

RESOLUTION NO. 2951-12

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR DESIGNATING 25+/- ACRES OF PROPERTY LOCATED ON BELL ROAD AND LARSEN WAY (APNs 066-170-013, 033, 164-010-020, 164-020-005,006,007,008 & 041) AS A PRIORITY DEVELOPMENT AREA, AS PROVIDED IN THE TOWN'S GROWTH CONTROL ORDINANCE SECTION 16-4-125, GRANTING A WAIVER OF CERTAIN PROVISIONS OF THE GROWTH CONTROL ORDINANCE FOR THE WINDSOR MILL REVISED PROJECT AND AUTHORIZING THE TOWN MANAGER TO EXECUTE A PRIORITY DEVELOPMENT AREA WAIVER AGREEMENT

WHEREAS, the Town Council of the Town of Windsor adopted provisions in the Growth Control Ordinance Section 16-4-125, which allow for the Council to establish priority development areas as an incentive to focus growth in those areas; and

WHEREAS, the Town Council adopted the Windsor Station Area/Downtown Specific Plan January 18, 2012; and

WHEREAS, the Town Council adopted Resolution 2911-12 designating the Windsor Station Area/Downtown Specific Plan Area as a Priority Development Area; and

WHEREAS, properties within the Windsor Station Area/Downtown Specific Plan Area may be eligible to obtain waivers under provisions of the Growth Control Ordinance Section 16-4-125b. Waivers; and

WHEREAS, in accordance with the provisions of the policies of the Growth Control Ordinance the Windsor Mill Revised applicants submitted a waiver request to the Town Council requesting waivers of allocations for residential units for the project; and

WHEREAS, this action is determined to be exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15306, as it is solely for the purpose of gathering information to provide direction to a potential development applicant for submittal of a future project application that would be subject to the provisions of CEQA; and

WHEREAS, the Town Council considered this matter at duly noticed public hearings on May 2, 2012 and June 6, 2012, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, on June 6, 2012 the Council provided additional consensus comments on the Windsor Mill Revised project. Specifically, the Council identified key components to be retained as well as issues to be resolved as part of further review of requested entitlements; and

WHEREAS, the Town Council makes the following findings regarding the request:

1. The Windsor Mill Revised project site is within the boundaries of the Windsor Station Area/Downtown Specific Plan Area, which is currently designated as an area of priority development.
2. The Windsor Mill Project is viewed as a critical property in the design and development of the Downtown based on its close proximity to the Town Green and

its potential to provide housing and services supportive of the existing Downtown environment.

3. The project has the potential to provide housing densities and diversity to further promote the goals and policies of the Windsor Station Area/Downtown Specific Plan Area.

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby grants a waiver of certain provision of the Growth Control Ordinance for the Windsor Mill Revised project subject to the following key components being incorporated into the future design of the project:

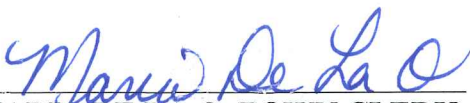
1. The project is eligible to enter into a Priority Development Area Waiver Agreement with the Town that outlines the key components of the project, timing for submittal of a formal entitlement application, performance requirements, and allocation reservations.
2. The Mill Project shall comply with the key components expressed from the Council on June 6th, 2012 and outlined below:
 - a. The project can utilize the wide density range as identified in the Windsor Station Area Plan but shall not exceed a total of 400 residential units. Although the Council did not specifically identify a total number of units it thought would be appropriate, it was clear that a project proposing units near the maximum would face increased design hurdles due to site, surrounding neighborhood, and community characteristics.
 - b. The project shall work to provide a diverse mix of unit and housing types.
 - c. As an option to the on-site dedicated park, the applicant and the Planning Commission should consider other on-site amenities that are roughly proportional and thoughtfully distributed throughout the site.
 - d. The project shall be designed to have a neighborhood feel, including public roads with parking, a sidewalk system, and other neighborhood characteristics.
 - e. The design shall include consideration of the Windsor Creek Elementary School (i.e. pedestrian bridge, student drop-off area, or similar amenities).
 - f. The project shall include all infrastructure improvements as required by the project description and strive to retain the major infrastructure improvements listed in the Development Agreement dated 7/20/06 and agreed to as part of the waiver hearing.
 - g. A total of 360 allocations are reserved for the Windsor Mill Revised project. These allocations are composed of the existing 201 allocations from the previous Windsor Mill project and 159 allocations reserved under the priority waiver, as defined in the Growth Control Ordinance. Additional allocations up to 400 could be considered by the Council per the required review language of the Windsor Station Area / Downtown Specific Plan.
3. The Town Manager is authorized to execute the agreement based on substantial conformance with the requirements of this resolution. Applicant shall be responsible for costs associated with Attorney services rendered in preparation of this agreement.

PASSED, APPROVED, AND ADOPTED this the 15th day of August, 2012 by the following vote:

AYES: COUNCILMEMBERS GOBLE, SCHOLAR AND MAYOR FUDGE
NOES: COUNCILMEMBERS ALLEN AND SALMON
ABSTAIN: NONE
ABSENT: NONE


DEBORA FUDGE, MAYOR

ATTEST:


MARIA DE LA O, TOWN CLERK