

**SUNSET CITY CORPORATION
PLANNING COMMISSION MINUTES
January 15, 2009
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Minutes of a regular Planning Commission meeting held **January 15, 2009**, at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Chair Cobb presiding:

Planning Commission Members Present:

Bryan Cobb	Chair
Chad Bangerter	Commissioner
Chris Haller	Commissioner
Brian Parker	Commissioner

Employees and Officials Present:

Linda Youngdell	Treasurer/Office Manager
Ray Chapman	Council Member

Excused:

Jason Gabbert	Commissioner
Brad Weller	Alternate Commissioner

Others Present:

Norm Robins	Re/Max Realty
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Chair Cobb opened the meeting at 6:30 p.m., welcoming everyone in attendance.

Minutes: Commissioner Haller made a motion to approve the minutes of November 20, 2008 as amended. Commissioner Bangerter seconded the motion. The motion passed unanimously.

Minutes: Commissioner Bangerter made a motion to approve the minutes of December 4, 2008 as written. Commissioner Parker seconded the motion. The motion passed unanimously.

1. Work on an ordinance to allow apartments to be converted into condominiums:

Chair Cobb referred to a map that identifies the location of the rental properties within Sunset. Treasurer/Office Manager Youngdell reported on her assignments from a prior Planning Commission Meeting. She has contacted the City Attorney and asked if the City could make any apartments that are converted into condominiums be owner occupied. Attorney King replied that the City could not require this and if they would like him to dig deeper he could. Attorney King supplied Treasurer/Office Manager Youngdell with an opinion through an email. She then reviewed the Affordable Housing Plan information that was obtained through Carla Wiese of Day & Associates. Ms. Wiese told her that the percentages are based on the County, therefore when compared to other Cities within Davis County, almost 100% of the housing stock in Sunset meets the Affordable Housing requirements. Treasurer/Office Manager Youngdell also presented the Map that was mentioned earlier, thanking the City Engineers, Recorder Hale and Public Works for their help with this assignment.

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Chair Cobb reviewed the rentals located in Sunset. Commissioner Bangerter was shocked to see the number of single homes that are being rented. Chair Cobb can see from this map that there are two areas that would be good areas for conversions. Chair Cobb asked Norm Robins of Re/Max Reality where the property is located that his client wants to have rezoned. Mr. Robins gave an address of 109 West 2575 North. The backyard of the property abuts Fremont Elementary.

Commissioner Bangerter would like to get something in place even though having the condominiums not owner occupied is a great concern. Commissioner Bangerter does see that this could be a possible advantage to future developers due to the West Side Development. He does not feel that the area where Mr. Robins client's apartment is located is a good area for this. The building has nothing to offer to entice home ownership due to things such as garages and the small size of the yards. Commissioner Bangerter also feels that they need to look at what areas in the City they would like zoned for apartment conversions. An ordinance can be written and it appears that there is not a problem with Affordable Housing. Commissioner Bangerter suggested that each Commissioner take their map home to review and then meet again as a Board.

Commissioner Haller feels that allowing the conversions would be good diversity and could bring in young families or retired couples due to the lower housing price for home ownership and low yard maintenance. He feels that it would enhance surrounding properties. The Commissioners reviewed the map and discussed the possible areas that would be best for rezoning. Chair Cobb agreed that they should take a field trip and survey the City. Commissioner Haller requested that they review RDA zones and come in with an overlay. Treasurer/Office Manager Youngdell informed the commissioners that Director Hennessee has looked at an RDA for area 4. Commissioner Bangerter worked with Director Hennessee in looking at potential redevelopment areas. Once again Commissioner Bangerter stated that he thinks they need to go through areas within the City either as a group or individually. He does not feel that area 4 would be a good area for the apartments to be converted into condominiums due to the future growth along 1800 North. 800 North is also an area that needs to be looked into. Commissioner Parker thinks that they are now talking more about development rather than transformations. Current residents around 800 North do not like the idea of rental properties. Commissioner Parker also agrees with reviewing the properties and then rolling on an ordinance.

