



AGENDA REPORT

City Council Meeting

TODAY'S DATE: October 29, 2025

MEETING DATE: November 5, 2025

TO: MAYOR AND CITY COUNCIL

FROM: Holly Ellis, Public Works Director; Bill Dean, City Planner

SUBJECT: PS20-0003: University Park (Place) Subdivision, Phase 3 Final Plat

BACKGROUND:

The Local Land Use Planning Act (LLUPA) requires local governments to adopt local ordinances providing “for standards and for processing of applications for subdivision permits under Idaho Code Sections 50-1301 to 50-1329.” In accordance with LLUPA, the City of Sandpoint’s subdivision regulations are codified in Title 10 of Sandpoint City Code. The City follows a two-step subdivision review process - a preliminary plat review and a final plat review. This process ensures that proposed subdivisions comply with local, state, and federal standards and that all required public infrastructure is properly designed and constructed before new lots are created and sold.

Preliminary plats generally set forth the basic information (layout) to determine if the subdivision plan generally complies with the applicable requirements. Public comments and deliberation regarding a proposed project’s layout occurs during the preliminary plat process and during public hearings. Once a preliminary plat is approved, developers are allowed to begin constructing required public infrastructure, including streets, utilities, and drainage improvements, consistent with the approved plans.

Upon completion of constructing the required public infrastructure, the property owner engages a licensed professional surveyor to generate the final plat. The final plat serves as the legal document to be recorded with Bonner County and reflects the as-constructed conditions of the subdivision, including lot boundaries, easements, and dedications. Property owners are required to return to City Council for approval of the final plat which serves as a confirmation and verification step that the subdivision was constructed in accordance with the preliminary plat. By approving a final plat, the document can be recorded. Once approved, the final plat may be recorded, the streets and utilities become publicly-owned, and the developer may sell lots and contractors may apply for building permits on the new legal lots.

To be eligible for recordation, the final plat must contain the following certificates and approvals:

- Certification by owner, including a legal description, certification of ownership of the property, dedication of easements shown on the plat (if applicable), and describing codes, covenants, and restrictions.
- Certification by the professional land surveyor that the plat drawing is correct and in compliance with applicable state and local laws.
- Certification by the local health district describing sanitary restrictions on the new lots.
- Certification of approval from the local highway district of public streets, alleys and easements for public maintenance (the Independent Highway District retains jurisdiction over public rights-

of-way within the City of Sandpoint, while the City is responsible for maintenance under a memorandum of understanding agreement).

- Certification of approval by the City Engineer and City Planner.
- Certification of approval by the Bonner County Surveyor.
- Certification by the Bonner County Treasurer of the tax status of the property.

Prior to bringing a final plat before City Council, City staff inspect the completed construction, documentation, surveyor's final plat, and verify compliance with the terms of the preliminary plat approval. City Code requires that the final plat be in substantial conformance with the preliminary plat. The legal definition of the term "substantial" means "*essentially; without material qualification; in the main; in substance, materially; in substantial manner. About, actually, competently, and essentially.*" In regards to a final plat, it is reviewed against the preliminary plat to ensure that the number of lots, general size of the lots, right-of-widths, and similar standards are consistent with that proposed during the preliminary plat process.

Additionally, the public infrastructure must be substantially complete. City staff review completeness to ensure that (a) City services (water, sewer, snow removal, etc.) are fully functioning and safe, and (b) the right-of-way provides safe and adequate access for the public and emergency services. It is typical and acceptable that a portion of the work is not 100% complete or accepted by the City at time of final plat, such as the sidewalks, removal of temporary erosion measures, planting of trees, etc. So long as the above criteria is met, as determined by the City Engineer, and the remaining work is bonded for, final plat may be approved on the basis it is "substantially" conforming and complete.

DESCRIPTION:

The applicant, M&W Holdings, LLC, is seeking final plat approval for University Park (Place), Phase 3, a 24-lot subdivision, zoned Single-Family Residential (RS). The site is located at 1904 North Boyer Avenue, east of North Boyer Avenue and south of East Mountain View Drive.

On November 4, 2020, the City Council approved with conditions the preliminary plat for the University Park Subdivision (Attachment 1 – City Council Meeting Minutes 11-4-2020; Attachment 2 – Staff Report 11-4-2020). On December 2, 2020, City Council approved (Attachment 3 - Res. 20-056) the final Development Agreement, formalizing the conditions of approval, including but not limited to Required Infrastructure Improvements.

The original Development Agreement applied jointly to the two applicants/property owners; the exact same terms have now been divided into two Development Agreements, as applicable to each property owner. The recently recorded Development Agreement (Attachment 4) specific to M&W Holdings, LLC property, details the required public infrastructure improvements

The Required Infrastructure Improvements for Phase 3 have been substantially completed, as of September 8, 2025 (Attachment 5 – Certification Letter). The following Phase 3 items shall be completed, prior to the City releasing the Performance Bond and no later than December 31, 2021:

- street lighting;
- street tree planting; and,
- other minor punch list items.

The name of the preliminary plat and development agreement were approved as "University Park Subdivision." Bonner County determined that this name is not available and therefore, the final plat (Attachment 6) has been renamed "University Place Subdivision, Phase 3." Bonner County Surveyor review comments have been incorporated into the final plat.

The final plat has been reviewed by City staff and determined to be in substantial conformance with the approved preliminary plat. The substantial completion and acceptance of the Required Infrastructure Improvements enables final plat approval. Upon approval of the final plat by City Council and prior to recording of the final plat, the following shall be completed, as further described in the Development Agreement(s):

1. Obtain required signatures;
2. Approval and recordation of the final covenants, conditions and restrictions/HOA bylaws;
3. Record pedestrian easement; and,
4. Acceptance of two-year warranty bond shall by the City;

STAFF RECOMMENDATION:

The applicant has followed the procedures required in City Code, Title 10, Chapter 1: Subdivision and New Development Standards and Regulations. The final plat is substantially in accordance with the preliminary plat previously presented to the Planning and Zoning Commission and the City Council. Additionally, the conditions of approval have been satisfied and the applicable terms of the development agreement have been met.

ACTION:

Per City Code, Title 10, Chapter 1-8(E), "The council may hold a public hearing on a final plat if requested by the planning director, mayor or city council. The city council shall approve, approve with conditions, refer the matter back to the planning commission, or deny the final plat. A written reasoned decision shall be prepared reflecting the city council's decision." The Phase 2A Final Plat conforms with all applicable standards of the Sandpoint City Code and the terms and conditions of the approved Preliminary Plat and the Development Agreement noted above and attached and is therefore approved without further comment or conditions.

WILL THERE BE ANY FINANCIAL IMPACT? Yes; the City of Sandpoint is responsible for the maintenance of the public infrastructure. The additional revenues associated with future development of the new lots will be incorporated into future annual budgets (revenue and expenses). **HAS THIS ITEM BEEN BUDGETED?** N/A

ATTACHMENTS:

1. City Council Meeting Minutes (Decision) 11/4/2020
2. City Council Meeting Staff Report 11/4/2020
3. City Council Resolution No. 20-056 – Approval of Development Agreement
4. Development Agreement (Instrument No. 973949)
5. Engineer of Record's Certification Letter
6. University Place, Phase 3 Final Plat