

SOUTH JORDAN CITY
CITY COUNCIL STUDY MEETING

August 7, 2018

Present: Mayor Dawn Ramsey, Council Member Patrick Harris, Council Member Brad Marlor, Council Member Jason McGuire, Council Member Don Shelton, Council Member Tamara Zander, CM Gary Whatcott, City Attorney Ryan Loose, ACM Dustin Lewis, Attorney Todd Sheeran, Planning Director Steven Schaefermeyer, IT Director Jon Day, City Council Secretary MaryAnn Dean

Others: Attachment A

SPECIAL STUDY MEETING
BINGHAM HIGH SCHOOL MEDIA ROOM

Mayor Ramsey welcomed everyone present. She noted that Council Member Harris and Council Member Zander will be arriving late. All other Council Members were present.

A. Invocation: Council Member Brad Marlor

Council Member Marlor offered the invocation.

B. Discussion Item: Rocky Mountain Power Transmission Line Upgrade Project

Mayor Ramsey noted some residents present representing the neighborhood effected by this project. She also noted representatives present from Rocky Mountain Power.

CM Whatcott noted a presentation at the last City Council meeting regarding a power line upgrade. The residents want to look at alternative routes. They need to determine if there are alternate routes, what has been explored, determine if there are studies to be done, and who is responsible to pay for those studies. He said they need to determine if there is another viable option.

Ben Clegg, Rocky Mountain Power, reviewed the meetings that have been held regarding this upgrade. He said they filed a Conditional Use Permit (CUP) yesterday. Their plan is for a pole to pole replacement. He reviewed the poles to be rebuilt, as well as other poles that were recently rebuilt due to other development. If they desire another route, they need to identify a route that is not as impactful, and request for Rocky Mountain Power to do a study on that. He said Rocky Mountain Power will study anything that is requested. Based on their analysis, they feel this proposal is most effective. He noted that the requestor would be required to pay any excess costs with the alternate route.

CM Whatcott asked when they are looking at upgrading power lines, what is the criteria used to determine where the lines will be upgraded? Do they always stay in existing easements? Mr.

Clegg said they do not stay in existing easements in every instance, but they do as a general rule. In this case, they can look and see if there is another obvious choice. When an area is built out, they typically build the lines where they currently exist.

Lisa Romney, Rocky Mountain Power, said when considering growth and loading issues, they look at all options, including the substations, transformers, etc. and determine what serves the goal that they are trying to achieve. She said the Salt Lake County electrical plan is a key criteria in making those decisions.

Mr. Clegg said the Salt Lake County electrical plan is a best practices document. It is not binding. The two highest priorities are to share rights of way with utilities, trails, railroads, etc., and to upgrade an existing facility before building a new facility.

Council Member Marlor asked if different options were looked at to mitigate and minimize the exposure to residential, schools, etc.? Did they consider other options? Mr. Clegg said he was not the area planner for this project, but they did look at several other options, including other technologies. This option was the most efficient from a cost recovery and value added perspective to rebuild the line to Draper. He said not a lot was explored relative to alternative siting. It was noted that this easement has been present since the 1950's.

Council Member Zander arrived at this time.

Jana Fullmer, concerned resident, noted that in the electrical plan, it states that upgrading an existing line may be considered visually inappropriate. It also noted that they may require tradeoffs. She said it is not a hard fast rule. It states the number one undesirable location is residential because of the impacts to the neighborhood. Rocky Mountain's justification for this proposal is the electrical plan. Why can't the city use the same justification for an alternate path because of health risks and other concerns? They may not have 20 years of research on EMF and stray voltage, however, she noted that time and time again City officials have taken a rule of precautionary principle, and chosen to make a code on a precautionary element. There is enough concern to consider taking a precautionary principle on this.

Mr. Clegg said the point to avoid residential is for new lines, not for rebuilding existing lines.

Ms. Fullmer asked how are the City Council members going to define new and how can they put limits on something that is not capped? A new line would require a 60 ft. easement. This goes over the number one places to avoid - residential, South Jordan Elementary, and an elderly center.

Richard Praisen, 1384 W. 11150 S., said one concern is if the easement was granted in 1956 for the existing lines, and they were told there was going to be no threshold of what was put on this line, that does not seem right. This should be reconsidered.

Mayor Ramsey said she is not sure an alternate path can be required, due to the health risks.

