



**VILLAGE OF WESTON  
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Village of Weston Plan Commission on **Monday, October 13, 2014, at 6:00 p.m.**, at the Village Municipal Center located at 5500 Schofield Avenue, Weston, Wisconsin, to hear comments and concerns related to the following request:

Conditional Use Application #CU-9-14-1489 having been filed with the Village Clerk by Otto Lima, 4916 Annabelle Court, Weston, WI, and Renee Podjaski-Heaney, 5310 Jacob Street, Weston, WI, **requesting a conditional use permit to allow for a personal fitness training facility to open on a property within the M1 (Manufacturing & Warehousing) Zoning District.** The property is described as:

CSM #8774, Volume #34, Page 152, Document #1057892, in Section 16, Township 8 North, Range 8 East, in the Village of Weston, Marathon County, Wisconsin. This parcel is also known as 5407 Westfair Avenue, and consists of .750 acres.

Beginning Monday, September 29, 2014, the application materials will be available for public inspection in the office of the Village Clerk, and will also be available on the Village of Weston website located at <http://westonwi.gov/421/Public-Hearing-Notices>.

Written testimony may be forwarded to the Village of Weston Plan Commission, Valerie Parker, Plan Commission Secretary, 5500 Schofield Avenue, Weston, WI 54476, or e-mailed to [vparker@westonwi.gov](mailto:vparker@westonwi.gov), **by noon on the day of the public hearing.** All interested persons will be given an opportunity to be heard. Any person with questions or planning to attend needing special accommodations in order to participate should call Valerie Parker, Administrative Specialist, Planning and Development Department, at 715-241-2607.

Dated this 25<sup>th</sup> day of September, 2014,

  
Sherry L. Weinkauff  
Village Clerk

Published as a legal ad in the Wausau Daily Herald on Monday, September 29, 2014, and Monday, October 6, 2014.

**Conditional Use Application**

Planning and Development  
Village of Weston  
Date: 9-25-14

Permit No.: CU-9-14-1489

Payment:  Cash  Check No. \_\_\_\_\_



5500 Schofield Avenue  
Weston, WI 54476  
(715) 359-6114

**Conditional Use**

\$350.00 FEE

[48/4820]

**-- ALL FIELDS MUST BE FILLED OUT TO BE PROCESSED PLEASE PRINT LEGIBLY --**

**Applicant Information:**

Business Name: Vortex Power  
Contact Name: Renee Podjaski-Heaney  
Mailing: 5310 Jacob St  
Address: Weston, WI 54476  
Phone Number: 715-370-1738  
Email Address: err.nay@gmail.com

**Owner Information:**

Business Name: Richard Bender Rentals, LLC  
Contact Name: Rod Bender  
Mailing: PO BOX 136  
Address: Weston, WI 54476  
Phone Number: 715-573-4944  
Email Address: RBRLLC@yahoo.com

Applicant is:  Owner  Agent  Other: Tenant

If applicant is not the owner, a Letter of Authorization from ALL PROPERTY OWNERS must be provided.

**Property Information:**

Property Site: 5407-4 Westfair Ave PIN: 192-2808-164-0131  
Address: Weston, WI 54476 Parcel Size: 0.75 Acres  
Acquisition Date: 1976 Existing Zoning: M-1

Existing Use of Property: M-1, multiple tenants building - other existing tenants include cold storage and landscaper  
Future Land Use of Property: same as above plus a physical fitness center  
Proposed Zoning Change: Conditional use B-2

Surrounding future land use/Zoning Classification/  
Existing Use:  
North: M-1  
South: M-1  
East: M-1  
West: M-1

Is the property planned to be improved?  Yes  No Start Date: \_\_\_\_\_

**Please provide the following on separate documents:**

- One copy of a registered surveyor's plat of survey or legal description.
- The complete details of the conditional use and the reasoning behind the request.
- Detailed site operational plan and the plan for site improvements along with timeframes.

I hereby depose and say that all the above statements and all accompanying statements and drawings are correct and true.

