

WRITTEN DECISION

PUD Preliminary Development Plan Request

PPUD24-0002 Ridely Village Court Planned Unit Development Preliminary Development Plan

The application of **Kirk Rector, Affinity Real Estate Management, Inc, on behalf of the property owners, Daniel C. Rueckert and Roxanne M. Rueckert**, requesting approval of a Planned Unit Development (PUD) Preliminary Development Plan was recommended by the Planning and Zoning Commission at the conclusion of a public hearing conducted on March 4, 2025 to the City Council to **APPROVE** the request with Conditions as Amended. The subject application was approximately 4-acres of an approximately 5-acre parcel RPS00000280320A located on the east side of Ridley Village Road, approximately 450 feet south of Highway 2.

At the conclusion of the hearing, the Planning and Zoning Commission deliberated the proposal and Commissioner Torpie moved and Commissioner Rimar seconded the motion, to recommend that City Council approve the application PPUD24-0002 for a Preliminary Development Plan with Planning and Zoning Commission's recommended conditions of approval, finding the request **IS** in accord with the standards of Sandpoint City Code, based upon the Planning and Zoning Commission's Written Recommendation, the testimony received at the Planning and Zoning Commission hearing and the record of the request. All Commission members who were present were in favor.

FINDINGS:

#1. The Planning and Zoning Commission finds that the submitted materials, staff report, and testimony at the hearing resulted in deliberations by the Planning and Zoning Commission yielding suggested improvements in the form of conditions of approval to ensure compatibility and appropriateness of development patterns that if implemented demonstrate that the Preliminary Development Plan:

- A. Is consistent with the intent and purpose of Title 10 Chapter 3; and
- B. The proposed development advances the general welfare of the community and neighborhood; and
- C. The benefits, combination of various land uses and the interrelationship with the land uses in the surrounding area justify the deviation from standard district regulations.

Finding #1 is further explained by Planning and Zoning Commission consideration of the following agency written comments:

Independent Highway District: *Provided written comments with respect to construction of the project and suggested driveway/alley widths be revised; snow storage areas be evaluate;, garage setbacks be evaluated for functionality and potential conflicts with pedestrian usage of sidewalks; garage/driveway locations be evaluated for site distance compliance with adjacent roadways; and garbage collection facilities be reviewed for*

compliance for functionality and access as to prevent backing up into rights-of-way by collection vehicles.

Bonner County GIS: *Provided comments related to addressing, and asks the applicant to contact the Bonner County GIS Department to discuss road naming options and the process for reserving names.*

Finding #1 is further explained by Planning and Zoning Commission consideration of the following verbal comments provided at the hearing on March 4, 2025:

Finding #1 is further explained by Planning and Zoning Commission consideration of the following written comments:

Mary Jensen, Executive Director of Forrest Bird Charter School, *testified in support of the application.*

City of Sandpoint resident Barbara Little, as well as Donna Griffin, Executive Director of the Selkirks-Pend Oreille Transit Authority (SPOT Bus), *testified as neutral to the application.*

The following Sandpoint residents spoke in opposition: Tom Carroll (gifted additional time by Sandpoint resident Rod Crawford), Karen Hefley, Barbara Buchanan (gifted additional time by Sandpoint resident Rick Dalessio), Phil Dommes, Leona Christensen, and Curt Hagan.

Finding #1 is further explained by Planning and Zoning Commission consideration of the following resident and property owner written comments:

Commenter	Issue - summarized by staff
Conditional Support (1 response letter)	Likes the density and location supports ability for the project to be a real neighborhood Homes adjacent to existing development should be single-story or have no windows looking into adjacent properties Speed should be limited in alley to 12-15 mph and use speedhumps Travel lanes should be reduced to 9 to 10' max to help reduce travel speeds Straighten the pedestrian walkway for safety, convenience, appealability Sidewalks should have ramps and truncated domes Curb ramp crossing at River Rock should be provided to have direct access to the large common area – crossing should be inviting Dark Sky ordinance is important and amber LEDs should be used instead of Avista-provided blue-white LEDs

