



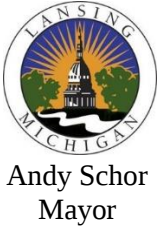
LANSING PLANNING COMMISSION
Regular Meeting
Tuesday, September 3, 2024, 6:30 p.m.
Neighborhood Empowerment Center
600 W. Maple Street, Lansing, MI 48906

AGENDA

- 1. OPENING SESSION**
 - A. Roll Call**
 - B. Excused Absences**
- 2. APPROVAL OF AGENDA**
- 3. COMMUNICATIONS**
- 4. PUBLIC HEARINGS & ITEMS FOR ACTION**
- 5. COMMENTS FROM THE AUDIENCE (please limit comments to 3 minutes per person)**
- 6. RECESS**
- 7. BUSINESS**
 - A. Consent Items**
 - (1) Minutes for approval: August 7, 2024 1**
 - B. Old Business**
 - (1) SLU-1-2024, 1950 N Waverly Road, Special Land Use Permit for an Adult Foster Care Home 7-12 residents in the “R-2” Residential district 2**
 - C. New Business**
- 8. REPORT FROM PLANNING & ZONING OFFICE**
- 9. COMMENTS FROM THE CHAIRPERSON**
- 10. COMMENTS FROM COMMISSION MEMBERS**
- 11. PENDING ITEMS: FUTURE ACTION REQUIRED**
- 12. ADJOURNMENT**

Next Regularly Scheduled Meeting: Tuesday October 1, 2024

For special accommodations, please give 24 hours' notice prior to the meeting by calling Sue Stachowiak in the Planning Office at 517-483-4085 or by dialing (tty 711).



LANSING PLANNING COMMISSION
Regular Meeting
August 7, 2024 - 6:30 p.m.
Neighborhood Empowerment Center
600 W Maple Street, Lansing, MI

MINUTES – DRAFT

1. OPENING SESSION

Mr. Hovey called the meeting to order at 6:32 p.m.

- a. Present: Katie Alexander, Tony Cox (arrived at 6:40 p.m.), Josh Hovey, Monte Jackson, Ted O'Dell (arrived at 6:35 p.m.)
- b. Absent: Shane Muchmore (excused), John Ruge (excused)
- c. Staff: Andy Fedewa, Principal Planner

2. APPROVAL OF AGENDA – The agenda was approved by unanimous consent

3. COMMUNICATIONS

All correspondence from the June 4, 2024 meeting were forwarded to Planning Commission.

Mary & John Patenge, email of support for the proposed accessory dwelling unit amendment.

Alan Fox, Ingham County Treasurer, letter of support for the proposed accessory dwelling unit amendment.

4. PUBLIC HEARINGS & ITEMS FOR ACTION

A. Z-1-2024, 3724 Pleasant Grove Road, Rezoning from R-3 “Suburban Residential” to MFR “Multi Family Residential”

Mr. Fedewa presented an overview of the request to rezone 3724 Pleasant Grove Road from R-3 “Suburban Residential” to MFR “Multi Family Residential” to permit two five-unit, multi-family rowhouses. The existing single-family house would be demolished to facilitate the new buildings.

Mr. Fedewa stated that although this area is designated as low-density residential in the Future Land Use Map, the map fails to reflect the multi-family residential campus adjacent to the subject parcel or other multi-family developments nearby in this neighborhood. The proposed development meets other comprehensive plan strategies and goals such as meeting the current housing demand, compatible residential infill, diverse housing choice, and middle housing (dwellings two- to six-units) and locating multi-family housing near transit. Since the subject property is adjacent to a 20-acre rowhouse development and other MFR parcels, this proposal is not out of character for the area and is not considered spot-zoning. The proposed development of 10 dwelling units per acre is in line with neighborhood density averages and is at the low-end for rowhouse developments, as outlined in the comprehensive plan. Housing density in the MFR district is also controlled by other zoning ordinance rules.

Pleasant Grove Rd. and W Holmes Rd. are both a neighborhood connector street type with have bike lanes and a bus route present. Although the applicant is currently proposing 25 parking spaces, slightly above the required 20 spaces, the development is well suited to take

advantage of bus transit and bicycling so no negative impacts are anticipated for the circulation network or area on-street parking.

Staff recommended approval of the rezoning proposal.

Mr. Hovey opened the public hearing.

Belinda Fitzpatrick, S Holmes St. spoke on the negative effects of too much surface parking and encouraged the applicant to instead plant more native landscaping.

Seeing no one else wishing to speak, Mr. Jackson closed the public hearing.

Mr. Jackson made a motion, seconded by Mr. O'Dell, to recommend approval of Z-1-2024, 3724 Pleasant Grove Road, Rezoning from R-3 "Suburban Residential" to MFR "Multi Family Residential".

Mr. Hovey asked if the impervious surface and excessive parking will be reviewed during site plan review, if it is required. Mr. Fedewa confirmed that the project will require site plan review and although there do not seem to be conflicts with zoning standards, the Public Service Department will review the off-street parking and impervious surface to guarantee that stormwater runoff is properly managed on-site or properly captured by the storm drain system.

Mr. Hovey stated that the city still needs increased housing supply and that the proposal is compatible with the nearby rowhouse development. The subject property is bordered by a Lansing fire station and a Board of Water and Light substation so it will not directly share borders with a single-family property.

On a voice vote, the motion passed unanimously (5-0).

B. SLU-1-2024, 1950 N Waverly Road, Special Land Use Permit for an Adult Foster Care Home 7-12 residents in the "R-2" Residential district.

Mr. Fedewa presented the request for a special land use permit to allow for an adult foster care small group home of up to 12 residents in the R-2 Residential zoning district at 1950 N Waverly Road. The subject property currently operates a state-licensed adult foster care home with up to six residents, which was issued December 20, 2022. The home has three bedrooms, a living room, a dining room, and a den. Two residents occupy each of the three bedrooms. To accommodate six additional residents the co-applicants propose to construct a house addition of 770 square feet with three new bedrooms, a full bathroom, and a living room, which is subject to all zoning and building code requirements.

Mr. Fedewa stated that he recommends approval of the request to support additional adult foster care housing if the facility can meet a need for area residents.

Mr. O'Dell asked the applicants if there is enough parking on the subject property. Karen Dietrich, applicant representative, stated the facility complies ADA standards and that only the staff park on-site.

Mr. Cox asked about the capacities of the residents and how staff addresses their needs. Ms. Dietrich answered that the applicants provide prescription medicine for the residents. Each resident has different daily needs and that some have jobs and everyone is able to leave when they wish but they must sign out so that they are properly accounted for.

Mr. Hovey asked how often inspections are conducted by LARA. The applicants stated that each resident has a case manager and LARA conducts site visits every month.

Mr. Hovey opened the hearing for public comment.

Robert Winthrop, Tecumseh River Road, stated that he neighbors the subject property and detailed ongoing issues he has had with the residents of the house and police calls that have happened. Mr. Winthrop spoke in opposition of the application.