Signature: [Signature] Otto Daniel Lima Date: 9/24/14

**APPLICANT ATTENDANCE AT THE HEARING IS MANDATORY.**

PIN	<u>192 2808 164 0131</u>	Village of WESTON	
Parcel	<u>62 082300 003 004 01 00</u>		Status: <b>ACTIVE</b>
Adr	<u>1 5407 WESTFAIR AVE</u>	<u>WESTON</u>	<u>54476 0000</u>
Own	<u>1 RICHARD BENDER RENTA LS LLC</u>	<u>B</u>	

General Parcel Information:

PIN. . . . .: 37 192 4 2808 164 0131 Village of WESTON  
Parcel Number : 62 0823 003 004 01 00 Parcel Status: ACTIVE  
Sale Date. . .: 10/03/2001 Sale Type. . : Blank  
Sale Amount. .: 0 Transfer Tax : .00  
Deed Type. . .: Quit Claim  
Deed Reference: M233-76 M639-329 1251521  
MAILING ADDRESS RICHARD BENDER RENTALS

PO BOX 136

WESTON WI 54476 0136 USA

F2=Owners F3=Exit F4=Prompt F7=Previous F8=Next F24=More  
Positioning to PIN: 192 2808 164 0131 +

BILL/PAGE NO. 2229

STATE OF WISCONSIN  
REAL ESTATE PROPERTY TAX BILL FOR 2013  
VILLAGE OF WESTON  
MARATHON COUNTY

IMPORTANT: Correspondence should refer to tax number  
\*See reverse side for Important Information  
\*Be sure this description covers your property. This description is for  
property tax bill only and may not be a full legal description.

192-2808-164-0131

RICHARD BENDER RENTALS  
PO BOX 136  
WESTON WI 54476-0136

RICHARD BENDER RENTALS LLC  
5407 WESTFAIR AVE  
WESTON COMMERCIAL PARK  
PT OF LOT 4 BLK 3  
PCL 1 CSM VOL 34 PG 152  
(#8774) (DOC #1057892)  
.750 ACRES  
M233-76 M639-329 1251521



# RICHARD BENDER RENTALS, LLC

PO Box 136, Weston, WI 54476

Office: (715) 355-4944

Cell: (715) 573-4944

rbrllc@yahoo.com

Village of Weston  
5500 Schofield Ave  
Weston, WI 54476  
Attn: Jennifer Higgins

September 24, 2014

## Re: Letter of Authorization for Conditional Use Application

Dear :

Richard Bender Rentals LLC hereby authorizes Renee Heaney to apply for a Conditional Use Permit for 5407-4 Westfair Street. We understand that the intended usage of the conditional permit will be for a physical fitness facility. Richard Bender Rentals LLC is the sole owner of the building at 5407 Westfair Street.

If you have any questions feel free to contact me.