	Solar panels should be installed in order to increase sustainability and reduce utility bills
Neutral (1 response letter)	Increased traffic raises safety concerns as several developments off Highway 2 have a sole means of ingress/egress (Forest Park from Park Ave; Westwood/ID Dept of Lands/Homestead/ Ridley Village apts from Ridely Village) traffic signals, wider roadways and/or vehicle turn lanes would help mitigate the congestion and safety concerns.
Opposed (40 response letters)	River Rock Rd extension is not necessary due to access from Ridley Village Rd
	Privacy of Maplewood will be affected
	Maplewood is private (not gated) but does not allow for pass-through traffic
	Opposed because this development would hook into Maplewood's water and sewer lines, causing major inconvenience especially if water is lost or has to be boiled; better to get utility connections from Ridley Village Rd by the apartments
	Scale of development will erode quality of life for Maplewood
	Road safety concerns
	Traffic congestion
	Pedestrians and emergency vehicles traveling to and from the County building
	Burden will be placed on utilities beyond reasonable capacity
	Autumn Ln and River Rock cannot handle the cars and trucks from this development, accidents and mishaps will increase
	All high-density development should have access to town via the highway, do not route townhouse traffic through River Rock, which is a less dense, single-family area
	Safety concern for drivers' vision of the student walkway coming out of both River Rock and Autumn Ln
	Walking path from Northshore to school – adding 100-300 cars crossing the bike/ped path is setting up a situation for more accidents as its very hard to see down the path from River Rock Rd or Autumn Ln. Send cars to Ridley Village instead

	Extension of River Rock Rd will ruin the peaceful and quiet neighborhood, changing the lifestyle forever and for the worse.
	Send traffic to Ridley Village Rd - less impact is needed on the large home lots in South Sandpoint
	Opposed to increased traffic
	Loss of scenic views, light, air, privacy, desirability of Maplewood homes on W Cattail Ct and River Rock Rd because of 2-story townhomes within 5' of the property line
	Single family homes would be more harmonious
	Maplewood is a stand-alone neighborhood with limited access
	Traffic would triple, creating cut-through traffic
	Traffic study doesn't consider construction traffic from 3-years of development
	Setback from Cattail Ct should be 25'
	Development will decrease property values of Maplewood
	Concern about traffic on S Division
	Halt or slowdown on development until infrastructure can catch up
	Limited police resources to handle new development
	Extreme safety hazard to S Division from traffic from the development – traffic should go to Ridley Village Rd
	Development will impact parking in Maplewood neighborhood
	Hauling of building materials will destroy the streets
	Property values will be destroyed
	Unlivable if development goes through
	320 new cars will be on Division, isn't safe, developers don't follow rules
	Outdated Sewage Disposal Plant is increasingly taxed by new development, new development is extremely irresponsible given its condition, failure would result in ecological disaster
	Traffic increases from residents and construction will create potholes in Maplewood that won't get repaired
	Backing out of driveways will become hazardous

	Lack of parking creates problems related to plowing, additional cars parking in Maplewood as residents will fill their garages with other things aside from cars
	Do not reduce the 25' setback from property line – creates too urban an environment that is not compatible with Maplewood
	Highly intrusive development along Cattail Ct due to proximity and building height
	Boulders at Madison and Autumn Lane should not be considered permanent and this development propagates a wasteful situation
	River Rock extension will destroy the serenity of Maplewood
	Maplewood Roads should be restored to their existing condition after construction
	Traffic study doesn't account for development in new apartments (Homestead) cut through traffic through Maplewood neighborhood
	Increased traffic will mean increased noise
	Traffic will dump onto Highway 2, Division St is not striped at 4-way stop, traffic study needs to be done
	Crosswalk at Ontario and Hwy 2 is dangerous
	Loop roads or hammerheads have been used in this area supporting individual developments; that precedent has been set and should be followed here
	Less street connections preserve the unique qualities of neighborhoods, new drivers would have no responsibilities to the homes they are passing
	25' setback at perimeter should be maintained
	Development would be harmful to the character of Maplewood
	Loss of scenic views, privacy, 5' setback is extremely small and inadvisable
	Font yards on Madison contribute to loss of qualities and nature of Maplewood
	Loss of parking for Maplewood community mailboxes due to overflow because parking at development is inadequate

