



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION – REGULAR MEETING
January 13, 2025 6:30 PM

1. CALL MEETING TO ORDER
2. ROLL CALL
3. PUBLIC REMARKS
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES
 - A. December 9, 2024
6. COMMUNICATIONS
 - A. Corey Arendt re: SUP #24030
 - B. Heidi Doherty re: SUP #24030 (Email)
 - C. Ester and Brad Shaw re: REZ #25001
7. PUBLIC HEARINGS
 - A. REZ #25001 – Fedewa Rezoning
8. UNFINISHED BUSINESS
 - A. SUP #24025 – Panda Express Drive-through
 - B. SUP #24030 – Alsaedi Group Child Care
9. OTHER BUSINESS
 - A. 2025 Officers and Appointments
10. REPORTS AND ANNOUNCEMENTS
 - A. Township Board update
 - B. Liaison reports
11. PROJECT UPDATES
12. PUBLIC REMARKS
13. COMMISSIONER COMMENTS
14. ADJOURNMENT

Individuals with disabilities requiring auxiliary aids or services should contact: Director of Community Planning and Development
Timothy R. Schmitt, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4506 - Ten Day Notice is Required.
Meeting Location: 5151 Marsh Road, Okemos, MI 48864



AGENDA page 2
CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION MEETING
January 13, 2025 6:30 PM

TENTATIVE PLANNING COMMISSION AGENDA
January 27, 2025

1. PUBLIC HEARINGS
 - A. None
2. UNFINISHED BUSINESS
 - A. REZ #25001 – Fedewa Rezoning
3. OTHER BUSINESS
 - A. Off-street Parking Discussion

Individuals with disabilities requiring auxiliary aids or services should contact: Director of Community Planning and Development
Timothy R. Schmitt, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4506 - Ten Day Notice is Required.
Meeting Location: 5151 Marsh Road, Okemos, MI 48864

Providing a safe and welcoming, sustainable, prime community.



CHARTER TOWNSHIP OF MERIDIAN
REGULAR MEETING PLANNING COMMISSION
5000 Okemos Road, Okemos MI 48864-1198
517.853.4000, Central Fire Station-Community Room
Monday, December 9, 2024, 6:30 pm

PRESENT: Commissioners Brooks, McConnell, Romback, Chair Shrewsbury, Vice Chair Snyder, Commissioner Blumer and Scales

ABSENT: None

STAFF: Principal Planner Brian Shorkey

1. CALL MEETING TO ORDER

Chair Shrewsbury called the December 9, 2024, regular meeting for the Meridian Township Planning Commission to order at 6:31 pm.

2. ROLL CALL

Chair Shrewsbury called the roll of the Board. All board members were present.

3. PUBLIC REMARKS

None.

4. APPROVAL OF AGENDA

Chair Shrewsbury asked to amend the agenda and add two resolutions to Other Business. The resolutions are in appreciation of the two members who are stepping down from the Commission.

Commissioner Scales moved to approve the December 9, 2024, Regular Planning Commission meeting agenda as amended. Seconded by Vice-Chair Snyder. Motion passed unanimously.

5. APPROVAL OF MINUTES

Chair Shrewsbury asked for approval of the minutes. Commissioner McConnell asked that two changes be made to item 8.A to provide clarity regarding the discussion.

Commissioner Blumer moved to approve Minutes of the November 18, 2024, Planning Commission Regular Meeting as amended. Seconded by Commissioner Romback. Motion passed unanimously.

6. COMMUNICATIONS

Neal Galehouse, Ingham County Road Department, re: SUP #24025 (Email)

7. PUBLIC HEARINGS

A. SUP #24030 – Alsaedi Group Child Care

Commissioner Scales disclosed that he lives near the property where this permit has been requested but does not live in the notification area for the permit nor on the block where the property is located. He asked that the remaining commissioners determine whether a conflict exists before they continue discussion.

Commissioner Blumer moved to allow Commissioner Scales to participate in the discussion. Supported by Commissioner Rombeck. Motion passed unanimously, Commissioner Scales abstained.

Principal Planner Shorkey gave an overview of how the public hearing will progress. He stressed that the decision is not made this evening and will be made on January 13th. He then detailed the application. He clarified for the Commissioners, State and local laws and ordinances that allow this type of use. *Discussion ensued.*

Ibrahim Al Abdali, representing the applicant, gave information about the business at its current location. He addressed the concerns regarding noise and fencing. Commissioner Scales asked for details regarding the setup of the childcare area. Commissioner Blumer asked for details about the ages of the clients. Commissioner McConnell asked for details about parking. Chair Shrewsbury asked for details about employees. Mr. Al Abdali answered the Commissioner's questions.

Chair Shrewsbury opened public comment at 7:03 pm

Heidi Doherty, township resident, spoke in opposition to the application.

Phil Mondro, township resident, spoke in opposition about SUP #24030.

Leah Arent, township resident, spoke in opposition about SUP #24030.

Jim Brandell, township resident, spoke in opposition about SUP #24030.

Aaron Rustad, township resident, spoke in opposition about SUP #24030.

Beth Homan, township resident, spoke in opposition about SUP #24030.

Chair Shrewsbury closed public comment at 7:20 pm

Chair Shrewsbury asked Principal Planner Shorkey to clarify the State requirements for notifying nearby property owners about a permit application on a property. Principal Planner Shorkey clarified the requirements and also stated that deviation from State requirements opens up the Township to litigation.

Commissioner Scales noted that the intersection nearest the proposed childcare has no traffic control signage and that the subdivision has no streetlights. Commissioner Scales asked if there was a deed agreement or covenant for the subdivision that defined whether the fence could be opaque. Principal Planner Shorkey stated that the Township has not been given access to such a document. Commissioner Scales expressed his disappointment that the applicant did not reach out to the neighborhood before planning this use.

Commissioner Brooks asked for more detail about the traffic considerations and wanted to know, if this is not an appropriate place for this kind of business in the Township, where an appropriate place would be with regards to noise and traffic. Vice-chair Snyder added that the State requires the Township issue an SUP if all of the standards are met and noted that traffic and noise are not part of the standards.

Commissioner Blumer asked if there have been any complaints filed against the business in its current location. Principal Planner Shorkey stated that there are no complaints filed, and they have never been in violation when inspected.

Commissioner Romback asked for clarification regarding signage. Principal Planner Shorkey stated that a small sign would be allowed on the building, but no signage is allowed in the front yard and no signage is required.

Commissioner McConnell asked for details about parking on the street. Principal Planner Shorkey stated that street parking is allowed on both sides of the street and, other than rules regarding snow emergencies, parking is permitted. Commissioner McConnell commented that the applicant might want to determine the school bus schedule and bring that information to the Planning Commission.

Chair Shrewsbury conducted a straw poll, the members of the Commission indicated their support for the Permit.

8. UNFINISHED BUSINESS

None

9. OTHER BUSINESS

A. Off-street Parking Discussion

Principal Planner Shorkey briefly outlined the discussion that has occurred to date. Principal Planner Shorkey gave information about other communities' ordinances and gave a comparison of the current and proposed requirements as requested by the Commission during the previous discussion.

B. Tribute of Appreciation to Commissioner Mark Blumer

Chair Shrewsbury moved to adopt the tribute of appreciation for Commissioner Mark Blumer. Seconded by Vice-Chair Snyder. Motion passed unanimously.

C. Tribute of Appreciation to Commissioner Milton Scales

Chair Shrewsbury moved to adopt the tribute of appreciation for Commissioner Mark Blumer. Seconded by Vice-Chair Snyder. Motion passed unanimously.

10. REPORTS AND ANNOUNCEMENTS

A. Township Board Update

Principal Planner Shorkey noted that Board approved the SUP for Okemos Gateway LLC and also discussed the Village of Nemoka text amendment.

B. Liaison Reports

Commissioner Scales congratulated Commissioner McConnell on his 2024 Volunteer of the Year award presented at the November 12th Board Meeting.

Commissioner McConnell noted that two strong applicants have applied to be on the Environmental Commission and the Environmental Commission received clarity from staff regarding the Green Space Plan.

11. PROJECT UPDATES

Principal Planner Shorkey noted the changes that have occurred since the last meeting.

12. PUBLIC REMARKS

Chair Shrewsbury opened public remarks at 8:22 pm.

Jim Brandell, township resident, expressed concerns about SUP #24030.

Heidi Doherty, township resident, expressed concerns about SUP #24030.

Chair Shrewsbury closed public remarks at 8:28 pm.

13. COMMISSIONER COMMENTS

None

14. ADJOURNMENT

Chair Shrewsbury called for a motion to adjourn the meeting at 8:29 pm

Commissioner McConnell moved to adjourn the December 9, 2024, regular meeting of the Planning Commission. Seconded by Commissioner Scales. Motion passed unanimously.

Corey Arendt
5308 Chantilly
Haslett, MI, 48840

Planning Commission
Charter Township of Meridian
5151 Marsh Road
Okemos, MI 48864

Re: Opposition to Special Use Permit #24030 (Alsaedi Group Child Care)

The request for a Special Use Permit (#24030) by Murooj Alsaedi to operate a group child care home for up to fourteen children at 1609 Downing Street (Lot 3, Old English subdivision) raises significant concerns regarding its compliance with existing Covenants and Restrictions (C&R). The proposed daycare facility threatens to disrupt the residential character of the neighborhood and constitutes a violation of the subdivision's governing restrictions.

The C&R's for the Old English subdivision, recorded on December 2, 1994, at Liber 2225, Page 476, apply to Lot 3.¹ Paragraph 6 imposes limitations on structural elements such as fences, walls, and hedges, while Paragraph 7 prohibits activities that could become nuisances to neighboring properties. Although the most recent warranty deed does not explicitly reference these restrictions, the chain of title, mortgage documents, and judicial precedent confirm their ongoing enforceability.

“A covenant is a contract created with the intention of enhancing the value of property, and, as such, it is a “valuable property right.”² The nullification of such covenants would be a great injustice.³ The principle that covenants “run with the land” dictates that recorded restrictions remain binding on all subsequent owners of Lot 3.⁴ This rule ensures that the omission of specific references in later deeds does not invalidate the original covenants. Furthermore, the recording of the C&R provides constructive notice to all future purchasers, reinforcing their applicability.⁵ Precedent established by Michigan courts, affirms that previously recorded restrictions remain enforceable, even if omitted from subsequent property transfers.⁶

The absence of a direct reference to the 1994 C&R in the most recent deed does not eliminate the restrictions' applicability to Lot 3.⁷ A standard title search would reveal the recorded C&R, and the warranty deed executed on January 31, 1996, explicitly states that Lot 3 is “subject to

¹ Exhibit A.

² *City of Livonia v Dep't of Social Services*, 423 Mich 466, 525, 378 NW2d 402 (1985).

³ *Wood et al., v Blancke et ux. No 56*, 8 NW2d 67, 69, 304 Mich 283 (1943).

⁴ *Conlin v Upton*, 881 NW2d 511, 313 Mich App 243 (2015). Stating that a subsequent purchaser of land is bound by covenants if he or she has actual or constructive notice of the covenants and relating that a purchaser has constructive notice when covenants appear in his or her chain of title.

⁵ *Ibid.*

⁶ *Sanaborn et al., v McLean et al.*, 233 Mich 227, 206 NW 496.

⁷ Exhibit D.

easements and building and use restrictions of record."⁸ Additionally, the first mortgage secured for Lot 3 references the 1994 C&R, establishing a clear chain of encumbrances that binds Lot 3 to the subdivision's rules.⁹

Paragraph 6 of the C&R restricts fences, walls, and hedges to open construction not exceeding five feet in height, unless otherwise approved in writing. This provision is designed to maintain an open, visually appealing atmosphere throughout the subdivision. Any proposed fence height increase would directly conflict with this restriction. While some existing violations may be present, they do not negate the enforceability of Paragraph 6 or the subdivision's ability to enforce compliance against future infractions.

Paragraph 7 prohibits activities that may become nuisances or disturbances to the neighborhood. Courts have consistently upheld nuisance clauses, recognizing that such restrictions safeguard the residential character of subdivisions. In *Terrien v Zwit*, the Michigan Supreme Court ruled that business operations within residential areas, even those conducted within the home, can constitute violations of restrictive covenants prohibiting nuisances. This precedent supports the enforceability of Paragraph 7 against activities that introduce commercial elements into the subdivision.¹⁰

The proposed daycare facility introduces several elements that align with the nuisances addressed in *Terrien*:

- Daily drop-offs and pick-ups will increase traffic and congestion, disrupting neighborhood tranquility.¹¹
- Daily drop-offs and pick-ups will lead to an increased risk for pedestrian accidents.¹²
- The noise generated by outdoor play will interfere with the quiet enjoyment of neighboring properties.¹³
- The commercial nature of a daycare facility is incompatible with the subdivision's residential character.

The proposed daycare facility also introduces several elements that were not discussed in *Terrien*, yet amount to a nuisance:

- Environmental Concerns including but not limited to, higher emissions and air pollution all of which primarily affect vulnerable populations like children and seniors.¹⁴
- Depreciated property values.¹⁵

⁸ Exhibit B.

⁹ Exhibit C.

¹⁰ *Terrien v Zwit*, 467 Mich 56, 648 NW2d 602 (2002). This court found no "definite indications in the law" of Michigan to justify the invalidation of a covenant precluding the operation of family day care centers nor did they find anything to indicate that such covenants were contrary to public policy in Michigan.

¹¹ "Transportation Impact of Child Care Centers", Institute of Transportation Engineers, 2018.

¹² National highway Traffic Safety Administration, "Traffic Safety Facts: Pedestrians", 2020.

¹³ World Health Organization, "Environmental Noise Guidelines for the European Region", 2018.

¹⁴ "Vehicle Emissions and Residential Areas: A Case Study", Journal of Environmental Science, 2020.

¹⁵ National Association of Realtors, "The impact of Commercial Zoning on Residential Property Values", 2018.

- Increased trash volume and waste management issues.¹⁶

These cumulative effects provide a strong basis for opposing the daycare facility. Paragraphs 6 and 7 collectively reflect the subdivision's intent to maintain a peaceful, cohesive residential environment. The proposed daycare facility poses a direct challenge to these goals, necessitating the enforcement of the C&R to protect the neighborhood's integrity.

In conclusion, the C&R's recorded on December 2, 1994, remain applicable to Lot 3 and serve as a legal barrier to the operation of a group child care home at 1609 Downing Street. The restrictions established by Paragraphs 6 and 7 provide a clear framework for preserving the subdivision's residential nature. Granting the Special Use Permit would conflict with these enforceable covenants, and therefore, the request should be denied to uphold the integrity of the Old English Estates subdivision.¹⁷

Corey Arendt
5308 Chantilly Lane,
Haslett, Michigan 48840

¹⁶ "Child Care and Environmental Waste: A sustainability Study", Journal of Urban Planning, 2019.

¹⁷ The proposed operation of a group child care home for up to 14 children under Special Use Permit 24030 exceeds the maximum allowed under MCL 722.111(o)(iv) and represents a fundamentally different use than that contemplated in *Terrien* and other Michigan cases addressing day care facilities. While courts have consistently examined family day care homes under restrictive covenant frameworks, the present case involves a significantly larger operation that carries heightened concerns regarding traffic, noise, and neighborhood disruption.

Moreover, *Berry v. Hemlepp* 460 SW2d 352 (Ky 1970) serves as persuasive authority, demonstrating that larger childcare operations are more likely to conflict with residential-use restrictions and generate nuisance concerns that extend beyond the scope of family day care homes. By extending the capacity to 14 children, the applicant's request for a special use permit surpasses established statutory guidelines and merits heightened scrutiny under Michigan law.

In conclusion, while Michigan courts have allowed for limited family day care operations within residential neighborhoods, the proposed expansion to 14 children departs from the statutory and precedential framework governing these operations. As such, the board should carefully consider the broader implications of exceeding the statutory maximum and the potential infringement upon the residential character of the surrounding community.

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47-36

OLD ENGLISH ESTATES

LIBER 2225 PAGE 476

COVENANTS AND RESTRICTIONS FOR OLD ENGLISH ESTATES

KNOW ALL MEN BY THESE PRESENTS THAT WE Louis J. Eyde Limited Family Partnership and George F. Eyde Limited Family Partnership, Legal and Equitable owners, in the lands described as:

OLD ENGLISH ESTATES, described as: That part of the NE 1/4 of Section 15, T4N, R1W, Meridian Township, Ingham County, Michigan, beginning on the East/West 1/4 line at a point N89°01'44"W 344.00 feet from the East 1/4 corner of Section 15; thence continuing along said 1/4 line N89°01'44"W 1315.78 feet; thence N00°58'16"E 60.00 feet; thence S89°01'44"E 162.79 feet; thence N00°58'16"E 155.99 feet thence N21°10'30"E 29.77 feet; thence S68°49'30"E 125.00 feet; thence N21°10'30"E 140.78 feet; thence Northeasterly 102.56 feet along the arc of a 333.00 foot radius curve to the right whose central angle is 17°38'47" and whose cord bears N29°59'54"E 102.16 feet; thence S51°10'43"E 189.36 feet; thence N39°28'55"E 89.46 feet; thence S89°01'44"E 390.00 feet; thence S00°58'16"W 35.00 feet; thence S89°01'44"E 140.00 feet; thence N40°24'31"E 94.45 feet; thence S89°01'44"E 72.26 feet; thence S32°56'13"E 125.00 feet; thence S10°35'31"E 71.36 feet; thence S32°56'13"E 135.97 feet; thence S54°10'08"W 112.60 feet; thence S00°58'16"W 60.00 feet to the point of beginning.

do hereby impose the following building and use restrictions constituting a general plan of improvement of the subdivision as a desirable residential neighborhood; and covenants and restrictions to run with the land and be binding upon the parties hereto, their respective heirs, personal representatives, successors and assigns until January 1, 2010, and shall automatically continue thereafter for successive periods of 15 years each unless changed after January 1, 2010, in whole or in part by the duly recorded written agreement or agreements of the owners of a majority of the lots in said subdivision.

1. No construction of any structure or any exterior addition thereto or exterior alteration thereof, shall be commenced until complete building plans, specifications and plot plan showing grade lines and location of the building, garage, fence and other structures, if any, have been furnished to and approved in writing by grantor or its duly authorized agent. The grantor shall have the right to disapprove any plans, specifications, grade lines and location, which do not comply with the restrictions herein provided and may disapprove such plans, specifications, restrictions, grade lines and locations which are not suitable or desirable in the opinion of the grantor for architectural, aesthetic or other reasons. All buildings shall be completed in a manner acceptable to the grantor within a reasonable time after commencement of construction and prior to occupancy.
2. The dwelling location shall conform to the applicable zoning ordinance.
3. Nothing contained herein shall be so construed as to prevent grantor or any subsequent purchaser from erecting a residence on a parcel of land consisting of one or more full platted lots, or fraction thereof, without reference to the platted lot lines, provided only that no residence building shall be erected on any parcel of land in this subdivision not having a frontage at the building line of less than 60 feet, which is hereby defined as the minimum building lot in this subdivision.
4. All permanent buildings shall be of new construction and no building shall be moved into the subdivision. No trailer, basement, tent, shack, garage, barn, or other outbuilding erected in the subdivision shall at any time be used as residence temporarily or permanently nor shall any structure or a temporary character be used as a residence.
5. All portions of the lot lying in front of the dwelling shall be used only for a walk, driveway and ornamental purposes.
6. Fences, walls and hedges, if any, are to be of open construction not more than 5 feet in height and not extending in front of the front dwelling line except where approved in writing by the grantor or its authorized agent.
7. No activity shall be carried on in the residential areas of this subdivision, which may be or become an annoyance or nuisance to the neighborhood. No trailer of any kind, including house trailers, truck, tractor or any kind of machinery shall be parked in the open on any lot or street in the subdivision for more than three consecutive days at one time. No burning of trash.
8. No billboards, advertisements or signs exceeding 6 square feet in size shall be constructed or maintained on any of the lots or streets in the residential areas of the subdivision. The subdivider may erect signs on the perimeter to advertise the sale of lots in this subdivision.
9. If gravel is found on any lot, the same shall not be excavated and offered for sale except that it may be used for the purpose of constructing a building to remain permanently on said lot or may be used as fill material in the subdivision. No lot shall be used as a dump for refuse materials of any kind, nor shall fill material be brought in and used on any lot except unmixed fresh earth and stone.
10. Any and all one story dwellings erected on any lot in this plat shall contain not less than 1150 square feet of floor area on the ground level exclusive of any area for attached, connected with or built-in garage. Two story dwellings erected on any lot in this plat shall have a minimum floor area at ground level of 700 square feet, exclusive of any area for attached, connected with or built-in garage.
11. The owner of any lot or lots in this plat agrees to share proportionately, based on frontage, with all other owners in the cost of improvements made in and to this plat in which majority of the owners of lots have agreed. For the purpose of voting on any improvements, the owner of record of each lot shall be entitled to one vote.
12. All dwellings shall have an attached two car garage. No detached garage may be erected on any lot without the approval of the developer.
13. No trees or shrubbery shall be planted on the west 20 feet of the south 20 feet of Lot 2 (sign easement area) without the express written approval of the developer.

These restrictions are to be observed in perpetuity and excluded from any time limitation.

RECORDED LOUIS J. EYDE LIMITED FAMILY PARTNERSHIP

Signature of Jeanne M. Johns, Notary Public, Ingham County, Michigan. Date: DEC 2 12 35 PM '94. Signature of Louis J. Eyde, General Partner.

REGISTER OF DEEDS GEORGE F. EYDE LIMITED FAMILY PARTNERSHIP

Signature of Kimberly J. Canavan, Register of Deeds, Ingham County, Michigan. Signature of George F. Eyde, General Partner.

On this 1st day of March, 1994, before me, the subscriber, a Notary Public in and for said County, appeared Louis J. Eyde and George F. Eyde, General Partners of Louis J. Eyde Limited Family Partnership and George F. Eyde Limited Family Partnership, respectively, Michigan Limited Partnerships, to me known to be the persons described in and who executed the foregoing instrument and respectively acknowledged the execution thereof to be their free act and deed.

Drafted by Louis J. Eyde, Partner P O Box 4218, East Lansing, MI. 48826

Signature of Jeanne M. Johns, Notary Public, Ingham County, Michigan. My Commission Expires May 2, 1994.

Exhibit A

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7615
120100
WARRANTY DEED-001

121-70 101

(State Bar of Michigan Form)

The Grantor(s) Louis J. Eyde Limited Family Partnership and George F. Eyde Limited Family Partnership

Liber 2323 Page 435

4660 South Hagadorn, East Lansing, MI 48823

Rept No 7659
MSR 2.00
DEED 7.00
WTAX 880.00
STAX 6,000.00

RECORDED
960003118
01/31/1996 10:14:33
REGISTER OF DEEDS
Paula Johnson
INGHAM COUNTY, MI

convey(s) and warrant(s) to Heritage Residential Group, Inc., a Michigan Corporation whose address is 31275 Northwestern Highway, Ste. 111, Farmington Hills, MI 48334 the following described premises situated in the Township of Meridian County of Ingham and State of Michigan

Total 6,889.00

Lots 1 through 20, inclusive, Old English Estates, Meridian Township, Ingham County, Michigan, according to the recorded plat thereof as recorded in Liber 49 of Plats, Page 36, Ingham County Records.

for the sum of Eight Hundred Thousand Dollars and no/100 (\$800,000.00)

subject to easements and building and use restrictions of record and further subject to

Dated this 15th day of November, 19 95

Signed in presence of:

Signed by:

Mary Jane Smith
Mary Jane Smith
Lori A. Slamka
Lori A. Slamka

Louis J. Eyde Limited Family Partnership
by Louis J. Eyde, General Partner
George F. Eyde Limited Family Partnership
by George F. Eyde, General Partner

STATE OF MICHIGAN }
COUNTY OF INGHAM } ss.

The foregoing instrument was acknowledged before me this 15th day of November 19 95 by Louis J. Eyde Limited Family Partnership by Louis J. Eyde, General Partner and George F. Eyde Limited Family Partnership by George F. Eyde, General Partner

Lori A. Slamka
Lori A. Slamka
Notary Public, Clinton acting in Ingham County, Michigan
My commission expires 10/14/96

County Treasurer's Certificate
INGHAM COUNTY TREASURER'S CERTIFICATE
I HEREBY CERTIFY that there are no TAX LIENS or TITLES held by the state or any subdivision against the within described premises, and all TAXES on same are paid for the year ending on the date of this instrument, as appears by the records in this office except as stated.

STATE OF MICHIGAN
Dept. of Taxation
INGHAM
01/31/1996
302700



REAL ESTATE TRANSFER TAX
\$ 880.00C
\$ 6,000.00S
7659

Donald R. Moore
12-15-95
Donald R. Moore, County Treasurer
Sec. 126, Tax 206, Title is amended

When Recorded Return To: GRANTEE (Name), (Street Address), (City and State)
Send Subsequent Tax Bills To: GRANTEE
Drafted By under the direction of Louis J. Eyde Business Address: 4660 South Hagadorn East Lansing, Mi 48823
Tax Parcel # 3302-02-15-276-001 Recording Fee 10.00 Transfer Tax 880.00/6,000.00

* TYPE OR PRINT NAMES UNDER SIGNATURES
33-72446

47 060 023

MAKE YOUR REAL ESTATE TRANSFERS SAFE BY USING FIRST AMERICAN TITLE INSURANCE COMPANY

FIRST AMERICAN TITLE INSURANCE COMPANY

Exhibit B

THIS DOCUMENT CONSTITUTES A FUTURE ADVANCE MORTGAGE UNDER MCLA §565.901 AND A CONSTRUCTION MORTGAGE FOR THE PURPOSES OF ARTICLE 9 OF THE UNIFORM COMMERCIAL CODE

MORTGAGE

RECORDED 960003120 01/31/1996 10:14:37 REGISTER OF DEEDS Paula Johnson INGHAM COUNTY, MI

THIS MORTGAGE, made this 14 day of November 1995, by HERITAGE RESIDENTIAL GROUP, INC., a Michigan corporation, whose address is 31275 Northwestern Highway, Suite 111, Farmington Hills, Michigan 48334 ("Mortgagor"), unto NBD BANK, a Michigan banking corporation (formerly known as NBD Bank, N.A., a national banking association), whose address is 611 Woodward Avenue, Detroit, Michigan 48226 ("Mortgagee").

Regt No 7659 HTG 47.00 HSSR 2.00 Total 49.00

WITNESSETH:

That to secure the payment of up to Eleven Million (\$11,000,000.00) Dollars, together with interest thereon, payable in United States legal tender, as evidenced by Mortgagor's Acquisition and Development Loan Note in the original principal amount of Two Million (\$2,000,000.00) Dollars to Mortgagee, dated July 27, 1994, as well as any renewals, modifications or extensions thereof, and by Mortgagor's Construction Loan Note in the original principal amount of Nine Million (\$9,000,000.00) Dollars to Mortgagee dated July 27, 1994, as well as any renewals, modifications or extensions thereof, together with the obligations of Mortgagor under this Mortgage, a Revolving Credit Agreement ("Loan Agreement"), a Security Agreement, a Syndication Pledge Agreement and a Collateral Assignment of Land Contracts and Purchase Agreements securing the Note (defined below), as well as any other instruments evidencing, securing or executed in conjunction with the debt secured hereby (collectively "Loan Documents"), Mortgagor mortgages and warrants to Mortgagee all of the real estate described in Exhibit A attached, whether now owned, or hereafter acquired by Mortgagor. The term "Note" shall mean and include the Acquisition and Development Loan Note and the Construction Loan Note.

TOGETHER with all buildings, structures and improvements now or hereafter constructed, erected, installed or placed in or upon said real estate, and all replacements thereof and additions thereto, and all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion or reversions, remainder or remainders thereof, and also all the estate, right, title, interest, property, claim and demand whatsoever of the Mortgagor, of, in and to the same and of, in and to every part and parcel thereof;

TOGETHER with all the rents, issues and profits thereof and any present or future lease or rights to income (whether pursuant to lease or otherwise) growing out of the use and/or occupancy of the above-described real estate, which are hereby specifically assigned, transferred and set over to the Mortgagee;

TOGETHER with all right, title and interest of the Mortgagor, if any, in and to the land lying in the bed of any street, road, avenue or alley, opened, proposed, vacated or to be vacated in front of, behind, adjoining or abutting the above-described real estate, to the

NBD/HERITAGE/OLD ENGLISH DEV. LOAN/MORTGAGE/October 24, 1995

Exhibit C

Exhibit B

Schedule of Encumbrances

1. Easement for drain purposes vested in Ingham County Drain Commissioner by instrument dated January 15, 1920 and recorded April 23, 1957 in Liber 71 of Miscellaneous Records, Page 28.
2. Easement granted to Consumers Power Company dated November 27, 1979 and recorded February 29, 1980 in Liber 1323, Page 654.
3. Easement granted to Michigan Bell Telephone Company dated February 14, 1994 and recorded June 10, 1994 in Liber 2185, Page 1183.
4. Covenants, conditions and restrictions and other provisions but omitting restrictions, if any, based on race, color, religion, sex, handicap, familial status or national origin as contained in instrument recorded December 2, 1994 in Liber 2225, Page 476.
5. Easements as contained in the plat recorded December 2, 1994 in Liber 49 of Plats, Pages 36 and 37.

ex1_docs\cf10057957.01

Exhibit A

Description of Real Estate

Land situated in the Township of Meridian, Ingham County, Michigan, described as:

Lots 1 through 20, inclusive, Old English Estates, a Subdivision on part of the Northeast 1/4 of Section 15, T4N, R1W, Meridian Township, Ingham County, Michigan, as recorded in Liber 49 of Plats, Pages 36 and 37, Ingham County Records.

I HEREBY CERTIFY that there are no TAX LIENS or TITLES held by the state or any individual against the within description, and all TAXES on same are paid for five years previous to the date of this instrument as appears by the records of this office, except as stated.

Alan Fox, Ingham County Treasurer
Sec.135, Act 206, 1893 as amended
11/21/2024 by TD

**WARRANTY DEED
(3/97)**

The Grantor, **Gordon R. Tuthill, Trustee and Judith A. Tuthill, Trustee of Tuthill Family Trust dated April 24, 2014**

whose address is 1609 Downing St 1609 Downing St., Haslett, MI 48840

convey and warrant to **Alaa Alabdali and Murooj Al Saedi**,
whose address is 2149 Quarry Rd., East Lansing, MIO 48840

The following described premises situated in the Township of MERIDIAN, County of Ingham, State of Michigan, to wit:

See attached Exhibit "A"

Tax Parcel No: 33-02-02-15-277-002

Common Address: 1609 Downing St Haslett, MI 48840

for the sum of **Four Hundred Fifty-Five Thousand and 00/100 Dollars** and 00/100 (\$ 455,000.00)

Subject to any existing building and use restrictions, zoning ordinances, and easements, if any.

Dated: November 01, 2024

Exhibit **D**

From: [Heidi Doherty](#)
To: [Brian Shorkey](#)
Cc: Dowsup@att.net
Subject: Special Use Permit #24030
Date: Tuesday, January 7, 2025 11:46:30 AM

You don't often get email from dowsup@att.net. [Learn why this is important](#)

January 5, 2025

I am a 25 year + homeowner/resident at 1593 Downing Street Haslett, MI in Old English Estates.

I am not happy only people 300' of this request address were given notice.

This entire neighborhood will be impacted negatively ...PLUS only 2 exits out of this hood. I strongly and loudly object for the operation of a Group Child Care Home @ 1609 Downing Street. This is an unrealistic commercial business daycare request that needs to move to commercial properties. Never Ever put in this quite established residential setting. Totally unfair for all actual established residents.

So quiet we don't even have traffic controls or street lights in the area.

Adding 14 plus cars dropping off, parking and picking up will increase our traffic flow by 500%. 6 cars go past my house per day now will go to 30 cars. All year 5 days per week. Downing is only 3 cars wide so traffic will be impeded severely.

No Street lights in our small neighborhood. Lack of security for all these UNKNOWN customers of one house. STRANGER DANGER. I am SCARED FOR MY LIFE.

The amount of trash with 14 Children and all residents of 1609 Downing.

**NOISE AND TOTAL DISRUPTION OF MY STREET AND MY RESIDENT HOME.
THIS WILL HAVE A MAJOR NEGITIVE IMPACT OF MY PROPERTY VALUE.
NOISE AND TRAFFIC ALONE.**

This is a quiet well established neighborhood. No traffic. The reason I bought in this neighborhood and stay.

Please DO NOT CHANGE THE COMPLETE CHARACTER OF MY NEIGHBORHOOD FOR THE WORSE.

IMPACT SO NEGATIVE . 30 Strangers 2 doors down invading my home daily.

I am SCARED FOR MY SAFETY AND SECURITY. I AM SCARED FOR MY HOME VALUE ESPECIALLY AS A RETIREE.

PLEASE SAY NO. IT WILL CHANGE OUR QUIET NEIGHBORHOOD FOR THE WORSE FOREVER ALL FOR ONE HOUSE.

SINCERELY

Heidi J Doherty
1593 Downing Street

Haslett Michigan 48840

[Sent from AT&T Yahoo Mail on Android](#)

Meridian Township Department of Community Planning and Development
c/o shorkey@meridian.mi.us

January 9, 2025

Subject Parcels:

33-02-02-22-453-002

33-02-02-22-454-001

33-02-02-22-454-002

33-02-02-22-454-003

Re: Amendment of the Township's Master Plan for Fedewa Holdings Rezoning Application

Please accept these written comments sent prior to the public hearing before the Planning Commission, Charter Township of Meridian on the evening of January 13, 2025, regarding a rezoning request from Fedewa Holdings for a parcel once owned by the Faith Lutheran Church.

The subject rezoning application states that it "aligns with the Township's Master Plan." In fact, the latest amendment to the Master Plan was a contrivance to enable the subject rezoning application, and the discernment of the amendment does not appear to be in compliance with the Michigan Planning Enabling Act. Given this known reality, the amendment to the Township's Master Plan should be made null and void and the subject rezoning application should be denied or tabled.

Also, the acreage provided in the current rezoning application includes the existing north Lutheran driveway that does not support the planned housing development and, as currently drawn, could remain zoned institutional (see undated plot plan submitted to Meridian Township by Fedewa Holdings with Rezoning Application dated November 15, 2024). The actual acreage available to the residential project should be used, something less than 5.28 acres.

Requests for new driveways and new drainage schemes on the subject parcels should be considered in the context of existing problems and in communication with owners of all impacted parcels. This is an opportunity to address standing water on both sides of Dobie Road with proper ditches and conduits to send water to the Spross Drain (see attached Ingham County Drainage Map with overlay and Daniels Drain project plans dated June 6, 2022).

In amending the Master Plan, The Planning Commission acted based on an internal document (Brian Shorkey's report, dated June 10, 2024) which contained several errors and omissions. Errors include the reasons that prior rezoning requests were declined. Omission in the report may be identified based on the Planning Commission's duty-of-care obligations under the Michigan Planning Enabling Act. A Master plan amendment must satisfy multiple criteria, including:

1. promoting public safety;
2. providing safe and efficient movement of people and goods by motor vehicles, bicycles, and pedestrians;
3. providing accessible recreational facilities;
4. considering all legal users of the public right-of-way; and
5. addressing flood prevention and drainage.

The Planning Commission clearly omitted meaningful discernment of these five criteria, for example:

1. The two Lutheran driveways that form a turnaround are in constant use, including vehicles owned by UPS, FedEx, USPS, Waste Management, Granger, Meridian Township Police Department, Meridian Township Fire Department, and citizens using a polling location for the Township. – No mention of this by the Planning Commission.
2. A very busy school bus stop at the edge of the subject parcel and a CATA bus stop – No Mention.
3. The vehicular accident rate on Dobie Road and congestion especially relevant to the frequent traffic of first responders to and from the Ingham County Rehabilitation Center and Interstate 96 – No mention.
4. The pedestrian pathway just north of the south Lutheran driveway repeatedly floods, causing pedestrians to proceed precariously up the embankment to the shoulder of Dobie Road. This is especially dangerous in wet conditions and should be addressed by the Township and County. – No mention.
5. Access to recreational facilities – No mention.
6. Discussion of the adequacy of existing drainage infrastructure and of how appropriate drainage might be achieved including both sides of Dobie Road (roughly between the Arrowtree Apartments and Forest Hills Drive). – No mention.

Note that the rezoning requests states “We plan to install detention ponds to address existing water issues in the area.” Yet no ponds are shown on the plot plan and this approach would exacerbate current drainage problems.

Attached photos 5 and 6 illustrate routine flooding just south of the south Lutheran driveway. These photos illustrate the result of poor drainage off Dobie Road. A impromptu drainage pond east of Dobie Road frequently extends 46 feet past the Dobie Road right of way. Please note in the attached photos that Ingham County provides no ditching or culverts of any kind on this section of Dobie Road and no connection to the Spross Drain.

A community friendly drainage plan would address the lack of drains and/or conduits on both sides of Dobie Road (from the Arrowtree Apartments to Forest Hill Drive, shown in red on the attached Ingham County Drainage Map) that should run to the Spross Drain.

