



## **Report to Planning Commission**

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

**Meeting Date:** June 16, 2025

**Referring Body:** Plan Commission

**Committee Contact:** Dave Baker

**Staff Contact:** Peter Wegner, CD/PZ Director

**Report Prepared by:** Peter Wegner, CD/PZ Director

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

**OBJECTIVE(S):** To review the Conditional Use Permit and related documents for a Nonmetallic Mining Operation located at 2070 AND 2071 QUEENLAND DR.

**HISTORY/BACKGROUND:** Milestone Materials has applied for a conditional use permit (CUP) for a nonmetallic mining operation on the property.

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 floodplain. 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.

On January 8, 2025, the Plan Commission reviewed and denied a Non-metallic Mining Conditional Use Permit Application for these parcels. The Plan Commission's denial was based on substantial evidence that review criteria 1, 2, 3 and 5 could not be met.

The Zoning Administrator accepted a new application less than 12 months from the date of denial due to a change in factors. These factors include limiting the mining operation to only Lot 3 (2070 Queensland Drive), providing a minimum property tax payment and an option to purchase land for an interchange.

**RECOMMENDED ACTION:** 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 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.

**ATTACHMENTS:** Conditional Use Permit application, Proposed Development Agreement and Staff Report.