Sincerely,



Rod Bender, Manager  
Richard Bender Rentals, LLC  
715-573-4944

DENYON HOMES  
5309 SCHOFIELD AVE  
WESTON WI 54476

T&A HOFFMANN LLC  
2104 MEADOW BROOK WAY  
WAUSAU WI 54403

T&A HOFFMANN LLC  
5503 SCHOFIELD AVENUE  
WESTON WI 54476

CUSTOM GLASS PRODUCTS  
7515 VENTURE CIRCLE  
WESTON WI 54476

RICHARD BENDER RENTALS  
PO BOX 136  
WESTON WI 54476

RICHARD BENDER RENTALS  
5407 WESTFAIR AVENUE  
WESTON WI 54476

RICHARD BENDER RENTALS  
5409 WESTFAIR AVENUE  
WESTON WI 54476

CUSTOM GLASS PRODUCTS  
5905 MESKER STREET  
WESTON WI 54476

EAST WAUSAU LLC  
7306 ZINSER STREET  
WESTON WI 54476

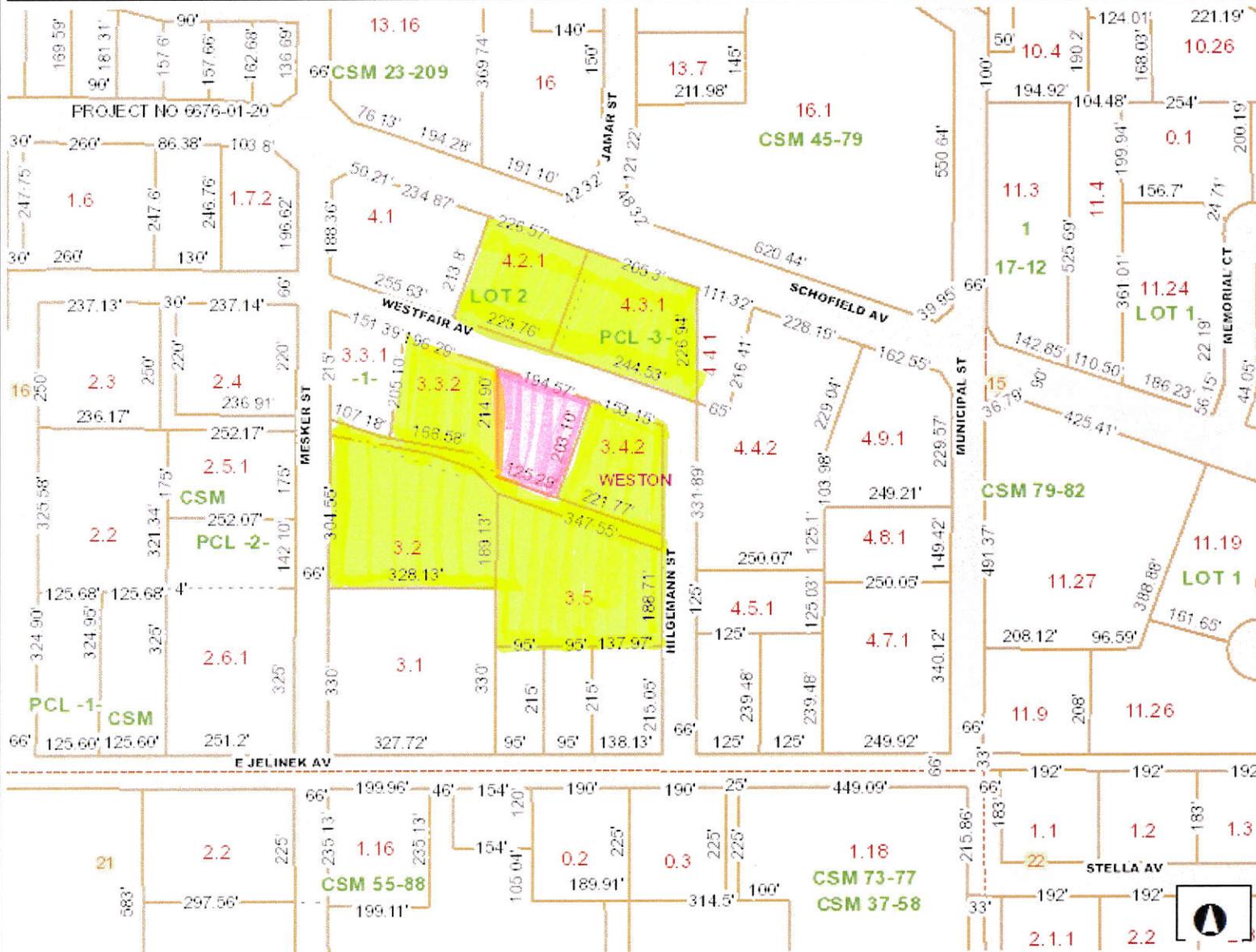
EAST WAUSAU LLC  
5907 HILGEMANN STREET  
WESTON WI 54476

EAST WAUSAU LLC  
5905 HILGEMANN STREET  
WESTON WI 54476

EAST WAUSAU LLC  
5909 HILGEMANN STREET  
WESTON WI 54476

OTTO LIMA  
4916 ANNABELLE COURT  
WESTON WI 54476

RENEE PODJASKI-HEANEY  
5310 JACOB STREET  
WESTON WI 54476



**Legend**

- Parcels
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Road Names
- Named Places
- Municipalities

*C.U. Requestor*

*Neighboring Properties notified*

146.82 0 146.82 Feet



User\_Defined\_Lambert\_Conformal\_Conic

**DISCLAIMER:** The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Marathon County-City of Wausau will not be responsible for any damages which result from third party use of the information and depictions herein or for use which ignores this warning.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

**Notes**

**Commercial Zoning and Occupancy Permit Application**

Permit No. : ZONE-9-14-5564  
 Certificate No. :



5500 Schofield Avenue  
 Weston, WI 54476  
 (715) 359-6114

Village of Weston

Date: 9-25-14

Payment:  Cash  Check No. \_\_\_\_\_

**Commercial Zoning and Occupancy Permits**

[FINE = FEE x 2 for late applications]

- New Construction \$150.00 FEE [43/4341]
- Existing Building: Building Addition \$100.00 FEE [43/4345]
- Existing Building: Change of Owner or Use \$25.00 FEE [43/4343]

-- ALL FIELDS MUST BE FILLED OUT TO BE PROCESSED PLEASE PRINT LEGIBLY --

**Business Information:**

This space is [  Rented  Leased  Owned ] by the business.

