



## Memorandum

To: Board of Zoning Appeals  
From: Matthew Glassman, Chair of the Planning Commission  
Meeting Dates: January 14, 2026  
Re: Recommendation for Conditional Use Permit – Private Indoor Recreational  
Uses at 438-440 Mill Street NE

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### Summary:

The Planning Commission met on January 14, 2026, to review and discuss the application from the owner of CrossFit Mill Street, Brett Wilson (henceforth referred to as “the applicant”), to be approved for a Conditional Use Permit from the Board of Zoning Appeals (BZA) to expand a private indoor recreational use currently located at 432-436 Mill Street NE to include 438-440 Mill Street NE, in the Mill District zone. The Planning Commission’s role is to provide a recommendation to the BZA.

After discussion, the Planning Commission voted 6-0 on January 14 to recommend approval of the CUP.

### Site & Proposal Overview:

The site is a 22,659-square-foot parcel with an address of 432-440 Mill Street NE. The property consists of a 10,061-square-foot, single-story, five-bay building and 51 parking spaces. The property is located within the Mill District zone. It is also entirely within the Town’s Resource Management Area and partially within both the 100’ and the 50’ Resource Protection Areas.

The applicant wishes to expand his business into the bays with the addresses of 438 and 440 Mill Street NE. When CrossFit Mill Street was issued its Certificate of Occupancy in July 2015, the Town was under its prior zoning ordinance. Under that ordinance, CrossFit Mill Street was classified as a “Recreational” use, and the property was located within the CM (Commercial Limited) zoning district. As Recreational uses were permitted by-right in the CM district, the applicant did not need to obtain a Conditional Use Permit for his business. However, under the current zoning ordinance, the use under which CrossFit Mill Street falls is classified as “Indoor Recreational Use, Private,” which is a conditional use in the Mill District. To amend the current Certificate of Occupancy to include 438-440 Mill Street NE, the applicant must obtain a Conditional Use Permit that allows for private indoor recreational uses at those addresses.

### Discussion:

In reviewing the floor plan for 432-440 Mill Street NE, staff noted that 432-438 Mill Street NE are connected internally but 440 Mill Street NE is not internally accessible; it can only be entered

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Planning Commission  
Recommendation for Conditional Use Permit –  
Private Indoor Recreational Uses at 438-440 Mill Street NE

through the front door or rear loading space. Commissioner Kenney asked the applicant how this space was intended to be accessed by customers and the applicant replied that, at the moment, this space was being rented by a different business to serve as their office. However, the other business' lease will end in approximately one year, and at that time the applicant intends to incorporate 440 Mill Street NE into the rest of the gym space.

**Planning Commission Recommendation**

After staff presentation and discussion, the Planning Commission voted unanimously to recommend approval to the BZA, as follows:

Motion: Commissioner Noble

2nd: Commissioner Kenney

Roll Call Vote:

Matthew Glassman, Chair	Aye
Douglas Noble, Vice Chair	Aye
Keith Aimone	Aye
Deepa Chakrapani	absent
Stephen Kenney	Aye
David Miller	Aye
Jessica Plowgian	Aye