

GOVERNMENT
OF
THE DISTRICT OF COLUMBIA

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BOARD OF ZONING ADJUSTMENT

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PUBLIC MEETING

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TUESDAY,
OCTOBER 15, 2002

The public meeting convened in Room 220 South, 441 4th Street, N.W., Washington, D.C. 20001, pursuant to notice, at 9:00 a.m., Geoffrey H. Griffis, Chairperson, presiding.

BOARD OF ZONING ADJUSTMENT MEMBERS PRESENT:

| | |
|-----------------------|---------------------|
| GEOFFREY H. GRIFFIS | Chairperson |
| ANNE MOHNKERN RENSHAW | Vice Chairperson |
| CURTIS ETHERLY, JR. | Board Member |
| DAVID ZAIDAIN | Board Member (NCPC) |

ZONING COMMISSION MEMBERS PRESENT:

| | |
|-------------------|--------------|
| JAMES H. HANNAHAM | Commissioner |
|-------------------|--------------|

COMMISSION STAFF PRESENT:

Clifford Moy, Office of Zoning
Beverly Bailey, Office of Zoning
John K. A. Nyarku, Office of Zoning

D.C. OFFICE OF CORPORATION COUNSEL:

Alan Bernstein
Lori Monroe

AGENDA ITEM

PAGE

APPLICATION OF THE BRANDYWINE STREET ASSOCIATION:
16911 ANC-8E 3

P-R-O-C-E-E-D-I-N-G-S

(9:00 a.m.)

CHAIRPERSON GRIFFIS: Please forgive the delay. I take full responsibility for it this morning. We will make up this time. It is the 15 October 2002 public meeting. I would like to call that to order.

MR. MOY: Good morning, Mr. Chairman.

CHAIRPERSON GRIFFIS: Good morning.

MR. MOY: We have before us application 16911, which is the Brandywine Street Association, pursuant to 11 DCMR 3103.1, for a special exception for a child development center under section 205 and a special except for a community service center under section 334 and pursuant to 11 DCMR 3103.2, a variance from the floor:area ratio requirements, under section 402 a variance from the lot occupancy requirements under section 403, a variance from the open court requirements under section 406, and a variance from the off-street parking requirements under section 2101 to convert and expand an apartment building into a community service center and a child development center in the R-5-A district at premises 700 Brandywine Street, Southeast, Square 6163, Lot 125.

The application here has filed a motion

1 for reconsideration of a three-year time limit that
2 the Board approved at its hearing on September the
3 17th, 2002. Thank you, sir.

4 CHAIRPERSON GRIFFIS: Thank you, Mr. Moy.

5 Board members, we have this submission for
6 reconsideration. Therefore, we have a motion for
7 reconsideration in front of us. Let me have some
8 discussion on it first before we make the formal
9 motion to see perhaps what our options are.

10 Clearly it is this Board's past
11 experience, I would say, that new uses, child
12 development centers more often than not have some time
13 limit on them, although there was submission of
14 numerous cases that did not, dating quite a bit back
15 in time. I would like to hear a little bit of brief
16 discussion on the fact of the time limit as it is
17 important to this case.

18 Mr. Zaidain?

19 MEMBER ZAIDAIN: Well, I understand the
20 applicant's concern in terms of the competitive nature
21 of the grant program they're trying to get into, but I
22 think one of the things that concerns me is kind of an
23 all or nothing approach that is being taken here.

24 There are no real options that the Board
25 has currently or the only options presented to us now

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1 are either stay with the three-year time period, which
2 the applicant has said is unacceptable, or go with no
3 time limit at all, which if I remember from the
4 original hearing, I don't think this Board is
5 supportive of. I think there were some issues that
6 were brought up in the record and some concerns noted
7 by this Board that led us to establishing a time
8 limit.

9 And I think the position I am in is I
10 would like to get some more information or hear some
11 testimony or whatever on what is an acceptable time
12 limit because I think we are supportive of the
13 project, but I think it has to be the practice of this
14 Board that where there are concerns, to put a time
15 limit on it.

16 So I am still in favor of having a time
17 limit, but I am not averse to reconsidering what that
18 time limit is. And I am opposed to not having any
19 time limit at all.

20 CHAIRPERSON GRIFFIS: Okay.

21 MEMBER ZAIDAIN: That is where I stand.

22 CHAIRPERSON GRIFFIS: So if I understand
23 you correctly, clearly you're looking for a time
24 limit, but you are also looking for perhaps additional
25 information or some sort of guideline on time limit.

1 Would it be appropriate, then, to see that from the
2 applicant?

3 MEMBER ZAIDAIN: I would say so, yes.

4 CHAIRPERSON GRIFFIS: I see. Okay.
5 Others?

6 VICE CHAIRPERSON RENSHAW: There is the
7 need, Mr. Chairman, for supplemental information. If
8 we are going to ask the applicant to brief us on this,
9 we need to get more information for the file on the
10 funding requirements that the applicant is entering
11 into because that was not brought out at our hearing.

12 So we did not have any remarks by the
13 applicant to state that the requirements of their
14 application, their grant application restricted the
15 Board's intention or would hamper the Board's
16 intention to put a time limit on this.

17 CHAIRPERSON GRIFFIS: Very well. Is the
18 applicant representative here?

19 MS. BROWN: Yes, we are.

20 CHAIRPERSON GRIFFIS: Do you mind coming
21 to the table?

22 MS. BROWN: Good morning, Mr. Chairman.
23 Carolyn Brown with the law firm of Holland and Knight
24 on behalf of Brandywine Street Association. Here with
25 me is Henry Bowden.

1 CHAIRPERSON GRIFFIS: Let me start.

2 MS. BROWN: Sure.

3 CHAIRPERSON GRIFFIS: If I am
4 understanding my Board correctly, they are looking for
5 some guidance. And that should come from you or we
6 will allow that to come from you. And that is, as my
7 understanding from what I am hearing, the Board would
8 like to have a submitted proposed from the applicant
9 time period.

10 Also, that should be based on the argument
11 that was begun in the recent submission. And that is
12 in terms of funding and how that funding would relate
13 to a time period.

14 I think it is fairly clear in the comments
15 that I have just heard that a time limit will be a
16 condition of the order.

17 MS. BROWN: If I may respond, I am a
18 little surprised to hear that because there was
19 nothing in the record --

20 CHAIRPERSON GRIFFIS: Indeed.

21 MS. BROWN: -- and no evidence whatsoever
22 to suggest a time limit was necessary. There was also
23 plenty of discussion on the funding requirements that
24 Mr. Bowden had testimony at the record about the \$1.3
25 million funding necessary and exactly how that the

1 zoning approval was critical to getting that
2 financing.

3 So I am surprised to hear that that was
4 not clear to the Board members.

5 CHAIRPERSON GRIFFIS: I don't know what to
6 say except that it isn't. I think there has been
7 substantial thought on this, as I am hearing from my
8 Board members.

9 What I would like to do is give you a
10 week, if that is possible. We can set this for
11 Tuesday first thing and get through this very quickly.

12 MS. BROWN: If we may, Mr. Bowden may
13 address a couple of these issues now for you. I think
14 that might be appropriate given that we have a
15 submission deadline today with DHCD.

16 CHAIRPERSON GRIFFIS: For the CBDG funds?

17 MS. BROWN: Yes.

18 CHAIRPERSON GRIFFIS: Indeed.

19 MR. BOWDEN: Good morning. My name is
20 Henry Bowden with Bowden Realty, Incorporated. I am
21 representing Brandywine Street Association as their
22 project manager.

23 We are making a submission today for some
24 community facilities funds that are being administered
25 by DHCD. As a part of that submission, they have

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1 outlined a 20-year time frame. And part of our
2 submission is a 20-year projected pro forma.

3 Now, it doesn't say in there that you have
4 to operate this facility for 20 years, but that is
5 sort of the implication that they are making by
6 requesting this kind of time frame.

7 CHAIRPERSON GRIFFIS: I don't question
8 that certainly the federal CBDG funds want to fund
9 something that is going to be around for a while.
10 However, facilities and programs go through annual
11 reviews, updates.

12 If I understand what my Board is looking
13 for, I don't think that they are convinced to the fact
14 that a three or a five-year time period actually
15 knocks you out of the running for the federal funds.

16 MR. BOWDEN: If I may, I think there are
17 two issues. One is the CBDG funds that we are asking
18 for. And then the other thing is the private
19 foundations, which we have requests pending for now.
20 As I said, what we are requesting from -- it doesn't
21 mean we will get it, but what we are requesting from
22 DHCD is a 40-year amortizing loan in the amount of
23 \$350,000.