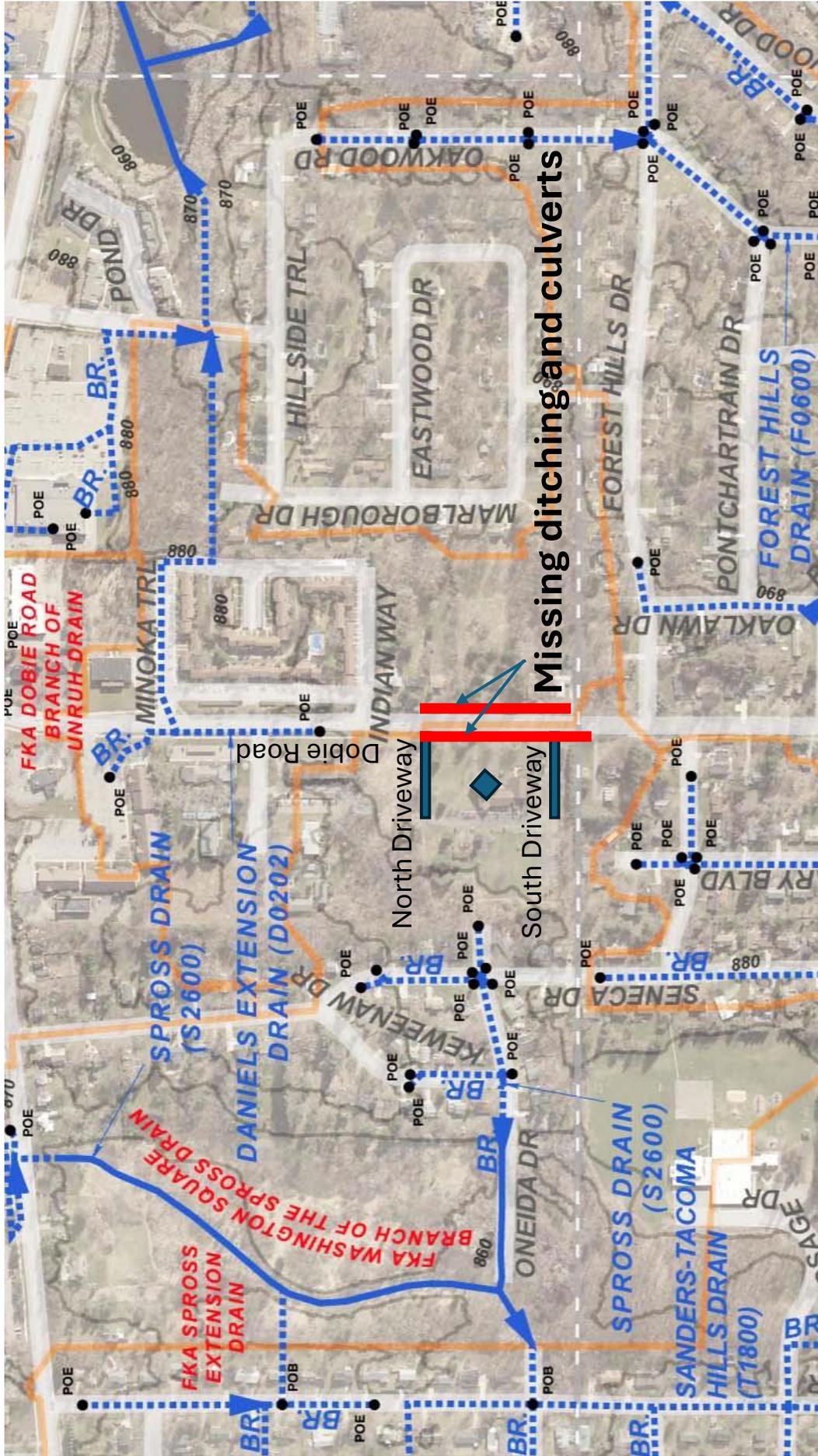
As 28-year owners and residents of 4504 Dobie Road, we would be directly impacted by the subject rezoning. In addition, we have open matters with the Ingham County Drain Commission and Meridian Township. Due to the known deficiencies of ditching and culverts on both side of Dobie Road near the subject parcels and the current rate of vehicular accidents on Dobie Road, Esther and Bradley Shaw, owners of 4504 Dobie Road, Okemos MI (parcel 33-02-02-22-455-009), should receive any and all notifications for highly impacted and/or Adjacent Property Owners relative to any changes to driveways and drainage on the subject parcel.

Thank you for your consideration.

Esther and Brad Shaw
4504 Dobie Road

PDF Attachment

Ingham County Drainage Map showing north and south Driveways and areas of concern.
Illustrative photos of Dobie Road drainage problems.



Ingham County Drainage Map with overlay



Photo 1 (East of Dobie looking North)



Photo 2 (East of Dobie looking North)



Photo 3 (North Chruch Driveway)



Photo 4 (West side of Dobie looking South)



Photo 5 (West side of Dobie looking South)

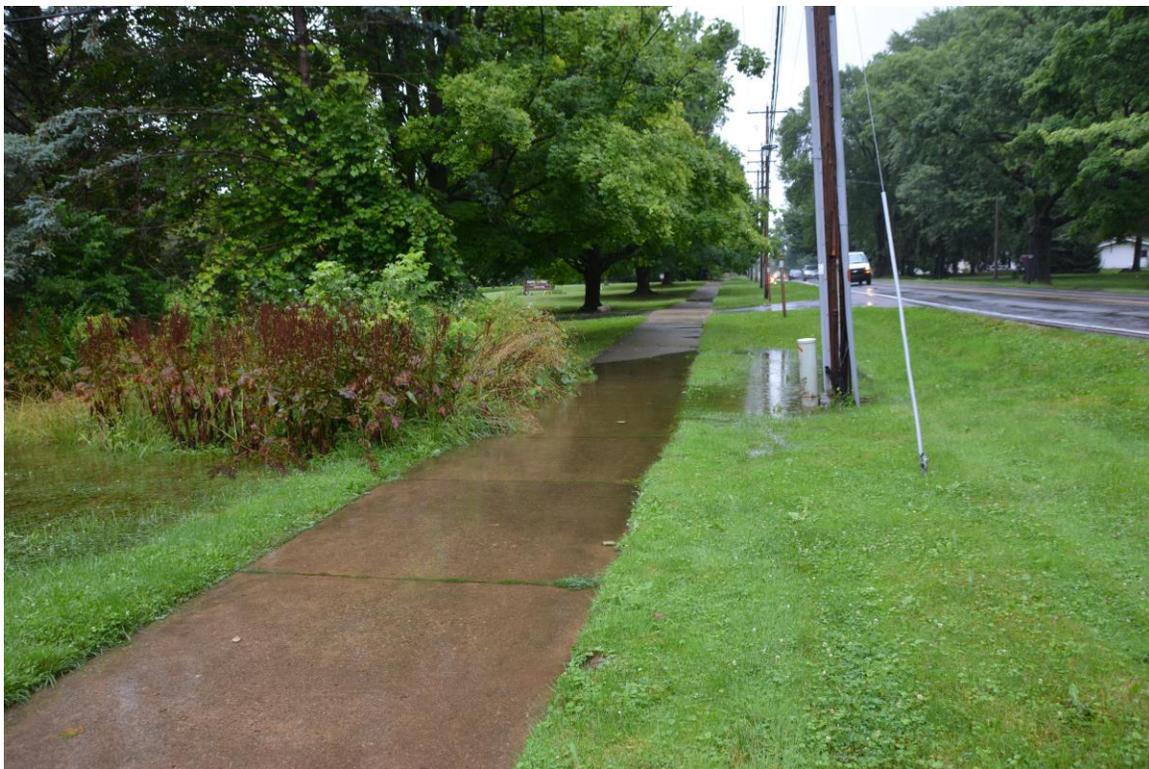


Photo 6 (West side of Dobie looking North)



To: Planning Commission

From: Brian Shorkey, Principal Planner

Date: January 13, 2025

Re: Rezoning #25001 - (Fedewa Holdings), rezone approximately 4.28 acres located on Dobie Road from RAA (Single Family-Low Density) to RD (Multiple Family).

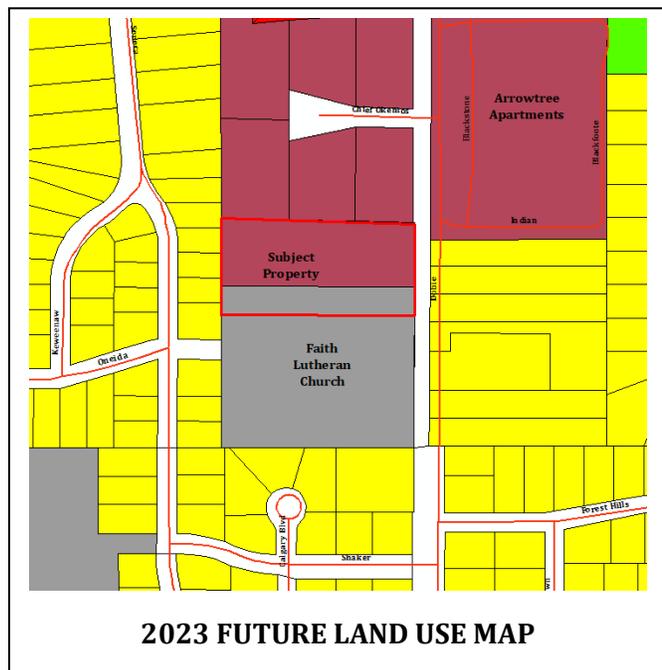
Fedewa Holdings (Applicant) has requested the rezoning of a property approximately 4.28 acres in size (Subject Property) located adjacent to the north of 4515 Dobie Road from RAA (Single Family-Low Density) to RD (Multiple Family, maximum 8 dwelling units per acre) subject to a conditional rezoning agreement. A similar rezoning request for the Subject Property was denied in 2019 and another was submitted in 2024, reviewed, and withdrawn from the Applicant. Since that time, the Master Plan has been updated and the Future Land Use map designation has been changed from Institutional to Multiple Family Residential for approximately most of the Subject Property.

A land division for the Subject Property was approved in 2023 and the resultant parcel conforms to the requested RD zoning district. The land division was followed by a rezoning application in June 2024 (REZ #24013). That rezoning application proposed to rezone the property from RAA to RC (Multiple Family, maximum 14 dwelling units per acre). After the Planning Commission recommended denial, the application was withdrawn before the Township Board made a final decision.

Future Land Use

The Future Land Use Map from the 2023 Master Plan designates the northern two thirds of the Subject Property as Multiple Family Residential. This category is intended to support multiple family development in the future and corresponds with the requested RC zoning district. The remainder of the Subject Property is designated as Institutional.

The Multiple Family Residential designation applies to the properties adjacent to the north and northeast. The properties to the west and east are designated as Suburban Residential on the Future Land Use map. The property to the south, Faith Lutheran Church, is designated as Institutional.



Zoning

The property is currently zoned RAA (Single Family-Low Density), which requires a minimum of 90 feet of lot width and 13,500 square feet of lot area. This is the same zoning adjacent to the west, south, and east.

The requested RD zoning district requires a minimum of 100 feet of lot width, 11,000 square feet of lot area for duplexes, and no minimum lot area for multiple family. The Subject Property complies with the RD dimensional requirements.

The properties adjacent to the north and northeast fall under the RC – Multiple-Family zoning designation. The properties adjacent to the west, south, and east are zoned RAA – Single-Family Residential.



Physical Features

The Subject Property is undeveloped and vegetated. The Township Wetland Map and the Flood Insurance Rate Map indicate neither wetlands nor floodplains are present on or near the site. The Subject Property has no special designation on the Township Greenspace Plan. A segment of the Township Pathway runs along the front of the Subject Property.

Streets & Traffic

The site fronts on Dobie Road, which is a two-lane road without curb and gutter. Dobie Road is classified as a Collector Street on the Street Setbacks and Service Drives Map in the zoning ordinance. A 7-foot pedestrian pathway is located along the Subject Property’s frontage.

An updated traffic impact analysis was submitted with this updated application, prepared by CESO Inc. and dated November 14, 2024. The assessment used data from the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th edition to estimate trip generation rates based on traffic count data from 2023. The analysis estimated that 10 units are potentially currently available under the RAA zoning. That was compared against the proposed 32 units under the requested RD zoning district. The following table summarizes findings from the submitted traffic assessment.

Land Use	Size	AM Peak Hour			PM Peak Hour			Weekday
		In	Out	Total	In	Out	Total	
Existing Zoning (RAA)	10 Units	2	7	9	7	4	11	122
Proposed Zoning	32	8	25	33	22	12	34	280

(RD)	units							
Difference		+6	+18	+24	+15	+8	+23	+158

A traffic impact study is required for developments that are expected to generate more than 250 additional directional trips during the peak hour. Based on the findings of the attached traffic analysis, the traffic expected to be generated by the proposed rezoning does not require a full traffic impact study. Note that the traffic assessment will have to be reviewed and accepted by the ICRD during Site Plan review.

Utilities

Municipal water and sanitary sewer are available to serve the subject site. The location and capacity of utilities for any proposed development will be reviewed in detail by the Department of Public Works and Engineering during Site Plan review.

Staff Analysis

The applicant has requested the rezoning of an approximately 4.28-acre parcel on Dobie Road from RAA to RD. When evaluating a rezoning request, the Planning Commission should consider all uses permitted by right and by special use permit in the current and proposed zoning districts, as well as the reasons for rezoning listed on page two of the rezoning application (attached). Based on this, Planning Staff has the following comments:

1. A rezoning application to same general property from RAA to RC (Multiple-Family Residential) was submitted by the Applicant in 2019. The 2019 application was denied, primarily based on the fact that the requested multiple-family zoning did not agree with the Future Land Use map. The Future Land Use map for 2.9 acres of the 4.3-acre Subject Property was updated during the 2023 Master Plan update to reflect Multiple Family Residential. This was done at the request of Faith Lutheran Church, who owned the Subject Property at that time, and was unanimously approved by the Township Planning Commission and the Board of Trustees.
2. This rezoning application was preceded by a similar application in 2024. That application proposed to rezone the Subject Property from RAA to RC (Multiple-Family Residential) and was recommended for denial by the Planning Commission. After that application was withdrawn, the Applicant held a meeting with residents to discuss the potential rezoning of the Subject Property at the Township Hall on Thursday, August 22nd.
3. The current request is to rezone the Subject Property to RD, which allows multiple-family developments up to eight units per acre. This is a less dense designation than the previously requested RC zone, which would have allowed a maximum of 14 units per acre. Several conditions of approval have been proposed by the Applicant in conjunction with this application, including the following:
 - a. A maximum number of 32 units
 - b. A maximum of four buildings, reduced from five
 - c. Rear setback increased to a minimum of 100 feet, which is 60 feet larger than required.
4. The main issue facing the development of the Subject Property is potential increased traffic. Based on the 2024 traffic assessment, the proposed rezoning is not expected to have adverse

effects on the surrounding traffic rising to the level of a traffic impact study. This finding will be required to be confirmed by the Ingham County Road Department before site plan approval can be granted.

5. The concept plan shows four potential buildings on the Subject Property. The setbacks appear to comply with the zoning requirements within the RD zoning district. If the rezoning to RD as proposed is approved, the next step will require a Special Use Permit, followed by site plan approval.

Planning Commission Options

The Planning Commission may recommend approval or denial of the request, or it may recommend a different zoning designation than proposed by the applicant to the Township Board. A resolution will be provided at a future meeting.

Attachments

1. Rezoning application and attached materials, dated November 20, 2024 and received by the Township on November 20, 2024.
2. Plot plan, prepared by Kebs, Inc., and received by the Township on December 19, 2024.
3. Traffic Impact Analysis, prepared by CESO, Inc., dated November 14, 2024 and received by the Township on November 20, 2024.
4. Supplemental presentation material.
5. Rezoning criteria.

**CHARTER TOWNSHIP OF MERIDIAN
DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT
5151 MARSH ROAD, OKEMOS, MI 48864
PHONE: (517) 853-4560, FAX: (517) 853-4095**

REZONING APPLICATION

Part I, II and III of this application must be completed. Failure to complete any portion of this form may result in the denial of your request.

Part I

A. Owner/Applicant Fedewa Holdings
Address of applicant 1640 Haslett Rd. Suite 7A Haslett MI 48840
Telephone: Work (517)719-6300 Home _____
Fax _____ Email Greg@fedewahomes.com Jerry@jerryfedewahomes.com

If there are multiple owners, list names and addresses of each and indicate ownership interest. Attach additional sheets if necessary. If the applicant is not the current owner of the subject property, the applicant must provide a copy of a purchase agreement or instrument indicating the owner is aware of and in agreement with the requested action.

B. Applicant's Representative, Architect, Engineer or Planner responsible for request:
Name / Contact Person _____
Address _____
Telephone: Work _____ Home _____
Fax _____ Email _____

C. Site address/location Dobie Rd. Okemos MI. 48864
Legal description (Attach additional sheets if necessary) Attached
Parcel number 33-02-02-22-454-003 Site acreage 4.28

D. Current zoning RAA Requested zoning RD

E. The following support materials must be submitted with the application:

1. Nonrefundable fee.
2. Evidence of fee or other ownership of the subject property.
3. A rezoning traffic study prepared by a qualified traffic engineer based on the most current edition of the handbook entitled *Evaluating Traffic Impact Studies: A Recommended Practice for Michigan Communities*, published by the State Department of Transportation, is required for the following requests:
 - a. Rezoning when the proposed district would permit uses that could generate more than 100 additional directional trips during the peak hour than the principal uses permitted under the current zoning.
 - b. Rezoning having direct access to a principal or minor arterial street, unless the uses in the proposed zoning district would generate fewer peak hour trips than uses in the existing zoning district.
(Information pertaining to the contents of the rezoning traffic study will be available in the Department of Community Planning and Development.)
4. Other information deemed necessary to evaluate the application as specified by the Director of Community Planning and Development.

Part II

REASONS FOR REZONING REQUEST

Respond only to the items which you intend to support with proof. Explain your position on the lines below, and attach supporting information to this form.

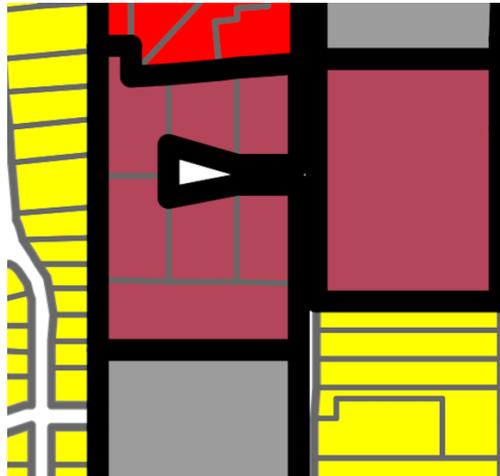
A. Reasons why the present zoning is unreasonable:

- 1) There is an error in the boundaries of the Zoning Map, specifically: _____

- 2) The conditions of the surrounding area have changed in the following respects: _____

- 3) The current zoning is inconsistent with the Township’s Master Plan, explain:

The parcel is listed as multi-family on the Future Land Use Map. See attached.



- 4) The Township did not follow the procedures that are required by Michigan laws, when adopting the Zoning Ordinance, specifically: _____

- 5) The Township did not have a reasonable basis to support the current zoning classification at the time it was adopted; and the zoning has exempted the following legitimate uses from the area:

The current zoning restrictions on the use of the property do not further the health safety or general welfare of the public, explain _____

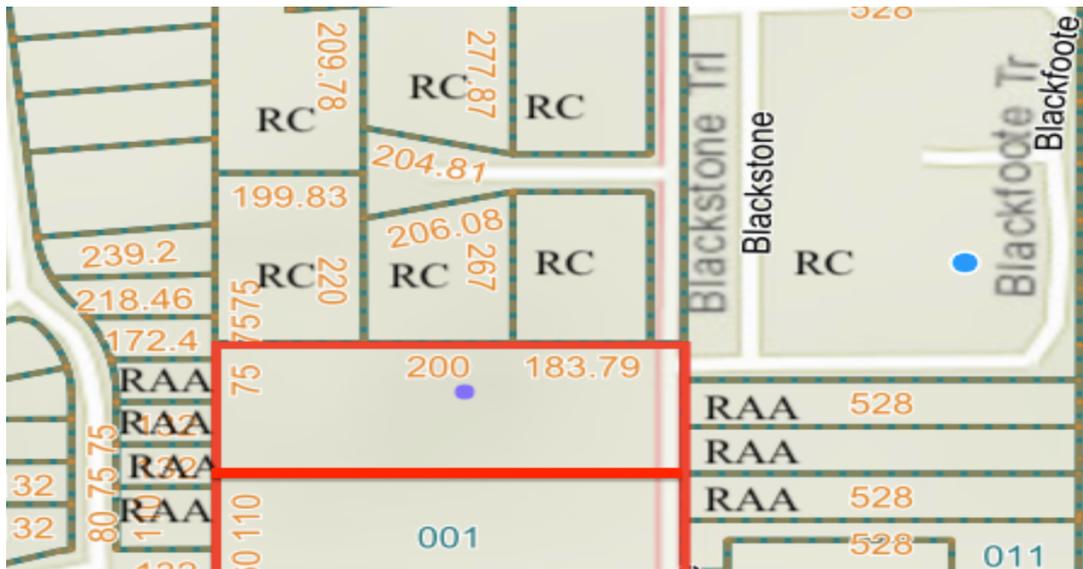
B. Reasons why the requested zoning is appropriate:

- 1) Requested rezoning is consistent with the Township’s Master Plan, explain:

The requested rezoning aligns with the Township’s Master Plan, A goal of the Master Plan is to create a range of residential densities that will ensure diverse housing options to meet the needs of the residents. The example photo used in the Master Plan document on the page outlining the need for diverse types of housing options is a picture of our building. Additionally, the Master Plan promotes infill development along main vehicular corridors within the Urban Services Boundary as a way to balance growth with environmental preservation. This project achieves many of the stated goals in the Master Plan.

- 2) Requested rezoning is compatible with other existing and proposed uses surrounding the site, specifically: _____

The requested rezoning is compatible with existing and proposed uses surrounding the site, specifically the RC multifamily zoning to the north and east of the property.

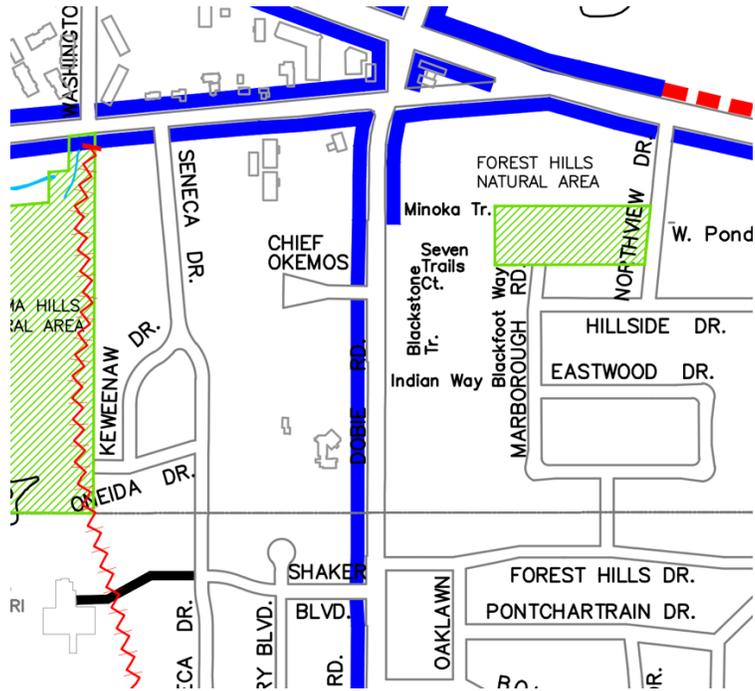


- 3) Requested rezoning would not result in significant adverse impacts on the natural environment, explain:

The parcel is currently vacant with some trees. it was originally farmland and does not feature any old growth trees. We plan to install detention ponds to address existing water issues in the area. The rezoning does not adversely impact the natural environment.

- 4) Requested rezoning would not result in significant adverse impacts on traffic circulation, water and sewer systems, education, recreation or other public services, explain:

We have attached a traffic report confirming that the requested rezoning will not adversely impact traffic circulation. The site has direct access to public water, sewer, and storm services, as well as public bus and school bus services, including a nearby bus stop. Furthermore, this parcel is included in the Township Pathway Master Plan, making it an ideal infill project along a main corridor within the Urban Services Boundary.



5) Requested rezoning addresses a proven community need, specifically: _____

The proposed townhomes, each with their own front door, will fulfill a housing need in the community, especially for new families relocating to the Township. These types of rentals are becoming increasingly scarce in Meridian Township.

6) Requested rezoning results in logical and orderly development in the Township, explain:

The requested RD zoning provides a logical transition from the RC multi-family zoning to the north to the single-family homes to the west. Additionally, our larger townhome design attracts families, offering an alternative to higher-density apartment complexes.

7) Requested rezoning will result in better use of Township land, resources and properties and therefore more efficient expenditure of Township funds for public improvements and services, explain: ___

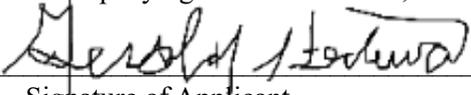
The Urban Services Boundary was created to limit development to areas already served by public utilities while focusing new growth to infill and redevelopment projects Promoting infill developments along main vehicular corridors supports both strategic growth and environmental preservation. This project aligns perfectly with the goals of the approved Master Plan.

Part III

I (we) hereby grant permission for members of the Charter Township of Meridian’s Boards and/or Commissions, Township staff member(s) and the Township’s representatives or experts the right to enter onto the above described property (or as described in the attached information) in my (our) absence for the purpose of gathering information including but not limited to the taking and the use of photographs.

Yes No (Please check one)

By the signature(s) attached hereto, I (we) certify that the information provided within this application and accompanying documentation is, to the best of my (our) knowledge, true and accurate



11-20-24

Signature of Applicant

Date

Gerald Fedewa

Type/Print Name

Fee: _____

Received by/Date: _____

Legal Description

PART OF THE SE 1/4 OF SEC 22 T4N R1W DESC AS: COM AT S 1/4 COR OF SD SEC 22 -
N00°03'21"E ALNG N-S 1/4 LN OF SD SEC 22 385.60 FT TO POB - N00°03'21"E CONT ALNG SD N-S
1/4 LN 297.20 FT TO S LN OF "CHIEF OKEMOS" - S89°56'32"E ALNG SD S LN 627.69 FT TO C/L OF
DOBIE RD - S00°00'01"E ALNG SD C/L 297.20 FT - N89°56'32"W PLL WITH S SEC LN OF SD SEC 22
627.98 FT TO POB 4.28 A M/L



Tim Schmitt
Director of Community Planning and Development
Meridian Township
5151 Marsh Rd.
Okemos MI. 48864
(517)853-4506

November 20th, 2024

RE: Fedewa Holdings Dobie Rd. Rezoning Application

Tim,

Please find our attached rezoning application for your review. The parcel is currently zoned RAA, and we are requesting rezoning to RD (multi-family). The application includes the following documents:

1. Meridian Township Rezoning Application
2. Site survey
3. Site Legal Description
4. Traffic Assessment

Introduction

We intend to build a residential townhome development on our parcel on Dobie rd. our 5th townhome project in the Township. All of our projects are built to the highest standards with quality building materials. Our townhomes are much larger than typical units in the township and rent for much lower per sq ft than competing properties providing a great value for families living in the area.

Proposed Conditions of Rezoning

To address community concerns and enhance compatibility with surrounding residences, we propose the following conditions for the rezoning:

1. Increase the rear yard building setback on the western boundary from the required 40 ft to 100 ft., more than doubling the required buffer between the project and neighboring single-family homes.
2. Restrict the type of allowable unit to townhomes. A total of 4 buildings with 8 units per building each with their own front door and garage accessible from the outside.

Project Overview

Since our initial rezoning request in 2019, the category has changed on the Future Land Use Map to multi family. In response to feedback, we've increased the size of the lot while reducing the number of units. Additionally, we've changed the requested zoning from RC to RD, which reduces the traffic impact. We've also more than doubled the required rear yard setback, creating a significant buffer from the single family residences. The added detention ponds and drainage will help resolve pre-existing water issues in the surrounding area.

Because of their size and front door exterior access townhomes are typically occupied by families making them an ideal transition from single family housing to multi family residential. This is an infill project on a main vehicular corridor within the Urban services Boundary helping to balance growth with environmental preservation.

We are excited to bring this much needed housing option to the residents of Okemos.

Thank you,

Gerald Fedewa
Fedewa Holdings Inc.
6099 E Lake Drive
Haslett MI. 48840

WARRANTY DEED

33-24911623-ELN

KNOW ALL PERSONS BY THESE PRESENTS: That: Faith Lutheran Church (of Meridian Township), a Michigan non-profit Corporation ("Grantor")

the address of which is: 4515 Dobie Road, Okemos, MI 48864

convey(s) and warrant(s) to: Fedewa Holdings LLC, a Michigan limited liability company ("Grantee")

the address of which is: 6099 E Lake Drive, Haslett, MI 48840

the following described premises situated in the Township of Meridian Charter, County of Ingham, State of Michigan, to wit:

SEE EXHIBIT A

Commonly known as: V/L Dobie Rd, Okemos, MI 48864

Parcel ID No.: 33-02-02-22-454-001 (parent parcel) 33-02-02-22-454-003 (New for 2025)

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act.

The Grantor grants to the Grantee the right to make all division(s) under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, as amended.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, for the sum of Three Hundred Four Thousand One Hundred Eighty Two and 00/100 Dollars (***\$304,182.00***)

Subject to existing building and use restrictions, easements of record, and zoning ordinances, if any.

Dated this May 01, 2024

Signed by:

Faith Lutheran Church (of Meridian Township)

By: Randy Royalty
Randy Royalty

Its: Council President and Authorized Signer

State of Michigan)
County of Ingham)SS.
)

The foregoing instrument was acknowledged before me on this 1st day of May, 2024 by Faith Lutheran Church (of Meridian Township) by Randy Royalty, its Council President and Authorized Signer

Nicole K. Wing
Notary Public: _____
Notary County: _____, State: _____
Commission Expires: _____
Acting In: _____

NICOLE K. WING
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF INGHAM
My Commission Expires December 18, 2029
Acting in the County of Ingham

When Recorded return to:
Gerald S. Fedewa, Member

6099 E Lake Drive
Haslett, MI 48840

Send Subsequent Tax Bills To:
Grantee

Drafted By:
Randy Royalty
4515 Dobie Road
Okemos, MI 48864
Assisted by: ATA National Title Group,
LLC

EXHIBIT "A"

Land situated in the Township of Meridian Charter, County of Ingham, State of Michigan

Parcel B:

A parcel of land in the Southeast 1/4 of Section 22, Town 4 North, Range 1 West, Meridian Township, Ingham County, Michigan, the surveyed boundary of said parcel described as: Commencing at the South 1/4 corner of said Section 22; thence North 00°03'21" East along the North-South 1/4 line of said Section 22 a distance of 385.60 feet to the point of beginning of this description; thence North 00°03'21" East continuing along said North-South 1/4 line 297.20 feet to the South line of "Chief Okemos" as recorded in Liber 26 of Plats, Page 45, Ingham County Records; thence South 89°56'32" East along said South line a distance of 627.69 feet to the the centerline of Dobie Road; thence South 00°00'01" East along said centerline 297.20 feet; thence North 89°56'32" West parallel with said South line of Section 22 a distance of 627.98 feet to the point of beginning.

Subject to Ingress/Egress Easement described as follows: An area of land in the Southeast 1/4 of Section 22, Town 4 North, Range 1 West, Meridian Township, Ingham County, Michigan, the limits of said area described as: Commencing at the South 1/4 corner of said Section 22; thence North 00°03'21" East along the North-South 1/4 line of said Section 22 a distance of 385.60 feet to the point of beginning of this description; thence North 00°03'21" East continuing along said North-South 1/4 line 50.00 feet; thence South 89°56'32" East parallel with the South line of said Section 22 a distance of 627.93 feet to the centerline of Dobie Road; thence South 00°00'01" East along said centerline 50.00 feet; thence North 89°56'32" West parallel with said South line 627.98 feet the point of beginning.

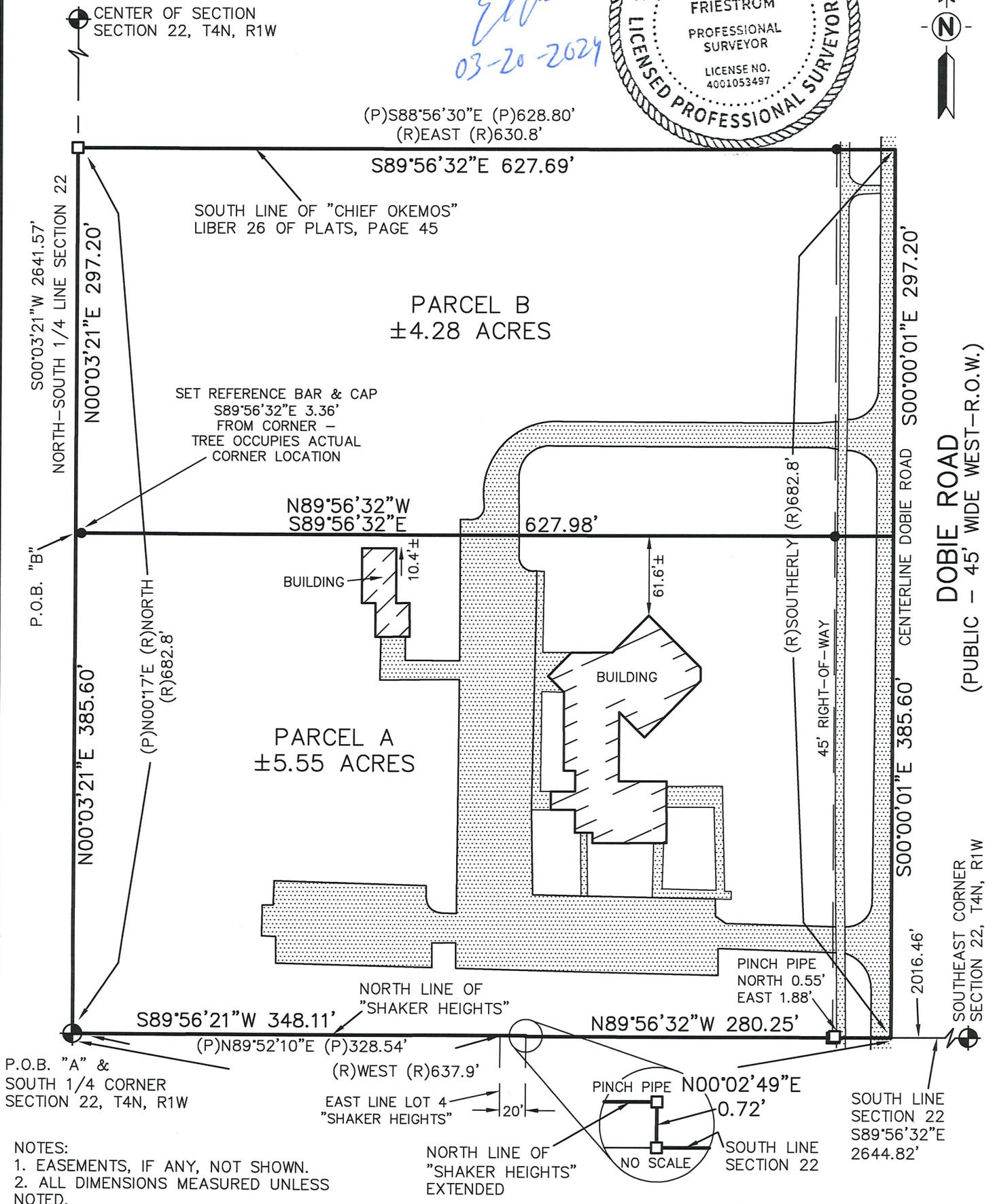
Commonly Known as: V/L Dobie Rd

Tax Parcel ID: 33-02-02-22-454-001 (parent Parcel)

33-02-02-22-454-003 (New for 2025)

CERTIFIED BOUNDARY SURVEY

FOR: G.S. FEDEWA BUILDERS



- NOTES:
- EASEMENTS, IF ANY, NOT SHOWN.
 - ALL DIMENSIONS MEASURED UNLESS NOTED.

LEGEND

- (M) = Measured Distance
- (R) = Record Distance
- (P) = Plat Record Distance
- = Set 1/2" Bar with Cap
- = Found Bar & Cap #53497 Unless Noted
- = Survey Boundary Line
- = Distance Not to Scale
- × — × = Fence
- ← 0.0'± = Denotes Distance to the Survey Line
- ▨ = Asphalt, Concrete

All Dimensions are in Feet and Decimals Thereof.

