

RESOLUTION NO. 3032-13

**A RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF WINDSOR AUTHORIZING AN
ADDITIONAL EIGHTEEN (18) MONTH SUSPENSION OF TIME FOR
PROCESSING THE WINDSOR GATEWAY PROJECT**

WHEREAS, the Windsor Gateway Project participated in the 2006 Merit Process; and

WHEREAS, the Windsor Gateway Project entered into an Allocation Agreement with the Town in January 2010, submitted an application and started through the review process with the Town; and

WHEREAS, the Windsor Gateway applicant submitted a request in 2011 requesting a twenty-four (24) month suspension for application processing due to economic conditions; and

WHEREAS, the Town Council adopted Resolution 2828-11 supporting the requested suspension of time that included provisions for commencement of the project, dedication of right-of-way (and associated construction easement necessary for construction of the intersection of Windsor Road/Old Redwood Hwy), and provisions for Town Council consideration of additional time if a written request was received prior to expiration of the suspension of time; and

WHEREAS, the Windsor Gateway applicant did satisfy the condition regarding the dedication and associated construction easements condition of the suspension resolution (Res 2828-11) and the Town Council adopted Resolution 2868-11 related to that condition; and

WHEREAS, the Windsor Gateway applicant has submitted a written request requesting an additional eighteen (18) months suspension of time due to the changes in the economy and the need to complete and evaluate reports and future development; and

WHEREAS, the project is in the application stage and does not have any entitlements, so extensions of time as outlined in the Town's Codes and the Subdivision Map Act do not apply; and

WHEREAS, the applicant has committed to the development project through the Merit Process, the Application Process, Allocation Agreement, dedication of right-of-way and associated easements, and prior sub-committee work; and

WHEREAS, the project was on track and processing until an unforeseen downturn in the economy; and

WHEREAS, the Town Council has reviewed the project background and the applicant's written request.

NOW, THEREFORE, BE IT RESOLVED THAT the Town of Windsor Town Council hereby agrees to an additional eighteen (18) month suspension of time for the project under the following:

1. Processing of the project must commence no later than March 4, 2015. Processing means submittal of the requested materials based on the Allocation Agreement and the October 2009 direction from the Town Council based on the recommendation of the sub-committee.
2. The applicant may resume processing the application at any time during the twenty-four month period.
3. During the suspension of time, the allocations reserved for the project and identified in the Allocation Agreement, dated January 11, 2010 shall continue to be reserved for the project and will continue to be reserved for the project under the conditions of the Allocation Agreement.
4. If the project applicant determines that the project is not feasible prior to the March 4, 2015, they will immediately notify the Town in writing to withdraw the project application.
5. The project applicant continues to agree to the dedication of right-of-way (and associated construction easements) necessary to complete roundabout construction at the intersection of Windsor Road/Old Redwood Hwy, as outlined and adopted by Town Council Resolution 2868-11.
6. The Town Council may consider additional time if the applicant provides a written request, outlining the specific reasons for the additional suspension and any work that has been completed on the project in the interim. Any additional suspensions of time will be at the sole discretion of the Town Council.

PASSED, APPROVED AND ADOPTED this 18th day of September 2013, by the following vote:

**AYES: COUNCILMEMBERS ALLEN, FUDGE, OKREPKIE, SALMON AND
MAYOR GOBLE**

NOES: NONE

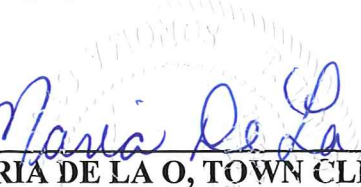
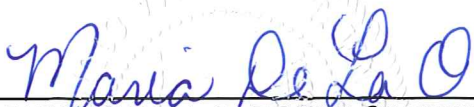
ABSTAIN: NONE

ABSENT: NONE



ROBIN GOBLE, MAYOR

ATTEST:

MARIA DE LA O, TOWN CLERK