

ORDINANCE NUMBER 18-10987

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 REZONING AND PRESCRIBING THE PROPER USES OF CERTAIN PROPERTY WITHIN THE CITY.

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

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

A portion of Block 11, Riverside Park Addition to the City of Salina, Saline County, Kansas, being more particularly described as follows:

Beginning at the Northwest corner of said Block 11; thence N 90° 00' 00" E on the North line of said Block 11, a distance of 183.12 feet; thence S 00° 00' 00" E a distance of 144.19 feet; thence N88° 29' 59" W a distance of 113.32 feet; thence S 44° 56' 41" W a distance of 10.41 feet; thence S 02° 05' 33" W a distance of 11.91 feet to the North Face of an existing building; thence N 89° 04' 14" W on said North Face and its Westerly Prolongation, a distance of 64.10 feet to the West line of said Block 11, thence N 00° 43' 59" E on said west line, a distance of 159.53 Feet to the point of beginning. Contains 27,390 square feet, more or less. (the "Property")

the Governing Body makes the following findings:

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 requested zoning change from R-3 to PDD would not adversely affect the surrounding neighborhood or harm the value of use of neighboring properties because the list of uses and the intensity of uses allowed under the requested PDD zoning are similar to the historic use of the Medialle Center building and to the uses in the Donna Vanier Children's Center PDD across the street.
3. The proposed development plan does not propose any noticeable changes to the exterior of the existing building. All modifications to the building and site appear to be intended to retain the current character of the property while giving the facility fresh life.
4. The existing building is pre-existing nonconforming as to front yard setback along both Oakdale Avenue and Ash Street. The proposed PDD rezoning would make the existing substandard setbacks conforming so that if the existing building were ever substantially damaged it could be rebuilt or repaired.
5. The proposed Medialle Center PDD is adjacent to the Donna Vanier Children's Center to the west and the former St. John's Hospital to the east and south, and would be compatible in character with those uses.

6. Needed utilities and drainage facilities, and adequate public street access are in place to serve the proposed Medialle Center PDD.
7. The Property is shown as a future Urban Residential land use area on the Future Land Use Map and approval of PDD zoning would be consistent with this land use designation.

Section 2. Amendment. DISTRICT “PDD” PLANNED DEVELOPMENT DISTRICT. The Zoning District Map of the City of Salina, Kansas is amended to rezone the Property as part of **DISTRICT “PDD” PLANNED DEVELOPMENT DISTRICT.**

Section 3. Conditions of Approval. Use of the Property shall be subject to all of the conditions, restrictions, and limitations applicable to planned development districts 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 development plan approved by the planning commission, incorporated as part of this ordinance, and on file with the zoning administrator and/or city clerk and (b) the following conditions:

1. Development and use of the Medialle Center site shall be limited to residential apartments, office space and retail space not exceeding 1,000 sq. ft.
2. The Medialle Center PDD shall be subject to the sign regulations of the C-2 (Neighborhood Shopping) district.
3. Exceptions and Modifications – Requested modifications of otherwise applicable zoning regulations approved by the Planning Commission under the authority of Section 42-403(12) are specifically enumerated as follows:
 - a. A reduction in the number of required off-street parking stalls for dormitory-style housing from one (1) off-street parking space per occupant to one (1) off-street parking space for every two (2) dormitory-style sleeping rooms.
 - b. A reduction in the required front yard setback along Oakdale Avenue from 25 ft. (the typical minimum setback from a public street) to 15 ft., and a reduction in the required front yard setback along Ash Street from 25 ft. (the typical minimum setback from a public street) to 13 ft. to allow a the existing building to be repaired or rebuilt if it is substantially damaged in the future.
4. Development of the Medialle Center site shall be completed in accordance with the approved final development plan and building elevation drawings which are herein incorporated by reference.

Section 4. Repealer. All prior ordinances relating to the Property are repealed to the extent they are in conflict with this ordinance.

Section 5. 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. 18-10987 Summary

On November 19, 2018 the City Commission passed Ordinance No. 18-10987. The ordinance changes the zoning district classification of the former Medialle Center at the southeast corner of Ash Street and North Oakdale Avenue (aka 148 North Oakdale Avenue) from R-3 (Multi-Family Residential) to PDD (Planned Development District). 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: November 5, 2018
Passed: November 19, 2018

Karl F. Ryan, Mayor

[SEAL]
ATTEST:

Shandi Wicks, CMC, City Clerk

The publication summary set forth above is certified this ____ day of November, 2018.

Greg A. Bengtson, City Attorney