

**SUNSET CITY CORPORATION
PLANNING COMMISSION MINUTES
August 21, 2008
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Minutes of a regular Planning Commission meeting held **August 21, 2008**, at Sunset City Hall, 200 West 1300 North, Sunset, Utah; Chair Cobb presiding:

Planning Commission Members Present:

Bryan Cobb	Chair
Jason Gabbert	Commissioner
Brian Parker	Commissioner
Chad Bangerter	Alternate Commissioner

Employees and Officials Present:

Linda Youngdell	Treasurer/Office Manager
Ray Chapman	Council Member
Neil Coker	Fire Chief

Excused:

Chris Haller	Commissioner
Dee Sanford	Commissioner
Steven Mullins	Alternate Commissioner

Others Present:

Norm Robbins	Re/Max Realty
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Chair Cobb opened the meeting at 6:33 p.m., welcoming everyone in attendance. Alternate Commissioner Bangerter will be a voting member at tonight's meeting.

Minutes: Alternate Commissioner Bangerter made a motion to approve the minutes of July 17, 2008 as written. Commissioner Parker seconded the motion. The motion passed unanimously.

1. Discussion on turning apartment buildings into condominiums for individual sale: Chair Cobb asked if everyone had time to do research on turning apartments into condominiums. Alternate Commissioner Bangerter reminded the Commissioners that when this issue came before the Planning Commission last time there was some concern with a couple of issues. These issues were finding out what other Cities allow and getting information from the Building Inspector. Alternate Commissioner Bangerter has looked at the buildings and has seen the purpose for why they were built. When he compares them to condominiums, he wonders how it will work. The buildings being addressed tonight have two units in the middle that would have no yard and the end units would. Norm Robbins from Re/Max clarified that they would all have common ground. Alternate Commissioner Bangerter feels that there is definitely a plus to have these individually owned. There are different building codes for separation of the units. The requirements for parking are also a concern. Alternate Commissioner Bangerter reviewed information that Recorder Hale had provided for them from surrounding Cities. He is torn because he knows when they are owner occupied they will be taken care of. He feels there may be some legal issues. Norm Robbins agreed with Alternate Commissioner Bangerter and does not want to break the law, but he is not an attorney. Alternate Commissioner Bangerter stated

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that if the City agrees to this, it is not just for one property, it is for every apartment in the City. Commissioner Parker is also in favor of owner occupied, but is also concerned about the separation requirements and the legal opinion. Chair Cobb stated that there have been a lot of code changes since these apartments were built. They now have the issues of hard wired smoke alarms, lighting, mail box placement, building and yard maintenance. When the buildings were built, they were built as apartments. Chair Cobb asked Mr. Robbins if the owner of this building is prepared to make changes. Mr. Robbins replied that would depend on what the requirements would be and if it is feasible. They are concerned also about the adjoining walls and the fire codes. Chair Cobb also explained that if converted to condominiums the liability now becomes the individual owner's responsibility. Each unit would be insured separately. An apartment complex is insured as one. Alternate Commissioner Bangerter is also concerned about the shared parking lot with both apartment and condominiums. Mr. Robbins has been concerned about that also. An association would need to be formed. Alternate Commissioner Bangerter stated that the ideal situation would be for all of the buildings on the property to be converted and not have the mixed areas. Mr. Robbins asked about the zoning when the apartments were built. He is under the understanding that they were legal uses, but the zoning has been changed. Treasurer/Office Manager Youngdell explained that the property was zoned R-3, which allows apartments, but since then the City has rezoned and most of the apartments are now located in an R-1 zone, therefore they are legal non conforming uses. She reminded the Planning Commission that they will be dealing with the entire City and not just the one property. Chair Cobb asked Chief Coker to give his input. Chief Coker responded that he would need to research this to find out what the separation requirements would be. He is not sure there would be that much difference, but is not sure.

Motion: Alternate Commissioner Bangerter made a motion to table this item until the Planning Commission can obtain an opinion from the Fire Chief, Building Inspector and City Attorney. Commissioner Gabbert seconded the motion. The motion passed unanimously.

2. Amendments to the Annexation Plan: This agenda item did not need addressed.

3. General Plan: No one from Day & Associates was present at the meeting tonight. Alternate Commissioner Bangerter reviewed last Thursday's work meeting. He stated that the City theme does exist in the current General Plan and he feels that if descent businesses want to locate in Sunset, the City will adjust. Chair Cobb likes the idea of not changing the zoning right away, but adding an overlay which will reflect future changes to the zone. City beautification was discussed. Alternate Commissioner Bangerter stated that beautification has been done, even if it has been slow. Sunset is small and it all takes money. Ordinances need to be adopted to provide potential City design.

Motion: Alternate Commissioner Bangerter made a motion to table this agenda item. Commissioner Parker seconded the motion. The motion passed unanimously.

4. General Information: There was no General Information.

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Commissioner Gabbert made a motion to adjourn.

The meeting adjourned at 7:25 p.m.

These minutes have been read and approved at the Planning Commission meeting held September 18, 2008.

Bryan L. Cobb, Chair

Linda J. Youngdell, Treasurer/Office Mgr.