

Dane County
Conditional Use Permit
Application

Application Date	C.U.P Number
01/16/2025	DCPCUP-2025-02654
Public Hearing Date	
03/25/2025	

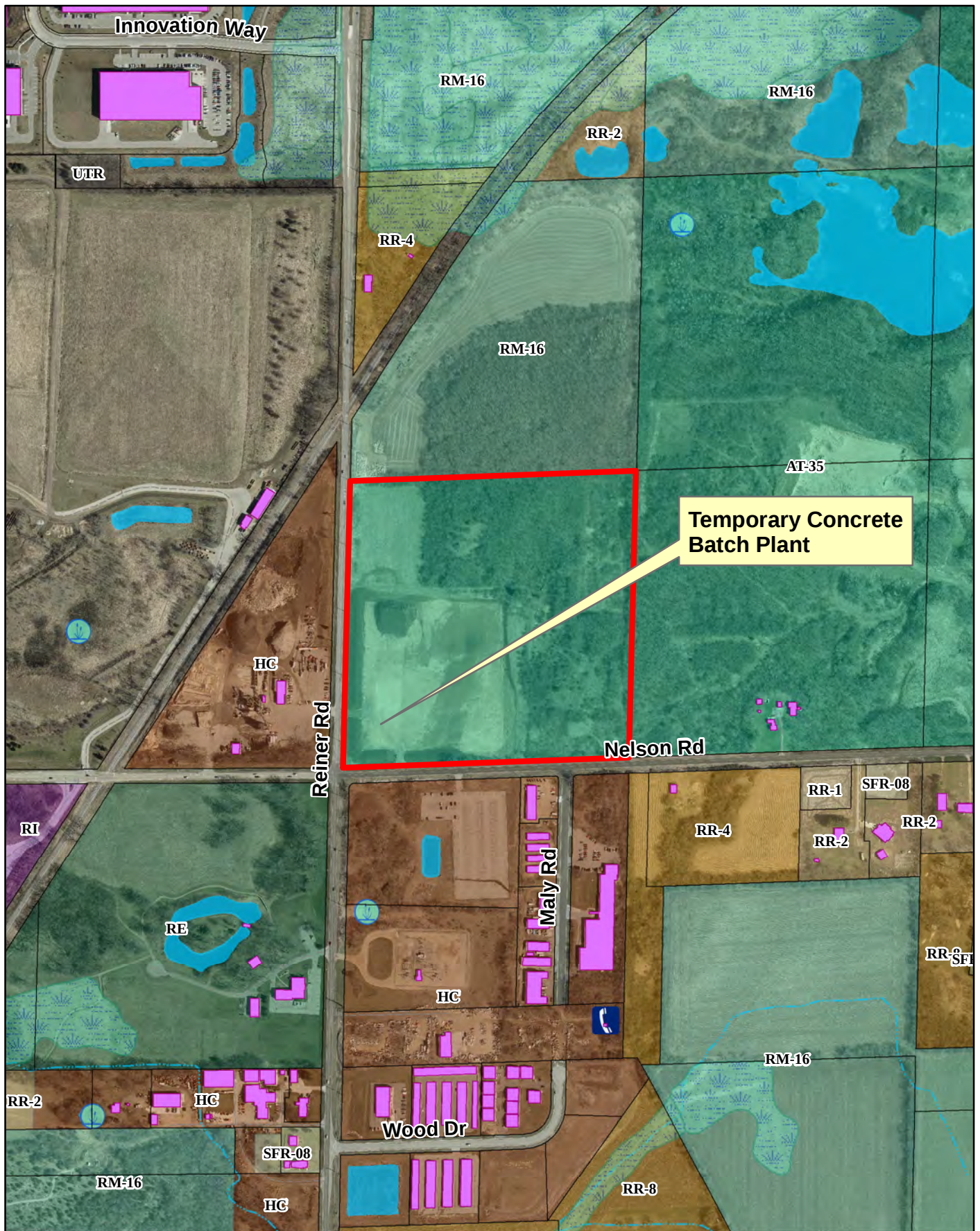
OWNER INFORMATION		AGENT INFORMATION	
OWNER NAME LW REAL ESTATE HOLDINGS LLC	Phone with Area Code (262) 354-5627	AGENT NAME ROCK ROAD COMPANIES, INC.	Phone with Area Code (608) 931-2965
BILLING ADDRESS (Number, Street) 5458 Reiner Road		ADDRESS (Number, Street) PO BOX 1818	
(City, State, Zip) Sun Prairie, WI 53590		(City, State, Zip) Janesville, WI 53547	
E-MAIL ADDRESS jmrugacz@rockroads.com		E-MAIL ADDRESS mjacobs@rockroads.com	

ADDRESS/LOCATION 1		ADDRESS/LOCATION 2		ADDRESS/LOCATION 3	
ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP		ADDRESS OR LOCATION OF CUP	
5458 Reiner Road					
TOWNSHIP BURKE	SECTION 24	TOWNSHIP	SECTION	TOWNSHIP	SECTION
PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED		PARCEL NUMBERS INVOLVED	
0810-242-9000-3		---		---	

CUP DESCRIPTION
Temporary Concrete Batch Plant for road project

DANE COUNTY CODE OF ORDINANCE SECTION	ACRES
10.231(3) and 10.103(20)	40

DEED RESTRICTION REQUIRED? ☐ Yes ☐ No Applicant Initials _____	Inspectors Initials RWL1	SIGNATURE:(Owner or Agent)
		PRINT NAME:
		DATE:



Legend

-  Wetland
-  Floodplain



0 250 500 1,000 Feet

CUP 2654
Rock Road
Companies, LLC



Dane County
Department of Planning and Development
Zoning Division
Room 116, City-County Building
210 Martin Luther King Jr. Blvd.
Madison, Wisconsin 53703
(608) 266-4266

Application Fees	
General:	\$495
Mineral Extraction:	\$1145
Communication Tower:	\$1145 (+\$3000 RF eng review fee)
PERMIT FEES DOUBLE FOR VIOLATIONS OR WHEN WORK HAS STARTED PRIOR TO ISSUANCE OF PERMIT	

CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION

Property Owner Name:	LW Real Estate Holdings LLC	Agent Name:	Rock Road Companies, Inc
Address (Number & Street):	5458 Reiner Rd	Address (Number & Street):	PO Box 1818
Address (City, State, Zip):	Sun Prairie, WI, 53590	Address (City, State, Zip):	Janesville, WI 53547
Email Address:	jmrugacz@rockroads.com	Email Address:	mjacobs@rockroads.com
Phone#:	262-354-5627	Phone#:	608-931-2965

SITE INFORMATION

Township:	Burke	Parcel Number(s):	081024290003
Section:	SEC 24-8-10 SW1/4NW1/4	Property Address or Location:	5423 Reiner Rd Sun Prairie, WI 53590
Existing Zoning:	AT-35	Proposed Zoning:	AT-3 ☒
		CUP Code Section(s):	

DESCRIPTION OF PROPOSED CONDITIONAL USE

Type of conditional use permit (for example: limited family business, animal boarding, mineral extraction, or any other listed conditional use): Temporary concrete batch plant	Is this application being submitted to correct a violation? Yes ☐ No ☒
Provide a short but detailed description of the proposed conditional use: We are requesting a CUP for a portable temporary concrete batch plant for WisDOT project #1001-00-66 (IH39: USH 12/18 to Lien Rd). It will be placed on the parcel across Reiner Rd from the Wolf Paving asphalt plant. Piles of aggregate and sand will be stored outdoors within the existing site, and cement materials will be stored in portable enclosed bins.	

GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determined that all necessary information has been provided. Only complete applications will be accepted. All information from the checklist below must be included. Note that additional application submittal requirements apply for particular uses or as may be required by the Zoning Administrator. Applicants for significant and/or potentially controversial conditional uses are strongly encouraged to meet with staff prior to submittal.

☐ Complete attached information sheet for standards	☐ Site Plan drawn to scale	☐ Detailed operational plan	☐ Written legal description of boundaries	☐ Detailed written statement of intent	☐ Application fee (non-refundable), payable to Dane County Treasurer
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I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I hereby give permission for staff of the Dane County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the review of this application. I acknowledge that submittal of false or incorrect information may be grounds for denial of this application.

