

**MILESTONE MATERIALS, 2070 AND 2071 QUEENLAND DR
CONDITIONAL USE PERMIT
for a Nonmetallic Mining Operation**

STAFF REPORT FOR PLAN COMMISSION

**PUBLIC HEARINGS/
MEETINGS:**

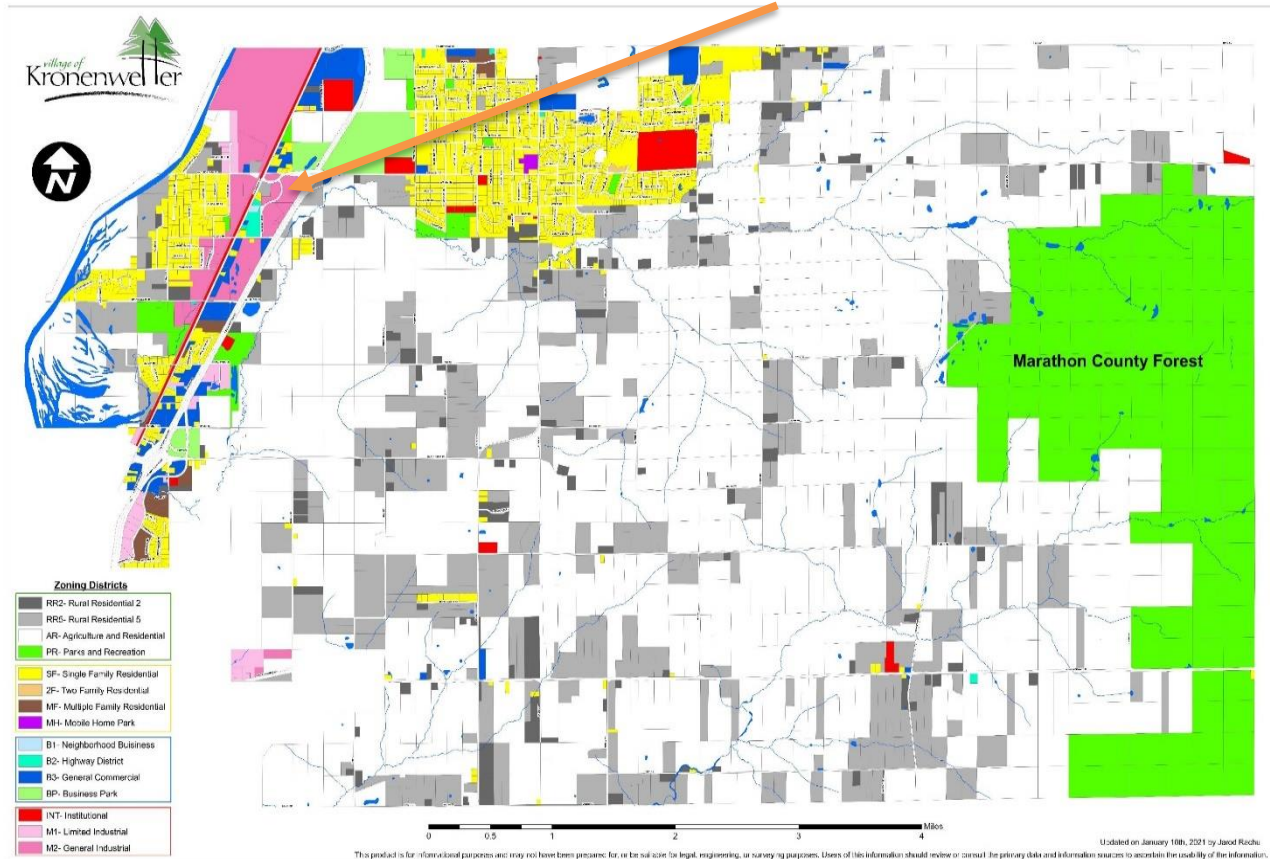
Plan Commission Public Hearing: 6:00 p.m. November 18, 2024

APPLICANT:

Milestone Materials
920 10th Avenue North
Onalaska, WI, 54650

LOCATION OF REQUEST: 2070 AND 2071 QUEENLAND DR, Kronenwetter WI 54455 (See Map 1)