Business Name: Vortex Power Contact Name: Renee Podjaski-Heaney  
 Physical: 5310 Jacob St Mailing: 5310 Jacob St  
 Address: Weston, WI 54476 Address: Weston, WI 54476  
 Website: N/A Email: err.nay@gmail.com  
 Phone: 715-370-1738 Fax: N/A

**Business Owner Information:**

**Property Owner Information:**

Name: Otto Lima Name: Richard Bender Rentals LLC  
 Mailing: 4916 Annabelle Ct Mailing: PO Box 136  
 Address: Weston, WI 54476 Address: Weston, WI 54476  
 Phone No.: 715-212-2688 Phone No.: 715-573-4944  
 Email: otto.d.lima@gmail.com Email: RBRLLC@yahoo.com

**Emergency Information (REQUIRED FOR EVEREST METRO PD AND S.A.F.E.R.):**

Emergency Contact #1: Otto Lima Phone: 715-212-2688 Alt Phone: 715-302-8380  
 Emergency Contact #2: Renee Podjaski-Heaney Phone: 715-370-1738 Alt Phone: \_\_\_\_\_  
 Emergency Contact #3: Rob Bender Phone: 715-573-4944 Alt Phone: \_\_\_\_\_

Is the Business Equipped with an Alarm?  Yes  No Audible Alarm?  Yes  No  
 Alarm Type: \_\_\_\_\_ Monitored by: \_\_\_\_\_ Phone: \_\_\_\_\_  
 Burglar:  Yes  No  
 Fire:  Yes  No  
 Other:  Yes  No

Is there Outdoor Storage of Materials or Product?  Yes  No  
 Please Describe in detail within the **Operational Plan**

Is there any Storage of any Flammable or Hazardous Materials on the Premise?  Yes  No  
 Please Describe in detail within the **Operational Plan**

What type of Fire Suppression System? FIRE EXTINGUISHERS  
 Location of Fire Suppression Controls: Wall

S.A.F.E.R. provides a *Knoxbox* Program, which would allow emergency entrance to the building by authorized emergency personnel via a key you provide located in the *Knoxbox* at the front entrance. Would you like someone from the fire department to contact you concerning this program?  Yes  No

Contact Name: Renee Podjaski-Heaney Phone No. 715-370-1738

Proposed Date of Opening: Waiting on Conditional Use Days and hours of Operation: M-Sunday (5:30am-10pm)  
Is this a (Check all that apply):  New Business  New Building  Change of Ownership  
 Existing Business – Building Addition  Seasonal/Temporary (Dates of Operation): \_\_\_\_\_  
 Location Change (Within the Village of Weston) – Provide Address: \_\_\_\_\_

Square Footage of Space: 3000 SF Number of Employees: 0  
Number of Available Parking Spaces: 8  
Liquor License Required:  Yes (Contact the Village Clerk)  No  
Marathon Co. Health Dept. Cert.:  Yes; Type: \_\_\_\_\_  No  
Wisconsin DNR Certification:  Yes; Type: \_\_\_\_\_  No

**Additional Required Documents/Certifications: (Prior to Occupancy)**

- COMPLETE SIGN APPLICATION PRIOR TO SIGN INSTALLATION/OPEN DATE
- ADDRESS VISABLE FROM ROAD WAY. ADDRESS ON BACK DOOR(S) OF ALL MULTI-TENANT BUILDINGS.
- PROVIDE A PROPOSED BUSINESS PLAN AND SITE OPERATIONAL PLAN AND INCLUDE ANY OUTDOOR STORAGE, HAZARDOUS MATERIALS AND/OR FLAMMABLE MATERIALS BEING STORED ON THE PREMISE IN A SEPARATE DOCUMENT.
- A GENERAL SITE PLAN WITH DETAILED LOCATIONS OF ANY OUTDOOR STORAGE AREAS ON 11'x 17' AND PDF FORMAT MUST BE PROVIDED IN ORDER FOR THE APPLICATION TO BE PROCESSED IN A TIMELY MANNER.
- PROVIDE A COPY OF ALL CERTIFICATES GRANTED BY THE MARATHON COUNTY HEALTH DEPARTMENT (If Applicable).
- PROVIDE A COPY OF ALL CERTIFICATES GRANTED BY THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES (If Applicable).

