



MEMO

PLANNING & COMMUNITY DEVELOPMENT

To: Plan Commission
From: Dave Kittel Director of Planning and Community Development
Date: September 4, 2024
Re: Special Exception Request – 2108 Sullivan Ave

Tonic Home Care LLC operates an adult assisted living service and has submitted an application for a Special Exception for parcel 323141800 – address 2108 Sullivan Ave. The parcel is zoned Residential Two Family (RTF), and the current use of the property is single family dwelling. Staff has spoken with the applicant and the property owner to gather the following information:

- The property in question is a 3-bedroom single family dwelling with one client in each room. The assisted care is 24 hours.
- The operator has the appropriate license from the Department of Health Services (DHS)
- The clients are adults. The assisted living service provides transportation for the clients, they do not have their own vehicles. There is a driveway and attached garage for the property adequate for parking of staff. If there are visiting hours, it would be arranged and the driveway can be utilized accordingly.

The applicant has provided additional information in an attached letter.

The City of Kaukauna Code of Ordinances, [Section 17.18 \(3\)](#) “allows community living arrangements/group homes, subject to Wis. Stats. § 62.23(7)(i)” as a special exception.

According to [Section 17.47 \(4\)](#), Plan Commission shall use the following criteria:

Before any special exception shall be recommended for approval, the city plan commission shall make findings that the granting of a special exception will not adversely affect the public interest and certify that the specific requirements governing the individual special exception, if any, have been met by the applicant. No special exception shall be recommended for approval unless the plan commission shall find:

- a. That the establishment, maintenance, or operation of the special exception use or structure will not be detrimental or injurious to the use and enjoyment of adjacent properties or properties in the immediate vicinity.
- b. That the special exception is compatible with the adjacent existing uses and structures or uses and structures likely to develop which are permitted in the district.
- c. That adequate public facilities and services are available to the development.
- d. That adequate measures are taken to provide for drainage.
- e. That ingress and egress to the property is provided in such a manner as to minimize traffic hazards and congestion.
- f. That adequate parking and loading areas are provided.

Public hearing. Upon the filing of an application for a special exception, the city plan commission shall notify the city council of such application and shall fix a reasonable time, not more than 60 days from the filing date, for a public hearing. A class 2 notice pursuant to Wis. Stats. ch. 985 shall be published in the official newspaper of the city specifying the date, time, and place of hearing and the matters to come before the city plan commission. Notice shall also be mailed to the parties of interest, as determined by the city plan commission.

Recommendation:

Finding the special exception request to meet all the criteria set forth in [Section 17.47 \(4\)](#) of the City Municipal Code, Staff recommends to schedule a public hearing for the October 18, 2024 Plan Commission meeting at 4:00 PM in the City Council Chambers and send notice to the newspaper and parties of interest.

