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RESOLUTION NO. 2543-09

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR DESIGNATING THE 25+/- ACRE PROPERTY IDENTIFIED AS 9290 OLD REDWOOD HIGHWAY (APN 161-070-036) AS A PRIORITY DEVELOPMENT AREA AND GRANTING A WAIVER OF CERTAIN PROVISIONS OF THE GROWTH CONTROL ORDINANCE FOR THE BELL VILLAGE PROJECT

WHEREAS, the Town Council of the Town of Windsor adopted Ordinance 2007-226 on December 5, 2007 which amended and updated the provisions of the Growth Control Ordinance; and

WHEREAS, Section 16-4-125 of Ordinance 2007-226 provides for “Exemptions and Waivers” of certain provisions of the Growth Control Ordinance for specified projects. Section 16-4-125 B states “The Council may waive certain provisions of this chapter for residential units in Priority Development Areas...”; In addition to designating the Downtown Plan Area as a Priority Development Area, Section 16-4-125 B(1)(b) reads as follows:

“b. **Additional Priority Development Areas.** The Town Council may, by resolution, establish Priority Development Areas where developers may request a Waiver.”; and

WHEREAS, in accordance with the provisions of Resolution 2173-07 (Merit Presentation Process), Bell Village LP submitted a development proposal known as “Bell Village” for consideration in the 2009 Merit Presentations Program. The Bell Village project concept plan was considered at Joint Meetings of the Planning Commission and Town Council on April 1, 2009 and June 17, 2009 and was ranked for further consideration of allocations in Town Council Resolution 2480-09; and

WHEREAS, on August 5, 2009 the Town Council adopted Resolution 2521-09 in which the Council provided additional consensus comments on the Bell Village Project. Specifically, the Council identified features to be retained as well as issues to be resolved as part of further review of requested entitlements; and

WHEREAS, at the August 5, 2009 meeting, the Town Council further agreed to consider the Bell Village Project property for consideration as a Priority Development Area as provided in Ordinance 2007-226 and Resolution 2172-07 (Criteria and Procedures...Including Waivers for Residential Developments in Priority Development Areas), and directed staff to return this matter upon appropriate application by the Bell Village LP; and

WHEREAS, Bell Village LP 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 for the Bell Village Project in accordance with the provisions of Resolution 2172-07; and

WHEREAS, this application is determined to be exempt from the provisions of the California Environmental Quality Act; and

WHEREAS, the Town Council considered this matter at a duly noticed public hearing on September 16, 2009 at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Town Council makes the following findings regarding the request:

1. The Bell Village Project site is immediately adjacent to the boundary of the

- Downtown Plan, which is currently designated as a Priority Development Area.
2. The Bell Village Project site, although not currently within the boundaries of the Downtown Plan, is nevertheless viewed as a critical property in the design and development of the Downtown based on its close proximity to the Town Green and its potential to provide housing and services supportive of the existing Downtown environment.

NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Windsor hereby designates the Bell Village Project site as a Priority Development Area as described in Exhibit A.

BE IT FURTHER RESOLVED that the Town Council hereby grants a waiver of certain provisions of the Growth Control Ordinance for the Bell Village Project subject to the following:

1. The Bell Village Project is eligible to file entitlement applications immediately, subject to execution of a Priority Development Area Waiver Agreement. In addition, and subject to the terms of Resolution 2172-07, the application for entitlements shall be filed within 3 months of the date of this resolution.
2. The Priority Development Waiver granted to the Bell Village Project are for an overall project of 403 residential units, including 219 replacement residential units. No further phasing of allocations or permits is required except as conditioned through project entitlements based upon phasing of improvements.
3. The Bell Village Project shall comply with the Request for Priority Development Waiver (Exhibit B) as well as the Project Description presented during the Merit Presentation Process (Exhibit C), except as modified based on Town Council comments included in Resolution 2521-09.
4. A Priority Development Area Waiver Agreement (or equivalent) shall be approved by the Town and executed by the applicant prior to the acceptance of an entitlement application. The agreement shall comply with the draft included with the September 16, 2009 Agenda Report, contain the provisions identified above, and include the following modification:
 - a. "Significant changes to the project which will result in the project being referred back to the Town Council" shall be modified from a 25% reduction in the overall residential units to a 10% reduction in the overall residential units.