**Explanation of the Permit Process**

No new building and no existing building which is to be remodeled or relocated shall be issued a building permit until a zoning permit has been issued to certify that such construction or change would comply with the provisions of Chapter 94 of the Village of Weston Municipal Code, Wisconsin Uniform Building Code, and Village Building Codes. Buildings or spaces within buildings are not allowed to be occupied without a Certificate of Occupancy issued in the name of the tenant occupying that building or space. Applications for a Zoning Permit and a Certificate of Occupancy shall be made to the Department of Planning and Development prior to or at the same time as an application for a building permit or prior to the commencement of any use not involving a building permit.

**THIS IS AN APPLICATION AND RECEIPT AND NOT A PERMIT TO OCCUPY THE BUILDING.**

To arrange an inspection, please call (715) 359-6114. Occupancy inspections are conducted by appointment only. A twenty-four (24) hour notice is required for inspection. Inspections will be made within 72 hours after the notification of the completion, erection, alteration or relocation of the building or of intent to commence a use. If the building and its intended use of the premise comply with the requirements of Chapter 94 and all State and Village codes, a Zoning Permit and a Certificate of Occupancy shall be issued, In some cases a Temporary Certificate of Occupancy may be issued for a period of up to and not to exceed six (6) months during the completion of alterations or during partial occupancy of a building pending its permanent occupation. Such temporary permits shall not be issued under such restrictions and provisions as will adequately ensure the safety of the occupants. A temporary permit shall be voided if the building fails to conform to provisions of Chapter 94 to such a degree as to render it unsafe for the occupancy proposed. The Certificate of Occupancy will be mailed (and/or emailed) to the business at the mailing address (email address) provided and shall be placed in a conspicuous place on site.

**Applicant Agreement and Signature**

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all Village Ordinances and state Laws regulating zoning and building construction, electric installation and/or heating and air conditioning installation. I agree to comply with approved drawings and I understand that any deviation from the approved plans must be authorized by the original approving authority and revised plans must be resubmitted to the Village. I also acknowledge that I am the property owner, or I am authorized to act as the owner's agent in obtaining this permit. I acknowledge that permits with no inspection activity for six (6) months shall be expired. I understand that it is the responsibility of the owner/owner agent to call for all required inspections and that as least 24 hour notice is required for all inspections.

Signature:  Date: 9/24/14  
Print Name: Otto Daniel Lima

2014

# Vortex Power

*Either your in, or you in the way!*

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## Executive Summary

**Vortex Power** is a gym that focuses on constantly varied, functional movements performed at a high intensity. We prepare our clients for the unknown and unknowable that life may throw at them. We have the best programming, coaching and nutrition program that is used by the military and some police and fire departments. It is unbeatable.

**Vortex Power** is focused on helping people of any age group who have the desire to improve their lifestyle in a healthy direction. We also encourage coaching clients in all modalities for a fitness environment that is focused on their unique needs from the Collegiate/Pro level athletes to the average couch potato.

**Vortex Power** will be located in Weston, WI. The area is growing and has five health clubs, but none that serve clients in a personal group strength and conditioning training environment exclusively.

Otto Lima and Renee Podjaski-Heaney, owners of **Vortex Power**, have extensive knowledge of the fitness and coaching industry. Otto has trained soldiers to go to war and is ready to incorporate all his knowledge to coach clients for the real world battlefield. Renee has been training clients for the last 17 years in all aspects of fitness. We want to create **Vortex Power** in order to fill a need that has been lacking in the Central Wisconsin fitness industry. Until NOW!

## Executive Summary (cont.)

**Vortex Power** will create a supportive experience through healthy competition that will bring in new members by word of mouth.

### **Mission**

The mission of **Vortex Power** is the following:

- ✓ Create a scalable functional fitness workout environment that promotes confidence in our clients.
- ✓ Promote the success of our clients in meeting their fitness goals.
- ✓ Celebrate their successes and help them set new fitness goals.
- ✓ Keep the size of classes to 5 members per coach or less in order to keep the highest quality of coaching.

### **Objectives**

The objectives of **Vortex Power** are the following:

- ✓ Exceed 60% class capacity by the end of the first year of operation.
- ✓ Acquire 60+ memberships by the end of the first year of operation.
- ✓ Increase membership by 20% by the end of the second year of operation.

## Company Summary

**Vortex Power** is a broad, general, and inclusive fitness program. As the company grows and gains more clients there will be openings for independently contracted coaches to coach at our facility. Otto Lima will manage the daily operations and share head coaching responsibilities. Renee Podjaski-Heaney will take care of the financial operations and share head coaching responsibilities.

### **Company Ownership**

**Vortex Power** will be owned by Otto Lima and Renee Podjaski and will be run as a LLC.

### **Operational Plan**

We will be open to approximately five athletes per training hour. Our hours of operation will be from 5:30 am to 10pm Monday through Sunday.

