

From: Pam and Dave c <dpall_gee@yahoo.com>

Sent: Wednesday, June 15, 2022 3:09 PM

To: Ramlawi, Ali <ARamlawi@a2gov.org>; Briggs, Erica <EBriggs@a2gov.org>; Taylor, Christopher (Mayor) <CTaylor@a2gov.org>

Cc: Erica Harwood <ericalynn042418@gmail.com>; Lenart, Brett <BLenart@a2gov.org>; DiLeo, Alexis <ADiLeo@a2gov.org>

Subject: Zoning regulations for child care centers

Hello elected officials,

Available and affordable child care is a critical part of the economy and quality of life in Ann Arbor. In the June 2022 edition of Scientific American, Suskind and Denworth conclude “there is nothing more important we can do as a society than foster and protect the brain development of our children. [1]” As a current (and future) provider, we believe that **zoning regulations need to be revised to accommodate the needs of our children and our community today.**

For the last 8 years, we have been operating a group home daycare business in Ann Arbor. Because of the continuous demand for our services, we are working to open a larger child care center in a nearby neighborhood. Zoning is the last item that must be done before we can be licensed, however the current regulations are turning this into the most expensive and time consuming part of the process. (Supporting details of the communication timeline and the personal financial impact are in the addendum.)

Here are some of the specific obstacles we've encountered:

- **It all starts with buying the property.** There needs to be a way to very quickly determine whether zoning approval is a reasonable expectation *prior* to actually purchasing a property. In today's real-estate climate, decisions must be made within hours or the property will go to an alternate buyer. The buyer should be able to know if their business plan is viable before taking on the mortgage.
- **There is no predictability to the process.** It is impossible to run a business and not know when you will actually be able to open. Likewise, clients will go elsewhere while all the expenses (mortgage, utilities, insurance, etc.) continue - especially if the current reality is that you need to tell potential clients "we *might* be able to open in six months".
- **The process needs to accommodate very different businesses.** We are not large property developers with deep pockets and staff dedicated to navigating the zoning rules. We have invested our own money in the business we are creating and each month of delay without revenue costs us more than \$3,000.
- **The process demands a professional survey** costing \$3,250, even though it doesn't appear to add any new information. We are not asking to make any changes to the exterior of the building or attempting to change property lines. We do not understand why a survey is required.
- **The regulations surrounding zoning are not intuitive to most people.** In fact, we are very concerned about doing the wrong thing and delaying the process even more. Most people don't

Speak in zoning jargon or have code numbers attached to regulations memorized. Zoning regulations should be written so a lay person can understand and follow them.

- **Communication with the planning department needs to be clearer.** Since early February, we count 7 times that we asked for assistance or wanted to clarify to ensure we were doing the right things.
- **Our initial attempt to apply for zoning approval was routed to the wrong department.** Two months were lost because it was sent to the building department, rather than the planning department.

There is a child care crisis out there. Waiting lists are long. Parents are struggling to find care for their children. I have even heard the word "desperate" to describe their situation. Anyone who is willing to provide care for children should be encouraged and supported. Early childhood centers do not have the resources to deal with all the delays that are built-in to the process.

I would like to believe that as elected officials, you value the needs of young families and quality child care. Respecting the rights of nearby homeowners to express their opinion is important, but so is the well-being of young families. Please focus on what really matters here.

Regards
Pam & Dave Gee

----- Addendum -----

We have personally lost more than \$65,000 due to delays in the zoning approval process. Forty thousand dollars of that total is non-competitive grant money that would have come back to us if we were officially licensed before the application deadline. This grant money was intended to help people with the cost of operating a daycare business.

The more than \$65,000 in losses includes the following expenses:

- \$40,000 in lost grant money (estimated)
- \$3,250 for a property survey required for the SEU
- \$3,800 for the SEU application fee
- \$13,200 for six months of mortgage payments
- \$4,000 for six months of insurance payments
- \$3,000 for six months of utilities

In addition to those losses, we've had the following expenses (more than \$30,000) necessary to prepare the property for licensing. These expenses would have been covered by the grant money, had we been able to apply for it.

- \$13,000 for a fire alarm system
- \$2,400 for two outward swinging doors per fire code
- \$4,000 for 18 hours of electrician time
- \$2,500 for handyman services
- \$8,500 for a new furnace and water heater

We closed on this property February 4th and attempted to begin the zoning process on February 11th. As of this writing in early June, the zoning approval process is still more than 2 months away from completion.

Somehow, our application ended up at the building department. The wording of the automatic response after filing our initial application needs to be restated. It incorrectly states "**Please avoid calling our office for status updates. Applications are processed in the order received.**" This is extremely misleading and gives a false sense of assurance that something is actually happening when it was not.

Each application should be followed by one person in the planning/zoning department. Ms DiLeo has been very helpful from April 27 onward. Due to misdirected inquiries and responses that unknowingly went into our spam folder, many very costly delays have occurred. We should have been given detailed guidance in February.