Kelly Havens, Tecumseh River Road, stated that she is also a neighbor of the subject property and detailed ongoing issues and safety concerns she has had with residents of the house. Ms. Havens spoke in opposition of the request.

Farhan Sheikh-Omar, spoke on the need for mental health support and housing for these residents and spoke in support of the request.

Seeing no one else wishing to speak, Mr. Hovey closed the public hearing.

Mr. O'Dell made a motion, seconded by Mr. Cox to recommend approval of SLU-1-2024, 1950 N Waverly Road, Special Land Use Permit for an Adult Foster Care Home 7-12 residents in the "R-2" Residential district.

Mr. Cox spoke on his concerns for community mental health, with sensitivity to nearby residents who are not familiar with the mental health field. He states that he does not feel that an expansion to the subject property is in the best interest of the neighborhood. Mr. Odell agreed and asked if there was an opportunity to table the discussion so that staff could prepare research into possible police reports and other information related to licenses and issues with CMH/LARA.

Mr. O'Dell made an amendment to his motion, seconded by Mr. Cox to table SLU-1-2024, 1950 N Waverly Road, Special Land Use Permit for an Adult Foster Care Home 7-12 residents in the "R-2" Residential district. On a roll call vote the motion passed unanimously (5-0).

5. COMMENTS FROM THE AUDIENCE

Joan Nelson, Rosamond St. spoke in support of the draft Accessory Dwelling Unit (ADU) Amendment.

Jason Lachowski, AARP Michigan, spoke in support of the draft ADU Amendment.

Michael Caine, Lansing Intentional Communities, spoke in support of the draft ADU Amendment.

Diana Bartlett, Butterfield Dr., spoke in support of the draft ADU Amendment.

Ms. Fitzpatrick, spoke on the need to limit off-street impervious parking surfaces.

6. **RECESS** – Not taken.

7. **BUSINESS**

A. **Consent Items**

(1) Minutes for approval: June 4, 2024

The minutes from the June 4, 2024 Planning Commission meetings were approved without objection.

B. **Old Business**

(1) **Draft Sign Ordinance, Chapter 1310, July 10 Revision**

Mr. Fedewa stated that since Planning Commission originally voted to recommend approval of the draft Sign Ordinance a few matters came to the attention of staff. He asked for Planning Commission to review the four recommended revisions and to hold another vote for City Council's consideration.

Ms. Alexander made a motion, seconded by Mr. O'Dell, to recommend approval of the draft Sign Ordinance, Chapter 1310, July 10 Revision. On a voice vote the motion passed unanimously (5-0).

(2) **Form-Based Zoning Code, Draft Accessory Dwelling Unit Amendment**

Mr. Fedewa reviewed the discussion on the general zoning amendments and the accessory dwelling unit amendment from the June Planning Commission meeting.

Ms. Alexander made a motion, seconded by Mr. Jackson to recommend approval of the Form-Based Zoning Code, Draft Accessory Dwelling Unit Amendment. On a voice vote the motion carried unanimously (5-0).

C. **New Business**

(1) **Act-4-2024, 2300 S Washington Avenue, Purchase of Property**

Mr. Fedewa stated that the City of Lansing has requested the purchase of 2300 S Washington Avenue from the Lansing Building Authority to enable the parcels to be combined for construction of the Public Safety Complex. Site work on the property has begun, though the ownership transfer will allow any construction that would span the two parcels. Although the Lansing Building Authority is a quasi-public body, it is legally separate from the City.

Ms. Alexander made a motion, seconded by Mr. Cox, to recommend approval of Act-4-2024, 2300 S Washington Avenue, Purchase of Property.

On a roll call vote, the motion passed unanimously (5-0).

8. **REPORT FROM PLANNING & ZONING OFFICE** – None
9. **COMMENTS FROM THE CHAIRPERSON** – None
10. **COMMENTS FROM COMMISSION MEMBERS** – None
11. **PENDING ITEMS: FUTURE ACTION REQUIRED** – None
12. **ADJOURNMENT** – The meeting was adjourned at 7:45 p.m.

**Department of Economic
Development and Planning**
Rawley Van Fossen, Director



Andy Schor, Mayor

Planning & Zoning Office
316 N. Capitol Avenue, Suite D-1
Lansing, Michigan 48933
PH: 517.483.4066
www.lansingmi.gov/planning

MEMORANDUM

TO: City of Lansing Planning Commission

FROM: Andy Fedewa, Planner

DATE: September 3, 2024

SUBJECT: SLU-1-2024, 1950 N Waverly Rd.

During the public hearing at the August 7, 2024 Planning Commission meeting, two neighbors of the subject property expressed concerns about the current operation of the Adult Foster Care home with the six existing residents. Based on these concerns Planning Commission members requested Planning and Zoning Office staff research any violations of the facility with the Michigan Department of Licensing and Regulatory Affairs (LARA) and Lansing Police Department (LPD) calls to the address since the facility was licensed in December 2022.

Attached are the Original Licensing Study Report, Renewal Inspection Report, and a Special Investigation Report from 3/26/2024. These reports are publicly available on the LARA website. LARA was unable to provide any other records of complaints, if they exist, without a Freedom of Information Act request.

Staff confirmed that LPD has responded to calls or assisted on medical calls to the subject address 23 times since January 2023, the first on 6/10/23 and the latest on 7/28/24.

I originally recommended approval of the request based on the findings of fact in the original staff report and because I felt that if a need existed for Adult Foster Care that staff and the City should be supportive. Based on the results of a police reports search, I can no longer offer a staff recommendation of approval for the request. Although the facility is in good standing with LARA, it appears that the facility is unable to operate without consistent calls to the police and emergency services. I feel that increasing the number of residents to 12 in this single-family neighborhood in light of these on-going calls would not be appropriate for this facility or the location.

Fedewa, Andrew

From: Karen Dietrich <karendietrich@kw.com>
Sent: Friday, August 23, 2024 1:39 PM
To: Fedewa, Andrew
Subject: [EXTERNAL] 1950 Waverly Road Additional Information

Hello Andrew,

I met with the owners of 1950 Waverly Road to discuss how we would like to proceed for the upcoming meeting on September 3rd. Here are a few bullet points

- LARA is very strict on the requirements to obtain a license for an Adult Foster Care home
- If there are any violations the license will be revoked
- Inspections are ongoing usually 3-4 times per month. The owners have received glowing reviews
- If a resident is in need of urgent medical care they are required to call 911. The ambulance and fire trucks do not sound their sirens.
- If a resident does not fit into the environment the owners can give them a 30 day notice to find a new facility.

I hope this gives you and the board a better understanding of their situation.

--

Enjoy Today,

Karen Dietrich
Keller Williams Realty
3490 Belle Chase Way, Suite 130
Lansing, MI 48911
517-204-4002

My business is built upon excellence. Strong negotiating power and communication provides my clients with education to make sound decisions. Are you ready to partner with excellence.

