

ORDINANCE NUMBER 18-10951

AN ORDINANCE AMENDING ORDINANCE NUMBER 8526, CODIFIED AS CHAPTER 42 OF THE SALINA CODE, AND THE ZONING DISTRICT MAP OF THE CITY OF SALINA, KANSAS BY PRESCRIBING THE PROPER USES OF CERTAIN PROPERTY AND APPROVAL OF A SITE DEVELOPMENT PLAN IN ACCORDANCE WITH SALINA CODE SECTIONS 42-409.1 THROUGH 42-409.21.

BE IT ORDAINED by the Governing Body of the City of Salina, Kansas:

Section 1. Findings. In relation to the following described real estate:

Lots 3 and 4, Block 1, Parkwood Village Addition, a replat of Lots 1, 2, 3, 4, 5, 6, 7, 9, and 10, Village of Loretto, an addition to the City of Salina, Saline County, Kansas (aka 1804 Glendale Road) (the “Property”)

the following findings support PC-3 zoning for the site:

1. All conditions precedent for the amendment of the City’s Zoning District Map and the rezoning of the Property have been timely met;
2. The applicant has a specific redevelopment proposal for the Property; and
3. This property is suitable for some form of commercial reuse or redevelopment due to its orientation toward Cloud Street. The current R-3 zoning and Conditional Use Permit limits the redevelopment options for this site.
4. The requested PC-3 zoning would be compatible with the zoning and uses of nearby property to the west and north and consistent with the existing development pattern in the vicinity of the Cloud-Ohio intersection.
5. Needed public utilities and streets are in place to serve the proposed redevelopment site and the site has full access from and to Glendale Road.
6. The subject property is located within the boundary of the Cloud-Ohio Neighborhood Center so the proposed zoning of the subject property is supported by the Future Land Use Plan map and would not be an expansion of the commercial land use area.

The following finding supports approval of the site development plan for the property:

1. The site development plan submitted meets the development standards set out in Sec. 42-409.14 of the Salina Code;

Section 2. Amendment. DISTRICT “PC-3” PLANNED SHOPPING CENTER DISTRICT. The Zoning District Map of the City of Salina, Kansas is amended to rezone the Property as part of **DISTRICT “PC-3” Planned Shopping Center District.**

Section 3. Site Development Plan Approval. The site development plan for the Property as presented is approved and incorporated as part of this ordinance (the “Site Development Plan”). A copy of Site Development Plan shall be filed in the office of the zoning administrator.

Section 4. Conditions of Approval. Use of the Property shall be subject to all of the conditions, restrictions, and limitations applicable to the “C-3” Shopping Center District under Ordinance 8526, as amended and as codified in Chapter 42 of the Salina Code. Development of the Property shall be subject to and substantially conform to (a) the Site Development Plan and (b) the following conditions:

1. Zoning district regulations. Development and use of the Property shall be limited to the uses permitted in the “C-3” Shopping Center District and shall be subject to the bulk regulations, use limitations and sign regulations applicable to the “C-3” Shopping Center District, except as enumerated in sub-point 2 below.
2. Modifications. Pursuant to Salina Code Sec. 42-409.7, otherwise applicable district regulations are modified as follows:

None.

Section 5. Additional conditions. Development and use of the Property shall be subject to the following additional conditions:

1. The project shall be completed in substantial conformance with the approved site development plan, and associated building elevation drawings which are hereby incorporated by reference; and
2. A building permit for this project shall be obtained within eighteen (18) months of site development plan approval.

Section 6. Expiration and Revocation of the Site Development Plan. Pursuant to Salina Code Sec. 42-409.19, if construction based on a valid building permit has not commenced within the deadline of eighteen (18) months from the date of publication of this ordinance or as extended by the board of commissioners for a specified length of time not to exceed one (1) additional year, the Site Development Plan shall expire and be revoked and no building permits shall be issued in relation to the Property unless and until a new site development plan has been approved by the board of commissioners.

Section 7. Repealer. All prior ordinances in conflict herewith as they relate to the Property are repealed.

Section 8. Summary of ordinance for publication. This ordinance shall be in full force and effect from and after its adoption and publication once by summary in the official city newspaper.

Ordinance No. 18-10951 Summary

On August 6, 2018, the City Commission passed Ordinance No. 18-10951. The ordinance changes the zoning district classification of property located on the southwest corner of East Cloud Street and Glendale Road to PC-3 Planned Shopping Center District to allow conversion of an existing office building to a chiropractic clinic. A complete copy of the Ordinance can be found at www.salina-ks.gov or in the office of the City Clerk, 300 W. Ash, free of charge. This summary is certified by the City's legal counsel.

Introduced: July 23, 2018
Passed: August 6, 2018

Karl F. Ryan, Mayor

[SEAL]
ATTEST:

Shandi Wicks, CMC, City Clerk

The publication summary set forth above is certified this __ day of August, 2018.

Greg A. Bengtson, City Attorney