

RESOLUTION
OF THE CITY COUNCIL
CITY OF SANDPOINT

TITLE: UNIVERSITY PLACE SUBDIVISION PHASE 4 FIRST AMENDMENT TO DEVELOPMENT AGREEMENT (INSTR. NO. 991044) AND PHASE 4 FINAL PLAT

WHEREAS: On November 4, 2020, City Council approved with conditions the preliminary plat for the University Place Subdivision (PS20-0003), and on December 2, 2020, City Council approved a development agreement to formalize conditions of approval, including required infrastructure improvements;

WHEREAS: The development agreement originally applied jointly to two property owners; subsequent to approval, the agreement was separated as applicable to each owner and their successors and the development agreement applicable to the Phase 4 property was recorded on September 3, 2021 (Instrument No. 991044);

WHEREAS: University Place Phase 4 is a 4-lot subdivision located on the east side of North Boyer Avenue, south of the recently platted University Place Phase 2A and north of and abutting the BNSF rail line where Phase 4 was originally within the broader University Place preliminary plat approval;

WHEREAS: Subsequent to preliminary plat approval, the Phase 4 area was rezoned from Residential Single-Family (RS) to Residential Multi-Family (RM) on November 2, 2022;

WHEREAS: The PUD and preliminary plat that were later approved for Phase 4 expired, with the original preliminary plat and RM zoning remaining valid;

WHEREAS: The Final Plat for Phase 4 has been reviewed by City staff and determined to be in substantial conformance with the approved preliminary plat;

WHEREAS: Public infrastructure for Phase 4 was constructed under Infrastructure Permit P2021-0729, which authorizes roadway, curb, sidewalk, and related right-of-way improvements for Phase 4 and incorporates approved-for-construction plans by the Engineer of Record, with the Engineer providing certification dated November 17, 2025;

WHEREAS: The recorded Development Agreement included infrastructure and frontage improvement obligations that were premised, in part, on a proposed Planned Unit Development and higher-density development scenario that did not ultimately proceed;

WHEREAS: After updated traffic analysis and a reduced improvement scope were accepted administratively, the Development Agreement was never amended by City Council to reflect that updated scope and timing, resulting in staff unable to recommend Phase 4 Final Plat approval due to the fact

that the Final Plat must be consistent with the recorded Development Agreement conditions;

WHEREAS: At this time, First Amendment aligns the original Development Agreement with the approved preliminary plat and the current development status for Phase 4, with the amendment clarifying that CC&Rs and HOA formation are not required for Phase 4 because the approved plat does not include shared private facilities, confirming that the North Boyer Avenue frontage improvements completed to date satisfy obligations associated with the trip generation under the approved preliminary plat, removing PUD-based assumptions that are no longer applicable, and preserving the City's authority to require additional mitigation if future development applications increase density or trip generation beyond what was contemplated under the approved preliminary plat;

WHEREAS: All other terms of the original Development Agreement remain in full force and effect; and

WHEREAS: Because the Final Plat must be consistent with the recorded Development Agreement, Council action is requested on the amendment first, followed by Final Plat approval, contingent upon execution and recordation of the Development Agreement amendment.

NOW, THEREFORE, BE IT RESOLVED THAT: The City Council hereby finds that the First Amendment to the Development Agreement (Instrument No. 991044), a copy of which is attached hereto and made a part hereof as if fully incorporated herein, is consistent with the approved Preliminary Plat, applicable provisions of Sandpoint City Code, and the public interest, and is therefore approved.

BE IT FURTHER RESOLVED THAT: The City Council finds that, with approval of the aforementioned Development Agreement Amendment, the University Place Subdivision Phase 4 Final Plat conforms with all applicable standards of Sandpoint City Code, 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, contingent upon execution and recordation of the First Amendment to the Development Agreement and completion of all standard plat recording requirements.

Jeremy Grimm, Mayor

ATTEST:

Hayley Keys, Deputy City Clerk