Owner/Agent Signature: _____

Date: _____

STANDARDS FOR CONDITIONAL USE PERMITS

Applicants must provide adequate evidence demonstrating to the Town and Dane County Zoning & Land Regulation Committee that the proposed conditional use satisfies the following 8 standards for approval, along with any additional standards specific to the applicable zoning district or particular use found in sections [10.220\(1\)](#) and [10.103](#) of the code.

Please explain how the proposed land use will meet the following standards (attach additional pages, if necessary):

1. The establishment maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort or general welfare.

This site will be used for a temporary concrete batch plant for WisDOT project #1001-00-66 (IH39: USH 12/18 to Lien Rd). The site will be graded flat in order for a temporary ready mix concrete plant to be staged on the property. A temporary concrete batch plant would not add any additional noise, truck traffic, or nuisances since an active asphalt plant is across the street. There will be no public health, safety, comfort or general welfare concerns that don't already exist. This site will not affect the safety of the traveling public because similar

2. The uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.

The uses, values, and enjoyment of the surrounding properties will continue to be maintained and not substantially impaired or diminished by the temporary concrete batch plant. There is existing noise and truck traffic since the property is across from an asphalt plant. Rock Road Companies, Inc. will adhere to the Erosion Control Implementation Plan standards that address air and water quality as well as erosion control measures.

3. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The proposed use of a temporary concrete batch plant does not establish any permanent structures or improvements. Once the temporary concrete batch plant is no longer needed the site will be returned to agricultural purposes. A temporary concrete batch plant would not add any additional noise, truck traffic, or nuisances.

4. Adequate utilities, access roads, drainage and other necessary site improvements have been or are being made to accommodate the conditional use.

The temporary concrete batch plant does not have any public utility requirements. The existing driveways to the site from Reiner Rd and Nelson Rd will be maintained by Rock Road Companies, Inc. On-site drainage will be managed through Best Management Practices

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

The existing driveways to the site from Reiner Rd and Nelson Rd (each approximately 30' wide) will be maintained by Rock Road Companies, Inc. The existing safety and congestion of the nearby public streets will not be affected by the temporary concrete batch plant

6. That the conditional use shall conform to all applicable regulations of the district in which it is located.

Physical improvements and grading necessary for preparation of the temporary concrete batch plant have been designed to comply with the standards of the AT-35 zoning district.

7. The conditional use is consistent with the adopted town and county comprehensive plans.

The construction of the temporary concrete batch plant is consistent with both the Town of Burke and Dane County comprehensive plans and will be removed upon completion of the WisDOT construction project.

8. If the conditional use is located in a Farmland Preservation (FP) Zoning district, the conditional use is subject to the following additional standards found in section 10.220(1). Attach additional pages, if necessary.

- Explain how the use and its location in the Farmland Preservation Zoning District are consistent with the purposes of the district:
- Explain how the use and its location in the Farmland Preservation Zoning district are reasonable and appropriate, considering alternative locations:
- Explain how the use is reasonably designed to minimize the conversion of land from agricultural use or open space use:
- Explain how the use does not substantially impair or limit the current or future agricultural use of surrounding parcels zoned for agricultural use:
- Explain how construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible:

WRITTEN STATEMENT OF INTENT AND OPERATIONS PLAN

Applicants must provide a detailed written statement of intent describing the proposed conditional use along with an operational plan that explains how the conditional use will be operated. Please use the form below and provide responses, as applicable, to your proposed conditional use. Attach additional pages, if necessary.

Describe in detail the proposed conditional use. Provide the specific location of the use(s), type of equipment used, planned property improvements, including description / size of existing or proposed new buildings to be used, and any other relevant information. For existing or proposed commercial operations, provide the name of the business and describe the nature and type of business activity.

This site will be used for a temporary concrete batch plant for WisDOT project #1001-00-66 (IH39: USH 12/18 to Lien Rd). The upper western area on site will be used for the temporary concrete batch plant, a lay down area, and material storage as necessary. Grading equipment such as bull dozers will be used initially to flatten the site for construction of the temporary concrete batch plant. Various trucks, loaders, and lifts are used to construct the temporary concrete batch plant and to stage materials. Once the plant is operational it is run with trucks and loaders with lifts available for potential maintenance. The "footprint" of the temporary concrete batch plant on site will be approximately 600' x 300' including the plant equipment and aggregate stockpiles, and another approximately 300' x 200' will be used for parking, storage, and a lay down area. When the construction project is complete, the temporary concrete batch plant will be promptly removed and the site will be restored to its existing condition.