GENERAL INFORMATION

APPLICANT:	Asnakech Mengistu and Ketema Beshah 1950 N Waverly Road Lansing, MI 48906
OWNER:	Asnakech Mengistu and Ketema Beshah 5875 Green Road Haslett, MI 48840
REQUESTED ACTION:	Special Land Use Permit for a state-licensed adult foster care, small group home, for up to 12 residents in care (Note: this use is called a ‘small group home’ in the Lansing Zoning Ordinance, but a ‘medium group home’ by the State of Michigan)
EXISTING LAND USE:	Single-family residential
EXISTING ZONING:	“R-2” Suburban Residential
PROPERTY SIZE:	16,296 square feet (.374 acres)
SURROUNDING LAND USE:	N: Single Family Residential S: Single Family Residential E: Single Family Residential W: Delta Township, vacant
SURROUNDING ZONING:	N: “R-2” Suburban Residential S: “R-2” Suburban Residential E: “R-2” Suburban Residential W: Delta Township, Multiple Family Residential
MASTER PLAN DESIGNATION:	The Design Lansing Master Plan designates the subject property for low density residential use. N Waverly Road is designated a suburban corridor street type.

REQUEST

Special land use permit to utilize the existing building at 1950 N Waverly Road for a state-licensed adult foster care, small group home. The proposal is to provide around the clock care for a maximum of 12 residents. The home will be licensed and operated in accordance with all State of Michigan Department of Licensing and Regulatory Affairs (LARA) requirements for adult foster care group home facilities and subject to inspections and oversight thereby.

BACKGROUND INFORMATION

The building on the subject property is currently operated as a state-licensed adult foster care home with up to six residents, which was issued December 20, 2022. The house is 1,630 square feet with three bedrooms, a living room, a dining room, and a den. Two residents occupy each of the three bedrooms. LARA has stated that the two co-applicants share 24-hour a day care and staffing. LARA standards require one staff member per six residents so the co-applicants will be required to hire additional staff. The applicants are proposing to build an addition of approximately 770 square feet onto the house to form an L-shape which will include three new bedrooms, a full bathroom, and a living room. The addition will be subject to all zoning and building code requirements, but there appears to be enough property space to accommodate the increased building size.

According to an online search through LARA conducted July 24, 2024 there do not appear to be any licensed AFC, small group homes near the subject property.

A rezoning is not required for the proposed small group home for up to 12 residents as it is a use permitted under the current “R-2” zoning, with a special land use permit.

SPECIAL LAND USE PERMIT

Section 1262.02(f) of the Zoning ordinance sets forth the criteria which must be used to evaluate a Special Land Use permit request. The criteria and evaluation are as follows.

1. Is the proposed special land use designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property and the surrounding area?

Large parcels with large homes are common within the Tecumseh River neighborhood but the proposed house addition doubling the existing number of bedrooms and shared space as well as doubling the number of residents to 12 will increase the intensity of the subject property relative to the surrounding neighborhood so care must be taken to maintain existing building setbacks and screening as much as possible. It does appear that some nearby single-family houses are similar in size to the subject house including the proposed addition.

Although the existing adult foster care home is relatively new at this location, there are no substantiated violations by the co-applicants.

Vehicle use by residents is typically very low given the nature of the land use, but the existing house has double-wide garage and enough driveway space to accommodate a minimum of four vehicles parked in tandem. This will be enough space for staff vehicles. There is no space for on-street parking on either N Waverly Road or Tecumseh River Road so no parking will be allowed there or on the yard of the subject property.

The facility will have to be licensed and maintain licensing by the State of Michigan, Department of Licensing and Regulatory Affairs and will be subject to its oversight,

regulations, and requirements. The facility will also be subject to inspections by the both the State and the Ingham County Health Department. The facility will be required to provide around the clock, on-site care by qualified staff to guarantee that all operations will be harmonious with the surrounding neighborhood.

2. Will the proposed special land use change the essential character of the surrounding area?

Although the co-applicants are proposing a house addition doubling the amount of living space and increasing the number of residents to 12, large parcels with large homes are common in this neighborhood. Like any other single-family home, the dwelling will be the home for its residents so it will not involve short-term or transient occupancy. The level of residential activity generated by the proposed use is not expected to change the essential character of the area as residents are under the ‘aged, developmentally disabled, mentally ill’ category from LARA. The level of traffic, daily number of visitors to the site, and activity in general associated with the proposed use is expected to be very low, and comparable to that which was generated by a normal household.

The proposed use may benefit from the expansion of the privacy fence and/or evergreen trees for the privacy and screening of both the residents at the site and nearby neighbors.

3. Will the proposed special land use interfere with the enjoyment of adjacent property?

The proposed 12-bed adult foster care home is not expected to interfere with the enjoyment of adjacent properties. The special land use permit will allow for use of the existing building + addition that is reasonable and will have as low of an impact as possible on the surrounding residential neighborhood. It will generate a very low volume of activity in general and will not involve noise, fumes, light glare, or any other type of nuisances that could interfere with the enjoyment of other properties in the area.

4. Will the proposed special land use represent an improvement to the use or character of property under consideration and the surrounding area in general, and will the use be in keeping with the natural environment of the lot?

The proposed house addition could be considered an improvement for the subject property. A six-bedroom house is unusual in the city and it may increase its value if the special land use ever ceased and it was put on the market as a single-family home. The addition will be subject to all zoning and building code requirements to maintain the required setbacks and lot coverage maximums. The subject site is fortunate to have more than an average number of large trees so the co-applicants are encouraged to site the addition in such a way to save as many trees as possible.

5. Will the proposed special land use be hazardous to adjacent property or involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare?

The proposed group home will produce very little traffic and no smoke, odors, fumes, glare or anything else at a level that would be detrimental or disruptive to the surrounding neighborhood. It is not anticipated that the facility will generate outdoor activities that result in noise from large numbers of people congregating on the site.

6. **Will the proposed special land use be adequately served by essential public facilities and services, or is it demonstrated that the person responsible for the proposed special land use is able to continually provide adequately for the services and facilities deemed essential to the special land use under consideration?**

The site is already served by all necessary public facilities. With respect to transportation, the proposed adult care home will generate a low volume of both vehicular and pedestrian traffic but the subject property is near bus stops on N Waverly and Delta River Drive.

7. **Will the proposed special land use place demand on public services and facilities in excess of current capacity?**

The proposed facility is similar to the historical use of the property as a single-family home and thus, the demand on public services and facilities should not increase to the extent that the demand exceeds current capacity.

8. **Is the proposed special land use consistent with the intent and purpose of this Zoning Code and the objectives of any currently adopted Comprehensive Plan?**

The Design Lansing Comprehensive Plan designates the subject property for low density residential use. Compatibility of uses is a primary goal of the City's Comprehensive Plan and is a fundamental principle of land use planning. The proposed group home will likely have the least amount of impact on the surrounding residential area as any use that would make for reasonable use of the subject property. The proposed use will, therefore, be consistent with the intent and purpose of the Comprehensive Plan, the Zoning Ordinance and proper planning principles in general.

Approval of the special land use permit will not negatively impact future patterns of development or set a negative precedent for additional requests to permit group homes in the area. Both the City and the State do not permit 2 such facilities to be located within 1500 feet of each other.

9. **Will the proposed special land use meet the dimensional requirements of the district in which the property is located?**

The proposed house addition will be subject to and comply with all applicable zoning and building code requirements.

SUMMARY

Special land use permit to utilize the existing building at 1950 N Waverly Road for a state-licensed adult foster care, small group home with a maximum capacity of 12 residents, operated in accordance with all State of Michigan requirements for such facilities.

The available information supports a finding the requests satisfy all of the criteria set forth in the Zoning Ordinance for evaluating rezoning special land use permit applications, as detailed in this staff report.

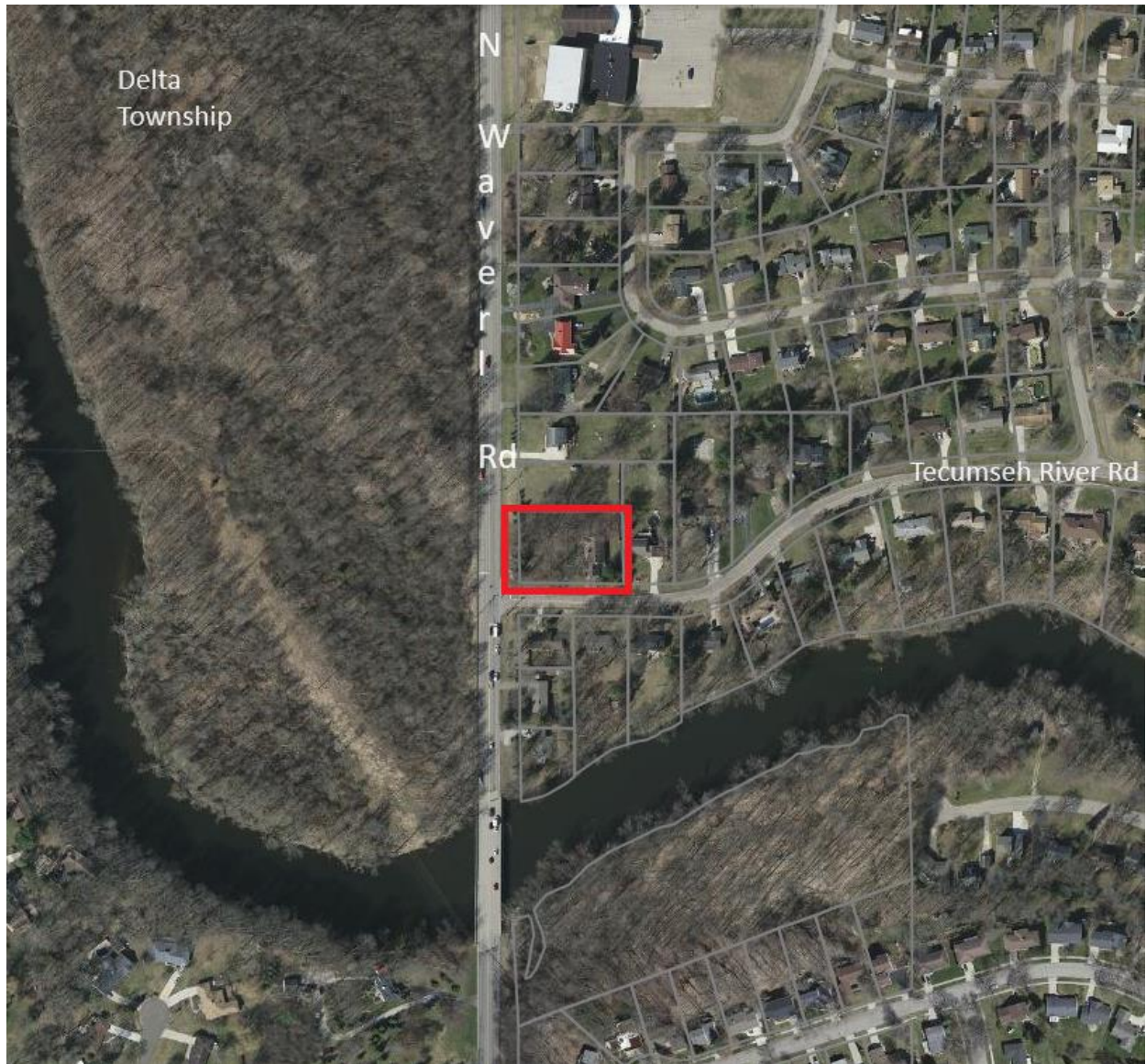
RECOMMENDATION

Staff recommends approval of SLU-1-2024, for a special land use permit to allow for use of 1950 N Waverly Road for a state-licensed adult foster care, small group home providing care for up to 12 residents, operated in accordance with all State of Michigan requirements for such facilities.

