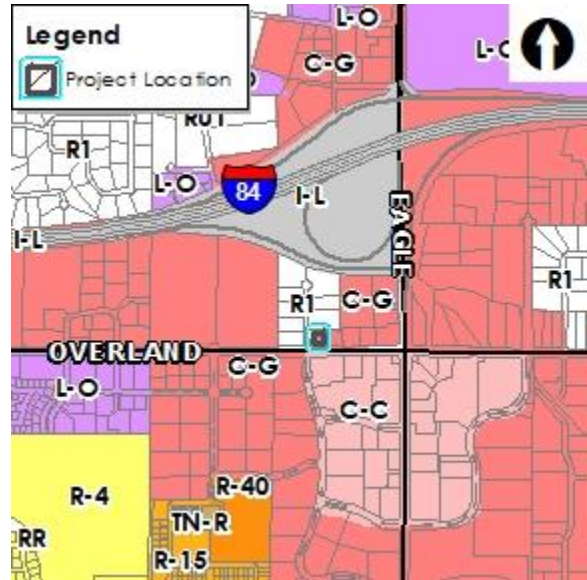


STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: August 9, 2022
 TO: Mayor & City Council
 FROM: Sonya Allen, Associate Planner
 208-884-5533
 SUBJECT: H-2022-0044
 Brightstar Overland (aka Dorado Subdivision)
 LOCATION: 2940 E. Overland Rd., in the SE 1/4 of Section 17, T.3N., R.1E.



I. PROJECT DESCRIPTION

Modification to the existing Development Agreement (AZ-05-019 Dorado Subdivision – Inst. #105127512) to include residential care facilities as an allowed use on the site.

II. SUMMARY OF REPORT

A. Applicant:

Steve Thiessen, Hatch Design Architecture – 200 W. 36th St., Garden City, ID 83714

B. Owner:

Devin Morris, Alturas Capital Partners – 500 E. Shore Dr., Ste. 120, Eagle, ID 83616

C. Representative:

Jeff Hatch, Hatch Design Architecture – 200 W. 36th St., Garden City, ID 83714

III. NOTICING

	City Council Posting Date
Notification published in newspaper	7/24/2022
Notification mailed to property owners within 300 feet	7/22/2022
Applicant posted public hearing notice on site	7/29/2022

IV. STAFF ANALYSIS

The existing Development Agreement (DA) (AZ-05-019 Dorado Subdivision – Inst. #[105127512](#), amended with H-2016-0131 – Inst. #[2017-007434](#)) is proposed to be amended to include residential care facilities as an allowed use on the site (Lot 1, Block 1, Dorado Subdivision). This will be the second addendum/modification to this DA.

A provision (#5.1.6) of the original DA limits uses within the overall Dorado Subdivision to restaurant, retail, hotel, banks and office uses. The applicant proposes to amend this provision to include residential care facilities as an allowed use. Per UDC [Table 11-2B-2](#), residential care facilities are listed as a conditional use in the C-G zoning district and are subject to the specific use standards listed in UDC [11-4-3-29](#). Approval of the proposed modification to the DA will allow the Applicant to submit a conditional use permit application for the proposed use and proceed forward with development if approved.

Single-family residential uses exist to the north of this site and across S. Loder Pl. to the west in Overland Way subdivision. Due to the residential nature of the proposed use, Staff is of the opinion it would be an appropriate use adjacent to existing residential uses. Therefore, Staff is supportive of the proposed amendment to provision #5.1.6 of the DA, as follows: “Allowed uses are restaurant, retail, hotel, banks, ~~and office,~~ and residential care facilities.”

V. DECISION

A. Staff:

Staff recommends approval of the modification to the DA with the change noted above in Section IV.