	Development is in direct conflict with existing character of Maplewood, and would normally only contain 4 sf homes if it were developed similar to Maplewood
	Development of this type is an infringement on the property rights of Maplewood owners
	Traffic report is deficient and misleading because it neglects to account for enticing traffic from the west to cut through to the east
	New vehicles would not respect the parking rules of Maplewood
	Development does not state why road extension are necessary for public improvements, per City Code, River Rock Rd extension should be deleted
	5' setback is a serious impact on desirability and value of homes, especially along Cattail Ct
	All homes butting Cattail Ct should be single story
	Entire east side of Madison should be designated no parking zone
	The entire east side of Madison should be designated no RV parking zone
	Any non-Maplewood vehicles parked on Autumn Ln, River Rock Rd or Cattail Ct should be impounded
	The surrounding development suggests that a reduced setback to 5' is entirely unsupported and inconsistent with Comprehensive plan objectives to preserve openness and views
	This encroachment into the setbacks amounts to a taking
	Privacy would be shattered, especially for residents nearby the development due to the reduced setback and ability of new homes to look into existing Maplewood homes and yards
	Setbacks should be uniformly enforced
	River Rock extension is not supported by requirement that it be necessary for public requirements, as established in the Code
	5' setback waiver for eastern side of Private Rd D is not compatible with four houses neighboring it, and should not be approved
	0' setback along Madison would compromise the integrity of the Maplewood community

	Houses along Cattail had to adhere to the 25' setback and this development should also have to adhere to it
	Density is too much for its location, will ruin Maplewood
	5' setback is totally unacceptable
	Extend Autumn Ln instead of River Rock
	This increase in traffic will be dangerous for children
	The Comprehensive Plan calls for Medium Density (up to 10 units) and this development exceeds that with 14 units.
	Zero ft setback is inappropriate
	Access to River Roack is not needed due to Ridley Village Rd
	Inadequate parking will lead to RVs, Boats, trailers, and trucks parking in Maplewood
	Not enough info about limitations on development due to inadequate sewer treatment facilities
	Should not have zero ft setbacks, or homes built within 5.5', increased density next to lower density development, no extension of River Rock Rd, no construction vehicles through Maplewood
	Remove entire row of houses along Madison
	Provide adequate parking within the development
	Provide single story homes
	Has increased traffic been considered?
	Extra traffic will negatively affect S Division
	Will Ridley Village Rd be widened, will there be a stop light or 3-way stop sign at Highway 2?
	The setback waiver only benefits the developer, not anyone else
	Homes should be smaller to have less impact on the South Division neighborhoods
	No setback waiver and against through traffic through River Roack Rd
	Can not think of one single good reason to allow a waiver from setbacks

PZC Hearing: Applicant identified all constructed infrastructure will meet jurisdictional standards, thus promoting public health, safety and welfare. The plan provides pathways and sidewalks for pedestrians; streets will be constructed to meet traffic needs internally; and multiple points of connection will improve traffic flow. The Commission expressed concern that stormwater facilities should be finalized and that staff-presented concerns related to water and wastewater utilities in roadways required revision, and that such finalization of plans may result in the plan being revised potentially significantly altering the layout of the development, especially if the alleyways in the development may not be sufficiently sized to incorporate required utility separations. The Commission understood staff's position that whatever would be built had to meet required utility and infrastructure standards.

During PZC deliberation, the Commissioners recognized the frustration when a development builds next door to existing neighborhoods but iterated the connectivity and grid pattern of streets was an adopted standard that had partially been met but could be improved with additional extension of Autumn Lane through to Ridley Village Road. Six comments received at the hearing in opposition of the request were from adjacent residents concerned about traffic flow, and imposition of higher density development too proximate to the existing Maplewood neighborhood, specifically adjacent to S. Madison Ave and Cattail Ln. Commission was sensitive to the commenters, but also the private property rights of the applicants.

The applicant provided in rebuttal, the following: The housing type provided is desired by the community as established in the City's Comprehensive Plan and the zoning of the property already would allow taller, more dense development in the form of apartments at similar setbacks to what is proposed.

