

RESOLUTION NO. 3351-17

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
APPROVING AN AMENDMENT TO THE SANDERSON FORD AUTOMOBILE
DEALERSHIP USE PERMIT/DESIGN REVIEW (05-34) TO EXTEND THE PERMIT
FOR ONE YEAR (FILE NO. UP/DRC 17-07)**

WHEREAS, by Resolution No. 2146-07, herein incorporated by reference, the Town Council of the Town of Windsor adopted an Environmental Impact Report (“EIR”) and Adopting Related Mitigation Findings and Mitigation Monitoring and Reporting Program for the Sanderson Ford Automobile Dealership project (“Project”) on September 19, 2007; and

WHEREAS, by Resolution No. 2149-07, herein incorporated by reference, the Town Council approved the Use Permit, including Final Site Plan and Design Review requests for the Project on September 19, 2007; and

WHEREAS, on March 3, 2010 the Town of Windsor Planning Director approved an Administrative Notice of Decision No. 80-10, for a one-year extension of time for a Use Permit for the Sanderson Ford Automobile Dealership, extending the Use Permit to April 17, 2011; and

WHEREAS, by Ordinance No. 2010-266, the Town Council approved an Ordinance establishing an automatic one-year extension for planning entitlements (Use Permit and Design Review) that were approved prior to August 1, 2010, have not expired, and have obtained all extensions of time as provided for under the Town of Windsor Zoning Ordinance, extending the Use Permit to April 17, 2013; and

WHEREAS, by Ordinance No. 2013-278, the Town Council approved an Ordinance establishing an automatic one-year extension for planning entitlements (Use Permit and Design Review) that were approved prior to August 1, 2010, have not expired, and have obtained all extensions of time as provided for under the Town of Windsor Zoning Ordinance, extending the Use Permit to April 17, 2015; and

WHEREAS, by Ordinance No. 2015-289, the Town Council approved an Ordinance establishing an automatic one-year extension for planning entitlements (Use Permit and Design Review) that were approved prior to August 1, 2010, have not expired, and have obtained all extensions of time as provided for under the Town of Windsor Zoning Ordinance, extending the Use Permit to March 18, 2017; and

WHEREAS, the Town Council has received a request from William C. Sanderson (the “Applicant”) for a One-Year Extension of the approved Use Permit due to on-going challenges in the economy pertaining to automobile/truck sales and potential changes to federal trade agreements that could affect automobile manufacturing; and

WHEREAS, the Sanderson Ford project includes construction of needed and substantial infrastructure improvements including off-site utility extensions, which would be beneficial to future development in the north end of Windsor; and

WHEREAS, the Sanderson Ford project provides the Town with economic benefits including job creation (construction, sales, service, and maintenance staff) and the generation of sales tax revenues from the sale of vehicles; and

WHEREAS, Section 27.44.050.A.1 of the Town of Windsor Zoning Ordinance allows for establishment of a different time limit to be established for permit approvals; and

WHEREAS, in accordance with the provisions of law, the Town Council conducted a duly-noticed public hearing on March 15, 2017 on Applicant's Request, at which time all interested persons were given an opportunity to be heard and all comment was considered; and

WHEREAS, Town Staff has reviewed the Applicant's Request and has determined that an amendment to the approved Use Permit/Design Review would not change the Project or Project circumstances or constitute substantial new information such that a new or substantially more severe significant impact than that disclosed in the EIR would result and that no additional environmental review is required pursuant to CEQA Guidelines Section 15162; and

WHEREAS, Town staff has further determined that all previously adopted mitigation measures in the EIR do apply and will continue to apply to the Project; and

WHEREAS, the Applicant's Request does not require additions or alterations to the mitigation measures or the mitigation monitoring program previously adopted; and

WHEREAS, the Applicant's Request, as conditioned, is deemed consistent with the provisions of the Town of Windsor General Plan.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Windsor does hereby approve the following amendment to the Use Permit/Design Review for the Sanderson Ford Automobile Dealership:

1. Amendment of Condition No. 81 to read as follows:

"81. This approval will expire on March 15, 2018. Extensions of time may be requested in accordance with the Town's Code."

All other conditions of project approval stated in Resolution 2149-07 shall remain in effect.

PASSED, APPROVED AND ADOPTED this 15th day of March 2017, by the following vote:

**AYES: COUNCILMEMBERS MILLAN, OKREPKIE, SALMON,
VICE MAYOR FOPPOLI AND MAYOR FUDGE**

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE



DEBORA FUDGE, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK