



**Project Address:** 4506-4514 Verona Road (District 10 – Alder Figueroa-Cole)

**Application Type:** Conditional Use

**Legistar File ID #** [87879](#)

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This addendum discusses the receipt of new and/or updated information provided since the publication of the original Planning Division Staff Report, dated May 19, 2025. This information includes:

1. Updated Comments from the Madison Police Department (contained in this addendum)
2. Updated Comments from the Parks Division (contained in this addendum)
3. Updated Letter from Applicant (attached to the Legislative File)

#### **Updated Comments from Madison Police Department**

The Midtown District Captain has provided the following revised list of MPD comments for Plan Commission consideration:

##### **Pedestrian and Vehicular Safety**

There is a persistent issue with individuals crossing Verona Road midblock, often putting themselves at serious risk. With the addition of 93 rental units, pedestrian traffic is expected to increase. Many community members have voiced a reluctance to use the existing underpass, which may exacerbate unsafe crossing behavior.

##### **Youth Recreation and Community Engagement**

As we've seen with another development, a lack of recreational space for young people can lead to increased calls for service (CFS). A development without designated areas for safe, constructive activities may unintentionally encourage loitering or behaviors that draw police attention.

##### **Public Perception of Safety and Infrastructure Needs**

Feedback shared with the Southwest Development team indicates that many residents feel unsafe using the underpass, particularly at night. Additionally, lighting along Verona Road remains inadequate, which compromises both pedestrian visibility and officer situational awareness during nighttime patrols.

#### **Updated Comments from Parks Division**

The Parks Division Planning and Development Manager has provided the following revised comments regarding Britta Park, the City park closest to the proposal site:

Britta Park is approximately a 0.4 mile walk from the site which fits within the Parks Division working policy for all residential units in Madison to be located no more than a 10-minute walk to a park. The walking route to Britta Park from the site requires residents to cross Verona Road either at-grade or by using the tunnel beneath, and both frontage roads. Britta Park is a 1.6 acre

Mini Park, measured from the back of curb in the right-of-way on all sides, which is the area maintained by Parks. The park parcel itself 0.77 acres. Parks Division staff is making minor improvements to Britta Park in the Summer of 2025. Improvements include a short gravel path from the existing curb ramp leading to a gravel area for a picnic table. Surrounding those features will be small pollinator gardens and a small edible landscape garden. The remainder of the park is generally turf with mature trees.

### **Updated Comments from Applicant Team**

The Applicant has submitted a "[Supplemental Response to Staff Report](#)" dated June 4, in which the applicant has noted the proposal's WHEDA tax credit award and addresses the staff report regarding conditional use standards of approval 1, 2, and 4.

Staff notes that while this proposal has been awarded WHEDA low-income housing tax credits, this award is not a factor that pertains to the City's conditional use approval standards. While the City of Madison has advocated for certain changes to WHEDA's scoring and selection systems in the past, the City is not party to WHEDA's project selection decisions, nor does it influence WHEDA's funding selection and awards.

The applicant's submitted response additionally suggested several conditions of approval in order to better meet the conditional use Standard 1, specifically related to building performance for sound attenuation and indoor air quality. However, as staff have cautioned on other requests, State Statute precludes the City from requiring construction methods or techniques above and beyond what is required in the building code. It has been the recent practice of the Plan Commission and Planning Division not to require, but to encourage, similar construction methods and mitigation techniques in other proposals. When the City of Madison is partially funding development, such as through Tax Increment Financing or the Affordable Housing Fund, such requirements can be a condition of those funding awards; however, no City funding has been allocated to this proposed development. While the applicant's voluntary inclusion of building systems consistent with their proposed conditions may be considered by the Commission in its evaluation of whether the Standards are met, these details are beyond the City's legal authority to incorporate in its own conditions.

### **Additional Staff Comments**

In the Analysis section of the Plan Commission staff report dated May 19, 2025, Planning Staff raised several concerns about the proposal, particularly establishing residential development at this location under the current conditions. The Zoning Code states, in part, that the Plan Commission shall not approve a conditional use without due consideration of the recommendations in the Comprehensive Plan and any applicable neighborhood, neighborhood development, or special area plans, including design guidelines adopted as supplements to these plans. The code then specifies that for an application for a conditional use to be granted, all conditions, which are codified as standards 1-16, must be found met (Staff note that standards 7 and 9-16 are not applicable to this request).

A primary difference between this site and many of the other sites referenced in the applicant's letter is this proposal's inconsistency with adopted plan recommendations. Unlike many of the examples cited in the applicant's letter, this site is recommended for General Commercial (GC) uses and not for residential or mixed-use development. This land use category of the Comprehensive Plan was amended in 2023 and now states that "GC districts are not generally recommended for residential uses, especially those that are adjacent to highways due to noise impacts, though such uses may be considered as part of a conditional use under relevant zoning

districts when there is adequate access to parks, transit, and a walkable street network." (New language in the 2023 Comprehensive Plan is underlined).

The City also updated the Comprehensive Plan's Generalized Future Land Use Map with the 2023 Interim Update. Unlike the greater East Towne and West Towne mall areas and other specifically identified areas, currently adopted plans do not recommend a wholesale transition to residential or mixed use for the area in which the site is located. In addition to broader considerations for the range of land uses needed across the City, the adopted land use recommendation for this site was based on the site's current context, including relative proximity to other residential uses and limited access to residentially-serving amenities. Staff notes that the Southwest Area Plan, which includes the site, is currently in progress and no plan recommendations have been proposed or approved at this time.

In its May 19 report, Planning Staff identified concerns regarding standards 1, 2, and 4, which are reproduced below:

Standard 1: The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.

Standard 2: The City is able to provide municipal services to the property where the conditional use is proposed, given due consideration of the cost of providing those services.

Standard 4: The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

With the additional information submitted by City Agencies and the applicant, Staff again advises the Plan Commission that in evaluating the conditional use standards, State law (Wis. Stat. §62.23(7)(de)) requires that conditional use findings must be based on "substantial evidence" that directly pertains to each standard and not based on personal preference or speculation. Additionally, staff notes that the Plan Commission must find *all* applicable standards of approval met to approve the requested conditional use.

Regarding approval standard 2, as the revised comments do not specifically cite agency-level concerns on providing services, Staff believe that it may be possible for the Commission to find this standard to be met.

If the Plan Commission cannot find standard 1, 4, or any other individual standard to be met, the Planning Division recommends that the Plan Commission should place the request on file and the Commission should note the reasons for its finding in its motion. However, if the Plan Commission can find *all* applicable conditional use standards of approval, including 1, 2, and 4, to be met given the additional information conveyed in this addendum and the applicant's supplemental letter, the Planning Division recommends the Plan Commission approve the conditional use request.