

MINUTES OF A PUBLIC HEARING HELD BY THE MAYOR AND COUNCIL OF THE TOWN OF CHAPEL HILL, NORTH CAROLINA, TUESDAY, JANUARY 22, 1991

Mayor Howes called the proceedings to order.

Council Members in attendance were Julie Andresen, Joyce Brown, Joe Herzenberg, Nancy Preston, Alan Rimer, and Roosevelt Wilkerson, Jr. Council Members James C. Wallace and Arthur Werner were absent excused.

Mayor Howes noted that the Council had received a petition from the Orange County Greens concerning the provision of sanctuary by the Town. He briefly reviewed the Council's petition policy, noting that it would be necessary to receive six affirmative votes of the Council in order to hear the petition this evening. Mayor Howes noted that two members of the Council were absent this evening. Council Member Brown emphasized the historical importance of the petition item.

COUNCIL MEMBER BROWN MOVED, SECONDED BY COUNCIL MEMBER HERZENBERG, TO HEAR THE ORANGE COUNTY GREENS PETITION CONCERNING PROVISION OF SANCTUARY.

Council Member Herzenberg noted that his second was premised on the understanding that others wishing to petition the Council on this matter could do so this evening. Mayor Howes noted that the Council might be better advised to hear the petition at their January 28th regular meeting.

THE MOTION WAS PLACED ON THE FLOOR AND FAILED BY A VOTE OF 2-5, WITH COUNCIL MEMBERS BROWN AND HERZENBERG VOTING AFFIRMATIVELY.

Mayor Howes noted that the Council normally referred petitions to the Town Manager and Attorney, rather than taking immediate formal action. He stated that this procedure protected the Council and public from hasty actions. Council Member Brown noted that the Orange County Greens would be holding a meeting in the foyer outside the Council Chamber, starting in a few minutes.

Council Member Herzenberg noted that a forum concerning violence against women would be held at Carrboro Elementary School, beginning at 7:30 p.m. on Wednesday, January 23rd.

Britthaven Zoning Atlas Amendment

Town Manager Horton requested that the agenda item and its attachments be entered into the record of the hearing and Mayor Howes concurred. He also noted that the Council would take no formal on any matter this evening, other than referral to the Manager and Attorney.

Planning Director Roger Waldon presented a brief overview of the applicant's proposal, noting that rezoning from Residential-2 to Residential-5 was being sought. Mr. Waldon said the Town staff believed that the rezoning of the property could be justified on the basis of achieving purposes of the Town's Comprehensive Plan.

Walter Reynolds, representing the applicant, requested Council approval of the rezoning request. He noted that he would be happy to answer any questions by the Council.

Planning Board Chairperson Bruce Guild said that the Board had considered the request at its December 4, 1990 meeting, and had unanimously recommended approval of the applicant's request. Town Manager Horton said that his preliminary recommendation was adoption of Ordinance A, approving the rezoning request.

Mayor Howes inquired whether any citizens wished to speak on this matter. No citizens expressed a desire to speak.

COUNCIL MEMBER WILKERSON MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO REFER THE MATTER TO THE TOWN MANAGER AND ATTORNEY. THE MOTION WAS ADOPTED UNANIMOUSLY (7-0).

Britthaven Special Use Permit

Parties wishing to testify in the matter were sworn by the Clerk.

Town Manager Horton requested that the agenda item and its attachments be entered into the record of the hearing and Mayor Howes concurred.

Planning Director Roger Waldon stated that the request was for expansion of an existing facility on the site. Mr. Waldon showed a site plan depicting current and proposed buildings on the site. He noted that the applicant would be able to meet all existing development regulations. Mr. Waldon said that approval of the applicant's request was recommended, since the proposed expanded nursing care facility would address a community need. Walter Reynolds, the applicant's representative, said that a two-story addition was proposed on the site. Mr. Reynolds expressed his willingness to answer any questions by the Council.

Planning Board Chairperson Bruce Guild stated that the Planning Board had reviewed the request at its December 4, 1990 meeting. Mr. Guild said the Board concluded that the facility was an appropriate use and was well located. He said that the Planning Board unanimously recommended approval of the request for special use permit.

Town Manager Horton said that his preliminary recommendation was adoption of resolution A, approving the applicant's request for a special use permit.