SCALE 1" = 100'



KEBS, INC. KYES ENGINEERING
BRYAN LAND SURVEYS

2116 HASLETT ROAD, HASLETT, MI 48840
PH. 517-339-1014 FAX. 517-339-8047

13432 PRESTON DRIVE, MARSHALL, MI 49068
PH. 269-781-9800 FAX. 269-781-9805

DRAWN BY AN	SECTION 22, T4N, R1W
FIELD WORK BY EF	JOB NUMBER:
SHEET 1 OF 3	102361.BND

CERTIFIED BOUNDARY SURVEY

CERTIFICATE OF SURVEY:

I hereby certify only to the parties named hereon that we have surveyed and divided into two parcels, at the direction of said parties, a parcel of land previously described as:

(As provided)

Tax ID: 33-02-02-22-454-001

BEG AT S 1/4 POST OF SEC 22 - N 682.8 FT ON 1/4 LINE - E 630.8 FT PLL WITH S LINE OF SEC TO CEN LINE OF DOBIE RD - S'LY 682.8 F ALONG CEN LINE OF DOBIE RD TO S LINE OF SEC 22 -W 637.9 FT ON SAID S LINE TO BEG ON SE 1/4 OF SEC 22 T4NR1W.

and that we have found or set, as noted hereon, permanent markers to all corners and angle points of the boundaries of said parcels and that the more particular legal descriptions of said parcels are as follows:

Parcel A:

A parcel of land in the Southeast 1/4 of Section 22, Town 4 North, Range 1 West, Meridian Township, Ingham County, Michigan, the surveyed boundary of said parcel described as: Beginning at the South 1/4 corner of said Section 22; thence N00°03'21"E along the North-South 1/4 line of said Section 22 a distance of 385.60 feet; thence S89°56'32"E parallel with the South line of said Section 22 a distance of 627.98 feet to the centerline of Dobie Road; thence S00°00'01"E along said centerline 385.60 feet to said South line; thence N89°56'32"W along said South line 280.25 feet to a point 20.00 feet Easterly of the East line of Lot 4 of "Shaker Heights" as recorded in Liber 28 of Plats, Pages 36-37, Ingham County Records; thence N00°02'49"E 0.72 feet to the intersection of said line with the Easterly extension of the North line of said "Shaker Heights"; thence S89°56'21"W along said North line of "Shaker Heights" and said line extended 348.11 feet to the point of beginning; said parcel containing 5.55 acres, more or less, including 0.39 acre, more or less, presently in use as public right-of-way for Dobie Road; said parcel subject to all easements and restrictions, if any.

Parcel B:

A parcel of land in the Southeast 1/4 of Section 22, Town 4 North, Range 1 West, Meridian Township, Ingham County, Michigan, the surveyed boundary of said parcel described as: Commencing at the South 1/4 corner of said Section 22; thence N00°03'21"E along the North-South 1/4 line of said Section 22 a distance of 385.60 feet to the point of beginning of this description; thence N00°03'21"E continuing along said North-South 1/4 line 297.20 feet to the South line of "Chief Okemos" as recorded in Liber 26 of Plats, Page 45, Ingham County Records; thence S89°56'32"E along said South line a distance of 627.69 feet to the the centerline of Dobie Road; thence S00°00'01"E along said centerline 297.20 feet; thence N89°56'32"W parallel with said South line of Section 22 a distance of 627.98 feet to the point of beginning; said parcel containing 4.28 acres, more or less, including 0.30 acre, more or less presently in use as public right-of-way for Dobie Road; said parcel subject to all easements and restrictions of record, if any.



Erick Friestrom
03-20-2024

	KEBS, INC.	KYES ENGINEERING BRYAN LAND SURVEYS
	2116 HASLETT ROAD, HASLETT, MI 48840 PH. 517-339-1014 FAX. 517-339-8047 13432 PRESTON DRIVE, MARSHALL, MI 49068 PH. 269-781-9800 FAX. 269-781-9805	
DRAWN BY AN	SECTION 22, T4N, R1W	
FIELD WORK BY EF	JOB NUMBER:	
SHEET 2 OF 3	102361.BND	

CERTIFIED BOUNDARY SURVEY

WITNESSES TO SECTION CORNERS:

South 1/4 corner, Section 22, T4N, R1W, Book 14, Page 288
 Found 4" square monument with 2.5" Aluminum cap stamped #71291
 Found 1/2" Pipe, East, 7.85'
 Found nail & tag #12018 in North side dead 20" Elm, N70°E, 24.10'
 Found nail & remon tag in East side twin 21" Cherry, North, 37.23'
 Found nail & remon tag in Southeast side 14" Elm, N34°E, 27.24'
 Found nail & remon tag in South side 34" Oak, N64°W, 29.41'
 Found nail & remon tag in Northwest side 14" Spruce, S41°W, 19.41'
 Found nail and remon tag in West side 12" Spruce, S19°E, 19.18'

Southeast corner, Section 22, T4N, R1W, Liber 7, Page 417
 Found 4" square monument with 1/2" rebar
 Found nail & tag #16053, Northwest side 20" Oak, N65°E, 14.80'
 Found nail & tag #16053, West side 32" Oak, North, 25.42'
 Found nail & tag #16053, North side 10" Maple, East, 15.85'
 Found nail & tag #17624, Northeast side 30" Oak, N50°W, 21.28'

Center of section, Section 22, T4N, R1W, Book 18, Page 87
 Found bar and remon cap #71291 in mon box in sidewalk on West side of Graff Chevrolet
 Fence post, N33°W, 100.17'
 Southwest corner of pillar between 2 garage doors, N20°E, 25.71'
 Building corner, S40°E, 7.80'
 Southwest building corner, N08°E, 37.90'
 Found nail & remon tag in North side 18" Locust, S72°W, 49.61'

I certify that the requirements for 1970 PA 132, MCL 54.213 have been met. The relative positional precision of the corners identified for this survey and shown on the map are within the limits accepted by the professional practice of surveying.

All bearings are Michigan State Plane South Zone grid bearings obtained from GPS observations using corrections obtained from the Lansing C.O.R.S.



E. Friestrom
 Erick R. Friestrom Date: 03-20-2024
 Professional Surveyor No. 53497

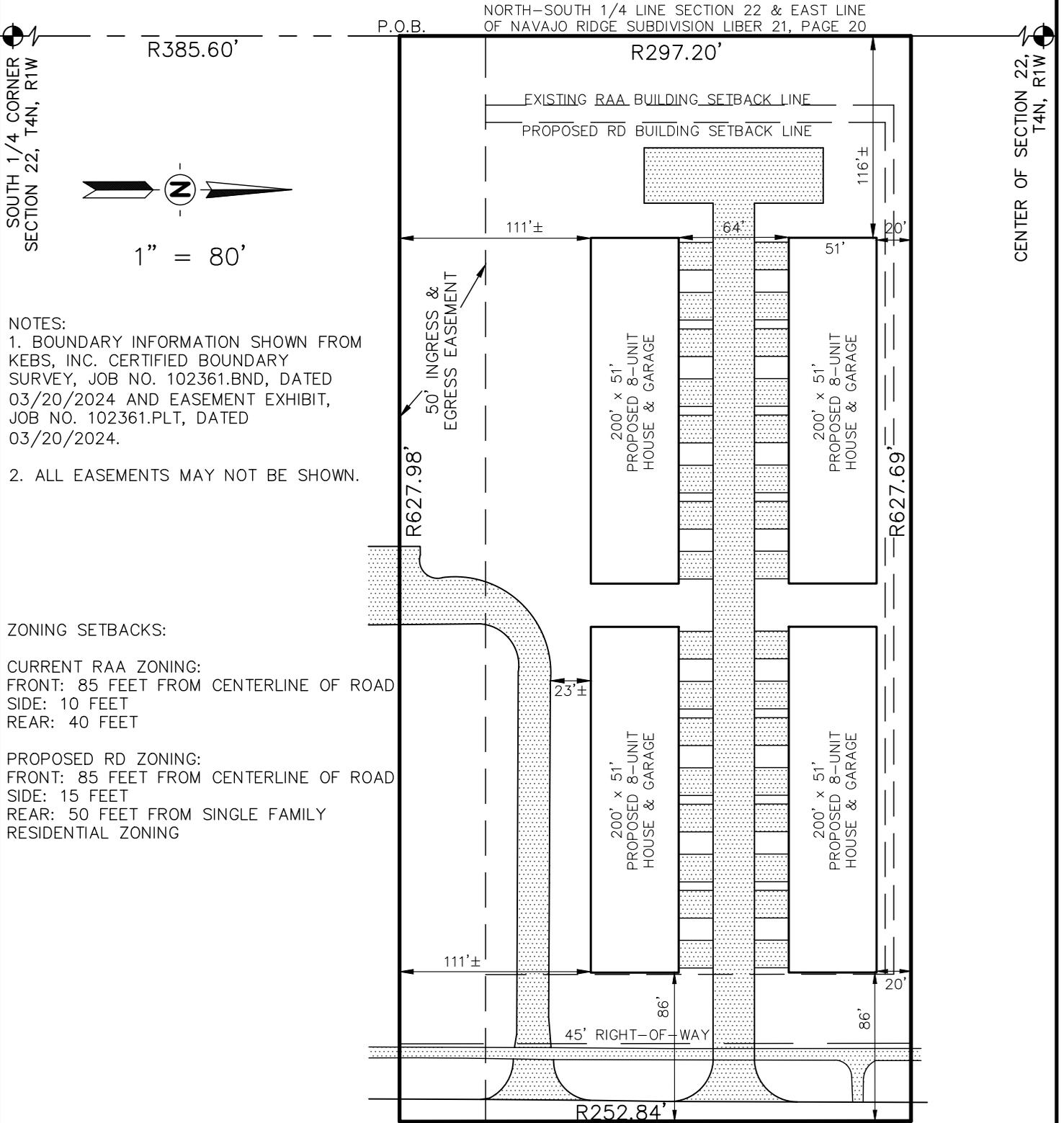
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DRAWN BY AN	SECTION 22, T4N, R1W
FIELD WORK BY EF	JOB NUMBER:
SHEET 3 OF 3	102361.BND

PLOT PLAN

For:
 G.S. Fedewa Builders
 1640 Haslett Road, Suite 7A
 Haslett, MI 48840

Survey Address:
 Vacant— Dobie Road
 Okemos, MI 48864
 Part of ID:
 33-02-02-22-454-001

SEE PAGE 2 FOR LEGAL DESCRIPTION



NOTES:
 1. BOUNDARY INFORMATION SHOWN FROM KEBS, INC. CERTIFIED BOUNDARY SURVEY, JOB NO. 102361.BND, DATED 03/20/2024 AND EASEMENT EXHIBIT, JOB NO. 102361.PLT, DATED 03/20/2024.
 2. ALL EASEMENTS MAY NOT BE SHOWN.

ZONING SETBACKS:
 CURRENT RAA ZONING:
 FRONT: 85 FEET FROM CENTERLINE OF ROAD
 SIDE: 10 FEET
 REAR: 40 FEET
 PROPOSED RD ZONING:
 FRONT: 85 FEET FROM CENTERLINE OF ROAD
 SIDE: 15 FEET
 REAR: 50 FEET FROM SINGLE FAMILY RESIDENTIAL ZONING

DOBIE ROAD
 (PUBLIC - 45' WIDE WEST-R.O.W.)

This plan was made at the direction of the parties hereon and intended solely for their immediate use and no survey has been made and no property lines were monumented, all easements recorded or unrecorded may not be shown, unless specifically noted, and no dimensions are intended for use in establishing property lines.

- R = Recorded Dimension x = Existing Elevation
- = Silt Fence D = Surface Drainage
- = Deed Line 800.00 = Proposed Finish Grade
- ⚡ = Distance Not to Scale
- ▨ = Deck, Porch, Sidewalk, & Patio Areas

KEBS, INC. KYES ENGINEERING
 BRYAN LAND SURVEYS

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 PH. 269-781-9800 FAX. 269-781-9805

PRELIMINARY

ERICK R. FRIESTROM DATE
 PROFESSIONAL SURVEYOR NO. 53497

DRAWN BY SLH	SECTION 22, T4N, R1W
FIELD WORK BY —	JOB NUMBER:
SHEET 1 OF 2	103530.HSE

Traffic Impact Analysis

TO: Brian Shorkey, AICP, Principal Planner, Meridian Township
 Dan Opsommer, Deputy Township Manager/Director of Public Works & Eng, Meridian Township
 Tim Schmitt, Township Manager/Community Planning and Development Director, Meridian Twp.

CC: Greg Fedewa, Fedewa Homes, Inc.

FROM: Robert Matko, PE, PS, PTOE, CESO Senior Engineering Manager

DATE: November 14, 2024

SUBJECT: Traffic Analysis for Proposed Rezoning of Parcel Adjacent to 4515 Dobie Road, Meridian Township, Ingham County, Michigan

The following traffic analysis was prepared for the proposed Fedewa Homes residential development located on Dobie Road adjacent to 4515 Dobie Road. Specifically, Fedewa Homes proposes to rezone approximately 4.28 acres of the subject parcel from RAA (Single Family Low Density) to RD (Multiple Family, 8 dwelling units per acre). The rezoning will allow for the construction of 32-unit multifamily development with a mix of 3 and 4 bedroom units. The following analysis provides the trip generation and capacity analysis for the proposed zoning change compared with the existing zoning. Figure 1 illustrates the location of the proposed Fedewa Development.



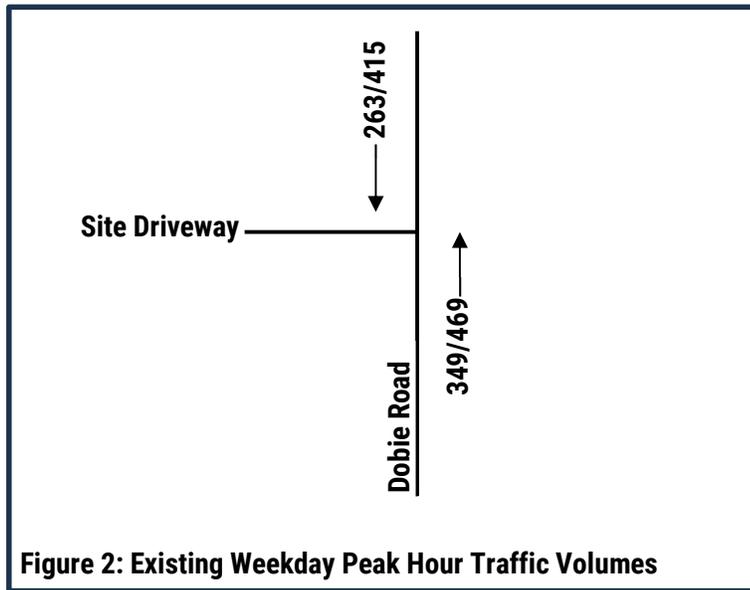
Figure 1: Site Location

Analysis Periods

- 2025 No-Build Traffic Scenario
- 2025 Build Year Traffic Scenario

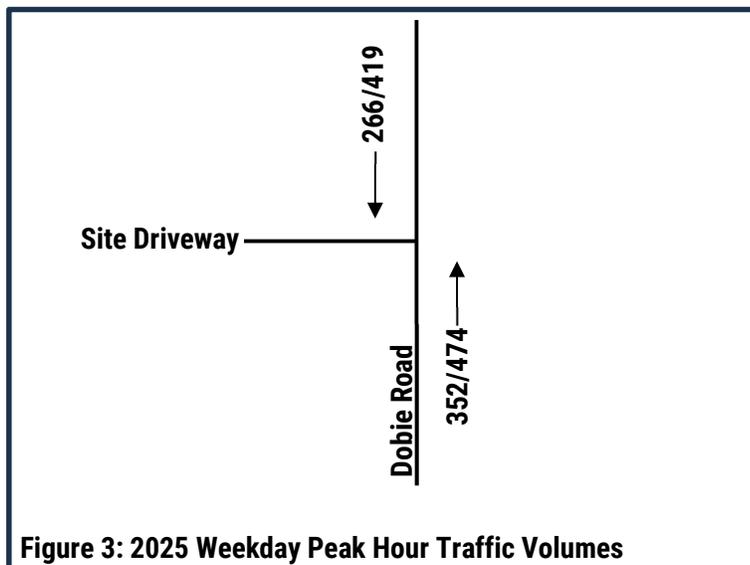
Existing Traffic Volumes

Existing traffic counts were obtained from the MDOT TCDS site for Dobie Road. Specifically, count Location ID 33-5056 was used. This ADT (24 hour count) two-way count was taken on Tuesday, September 19th, 2023. The Weekday AM Peak hour occurred between the hour of 8:00 am to 9:00 am while the Weekday PM Peak hour occurred between the hour of 4:30 pm to 5:30 pm. The two-way count was split into the NB and SB movements based on a count located further north (Location ID 33-0261). Based on the directional split, the traffic count at Location ID 33-5056 was increased for one (1) year at a 1.0% growth rate and split based on Location ID 33-0261 direction of traffic flow. The ADT counts used in the analysis can be found in **Attachment A**. Figure 2 illustrates the 2024 traffic volume on Dobie Road in the vicinity of the proposed site driveway.



2025 No-Build Traffic Volumes

The 2025 No-Build Traffic Volumes were calculated by applying a 1.0% growth rate for one (1) year to the growth to the Existing Traffic Volumes (Year 2024) (Figure 2). Figure 3 illustrates the 2025 No-Build Weekday Peak Hour Traffic Volumes.



Trip Generation

As indicated earlier, the site is currently zoned RAA that would permit construction of 10 unit single family low density development while the proposed zoning, RD, would permit construction of up to a 34 unit multi-family development. The proposed Fedewa Development only proposes construction of a 32 unit multi-family development. Table 1 summarizes the trips that would be generated under the current and proposed zoning. The Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition was used to calculate the trips for each scenario.

Table 1 Trip Generation Comparison

Land Use	ITE Land Use Description	ITE Cat.	Size	Unit	Total Generated Trips								
					Weekday 24 Hour			Weekday AM Peak Hour			Weekday PM Peak Hour		
					Tot	In	Out	Tot	In	Out	Tot	In	Out
Existing Zoning (RAA)	Single family detached housing	210	10	Du's	122	61	61	9	2	7	11	7	4
Entering (%) / Exiting (%)					100%	50%	50%	100%	25%	75%	100%	67%	33%
Proposed Zoning (RD)	Multi-Family Housing	220	32	Du's	280	140	140	33	8	25	34	22	12
Entering (%) / Exiting (%)					100%	50%	50%	100%	24%	76%	100%	50%	50%
Difference					+158	+79	+79	+24	+6	+18	+23	+15	+8

In comparing the Existing vs Proposed zoning trip generation, the Proposed zoning will result in an additional 158 trips during a 24-hour period, 24 trip increase during the Weekday AM peak hour and 23 trip increase during the Weekday PM peak hour. It should be noted that the Weekday AM and PM peak hour trips are over a full hour accounting for an additional trip every 10.0 minutes (inbound) and every 3.3 minutes (outbound) during the Weekday AM peak hour and an additional trip every 4.0 minutes (inbound) and every 7.5 minutes (outbound) during the Weekday PM peak hour.

Typically, developments that generate 250 trips directional trips require a full traffic impact study. Since that is not the case here, a full traffic impact study was not prepared. However, CESO did assign the trips to Dobie Road and input the volumes in HCS (Highway Capacity Software) Version 2024 to determine the impact that the proposed rezoning would have on Dobie Road.