The Town Manager is authorized to execute this agreement based on substantial conformance to the requirements of this resolution. Applicant shall be responsible for costs associated with the Town Attorney in preparation of this agreement.

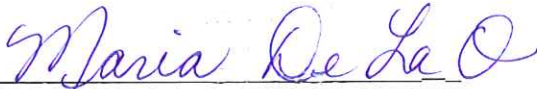
PASSED, APPROVED, AND ADOPTED this 16th day of September 2009, by the following vote:

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



ROBIN R. GOBLE, MAYOR

ATTEST:

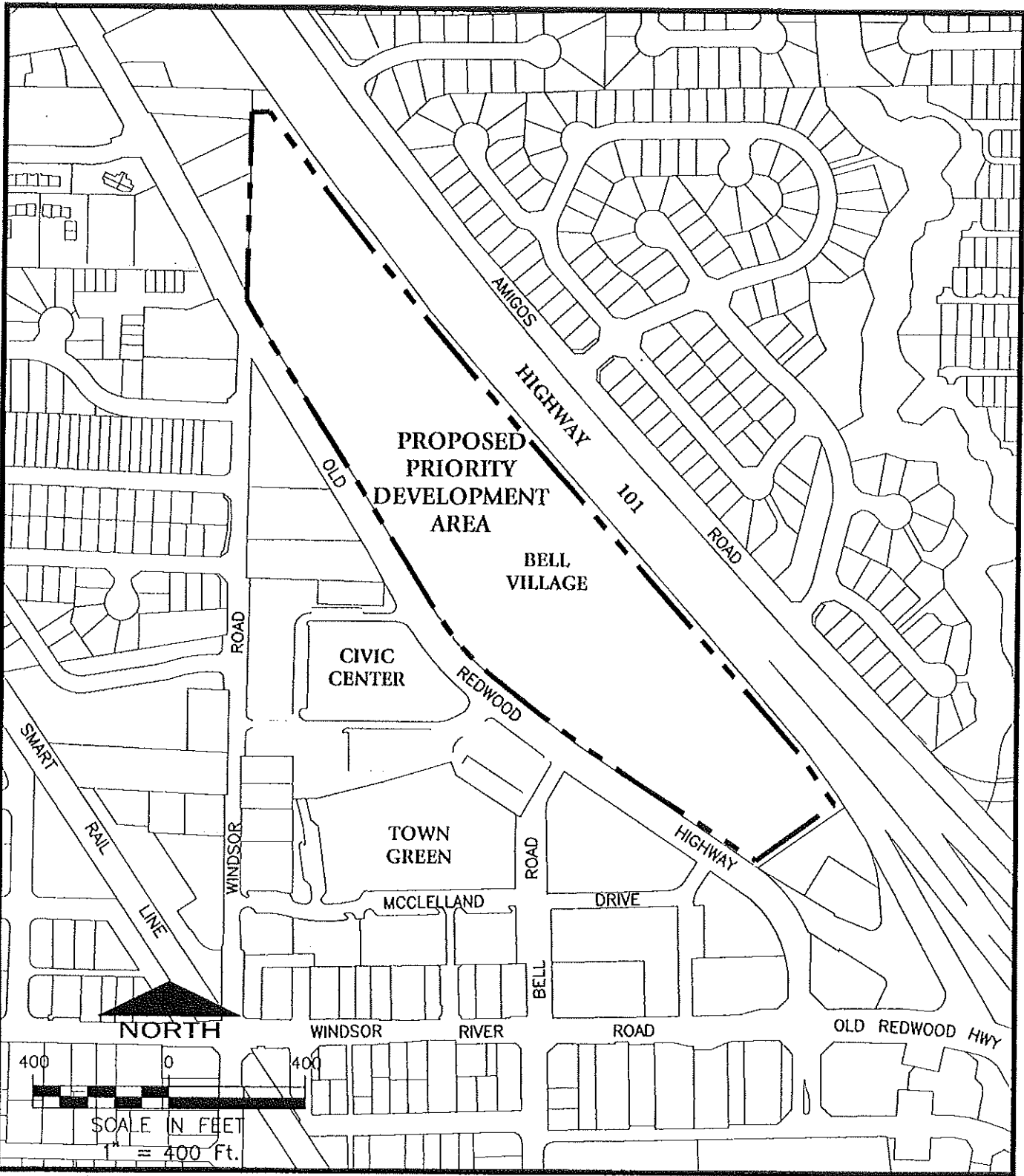


MARIA DE LA O, TOWN CLERK

Attachments:

- Exhibit A: Diagram of Priority Development Area
- Exhibit B: Request for Priority Development Area
- Exhibit C: Project Description and Graphic – Merit Process

08-10-00 K:\112394\2094_01-EXHIBIT-Priority Development Area.dwg TAB: Layout



**PROPOSED
PRIORITY DEVELOPMENT AREA**

AUGUST 2009

9290 Old Redwood Highway
APN 161-070-036

Brelje & Race
CONSULTING CIVIL ENGINEERS
5570 Skyline Blvd • Santa Rosa, CA 95403 • 707-578-1322 • www.brce.com

EXHIBIT A

RECEIVED

AUG 12 2009

TOWN OF WINDSOR

Bell Village

REQUEST FOR PRIORIT DEVELOPMENT WAIVER

Bell Village is a proposed 25-acre mixed use, mixed income project located at the former Windsorland Mobile Home Park across Old Redwood Highway from the Town Green. Bell Village features 403 for-sale units in two-story townhomes and three- and four-story buildings over underground parking, and +/- 65,000 square foot (sf) retail. The housing is proposed to be 20% Very Low Income, 20% Moderate Income and 60% market rate.

The 65,000 square foot retail center, including a grocery store, bank, pharmacy and other neighborhood-serving uses, will provide a much needed anchor for the existing downtown community. A central feature of the project is creation of a pedestrian and bike friendly Old Redwood Highway corridor, with traffic calmed by two roundabouts, diagonal parking along Old Redwood Highway, preservation of existing oak trees, a large sidewalk and retail, residential and flex units (residential units that permit live/work and limited commercial) oriented to the streetscape. The 403 residential units will increase the vitality of the Town Green commercial area and are within walking distance of the SMART train station.

We anticipate Final Map recordation in 2010 along with building permits for the first phase.

Allocations

This will be a phased project with the residential portion occurring in three distinct phases. No allocations are required for 319 of the proposed 403-unit project. The exemptions include 209 replacement units for the Mobile Home Park and 80 Very Low Income units. Also included are 80 Moderate Income units, of which 30 are exempt from allocations. Therefore, out of the 403 units proposed, only 84 allocations would be needed.

Housing Affordability

Bell Village will provide an unprecedented mixed income housing project within the Downtown area. The project is proposing 20% affordable to Very Low Income residences, deed restricted for 30 years, and 20% affordable to Moderate Income residences, deed restricted for 10 years. The remainder of the project will be market rate multi-family units and townhomes.

Project Merits

The merits of this project are quite numerous. Bell Village will be a high-density, pedestrian-friendly neighborhood that embraces the Town Green and is within walking distance of the SMART train. Bell Village will be offering to the town 40% affordable housing. The commercial portion of the project will bring much-needed anchor tenants in a grocery store and pharmacy to the west side of town. Along the Old Redwood Highway, this most important public way will be transformed from an auto-dominated thoroughfare to one that calms traffic and creates an important corridor shared with pedestrians and bicycles.

Bell Village 2009 Merit Presentation

Project Description

Bell Village is a 25 acre mixed use, mixed income, "Smart" project located at the former Windsorland Mobile Home Park across Old Redwood Highway from the Town Green. Bell Village features 400+ for-sale units in two story townhomes and three and four story buildings over Windsor's first underground parking garage, a +/- 65,000 square foot (sf) retail center including a grocery store, bank, pharmacy and other neighborhood serving uses that will create a much needed anchor for the existing downtown community. The housing is proposed to be 20% Very Low Income, 20% Moderate Income and 60% market rate. A central feature of the project is creation of a pedestrian and bike friendly Old Redwood Highway corridor, with traffic calmed by two roundabouts, diagonal parking along Old Redwood Highway, preservation of existing Oak trees, a large sidewalk, and retail, residential and flex units (residential units that permit live/ work and limited commercial) oriented to the streetscape. Extensive recreation facilities are featured including: a 5500 sf health club, swimming pool, community gardens, passive recreation amenities, kids plays areas, tennis courts, and a dog park. Existing heritage trees and important groves of trees are preserved. Freeway noise is addressed not with a sound wall, but by the architecture; well articulated townhomes that are designed to create an attractive face to the freeway, while using the walls and mass of the buildings to buffer the noise.

Location

Bell Village is located between Old Redwood Highway and Highway 101, extending from just across from the former Klein Winery Offices north to the proposed roundabout at Old Redwood Highway and Windsor Rd.

Sustainability

This is a "Green" project that will feature a comprehensive approach to sustainability and greenhouse gas reduction. The project's location and mix of uses will go a long way to this end;

- 400+ units within walking distance of the train station.
- 400+ units that will be within walking distance of the Town Green and adjacent retail.
- Inclusion of neighborhood serving retail within walking distance of the residences inside the project as well as providing retail for residents west of the Highway that will reduce auto trips and GHG emissions.
- Replacement of old inefficient mobile homes with compact multi-family units that feature the latest in low flow fixtures, high efficiency appliances and equipment, and high insulation levels.

Other features will include:

- Windsor's first underground parking reduces the need for at-grade parking, allowing for more landscaping and green space and reduces the heat island effect in the summer.
- Bio-swailes and rain gardens will hold and treat storm water runoff, filtering pollutants from downstream creeks.
- Buildings will be prepped for solar hot water and photovoltaic panels. Solar hot water will be incorporated to heat the swimming pool.
- The grocery will feature skylights to reduce lighting needs and resulting use of electricity.
- The buildings will be designed in accordance with the Build It Green checklist, from construction waste management, to low VOC products, to energy efficient appliances and fixtures. It is expected that the project will exceed 100 points, well over the 50 required by the Town of Windsor.

Economic Development

Bell Village will generate long term retail and office employment as well as construction jobs. The project will create retail sales tax revenue for the Town, and the project will also produce substantial development fees contributing to Windsor's financial planning. We are prepared to begin construction in 2009.

Housing Affordability

Bell Village will provide an unprecedented mixed income housing project within the Downtown area. The project is proposing 20% affordable to Very Low Income residents, deed restricted for 30 years, and 20% affordable to Moderate Income residents, deed restricted for 10 years. The remainder of the project will be market rate multi-family units and townhomes.

Connections

Bell Village will be a highly connected project with the creation of a pedestrian and bike friendly Old Redwood Highway corridor, and five street connections along the corridor including two proposed roundabouts. The blocks are short. All streets include sidewalks on both sides.

Design Goals

Bell Village is a compact, walkable, neighborhood that embraces the larger community. The retail center provides for the parking that is demanded by anchor grocery and pharmacy tenants, but uses smaller buildings along Old Redwood Highway to screen the parking. Underground parking is utilized to minimize at-grade parking. Buildings are highly articulated on all four sides. The site plan was developed to preserve the highest value trees and desirable groves of trees.

Defensible Space

Care was taken to orient residential units in all directions with windows at grade level and windows and balconies in upper levels such that many sets of eyes will observe the site. Recreation areas are surrounded by units whose residents will monitor behavior in the common areas. Additionally, this project is of a scale that there will be maintenance personnel on site on a daily basis.

Allocations

This will be a phased project starting in 2009 with the residential portion occurring in three distinct phases. 209 of the units are replacement units from the Mobile Home Park and no allocations for the 80 Very Low Income units are required. Therefore, 114 allocations would be needed for the third phase in 2011.

Development Agreement

A Development Agreement may be needed.

Protected Trees

The site plan has been developed to work around, in order of priority: desirable groves of native trees, healthy heritage trees, and other trees of value.