Mayor Howes noted that no citizens had expressed a desire to speak on this application.

Council Member Andresen requested a review of surrounding land uses. Mr. Waldon briefly reviewed land uses near the site. Council Member Andresen inquired about the extent of notification for this special use permit application. Mr. Waldon stated that all property owners within five hundred feet of the site had received notice of the application. Council Member Andresen requested a review of possible stormwater runoff impacts resulting from construction of the proposed addition. Mr. Waldon noted that there are steep slopes on the rear portion of the site. He added that the proposed development would occur on the higher portion of the site. Mr. Waldon outlined the edge of the site disturbance limits. Council Member Andresen inquired about the provision of detention ponds on the site. Mr. Waldon said that some ponds might be provided in parking areas. He added that the proposed addition would not increase the rate of flow for water leaving the site.

Council Member Andresen suggested that developers pay fees into a stormwater management fund. Council Member Brown requested that the staff research the viability of porous pavers, wherein water would soak into the ground beneath parking areas. Mr. Waldon said that the staff could look into this alternative.

Council Member Rimer inquired why a bus pulloff was needed in this area. Mr. Waldon responded that an increase in transit service was anticipated. Council Member Rimer requested that the staff revisit the need for the bus pulloff. He inquired whether the total staff estimate of one hundred and eighty was correct. Mr. Reynolds said this figure was correct, covering all shifts at the facility. He added that the applicant had no disagreement with providing a bus pulloff, since curb and guttering was needed in the area.

Council Member Rimer noted that porous pavers were a very costly alternative, applicable only in limited circumstances. Council Member Rimer expressed his support for the concept of a drainage fee. Town Manager Horton noted that the staff would make a proposal on drainage to the Council in the spring. Council Member Andresen said she liked the idea of requiring a bus pulloff.

Council Member Wilkerson inquired whether internal improvements would occur. He also inquired about the provision of sprinkler systems. Mr. Reynolds responded that internal improvements were planned. He added that facility would be fully sprinkler-equipped when completed. Mr. Reynolds expressed his concurrence with the proposed conditions of approval.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO REFER THE MATTER TO THE TOWN MANAGER AND ATTORNEY. THE MOTION WAS ADOPTED UNANIMOUSLY (7-0).

Autobath Special Use Permit

Town Manager Horton requested that the agenda item and its attachments be entered into the record of the hearing. Mayor Howes concurred with the request. Planning Director Roger Waldon stated that the applicant was requesting approval of a special use permit for a car wash on Airport Road. He noted that the proposed site contained 1.3 acres and was zoned Neighborhood Commercial. Mr. Waldon said that the proposed facility contained nine automatic car wash bays and an equipment storage room.

Mr. Waldon noted that car washing facilities are subject to special use permit approval and buffering, landscaping and screening requirements. Mr. Waldon said that the northern part of the site was steep, with a drainage swale leading to a culvert under Airport Road. He said that preliminary approval of the applicant's request was recommended, with the condition that grading limits be pulled back ten to twenty feet, in order to preserve existing sycamore and willow trees on the site. Mr. Waldon said that one alternative would be to possibly shorten the car wash building. Council Member Preston inquired about the possible impact of shortening the building's length. Mr. Waldon responded that this would likely result in reducing the number of bays from nine to eight.

Council Member Herzenberg inquired whether the Town currently only had one commercial car washing facility. Mr. Waldon said this was correct. Council Member Wilkerson inquired about the course of runoff under Airport Road. Mr. Waldon said that the runoff ultimately drained into Lake Ellen.

Belinda Wells, the applicant's representative, said that grease traps and a wash water recovery system would be provided at the facility. Ms. Wells added that the facility would meet current Town development standards for car washing facilities. She also noted that a local real estate appraiser had stated that the proposed development would maintain or enhance property values in the area. Ms. Wells stated that the Town's Entranceway Plan had been carefully considered in developing the project's site plan.

Ms. Wells said that minimal grading would be needed to even out slopes on the site. She noted that Town development standards permit slopes of up to fifty percent.

Planning Board Chairperson Bruce Guild said the Board had reviewed the application at its October 30, 1990 meeting, and had recommended approval of the applicant's request by a vote of 7-2. Mr. Guild said that the dissenting voters felt it was inequitable to request that the applicant remove one or two bays from the facility. Town Manager Horton said his preliminary recommendation was the adoption of Resolution A.