Chair Cobb asked Mr. Robins if the surrounding property owners are interested in doing this also. Mr. Robins replied that there was possibly one other that he knew about. Chair Cobb reminded the Commissioners that he had made contact with Draper and Sandy City. One concern was from an employee who worked for Henderson, Nevada. They had to go through special legislation due to the Affordable Housing Plan. They found that there were a number of people converting apartments into condominiums and using them for investment properties and raising the rent of the tenants. As a result, it was forcing a lot of people out of housing. This is a concern that needs to be considered. Chair Cobb feels that due to the City

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being land locked, anything they do to improve the City due to the established areas, they need to be careful. They can alter property values.

Commissioner Bangerter asked Mr. Robins what he has listed the property for. Mr. Robins replied \$309,000. If they were to sell as individual units they could get on a low end \$120,000 per unit. That is an increase of \$171,000. He feels that by selling the units separately, more people have the opportunity to be able to afford to be homeowners.

Chair Cobb asked about homeowner associations that would need to be set up. Mr. Robins said that they could allow the City to have one written or they could come up with one. Commissioner Haller stated that it needs to be established in the Home Owners Bi-laws and is not something that Sunset should do. He feels it would put Sunset in a liability status. Mr. Robins responded that he agrees and that is what he meant to say.

Council Member Chapman informed the Planning Commission that he has been assigned to be the Council Liaison. He feels that the Planning Commission is not following their agenda which states they will be working on an ordinance to allow apartments to be converted into condominiums. Commissioner Bangerter questioned if they had an ordinance. Treasurer/Office Manager Youngdell reminded them that the City Attorney had drafted one and it had been presented to them during a prior meeting. Commissioner Haller reviewed the changes to the ordinance that he would like. Treasurer/Office Manager Youngdell suggested that they have one of the Commissioners oversee this process.

Motion: Commissioner Bangerter made a motion to make the changes to the ordinance that was mentioned in the meeting of November 20, 2008 and move forward. Commissioner Haller seconded the motion. The motion passed unanimously.

Treasurer/Office Manger Youngdell suggested that they give the Council a report on the progress of the condominium conversion. The Commissioners agreed that this was a good idea and asked to have it put on the Council agenda.

2. Planning Commission Chair and Alternate Chair Selection for 2009:

Chair Cobb reported that each year the Planning Commission needs to select a Chair and Alternate Chair for the year. He turned the time over to the Commissioners for any nominations. The Commissioner all agreed that everyone has done a good job and that any of them would be qualified. Commissioner Parker asked that he not be considered due to time constraints.

Motion: Commissioner Bangerter made a motion to select Chair Cobb as the Planning Commission Chair and Commissioner Haller as the Alternate Chair. Commissioner Parker seconded the motion. The motion passed unanimously.

Commissioner Haller thanked everyone for their vote.

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3. General Information:

Commissioner Bangerter would like to have the Planning Commission begin reviewing the Conditional Use Business Licenses. He feels that there are some businesses that are not following their conditions. Commissioner Bangerter would like to begin from the oldest and move forward. Treasurer/Office Manager Youngdell suggested that due to some problems that the City has have with some of the more current conditional use licenses, that the Planning Commission focus more on what they need to do to require for future businesses. Recorder Hale who is over the business licensing has drafted a check list and has asked Treasurer/Office Manager Youngdell to review it and make suggestions. Commissioner Cobb reported on some problems that had occurred with Noah's Ark. Treasurer/Office Manager Youngdell responded that this is the type of thing she was talking about. It is now an issue for the City Council and not a concern to the Planning Commissions. Commissioner Bangerter informed the Commissioners that as residents, they can contact the Council Members. Commissioner Bangerter thanked the City for the map and for Council Member Chapman's new assignment as the Planning Commission Liaison.

Chair Cobb thanked everyone for their support and hard work

Commissioner Parker suggested that the City look into the Temporary Business License Ordinance.

Commissioner Haller thanked everyone for their support. He recommends that the meeting on April 16, 2009 also be a work meeting so that they can go on a field trip and survey the City.

Commissioner Haller made a motion to adjourn.

The meeting adjourned at 7:45 p.m.

These minutes have been read and approved at the Planning Commission meeting held February 19, 2009.

Bryan L. Cobb, Chair

Linda J. Youngdell, Treasurer/Office Mgr.