24 In addition, we have a number of other
25 pending applications before various foundations,

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1 private, public foundations here in the District of
2 Columbia, that we are requesting grants for. In my
3 experience --

4 CHAIRPERSON GRIFFIS: Are they one-time
5 grants?

6 MR. BOWDEN: Well, we have some that are
7 ongoing because some are for operating funds and some
8 are for capital funds. And, of course, different
9 foundations have different rules about what they will
10 either give you in terms of capital or operating.

11 My experience in the past is that for the
12 operations like that, Perry School, 128 M Street,
13 which has another child care facility that is a little
14 bit larger facility than the one we're talking about
15 here today, most of these foundations are taking like
16 a ten-year horizon.

17 And, of course, the grants in the 100 to
18 200 thousand-dollar range are pretty sizeable grants,
19 especially for an organization like this. To have
20 them amortized over a three or five-year kind of time
21 period I think is really going to knock us out of the
22 ballpark.

23 They have so many requests for funds that
24 if they had the choice of making a grant to us where
25 they're saying they're seeing a three-year time frame

1 or to another one where they're seeing a ten-year or
2 no time frame and equally worthy causes because there
3 is a lot of need, I think it is going to knock us out
4 of the box for our request to these private
5 foundations.

6 I think that if there had to be a time
7 frame, something more like a 10 to 15-year time frame
8 would be more appropriate.

9 CHAIRPERSON GRIFFIS: Board members?

10 MR. BOWDEN: Mr. Chairman?

11 CHAIRPERSON GRIFFIS: Yes?

12 MR. BOWDEN: I would also point out that
13 all of the officers live either in the 600 or 700
14 block of Brandywine Street. I believe -- I don't know
15 all of this for a fact, but I believe all of the board
16 members live on Brandywine Street.

17 So this is truly an association made up of
18 the community and the community members. It's not
19 like you have a private operator of a child care
20 facility that is coming in from outside to operate
21 here. This is really the community. The neighbors
22 themselves are operating this facility.

23 CHAIRPERSON GRIFFIS: I thought you were
24 operating it.

25 MR. BOWDEN: No. I am the project manager

1 and helping them develop the center.

2 CHAIRPERSON GRIFFIS: Thank you. But
3 there is an operation entity.

4 MR. BOWDEN: Well, yes. We have a
5 proposal pending with the Lutheran Church Missouri
6 Senate that would be the actual operator of the --

7 CHAIRPERSON GRIFFIS: So it's not the
8 neighbors coming down and pitching in to volunteer on
9 this one.

10 MR. BOWDEN: No. I'm sorry. I misspoke.

11 CHAIRPERSON GRIFFIS: That's okay.

12 MR. BOWDEN: I think the other thing is we
13 did not have any opposition at our hearing, we had a
14 stack of letters about so from the community that
15 supported us. The ANC did not meet, but we had a
16 member from the ANC member who did support the
17 project.

18 CHAIRPERSON GRIFFIS: I understand. I
19 think the Board's concern is not that there was
20 opposition, not that there were some issues that were
21 of concern and the concern is the fact that they are
22 untested. That is a lot of what happens with these
23 centers. Not only do we see them come back with
24 problems and controversies of things that developed,
25 as special exceptions to find it is a certain measure

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1 of control for the neighborhood and the community.

2 Board members, there has been now thrown
3 out there, if I heard correctly, a time period. I
4 would like to hear some quick reactions on it because
5 I think we can either take action now or we need to
6 move this on. Yes, Commissioner Hannaham?

7 COMMISSIONER HANNAHAM: If I remember,
8 some of the questions I asked you at the last hearing
9 were in this general direction. I was very concerned
10 that a group of neighbors, now matter how
11 well-intended, might not be able to undertake an
12 effort like this. I think we came up with numbers
13 like a million dollars or so. It was quite an
14 elaborate undertaking to reconfigure that building and
15 also to manage a program on the basis of just some
16 folks who had good intentions in a block or a
17 neighborhood.

18 Your testimony, if I remember, indicated
19 that they were getting reinforced by an experienced
20 entity. You had already established two similar
21 centers, significantly larger than this center that
22 you contemplated for operating this center.

23 That gave me encouragement because I know
24 going from scratch, I've seen so many failures and
25 I've seen so many white elephants. I would tend to

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1 give you the benefit of the doubt. I certainly
2 wouldn't want to hamper your ability to raise the
3 money. And it is going to take a lot of innovation, a
4 lot of smarts to raise the money.

5 I would tend to give you the benefit of
6 the doubt and give you a chance to prove that you can
7 do this thing because in that community, it is really
8 needed. It is really, really needed, even if a chance
9 of failure. It is worth taking a chance.