Eloise Neebe, representing the Lake Ellen Homeowners Association, expressed concern about the treatment and disposal of waste at the proposed facility. Ms. Neebe noted the need for active monitoring and enforcement of water quality and detention pond monitoring. Ms. Neebe inquired about the viability of solar water heating for the facility.

Council Member Andresen inquired whether sludge removal procedures would be included in the proposed conditions of approval. She also emphasized the need to assure that water from the site entered appropriate storm drains on the site. Council Member Andresen noted that there had been previous problems with car wash sludge collecting in Lake Ellen. She also noted the need to include landscape maintenance provisions in the conditions of approval.

Mr. Waldon said that gentle slopes would be encouraged on the site. He added that 2:1 slopes were workable on the shoulder of a road, but would be too steep in vegetated areas. Mr. Waldon noted that the site would be designed so that surface parking areas would drain toward trap filters. He also noted that none of the current conditions of approval addressed the management of sludge. Mr. Waldon noted that language covering this topic could be included in the proposed conditions of approval. Council Member Brown inquired about provisions for monitoring and enforcing environmental regulations. Mr. Horton responded that monitoring would occur on a complaint basis, with no systematic schedule for inspections. Council Member Brown inquired whether preventative inspections would be possible. Mr. Horton said that this matter could possibly be addressed within the context of the budget. Council Member Brown said that Ms. Neebe's suggestion concerning solar heating of water merited further investigation.

Council Member Rimer suggested review of the dumpster location relative to strength of asphalt on the site. Council Member Rimer said he hoped that the Appearance Commission could explore alternatives to proposed cobra head street lights on landscaping islands. He also requested that the staff provide additional information concerning proposed stormwater runoff plans for the site.

Council Member Preston inquired how Mr. Jewell proposed to address slope concerns. Daniel Jewell responded that shrub plantings would be used in level areas. He added that it was possible to plant and maintain trees on slopes of up to forty-five degrees. Council Member Preston inquired about possible tradeoffs between gentler slopes and the elimination of an additional bay. Mr. Jewell said that the steeper slopes could maintain vegetation.

Council Member Wilkerson inquired how car washing materials used by customers could be monitored. He also requested a follow-up report on any problems experienced by owners of the car wash in

Carrboro, depicted in photographs distributed to the Council by the applicant.

Ms. Wells expressed the applicant's concurrence with all proposed conditions of approval, with the exception of condition number three. She requested that this condition be modified to permit the south side of the drainage ditch a maximum 2:1 slope.

COUNCIL MEMBER RIMER MOVED, SECONDED BY COUNCIL MEMBER WILKERSON, TO REFER THE MATTER TO THE TOWN MANAGER AND ATTORNEY. THE MOTION WAS ADOPTED UNANIMOUSLY (7-0).

Chapel Hill North Special Use Permit

Persons wishing to testify were sworn by the Clerk.

Town Manager Horton requested that the agenda item and its attachments be entered into the record of the hearing and Mayor Howes concurred. Mr. Waldon noted the Chapel Hill North was the first project covered by the Town's new mixed-use regulations. He briefly reviewed the proposed project and its site plan. Mr. Waldon stated that the application had been reviewed by Town advisory boards and commissions, and had received a courtesy review by the Design Review Board. Mr. Waldon noted that the Appearance Commission's revised recommendation had been placed at the Council's table earlier in the evening. He said that there were fourteen major issues related to the application.

Mr. Waldon noted that widening of North Carolina 86 and Weaver Dairy Road were recommended by the staff. He added that the Town staff had accepted the conclusions of the applicant's traffic impact statement. Mr. Waldon stated that a proposed gasoline station along NC 86 had been a subject of much discussion and debate. He added that proposed buffering of the proposed station site was minimal. Mr. Waldon said that proposed transit access to the site was adequate. He added that ordinance requirements called for the provision of seven hundred parking spaces, while the applicant proposed to provide about one thousand spaces, excluding the park and ride lot. Mr. Waldon stated that the staff recommended reducing the number of parking spaces, in order to address runoff concerns.

