

**Zoning Board of Appeals Meeting of February 11, 2025****Application No. ZBA 2026-001 & 002****Applicant:** VCN Prairie LLC**Location:** 14165 North 2nd Street, PIN: 04-09-300-001 and 04-09-300-006**Requested Actions:** (1) A zoning map amendment rezoning a portion of the subject property from Urban Transitional (UT) to General Industrial (IG).

(2) A Special Use Permit Amendment to modify the previously approved Special Use Permit for extraction operations and a ready-mix concrete batch plant.

**Existing Use:** Extraction of sand and gravel and a concrete batch plant**Proposed Use:** Extraction of sand and gravel and a concrete batch plant**Existing Zoning:** General Industrial (IG) and Urban Transitional (UT) (Split Zoning)**Adjacent Zoning:**

- **North:** CG, Commercial General and R2, Two-Family Residential – South Beloit
- **East:** R-1, Single-Family Residential and R-A Rural Agricultural Residential –Unincorporated Winnebago County
- **South:** General Industrial (IG) and Urban Transitional (UT) -Roscoe & CC, Community Commercial – Unincorporated Winnebago County
- **West:** PLI, Public Lands and Institutions – South Beloit

**Executive Summary:** The applicant is requesting a zoning map amendment to rezone a portion of the property from Urban Transitional (UT) to General Industrial (IG), as extracting and mining activities are not permitted in the UT district but are allowed in the IG district as Special Use. In addition, the applicant is proposing an amendment to the approved Special Use Permit for extraction and a concrete batch plant. The amendment would allow for a physical expansion of the mining area on the property, increase the length of time mining operations will continue, and change the reclamation plan.

**Background and History:** Rodgers Ready Mix, located at 14165 2nd Street, was annexed into the Village of Roscoe in 1997. As part of the annexation, a pre-annexation agreement granted a Special Use Permit for “Tract 4” within the IG, General Industrial District. This Special Use Permit allowed for the extraction of sand and gravel, as well as the construction and operation of a concrete ready-mix batch plant and related facilities.

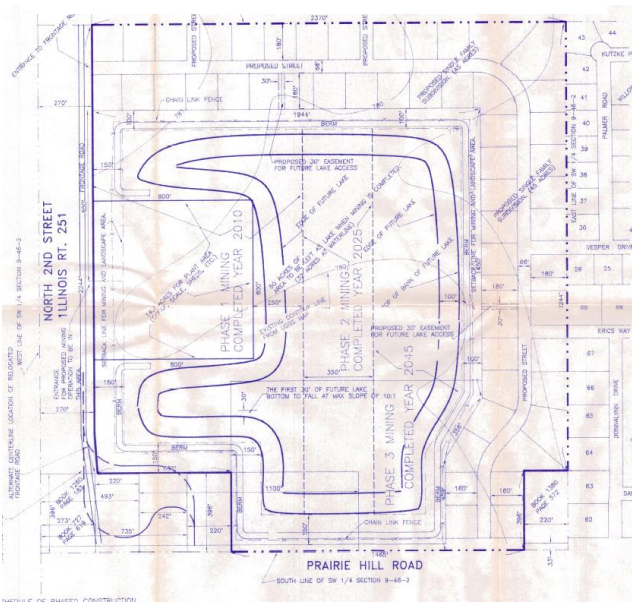
The original Special Use Permit incorporated conditions of approval that:

- Prohibited blasting or the use of explosives for material extraction
- Required necessary road improvements
- Ensured provision of water and sewer services
- Required implementation of a reclamation plan
- Set limits on the duration of the mine's operation.

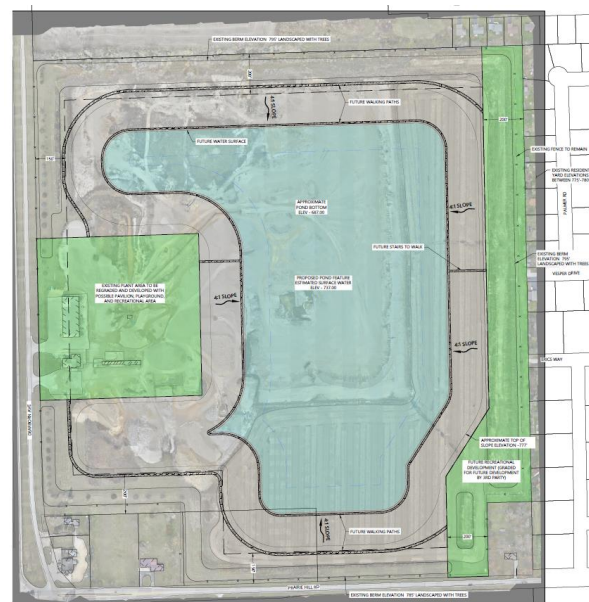
The owner was required to develop the property in accordance with the approved site plan. The Special Use Permit was originally approved to remain in effect through 2045, at which time mining operations were to cease, and the property was to be reclaimed and developed as a lake with single-family residential development along the north and east sides of the lake.