10 For five or ten years, I could live with
11 that.

12 CHAIRPERSON GRIFFIS: Which one?

13 COMMISSIONER HANNAHAM: I would give them
14 the benefit of the ten years to start with. Let's see
15 how that works.

16 CHAIRPERSON GRIFFIS: Very well.

17 MEMBER ZAIDAIN: Mr. Chairman?

18 CHAIRPERSON GRIFFIS: Let's take up the
19 motion, then, first of all. I would move that we open
20 the records for reconsideration of application 16911
21 and look for a second.

22 MEMBER ZAIDAIN: Second.

23 CHAIRPERSON GRIFFIS: Thank you very much.

24 MEMBER ZAIDAIN: Was the motion just
25 reopened?

1 CHAIRPERSON GRIFFIS: It is indeed.

2 MEMBER ZAIDAIN: Okay. Second.

3 CHAIRPERSON GRIFFIS: We already have. So
4 we might as well make it formal.

5 MEMBER ZAIDAIN: Sure.

6 CHAIRPERSON GRIFFIS: Then --

7 VICE CHAIRPERSON RENSHAW: We are still in
8 the discussion phase.

9 CHAIRPERSON GRIFFIS: Indeed. It is a
10 motion for reconsideration. Then we can make a
11 substantive motion, just so that we know that we are
12 officially reconsidering this case. If there is not
13 any further discussion on the motion, I would ask for
14 all of those in favor, signify by saying "Aye."

15 (Whereupon, there was a chorus of "ayes.")

16 CHAIRPERSON GRIFFIS: And opposed?

17 (No response.)

18 CHAIRPERSON GRIFFIS: Very well. Ms.
19 Brown, I think you were on the tip of giving us a
20 motion, then.

21 MS. BROWN: Is it possible for me to
22 address one more issue just for clarity's sake?

23 COMMISSIONER HANNAHAM: Yes.

24 CHAIRPERSON GRIFFIS: This would be the
25 last possibility, I would imagine.

1 MS. BROWN: I just wanted to point out
2 that in the cases where you have imposed time limits,
3 the maximum that you have given without any clear
4 record of why there is a time limit has been 15 years.
5 So I would urge you to consider 15 as the outside
6 limit.

7 I also for clarity would ask --

8 CHAIRPERSON GRIFFIS: You are talking
9 about historically.

10 MS. BROWN: Historically. But also, you
11 know, some of those cases that are listed in the chart
12 go up to 2,000 as well where there is no time
13 limitation. If I could just ask for clarity on what
14 issues need to be addressed by the time limit, that
15 would help me because I think the traffic issues have
16 already been addressed by the parking signs requested.

17 CHAIRPERSON GRIFFIS: Right.

18 MS. BROWN: So if I could understand what
19 the concerns were in the record before you that need
20 the time limits, that would be helpful.

21 CHAIRPERSON GRIFFIS: Indeed. And I think
22 that is very appropriate. Mr. Hannaham has brought up
23 one. And I think it is a very general one, but I
24 think it goes to the heart of the matter as that is
25 actual operation, "How is it they stay open? How does

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1 it function?"; its operating within the community.
2 Certainly, yes, there is no traffic impact now.
3 However, five years from now, we are not sure. And
4 that is the whole point of a reevaluation of a use
5 like this within the area that it is proposed.

6 Secondly --

7 VICE CHAIRPERSON RENSHAW: There is the
8 possible adverse effect of 61 children at any given
9 time, which was one of our conditions, that there not
10 exceed 61 children. But that, in itself, is an impact
11 on the neighborhood. And, albeit the neighborhood is
12 putting together the association which is directing
13 this operation, there could be in the future over the
14 years as this develops an adverse impact.

15 And it is not unreasonable for the Board
16 to ask the applicant new to this effort to come back
17 before it, not as the negative operation, not as a
18 punitive demand, but one of, "Hey, how are you doing?"
19 and "That's good. We endorse what you are doing. Go
20 out and continue to do the good work that you are
21 doing."

22 So I am questioning how you are
23 interpreting the requirements of the Board of Zoning
24 Adjustment to these foundations and to DHCD. We have
25 requirements as they have requirements. And they have

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1 to understand the limits of the regulations and the
2 possibility that this Board could ask you to come back
3 in three years or possibly in five years should we
4 extend it to just let us know how you are doing. That
5 is a check and a balance.

6 Foundations can easily understand that we
7 would have this requirement. They may have something
8 of this nature themselves to check on how their money
9 is being spent.