Ron Strom, Managing Partner of Chapel Hill North, said over six hundred thousand square feet of building space had been approved by the Council. He said that the current special use permit covered approximately seventy percent of the site. Mr. Strom said that the staff's recommendation included forty-four conditions of approval. He added that proposed buffering of the site had been increased dramatically. Mr. Strom said that the original Northwoods neighborhood buffer of fifty feet had been extended to one hundred and sixty feet. He added that a proposed driveway

immediately across from Northwoods Drive had been deleted from the site plan.

Mr. Strom said he was examining alternatives for tasteful ground signage. He said that minimal signage was needed to attract customers to the development. Mr. Strom said that signage would be similar to the scale of signage at the church across NC 86 from the site. He stated that erroneous information concerning underground fuel storage tanks had alarmed and disquieted Northwoods residents. Mr. Strom concluded his remarks by reading excerpts from letters of persons supporting the approval of the Chapel Hill North special use permit. He urged the Council to analyze the facts before them in making the decision which was in the best interest of the community.

Mark Zack of Hakan/Corley Associates, said that the site had unique characteristics which provided a transition from a rural to an urban and suburban character. Mr. Zack noted that large scale buildings would be located at the rear of the site and near the intersection of NC 86 and Weaver Dairy Road. He said that the proposed site plan was appropriate to the character of the Town.

Dan Jewell said that emphasis was being placed on smaller scale, more colorful plantings. He briefly reviewed existing and new tree locations and proposed buffering strategies for the site. Mr. Jewell said that the buffer along NC 86 would vary between thirty and fifty feet in width. He added that the developers would replant disturbed buffers to exceed Town standards.

Mr. Zack said that a variety of strategies would be used to encourage pedestrian circulation. Mr. Jewell showed proposed rooflines and elevations of buildings, noting that many would present a double gable effect. He added that the gasoline station was intended for motorists, rather than large trucks and delivery vehicles.

Tom Edgerton, representing Edgerton Environmental Services, said he had been involved with environmental issues since 1971. Mr. Edgerton stated that his firm had been involved with the monitoring of underground tanks since 1985. He noted that the vast majority of storage tank leakage problems occur in older units. Mr. Edgerton added that tanks installed today are subject to much higher standards than older tanks.

Planning Board Chairperson Bruce Guild said that the Board had considered the special use permit request at its December 4, 1990 meeting. Mr. Guild briefly reviewed the conditions of Resolution B, as unanimously recommended to the Council. He highlighted the need to limit the hours of the gas station, preventing the entry of tractor-trailers into the station, and the need for a loop water system for fire protection.

Rachel Willis, a member of the Transportation Board and representative on the Design Review Board, said that the Transportation Board recommended denial of the special use permit request. Ms. Willis stated that the board found that the project did not achieve the goals of the Town's mixed-use development ordinance. She added that there was a great potential for vehicle/pedestrian conflicts. Ms. Willis also said that the applicant was proposing too many parking spaces and lacked specifics for the park and ride facility. She stated that the inadequate planning for parking would contribute to pollution and congestion problems. Ms. Willis noted that the Transportation Board had recommended delaying approval of the special use permit until revisions to the mixed-use ordinance were completed.

Town Manager Horton said that his preliminary recommendation was the adoption of Resolution A.

David Jones, representing the Stoneridge/Sedgefield neighborhood association, said that traffic was his association's primary concern. He suggested that the Council require the completion of roadway improvements prior to the issuance of a certificate of occupancy. Mr. Jones also expressed his concern that the applicant's traffic impact statement appeared to be overly optimistic, since walking and mass transportation were not encouraged within the site. Mr. Jones noted that the State Department of Transportation did not currently include Weaver Dairy Road on its plans for future roadway expansion.

Mr. Jones said that runoff from the site would run under I-40 and flow into New Hope Creek, through and around existing residential developments. He urged the Council to protect the needs and interests of humans and wildlife. Mr. Jones expressed concern that the impact of contamination was potentially catastrophic. He urged the Council to exercise extreme caution in its possible approval of a gasoline station within the project. Mr. Jones also expressed his concern that the option for the park and ride lot was scheduled to expire on January 23rd.

Ken Strickland noted that deep wells are the only source of water for many residents of the Sedgefield and Stoneridge neighborhoods. Mr. Strickland expressed concern that leaks from gasoline tanks could contaminate area groundwater. He requested that if a service station were approved, the Council should require monitoring wells to be installed at the expense of the owner.

