

RESOLUTION NO. 2022-05

**A RESOLUTION AUTHORIZING THE ISSUANCE
OF CONDITIONAL USE PERMIT #CU2022-01 TO CAPTUREPOINT, LLC
ALLOWING THE EXPANTION OF THE COMPRESSOR FACILITY AT THE
ARKALON ETHANOL PLANT AT 8664 ROAD P, LIBERAL, KANSAS**

BEFORE the Board of County Commissioners of Seward County, Kansas:

WHEREAS, The Arkalon Ethanol plant currently operates in unincorporated Seward County at Section 09, Township 34, Range 32, THAT PT SEC LYG N OF RR ROW LESS W477'SW4 & LESS ROW. commonly known as 16438 Andrew Lane, Liberal, Seward County, Kansas; more Commonly known as 8664 ROAD P, Liberal, KS 67901.

WHEREAS, CapturePoint LLC Operates a compressor facility at the Arkalon Ethanol Plant; and

WHEREAS, A request was made by CapturePoint LLC to expand the compressor facility at the plant; and

WHEREAS, the proposed compressor facility expansion will include the construction of two new structures; and

WHEREAS, as part of these development efforts, an application was filed with the Zoning Administrator for a conditional use permit for the property described above; and

WHEREAS, the Seward County Zoning Regulations Article 27-104 lists "Any other use not specifically listed as a permitted and/or accessory use in any district in these Regulations, or as a prohibited use" as a conditional use that may be approved by the Governing Body; and

WHEREAS, the Seward County Zoning Regulations Article 27-103 states that "All subsequent request for additions and structural alterations to Conditional Uses approved by the Governing Body shall be considered in the same procedure as outlines in Section 21-012 herein, and

WHEREAS, the Planning Commission held a Public Hearing on January 10, 2022, reviewed the criteria for granting Conditional Use Permits as listed in the Seward County Zoning Regulations Article 32-105 (2) and recommends approval of the application; and


WHEREAS, the Board of County Commissioners has reviewed the application, staff report and public hearing summary on this matter and finds that approval of the request will not be detrimental to the health, safety and general welfare of the community;

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

The Seward County Board of Commissioners hereby adopts the Seward County/City of Kismet Planning Commission's recommendation to approve the application and hereby authorizes issuance of Conditional Use Permit #CU2022-01 to CapturePoint LLC for the expansion of the compressor facility at the Arkalon Ethanol plant. This Resolution shall be in full force and effect from and after its publication once in the official county newspaper.

ADOPTED this 22nd day of February, 2022.

**BOARD OF COUNTY COMMISSIONERS
OF SEWARD COUNTY, KANSAS**

By: 
Ada Linenbroker, Chair

ATTEST:


Stacia Long, Clerk