10 So it's in what light are you putting the
11 Board of Zoning Adjustment's regulations? And it
12 sounds to me as though you are saying that we are
13 imposing a horrible hardship on you; whereas, we are
14 asking you to come back in -- we thought it was going
15 to be three years -- to just let us know how you are
16 doing.

17 MR. BOWDEN: I think if it was written in
18 the order that way, it would make it much easier than
19 the way that it appears in the order, where my
20 understanding was what is written there is that, as
21 currently stated, in three years, our right to operate
22 would cease and we would come back to the Board and
23 ask for an extension of that right.

24 CHAIRPERSON GRIFFIS: Well, we would hope
25 you would come back before that three years.

1 MR. BOWDEN: Right. We would be --

2 CHAIRPERSON GRIFFIS: And, again, I don't
3 have a problem with that. I think we can certainly
4 put in Ms. Renshaw's well-articulated point.

5 Last word.

6 MS. BROWN: If I may, you know, there is a
7 difference between a reporting requirement and having
8 to come back and get approval.

9 CHAIRPERSON GRIFFIS: Indeed.

10 MS. BROWN: I think that perhaps that
11 might be an alternative solution to this serious
12 problem that we are running into.

13 CHAIRPERSON GRIFFIS: I am not sure we
14 have a process for that.

15 All right. I think we have heard what we
16 have.

17 MR. BERNSTEIN: I don't know if you want
18 me to say anything about that, but there is a
19 difference between a term limitation and a reporting
20 requirement.

21 CHAIRPERSON GRIFFIS: I understand.

22 MR. BERNSTEIN: As long as you understand
23 that, I don't think we have --

24 CHAIRPERSON GRIFFIS: I clearly
25 understand. If I understand my Board, the sentiments

1 of it, it is not just to be updated on process and how
2 things are going from the applicant. I think it is
3 under the exact reasoning for special exceptions.

4 And so I would like to hear where the
5 Board is now.

6 VICE CHAIRPERSON RENSHAW: Mr. Chairman,
7 do you want a motion? Is that what you are looking
8 for at this time? I would move that the term limit,
9 then, for application number 16911 be extended for a
10 term of five years.

11 CHAIRPERSON GRIFFIS: Is there a second?

12 (No response.)

13 CHAIRPERSON GRIFFIS: Do I take it that
14 the motion failed for lack of a second? Is there
15 another motion?

16 COMMISSIONER HANNAHAM: Mr. Chairman, I
17 would move that the issue of review and approval be
18 extended from three years, as it is currently stated,
19 to ten years.

20 CHAIRPERSON GRIFFIS: Very well. Ten-year
21 time period on the order. I would second that.

22 VICE CHAIRPERSON RENSHAW: Mr. Chairman, I
23 think that ten years for a start-up operation, albeit,
24 as Mr. Hannaham has said, how well-intended, is this
25 operation is, to my mind, just too long a period of

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1 time.

2 There is the potential for adverse
3 circumstances. We hope that that is not the case. We
4 want this to succeed, but we need to give the
5 community an outlet for returning to the Board to
6 discuss any adverse impact should that be the case.

7 I think that for a new operation, the
8 maximum should be seven years. And I would offer that
9 as a substitute motion.

10 CHAIRPERSON GRIFFIS: Okay. Ms. Renshaw,
11 I think you are absolutely correct. And I think this
12 Board takes very seriously community input and
13 community avenues for remedying any sort of adverse
14 impacts that new use is put on that.

15 However, in this particular case, first of
16 all, I see a huge investment in development creating
17 this facility, albeit in an existing building. There
18 is that large investment, not only setting up a new
19 program.

20 I take great concern with yours and also
21 Mr. Hannaham's concerns about operation and continued
22 operation. However, I think in light of the specifics
23 of this case, we know full well that 61 kids in that
24 block may well create problems. But I don't believe
25 that they can really get up and going and see full

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1 fruition of their investment, not to mention what has
2 been brought up today about the financing.

3 I would support a ten-year period on this
4 knowing that there are steps on the way that, in fact,
5 could be taken if something absolutely critical were
6 to develop.

7 Others? Speak to the motion.

8 COMMISSIONER HANNAHAM: Mr. Chairman, as I
9 said before, I think that the risk of failure in many
10 instances is worth taking in situations where a
11 community has been completely frozen in terms of the
12 opportunities for its inhabitants. Here we have an
13 incidence where there is the coming together of not
14 only the people in the community but people who are
15 energized and who have a record of success in similar
16 enterprises being willing to take on a principal role
17 in assistance.

