

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF POCATELLO, A MUNICIPAL CORPORATION OF IDAHO, REZONING APPROXIMATELY 3.03 ACRES OF LAND LOCATED AT 516 RIVERSIDE DRIVE, POCATELLO, IDAHO, FROM ZONING DESIGNATION RESIDENTIAL MEDIUM DENSITY MULTI-FAMILY (RMM) TO RESIDENTIAL HIGH DENSITY (RH) AND APPROXIMATELY .67 ACRES DESCRIBED AS LOTS 26-28, BLOCK 13, WEST POCATELLO TOWNSITE FROM RESIDENTIAL MEDIUM DENSITY SINGLE-FAMILY (RMS) TO RESIDENTIAL MEDIUM DENSITY MULTI-FAMILY (RMM), WITH A CONCURRENT AMENDMENT TO THE COMPREHENSIVE PLAN MAP OF A PORTION OF THE 3.03 ACRE PARCEL FROM PUBLIC TO RESIDENTIAL, 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, JW Property Group, LLC made application to the City to rezone approximately 3.03 acres located at 516 Riverside Drive from Residential Medium Density Multi-Family (RMM) to Residential High Density (RH) and approximately .67 acres described as Lots 26-28, Block 13, West Pocatello Townsite, from Residential Medium Density Single-Family (RMS) to Residential Medium Density Multi-Family (RMM) with a concurrent amendment to the Comprehensive Plan Map for a portion of the 3.03 acre parcel from Public (P) to Residential (R), said property more particularly described on Exhibit "A"; and

WHEREAS, the Planning and Zoning Commission held a Public Hearing on May 10, 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 June 1, 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 POCATELLO AS FOLLOWS:

Section 1: That the lands described in Exhibit A previously zoned Residential Medium Density Multi-Family (RMM) and Residential Density Single-Family (RMS) be, and the same hereby are, rezoned to Residential High Density (RH) and Residential Medium Density Multi-Family (RMM), with a concurrent amendment to the Comprehensive Plan Map for a portion of the 3.03 acre parcel from Public (P) to Residential (R).

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.

EXHIBIT A

A PARCEL OF LAND LOCATED IN LOTS 26, 27, & 28, BLOCK 13 IN THE REVISED WEST POCATELLO TOWNSITE, AND A PORTION OF LAND IN THE NORTHWEST 1/4 OF SECTION 27, TOWNSHIP 6 SOUTH, RANGE 34 EAST, B.M., BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER-NORTH 1/16 CORNER OF SECTION 27 BEING MARKED BY A 5/8 INCH REBAR WITH 2 INCH ALUMINUM CAP STAMPED PELS 2341, SEE CORNER PERPETUATION INST. NO. 20723601; THENCE NORTH 00°00'32" WEST, (BASIS OF BEARING PER CENTRAL MERIDIAN OF EAST ZONE OF IDAHO STATE PLANE COORDINATE SYSTEM), A DISTANCE OF 43.60 FEET TO A DEFACTO CENTER-NORTH 1/16 CORNER MARKED BY A 5/8 INCH REBAR WITH 2 INCH ALUMINUM CAP STAMPED PLS 13259, SEE CORNER PERPETUATION INST. NO. 20901700; THENCE SOUTH 89°06'33" WEST A DISTANCE OF 868.71 FEET TO THE POINT OF BEGINNING.

THENCE CONTINUING SOUTH 89°06'33" WEST A DISTANCE OF 76.17 FEET TO THE NORTHEAST CORNER OF LOT 28, BLOCK 13; THENCE SOUTH 11°33'07" EAST, ALONG THE EAST BOUNDARY LINE OF LOT 28, BLOCK 13, A DISTANCE OF 144.48 FEET TO THE SOUTHEAST CORNER OF SAID LOT; THENCE SOUTH 89°09'18" WEST, ALONG THE SOUTH BOUNDARY LINES OF LOTS 26, 27, AND 28, BLOCK 13, A DISTANCE OF 170.99 FEET TO THE SOUTHWEST CORNER OF LOT 26, BLOCK 13; THENCE NORTH 35°17'10" WEST, ALONG THE WEST BOUNDARY LINE OF LOT 26, BLOCK 13, A DISTANCE OF 171.91 FEET TO THE NORTHWEST CORNER OF SAID LOT; THENCE NORTH 89°06'33" EAST, ALONG THE NORTH BOUNDARY LINE OF LOT 26, BLOCK 13, A DISTANCE OF 6.56 FEET; THENCE NORTH 43°15'51" WEST A DISTANCE OF 135.31 FEET; THENCE SOUTH 89°06'33" WEST A DISTANCE OF 20.18 FEET TO A POINT ON A NON-TANGENT CURVE WITH A RADIUS OF 125.00 FEET WHOSE CENTER BEARS NORTH 32°21'59" EAST; THENCE FOLLOWING SAID CURVE IN A CLOCKWISE DIRECTION FOR AN ARC LENGTH OF 93.61 FEET, THROUGH A CENTRAL ANGLE OF 42°54'36", (THE CHORD OF SAID CURVE BEARS NORTH 36°10'43" WEST A DISTANCE OF 91.44 FEET) TO A POINT OF TANGENCY; THENCE NORTH 14°43'25" WEST A DISTANCE OF 136.84 FEET; THENCE NORTH 75°14'23" EAST A DISTANCE OF 22.46 FEET; THENCE NORTH 11°25'55" EAST A DISTANCE OF 67.87 FEET; THENCE SOUTH 78°34'05" EAST A DISTANCE OF 339.72 FEET TO A POINT OF CURVATURE OF A 80.00 FOOT RADIUS CURVE WHOSE CENTER BEARS SOUTH 11°25'55" WEST; THENCE FOLLOWING SAID CURVE IN A CLOCKWISE DIRECTION FOR AN ARC LENGTH OF 83.77 FEET, THROUGH A CENTRAL ANGLE OF 59°59'58", (THE CHORD OF SAID CURVE BEARS SOUTH 48°34'06" EAST A DISTANCE OF 80.00 FEET), TO A POINT OF TANGENCY; THENCE SOUTH 18°34'06" EAST A DISTANCE OF 265.33 FEET TO THE **POINT OF BEGINNING.**

CONTAINING 3.70 ACRES MORE OR LESS