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ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, REZONING PARCELS LOCATED NORTH OF GOLDSTAR DRIVE AND SOUTH OF GOLDSTAR DRIVE AND WEST OF OLYMPUS DRIVE, POCATELLO, IDAHO FROM ZONING DESIGNATION RESIDENTIAL COMMERCIAL PROFESSIONAL (RCP) TO COMMERCIAL GENERAL (CG), SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED ON THE ATTACHED EXHIBIT "A"; PROVIDING AN AMENDMENT TO THE COMPREHENSIVE PLAN MAP DESIGNATION FROM MIXED-USE (MU) TO COMMERCIAL (C); PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING THAT THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL, AND PUBLICATION ACCORDING TO LAW.

WHEREAS, Ken Pape, made application to the City to rezone two parcels of land approximating 14.78 acres located north of Goldstar Drive and south of Goldstar Dive and west of Olympus Drive, Pocatello, more particularly described on Exhibit "A", from Residential Commercial Professional (RCP) to Commercial General (CG); and

WHEREAS, the subject rezone request will require a concurrent Comprehensive Plan Map amendment from Mixed-Use (MU) to Commercial (C); and

WHEREAS, the Planning and Zoning Commission held a Public Hearing on May 11, 2022, to consider the rezoning request and Comprehensive Plan Map amendment as required by law, and thereafter recommended approval of the request; and

WHEREAS the proposed rezone and Comprehensive Plan Map designation amendments are in compliance with the laws of the State of Idaho and of the City of Pocatello; and

WHEREAS, the City Council being fully advised and having held a Public Hearing on the request June 2, 2022, adopted its written Decision on July 7, 2022, in compliance with the

laws of the State of Idaho and of the City of Pocatello, having decided to grant the rezoning requests.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF POCATELLO AS FOLLOWS:

Section 1: That the land described in Exhibit A previously zoned Residential Commercial Professional (RCP) be, and the same hereby is, rezoned to Commercial General (CG), and the Comprehensive Plan Map designation of Mixed Use (MU) is hereby amended to Commercial (C).

Section 2: That this ordinance repeals all ordinances or parts of ordinances in conflict herewith.

Section 3: That the official zoning map adopted by the City of Pocatello and on file with the City Clerk in accordance with applicable law be amended to incorporate the change of zoning provided for in this Ordinance.

Section 4: That this ordinance shall be in full force and effect from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this ____ day of July, 2022.

CITY OF POCATELLO, a municipal
corporation of Idaho

BRIAN C. BLAD, Mayor

ATTEST:

KONNI R. KENDELL, City Clerk

STATE OF IDAHO

)

ss:

County of Bannock

)

On this _____ day of July, 2022, before me, the undersigned, a Notary Public for the State, personally appeared Brian C. Blad and Konni R. Kendell, known to me to be the Mayor and City Clerk, respectively, of the City of Pocatello, and acknowledged to me that they executed the foregoing instrument for and on behalf of said municipal corporation and that said municipal corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the date and year in this certificate first above written.

(SEAL)

NOTARY PUBLIC FOR IDAHO

Residing in: _____

My commission expires: _____

EXHIBIT A

A parcel of land located in the Southwest Quarter of Section 1, Township 6 South, Range 34 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Commencing at the West Quarter corner of said Section 1, being marked by a 1 inch iron rod as shown on Corner Perpetuation and Filing, Instrument No. 20520359; thence along the Latitudinal Centerline of said Section 1, South $89^{\circ}54'37''$ East 1072.46 feet to the Point Of Beginning; thence continuing along said Latitudinal Centerline, South $89^{\circ}54'37''$ East 420.00 feet; thence South $00^{\circ}00'00''$ West 1298.89 feet to a point of non-tangency of a 1033.00 foot radius curve concave to the northeast of which radius bears North $26^{\circ}41'19''$ East; thence northwesterly 74.86 feet along the arc of said 1033.00 foot radius curve to the right through a central angle of $04^{\circ}09'07''$ and a long chord that bears North $61^{\circ}14'08''$ West 74.84 feet to point reverse curvature of 25.00 foot radius curve to concave to the southeast of which radius bears South $30^{\circ}50'26''$ West; thence southwesterly 38.09 feet along the arc of said 25.00 foot radius curve to the left through a central angle of $87^{\circ}17'29''$ and a long chord that bears South $77^{\circ}11'41''$ West 34.51 feet; thence North $56^{\circ}27'03''$ West 50.00 feet to a point of non-tangency of a 25.00 foot radius curve concave to the northwest of which radius bears North $56^{\circ}27'03''$ West; thence northwesterly 38.09 feet along the arc of said 25.00 foot radius curve to the left through a central angle of $87^{\circ}17'29''$ and a long chord that bears North $10^{\circ}05'47''$ West 34.51 feet to a point of reverse curvature of a 1033.00 foot radius curve concave to the northeast of which radius bears North $36^{\circ}15'29''$ East; thence northwesterly 187.87 feet along said 1033.00 foot radius curve to the right through a central angle of $10^{\circ}25'14''$ and a long chord that bears North $48^{\circ}31'54''$ West 187.62 feet; thence North $43^{\circ}19'17''$ West 118.09 feet to a point of tangency of a 267.00 foot radius curve concave to the southwest of which radius bears South $46^{\circ}40'43''$ West; thence northwesterly 99.17 feet along the arc of said 267.00 foot radius curve to the left through a central angle of $21^{\circ}16'49''$ and a long chord that bears North $53^{\circ}57'42''$ West 98.60 feet; thence North $25^{\circ}23'54''$ East 66.00 feet; thence North $00^{\circ}00'00''$ East 881.79 feet to the Point Of Beginning.

Parcel contains 11.104 acres more or less

Together with Lot 4 Block 2 The Crossings Division No. 1 amended plat

Containing 3.70 acres more or less