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**RESOLUTION NO. 2110-07**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR  
RESERVING GROWTH CONTROL ALLOCATIONS (WAIVERS) FOR THE "OAKS  
AT WINDSOR VILLAGE, PHASE 2" PROJECT LOCATED AT 6122 OLD REDWOOD  
HIGHWAY (FILE NO. GPA/UP/MJS 06-46)**

**WHEREAS**, the Town of Windsor Town Council initiated a review process in 2006 known as "Merit Presentations" in which representatives of pending development projects were provided an opportunity to present the merits of their proposals in a comparative forum. The purpose of the forum was to provide the Council with a "global" view of future potential projects within the Town, and to provide applicants with exceptional projects an opportunity to secure commitments for future Growth Control Allocations; and

**WHEREAS**, in Ordinance 2006-211 (December 6, 2006), the Town Council amended the Growth Control Ordinance to create an allocation waiver category of "Pilot Program for Mixed Use / Mixed Income Projects" and assigned 25 allocations (waivers) to this category for the 2007 calendar year; and

**WHEREAS**, Ken Cohan / Town Green Village L.P. has submitted an application for a General Plan Amendment and entitlements for a 14 unit mixed use planned development known as "The Oaks at Windsor Village, Phase 2" located at 6122 Old Redwood Highway (APN 163-172-015, 016); and

**WHEREAS**, Ken Cohan has also requested the Town Council to consider his request for 14 allocations (waivers) under the "2007 Pilot Program for Mixed Use / Mixed Income Projects"; and

**WHEREAS**, the Town Council considered this request at a public hearing during a Joint Meeting with the Planning Commission on August 15, 2007, at which time all interested persons were given an opportunity to be heard; and

**NOW THEREFORE BE IT RESOLVED** that the Town Council hereby reserves 14 allocations (waivers) from the "2007 Mixed Use / Mixed Income Pilot Program" for the "Oaks at Windsor Village, Phase 2" project subject to the following limitations:

- 1. This reservation is held for a two year period from the date of this resolution for completion of the entitlement process associated with the application, unless extended by the Town Council based on substantial progress.

**BE IT FURTHER RESOLVED** that reservation of allocations is not a commitment of the Town Council to a particular design solution. The application is obligated to comply with all required public dedications and improvements as well as all applicable design standards and zoning code requirements including coverage, density, parking, open space, landscaping, and tree preservation.

**BE IT FURTHER RESOLVED** that the Town Council identifies the following additional items to be included in subsequent review of entitlements by the Planning Commission:

- 1. Items to be retained in the project design:
  - a. Mixed use.

- b. Height reduction against northeasterly adjacent residential.
  - c. Preservation of the two existing oak trees.
  - d. Perimeter driveway and shared access with the Phase One component of the project.
  - e. South portion of site is fixed in site design.
2. Items to be resolved during further review of the application:
- a. Traffic safety and improvements associated with increased density, including desirability of a roundabout or traffic signalization of the intersection of Merner Drive / Old Redwood Highway.
  - b. Green Building aspects will be emphasized.
  - c. Adequacy and location of handicapped parking.
  - d. Architecture of ADA accessible unit building.
  - e. Consideration of circulation adjustments within Phase 2.
  - f. Architectural changes within Phase 2 which are compatible with Phase 1 may be considered.

**PASSED, APPROVED, AND ADOPTED this 15th day of August 2007 by the following vote:**

**AYES: COUNCILMEMBERS ALLEN, FUDGE, SALMON AND  
MAYOR PARKER**  
**NOES: NONE**  
**ABSTAIN: COUNCILMEMBER GOBLE**  
**ABSENT: NONE**

  
WARIN J. PARKER, MAYOR

**ATTEST:**

  
MARIA DE LA O, TOWN CLERK