City Attorney Loose explained a condition can be placed on this application if they identify a detrimental effect, with evidence, and the condition can mitigate the detrimental effect. If they can't do that, the application can be denied. However, there is significant evidence required to show a detrimental effect. Most of the detrimental effects they have heard is regarding the existing easement. That easement allows Rocky Mountain Power to go into a backyard and do what is needed in the power corridor. If they feel EMF is the detrimental effect, Rocky Mountain Power would be required to follow the national guidelines, which they are already beholden to. Typically, in that case, the recommendation is to make the lines higher, not to remove the lines. That is the only regulation authority that the city has.

Council Member Zander asked if there is a case in the state where the city showed a detrimental effect and mitigation to override or find a solution or alternative with a power line proposal? City Attorney Loose said West Jordan tried to get a power line moved, and lost their case. He can do more research to see if there are other cases. He said it is a high bar for the city to find detrimental effect. They have to get appraisers to show detrimental effect to a property value. It is a high standard.

Council Member Zander asked if increased EMF could be an effect? City Attorney Loose said that could be one. Council Member Zander asked if Rocky Mountain Power mitigated it by making the poles higher. Mr. Clegg said the poles are higher to meet the national requirements. They have to meet all state and federal standards. This line is designed to do that.

Mayor Ramsey asked for examples of when a City put an Ordinance in place for precautionary measures. Ms. Fullmer said she would get that information to the city.

Mayor Ramsey said if the CUP was denied, then what happens?

City Attorney said staff did a survey of a number of cities in the area. They have similar Ordinances to South Jordan in that any distribution line for a new subdivision has to go underground. They did not find any such requirements for transmission lines.

It was noted that if the CUP application was denied, the applicant can appeal to the hearing officer. If it is overturned, it goes back to the Planning Commission. The decision of the hearing officer can be appealed to the District Court.

Mayor Ramsey asked if it is viable for the city to explore other options? CM Whatcott asked if the line was moved and became a new line, does the 60 ft. easement apply? He is unsure of an alternate route that would have a 60 ft. easement available. Ms. Fullmer asked why is this approved in a smaller space if 60 ft. is required for a new line?

CM Whatcott asked if the EMF is a standard they review? Mr. Clegg said there are no federal requirements regarding EMF. CM Whatcott asked what standard could the city use then for a precautionary principle?

Ms. Fullmer said she feels preserving air space is just as critical as open space. Is the City Council willing to draw the line and pass an Ordinance to put a limit on these type of developments? She asked why would taxpayers have to pay for studies and alternate routes when Rocky Mountain Power is a for profit business? City Attorney Loose said it is state law that regulates utilities. He noted that aesthetics is almost impossible to be used as a detrimental effect.

Wendell Mickleson, another concerned resident, asked what determines detrimental effect? Health issues and property values? City Attorney Loose said health, safety, and welfare. He said they hear property values argued, but he has not seen that upheld as a detrimental effect. He said generally the line is drawn if they are meeting the national requirements. They can look and see if those hold up when this item goes to the Planning Commission.

Mr. Mickleson noted a state law regarding stray voltage killing livestock. There is protection for animals. Why are they not concerned about the effect on the kids at the elementary school? Ms. Fullmer asked why haven't the parents of those students been informed of this?

CM Whatcott asked what is the cost to study an alternate route? Ms. Romney said \$35,000-\$90,000. She said \$35,000-\$50,000 is typical. It was noted that last year, Salt Lake County asked for a study to put some power lines underground. It was reiterated that the requesting party bears the cost of the study.

Mayor Ramsey said they are extremely concerned about the kids. If there are no federal guidelines for EMF output, that needs to be addressed by their federal representatives, as well as the state representatives. She feels the cities hands are tied in this case.

CM Whatcott said they did not budget for the study. Staff will meet with Rocky Mountain Power representatives and define the cost of the study. Then staff will come back with a recommendation of what they can or can't do.

Council Member Marlor said the lines have been there since 1956, but initially, it served a small line in a rural area. If they don't have a study that shows what the effect is, they don't have any ammunition to show the detrimental effect. Without that information, it will continue to happen.

CM Whatcott said there are valid concerns. He said they have lines upgraded all over the city. They want to think forward and determine what needs to be changed. This is happening everywhere. It is a bigger dialog than one neighborhood. They need to address this on the legislative level so the local elected officials have some teeth.

Camie Hodlmair, 11309 Green Grass Ct., noted a state law that says a governing body may petition to create an improvement district, and that district may require the public utility to study the issue and put the line underground.

It was noted that state law says that the requesting party pays the differential of the alternative route, if it is more expensive, or the cost to bury the line.

Council Member Shelton asked if they can create an Ordinance to require the power company to bury the lines? Would that be legally defensible? City Attorney Loose said the utility companies are pre-empted by the state code.

Council Member Marlor said the city does not have the authority to require them to put the line underground because of the detrimental effect of the increased transmission. The city could tell them to do it, but the city would have to pay for it. If there was a documented detrimental effect, they could require it.

Mayor Ramsey asked that staff explore the improvement district. CM Whatcott said it would be self imposing fees on those properties to pay for it. He said the residents would need to clearly understand that and what could be accomplished with it.

Ms. Fullmer asked if the city chose to pay the fee to put the line underground, and used the time to then put an Ordinance in place, would then the utility companies be required in the future to pay to put the lines underground? City Attorney Loose said they are pre-empted by state law, which requires the city to pay the difference. He said he can do more research on the issue.

The City Council concurred for staff to do further research on the residents suggestions. CM Whatcott will also meet with Rocky Mountain Power. City Attorney Loose said staff will bring back this issue prior to the Conditional Use Permit going to the Planning Commission. It was noted that the chair and vice chair of the Planning Commission were present for this discussion.

The City Council took a brief dinner break.

Council Member Harris arrived at this time.

C. Presentation Item: Proposed Senior Living & Commercial Development at 11400 South Redwood Road. *(By Terraform, Applicant)*

Joe Coolley, Mountain West Commercial, was introduced. Jason Smith, Terraform, was introduced. Steve Hupf with Resort Lifestyle Communities (RLC) was introduced. Ted Ditus with RLC was also introduced.

Mr. Coolley reviewed a prepared presentation (Attachment B). It was noted that RLC will be the owner and operator of the retirement community. The overall value of the project is \$60 million,

which equates to \$100,000 to the city annually. The traffic impact is minimal in that they have a full time shuttle for residents at the facility. They had a neighborhood meeting where they invited residents within 300 ft. of their property, as well as the whole neighborhood to the west.

Planning Director Schaefermeyer said this is zoned MU South Center. The residential component was removed by the last City Council. Residential is not permitted under the current zone. This applicant has submitted an application for the PD overlay zone. Through a development agreement, they can allow the residential use. Staff has not verified the layout in the presentation of what could be built on this property.

Mayor Ramsey expressed appreciation to the applicants for holding the neighborhood meeting.

It was noted that the residential portion of this proposal has a density of 15 units per acre. The residential has been condensed on the front portion of the property to not impact the neighbors as greatly. The plan is for 1.35 residents per unit. 183 residents are anticipated.

Mr. Hupf said their developments typically have 160-180 occupants per dwelling. It is totally independent living, 55 and older. No children are allowed as occupants. They have a full time chef and are brought 3 meals a day to their room. There is a 120 person dining space. They do not offer full time health care. People can bring in their own health care, but it is not provided on site.

Council Member Zander said she understands the fire department frequents the assisting living center in the city. Mr. Coolley said this is not assisted living. In this development, the first line of response is staff.

It was noted that the average number for most multi-family units in the city is currently 3.68 people per household. That number is estimated to go down slightly with the new census.

Mayor Ramsey said she believes this is the type of development that the state legislature is looking for on corridors. CM Whatcott said it is helpful that the neighbors are supportive of this project. It was stated that rent for a 1 bedroom unit is anticipated to be \$2800, including meals and a shuttle. It is month to month. Most residents come from an 8 mile radius. The high end cost for 3 bedroom units would be \$4500-\$4800 a month.

Council Member Zander asked about the occupancy rate for other RLC developments? Mr. Hupf said after 18 months, they are 92%+ full. Some of their developments are 100% full.

Planning Director Schaefermeyer asked if the City Council would like staff to engage in a development agreement based on what they have seen? Council Member Zander said she is supportive. Council Member Marlor would prefer commercial, but with no grocery stores allowed, that may be difficult. The proposal looks good. Council Member McGuire said he is not comfortable with the proposal at this location. Council Member Shelton said he is okay with it. Council Member Harris said he is okay with staff moving forward to get more information.

City Attorney Loose said the next time the City Council would see this would be at a City Council meeting with a development agreement. If the City Council wants something different, they should let staff know.

ADJOURNMENT

Council Member Shelton made a motion to adjourn. Council Member McGuire seconded the motion. The vote was unanimous in favor.

The August 7, 2018 City Council Study meeting adjourned at 6:18 p.m.

This is a true and correct copy of the August 7, 2018 City Council Study Meeting Minutes, which were approved on August 21, 2018.

Anna M. West

South Jordan City Recorder

CITY COUNCIL SPECIAL STUDY MEETING
BINGHAM HIGH SCHOOL
2160 W SOUTH JORDAN PKWY
MEDIA ROOM
AUGUST 7, 2018
4:30 p.m.

ALL THOSE ATTENDING, PLEASE
PRINT NAME & ADDRESS

PRINT NAME

PRINT ADDRESS (*Optional*)

Julie Holbrook

SJ

Stephen Hupt

Lincoln, NE

Julie Harrison

1466 W. 11150 S. S.J.

Maren Kowallis

11323 Green Grass Court

Anne Kowallis

11323 Green Grass Ct. S.J.

Heather Goodrey

Camie Hodlmaier

11309 Green Grass Ct

Melissa Anderson

1493 W. 11150 S.

Howard Anderson

1493 W. 11150 S. So. Jordan

Paula Gordon

11107 So. Woodfield Rd. So. Jordan

Rob Gordon

11107 So. Woodfield Rd.

Wendell Mickelsen

11207 S. Woodfield

Coy Mickelsen

11207 S. Woodfield

Jana Fullmer

1494 W. 11150 S.

Jeff Hodlmaier

11309 Green Grass Ct.



NWC 11400 South Redwood Road

City Council Work Session Meeting
August 7, 2018



PROPOSED SITE PLAN



PROPOSED ELEVATIONS



1 ELEVATION - SOUTH SIDE



2 ELEVATION - NORTH SIDE



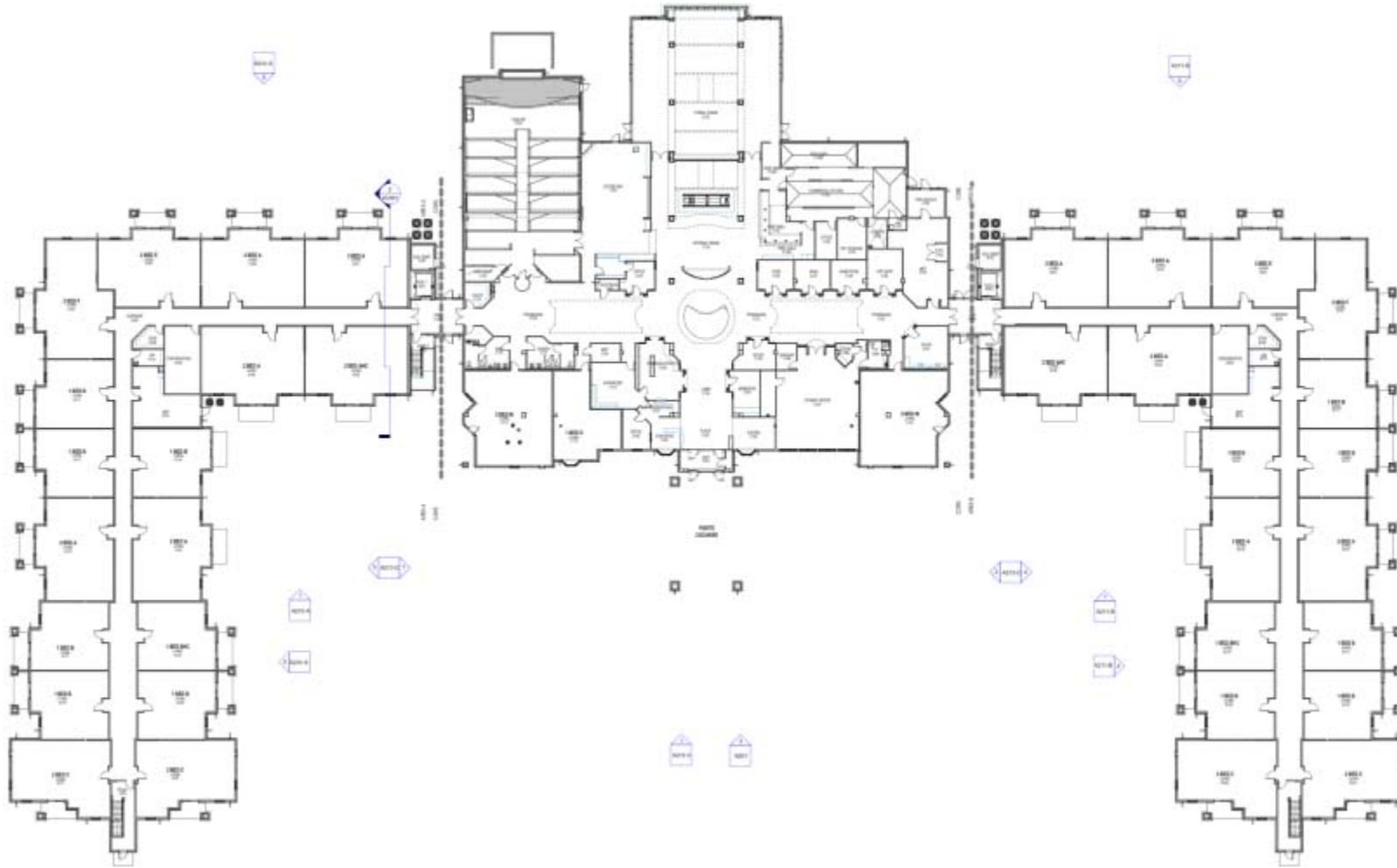
3 ELEVATION - EAST - VIEW TOWARD CORE



4 ELEVATION - WEST - VIEW TOWARD CORE

1. BRICK TO MATCH EXISTING BUILDING TO MAINTAIN CONSISTENCY
2. BRICK TO MATCH EXISTING BUILDING TO MAINTAIN CONSISTENCY
3. BRICK TO MATCH EXISTING BUILDING TO MAINTAIN CONSISTENCY
4. BRICK TO MATCH EXISTING BUILDING TO MAINTAIN CONSISTENCY

PROPOSED FLOOR PLAN



KEY STRENGTHS OF PROPOSED PLAN

- **DENSITY DOESN'T EQUAL INTENSITY** – No burden on schools and minimal traffic impact, particularly when compared to what could go on the property
- **STRONG NEIGHBOR SUPPORT** – Overwhelming feedback from two neighborhood meetings is that they prefer the proposed plan over what current zoning would allow
