



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: May 20, 2025

NAME OF PROJECT: The Homestead Resort

NAME OF APPLICANT: Berg Engineering

PROPERTY OWNERS: The Homestead Group LLC

AGENDA ITEM: Plat Amendment of The Homestead Resort Lot 3, Open Space Lot B, and The Homestead Hotel Condominiums Lot 2

LOCATION: 700 North Homestead Drive

ZONING DESIGNATION: RZ – Resort Zone

ITEM: 12

Berg Engineering, representative of The Homestead Group LLC, is requesting Plat Amendments of The Homestead Resort plat and The Homestead Hotel Condominiums. The proposal would amend The Homestead Resort Lot 3, The Homestead Resort Open Space Lot B, and The Homestead Hotel Condominiums Lot 2 by moving open space from one area to another. Open space acreage would remain the same. The property is located at 700 North Homestead Drive and is in the RZ zone.

BACKGROUND:

Berg Engineering, on behalf of The Homestead Group LLC, is requesting plat amendments of The Homestead Resort and The Homestead Hotel Condominiums plats. The affected plats include The Homestead Resort Lot 3, The Homestead Resort Open Space Lot B, and The Homestead Hotel

Condominiums Lot 2. The proposal will move open space between the while maintaining the same amount of open space. This will allow moving the proposed future maintenance building from an approved site to about 500' to the northwest. The moving of the open space will be accomplished by adjusting the lot line between the two lots. Open Space Lot B will increase in acreage from 7.06 acres to 7.87 acres while Lot 3 will decrease from 1.11 acres to 0.9 acres. Acreage for the two plats will remain at 8.77 acres. The Homestead Hotel Condominiums Lot 2 will be reduced in acreage from 3.24 acres to 2.64 acres.

The proposed amendment matches a master plan amendment that was submitted to the City on February 5, 2025. The Planning Commission reviewed the amendment on March 11th and recommended approval. The City Council will review the proposed amendment on April 15th. If the amendment is approved, then they will consider the proposed plat amendments at a future meeting.

The Homestead plats Lot Three, Open Space Lot B, and The Homestead Hotel Condominiums Lot 2 have not yet been recorded. They, most likely, will be recorded by the Planning Commission meeting on April 8th. The reason that The Homestead is proposing a plat amendment on plats that have not been recorded is all based on the requirement that building permits cannot be issued until a plat is recorded. According to the applicant, it is important that building permits are issued as soon as possible so the applicant is willing to record the approved plats and then pursue the recording of the amended plats so building permits can be issued.

Most plat amendments are legislative action, and the Land Use Authority has discretion regarding approval. This proposal is a lot line adjustment and does require approval unless the petition is in violation of a land use ordinance or unless the master plan amendment is not approved. No land use ordinance violations have been identified.

ANALYSIS:

For the Land Use Authority to approve a plat amendment, Utah State Code dictates that the Land Use Authority consider the petition in a public meeting. A lot line adjustment does require approval unless the petition is in violation of a land use ordinance. The lots will continue to comply with the RZ requirements and with the approved master plan if the proposed master plan amendment is approved. Subsection 9a-608(5)(b) states "The land use authority shall approve a lot line adjustment under Subsection (5)(a) if the exchange of title will not result in a violation of any land use ordinance." No public street, right-of-way, easement will be vacated or altered.

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Lineback Berg Engineering, representative of The Homestead Group LLC, is requesting Plat Amendments of The Homestead Resort plat and The Homestead Hotel Condominiums. The proposal would amend The Homestead Resort Lot 3, The Homestead Resort Open Space Lot B, and The Homestead Hotel Condominiums Lot 2 by moving open space from one area to another. Open space acreage would remain the same. The property is

located at 700 North Homestead Drive and is in the RZ zone. We accept the staff findings. And the one condition of having the number of parking spaces at the spa are limited to 10.

Seconded: Commissioner Knight

Chairman Garland: Any discussion on the motion?

Chairman Garland: All in favor.

Ayes: Commissioners: Wardle, Osborne, Nokes, Lineback and Knight

Nays: None

Motion: Passed

PROPOSED FINDINGS:

- The lot line between Lot 3, Open Space Lot B, and The Homestead Hotel Condominiums Lot 2 will be adjusted.
- The amount of open space will remain unchanged.
- State code requires that the petition be approved if no land use ordinance is violated.
- No public street, right-of-way, or easement will be vacated or altered.
- The duration of a plat amendment approval shall be for one year from the date of approval of the amendment by the City Council. Should the amended plat not be recorded by the County Recorder within the one-year period of time, the plat amendment's approval shall be voided, and approval must be re-obtained unless, upon request by the applicant and on a showing of extenuating circumstances, the City Council extends the time limit for recording, with or without conditions. Such conditions may include, but are not limited to, provisions requiring that: (a) each extension will be for a one-year period only, after which time an annual review must be requested by the applicant and presented before the City Council; and/or (b) no more than three one-year extensions will be allowed. The granting or denying of any extension, with or without conditions, is within the sole discretion of the City Council, and an applicant has no right to receive such an extension.

ALTERNATIVE ACTIONS:

1. Approval (conditional). This action can be taken if the City Council finds there are no land use violations.
 - a. Accept staff report
 - b. Reasons for approval (findings)
 - c. Place condition(s) if needed

2. Continuance. This action can be taken if the City Council finds that there are unresolved issues.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for continuance
 - i. Unresolved issues that must be addressed
 - d. Date when the item will be heard again

3. Denial. This action can be taken if the City Council finds that the request does violate a land use ordinance.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial