



DEPARTMENT of COMMUNITY and NEIGHBORHOODS
PLANNING DIVISION

JACKIE BISKUPSKI
MAYOR

NICK NORRIS
PLANNING DIRECTOR

July 13, 2017

Dave Robinson
628 N Pugsley St
Salt Lake City, UT 84103

RE: Record of Decision for Petitions PLNSUB2017-00324 and PLNSUB2017-00504: Hoyt Place Planned Development and Preliminary Subdivision at approximately 842 West Hoyt Place.

Dear Mr. Robinson:

On July 12th, 2017, the Planning Commission approved your Planned Development and Preliminary Subdivision requests for the properties located at approximately 842 and 834 W Hoyt Place. The following conditions were applied to the request:

1. The applicant shall file a Final Subdivision Plat that meets all City approvals to be recorded with Salt Lake County prior to issuance of Certificates of Occupancy.
2. The applicant shall provide access easements for parking pads that cross property lines and reference such easements on the Final Plat.
3. All other applicable zoning standards not modified by the Planned Development approval shall apply to the development.

The decision of the Planning Commission was based on the information contained in the staff report, the project details provided by you, testimony from the public, and the discussion of the Planning Commission. Copies of this information may be found at:

<http://www.slcdocs.com/Planning/Planning%20Commission/2017/712min.pdf>

The decision considers the general purpose of the zoning ordinance as well as the purpose of the zoning district where the proposal is located. The purpose of the applicable zoning districts are as follows:

The purpose of the SR-3 special development pattern residential district is to provide lot, bulk and use regulations, including a variety of housing types, in scale with the character of development located within the interior portions of city blocks. Uses are intended to be compatible with the existing scale, density and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood. This is a medium density zoning district. Off site parking facilities in this district to supply required parking for new development may be approved as part of the conditional use process.

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
PLANNING DIVISION

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The purpose of the Planned Development review is stated in 21A.55.010:

A planned development is intended to encourage the efficient use of land and resources, promoting greater efficiency in public and utility services and encouraging innovation in the planning and building of all types of development. Further, a planned development implements the purpose statement of the zoning district in which the project is located, utilizing an alternative approach to the design of the property and related physical facilities. A planned development will result in a more enhanced product than would be achievable through strict application of land use regulations, while enabling the development to be compatible and congruous with adjacent and nearby land developments.

Expiration of Preliminary Plat Approval as stated under 20A.16.190:

A preliminary plat approval, or conditional approval, is valid for twenty four (24) months from the issuance date of approval. If no plat, notice of subdivision approval, or other appropriate instrument has acquired the necessary final approval and been recorded within this time frame, the preliminary plat approval shall be void. For those subdivisions that require a final plat as the recording instrument, the application for final plat must be submitted within eighteen (18) months of preliminary plat approval, per section 20.20.010 of this title.

Disclosure of Private Infrastructure Costs required under 21A.55.170:

Planned developments, approved under this title after January 1, 1997, shall include provisions for disclosure of future private infrastructure maintenance and placement costs to unit owners.

A. Infrastructure Maintenance Estimates: Using generally accepted accounting principles, the developer of any planned development shall calculate an initial estimate of the costs for maintenance and capital improvements of all infrastructure for the planned development including roads, sidewalks, curbs, gutters, water and sewer pipes and related facilities, drainage systems, landscaped or paved common areas and other similar facilities ("infrastructure"), for a period of sixty (60) years following the recording of the subdivision plat or the estimated date of first unit occupancy of the planned development, whichever is later.

B. Initial Estimate Disclosure: The following measures shall be incorporated in planned developments to assure that owners and future owners have received adequate disclosure of potential infrastructure maintenance and replacement costs:

- 1. The cost estimate shall be recorded with and referenced on the recorded plat for any planned development. The initial disclosure estimate shall cover all private infrastructure items and shall be prepared for six (6) increments of ten (10) years each.*
- 2. The recorded plat shall also contain a statement entitled "notice to purchasers" disclosing that the infrastructure is privately owned and that the maintenance, repair, replacement and operation of the infrastructure is the responsibility of the property owners and will not be assumed by the city.*
- 3. The cost estimate shall be specifically and separately disclosed to the purchaser of any property in the planned development, upon initial purchase and also upon all future purchases for the duration of the sixty (60) year period.*

C. Yearly Maintenance Statements: The entity responsible for the operation and maintenance of the infrastructure shall, at least once each calendar year, notify all property owners in the planned development of the estimated yearly expenditures for maintenance, repair, operation or replacement of infrastructure, and at least once each calendar year shall notify all property owners of the actual expenditures incurred, and shall specify the reason(s) for any variance between the estimated expenditures and the actual expenditures.

D. Maintenance Responsibilities: The property owners in a planned development shall be collectively and individually responsible, on a pro rata basis, for operating, maintaining, repairing and replacing infrastructure to the extent necessary to ensure that access to the planned development is available to the city for emergency and other services and to ensure that the condition of the private infrastructure allows for the city's continued and uninterrupted operation of public facilities to which the private infrastructure may be connected or to which it may be adjacent.

The Planning Commission made findings related to the proposal and standards of approval. These findings can be found in the staff report and records referenced above.

The Record of Decision is provided to you indicating the date action was taken to approve the request, the 10 day appeal period, and to what body an appeal can be made.

Approvals for Planned Developments **expire in 12 months** of the date of this Record of Decision unless a building permit has been issued or complete building plans have been submitted to the division of building services and licensing within that period or unless a longer time is requested and granted by the planning commission. Extension requests must be submitted prior to expiration of the approval.

There is a 10-day appeal period in which any affected party can appeal the Planning Commission's decision. This appeal period is required in the City's Zoning Ordinance and allows time for any affected party to protest the decision, if they so choose. The appeal is heard by the Appeals Hearing Officer. Any appeal, including the filing fee, must be submitted by the close of business on **Tuesday, July 25, 2017**.

The decision of the Planning Commission is located on the Planning Division's website at: <http://www.slcdocs.com/Planning/Planning%20Commission/2017/712ROD.pdf>

If you have any questions, please contact me at (801) 535-7236 or jp.goates@slcgov.com.

Sincerely,



J.P. Goates
Principal Planner

cc: File

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