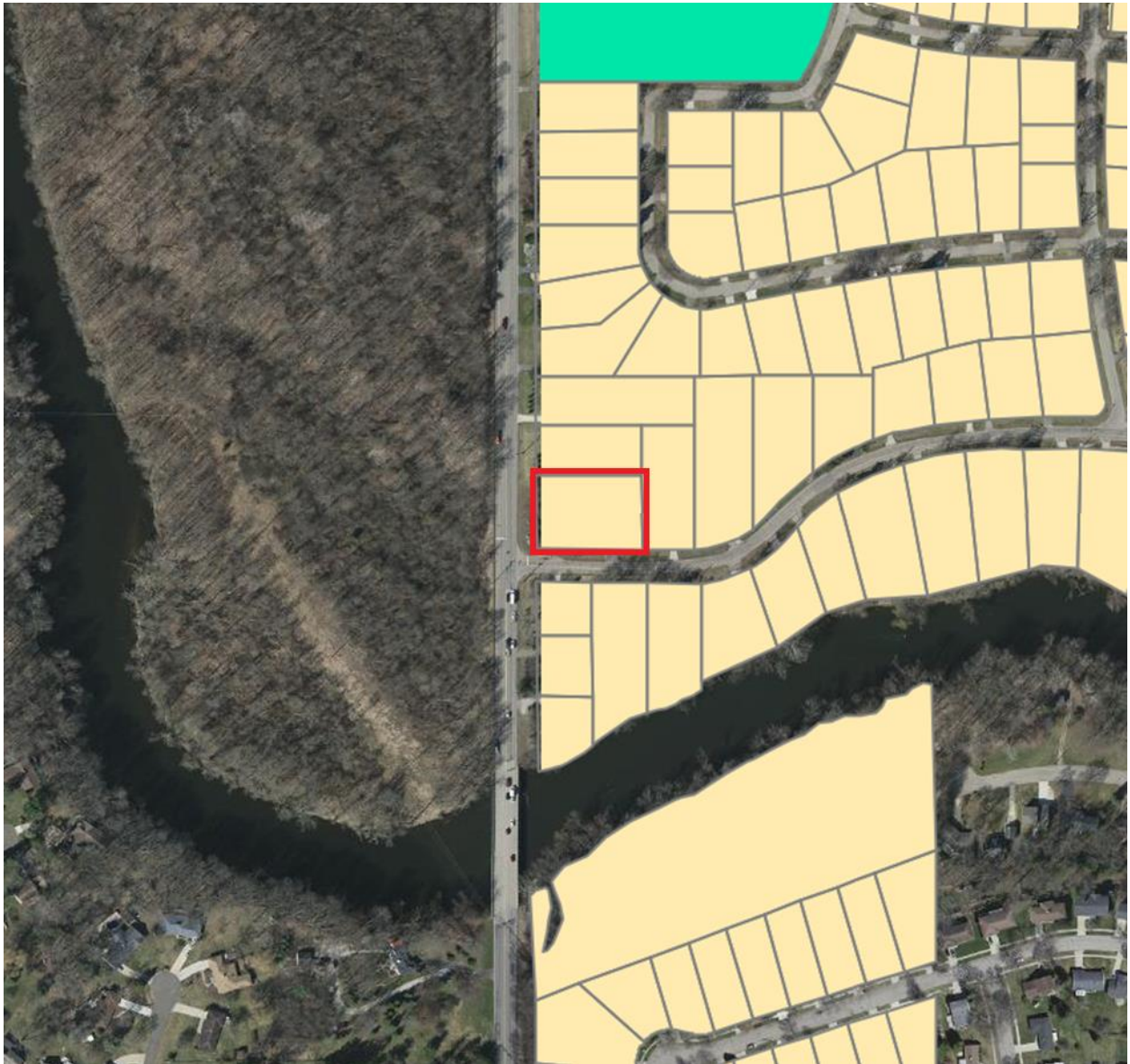
Respectfully Submitted,

Andy Fedewa
Planner

Aerial



Zoning:





Andy Schor, Mayor

PETITION FOR SPECIAL LAND USE

CITY OF LANSING
PLANNING OFFICE

Reset Form

Print Form

FILE NUMBER: _____

DATE SUBMITTED: _____

To the Honorable Mayor and City Council:

The undersigned do hereby petition for approval of a Special Land Use on the following described property:

full street address, including zip code, or location of property

Legal
description:

Applicant: _____

Address (including zip code): _____

Phone number(s): _____

Name of owner(s): _____

Owner address (including zip code): _____

Owner phone number(s): _____

Interest in property (please check one):

- ☐ Option to buy ☐ Owner
☐ Lessee ☐ Represent owner

☐ Other (please specify): _____

IF MORE SPACE IS NEEDED FOR THE ITEMS LISTED BELOW, PLEASE ATTACH EXTRA SHEETS

Proposed Special Land Use: _____

☐ Child Care (13 or more)

☐ Residential Care Facility (7 or more)

Zoning of the property: _____

Size of Parcel:

Width: _____ ft. Length: _____ ft. Area: _____ Sq. ft.

Irregular: (specify and attach scale drawing with dimension)

Please describe
your proposal:

include specific background information and copies of permits, approvals, and program information

Submit the following:

- Lot Plan (showing location of existing structure and include adjacent properties and setback dimensions).
- Site Plan (showing parking areas, driveways, accessory buildings, trash receptacles).
- Landscape, screening, and buffering plan in accordance with Chapter 1290.
- Photographs of the site.
- Flood plain elevations, if applicable.
- Copies of permits from other agencies, if applicable.

FEES:

Less than one (1) acre:	\$500.00
One (1) to three (3) acres:	\$650.00
Greater than three (3) acres:	\$800.00

Please review the application and file it with the Planning Office. The Planning Office will transmit it to the City Clerk for official submission.

Signature of applicant:_____

Name: _____

For assistance, please contact:

PLANNING OFFICE
316 N. CAPITOL AVE., SUITE D-1
LANSING, MI 48933-1236
(517) 483-4066
FAX: (517) 483-6036



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

December 19, 2022

Ketema Beshah & Asnakech Mengistu
5875 Green Rd
Haslett, MI 48840

RE: Application #: AS330413152
AZMED AFC
1950 North Waverly Rd.
Lansing, MI 48906

Dear Ketema Beshah & Asnakech Mengistu:

Attached is the Original Licensing Study Report for the above referenced facility. The study has determined substantial compliance with applicable licensing statutes and administrative rules. Therefore, a temporary license with a maximum capacity of 6 is issued.

Please review the enclosed documentation for accuracy and contact me with any questions. In the event that I am not available and you need to speak to someone immediately, please contact the local office at (517) 284-9730.

Sincerely,

A handwritten signature in cursive script that reads "Jana Lipps".

Jana Lipps, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909

enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS
LICENSING STUDY REPORT**

I. IDENTIFYING INFORMATION

License #:	AS330413152
Applicant Name:	Ketema Beshah & Asnakech Mengistu
Applicant Address:	5875 Green Rd Haslett, MI 48840
Applicant Telephone #:	(517) 993-6192
Administrator/Licensee Designee:	Ketema Beshah (Licensee & Administrator) & Asnakech Mengistu (Licensee)
Name of Facility:	AZMED AFC
Facility Address:	1950 North Waverly Rd. Lansing, MI 48906
Facility Telephone #:	(517) 515-3060 06/28/2022
Application Date:	
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

II. METHODOLOGY

06/28/2022	Enrollment
06/29/2022	Application Incomplete Letter Sent Updated fingerprint for Ketema Beshah
08/02/2022	Contact - Document Received RI 030 for Ketema Beshah (referred to Candace)
08/15/2022	PSOR on Address Completed
08/15/2022	Contact - Document Received 1326 for Ketema Beshah & Asnakech Mengistu and AFC 100 for Meraf Ketema
08/23/2022	File Transferred To Field Office Via SharePoint
08/26/2022	Application Incomplete Letter Sent
12/01/2022	Application Complete/On-site Needed
12/01/2022	Inspection Completed On-site
12/01/2022	Inspection Completed-BCAL Sub. Compliance
12/01/2022	Application Incomplete Letter Sent
12/13/2022	Inspection Completed-BCAL Full Compliance

III. DESCRIPTION OF FINDINGS & CONCLUSIONS

A. Physical Description of the facility

The home is a ranch style structure located at 1950 North Waverly Rd. in the northwest side of Lansing. The home is situated on a corner lot with 0.72 acres of land, in the quiet River Forest subdivision. The home has three shared resident bedrooms located on the main level of the structure. The resident living area, dining area and kitchen are also located on the main level of the home. The dining room is separate from the kitchen and has capacity to seat six residents at the same time. The structure is not wheelchair accessible as the doorways are not wide enough to accommodate a wheelchair and there are not currently two approved means of egress for wheelchairs that include wheelchair ramps. The home utilizes a public water and sewer system.

The boiler and a natural gas hot water heater are located in the basement with a 1-3/4 inch solid core door equipped with an automatic self-closing device and positive latching hardware located at the top of the stairs to create floor separation. The boiler and water heater were recently inspected by an accredited service provider. Documentation was provided to the licensing consultant upon inspection. The facility is equipped with interconnected, hardwire smoke detection system, with battery backup, which was installed by a licensed electrician and is fully operational.