List the proposed days and hours of operation.

Monday through Saturday from 3/3/2025 to 7/3/2025 operating 6:00 pm to 7:00 am. The temporary concrete batch plant will only operate +

List the number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.

Two employees will be on site most of the time to operate the temporary concrete batch plant and the maximum number of personnel on the +

List any anticipated noise, odors, dust, soot, runoff or pollution associated with the conditional use, along with any proposed measures that will be taken to mitigate impacts to neighboring properties.

The temporary concrete batch plant will create minimal dust pollution that is mitigated by fans, filters, and bags. Water is used extensively to control dust during plant operations and from moving trucks. The roads used for access will be watered and swept to control dust as well. Noise, odor, dust, soot, and runoff from the temporary concrete batch plant will not impact the neighboring properties and will be +

Describe any materials proposed to be stored outside and any activities, processing or other operations taking place outside an enclosed building.

Aggregates, cement, fly ash, and reinforcing steel will be stored outside at the temporary concrete batch plant site. Trucking is required to get these materials to and from the temporary concrete batch plant site and will take place.

For proposals involving construction of new facilities and/or infrastructure, describe, as applicable, any measures being taken to ensure compliance with county stormwater and erosion control standards under [Chapter 11](#) of [Chapter 14](#), Dane County Code.

On-site drainage will be managed through Best Management Practices outlined in our Erosion Control Implementation Plan and approved by WisDOT. Dane County Planning and Department of Natural Resources. There will be minimal excavation in preparation for the +

List and describe existing or proposed sanitary facilities, including adequate private onsite wastewater treatment systems, associated with the proposed conditional use. For uses involving domestic pets or livestock, list and describe measures taken to address manure storage or management.

Portable toilets will be on site.

List and describe any existing or proposed facilities for managing and removal of trash, solid waste and recyclable materials.

Dumpsters for trash and recyclable materials will be on site.

Describe anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.

The maximum daily traffic would be 45 quad axle dump trucks loaded to a maximum of 50,000 lbs/load. An average day will be closer to 35 quad axle dump trucks loaded to 40,000 lbs/load. No modifications to existing intersections or roads are required to accommodate the +

Provide a listing of any hazardous, toxic or explosive materials to be stored on site, and any spill containment, safety or pollution prevention measures.

No hazardous materials will be produced or stored on site.

Describe any existing or proposed outdoor lighting along with any measures that will be taken to mitigate light-pollution impacts to neighboring properties. The Zoning Administrator may require submittal of a photometric plan for outdoor lighting if deemed necessary to determine potential impacts to neighbors.

Temporary portable light plants will be used to illuminate the temporary concrete batch plant site at night to provide visibility and enhance safety. The light plants will only be operated during times of night-time plant operations and will be directed away from property lines, +

Describe any existing or proposed signage, including size, location, and materials, consistent with the county's sign ordinance found in s. [10.800](#).

No additional signage is necessary.

Briefly describe the current use(s) of the property on which the conditional use is proposed.

The property Rock Road Companies, Inc. is proposing to use for the temporary concrete batch plant is currently a gravel pit used as a staging area and dump site for Wolf Paving's construction activities. +

Briefly describe the current uses of surrounding properties in the neighborhood.

The properties near the proposed temporary concrete batch plant site are currently used as an asphalt plant, aggregate crushing operation, mechanics facility, and park. There are very few homes in the vicinity. +

APPLICATION CHECKLIST FOR A CONDITIONAL USE PERMIT

A scaled site plan and detailed operations plan must be submitted with your Conditional Use Permit application. Please use the checklist below to ensure you are submitting all required information applicable to your request. Please attach to your application form the required maps and plans listed below, along with any additional pages.

