



Council Question and Answer

Related To	Item #63	Meeting Date	January 28, 2016
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Additional Answer Information

QUESTION: 1) Have there been requests for Ch 245 determinations (grandfathering) for properties located within the area where this property is located? 2) If the City were to sell this tract, what measures could the City take to ensure that any future development complies with current code? MAYOR PRO TEM TOVO'S OFFICE

ANSWER:

1) Since March 2013, the following cases in the Missouri-Pacific Industrial Park subdivision have been grandfathered to the 1969 plat regulations:

- 4905 Winnebago
- 3933 Promontory Point
- 3928 Promontory Point
- 3800 Promontory Point
- 3905 Caven Rd
- 4023 and 4045 Promontory Point (these two addresses are for the same series of lots 9-11)
- 3905 Promontory Point

2) Attempting to address grandfathering issues as part of a sale of City land raises several issues that would require further review. However, based on the details of the proposed Winnebago sale, if the intent is to restrict development, Council could request that the department add a clause to the deed and/or purchase and sale agreement stating the following:

Subsequent development of the site is subject to city regulations in effect on or after the effective date of the sale.

Going forward, the departments can review other potential options for addressing this issue should it arise in future sales of City land.