Patricia Hunt, 100 Northwood Drive, said her home would be closest to the proposed Chapel Hill North development. Ms. Hunt expressed grave concern about existing severe traffic problems on NC 86. She said that access to the roadway varied from almost impossible to very dangerous. Ms. Hunt said that traffic problems needed to be adequately addressed in response to public safety and welfare concerns.

Ms. Hunt stated that the addition of a gas station would generate additional noise and lighting levels in the area. Ms. Hunt requested that the Council deny the installation of underground gasoline storage tanks. Alternatively, she suggested that a one million bond be held by the Town as a means of providing for providing safe drinking water. Ms. Hunt stated that an agreement could be reached where the bond could be called in the event of groundwater contamination. Ms. Hunt requested that the Council deny approval of the special use permit request.

Larry Benninger requested that the residents of Northwoods in attendance this evening to rise. They did so. Mr. Benninger stated that he was a professional geologist and a concerned resident of Northwoods. He expressed his concern about the potential for groundwater contamination. Mr. Benninger noted that there was a good deal of uncertainty concerning the direction of groundwater flow in the Northwoods/NC 86 area. Mr. Benninger said that if the Council approved a gas station in the development, provision of bond or pollution insurance by the gasoline station would be a very good idea.

Mr. Benninger stated that the Division of Environmental Management had registered sixty-two thousand underground storage tanks around the state, ten thousand of which had experienced some type of leakage. Mr. Benninger said that although the Division of Environmental Management did inspect new installations, they were only able to inspect existing tanks on a basis of spot inspections. He requested that the Council recommend denial of the proposed gasoline station, or the provision of adequate insurance, in the event that a station were approved.

David Ridgefield, 106 Bayview Drive, said that there appeared to be little planning for maintaining existing vegetation on the Chapel Hill North site. He added that most large trucks would visit the service station on one occasion, even if the station were not accessible to larger vehicles. Mr. Ridgefield stated that it did not appear to be in the public's best interest to have another gas station in the area. He added that one of the primary objectives of mixed use development is to encourage the use of alternatives to automobiles. Mr. Ridgefield urged the Council to reject the approval of a gasoline station within the site.

David Henderson, a resident of Northwoods, said he would limit his remarks to traffic concerns. Mr. Henderson said that the Council had three options: to deny the special use permit, since it would violate condition twelve of the master land use plan; to require that additional traffic signals be installed prior to issuance of certificates of occupancy; or to require a new traffic impact statement. Mr. Henderson noted that State Department of Transportation officials had recently indicated that they had no plans to install a traffic signal at NC 86 and Eubanks Road. Mr.

Henderson suggested that the developers of Chapel Hill North could be required to pay for the cost of this installation. Mr. Henderson also suggested that an independent, unbiased traffic consultant should be hired to produce a new traffic impact statement.

David Godschalk said he had followed the Chapel Hill North project since its inception. He noted that a number of desirable changes had been made in the proposed site plan. Dr. Godschalk said that the elevations and character of the site plan complemented those of the Town. He also expressed his support of the proposed site layout and vegetation plan. Dr. Godschalk stated that additional new requirements were inappropriate at the latter stages of development review. He expressed hope that the Council would give reasonable consideration to the Chapel Hill North application.

Sandy McClamroch, former Chapel Hill Mayor, noted that he was an investor in the Chapel Hill North project. Mr. McClamroch stated that the Chapel Hill North location was an ideal site for a mixed-use development. Mr. McClamroch added that Mr. Strom had worked very hard on the developing and modifying the Chapel Hill North special use permit.

Greg Standreider, representing Timberlyne Shopping Center, expressed his endorsement of the project. Mr. Standreider expressed his belief that once Chapel Hill North was completed, it would be well-maintained.

Watts Hill, Jr. expressed his concurrence with David Godschalk's earlier remarks. Mr. Hill said that the project proposal had been well-handled by the developer and Town staff. Mr. Hill encouraged the Council to think of Chapel Hill North as a significant addition to the Town's future tax base.

Bob Daugherty, 105 Hunter Hill Road, said he agreed with his neighbors' traffic and gasoline station concerns. Mr. Daugherty urged the Council to recommend denial of a gasoline station within Chapel Hill North. Noting that the Town valued its entranceways, Mr. Daugherty stated that proposed buffering for the development was inadequate. He also suggested that parking lots be located as far away as possible from the NC 86 corridor. Mr. Daugherty urged the Council to be as conservative as possible in consideration of the Chapel Hill North proposal.