- **UDOT SUPPORT** – UDOT supports the proposed plan and has indicated they will approve it as currently designed
- **TAX REVENUE** – Proposed plan will provide strong property tax revenue, anticipated market value of over \$60M along with 40 + full time employees .

RLC

RESORT LIFESTYLE COMMUNITIES®



Who We Are



Service

- Live-in Managers
- 24/7 Professionally Staffed
- Medical Alert System 24/7
- Concierge Services
- Free Scheduled Transportation
- Resort-Style Dining
- Valet Parking
- Weekly Housekeeping
- Full-Time Maintenance
- Home Health Care Welcome

Home

- Full Modern Kitchens
- Spacious Closets
- Washer & Dryer Hook-Ups
- Individual Climate Controls
- Pet Friendly
- All Utilities Paid (except phone)
- Cable Included
- Patios & Balcony Options

Community

- 150-seat Theater
- On-Site Bank
- Pharmacy/Gift Shop
- Salon/Barber
- Library
- Billiards
- Communications Center (Internet, Mail, Copy & Fax)
- Garages & Storage Options
- Elevators on All Floors

Fun

- Full-Time Lifestyle Director
- Daily Social Invitations & Activities
- Shopping & Outings
- Lounge
- Resident Travel Program
- Fitness Center 24/7
- Free Fitness Classes
- Whirl Pool/Spa



Traffic And Parking Considerations

RLC communities average only 1.35 occupants per dwelling unit, which ratio is significantly lower than other multi-family developments

40% of residents at a typical RLC community do not currently drive automobiles at the time occupancy commences

The trip generation rate for senior housing is significantly lower than for most other use classifications, according to the Institute of Transportation Engineers' Trip Generation Manual

On average only 0.41 parking stalls are utilized per dwelling unit in a 24 hour period in RLC communities, which is in line with the Institute of Transportation Engineers' estimates for senior housing uses.