Resident bedrooms were measured during the on-site inspection and have the following dimensions:

Bedroom #	Room Dimensions	Total Square Footage	Total Resident Beds
1	10'11 x 12'11	141.01	2
2	11'5 x 12'11	147.47	2
3	12'11 x 13'11	179.77	2
Living Room	13'1 x 20'1	262.76	0
Dining Room	10'8 x 12'10	136.89	0
Den	8'11 x 10'9	95.00	0

The living, dining, and sitting room areas measure a total of 399.65 square feet of living space. This exceeds the minimum of 35 square feet per occupant requirement.

Based on the above information, it is concluded that this facility can accommodate **six (6)** residents. It is the licensee's responsibility not to exceed the facility's licensed capacity.

B. Program Description

Admission and discharge policies, program statement, refund policy, personnel policies, and standard procedures for the facility were reviewed and accepted as written. The applicant intends to provide 24-hour supervision, protection and personal care to **six (6)** male or female ambulatory adults whose diagnosis is developmentally disabled or mentally impaired and/or aged in the least restrictive environment possible. The program will include social interaction skills, personal hygiene, personal adjustment skills, and public safety skills. A personal behavior support plan will be designed and implemented for each resident's social and behavioral developmental needs. The applicant intends to accept residents from Clinton, Eaton, Ingham County CMH, or private pay individuals as a referral source.

If required, behavioral intervention and crisis intervention programs will be developed as identified in the assessment plan. These programs shall be implemented only by trained staff, and only with the prior approval of the resident, guardian, and the responsible agency.

The licensee will provide for transportation accommodations for program and medical needs. The facility will make provision for a variety of leisure and recreational equipment. It is the intent of this facility to utilize local community resources including public schools and libraries, local museums, shopping centers, and local parks. This facility is located near three local parks, the Grand Woods Park & Sharp Park, both in Delta Township, and the Tecumseh Park in Lansing. There are nearby activities such as bowling, movies, and shopping.

C. Applicant and Administrator Qualifications

The applicants, Ketema Beshah & Asnakech Mengistu, will share co-licensee responsibilities. Mr. Beshah will function in the capacity as administrator for the facility. The applicants have sufficient financial resources to provide for the adequate care of the residents as evidenced by a review of their credit report and the budget statement submitted to operate the adult foster care facility. The applicants also have cash in savings and income from their outside employment.

A licensing record clearance request was completed with no LEIN convictions recorded for the applicants along with current fingerprinting results submitted to the bureau. The applicants submitted a medical clearance request with statements from a physician documenting their good health and current TB-tine negative results.

The applicants have provided documentation to satisfy the qualifications and training requirements identified in the administrative group home rules.

The staffing pattern for the original license of this six-bed facility is adequate and includes a minimum of one-staff-to-six residents per shift. The applicants acknowledged that the staff-to-resident ratio may need to change to reflect any increase in the level of supervision, protection, or personal care required by the residents. The applicants have indicated that direct care staff will not be awake during sleeping hours unless resident care plan requires this level of supervision.

The applicants acknowledged an understanding of the qualifications, suitability, and training requirements for direct care staff prior to each person working in the facility in that capacity or being considered as part of the staff-to-resident ratio.

The applicants acknowledged an understanding of the responsibility to assess the good moral character of employees and contractors who have regular, ongoing, “direct access” to residents or the resident information or both. The licensing consultant provided technical assistance on the process for obtaining criminal record checks utilizing the Michigan Long Term Care Partnership website (www.miltcpartnership.org) and the related documents required to be maintained in each employee’s record to demonstrate compliance.

The applicants acknowledged an understanding of the administrative rules regarding medication procedures and that only those direct care staff that have received

medication training and have been determined competent by the licensee, can administer medication to residents. In addition, the applicants have indicated that resident medication will be stored in a locked cabinet and that daily medication logs will be maintained on each resident receiving medication.

The applicants acknowledge their responsibility to obtain all required good moral character, medical, and training documentation and signatures that are to be completed prior to each direct care staff or volunteer working directly with residents. In addition, the applicants acknowledged their responsibility to maintain all required documentation in each employee's record for each licensee or licensee designee, administrator, and direct care staff or volunteer and follow the retention schedule for those documents contained within each employee's record.

The applicants acknowledged an understanding of the administrative rules regarding the admission criteria and procedural requirements for accepting a resident into the home for adult foster care. The applicants acknowledged their responsibility to obtain the required written assessment plan, resident care agreement, and health care appraisal forms and signatures that are to be completed prior to, or at the time of each resident's admission to the home as well as updating and completing those forms and obtaining new signatures for each resident on an annual basis.

The applicants acknowledged their responsibility to maintain a current resident record on file in the home for each resident and follow the retention schedule for all of the documents that are required to be maintained within each resident's file.

The applicants acknowledge an understanding of the administrative rules regarding the handling of resident funds and valuables and intends to comply. The applicants acknowledge that a separate *Resident Funds Part II BCAL-2319* form will be created for each resident in order to document the date and amount of the adult foster care service fee paid each month and all residents' personal money transactions that have been agreed to be managed by the applicant.

The applicants acknowledged an understanding of the administrative rules regarding informing each resident of their resident rights and providing them with a copy of those rights. The applicants indicated that it is their intent to achieve and maintain compliance with these requirements.

The applicants acknowledged an understanding of the administrative rules regarding the written and verbal reporting of incidents and accidents and the responsibility to conduct an immediate investigation of the cause. The applicants has indicated their intention to achieve and maintain compliance with the reporting and investigation of each incident and accident involving a resident, employee, and/or visitor.

The applicants acknowledged their responsibility to provide a written discharge notice to the appropriate parties when a 30-day or less than 30-day discharge is requested.

D. Rule/Statutory Violations

The applicants were in compliance with the licensing act and applicable administrative rules at the time of licensure.

IV. RECOMMENDATION

I recommend issuance of a temporary license to this AFC adult small group home with a capacity of six residents.



12/19/2022

Jana Lipps
Licensing Consultant

Date

Approved By:



12/19/2022

Dawn N. Timm
Area Manager

Date



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

ORLENE HAWKS
DIRECTOR

June 12, 2023

Ketema Beshah & Asnakech Mengistu
5875 Green Rd
Haslett, MI 48840

RE: License #: AS330413152
AZMED AFC
1950 North Waverly Rd.
Lansing, MI 48906

Dear Ketema Beshah & Asnakech Mengistu:

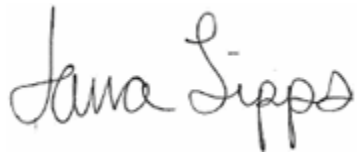
Attached is the Renewal Licensing Study Report for the facility referenced above. The violations cited in the report require the submission of a written corrective action plan. The corrective action plan is due 15 days from the date of this letter and must include the following:

- How compliance with each rule will be achieved.
- Who is directly responsible for implementing the corrective action for each violation.
- Specific dates for each violation as to when the correction will be completed or implemented.
- How continuing compliance will be maintained once compliance is achieved.
- The signature of the licensee or licensee designee or home for the aged authorized representative and a date.

