

RESOLUTION NO. 2354-08

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
RE-AFFIRMING RESERVATION OF GROWTH CONTROL ALLOCATIONS FOR
THE “CORNELL VILLAGE COHOUSING PROJECT” LOCATED AT 7842 HEMBREE
LANE (FILE NO. UP/MJS 07-30)**

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, as part of the 2007 Merit Presentation Program, the Planning Commission and Town Council reviewed and established a ranking of projects determined to be of merit for further consideration of reservation of growth control allocations. On August 15, 2007 the Council approved Resolution 2111-07, which listed the ranking of projects and further identified “Items to be Retained” and “Items to be Resolved” during subsequent review of entitlement applications. The Cornell Village Project was included in the rankings of Resolution 2111-07; and

WHEREAS, on November 1, 2007 Bruce Shimizu filed an application for a use permit and tentative map approval for the 44 unit Cornell Village CoHousing Project located at 7842 Hembree Lane (APN 163-080-047); and

WHEREAS, on December 5, 2007, and as part of its annual review of the growth control allocation program, the Town Council approved Resolution 2190-07. In this resolution, the Council reserved 33 allocations for the Cornell Village CoHousing Project for year 2009. The project description included 11 market rate units, 22 moderate income units, and 11 low income (exempt) units; and

WHEREAS, the Town Council, in Resolution 2189-07, also established an exemption category for moderate income housing units on a “first come, first served” basis and not to exceed 30 units in any one calendar year; and

WHEREAS, on July 9, 2008 Bruce Shimizu requested and received 22 moderate income housing allocation exemptions from the 2008 authorized exemptions. Together with the 11 low income housing units also proposed, this leaves 11 allocation reservations for market rate units needed to serve the 44 unit project; and

WHEREAS, in Resolution 2111-07 and under “Items to be Resolved” during subsequent review of entitlements, the Town Council identified the following for the Cornell Village CoHousing Project:

“c. Completion of public street extensions to connect the existing neighborhoods.”

WHEREAS, the application for entitlements for the Cornell Village CoHousing Project continued to carry forward the circulation design of the Merit Presentation proposal – that is, that existing public streets (Countrymeadow Way and Meadowlark Way) were not extended and connected to Cornell Street as identified by the Town Council. This deficiency, as well as staff

recommendation that the connections be made, was included in comments of the Staff Review Committee as part of Application Completeness Review; and

WHEREAS, the applicant has requested that the Town Council reconsider its position regarding connection of these existing public streets, and has presented alternative circulation schemes for consideration by the Town Council; and

WHEREAS, the Town Council this considered this request at a duly noticed public hearing on September 3, 2008 at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Town Council makes the following findings relative to this request:

1. Promotion of an interconnected street network is a fundamental design goal of the Town's General Plan and Design Standards. The objective, in a residential setting, is to connect neighborhoods, provide direct routes to local destinations, and promote a walkable community as a result.
2. On balance, the Town Council determines that Alternative #4, as presented by the applicant, best serves the interest of the Town and the neighborhood, with the following modifications:
 - a. Provide two public street extensions, with pavement width reduced to 20-24 feet in width and designed for two-way traffic, complete with sidewalks.
 - b. Design of easterly on-site parking area is requested similar to that shown for Alternative #3 in the interest of tree protection.
 - c. Staff is requested to work with the applicant to provide flexibility in roadway width and alignment, reducing curvature radius to the minimum necessary to accommodate emergency vehicles.

This determination is based on the characteristics of the existing neighborhood, the project description, and the types and number of circulation connections provided.

NOW THEREFORE BE IT RESOLVED that the Town Council hereby reaffirms reservation of 11 growth control allocations for calendar year 2009 for the Cornell Village CoHousing Project.

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, unless authorized otherwise during the entitlement process.

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. Planned development format (rather than standard subdivision lots) will enhance ability to design open space in the interest of tree preservation and wetland mitigation.
2. Items to be resolved during further review of the application:
 - a. Tree Preservation
 - b. Wetland Mitigation

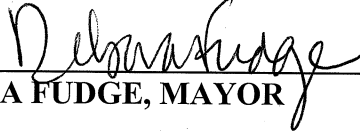
PASSED, APPROVED AND ADOPTED THIS 3rd day of September 2008, by the following vote:

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

NOES: NONE


ABSTAIN: NONE

ABSENT: COUNCILMEMBER PARKER



DEBORA FUDGE, MAYOR

ATTEST:



MARIA DE LA O, TOWN CLERK