In addition to the direct financial losses involved, we have already experienced the loss of two clients due to the delay in opening our day care center.

Here is a timeline of communications with a brief synopsis of each message.

Feb 11 - sent to planning@a2gov.org:

We want to apply for zoning. Is this the correct form to submit? If not, please link to correct form.

Feb 11 - automatic reply from planning@a2gov.org

Email will be forwarded to appropriate department for action.

Feb 11 - from Jon Barrett

What is the address? How many children?

Feb 12 - sent to Jon Barrett

Please let me know what next steps are.

Feb 14 - from Jon Barrett

You will require SEU approval. *I have copied the planning manager on this email who may answer any questions you may have about the process and steps necessary to receive approval. Let me know if you have additional questions.*

Calls out "Special Exception Use standards" in planning jargon, but does not offer instructions.

Feb 15 - email to Jon Barrett

Thank you for the information. I will look forward to getting detailed instructions from your planning manager. I think there must be a form to fill out and a fee to pay, but the web site isn't clear.

Feb 24 - email to buildingdept@a2gov.org
Application form, site parking plan and payment sent. *Please let me know if you need anything else.*

Feb 24 - automatic reply from building@a2gov.org
*If you are emailing us with an application submission, please accept this email as confirmation of receipt. Our administrative team will be in contact once we start processing the permit application and/or a confirmation email will be sent once the permit application is processed. **Please avoid calling our office for status updates.** Applications are processed in the order received.*

Feb 28 - to buildingdept@a2gov.org
I am following up on this application to make sure you have everything you need. If there is anything I can do to accelerate the process, please call/text/email.

Mar 1 - from buildingdept@a2gov.org (Hope Hughes)
Your permits are in queue to be processed. If the reviewer needs anything additional from you, you will be notified by email.

Mar 1 - to building@a2gov.org
Thank you. Any idea about timing?

Mar 3 - from skokoskie@a2gov.org
*We have received this permit application and it is now in the system for review. Permit number given. Follow progress on eTrakIt. PLEASE NOTE:
-- Final fees have been paid off and receipt will be sent in a separate email.
-- You will be contacted by email once the permit is reviewed and ready to be released.
Thank you and please do not hesitate to contact us with any questions.*

Apr 28 - to adileo@a2gov.org
Screen shot of eTrakIt page after leaving voice mail.

Apr 28 - to adileo@a2gov.org
*Do I really need to hire a surveyor?
-- The property was previously a group home and so it would have had an SEU.
-- The lot hasn't changed - it's at least twice the required size.
-- The building hasn't moved.
-- We are not doing any new construction.
What new information will a survey provide? What is the requirement? The checklist doesn't specify.*

Apr 29 - from adileo@a2gov.org
For the zoning permit below, I am not sure why the status was not quickly changed to denied/closed/withdrawn, but it should not be Under Review. I will let the zoning administrator know about it and it should be closed soon. I do know that the zoning administrator Jon Barrett informed you by email that Special Exception Use approval was required for any child care center in residential zoning district on February 14th. I have listened to both of your voicemails left yesterday and read your emails. I will put together some detailed information about how to apply for Special Exception Use approval and tips on preparing the required information.

Apr 29 - from adileo@a2gov.org
Detailed information, instructions, and website references
<This is the first time since Feb 11 that we received actual information on the process and what we needed to do. This should have happened in February. Instead, we lost two months doing the wrong things.>

Apr 29 - from adileo@a2gov.org
Repeating much of the information previously sent.
During this period for unknown reasons, email from Alexis was being routed into our "spam" folder.

Apr 29 - to adileo@a2gov.org
Thank you for the information. I just wish I had known this two months ago.

May 2 - to adileo@a2gov.org
Do we need to schedule a premeeting.

May 4 - to adileo@a2gov.org

Asking for help, describing current situation

May 4 - from adileo@a2gov.org (sent to spam folder)

May 5 - to Jon Barrett

Explaining our situation, asking for help

May 5 - from Brett Lenart

Informed us that the original application had been denied on March 8th. Also pointed out likely challenges with respect to parking.

May 5 - from mgale@a2gov.org

Received 1000 foot radius labels

May 5 - to adileo@a2gov.org

Asked to review the survey proposal that we had received.

May 6 - from adileo@a2gov.org

Response regarding survey. Unfortunately, this response went into the spam folder and we did not see it. Did not answer the question directly and instructed us to contact the survey company with precise language.

May 7 - to Andy LaBarre

At the suggestion of a Great Start to Quality instructor, we contacted the chamber of commerce to ask for assistance.

May 7 - from Andy LaBarre

Chamber of Commerce representative suggested that we contact our ward 5 city council members.

[1] Dana Suskind, Lydia Denworth - "The Path to Better Childhoods"
Scientific American, June 2022, page 48