Previous mining operations extended north into areas originally designed for future residential development, which have already been excavated and are unsuitable for housing due to ground stability. The current owner is seeking to bring the site into compliance and request approval to expand mining operations to the north and east, including areas currently zoned UT.

Original Reclamation Plan and Mining Sequence



Proposed Reclamation Plan



## Zoning Map Amendment

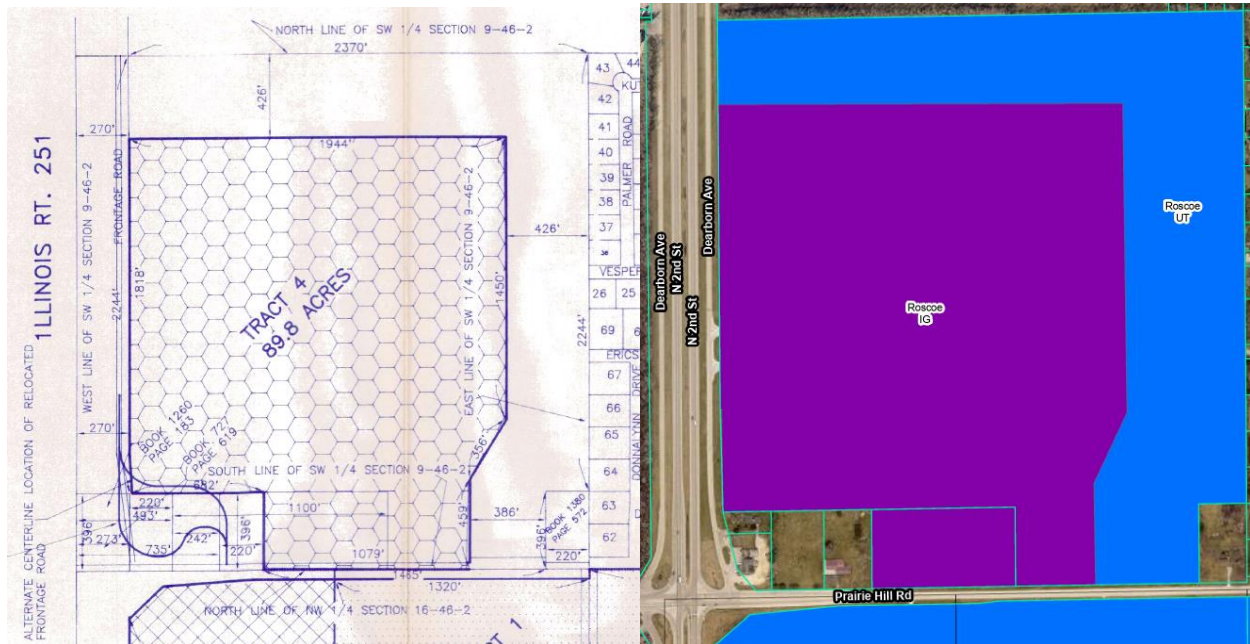
**Staff Review:** PIN 04-09-300-001 has split zoning, with Industrial General (IG) covering most of the quarry site and a strip of land along the north and east boundaries zoned Urban Transitional (UT). This zoning arrangement is consistent with the original reclamation plan, which proposed single-family residential development in these areas. As noted previously,

mining activity occurred outside the originally approved area where residential development was anticipated under the reclamation plan. Developing housing is not ideal anymore. As ownership has changed, the new owners seek to bring the operation into compliance with current regulations and to provide an updated reclamation plan that can be feasibly implemented upon the cessation of mining operations.

The portion of PIN 04-09-300-001 zoned Urban Transitional (UT) currently contains no structures, and the applicant has no plans for development in this area. The northern portion of the UT-zoned land is actively used for mining, while the eastern portion is used for agricultural production. Both areas are separated from adjacent properties by fencing and a berm with landscaping, which buffers the mining operations and screens the site from public view. The existing fencing, berm, and landscaping shall be maintained as part of the approval.

Original Site Plan

Current Zoning Map



**Zoning Map Amendment Procedure:** A zoning map amendment (rezoning) is a change to the zoning district on the zoning map. Section 15-779, Map Amendments and Text Amendments, outlines the procedures for zoning map amendments. The ZBA must hold a public hearing for each proposed amendment. Within 45 days following the public hearing, the ZBA must make a specific finding as to whether the change is consistent with the purpose and intent of the zoning ordinance and the Village's comprehensive plan. The concurring vote of four members of the ZBA is necessary to recommend the map amendment to the Village Board.

**Required Findings by the Zoning Board of Appeals:**

Staff has provided suggested findings for use by the ZBA.