Figure 4 illustrates the existing and proposed zoned trips for the site. The Trip Generation Summary Sheets can be found in **Attachment B**.

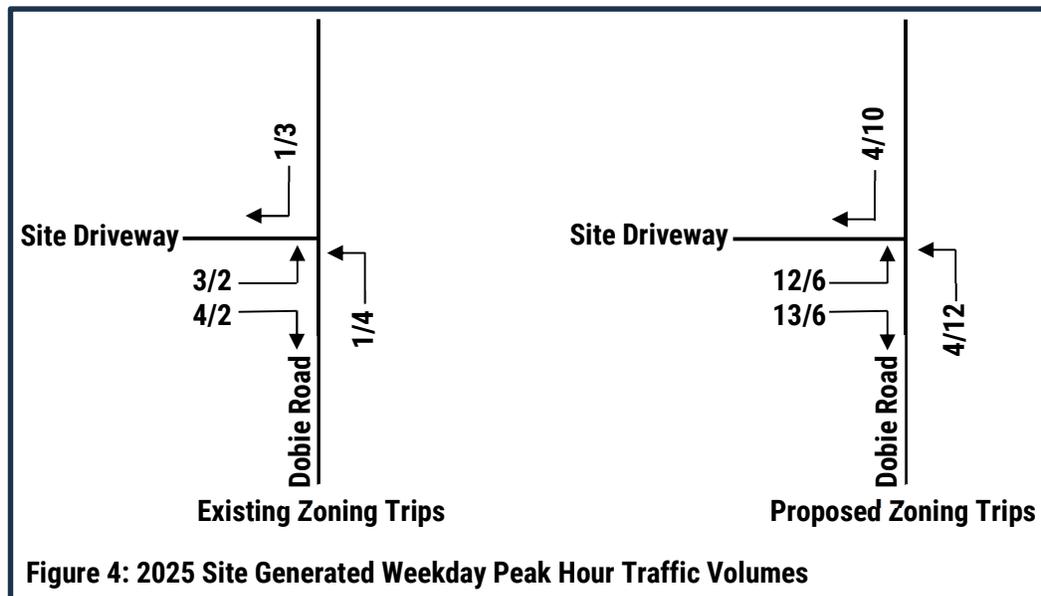
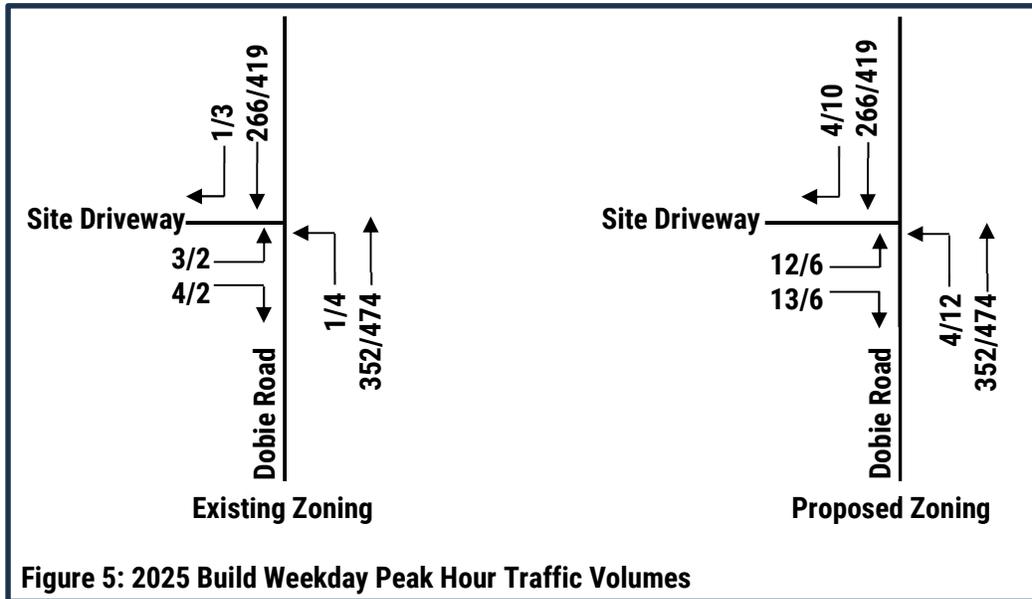


Figure 4: 2025 Site Generated Weekday Peak Hour Traffic Volumes

2025 Build Traffic Volumes

The 2025 Build Traffic Volumes (Figure 5) were calculated by adding the Site Generated Traffic Volumes (Figure 4) to the 2025 No-Build Traffic Volumes (Figure 3).



Capacity Analysis

Table 2 summarizes the capacity analysis results for the Dobie Road & Site Driveway intersection under the 2025 Build Year Traffic Scenario.

**Table 1
Summary of 2025 Build Year Traffic Scenario Capacity Analysis**

Lane	AM Peak Hour					PM Peak Hour				
	LOS	Delay (sec/veh)	v/c	QSR	95th %ile Queue (ft)	LOS	Delay (sec/veh)	v/c	QSR	95th %ile Queue (ft)
EXISTING ZONING: Dobie Road & Site Driveway (Stop Sign Controlled)										
Intersection	--	--	--	--	--	--	--	--	--	--
EBLR	B	11.5	0.020	0.10	0.0	B	14.0	0.010	0	0.0
EB Approach	B	11.5	--	--	--	B	14.0	--	--	--
NBL	A	7.8	0.000	0	0.0	A	8.3	0.000	0	0.0
NB Approach	A	0.0	--	--	--	A	0.1	--	--	--
PROPOSED ZONING: Dobie Road & Site Driveway (Stop Sign Controlled)										
Intersection	--	--	--	--	--	--	--	--	--	--
EBLR	B	12.1	0.050	0.20	5.1	C	15.2	0.040	0.10	2.6
EB Approach	B	12.1	--	--	--	C	15.2	--	--	--
NBL	A	7.9	0.000	0	0.0	A	8.3	0.010	0	0.0
NB Approach	A	0.1	--	--	--	A	0.1	--	--	--
L - Left T - Through R - Right										

Under the 2025 Build Year Traffic Scenario, the individual movements under each zoning scenario operate at LOS "C" or better conditions. The 2025 Build Year Traffic Scenario Capacity Analysis Summary sheets (Existing and Proposed Zoning) are contained in **Attachment C**.

Turn Lane Analysis

Based on the existing or proposed zoning trip generation and subsequent 2025 Build Year Traffic Volumes, left and right-turn warrants were reviewed. Table 3 provides a summary of the left-turn lane warrant and Table 4 provides a summary for the right turn lane warrant review.

**Table 3
Left-Turn Lane Warrant Review**

Intersection and Traffic Scenario	Lane	*Advancing Traffic (am/pm)	Opposing Traffic (am/pm)	Left-Turn (am/pm)	% Left	Method or Chart Used	Warranted
Existing Zoning							
Dobie Road & Site Driveway	NBL	353/478	267/422	1/4	0.003/0.008	605A	No / No
Proposed Zoning							
Dobie Road & Site Driveway	NBL	356/486	270/429	4/12	0.01/0.025	605A	No / No

Based on the MDOT Chart 605A, a NBL turn lane is not warranted under the 2025 Build Year Traffic Scenario (Existing or Proposed Zoning).

**Table 4
Right-Turn Lane Warrant Review**

Intersection and Traffic Scenario	Lane	Advancing Traffic (am/pm)	Right-Turn (am/pm)	Method or Chart Used	Warranted
Existing Zoning					
Dobie Road & Site Driveway	SBR	267/422	1/3	3-35	No / No
Proposed Zoning					
Dobie Road & Site Driveway	SBR	270/429	4/10	3-35	No / No

Based on the MDOT Access Management Manual, Figure 3-35, a SBR turn lane is not warranted under the 2025 Build Year Traffic Scenario (Existing or Proposed Zoning).

Conclusions

CESO compared the trips generated with the proposed parcel zoned RAA (Single Family Low Density) to RD (Multiple Family) and the net increase is minimal (+24 total trips in the AM Peak and +23 total trips in the PM Peak). This increase accounts for one trip every 10.0 minutes inbound and every 3.3 minutes outbound during the Weekday AM peak hour and an additional trip every 4.0 minutes inbound and every 7.5 minutes outbound during the Weekday PM peak hour. Furthermore, the Level of Service at Dobie Road & the Site Driveway does not increase more than 1.2 seconds per vehicle and all individual movements will operate at a Level of Service "C" or better condition. In conclusion, the analysis shows that the rezoning of the subject parcel from RAA to RD has very little impact on Dobie Road.

ATTACHMENTS INCLUDED:

- A. MDOT ADT Information
- B. Trip Generation Resources and Calculations
- C. 2025 Build Year Capacity Analysis Summary Sheets (Existing and Proposed Zoning)
- D. MDOT Turn Lane Warrant Charts

ATTACHMENT A
MDOT ADT Information

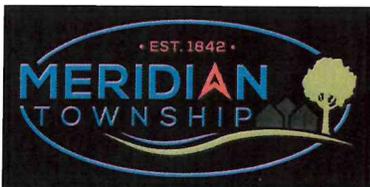
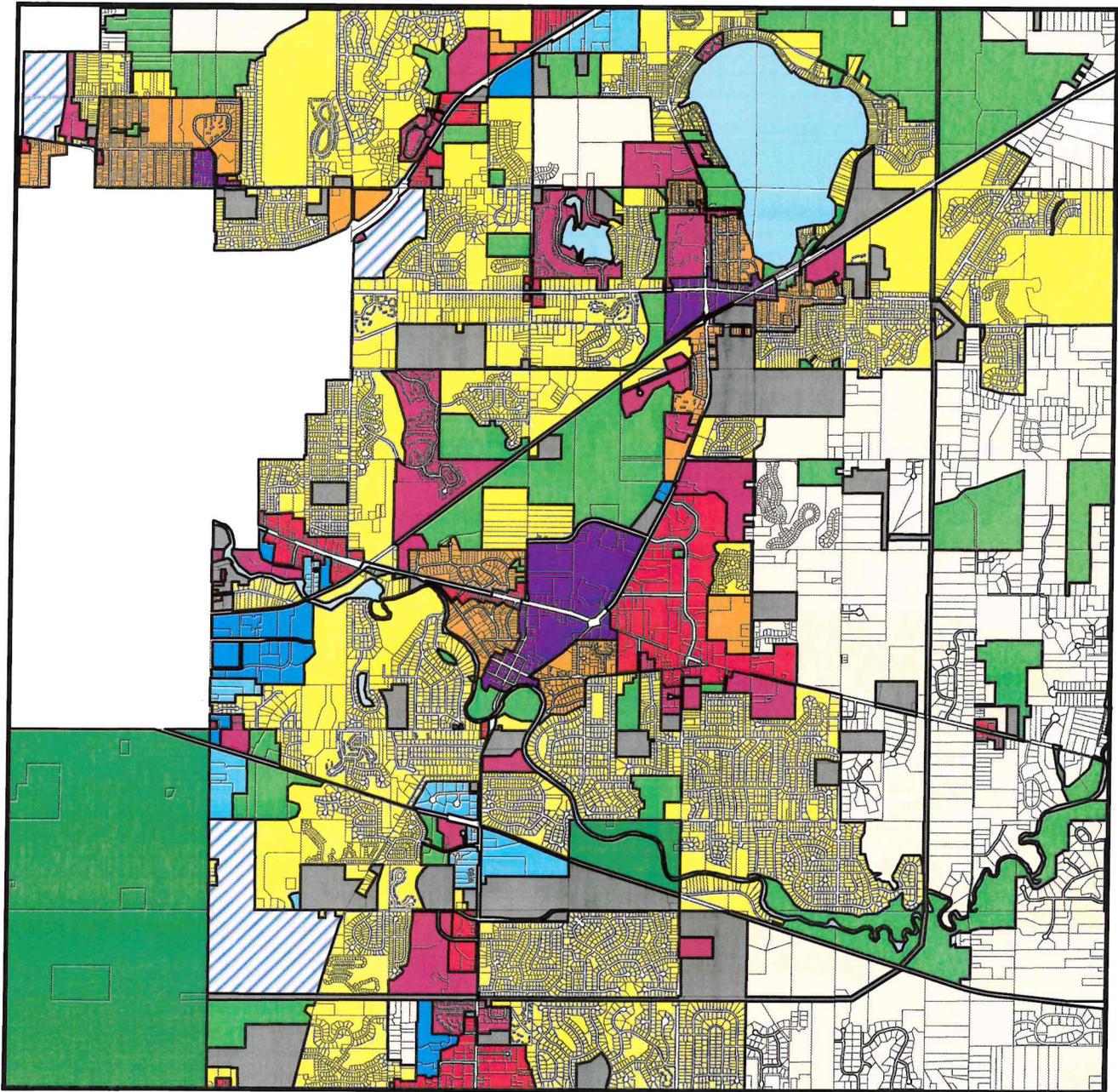
Location Info	
Location ID	33-5056
County ID	33
Station ID	5056
Type	I-SECTION
Functional Class	5
Located On	DOBIE RD
SOUTH OF	W Grand River Ave
Direction	2-WAY
Community	Meridian Twp - Ingham
MPO_ID	
HPMS ID	
Agency	Michigan Department of Transportation

Count Data Info	
Start Date	9/19/2023
End Date	9/20/2023
Start Time	10:00 AM
End Time	10:00 AM
Direction	
Notes	
Count Source	010117-0006072
File Name	33-5056NBSB.BIN
Weather	
Study	
Owner	brownv22
QC Status	Accepted

Interval: 15 mins					
Time	15 Min				Hourly Count
	1st	2nd	3rd	4th	
00:00 - 01:00	3	2	3	2	10
01:00 - 02:00	3	3	5	2	13
02:00 - 03:00	0	2	2	1	5
03:00 - 04:00	0	3	1	2	6
04:00 - 05:00	1	4	3	7	15
05:00 - 06:00	7	9	22	24	62
06:00 - 07:00	29	38	28	63	158
07:00 - 08:00	78	114	146	145	483
08:00 - 09:00	116	162	160	168	606
09:00 - 10:00	139	116	123	119	497
10:00 - 11:00	90	117	147	125	479
11:00 - 12:00	126	141	128	154	549
12:00 - 13:00	141	171	156	157	625
13:00 - 14:00	134	150	138	157	579
14:00 - 15:00	148	161	164	176	649
15:00 - 16:00	193	173	172	213	751
16:00 - 17:00	166	197	210	221	794
17:00 - 18:00	211	233	198	230	872
18:00 - 19:00	164	178	150	136	628
19:00 - 20:00	134	122	140	113	509
20:00 - 21:00	106	80	54	80	320
21:00 - 22:00	62	41	40	30	173
22:00 - 23:00	32	27	16	15	90
23:00 - 24:00	8	6	3	4	21
TOTAL					8894



2023 Future Land Use



Future Land Use Categories

2020 FLU

- Business/Technology
- Commercial
- Cooperative Agreement
- Institutional
- Multiple Family Residential
- Michigan State University
- Mixed Use
- PICA
- Greenspace
- Rural Residential
- Suburban Residential
- Transitional Residential
- Water

1:180,000



Zoomed in view of the parcel on the 2023 Future Land Use Map.





GOAL: STRENGTHEN AND EXPAND RESIDENTIAL OPPORTUNITIES

Preserve the character of existing single-family residential neighborhoods.

Encourage the development of new mixed-use developments to direct residential density towards existing development nodes.

Help to create better engagement between residents and neighborhoods by strengthening coordination with existing and future homeowner associations.

Continue the restoration of housing and neighborhoods in the Lake Lansing area by designating the area surrounding Lake Lansing as a special land use area and adopting zoning standards specific to conditions in the Lake Lansing area.

Support the increasing work-at-home population by evaluating the home business standards to ensure that the regulations for home occupations are changing appropriately as society is changing.

Ensure that the Future Land Use Map and Zoning Ordinance allows for a range of residential densities that will ensure diversity of housing to meet the needs of residents of all household types and income levels.

Evaluate the potential for inclusion of accessory dwelling units on owner occupied, single family properties.

Determine whether or not minimum house sizes continue to be a necessary requirement for new construction, specifically outside of new subdivisions.

Evaluate potential programs to help keep existing homeowners in their existing homes, allowing them to age in place.

Work towards increasing the affordability of housing for both new and existing residents.

Evaluate the balance between varying residential typologies and what that balance should look like going forward.





Part II

REASONS FOR REZONING REQUEST

Respond only to the items which you intend to support with proof. Explain your position on the lines below, and attach supporting information to this form.

A. Reasons why the present zoning is unreasonable:

- 1) There is an error in the boundaries of the Zoning Map, specifically: _____

- 2) The conditions of the surrounding area have changed in the following respects: _____

- 3) The current zoning is inconsistent with the Township's Master Plan, explain: _____

- 4) The Township did not follow the procedures that are required by Michigan laws, when adopting the Zoning Ordinance, specifically: _____

- 5) The Township did not have a reasonable basis to support the current zoning classification at the time it was adopted; and the zoning has exempted the following legitimate uses from the area: _____

- 6) The current zoning restrictions on the use of the property do not further the health safety or general welfare of the public, explain: _____

B. Reasons why the requested zoning is appropriate:

- 1) Requested rezoning is consistent with the Township's Master Plan, explain: _____

- 2) Requested rezoning is compatible with other existing and proposed uses surrounding the site, specifically: _____

- 3) Requested rezoning would not result in significant adverse impacts on the natural environment, explain: _____

- 4) Requested rezoning would not result in significant adverse impacts on traffic circulation, water and sewer systems, education, recreation or other public services, explain: _____

- 5) Requested rezoning addresses a proven community need, specifically: _____

- 6) Requested rezoning results in logical and orderly development in the Township, explain: _____

- 7) Requested rezoning will result in better use of Township land, resources and properties and therefore more efficient expenditure of Township funds for public improvements and services, explain: _____



To: Planning Commission

From: Brian Shorkey, Principal Planner

Date: December 9, 2024

Re: Special Use Permit #24028 (Panda Express), to construct a restaurant with a drive-through at 4949 Okemos Road, Okemos, MI 48864.

Panda Express (Applicant) has submitted a Special Use Permit (SUP) application for the construction of a drive-through for a new restaurant at the property located at 4990 Marsh Road, Okemos, MI 48864 (Subject Property). The Subject Property is approximately 2.2 acre in size and is zoned C-2 – Commercial. Restaurants are allowed by right in the C-2 zoning district and the SUP is for the drive-through.

A public hearing for this application was held at the Planning Commission’s regular meeting on Monday, October 28, 2024. After a brief discussion with the Applicant, the Planning Commission agreed to consider a resolution to approve SUP at its next meeting. At the November 18th meeting, Staff discussed comments from the Ingham County Road Department (ICRD) expressing concern about the proposed drive-through, specifically the possibility of traffic backing up onto Marsh Road. Staff and the Applicant discussed these comments with the Planning Commission and the vote on the SUP was postponed to a future meeting.