Upon receipt of an acceptable corrective plan, a regular license will be issued. If you fail to submit an acceptable corrective action plan, disciplinary action will result.

Please contact me with any questions. In the event that I am not available and you need to speak to someone immediately, you may contact the local office at (517) 284-9730.

Sincerely,

A handwritten signature in cursive script that reads "Jana Lipps". The signature is written in dark ink on a light background.

Jana Lipps, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909

611 W. OTTAWA • P.O. BOX 30664 • LANSING, MICHIGAN 48909
www.michigan.gov/lara • 517-335-1980

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS
RENEWAL INSPECTION REPORT**

I. IDENTIFYING INFORMATION

License #:	AS330413152
Licensee Name:	Ketema Beshah & Asnakech Mengistu
Licensee Address:	5875 Green Rd Haslett, MI 48840
Licensee Telephone #:	(517) 993-6192
Licensee Designee:	N/A
Administrator:	Ketema Beshah
Name of Facility:	AZMED AFC
Facility Address:	1950 North Waverly Rd. Lansing, MI 48906
Facility Telephone #:	(517) 515-3060
Original Issuance Date:	12/20/2022
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

II. METHODS OF INSPECTION

Date of On-site Inspection(s): 06/12/2023

Date of Bureau of Fire Services Inspection if applicable: N/A

Date of Health Authority Inspection if applicable: N/A

No. of staff interviewed and/or observed 2

No. of residents interviewed and/or observed 0

No. of others interviewed 2 Role: licensees

- Medication pass / simulated pass observed? Yes ☒ No ☐ If no, explain.
- Medication(s) and medication record(s) reviewed? Yes ☒ No ☐ If no, explain.
- Resident funds and associated documents reviewed for at least one resident? Yes ☐ No ☒ If no, explain. The licensees are not currently holding funds for the current resident.
- Meal preparation / service observed? Yes ☐ No ☒ If no, explain. The resident was on an outing at the time of the inspection.
- Fire drills reviewed? Yes ☒ No ☐ If no, explain.
- Fire safety equipment and practices observed? Yes ☒ No ☐ If no, explain.
- E-scores reviewed? (Special Certification Only) Yes ☐ No ☒ N/A ☐ If no, explain. The licensees have one resident and this resident has not been at the facility for more than 30 days.
- Water temperatures checked? Yes ☒ No ☐ If no, explain.
- Incident report follow-up? Yes ☐ No ☒ If no, explain. No current incident reports. The licensees have just admitted their first resident on 5/30/23.
- Corrective action plan compliance verified? Yes ☐ CAP date/s and rule/s: N/A ☒
- Number of excluded employees followed-up? N/A ☒
- Variances? Yes ☐ (please explain) No ☐ N/A ☒

III. DESCRIPTION OF FINDINGS & CONCLUSIONS

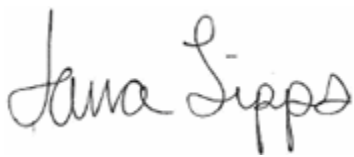
This facility was found to be in non-compliance with the following rules:

- R 400.14301 Resident admission criteria; resident assessment plan; emergency admission; resident care agreement; physician's instructions; health care appraisal.**
- (8) A copy of the signed resident care agreement shall be provided to the resident or the resident's designated representative. A copy of the resident care agreement shall be maintained in the resident's record.**

The *Resident Care Agreement* form reviewed in Resident A's resident record was not reviewed with Guardian A1 as indicated by a signature on the form. The licensees reported that they have not yet received a signature or conversed with Guardian A1 regarding the *Resident Care Agreement*.

IV. RECOMMENDATION

Contingent upon receipt of an acceptable corrective action plan, renewal of the license is recommended.



06/12/2023

Jana Lipps
Licensing Consultant

Date



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING

MARLON I. BROWN, DPA
DIRECTOR

March 7, 2024

Ketema Beshah & Asnakech Mengistu
5875 Green Rd
Haslett, MI 48840

RE: License #: AS330413152
Investigation #: 2024A0466025
AZMED AFC

Dear Ketema Beshah & Asnakech Mengistu:

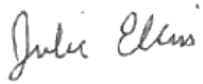
Attached is the Special Investigation Report for the above referenced facility. Due to the violations identified in the report, a written corrective action plan is required. The corrective action plan is due 15 days from the date of this letter and must include the following:

- How compliance with each rule will be achieved.
- Who is directly responsible for implementing the corrective action for each violation.
- Specific time frames for each violation as to when the correction will be completed or implemented.
- How continuing compliance will be maintained once compliance is achieved.
- The signature of the responsible party and a date.

If you desire technical assistance in addressing these issues, please feel free to contact me. In any event, the corrective action plan is due within 15 days. Failure to submit an acceptable corrective action plan will result in disciplinary action.

Please review the enclosed documentation for accuracy and contact me with any questions. In the event that I am not available and you need to speak to someone immediately, please contact the local office at (517) 284-9727.

Sincerely,

A handwritten signature in cursive script that reads "Julie Elkins".

Julie Elkins, Licensing Consultant
Bureau of Community and Health Systems
611 W. Ottawa Street
P.O. Box 30664
Lansing, MI 48909

enclosure

**MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
BUREAU OF COMMUNITY AND HEALTH SYSTEMS
SPECIAL INVESTIGATION REPORT**

I. IDENTIFYING INFORMATION

License #:	AS330413152
Investigation #:	2024A0466025
Complaint Receipt Date:	01/19/2024
Investigation Initiation Date:	01/22/2024
Report Due Date:	03/19/2024
Licensee Name:	Ketema Beshah & Asnakech Mengistu
Licensee Address:	5875 Green Rd Haslett, MI 48840
Licensee Telephone #:	(517) 993-6192
Administrator:	Ketema Beshah
Licensee Designee:	N/A
Name of Facility:	AZMED AFC
Facility Address:	1950 North Waverly Rd. Lansing, MI 48906
Facility Telephone #:	(517) 515-3060
Original Issuance Date:	12/20/2022
License Status:	REGULAR
Effective Date:	06/20/2023
Expiration Date:	06/19/2025
Capacity:	6
Program Type:	DEVELOPMENTALLY DISABLED MENTALLY ILL AGED

II. ALLEGATION:

	Violation Established?
On more than one occasion, residents have been locked out of the facility.	No
Additional Findings	Yes

III. METHODOLOGY

01/19/2024	Special Investigation Intake 2024A0466025.
01/22/2024	Special Investigation Initiated – Letter to assigned licensing consultant Jana Lipps.
01/22/2024	APS Referral.
01/25/2024	Inspection Completed On-site.
01/25/2024	Exit conference with co-licensee Beshah and co-licensee Mengistu about additional findings.
03/05/2024	Exit conference with co-licensee Beshah and co-licensee Mengistu regarding full investigation.

ALLEGATION: On more than one occasion, residents have been locked out of the facility.