There will not be any outside storage and we will not have any Hazardous Materials and/or Flammable Materials stored on the premise.

# Company Summary (cont.)

## **Start-up Summary**

The start-up expenses for **Vortex Power** is focused primarily on equipment and exercise space for the classes. We will be putting all revenue back into the business by purchasing more equipment. Working closely with the landlord at start up will help reduce our overhead cost. Currently we have enough equipment to start training clients as soon as the doors open. We don't have an Opening Day set. We are in the process of requesting a conditional use for the proposed location.

## **Conditional Use**

We are currently requesting a conditional use due to the fact that we will be using the facility as a fitness center and with the locations current zoning we are not able to.

We will be using the location at 5407-4 Westfair Ave., Weston, WI 54476 for the activities outlined in this Business Plan. There are no site improvements for the location.

# Market Analysis Summary

- There are five other fitness facilities in the Weston area and **Vortex Power** is the only facility that will offer the group classes lead by a knowledgeable coach. The fitness facilities that are available to the market are the 24 hour type accommodations.

## Market Segmentation

- Our market is on the higher end of monthly membership prices starting at \$85 for an unlimited class price and with three time a week starting at \$60.
- Our niche is 20-40 year old men and women that are fed up with the inactive lifestyle and are looking for a new way to workout that is proven to show effectiveness. We also appeal to the active population as well by offering a competitive aspect to the workouts fulfilling the natural desire to compete.
- The average salary for the target market is between \$47,000 to \$66,000 per year.
- We are not a 24 hour facility, but our hours will be from 6:30am to 8:30pm so that we can cater to shift workers as well as the 9-5 population.

## Market Analysis Summary (cont.)

### Competitive Edge

The competitive advantage of **Vortex Power** is the environment that is created in the facility. We understand that customers like businesses that are focused on their individual needs and the scalability that we provides is essential. That is exactly what we provide because we care about the customers progress. We are not like other facilities that want as many memberships as possible in hopes that their numbers are inflated for revenue, but don't care about whether or not clients show up. We want the quality of our service to be number one by being actively involved with the customers. The quality of our coaching and facility is what will bring in customers and spread through word of mouth.

Our direct competitors are:

Anytime Fitness

Snap Fitness

Wausau Health and Fitness (24 hours)

Weston Health Club

Aspirus YMCA

# Market

## Analysis Summary (cont.)

### Marketing Strategy

Our product is coaching. We are going to be charging \$85 for an unlimited membership which means 7 a week days and one or more class per day. **Vortex Power** justifies that price because if you go to a "Globo Gym" the membership is anywhere between \$35 to \$60 a month. Then in addition to the monthly fee there is a start up fee of \$125 to \$220. THEN in addition to *that* if you want a personal trainer it will cost \$45 to \$80 per session. In order to get something out of the personal training the trainer wants to see you 2 times a week. Doing the math even the cheapest prices would cost \$520 for the first month, then each additional month would cost \$395 and getting locked into a contract to get the cheapest prices. THIS IS HOW THE "GLOBO GYMS" CHEAT CUSTOMERS. We will be trying to get an article in the City Pages and continue to provide a great quality service that people will want to talk about over Facebook, Instagram and Twitter which we will be keeping up to date daily. We know that peer to peer evaluations of services are much more valuable to individuals than advertising, since advertising is biased. For that reason we don't want to do traditional advertising and feel like it is an unnecessary expense.

## Management Summary

Otto was in the US Army for the last seven years and trained soldiers for peak physical fitness. He has his CF-Lv1 and is in the process of getting his USA Weightlifting Sports Performance Cert. He has been coaching out of his garage for the last 2 years and will be making a move to a bigger location and with his business partner Renee.

Renee has been personal training since 2008 and has been in the forefront of the fitness industry for 17+ years. She also built her own garage gym in 2012. As a former endurance athlete in many 5k and 21k races she understands the needs that athletes will have when they come in the door. She has her CF-Lv1, CF Mobility, CF Judge 2014. Certified in Strength, Power, and Mobility – The Outlaw Way. Chi Running.

### **Future Personnel**

As **Vortex Power** grows we will be using independent contractors for our coaching staff. We will be looking to add a new contractor for every 40 new members.

### **Personnel Plan**

The contingency plan at the start of the business, if something should happen to either Otto or Renee, is to use the Key Person insurance to keep the business open while searching for another coach.