Parking

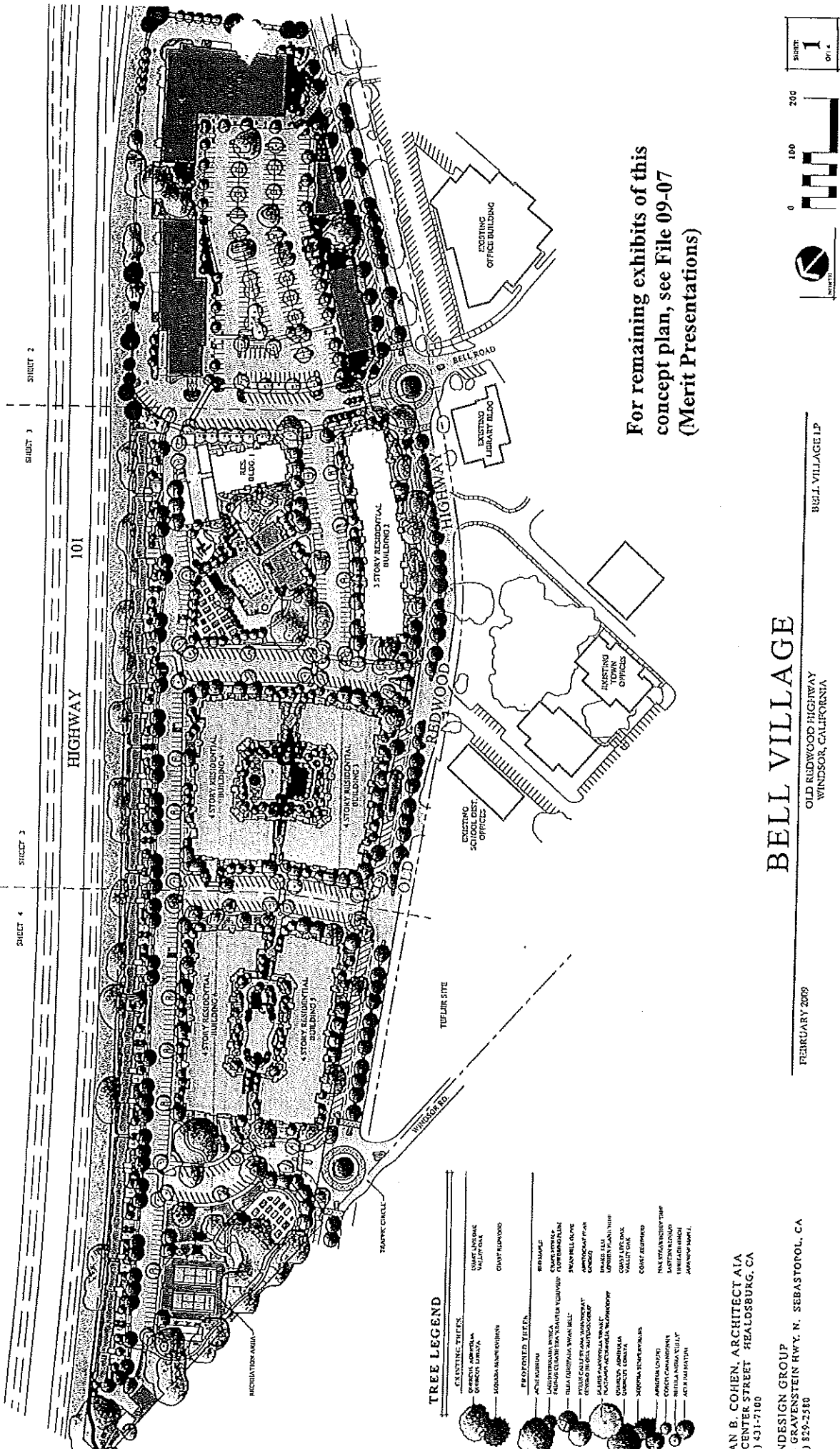
Parking is provided both on-site and off-site. On-site parking includes underground garages, at grade garages, on interior streets and at the retail end, in a surface parking lot. Off-site parking includes diagonal and parallel parking along the entire frontage of Old Redwood Highway.

Scenic Resources

As noted above, the project will feature the transformation of the Old Redwood Highway from an auto dominated corridor to one that calms traffic and creates an important corridor shared with pedestrians and bicycles. The use of townhomes for sound attenuation will be a marked improvement over traditional sound walls.

Open Space

Bell Village includes extensive open spaces within the project, including recreation areas at the south and north end as well as large landscaped courtyards between the residential buildings.



SHEET 4 SHEET 3 SHEET 2

HIGHWAY 101

For remaining exhibits of this
concept plan, see File 09-07
(Merit Presentations)

BELL VILLAGE





















OLD REDWOOD HIGHWAY
WINDSOR, CALIFORNIA

FEBRUARY 2009

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TREE LEGEND

-  EXISTING TREES
-  GYMNADENDRA
-  QUERCUS
-  SLOANIA
-  QUERCUS
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