

RESOLUTION NO. 3134-14

**A RESOLUTION OF THE TOWN COUNCIL
OF THE TOWN OF WINDSOR
AUTHORIZING MODIFICATIONS TO THE RESIDENTIAL PORTION OF THE
BELL VILLAGE PROJECT AND
AUTHORIZING THE TOWN MANAGER TO EXECUTE
AN AMENDED AND RESTATED PRIORITY DEVELOPMENT AREA WAIVER
AGREEMENT BETWEEN THE TOWN AND BELL VILLAGE LP INCORPORATING
SUCH MODIFICATIONS**

WHEREAS, the Town of Windsor's Growth Control Ordinance was adopted to accommodate growth anticipated under the General Plan and to control new development so that it occurs concurrently with necessary public services, facilities and infrastructure; and

WHEREAS, the Ordinance is based on accommodating General Plan build out to assure that housing opportunities are not reduced; and

WHEREAS, it is necessary to accommodate residential growth and to emphasize economic growth with the provision of a mix of housing opportunities; and

WHEREAS, Bell Village LP (Applicant) submitted a development proposal known as "Bell Village" for consideration in the 2009 Merit Presentations Program and which was subsequently considered at Joint Meetings of the Planning Commission and Town Council (Council) in April and June of 2009 and ranked for further consideration of allocations; and

WHEREAS, in August 2009, the Council adopted Resolution 2521-09 in which the Council provided additional consensus comments on the Bell Village Project and identified features to be retained as well as issues to be resolved as part of further review of requested entitlements; and

WHEREAS, in August 2009, the Council agreed to accept the Bell Village Project site for consideration as a Priority Development Area; and

WHEREAS, Bell Village LP subsequently filed an application to designate the project site as a Priority Development Area and further requested a waiver of the provisions of the Growth Control Ordinance; and

WHEREAS, in September 2009, the Council designated the Bell Village Project site as a Priority Development Area based on its "close proximity to the Town Green and its potential to provide housing and services supportive of the existing Downtown environment"; and

WHEREAS, the Council granted the requested waiver of certain provisions of the Growth Control Ordinance and authorized execution of a Priority Development Area Waiver Agreement; and

WHEREAS, on October 7, 2009, the Town and Bell Village LP entered into a Priority Development Area Waiver Agreement for the Bell Village Project, which waived, exempted, and reserved allocations based on the project description and established certain terms and conditions for the filing and processing of an entitlement application for the project; and

WHEREAS, in January 2014 the Council approved amendments to the conditions of approval for the Bell Village Project, including removal of the requirement for the construction of 77 very low-income units and payment of inclusionary housing “in lieu” fees therefor; and

WHEREAS, in August 2014 the Town received a request from Bell Village LP for a workshop to consider modifications to the residential portion of the Bell Village Project; and

WHEREAS, the Council did conduct a public hearing workshop on September 17, 2014 on said request, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Town supported the revisions to the residential portion of the Bell Village Project, addressed the required reservation of allocations and modified the Key Components of the Priority Development Area Waiver Agreement to read as follows:

1. 387 Residential Units of which 77 residential units (20% of unit total) shall be reserved for occupancy by moderate income households for a minimum period of 10 years.
2. Growth Control Allocations are as follows – 219 units are identified as replacement units and are exempt and not required to obtain reserved allocations, 77 units are for moderate income households and are exempt and not required to obtain reserved allocations, 14 units received priority allocation waivers in 2009, and the remaining 77 units are granted priority allocation waivers for 2014.
3. Consider more diversity in the housing types and include more variety in the unit sizes.
4. Add some additional amenities to the project (i.e. a dog park, community gardens, etc.)
5. Work with the open space to provide better flow.
6. The general building design concepts are supported.
7. Consider ways to increase circulation in the site design.
8. In considering the site layout and design, start with the base site plan, show all trees and tree protection zones from the original arborist and mitigation reports, and then design building placement.
9. The Town Council will be the design review and action body for the project.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Windsor approves modifications to the residential portion of the Bell Village Project as identified above and authorizes the Town Manager to execute an Amended and Restated Priority Development Area Waiver Agreement incorporating such modifications and the identified modifications to the Key Components of the existing Agreement, between the Town and Bell Village LP.

PASSED, APPROVED AND ADOPTED this 17th day of September 2014, by the following vote:

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

NOES NONE

ABSTAIN: NONE

ABSENT: NONE


BRUCE OKREPKE, MAYOR

ATTEST


MARIA DE LA O, TOWN CLERK