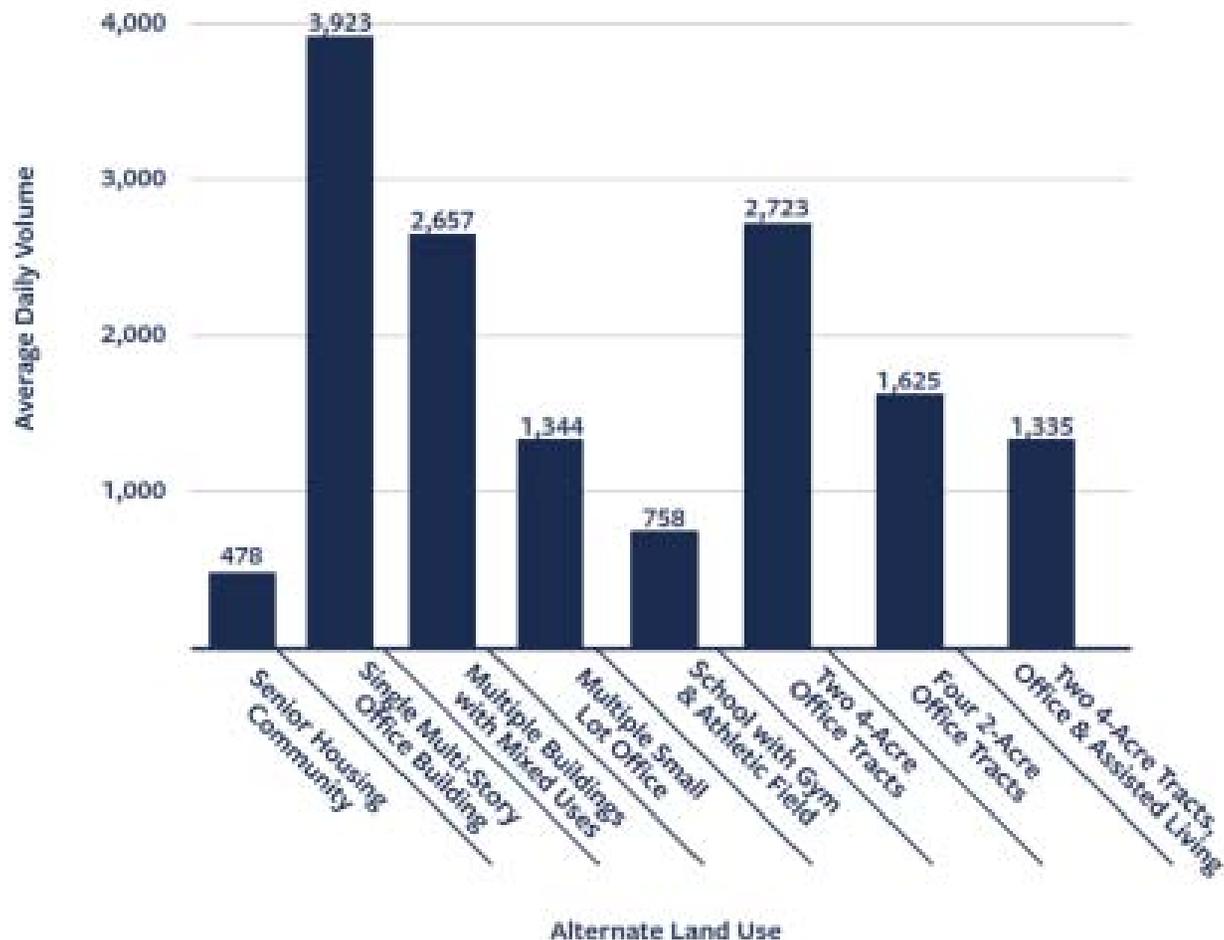
Senior housing parking usage rates are typically less than one-half the rate of most other residential uses.

Sample Trip Generation Analysis

	Average Daily	AM Peak Hour	PM Peak Hour
Senior Housing Community	478	29	35
Single Multi-Story Office Building	3923	309	390
Multiple Buildings with Mixed Uses	2657	254	288
Multiple Small Lot Office	1344	112	144
School with Gym & Athletic Field	758	464	85
Two 4-Acre Office Tracts	2723	214	265
Four 2-acre Office Tracts	1625	400	184
Two 4-Acre Tracts, Office & Assisted Living	1335	107	143

Sample Trip Generation Analysis

Average Daily Volume Comparison



NEIGHBOR SUPPORT FOR PROPOSED PLAN



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Google Earth
Image Landsat / Copernicus

NEIGHBOR SUPPORT FOR PROPOSED PLAN



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Google Earth
Image Landsat / Copernicus

POSSIBLE ELEVATIONS FOR RETAIL BUILDINGS ON 11400 SOUTH