Since November 18th, the Applicant has provided an updated plan that shows the northbound right turn taper lane on Marsh Road, a proposed freestanding sign location, the proposed closure of the on-site egress, and proposed striping to create a bypass lane for the drive-through.

Township Staff discussed the updated plan with Staff from the ICRD on Tuesday, December 3, 2024. As a result of that conversation, the ICRD has the following suggestions:

1. The installation of 3-way Stop signs with signage saying, “Don’t Block Intersection” on the south, east, and north side of the intersection.
2. The installation of a right-in, right-out island at the Marsh Road intersection. This would require the opening to be widened to conform with the ICRD’s regulations.

The Planning Commission has asked about existing drive-through traffic for other Panda restaurants. The applicant has provided 2024 drive-through traffic data for an existing Panda restaurant on Saginaw Highway in Lansing. According to that data, the following average drive-through visits occurred:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
332	352	372	383	440	384	346

Special Use Permit #24025 (Panda Express)
Planning Commission (January 13, 2025)
Page 2

The original staff report, dated October 28, 2024, is attached. The packets for the October 28th public hearing and the November 18th regular meeting can be found at the following link: https://www.meridian.mi.us/government/boards-and-commissions/agendas-packets-and-minutes/-folder-3684#docan5601_5944_42.

Planning Commission Options

The Planning Commission may approve, approve with conditions, or deny the special use permit. A resolution to approve the request is provided. Staff **recommends approval** of Special Use Permit #24025, in accordance with the attached resolution, for the construction of a drive-through for a new restaurant at the property located at 4990 Marsh Road.

Staff would offer the following motion for the Planning Commission to consider during their review of the proposed rezoning request. Should the Planning Commission have additional reasons for supporting the recommendation, they can be added to the end of the motion.

Move to adopt the resolution to recommend approval of SUP #24025 to construct a drive-through for a new restaurant at the property located at 4990 Marsh Road, Okemos, MI 48864, for the following reasons:

- The proposed Panda Express restaurant, and the associated drive-through, are consistent with the C-2 zoning district
- The proposed project conforms with the Township Master Plan and the Future Land Use map.
- The Amended Site Plan shows the northbound right turn taper that was recommended by the Traffic Assessment.
- The proposed project that would result fits the character of the area and is consistent with uses in the general vicinity of the Subject Property.

Attachments

1. Resolution to approve SUP #24025.
2. Staff Memo, Dated October 28, 2024
3. Attachment 1: Amended Site Plan, dated December 20, 2024

RESOLUTION TO APPROVE

**Special Use Permit #24025
(Panda Express)**

RESOLUTION

At a regular meeting of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 13th day of January, 2025 at 6:30 p.m., Local Time.

PRESENT:

ABSENT:

The following resolution was offered by Commissioner _____ and supported by Commissioner _____.

WHEREAS, Panda Express has submitted a request to construct a drive-through for a new restaurant at the property located at 4990 Marsh Road; and

WHEREAS, the subject site is located entirely the C-2 (Commercial) zoning district, which allows restaurants by right and drive-throughs by special use permit; and

WHEREAS, the Township Planning Commission held a public hearing on the Special Use Permit application at their regular meeting on October 28, 2024; and

WHEREAS, the Ingham County Road Department submitted comments on the SUP application regarding the traffic on the site; and

WHEREAS, the Township Planning Commission further discussed the Special Use Permit application at their regular meeting on November 18, 2024; and

WHEREAS, the applicant has submitted an amended site plan, dated December 20, 2024, that addresses comments from the November 18th meeting and shows the northbound right land taper on Marsh Road as suggested by the Traffic Assessment; and

WHEREAS, the proposed Panda Express restaurant, and the associated drive-through, are consistent with the C-2 zoning district; and

WHEREAS, the proposed project conforms with the Township Master Plan and the Future Land Use map; and

WHEREAS, the proposed project that would result fits the character of the area and is consistent with uses in the general vicinity of the Subject Property

WHEREAS, the proposed project is consistent with the general standards for granting a special use permit found in Section 86-126 of the Code of Ordinances.

**Resolution to Approve
SUP #24025 (Panda Express)
Page 2**

NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Special Use Permit #24025, subject to the following conditions:

1. Approval of SUP #24025 is required to be followed by site plan approval.
2. Any proposed future changes to the scope of the SUP will require an amendment to Special Use Permit #24023.
3. During site plan review, any changes to the configuration of the drive-through will be determined to be a major SUP amendment.

ADOPTED: YEAS:

NAYS:

STATE OF MICHIGAN)
) ss
COUNTY OF INGHAM)

I, the undersigned, the duly qualified and acting Chairperson of the Planning Commission of the Charter Township Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and a complete copy of a resolution adopted at a regular meeting of the Planning Commission on the 13th day of January, 2025.

Alisande Shrewsbury
Planning Commission Chairperson



To: Planning Commission

From: Brian Shorkey, Principal Planner

Date: October 28, 2024

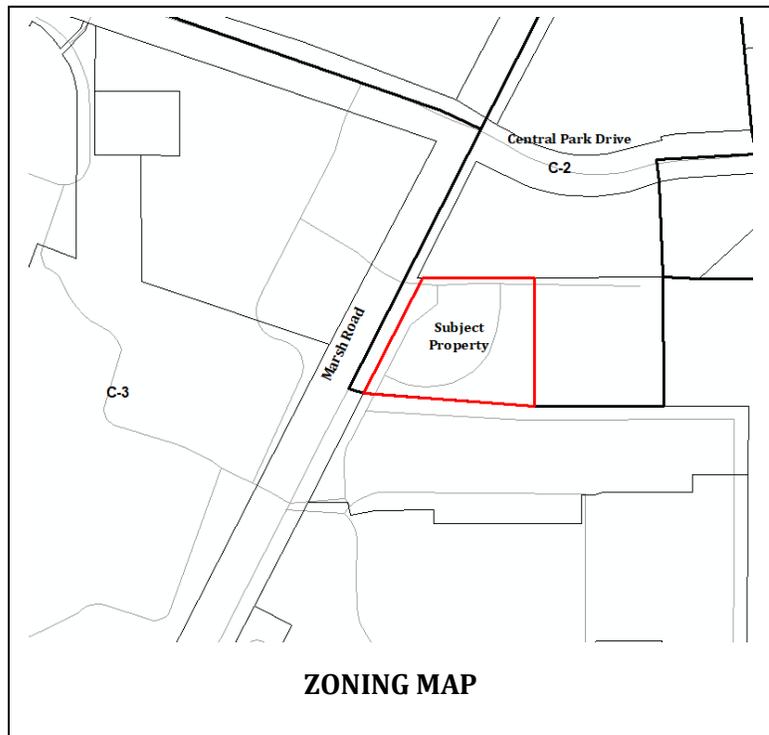
Re: Special Use Permit #24028 (Panda Express), to construct a restaurant with a drive-through at 4949 Okemos Road, Okemos, MI 48864.

Panda Express (Applicant) has submitted a Special Use Permit (SUP) application for the construction of a drive-through for a new restaurant at the property located at 4990 Marsh Road, Okemos, MI 48864 (Subject Property). The Subject Property is approximately 2.2 acre in size and is zoned C-2 – Commercial. Restaurants are allowed by right in the C-2 zoning district and the SUP is for the drive-through.

Zoning and Future Land Use

The Subject Property is located in the C-2 – Commercial zoning district. The same zoning designation applies to the adjacent properties to the east and north. The properties to the west and south are zoned C-3 – Commercial.

The C-2 district requires a minimum of 100 feet of lot frontage and 4,000 square feet of lot area for new lots. The Subject Property totals approximately 2.2 acres in size. The Subject Property has a total of approximately 300 feet of frontage along Grand River Avenue. The Subject Property conforms to the C-2 zoning district.

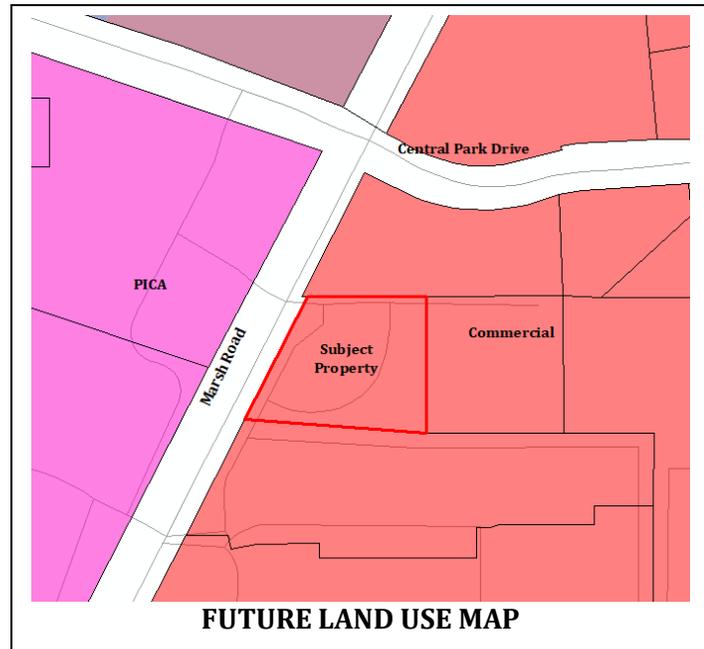


The Future Land Use Map from the 2023 Master Plan designates the Subject Property in the Commercial category. The same designation applies to the properties adjacent to the north, east, and south. The property adjacent to the west, on the other side of Marsh Road, is designated as the Meridian Mall PICA.

Staff Analysis

Applications for special land use permits are reviewed under Sec. 86-126 in the Zoning Ordinance. Following is a staff response to the nine special use permit review criteria:

1. *The project is consistent with the intent and purposes of this Chapter.*



The proposed Panda Express restaurant, and the associated drive-through, are consistent with the C-2 zoning district, as the restaurant is a use by right and the drive-through is allowed as a special land use.

2. *The project is consistent with applicable land use policies contained in the Township's comprehensive development plan of current adoption.*

The Future Land Use Map from the 2023 Master Plan designates the Subject Property in the Commercial category. The C-2 zoning district is consistent with the Future Land Use Map.

3. *The project is designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area.*

The proposed Panda Express restaurant is consistent with uses in the general vicinity of the Subject Property and is located in a commercial corridor that includes other restaurants and drive-throughs within a quarter mile. The attached site plan (Attachment #1) shows proposed landscaping on the north and south property lines. The specifics of the landscaping will be required to be included with the Site Plan for approval.

4. *The project will not adversely affect or be hazardous to existing neighboring uses.*

The proposed Panda Express restaurant is not expected to be hazardous to existing neighboring uses.

5. *The project will not be detrimental to the economic welfare of surrounding properties or the community.*

The proposed Panda Express restaurant and drive-through are not expected to be detrimental to the economic welfare of the surrounding properties or the community. The restaurant is located in a commercial corridor that includes similar land uses, including other drive-through restaurants.

6. *The project is adequately served by public facilities, such as existing roads, schools, stormwater drainage, public safety, public transportation, and public recreation, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide any such service.*

The project is adequately served by public facilities, including sewer, water, roads, public safety, and public transportation.

The application included an attached traffic assessment (Attachment #3). The traffic assessment concludes that the following:

- Existing conditions all approaches and movements within the study are currently operating acceptably.
- All approaches and movements at the study intersection (marsh Road and Mall Drive/Site Access) are expected to operate acceptably.
- The results of the analysis indicate that a north-eastbound right-turn taper is warranted along Marsh Road at the existing site access driveway.
- The proposed site plan can adequately accommodate the projected vehicle queueing, without impacting the internal site circulation or the operations along Marsh Road.

The traffic assessment will be required to be approved by the Ingham County Road Department during site plan review.

7. *The project is adequately served by public sanitation facilities if so designed. If on-site sanitation facilities for sewage disposal, potable water supply, and stormwater are proposed, they shall be properly designed and capable of handling the long-term needs of the proposed project.*

Improvements to the public utility systems are not necessary to facilitate the construction of the Panda Express restaurant or the associated drive-through.

The attached site plan (Attachment #1) shows a proposed detention pond to handle the expected stormwater runoff. The proposed detention pond will have to be reviewed and approved by the Ingham County Drain Commission during site plan review.

8. *The project will not involve uses, activities, processes, materials, and equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.*

The project is not expected to involve uses, activities, processes, materials, and equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.

9. *The project will not directly or indirectly have a substantial adverse impact on the natural resources of the Township, including, but not limited to, prime agricultural soils, water recharge areas, lakes, rivers, streams, major forests, wetlands, and wildlife areas.*

The project is not expected to directly or indirectly have a substantial adverse impact on the natural resources of the Township. The Subject Property is already developed as a retail store and not within a natural area.

The application includes a natural features inventory (Attachment #4). Most of the existing trees on the Subject Property are proposed to be removed, but the overall green area is proposed to be increased from 1.16 acres to 1.34 acres. The landscape improvements will be required to be approved during site plan review, which will require two canopy trees for every 10 parking spaces.

Based on the information provided by the Applicant, Staff has identified no major concerns that would negatively impact surrounding properties or the Township at large while reviewing the proposed Special Use Permit, except that the traffic assessment suggests that a right-turn taper lane may be warranted.

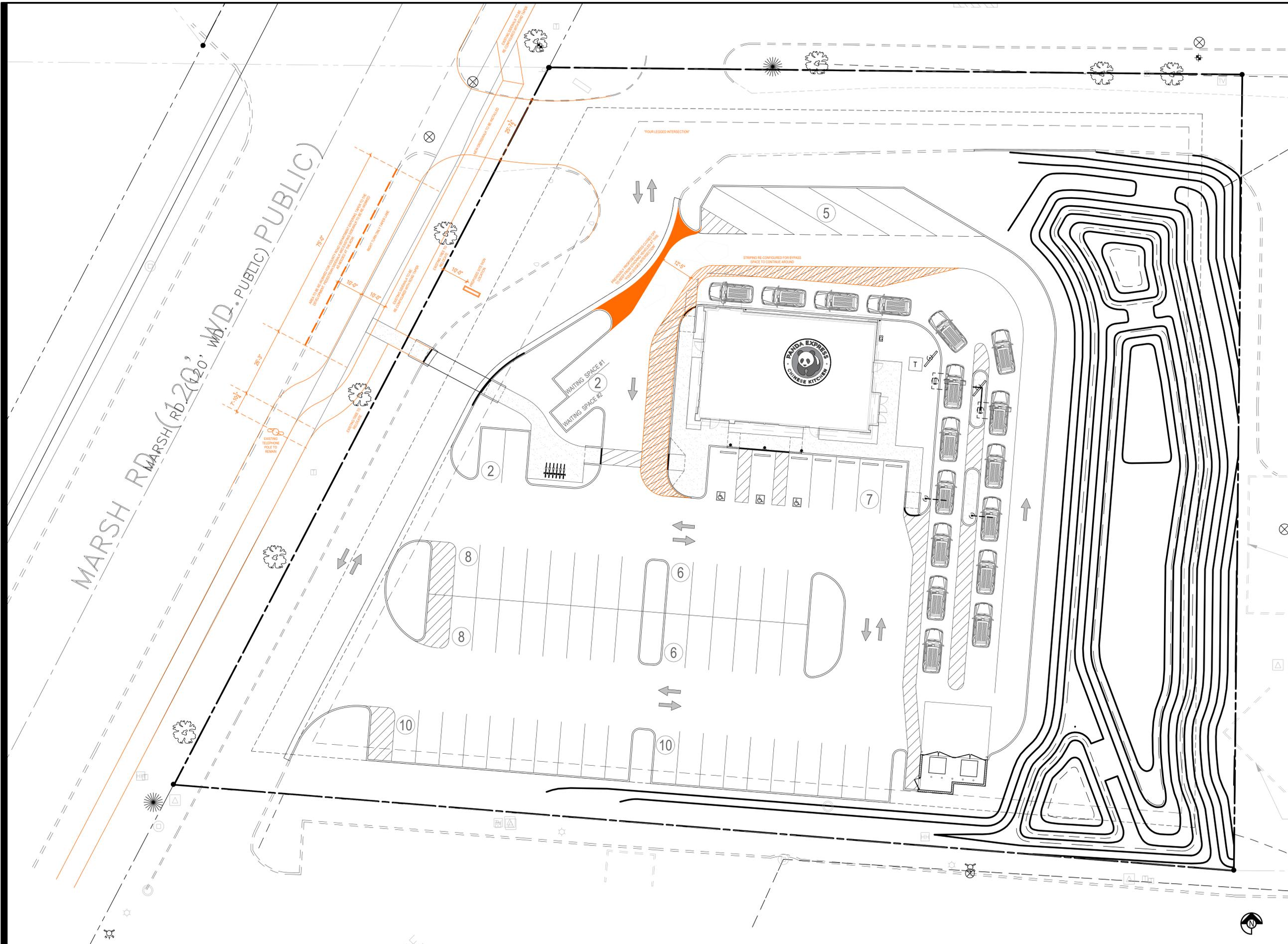
If this SUP is approved, then the next step will be site plan approval. Site plans are administratively approved and require approvals from all relevant offices and agencies. In this case, the site plan will require approvals from the Township Engineering Department, the Ingham County Drain Commission, and the Ingham County Road Department.

Planning Commission Options

The Planning Commission may approve, approve with conditions, or deny the proposed special use permit for a drive-through on the Subject Property. A resolution will be provided at a future meeting.

Attachments

1. Special use permit application and owner consent letter
2. Attachment 1: Site Plan, dated October 1, 2024
3. Attachment 2: Existing site photos, proposed building elevations, and proposed floor plan
4. Attachment 3: Traffic Impact Study, prepared by Fleis & Vandenbrink and dated July 31, 2024
5. Attachment 4: Natural Features Inventory, prepared by Evergreen Design Group and dated September 27, 2024



PANDA EXPRESS, INC.
 1683 Walnut Grove Ave.
 Rosemead, California
 91770
 Telephone: 626.799.9898
 Facsimile: 626.372.8288

All ideas, designs, arrangement and plans indicated or represented by this drawing are the property of Panda Express Inc. and were created for use on this specific project. None of these ideas, designs, arrangements or plans may be used by or disclosed to any person, firm, or corporation without the written permission of Panda Express Inc.