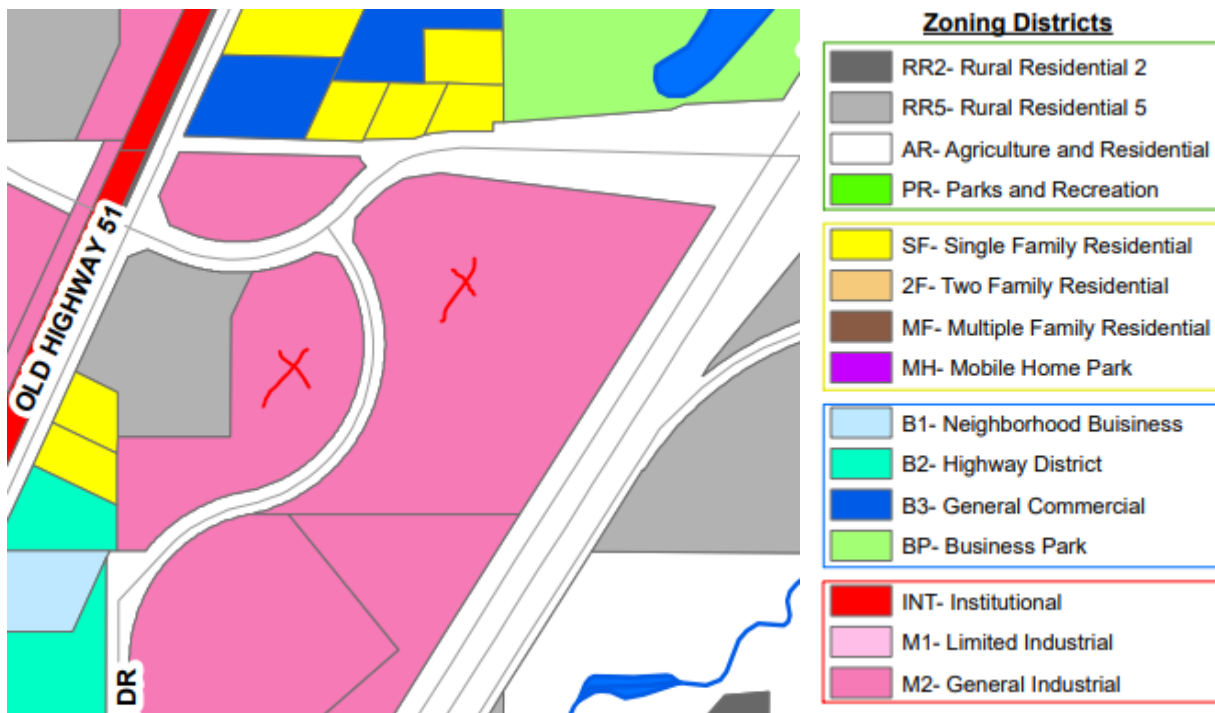
VILLAGE OF KRONENWETTER OFFICIAL ZONING MAP



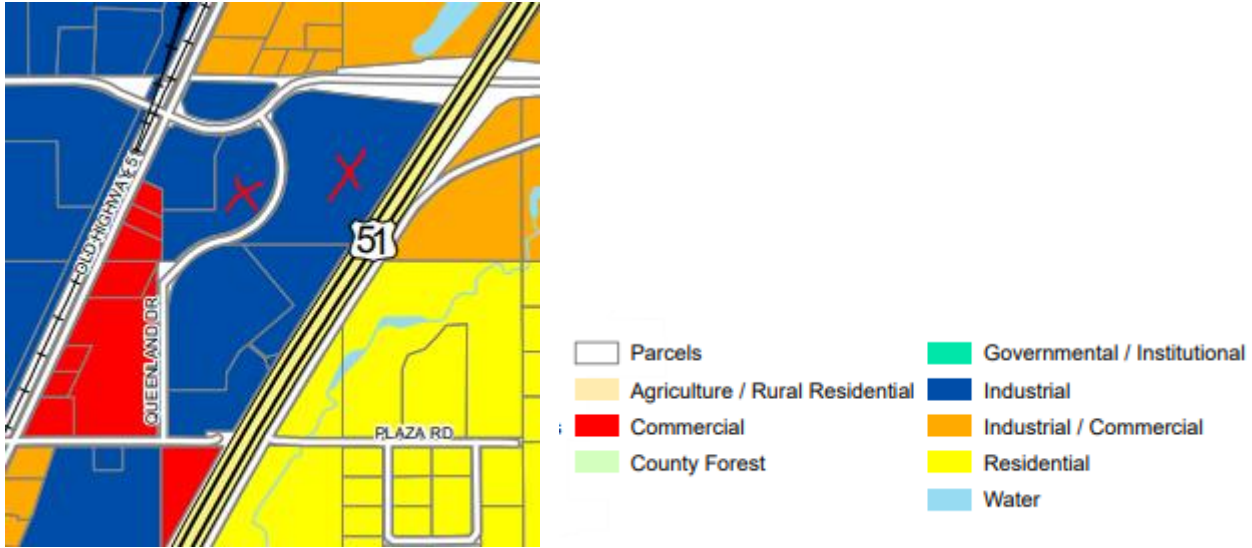
Map 1: Location Map
(Source Data: Village of Kronenwetter Zoning Map)



Map 2: Aerial Photo
 (Source Data: Marathon County GIS)



Map 3: Zoning Map
 (Source Data: Village of Kronenwetter)
 Milestone Materials – CONDITIONAL USE PERMIT



Map 4: Future Land Use Map
 (Source Data: Village of Kronenwetter)

LEGAL DESCRIPTION OF PROPERTY:

2070 Queenland Drive - SEC 10-27-07 PT OF NE 1/4 NE 1/4 - ALSO PT OF NW 1/4 NW 1/4 SEC 11 - LOT 3 CSM VOL 64 PG 16 (#14379)(DOC #1449149 EX DOC #1499367-RD

2071 Queenland Drive - SEC 10-27-07 PT OF NE 1/4 NE 1/4 - LOT 1 CSM VOL 64 PG 16 (#14379) (DOC #1449149) EX DOC #1499365-RD

ZONING: M2 - General Industrial

ACREAGE: 2070 Queenland Drive – 22.30 acres
 2071 Queenland Drive – 9.16 acres

LEGAL NOTIFICATION: A legal advertisement was published in the *Wausau Daily Herald* on Monday, November 4, 2024, and Monday, November 11, 2024. Notice of the proposed Conditional Use Permit request was sent by regular mail to adjacent property owners within 500 feet of the subject property on November 4, 2024.

PROPOSED CONDITIONAL USE: *CONDITIONAL USE PERMIT for a Nonmetallic Mining Operation.*

DEVELOPMENT PATTERN (AND ZONING):

Subject Property:	M2
North:	BP, SF, RR5, B3 and M2
South:	M2
East:	Across I-39 (RR5 and
West:	M2, RR5, SF and B2

INTRODUCTION

Milestone Materials has applied for a conditional use permit (CUP) for a nonmetallic mining operation on properties located at 2070 and 2071 Queensland Drive.

The subject property has been for sale for quite some time and is difficult to develop due to the vast majority of it being low lying and within the mapped floodway. The property is currently grassland and zoned General Industrial (M2). The site is bordered on the north by Kowalski Road and on the east by Interstate 39. It is otherwise surrounded by a mixture of residential, commercial, and industrial properties.

There is one water body adjacent to the south of the property. This is a stormwater control and flood relief area owned by the Village of Kronenwetter. Presently drainage from the north flows to this waterbody and it serves as an infiltration basin. There are no waterbodies or wetlands on the subject property.

Geologic exploration has shown that as much as one million cubic yards of high-quality sand and gravel aggregate can be mined at the site. The time needed to complete this mining is difficult to predict as it is based solely on demand for the aggregates. Estimated time table for beginning and ending of operations is 15-25 years.

RECOMMENDED MOTION

The Plan Commission may approve the conditional use as originally proposed, may approve the proposed conditional use with conditions or modifications, or may deny approval of the proposed conditional use and include reasons for denial.