District Standard	IG, General Industrial	Existing Conditions
Lot Size	40,000 square feet	5,590,197 square feet /128.4 Acres
Lot Width	120 linear feet	+/- 2,250 feet
Lot Depth	150 linear feet	+/- 2,405 feet
Development Setback Standards		
Front Setback	½ of ROW (162 ft) or 50 ft. whichever is greater	+/- 115 feet
Side Setback	10 percent of the lot width (225 ft)	+/- 865 Feet (S) +/- 1,160 Feet (N)
Rear Setback	30 feet	+/- 2,205 Feet

**Engineering Comments:** Engineering has no concerns with the SUP amendment. As previously discussed, the applicant is not proposing any operational changes that would impact access, utilities, stormwater management, or other engineering-related considerations. While the reclamation plan will require formal permitting at the conclusion of mining operations, those operations are anticipated to continue through 2095. As a result, staff does not find it beneficial to identify specific permitting requirements at this time, as regulatory standards are likely to change prior to implementation of the reclamation plan.

**Special Use Permit Procedure:** A Special Use Permit (SUP) is an approval that allows land use that is not automatically permitted under zoning rules but may be allowed if specific conditions are met. Section 15-780 outlines the procedure for a Special Use Permit. The ZBA must hold a public hearing for each proposed SUP. Within 45 days following the public hearing, the ZBA must make a favorable finding as to whether the SUP is consistent with the purpose and intent of the zoning ordinance and the Village’s comprehensive plan. The concurring vote of four members of the ZBA is necessary to recommend approval to the Village Board.

**Per Section 15-780(c)(2) of the Zoning Code, the Zoning Board of Appeals shall find all the following facts true:**

- 1. The proposed location of the special use and conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity;**

The proposed Special Use Amendment will not be detrimental to the public health, safety, or welfare, nor materially injurious to nearby properties. Mining and ready-mix operations have existed on the site for several decades with no issues. The proposed site plan changes correct areas mined under prior ownership and allow for continued operation under updated and clearly defined conditions.

- 2. The establishment of the special use will not impede the normal or orderly development of the surrounding property for uses permitted in the district;**

The amendment and continuation of the Special Use will not impede the normal or orderly development of surrounding properties. The property has long functioned as an industrial quarry and ready-mix facility, and surrounding development patterns have evolved with this use in place. The proposed amendment recognizes that certain areas originally planned for future residential development have already been excavated and are no longer suitable for such use. The site plan has been revised to align with existing site conditions and to support a logical and orderly long-term land use, while avoiding negative impacts on nearby properties.

**3. Adequate utilities, access roads, drainage and/or necessary facilities have been, are being, or will be provided;**

Adequate utilities, access roads, drainage, and necessary facilities have been provided and will continue to be maintained to support the proposed use. The site has existing access, infrastructure, and operational facilities that have supported mining and concrete production activities for many years. Per the previous approval, the property owner is responsible for providing all water and septic to the site at no cost to the Village.

**4. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion; and**

Adequate measures have been implemented and will continue to be maintained to ensure safe ingress and egress to the site while minimizing traffic congestion. The amendment is not expected to substantially change traffic patterns.

**5. The proposed Special Use will, in all other respects, comply with each of the applicable provisions and regulations of the district in which it is located.**

The proposed Special Use Amendment will otherwise comply with all applicable provisions and regulations of the district. Blasting and the use of explosives remain prohibited, and all operations will continue to be subject to applicable local, state, and federal regulations, ensuring the ongoing protection of surrounding properties and the public.

**Staff Recommendation:** Staff recommends **approval** of a Special Use Permit Amendment to modify the previously approved Special Use Permit for extraction operations and a ready-mix concrete batch plant, for the property located at 14165 2<sup>nd</sup> PIN: 04-09-300-001 and 04-09-300-006, based on the above Findings of Fact and subject to the following conditions of approval:

1. The property owner shall maintain compliance with all applicable local, state, and federal regulations governing mining operations, including all required permits and approvals.

2. Mining operations shall be conducted in a manner that minimizes noise, vibration, dust, and other off-site impacts.
3. Mining activities shall be limited to the areas shown on the approved site plan and phased mining plans.
4. Any expansion beyond the approved mining limits shall require prior review and approval by the Village.
5. The existing fencing along the property lines shall be maintained, and when it reaches the end of its useful life, it shall be replaced with code-compliant fencing material.
6. The existing berm and associated landscaping along property lines shall be maintained to ensure adequate buffering and screening between the mining operation and adjacent properties as shown on the updated plans.
7. Reclamation shall occur in accordance with the approved reclamation plan and applicable regulations at the cessation of mining activities or upon expiration of the Special Use Permit whichever comes first.
8. The Special Use Permit shall be extended through the year 2095, subject to continued compliance with all conditions of approval.