18 I think that the risk here is very well
19 worth taking. You can't succeed unless you take a
20 chance. I would very much think that this would put
21 them over the line and give them that amount of
22 flexibility in the grant process and the grant
23 politics, so to speak. So I am willing to take a
24 chance.

25 The risk is the community's risk as well,

1 but I am willing to support them and to give them our
2 encouragement and wish them the best on this.

3 CHAIRPERSON GRIFFIS: Good. I appreciate
4 that. Any others?

5 VICE CHAIRPERSON RENSHAW: Mr. Chairman, I
6 really feel that we have got to have more in the
7 record concerning this funding dilemma than we have
8 got right now.

9 CHAIRPERSON GRIFFIS: I understand your
10 concern. I am just not sure what we would get that
11 could address all of it.

12 VICE CHAIRPERSON RENSHAW: Some
13 requirements from DHCD and from some of these other
14 funding sources so that the record will be, shall we
15 say, more full about the requirements of the
16 applicant?

17 CHAIRPERSON GRIFFIS: Right. I
18 understand. And if I understand what the applicant
19 said today, I am not sure if they gave us the proposal
20 that we could look to the fact of how they
21 specifically would be hurt or benefitted by a time
22 period. However, based on the fact of the funding and
23 the cycles of it, clearly I think common sense would
24 even tell us that three years for approval and five
25 years and ten years, there will be some difference.

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1 Obviously the longer, the more positive perhaps.

2 However, perhaps you could look at it the
3 other way. In ten years, maybe HUD is relieved that
4 there are others looking at it, that there is a
5 positive operation and continued positive operation.

6 Others left speaking to the motion.

7 MEMBER ZAIDAIN: I think Ms. Renshaw has
8 brought up some good points, but I think all of our
9 concerns stem from the fact that this is a start-up
10 operation. On the same hand, because it is a start-up
11 operation, there has to be enough time for them to
12 develop it, get up on its feet, and see what the
13 impacts are.

14 I don't think going with a five-year time
15 frame would give them enough opportunity to even
16 assess the situation and see the measurement of
17 success. So I will vote in support of the motion.

18 CHAIRPERSON GRIFFIS: Very well. Then if
19 there is not anything else, I would ask for all of
20 those in favor, signify by saying "Aye." This motion
21 is to reiterate for a ten-year time period on the
22 order. All of those in favor?

23 (Whereupon, there was a chorus of "ayes.")

24 CHAIRPERSON GRIFFIS: And opposed?

25 MR. BERNSTEIN:

1 VICE CHAIRPERSON RENSHAW: Well, I am
2 voting for with the understanding that we hope that
3 all of this goes well but that I am concerned and
4 would prefer that you come back in seven, but it looks
5 like you have ten. So I will support you.

6 CHAIRPERSON GRIFFIS: I think you can take
7 this you are always welcome in Ms. Renshaw's eyes and
8 to see you whenever you would like.

9 VICE CHAIRPERSON RENSHAW: Absolutely.

10 CHAIRPERSON GRIFFIS: And, to that, Ms.
11 Renshaw, I think it would be important. The applicant
12 has brought up a point, but you are also bringing up
13 excellent points, and that is that in the paragraph,
14 we do outline this one condition for a time period, we
15 will make it perfectly evident that this was a very
16 strong application, that the Board was very supportive
17 of it, that the Board's feeling in any new operation
18 for child development centers is that we are concerned
19 that there not be any adverse impact created.
20 However, no evidence was given that there may well be
21 and that we look for a very positive and expeditious
22 application in ten years.

23 So, with that, I thank you very much.
24 Good luck.

25 MS. BAILEY: Mr. Chairman?

1 CHAIRPERSON GRIFFIS: Yes?

2 MS. BAILEY: Could I just record the vote,
3 please?

4 CHAIRPERSON GRIFFIS: You know, that would
5 be a great idea.

6 MS. BAILEY: Okay. It's recorded as 4:0:1
7 to extend the time limit to 10 years. The motion was
8 made by Mr. Hannaham. Mr. Griffis seconded, Mr.
9 Zaidain, Mrs. Renshaw in support. Mr. Etherly was not
10 voting on this case because he had not heard it.

11 CHAIRPERSON GRIFFIS: Thank you very much.
12 (Whereupon, at 10:00 a.m., the foregoing
13 matter was adjourned.)
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