During PZC deliberation, the Commissioners recognized the value of setbacks in the PUD ordinance to establish a more appropriate transition and adjacency than the reduced setbacks requested by the applicant. Commission was sensitive to the commenters, which concluded with a discussion and ultimately a motion to restore the standard setbacks in part by relocating open space to better serve as a buffer to the Maplewood neighborhood.

The Commission, in its deliberations expressed interest and support for the specific housing type and weighed the relief from standard city development requirements against the development of such housing. The Commission concluded with a series of conditions of approval addressing both infrastructure improvements, project roadway connectivity, and perimeter fencing and setbacks as a means of finding that the project advances the general welfare of the City and satisfied the requirement to find that the interrelationships between land uses justified the deviation from zoning standards.

#2. The Planning and Zoning Commission finds that the submitted materials, staff report, and testimony at the hearing resulted in deliberations by the Planning and Zoning Commission yielding suggested improvements in the form of conditions of approval to ensure compatibility and appropriateness of development patterns that if implemented demonstrate that the Preliminary Development Plan:

Is based on the general standards applicable to Conditional Use Permits required by the PUD ordinance, City Code 10-3-10-F, as established in City Code 9-9-6:

- A. Will, in fact, constitute a conditional use, as established on the official schedule of regulations for the zoning district involved.
- B. Will be harmonious with and in accordance with the general objectives, or with any specific objective of the comprehensive plan and/or applicable sections of the Sandpoint Code.
- C. Will be designed, constructed, operated and maintained to be harmonious and appropriate with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- D. Will not be hazardous or disturbing to existing neighboring uses.
- E. Will be served adequately by essential public services and utilities such as highways, streets, police and fire protection, drainage systems, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service or utility.
- F. Will not create excessive additional requirements at public cost for public services and utilities and will not be detrimental to the economic welfare of the community.
- G. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reasons of traffic, noise, smoke, fumes, glare or odors.
- H. Will have vehicular approaches to the property which shall be designed so as not to create an interference with traffic on surrounding public roads.
- I. Will not result in the destruction, loss or damage of a natural, scenic or historic feature of major importance.

Finding #2 is further explained by Planning and Zoning Commission imposition of the following Conditions of Approval. These Conditions of Approval were introduced by motion of Commissioner Torpie, amended by Commissioner Benner which included a total of seven conditions as follows:

1. Revise development plan to show extension of both River Rock Road and Autumn Lane between Madison Avenue and Ridley Village Road, including water and sewer main extensions within the entire public right of way.
2. Revise the development plan to show all water and sewer main extensions either within a public right of way, or within an adequately sized public utility easement (20 feet for single pipe, 30 feet for two pipes in parallel), and all water and sewer mains located at least 10 feet from any proposed building.
3. Driveway for the townhouse units at the southeast corner of River Rock and Ridley Village, as shown on the submitted improvement plans, shall be located at least 35 feet from the proposed curb line along Ridley Village Road, pursuant to Sandpoint City Code 10-1-6-F.

4. Streetlights shall be installed at two intersections: Ridley Village / Autumn Lane, Ridley Village / River Rock Road.
5. The open space should be relocated to the eastern property to enable the 25-foot setback to remain and to create a buffer between the proposed development and Maplewood neighborhood (including along Madison Avenue and Cattail Court).
6. Require the installation of an adequate fence along Autumn Lane on the north boundary of the Forrest Bird Charter School property.
7. Require the applicant to coordinate with City staff to implement traffic calming measures for traffic flow through adjacent neighborhoods.

The Commissioners present and voting unanimously voted to recommend that City Council **approve** the request by Affinity Real Estate Management, Inc., for a Planned Unit Development Preliminary Development Plan for Ridley Village Court, located on a 5-acre parcel between Ridley Village Road and S. Madison Avenue, south of the Forrest M. Bird Charter School, with the conditions as stated above

Pursuant to Sandpoint City Code section 10-3-10, the Sandpoint City Council will review the recommendations and information presented by the Commission in order to render a final decision on the Preliminary Development Plan following a public hearing in front of that body.

FINDINGS AND CONCLUSIONS APPROVED on the _____ day of March, 2025

CITY OF SANDPOINT, IDAHO

By: _____

Mose Dunkle, Chair of the Planning
and Zoning Commission

ATTEST: _____

Melissa Ward, City Clerk