



MEMO

PLANNING & COMMUNITY DEVELOPMENT

To: Common Council
From: Dave Kittel, Director of Planning and Community Development
Date: November 14, 2024
Re: Special Exception Request – 152 Plank Road

A Special Exception Request has been received and has been reviewed by the Plan Commission. This included a public hearing that was held by the Plan Commission. During the Hearings some concerns were brought forth on the special exception regarding some police calls to the property. The Plan commission made a recommendation to approve the special exception with the below conditions:

1. All local ordinances are to be followed such as ordinances pertaining to weeds, lawn height and garbage.
2. Fire Department to do yearly inspections to ensure compliance with all applicable fire code items
3. The property is to be used for assisted living as licensed by Department of Health Services (DHS), and must maintain the license from DHS
4. Property shall be maintained to not negatively impact the character of the neighborhood
5. Yearly inspection done by Community Development Department or other designee to ensure compliance. This Special Exception is only for this specific address, and the specific company. If the unit or ownership changes, the applicant/property owner needs to go through the process again.
6. If more than two complaints on the operation of the facility are received in a calendar year that are not in violation of the above restrictions the Plan Commission and Common Council can order a review of the Special Exception and take appropriate actions to address the concerns.



Below is the memo and information provided to the Plan Commission for the Council to review:

Zurieth Ahmed of Harmony Homes operates an adult assisted living service. She has submitted an application for a Special Exception for parcel 322073200 – address 152 Plank Rd. The parcel is zoned Residential Multifamily (RMF), and the current use of the property is duplex style residential units. The applicant currently operates two adult family homes at 150 and 154 Plank Road.

The City of Kaukauna Code of Ordinances, [Section 17.19 \(3\)](#) “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.

The Public Hearing has been properly noticed in the newspaper and notices sent to adjacent property owners.

At the time of this memo a few calls have been received with concerns on the number of police and fire calls that have been seen at the properties as well as concerns for property values and a general sentiment of this is not fitting to the area.

A special exception currently exists for this group at 150 and 154 Plank Road. Some concerns have been raised on the recent number of calls for Police assistance at these units. Below are the calls received for 150 Plank Rd.

Incident	Nature	Agency	Reported
K24008815	Missing Person	KC	20:44:50 08/31/24
K24009089	Chest A	KC	14:33:46 09/08/24
K24009361	Sick A	KC	15:14:10 09/14/24
K24009458	Welfare Check	KC	20:45:46 09/16/24
K24009463	Welfare Check	KC	23:44:12 09/16/24
K24009492	Falls B	KC	17:42:59 09/17/24
K24009518	Welfare Check	KC	08:36:52 09/18/24
K24009550	Welfare Check	KC	19:22:24 09/18/24
K24009582	Assist	KC	19:54:47 09/19/24
K24009612	Sick A	KC	19:46:11 09/20/24
K24009614	Assist	KC	20:53:16 09/20/24
K24009630	Chest A	KC	12:38:50 09/21/24
K24009636	Welfare Check	KC	16:37:39 09/21/24
K24009659	Welfare Check	KC	13:30:09 09/22/24
K24009832	Sick A	KC	16:33:57 09/26/24
K24009963	Welfare Check	KC	18:10:37 09/30/24
K24010345	Welfare Check	KC	23:59:57 10/09/24
K24010362	Welfare Check	KC	17:34:22 10/10/24
K24010412	Welfare Check	KC	20:36:19 10/11/24
K24010529	Welfare Check	KC	20:21:11 10/15/24
K24010531	Assist	KC	22:07:51 10/15/24
K24010679	Welfare Check	KC	19:13:08 10/19/24
K24010795	Missing Person	KC	21:19:07 10/22/24
K24010836	Chest D	KC	20:01:49 10/23/24
K24010866	Missing Person	KC	11:10:03 10/24/24
K24010905	Assist	KC	14:14:09 10/25/24
K24011142	Back A	KC	20:11:58 10/31/24

Some of the Calls received for 150 Plank appear to have been tied to one possible resident at the facility that has been removed.

Calls received for 154 Plank are below:

Incident	Nature	Agency	Reported
K24009546	Sick A	KC	18:05:41 09/18/24

Recommendation:

To approve the Special exception request at 152 Plank Road for a community living arrangements/group homes, subject to Wis. Stats. § 62.23(7)(i) with the following conditions:

1. All local ordinances are to be followed such as ordinances pertaining to weeds, lawn height and garbage.
2. Fire Department to do yearly inspections to ensure compliance with all applicable fire code items
3. The property is to be used for assisted living as licensed by Department of Health Services (DHS), and must maintain the license from DHS
4. Property shall be maintained to not negatively impact the character of the neighborhood
5. Yearly inspection done by Community Development Department or other designee to ensure compliance. This Special Exception is only for this specific address, and the specific company. If the unit or ownership changes, the applicant/property owner needs to go through the process again.
6. If more than two complaints on the operation of the facility are received in a calendar year that are not in violation of the above restrictions the Plan Commission and Common Council can order a review of the Special Exception and take appropriate actions to address the concerns.