

**ORDINANCE NUMBER 18-10935**

**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 real estate described real estate:

The South 50 ft. of the North 168 ft. of Lot 1, the South 50 ft. of the North 118 ft. of the East 100 ft. of Lot 1 and the North 68 ft. of the East 100 ft. of Lot 1, all in the Surveyor's Plat 12 in the City of Salina, Saline County, Kansas (115, 119 and 123 North Ohio Street) (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 rezoning request area is more suitable for commercial redevelopment than residential redevelopment due to the orientation of the lots toward Ohio Street and the existing C-5 zoned property to the south. Without the inclusion of this area, the proposed redevelopment site would not be large enough to support a viable commercial redevelopment project and the current R-1 zoning inhibits the redevelopment of the site; and
3. The rezoning request area is adjacent to existing C-5 zoned property so the requested C-5 zoning would be compatible with the zoning and uses of nearby property and consistent with the existing zoning and development pattern in the vicinity of the Iron-Ohio intersection; and
4. Approval of C-5 zoning would be a logical and proportional expansion of an existing commercial area with arterial street frontage and would not be an intrusion into an established residential zoned area; and
5. The requested C-5 zoning would not be incompatible with adjacent residential property if adequate buffers are provided; and
6. Needed public utilities and streets are in place to serve the proposed redevelopment site and full access from and to Ohio Street is available; and
7. The Urban Residential land use category in the Comprehensive Plan allows convenience retail / service as a secondary land use but does not list C-5 as a Potential Zoning District in the Urban Residential land use area. The proposed rezoning to C-5 requires an

amendment of the Future Land Use Map to show the rezoning request area as future Commercial and an amendment to the Plan is justified in this case.

**Section 2. Amendment. DISTRICT “C-5”. SERVICE COMMERCIAL** The Zoning District Map of the City of Salina, Kansas is amended to rezone the Property as part of **DISTRICT “C-5” SERVICE COMMERCIAL**.

**Section 3. Repealer.** All prior ordinances relating to the Property are repealed to the extent they are in conflict with this ordinance.

**Section 4. 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. 18-10935 Summary

On May 14, 2018 the City Commission passed Ordinance No. 18-10935. The ordinance changes the zoning district classification of property addressed as 115, 119 and 123 North Ohio Street from R-1 (Single-Family Residential) to C-5 (Service Commercial) to create an expanded commercial redevelopment site at the northwest corner of Iron Avenue and Ohio Street. A complete copy of the Ordinance can be found at [www.salina-ks.gov](http://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: May 7, 2018  
Passed: May 14, 2018

\_\_\_\_\_  
Karl F. Ryan, Mayor

[SEAL]  
ATTEST:

\_\_\_\_\_  
Shandi Wicks, CMC, City Clerk

The publication summary set forth above is certified this \_\_\_\_ day of May, 2018.

\_\_\_\_\_  
Greg A. Bengtson, City Attorney