Libby Vesilind, 107 Hunter Hill Road, noted that a letter outlining concerns of Northwood homeowners had been placed at the Council table earlier in the evening. Ms. Vesilind stressed that the continued attractiveness of the NC 86 corridor was a cause for concern for all Town residents, not just residents of Northwood. Ms. Vesilind noted that there were several important unresolved questions concerning the development proposal including the traffic service levels, the cost of the park and ride lot, the proposed

gasoline station and the future ownership of the property. She expressed her hope that the Council would stand firm on its goals for the Chapel Hill North project, as related to the Town's development standards and Comprehensive Plan. Ms. Vesilind expressed concern that the developers of Chapel Hill North were being inflexible in an attempt to wear down persons opposing the development

Charlie Johnson, a resident of Whitfield Road, said he was more concerned about leaching of the landfill materials than possible groundwater contamination by the proposed gasoline station. Mr. Johnson said that underground gasoline storage tanks do not pose a major problem. He urged the Council to consider the Chapel Hill North proposal, particularly considering its future tax impacts.

Don Patterson, Vice-Chairperson of the Chapel Hill-Carrboro Business Development Division of the Chamber of Commerce, said that the Chapel Hill North project would be a positive step forward and a beneficial asset to the area. Mr. Patterson recommended that the Council approve Chapel Hill North's special use permit request. Mr. Patterson stated that the project, at build out, would generate an estimated \$500,000 of tax revenue per year, not including sales tax revenue.

Jerry Levitt, 201 Butternut Drive, said that the proposed Chapel Hill North site plan was appropriate for the community. Mr. Levitt said he looked forward to patronizing Chapel Hill North, reaching his destination by foot or on a bicycle. Mr. Levitt stated that Chapel Hill North was a well-planned project which would help to build the area's tax base.

Stick Williams emphasized the need for quality local economic development projects. He requested that the Council favorably consider Chapel Hill North's special use permit request.

Fred Simon, 209 Hunter Hill Road, said he had significant water contamination and traffic concerns. He showed a chart depicting existing traffic counts by hour on NC 86. Mr. Simon stated that there had been eighty-eight reported accidents during 1990 on NC 86 between Weaver Dairy and Homestead Roads. He suggested that it was not necessary, nor economically feasible, for a gasoline station to be in operation twenty-four hours per day. Mr. Simon noted that the Planning Board had similarly recommended against an around-the-clock gas station facility.

Linda Roberts expressed concern about the proposed entrance locations to Chapel Hill North. Mr. Zack clarified the revised entrance locations. Ms. Roberts requested that the driveway line up with that of her church on NC 86 or relocated away from the church driveway.

Bob Holsinger, representing the applicant, said that trip generation counts for the project were based on empirical data. He noted that heavy truck traffic constituted only two percent of trips on NC 86.

Anne Weeks, 104 Autumn Lane, said that the Chapel Hill North application process had been an incredibly disappointing experience. She stated that there had been little improvement in the applicant's proposed development. Ms. Weeks added that the development was a shopping center, rather than a mixed-use project. She stated that the project's proposed architecture was uninspiring.

Jim Protzmann stated that his firm was considering possible relocation of its offices to Chapel Hill North. Mr. Protzmann noted that approximately two hundred parking spaces would be needed to accommodate his firm's employees.

Todd Neumencap said he was appalled at the proposed location of the Chapel Hill North mass transportation facility. Mr. Neumencap said his wheelchair had been hit by vehicles in a parking lot twice in the five years he had resided in the Town. Mr. Neumencap said that the location of the proposed bus stops discriminated against the needs of handicapped persons. Mr. Neumencap requested that the staff work with the developer to find more appropriate bus stop locations.

Given the lateness of the hour, Mayor Howes suggested that the Council continue with the public hearing to January 28th at 7:00 p.m.

COUNCIL MEMBER HERZENBERG MOVED, SECONDED BY COUNCIL MEMBER PRESTON, TO RECESS THE PUBLIC HEARING TO MONDAY, JANUARY 28TH AT 7:00 P.M. THE MOTION WAS ADOPTED UNANIMOUSLY (7-0).