Each requested conditional use permit shall meet the following criteria (achieve "yes" answers) to be approved. Below you find Staff's comments as it relates to each.

2017 WI Act 67

- requires that standards governing conditional uses be "reasonable and, to the extent practicable, measurable..."
- prohibits a community from basing a conditional use permit decision on "personal preferences or speculation."
- instructs that, where an applicant "meets or agrees to meet all of the requirements and conditions specified" in the ordinance or imposed by the decision-maker, the conditional use permit must be granted.

FINDINGS OF FACT CONDITIONAL USE

1. Is the proposed conditional use in harmony with the Comprehensive Plan, this chapter, and any other plan, program, or ordinance adopted by the Village?

The proposed nonmetallic mining operation is located on property zoned M2 – General Industrial. The only zoning districts that allow Nonmetallic Mineral Extraction, with an approved Conditional Use Permit, are AR – Agricultural Residential and M2 – General Industrial.

The parcels where they propose a nonmetallic mining operation are zoned Industrial on the Future Land Use Map. The 2019 Comprehensive Plan encourages industrial use in the area.

The parcels where the proposed nonmetallic mining would occur are 2070 and 2071 Queensland Drive. Nearly all of 2070 Queensland Drive (Lot 3) is located in Zone AE Floodplain. These parcels are located within severely distressed TID #1.

2. The proposed conditional use does not, in its proposed location and as depicted on the required site plan, result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted by the Village?

The proposed Conditional Use request will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. By meeting the requirements of the Zoning Ordinance, the granting of the conditional use permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the area.

This will be accomplished by meeting the requirements of the Zoning Ordinance, Wisconsin DNR General WPDES Storm Water Permit and Wisconsin DNR Air Emissions Permit. In addition, erosion, surface water runoff, dust and noise control measures will be put in place. Finally, the applicant must submit a reclamation plan prepared in accordance with the Wisconsin Administrative Code and the county nonmetallic mining reclamation ordinance.

3. Does the proposed conditional use maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?

The parcel is zoned M2 and surrounded by a mixture of residential, commercial, and industrial zoned properties. The conditional use will not impede the normal and orderly development and improvement of the surrounding properties for uses permitted in these zoning districts.

Permitted uses which do not require a Conditional Use Permit within M2 –General Industrial include: slaughterhouses; tanneries; primary meat processing and fish processing; cabbage processing; alcoholic beverage producers other than breweries and wineries; paper, pulp, or paperboard producers; chemical and allied product producers (except drug producers); petroleum and coal product producers; asphalt, concrete, or cement producers; stone, clay, or glass product producers; power production facilities (power plants); primary metal producers; heavy machinery producers; electrical distribution equipment producers; electrical industrial apparatus producers; transportation vehicle producers; commercial sanitary sewage treatment plants; railroad switching yards; and recycling facilities not involving the on-site storage of salvage materials.

4. Is the proposed conditional use located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, or services provided by public agencies serving the subject property?

The access to the operation will consist of two new accesses off of Queenland Drive. The access to the eastern parcel will be constructed first and the second access to the western parcel will not be constructed until mining operations are nearing completion on the east side of Queenland Drive. These access points will be hard surfaced within 50 feet of the Queenland Drive right-of-way. These areas will be well kept and clean to reduce any tracking onto Queenland Drive. These accesses will be swept as needed.

Nearly the entire parcel east of Queenland Drive lies within the FEMA Floodplain. In order to ensure that there are no impedances of flood waters onto the property there will be gaps built into the planned berms on site. The floodwater elevation established by FEMA at the site is 1173.1 feet. The elevations of these gaps in the berms will be constructed to ensure floodwaters can freely enter the operations area on site.

5. Do the potential public benefits of the proposed conditional use outweigh potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts?

The proposed nonmetallic mine will provide a local and reliable source of aggregate necessary for future infrastructure and public and private community development. The products produced at this site would be used to make hot mix asphalt, concrete, landscaping materials, and other aggregate products important to the community. The Reclamation Plan includes possible end uses of the property such as a Public Park, Multifamily Residential Development and a site for Passive Recreation.