

WHEREAS, Cornejo & Sons LLC (Applicant), pursuant to Section V-D of the Wichita-Sedgwick County Unified Zoning Code ("Unified Zoning Code"), requests a Conditional Use to allow Waste Tire Collection in the LI Limited Industrial District zoning, located at 4210 and 4850 West 37th Street North.

WHEREAS, proper notice as required by the Unified Zoning Code and by the policy of the Metropolitan Area Planning Commission ("MAPC") has been given.

WHEREAS, the MAPC did, at the meeting of June 12, 2025, consider said application.

WHEREAS, the Board of County Commissioners has authority to permit Conditional Uses, subject to any special conditions deemed appropriate in order to assure full compliance with the criteria of the Unified Zoning Code.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners that:

SECTION I. After having received a recommendation of the Metropolitan Area Planning Commission, and after said Planning Commission has given proper notice and held a public hearing as provided by law on June 12, 2025, and under the authority granted by Section V-D of the Unified Zoning Code, the Board of County Commissioners approves this application to allow a Conditional Use that expands CON2001-63 & CON2007-02 and allow Waste Tire Collection in the LI Limited Industrial District zoning, located at 4210 and 4850 West 37th Street North, legally described as:

A tract of land lying within the Southeast Quarter of Section 26, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as: Commencing at the Southeast corner of said Southeast Quarter; thence N 90°00'00" W, along the South line of said Southeast Quarter, 600.00 feet; thence N 00°00'00" E, 50.00 feet to the Southeast corner of Lot 1, BFI Addition, and also the Point of Beginning; thence N 00°00'00" E, 610.00 feet to the Northeast corner of said Lot 1; thence N 90°00'00" W, 1,200.00 feet to the Northwest corner of said Lot 1; thence N 00°00'00" E, 1,260.20 feet; thence S 65°32'32" E, 936.74 feet; thence S 57°56'33" E, 120.62 feet; thence S 47°18'56" E, 492.68 feet; thence S 43°00'32" E, 307.91 feet; thence S 00°10'57" E, 834.18 feet; thence N 90°00'00" W, along the North right-of-way line of 37th Street North, 80.00 feet; thence S 00°10'57" E, along the North right-of-way line of 37th Street North, 25.00 feet; thence N 90°00'00" W, along the North right-of-way line of 37th Street North, 249.84 feet to the Point of Beginning.

AND

A tract of land lying within the Southeast Quarter of Section 26, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, described as: Commencing at the Southeast corner of said Southeast Quarter; thence N 90°00'00" W, along the South line of said Southeast Quarter, 75.00 feet; thence N 00°10'57" W, parallel with the East line of said Southeast Quarter, 75.00 feet to a point on the North right-of-way line of 37th Street North for a Point of Beginning; thence N 90°00'00" W, along the North right-of-way line of 37th Street North, 195.00 feet; thence N 00°10'57" W, 843.18 feet; thence N 43°00'32" W, 307.91 feet; thence N 47°18'56" W, 492.68 feet; thence N 57°56'33" W, 120.62 feet; thence N 65°32'32" W, 936.74 feet; thence S 00°00'00" E, 1,870.20 feet to

the Southwest corner of Lot 1, BFI Addition; thence N 90°00'00" W, along the North right-of-way line of 37th Street North, 196.59 feet to a point 660 feet East of the West line of said Southeast Quarter; thence N 00°06'31" W, parallel to the West line of said Southeast Quarter, 2,175.72 feet, to a point on the South right-of-way line of Highway K-96; thence S 65°32'32" E, along the South right-of-way line of Highway K-96, 1,258.89 feet; thence S 57°56'33" E, along the South right-of-way line of Highway K-96, 151.70 feet; thence S 47°18'56" E, 518.15 feet; thence

S 43°00'32" E, along the Southwesterly right-of-way line of Highway K-96, 360.00 feet; thence S 05°50'32" W, along the westerly right-of-way line of Highway K-96, 472.00 feet to a point on the West right-of-way line of West Street; thence S 00°10'57" E, along the West right-of-way line of West Street, 189.89 feet; thence N 90°00'00" W, along the West right-of-way line of West Street, 25.00 feet; thence S 00°10'57" E, along the West right-of-way line of West Street, 275.00 feet to the Point of Beginning.

AND

The West 660 feet of that part of the Southeast Quarter of Section 26, Township 26 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas, lying South of Highway K-96.

Approval is subject to the following conditions:

1. Development of the site shall be in conformance with the approved site plan.
2. The applicant shall obtain all applicable permits including, but not limited to building, health, and zoning. This will include submission of plans for review and approval by MABCD.
3. If the Zoning Administrator finds that there is a violation of any of the conditions of the Conditional Use, the Zoning Administrator, in addition to enforcing the other remedies set forth in Article VIII of the Unified Zoning Code, may, with the concurrence of the Planning Director, declare that the Conditional Use is null and void.

SECTION II. That upon the taking effect of this Resolution, the notation of such zoning change shall be shown on the "Official Zoning District Map" on file in the office of the Planning Director of the Wichita-Sedgwick County Metropolitan Area Planning Department.

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SECTION III. That this Resolution shall be effective upon publication in the official county newspaper.

Commissioners present and voting were:

PETER F. MEITZNER
JEFF BLUBAUGH
STEPHANIE WISE
RYAN BATY
JAMES M. HOWELL

aye
aye
aye
aye
aye

Dated this 13 day of August, 2025.

ATTEST:

[Signature]
KELLY B. ARNOLD, County Clerk



BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

[Signature]
RYAN BATY, Chairman
Commissioner, Fourth District

[Signature]
PETER F. MEITZNER, Chair Pro Tem
Commissioner, First District

[Signature]
JEFF BLUBAUGH
Commissioner, Second District

[Signature]
STEPHANIE WISE
Commissioner, Third District

[Signature]
JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM:

[Signature] 7/22/25
SAMANTHA SEANG
Assistant County Counselor