REVISIONS:

NO.	DESCRIPTION	DATE

ISSUE DATE:

TOWNSHIP SUP SUB.	10-01-24
INGHAM COUNTY COMMERCIAL	10-08-24
SITE PLAN REVIEW	10-08-24
INGHAM COUNTY ROAD DEPT.	11-06-24
SUBMITTAL	11-06-24
BUILDING REVIEW SET	12-20-24

DRAWN BY: LC & LS

PANDA PROJECT #: D32303
 PANDA STORE #: S8-25-D32303
 ARCH PROJECT #: 23219

David Scott Roselius, AIA
 TX Registration #14178
 Not for Regulatory Approval,
 Permitting, or Construction

Heights Venture
 ARCHITECTURE • DESIGN

HOUSTON
 1111 North Loop West, Suite 800
 Houston, Texas 77008
 281.854.6100

DALLAS
 5741 Legacy Drive, Suite 320
 Plano, Texas 75024
 281.854.6100

CHICAGO
 3333 Warrenville Road, Suite 200
 Lisle, Illinois 60532
 281.854.6100

PANDA EXPRESS
 PANDA HOME
 4990 MARSH ROAD
 MERIDIAN CHARTER TOWNSHIP, MI 48864

A-100

SITE PLAN

SITE PLAN 01
 Scale= 1/16" = 1'-0"
 A-100

PANDA HOME R3



To: Planning Commission

From: Brian Shorkey, Principal Planner

Date: January 13, 2025

Re: Special Use Permit #24030 (Al Saedi), establish group child care home for up to fourteen children at 1609 Downing Street.

Murooj Al Saedi (Applicant) has requested a special use permit to operate a group child care home for up to 14 children at 1609 Downing Street, Haslett, MI 48820 (Subject Property). The 0.25-acre site is zoned RA (Single Family–Medium Density). Sec. 86-654 of the Code of Ordinances allows group child care homes as non-residential special uses in a residential zoning district subject to special use permit approval. The Michigan Zoning Enabling Act (the “MZEA,” Public Act 110 of 2006) requires the Township to issue a special use permit for a group child care home if it meets all six standards found in the Act. Those standards are:

- (a) Is located not closer than 1,500 feet to any of the following:
 - (i) Another licensed group child care home.
 - (ii) An adult foster care small group home or large group home licensed under the adult foster care facility licensing act, 1979 PA 218, MCL 400.701 to 400.737.
 - (iii) A facility offering substance use disorder services to 7 or more people that is licensed under part 62 of the public health code, 1978 PA 368, MCL 333.6230 to 333.6251.
 - (iv) A community correction center, resident home, halfway house, or other similar facility that houses an inmate population under the jurisdiction of the department of corrections.
- (b) Has appropriate fencing for the safety of the children in the group child care home as determined by the local unit of government.
- (c) Maintains the property consistent with the visible characteristics of the neighborhood.
- (d) Does not exceed 16 hours of operation during a 24-hour period. The local unit of government may limit but not prohibit the operation of a group child care home between the hours of 10 p.m. and 6 a.m.
- (e) Meets regulations, if any, governing signs used by a group child care home to identify itself.
- (f) Meets regulations, if any, requiring a group child care home operator to provide off-street parking accommodations for his or her employees.

The Planning Commission held the public hearing for Special Use Permit #24030 at its meeting on December 9, 2024. After much discussion and public comment, the Planning Commission agreed to consider a resolution to approve the special use permit to operate a group child care home for up to fourteen children at 1609 Downing Street at its next meeting.

The original staff report, dated December 9, 2024, is attached. Additional materials from the public hearing may be found at the following link: https://www.meridian.mi.us/government/boards-and-commissions/agendas-packets-and-minutes/-folder-3684#docan5601_5944_42

Planning Commission Options

The Planning Commission may approve, approve with conditions, or deny the special use permit. A resolution to approve the request is provided. Staff **recommends approval** of the Special Use Permit to establish a group child care home for up to fourteen children at 1609 Downing Street, with the conditions listed in the resolution.

Move to adopt the resolution approving Special Use Permit #24030 to establish a group child care home for up to fourteen children at 1609 Downing Street, *for the following reasons:*

- The proposed group child care conforms to the Michigan Zoning Enabling Act.
- The proposed group child care conforms with the Township Master Plan and the Future Land Use map.

Attachment

1. Resolution to approve SUP #24030.
2. Staff Memo, Dated December 9, 2024

RESOLUTION TO RECOMMEND APPROVAL

**Special Use Permit #24030
1609 Downing Street - Al Saedi**

RESOLUTION

At a regular meeting of the Planning Commission of the Charter Township of Meridian, Ingham County, Michigan, held at the Meridian Municipal Building, in said Township on the 13th day of January, 2025 at 6:30 p.m., Local Time.

PRESENT:

ABSENT:

The following resolution was offered by Commissioner _____ and supported by Commissioner _____.

WHEREAS, Murooj Al Saedi has submitted a request to operate a group child care home for up to fourteen children on a 0.25-acre parcel identified as Parcel I.D. #15-277-002 located at 1609 Downing Street; and

WHEREAS, a special use permit is required for the operation of a group child care home; and

WHEREAS, the Planning Commission held a public hearing at its regular meeting on December 9, 2024, and has reviewed staff material forwarded under a cover memorandum dated December 9, 2024; and

WHEREAS, the subject site is appropriately zoned RA (single-family residential), which permits the operation of a group child care home by special use permit; and

WHEREAS, the proposed project is consistent with the standards for granting a special use permit found in Sec. 125.3206 in the Michigan Zoning Enabling Act; and

WHEREAS, the proposed project is consistent with the general standards for granting a special use permit found in Section 86-126 of the Code of Ordinances.

NOW THEREFORE, BE IT RESOLVED THE PLANNING COMMISSION OF THE CHARTER TOWNSHIP OF MERIDIAN hereby recommends approval of Special Use Permit #24030, subject to the following condition:

1. The Applicant shall maintain the required license for a Group Child Care Home from the State of Michigan. If the state license should lapse, then this special land use shall become null and void.
2. The Applicant shall maintain the back yard fencing in accordance with the requirements of the State of Michigan for the entire existence of the group child care.

ADOPTED: YEAS:

NAYS:

STATE OF MICHIGAN)

) ss

COUNTY OF INGHAM)

Resolution to Recommend Approval
SUP #24030 (Al Saedi) - 1609 Downing Street
Page 2

I, the undersigned, the duly qualified and acting Chairperson of the Planning Commission of the Charter Township Meridian, Ingham County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and a complete copy of a resolution adopted at a regular meeting of the Planning Commission on the 13th day of January, 2025.

Alisande Shrewsbury
Planning Commission Chairperson



To: Planning Commission
From: Brian Shorkey, Principal Planner
Date: December 9, 2024
Re: Special Use Permit #24030 (Al Saedi), establish group child care home for up to fourteen children at 1609 Downing Street.

Murooj Al Saedi (applicant) has requested a special use permit to operate a group child care home for up to 14 children at 1609 Downing Street, Haslett, MI 48820 (Subject Property). The 0.25-acre site is zoned RA (Single Family–Medium Density). The applicant currently operates a group child care home at 2149 Quarry Road (SUP #22071). Sec. 86-654 of the Code of Ordinances allows group child care homes as non-residential special uses in a residential zoning district subject to special use permit approval. According to the Applicant, the intent is to close the group child care home on Quarry Road when this group child care home is opened.

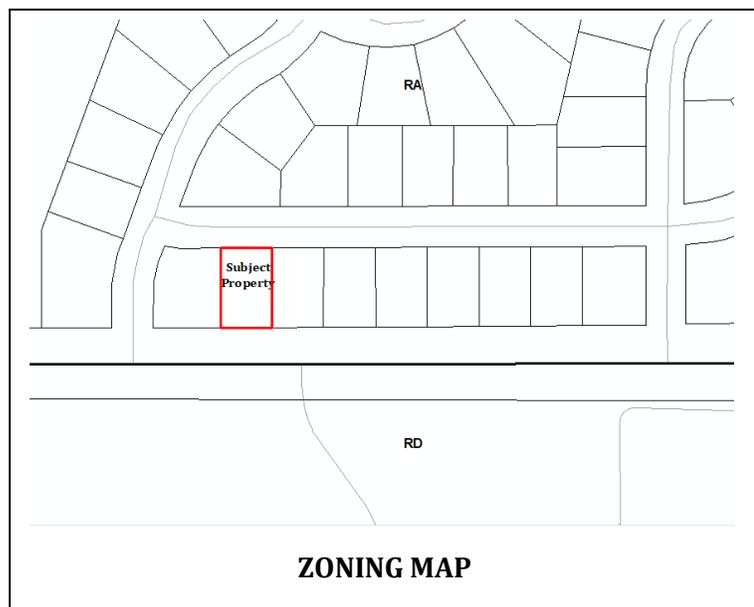
In accordance with the Child Care Organizations Act (Public Act 116 of 1973), the Department of Licensing and Regulatory Affairs (LARA), Child Care Licensing Division, regulates child care facilities based on the number of children under supervision. A facility caring for less than seven children is defined as a family child care home and is not subject to local zoning laws. Facilities with greater than seven children, with a maximum of 14, are defined as group child care homes and are subject to local zoning approval.

Zoning and Future Land Use

The Subject Property is located in the RA – Single-Family Residential zoning district. The same zoning designation applies to the adjacent properties to the west, north, and east. The property to the south is zoned RD – Multiple-Family Residential.

The RA district requires a minimum of 80 feet of lot frontage and 10,000 square feet of lot area for new lots. The Subject Property totals approximately 0.25 acre in size. The Subject Property has a total of approximately 81 feet of frontage along Downing Street. The Subject Property conforms to the RA zoning district.

The Future Land Use Map from the 2023 Master Plan designates the Subject Property in the Suburban Residential category. The same



designation applies to the properties adjacent to the west, north, and east. The Suburban Residential designation correlates with the RA Zoning District. The property adjacent to the south, on the other side of Tihart Road, is designated as Multiple-Family Residential.

Physical Features

The subject property is developed with a 2,627 square foot 2-story family house with landscaping around the side and rear yards. The rear yard is completely fenced in. There are no wetland or floodplain issues.

Streets & Traffic

The site has frontage and access on Downing Street. Downing Street is two lanes wide and classified as a local street. Five-foot sidewalks are present on both sides of the street. The daily process for pick-up and drop-off traffic at the subject site starts at 7:00 am and ends at 5:00 pm. A typical morning drop-off extends from 7:00 am to 9:00 am. A typical afternoon pick-up extends from 3:30 pm to 5:00 pm. Downing Street is accessed to the east and west of the Subject Property from Tihart Road, via Thames Drive and Haversham Drive, respectively.

Staff Analysis

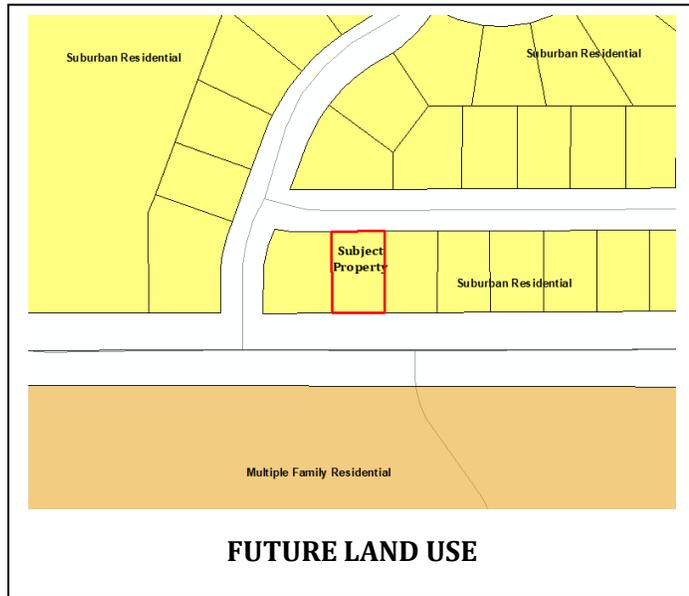
The Township's Code of Ordinances allows a group child care home as a nonresidential use in a residential zoning district, subject to Special Use Permit approval. The proposed group child care home will operate between the hours of 7:00 am and 5:00 pm, Monday through Friday. According to the applicant, two staff members, the owners of the subject site, will be on-site at all times during operation. According to the applicant, no further employees are going to be hired.

The Applicant has applied for a license from the State of Michigan to operate a group child care home. Prior to issuing a license, LARA inspects the property for such items as outdoor play area and equipment, water hazards, home maintenance and safety, utility service, ventilation, lighting, exit and escape requirements, smoke detectors, and emergency plans.

Michigan Zoning Enabling Act

The Michigan Zoning Enabling Act (the "MZEA," Public Act 110 of 2006) requires the Township to issue a special use permit for a group child care home if it meets all the following standards

1. The group child care home is located no closer than 1,500 feet, as measured along a public street, to a) another licensed group child care home b) an adult foster care small group home or large group home licensed under the adult foster care facility licensing act c) a facility offering substance abuse treatment and rehabilitation service to 7 or more people d) A community



correction center, resident home, halfway house, or other similar facility which houses an inmate population under the jurisdiction of the department of corrections

Staff researched the State's online database and found none of the uses listed above within 1,500 feet of the subject property.

2. Has appropriate fencing for the safety of the children in the group child care home as determined by the local unit of government.

As noted, the back yard is completely fenced in and enclosed. The current fence is approximately four feet in height. The Applicant has verbally proposed to replace the existing fence with a new 6-foot high fence.

3. Maintains the property consistent with the visible characteristics of the neighborhood.

Based on a search of Township records, there are no unresolved property violations for the subject property. The Applicant has recently purchased the Subject Property and a visual inspection of the site confirms the property is well maintained.

4. Does not exceed 16 hours of operation in a 24-hour period. The local unit of government may limit but not prohibit the operation of a group child care home between the hours of 10:00 pm and 6:00 am.

The application documents submitted indicate the hours of operation to be less than 12 hours. The group child care home will operate Monday through Friday between the hours of 7:00 am and 5:00 pm for a total of 10 hours per day.

5. Regulations governing signs used by a group child care home to identify itself.

The application documents do not indicate a sign will be installed at the subject site and no sign exists on the site. If a sign is later proposed, it must meet the sign standards for a home occupation, which allow one non-illuminated wall sign no more than two square feet in size. No freestanding sign is allowed in the front yard.

6. Meets regulations, if any, requiring a group child care home operator to provide off-street parking accommodations for his or her employees.

The Township does not have any parking requirements for a group child care home operating in a residential zoning district. However, the Township does require a single-family residence to have two parking spots, which the subject site complies with. In addition, parking is allowed on Downing Street. It is anticipated parking will be limited to temporary stops for picking up and dropping off of children.

While the MZEA compels the Township to issue a special use permit if it meets the above requirements, it also allows the Township to issue a special use permit with conditions if not all

criteria are met. Special land use standards that apply to this application are found in Sec. 86-654, subsections (e) and (f). Staff has reviewed those standards and have the following comments:

Sec. 86-654 (e) Site location standards

1. Any permitted nonresidential structure or use should preferably be located at the edge of a residential district, abutting a business or industrial district, or a public open space.

The Subject Property is the second house from the Haversham Drive entrance to the subdivision from Tihart Road. The Subject Property is on the edge of the single-family residential zoning district and, as noted, backs up to Tihart Road. The Subject Property is on the edge of the neighborhood and zoning district.

2. All means shall be utilized to face any permitted nonresidential use on a major street.

The Subject Property faces Downing Street, but it does back up to Tihart Road.

3. Motor vehicle entrance and exit should be made on a major street, or as immediately accessible from a major street as to avoid the impact of traffic generated by the nonresidential use upon the residential area.

The Subject Property's driveway is approximately 358 feet from Tihart Road via Haversham Drive. The Subject Property is the second property east of the intersection of Downing Street and Haversham Drive.

Increased traffic has been brought up as a concern from residents. Staff notes that a maximum of 14 cars would be added to the morning traffic over a 2-hour window, and a maximum of 14 cars would be added to afternoon traffic over a one and a half hour window.

4. Site locations should be preferred that offer natural or manmade barriers that would lessen the effect of the intrusion of the nonresidential use into a residential area.

The backyard is completely enclosed with fencing. The fencing consists of chain link and does not visually block activity from the outside. In addition, the current fence is approximately four feet in height, and it is possible to see over it. Staff suggests that the Planning Commission requires the installation of a new, six-foot opaque fence as a condition for any future approval of the SUP. No inside activity within the home is visible from the outside and there is no signage on the Subject Property.

5. Any proposed nonresidential use will not require costly or uneconomic extensions of utility service.

No extensions of any utilities are necessary for the proposed group child care home.

Sec. 86-654 (f) (2) Group child care homes

1. Lot area and width shall be not less than that specified for the district in which the proposed use is to be located.

The Subject Property is zoned RA – Single-Family Residential. The Subject Property conforms to the dimensional requirements of the RA zoning district.

2. No building shall be erected to a height greater than that permitted in the district in which the proposed use is to be located.

The existing home on the Subject Property conforms to the 35-foot building height maximum.

3. All buildings shall be harmonious in appearance with the surrounding residential area and shall be similar in design and appearance to any other buildings on the same lot. Exposed equipment shall be screened.

The Subject Property is developed as part of the Olde English single-family residential development. The appearance of the Subject Property is harmonious and that is not expected to change if the application is approved.

4. Parking spaces shall be provided in accordance with the requirements of Article **VIII** of this chapter.

There are a total of four parking spaces available on the Subject Property, two in the attached garage and two in the driveway. This meets the requirements of Article VIII – Off-Street Parking and Loading.

5. Structures and sites meet all current building, residential, fire and property maintenance codes as adopted by the Township.

No concerns have been raised by Township fire or building officials and there are no open violations for the Subject Property. Concerns about noise have been raised by neighbors regarding the sound of the children in the back yard. Staff believed that this would be mitigated with the installation of an opaque fence, which Staff has suggested as a requirement.

Planning Commission Options

The Planning Commission may approve, approve with conditions, or deny the special use permit. A resolution will be provided at a future meeting.

Attachments

1. Special Use Permit Application and supporting documents
2. Property survey, dated November 14, 2024
3. Sec. 125.3206 from the Michigan Zoning Enabling Act



To: Members of Planning Commission

From: Brian Shorkey, AICP, Senior Planner

Date: January 9, 2025

Re: Zoning Board of Appeals Appointment

According to the Planning Commission's bylaws, the Commission shall select a chair, vice-chair, and secretary at the first meeting in January. The offices of chair and vice-chair are currently filled, but the office of secretary is vacant.

In addition, and pursuant to Michigan planning law, one of the members of the Zoning Board of Appeals (ZBA) is required to be a liaison from the Planning Commission. The Planning Commission needs to fill the ZBA's vacancy and either reelect the current liaison or elect a replacement.

The Zoning Board of Appeals meets once a month currently, on the third Wednesday of the month. They hear and make decisions on zoning variance applications and hear appeals of decisions made by the Planning Commission, Township Board, or most commonly, the Community Planning and Development Director. They have a separate set of standards from the Planning Commission's normal review.