☐ **SCALED SITE PLAN. Show sufficient detail on 11" x 17" paper. Include the following information, as applicable:**

- ☐ Scale and north arrow.
- ☐ Date the site plan was created.
- ☐ Existing subject property lot lines and dimensions.
- ☐ Existing and proposed wastewater treatment systems and wells.
- ☐ All buildings and all outdoor use and/or storage areas, existing and proposed, including provisions for water and sewer.
- ☐ All dimension and required setbacks, side yards and rear yards.
- ☐ Location and width of all existing and proposed driveway entrances onto public and private roadways, and of all interior roads or driveways.
- ☐ Location and dimensions of any existing utilities, easements or rights-of-way.
- ☐ Parking lot layout in compliance with s. [10.102\(8\)](#).
- ☐ Proposed loading/unloading areas.
- ☐ Zoning district boundaries in the immediate area. All districts on the property and on all neighboring properties must be clearly labeled.
- ☐ All relevant natural features, including navigable and non-navigable waters, floodplain boundaries, delineated wetland areas, natural drainage patterns, archeological features, and slopes over 12% grade.
- ☐ Location and type of proposed screening, landscaping, berms or buffer areas if adjacent to a residential area.
- ☐ Any lighting, signs, refuse dumpsters, and possible future expansion areas.

☐ **NEIGHBORHOOD CHARACTERISTICS. Describe existing land uses on the subject and surrounding properties:**

- ☐ Provide a brief written statement describing the current use(s) of the property on which the conditional use is proposed.
- ☐ Provide a brief written statement documenting the current uses of surrounding properties in the neighborhood.

☐ **OPERATIONS PLAN AND NARRATIVE. Describe in detail the following characteristics of the operation, as applicable:**

- ☐ Hours of operation.
- ☐ Number of employees, including both full-time equivalents and maximum number of personnel to be on the premises at any time.
- ☐ Anticipated noise, odors, dust, soot, runoff or pollution and measures taken to mitigate impacts to neighboring properties.
- ☐ Descriptions of any materials stored outside and any activities, processing or other operations taking place outside an enclosed building.
- ☐ Compliance with county stormwater and erosion control standards under [Chapter 11](#) of [Chapter 14](#), Dane County Code.
- ☐ Sanitary facilities, including adequate private onsite wastewater treatment systems and any manure storage or management plans approved by the Madison and Dane County Public Health Agency and/or the Dane County Land and Water Resources Department.
- ☐ Facilities for managing and removal of trash, solid waste and recyclable materials.
- ☐ Anticipated daily traffic, types and weights of vehicles, and any provisions, intersection or road improvements or other measures proposed to accommodate increased traffic.
- ☐ A listing of hazardous, toxic or explosive materials stored on site, and any spill containment, safety or pollution prevention measures taken.
- ☐ Outdoor lighting and measures taken to mitigate light-pollution impacts to neighboring properties.
- ☐ Signage, consistent with section [10.800](#).

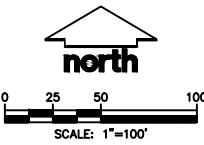
☐ **ADDITIONAL MATERIALS. Additional information is required for certain conditional uses listed in s. [10.103](#):**

