300 = CPC/CC
Level 3	50,001 - 100,000 sq. ft.	10.01 - 25 acres	\$1,600 = City Plan Dept. <i>or</i> \$1,725 = CPC/CC
Level 4	> 100,001 sq. ft.	> 25.01 acres	\$2,000 = City Plan Dept. <i>or</i> \$2,125 = CPC/CC

➤ If building size or addition and gross acreage of the site determine two (2) different fees, the greater of the two fees will be assessed.  
 ➤ Application fee entitles applicant to an initial review and one re-submittal.  
 ➤ Re-submittal fee = \$425 per re-submittal after two (2) permitted reviews.  
 ➤ CUP Amendment = 50% of the applicable fee as determined above.

<b>Appendices to Review:</b>	➤ All
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<b>Approximate Review Time:</b>	<ul style="list-style-type: none"> <li>➤ 30 days for Staff Review</li> <li>➤ 45-60 days for City Plan Commission/Common Council Review</li> </ul>
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The conditional use permit plans, *prepared to a standard engineering scale*, shall be submitted with this application & shall include the following information:

<b>Building Plan:</b>	<ul style="list-style-type: none"> <li>➤ Layout of building(s) including size and layout of rooms</li> <li>➤ Design and architecture</li> <li>➤ Plans and details on fire suppression and/or standpipe</li> <li>➤ Plans and details on fire detection, fire alarm and other safety devices</li> </ul>
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<b>Site Plan</b> (based on a plat of survey)	<ul style="list-style-type: none"> <li>➤ Legal description of property</li> <li>➤ Location and footprint of building(s) and structure(s)</li> <li>➤ Locations of existing and proposed streets, drives, alleys, easements, rights-of-way, parking as required, vehicular and pedestrian access points, and sidewalks</li> <li>➤ Outline of any development stages</li> <li>➤ Location and details on any required emergency access roads</li> <li>➤ A calculation of square footage devoted to building, paving and sidewalks, and landscaped/open space</li> </ul>
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<b>Drainage Plan</b>	<ul style="list-style-type: none"> <li>➤ Existing topography, including spot elevations of existing buildings, structures, high points, and wet areas, with any previous flood elevations</li> <li>➤ Floodplain boundaries, if applicable</li> <li>➤ Soil characteristics, where applicable</li> <li>➤ Proposed topography of the site denoting elevations and natural drainage after construction and any proposed stormwater retention areas</li> </ul>
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14th AVE

Vehicle Entrance

4' tall Fence

Lot 2 Gravel Parking lot / Field \*

35th St

Main Gpm Entrance

Overhead door

Maintenance Garage

Proposed Crossfit Space 4825 Sq. Ft

Lot 1

Office Space 5700 Sq. Ft

Main Entrance

36' 4"

10' overhead door

11

12

13

14

15

Fence

Gate

9 Stalls

30'

69'

Gravel Parking Lot

Fence

7

8

9

6 Stalls

60'

37'

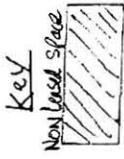
60'

Vehicle Entrance

ALLEY

### Harbor Park Crossfit

- Address of property : 1326-35th St
- June 23rd, 2015
- Exterior view
- Brick Exterior / brown
- 1 Story tall
- 15 total Parking Stalls.



\* Separate lot, not a part of this approval.





July 17, 2015

**Public Meeting Notice**  
**Off-Street Parking Exception at 1326 35<sup>th</sup> Street**

Dear Property Owner:

The property owner from 1326 35<sup>th</sup> Street is requesting a Special Exception from the Off-Street Parking Requirements found in Section 6 of the Zoning Ordinance. Our records indicate that you own property within 100 feet of that property.

The Zoning Ordinance requires twenty-four (24) off-street parking spaces for the proposed use of a fitness center in the building. The applicant is proposing to only have twelve (12) spaces, a shortage of twelve (12) spaces. A map of this area is enclosed.

**A public hearing will be held by the City Plan Commission at their meeting on Thursday, July 23, 2015 at 5:00 pm in Room 202 of the Municipal Building, 625 52<sup>nd</sup> Street.** The public hearing provides an opportunity to voice any concerns or ask any questions about the Special Exception Request.

If you have any questions or would like to see a copy of the proposed plans, please contact me at 262.653.4049 or via email at [bwilke@kenosha.org](mailto:bwilke@kenosha.org).

Sincerely,

Brian R. Wilke  
Development Coordinator

BRW:kas  
Enclosure