

#121

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, REZONING APPROXIMATELY 3.58 ACRES OF LAND LOCATED EAST OF DOLOSTONE DRIVE AND WEST/ADJACENT TO THE I-86 SOUTHERN MERGER RAMP WITH I-15, POCATELLO, IDAHO, FROM ZONING DESIGNATIONS RESIDENTIAL MEDIUM DENSITY MULTI-FAMILY (RMM) TO RESIDENTIAL HIGH DENSITY (RH), SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED ON THE ATTACHED EXHIBIT "A"; 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, Land Quest, Inc. made application to the City to rezone approximately 3.58 acres of land located east of Dolostone Drive and west/adjacent to the I-85 southern merger ramp with I-15 Pocatello, more particularly described on Exhibit "A", from Residential Medium Density Multi-Family (RMM) to Residential High Density (RH); and

WHEREAS, the Planning and Zoning Commission held a Public Hearing on March 22, 2023, to consider the rezoning request as required by law, and thereafter recommended approval of the request; and

WHEREAS, the City Council being fully advised and having held a Public Hearing on the request April 20, 2023, adopting its written decision May 4, 2023, in compliance with the laws of the State of Idaho and of the City of Pocatello, having decided to grant the rezoning request; and

WHEREAS the proposed rezone is in compliance with the laws of the State of Idaho and of the City of Pocatello.

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

Section 1: That the land described in Exhibit A previously zoned Residential Medium Density Multi-Family (RMM) be, and the same hereby is, rezoned to Residential High Density (RH).

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 May, 2023.

CITY OF POCA TELLO, 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 May, 2023, 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: _____

Commission expires: _____

EXHIBIT A

A TRACT OF LAND LOCATED IN THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 6 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE SOUTH 1/16 CORNER ON THE MERIDIONAL CENTERLINE OF SECTION 11, BEING AN ALUMINUM CAP MONUMENT AS DESCRIBED IN CORNER PERPETUATION RECORDED AS INSTRUMENT NO. 668273;

THENCE NORTH 0°06'14" EAST, ALONG THE MERIDIONAL CENTERLINE OF SECTION 11, A DISTANCE OF 956.01 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF INTERSTATE-86, PER FEDERAL AID PROJECT I-IG-15W-4(4)71;

THENCE FOLLOWING ALONG THE SOUTHERLY AND SOUTHWESTERLY RIGHT-OF-WAY LINES OF INTERSTATE-86, PER FEDERAL AID PROJECT I-IG-15W-4(4)71, AND INTERSTATE-15, PER FEDERAL AID PROJECT 1-15-1(18)70 OVER THE FOLLOWING THREE (3) COURSES:

1. SOUTH 84°28'23" EAST A DISTANCE OF 251.17 FEET TO A POINT OF TANGENCY WITH A 1332.40-FOOT-RADIUS CURVE WHOSE CENTER BEARS SOUTH 5°31'37" WEST;
2. FOLLOWING ALONG SAID CURVE-TO-THE-RIGHT THROUGH A CENTRAL ANGLE OF 16°25'16" FOR AN ARC LENGTH OF 381.87 FEET (THE CHORD OF SAID CURVE BEARS SOUTH 76°15'45" EAST A DISTANCE OF 380.56 FEET) TO THE POINT OF BEGINNING;
3. THENCE CONTINUING ALONG SAID CURVE-TO-THE-RIGHT THROUGH A CENTRAL ANGLE OF 35°02'00" FOR AN ARC LENGTH OF 814.69 FEET (THE CHORD OF SAID CURVE BEARS 50°32'07" EAST A DISTANCE OF 802.06 FEET;

THENCE NORTH 89°25'27" WEST, ON A NON-TANGENT BEARING FROM THE PREVIOUS COURSE, A DISTANCE OF 470.00 FEET; THENCE NORTH 0°06'27" EAST A DISTANCE OF 229.48 FEET; THENCE NORTH 89°53'33" WEST A DISTANCE OF 150.17 FEET; THENCE NORTH 0°06'27" EAST A DISTANCE OF 275.31 FEET TO THE POINT OF BEGINNING.

CONTAINING 3.56 ACRES, MORE OR LESS.