INVESTIGATION:

On 01/19/2024, anonymous Complainant reported this facility's online *Original Licensing Study Report* stated that 24-hour care will be provided to the residents of this facility. Complainant reported that on more than one occasion a resident has been locked out of the facility night and police were involved to get them inside and warm. Complainant reported that as a resident in the neighborhood, Complainant is concerned residents are not being cared for properly because Complainant does not see staff vehicles at the facility. Complainant was anonymous, so no additional information or details regarding the allegation could be gathered.

On 01/25/2024, I conducted an unannounced onsite investigation and I interviewed co-licensee Asnakech Mengistu who reported there are six residents currently living at the facility and that all shifts 24 hours a day seven days a week are being covered by her and the co-licensee Ketema Beshah. Co-licensee Mengistu reported that they serve residents who quite independent and freely leave the facility throughout the day. Co-licensee Mengistu reported that the police have been to the facility twice. Co-licensee Mengistu reported the first time the police were out on

12/20/2023 when Resident A left the facility without signing out and had not returned by 9pm, so local police were contacted as they were worried about Resident A's whereabouts. Co-licensee Mengistu reported learning later that Resident A was with Relative A1 and he later returned to the facility. Co-licensee Mengistu reported she could not recall the date the second time the police were out but it was during terribly cold weather with significantly low windchills that closed all of the schools. Co-licensee Mengistu reported that Resident A wanted to go out to smoke late at night once the sun was down the temperature was below zero. Co-licensee Mengistu did not think that was a safe idea so she tried to talk him out of going outside due to the extreme weather conditions. Co-licensee Mengistu reported Resident A ended up going outside to smoke and at the same time Resident A called the police who did come to the facility. Co-licensee Mengistu denied ever locking Resident A or any resident out of the facility.

At the time of the unannounced investigation Resident A, Resident B, Resident C and Resident D were home and able to be interviewed. Resident A, Resident B, Resident C and Resident D all reported that there is always a staff member at the facility. All stated the staff member is typically co-licensee Beshah or co-licensee Mengistu who provide care and supervision 24 hours a day seven days a week. Resident A, Resident B, Resident C and Resident D all reported that they are always supervised and that they have never been left home alone for any amount of time. Additionally, Resident A, Resident B, Resident C and Resident D reported that they have never been locked out of the facility at any time.

I interviewed co-licensee Ketema Beshah who reported that he or co-licensee Mengistu are covering all shifts 24 hours a day seven days a week. Co-licensee Beshah recalled that the police had been to the facility however it was when he was not on shift and he does not remember the circumstances around their involvement. Co-licensee Beshah denied ever locking Resident A or any resident out of the facility.

APPLICABLE RULE	
R 400.14206	Staffing requirements.
	(1) The ratio of direct care staff to residents shall be adequate as determined by the department, to carry out the responsibilities defined in the act and in these rules and shall not be less than 1 direct care staff to 12 residents and children who are under the age of 12 years.

ANALYSIS:	Co-licensee Beshah, co-licensee Mengistu, Resident A, Resident B, Resident C and Resident D all reported that there is always a staff member, typically co-licensee Beshah or co-licensee Mengistu, in the facility to provide care and supervision 24 hours a day seven days a week. Resident A, Resident B, Resident C and Resident D all reported that they are always supervised and that they have never been left unsupervised.
CONCLUSION:	VIOLATION NOT ESTABLISHED

APPLICABLE RULE	
R 400.14305	Resident protection.
	(3) A resident shall be treated with dignity and his or her personal needs, including protection and safety, shall be attended to at all times in accordance with the provisions of the act.
ANALYSIS:	Co-licensee Beshah, co-licensee Mengistu denied ever locking Resident A or any resident out of the facility. Resident A, Resident B, Resident C and Resident D all reported that they have never been locked out of the facility.
CONCLUSION:	VIOLATION NOT ESTABLISHED

ADDITIONAL FINDINGS:

INVESTIGATION:

On 01/25/2024, I conducted an unannounced investigation and when I entered Resident B's bedroom, I observed the following medications unsecured on her nightstand:

- Triamcinolone Acetonide Ointment USP, 0.196.
- Tylenol, extra strength, 225 caplets, 500 mg each.
- I observed what appeared to be two loose Tylenol pills on the nightstand.
- Halls cough drops, 30 drops.

I interviewed Resident B who reported that she needs to take Tylenol for pain and that she applies the cream as prescribed.

I interviewed co-licensee Beshah & co-licensee Mengistu who reported that Guardian B1 provided Resident B with the Tylenol and Halls Cough drops that were in her bedroom. Co-licensee Beshah & co-licensee Mengistu reported that because they were over the counter medications they did not realize that a physician prescription was required. Co-licensee Beshah & co-licensee Mengistu reported that they have allowed Resident B to apply and keep in her possession the Triamcinolone Acetonide Ointment so she can administer it as needed. Co-licensee Beshah & co-licensee Mengistu reported Resident B does not have a physician

order for Tylenol nor does Resident B have a physician order to self-administer any medication.

I reviewed Resident B's record which contained an *Assessment Plan for AFC Residents* (written assessment plan) dated 12/3/2023 and signed by Guardian B1. In the "taking medication" section of it the written assessment plan, it stated Resident B needs assistance taking medications. It also documented that she "knows her medications very well." There was no written documentation from a physician stating that Resident B could self-administer any medication without direct care staff member supervision.

Resident Bs' record contained a January 2024 medication administration record (MAR) which documented that Resident A was prescribed:

- Triamcinolone Acetonide Ointment USP, 0.196. "Apply topically to affected area of hands and behind ears daily 5 days a week or less."

APPLICABLE RULE	
R 400.14312	Resident medications.
	(1) Prescription medication, including dietary supplements, or individual special medical procedures shall be given, taken, or applied only as prescribed by a licensed physician or dentist. Prescription medication shall be kept in the original pharmacy-supplied container, which shall be labeled for the specified resident in accordance with the requirements of Act No. 368 of the Public Acts of 1978, as amended, being §333.1101 et seq. of the Michigan Compiled Laws, kept with the equipment to administer it in a locked cabinet or drawer, and refrigerated if required. (3) Unless a resident's physician specifically states otherwise in writing, the giving, taking, or applying of prescription medications shall be supervised by the licensee, administrator, or direct care staff.

ANALYSIS:	I conducted an unannounced investigation on 01/25/2024 and I observed Triamcinolone Acetonide Ointment USP, 0.196, Tylenol, extra strength, 225 caplets, 500 mg each, two loose Tylenol pills on the nightstand and Halls cough drops, 30 drops on Resident B's nightstand. Not only were these medications not secured, Resident B, co-licensee Beshah & co-licensee Mengistu reported that Resident B was self-administering these medications without a physician order. Resident B's resident record did not contain a physician order for Tylenol 500mg each for pain and cough drops.
CONCLUSION:	VIOLATION ESTABLISHED

IV. RECOMMENDATION

Contingent upon receipt of an acceptable corrective action plan, I recommend no change in license status.

Julie Elkins

03/07/2024

Julie Elkins
Licensing Consultant

Date

Approved By:

Dawn Timm

03/07/2024

Dawn N. Timm
Area Manager

Date