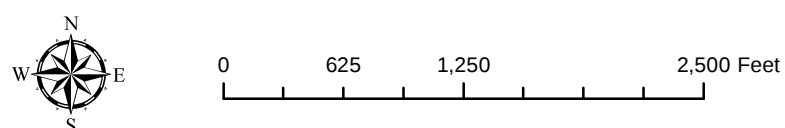
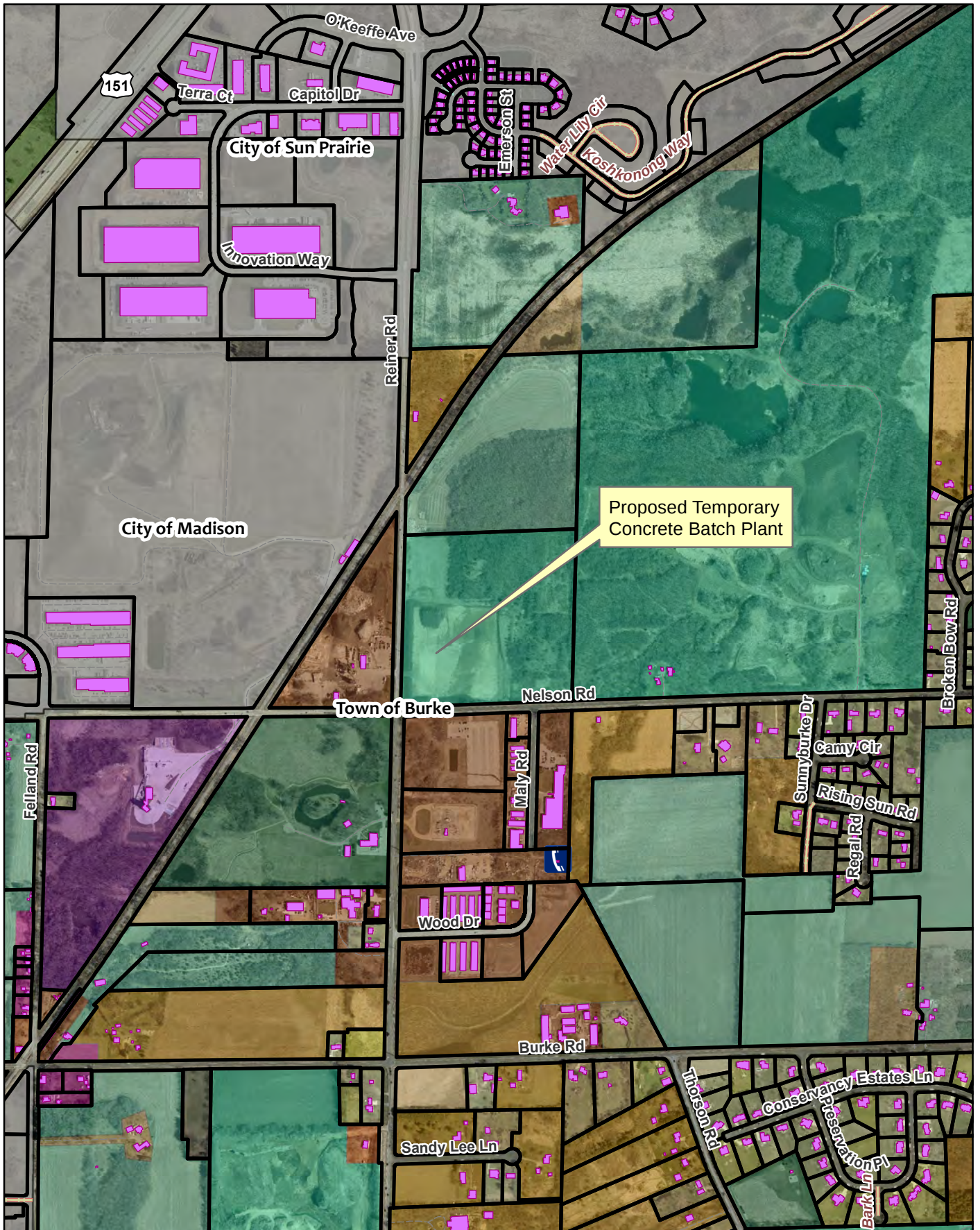
- ☐ Agricultural entertainment, special events, or outdoor assembly activities anticipating over 200 attendees must file an [event plan](#).
- ☐ [Domestic pet](#) or [large animal boarding](#) must provide additional information in site and operations plans.
- ☐ Communication towers must submit additional information as required in s. [10.103\(9\)](#).
- ☐ Farm residences proposed in the FP-35 district must submit additional information as required in s. [10.103\(11\)](#).
- ☐ Mineral extraction proposals must submit additional information as required in s. [10.103\(15\)](#).



ROCK ROAD TEMPORARY
CONCRETE BATCH PLANT
C.U.P

DATE 1-13-25





Neighborhood Map

Application for conditional use permit by Rock Road Companies, Inc. for a designated location for a temporary concrete batch plant on property owned by LW Real Estate Holdings LLC, 5458 Reiner Rd, Sun Prairie, WI 53590, Town of Burke, Dane County, Wisconsin.

1. Legal description of the existing parcel: SEC 24-8-10 SW1/4NW1/4, Town of Burke, Dane County, WI.
2. Tax parcel number: 081024290003