



June 4, 2025

City of Madison Planning Division  
Attention: Colin Punt  
126 S. Hamilton Street  
Madison, WI 53703

Re: Supplemental Response to Staff Report – 4506-4514 Verona Road

Dear Mr. Punt and Planning Division Staff:

We are submitting this letter to supplement the factual record related to our pending Conditional Use Permit application for the proposed mixed-use development at 4506-4514 Verona Road. This letter follows our meeting with City staff and reflects our understanding that staff may revise the Staff Report to incorporate additional factual information. We hope this submission helps strengthen the record and supports an accurate and complete evaluation by the Plan Commission.

To be clear, we agree to meet all applicable requirements and conditions of the City's zoning ordinance, as well as the specific recommendations outlined in the Staff Report. As set forth by Wis. Stat. § 62.23(7)(de): "if an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the ordinance or imposed by the zoning board, the [City] shall grant the conditional use permit." We respectfully submit that our project satisfies the standards and meets all such conditions.

Beyond the legal standards, however, lies a larger and unaddressed policy challenge. Madison is in the midst of a severe housing crisis that requires the creation of thousands of new units every year just to keep up with demand. Yet, despite near-universal recognition of this need, the siting of multifamily housing, particularly affordable housing, remains extremely difficult.

This site's location near Verona Road is not unusual—many Madison housing developments are adjacent to major roadways. What sets this project apart is has secured WHEDA tax credits based on zoning compliance, infrastructure readiness, and feasibility. Importantly, it was the City of Madison that successfully lobbied WHEDA to recognize that projects requiring a conditional use still qualify as properly zoned and shovel-ready. We have included conditions of approval that should satisfy staff's concerns, consistent with that policy framework.

### **WHEDA Tax Credit Award and Implications for Madison Housing Goals**

#### **Context and Relevance:**

This proposed development has been awarded competitive State and Federal 4% Low-



Income Housing Tax Credits (LIHTC) from the Wisconsin Housing and Economic Development Authority (WHEDA) in the 2025 funding round. Only 93 affordable units across all projects in the City of Madison received WHEDA awards this cycle. This project accounts for 100% of those units—meaning that if the proposed development is unable to move forward the City of Madison will have zero WHEDA approved competitive applications in 2025.

**Impacts of Denial:**

If the Conditional Use Permit is denied, Madison will have no WHEDA-awarded affordable housing units for 2025. These tax credits are competitively awarded and site-specific; they cannot be automatically reassigned to an alternative parcel. A denial would not only cancel these units but would also set back progress on Madison’s stated housing goals and jeopardize its ability to compete in future funding rounds.

**WHEDA Program Competitiveness and Requirements:**

The WHEDA LIHTC program is an intensely competitive statewide process. To receive a funding award, projects must meet strict scoring thresholds across multiple categories in WHEDA’s Qualified Allocation Plan (QAP), including:

- **Zoning Compliance** – This project qualifies under WHEDA’s zoning requirement, in part because the City of Madison successfully lobbied WHEDA to treat conditional use permits as compliant with local zoning. This was a critical policy clarification, especially for Madison, where higher-density multifamily housing is often designated as a conditional use in many zoning districts, and significant portion of WHEDA awarded developments within the City of Madison have utilized the conditional use exception to meet WHEDA’s threshold requirement of having proper zoning in place.
- **Proximity to Amenities** – Sites must demonstrate access to transit, grocery stores, health care, employment centers, and schools.
- **High-Performing Schools** – The site is served by the Verona School District, which provides bus transportation for students living more than 2 miles from their school.
- **Sustainable Design** – The project includes green roofs, rain gardens, EV-ready parking, roof top solar panels, electric heat pumps and will be Energy Star Certified with an Indoor AirPlus certification.
- **Site Readiness** – The site is already zoned appropriately and served by urban infrastructure, including transit, sidewalks, and utilities.
- **Cost Containment and Feasibility** – WHEDA evaluates development budgets to ensure responsible use of public resources.

**Request for Staff Report Inclusion:**

We respectfully request that City Staff include this WHEDA award, the competitive nature of the award, the standards applied by WHEDA for the site, and its implications as a



material fact in the revised staff report. This project is not speculative; it is funded, feasible, and responsive to both state and local housing policy goals. Failure to acknowledge the project's state-level selection—and its compliance with WHEDA's heightened standards—would create a disconnect between City planning decisions and the realities of affordable housing development.

### **Standard 1: Health, Safety, and General Welfare**

**Staff Concern:** Proximity to highways creates noise and air pollution; limited access to green space.

**Clarification:** The applicant has incorporated enhanced sound mitigation measures into the project design, including sound-attenuated windows and wall assemblies modeled after those successfully implemented at The Canyons and other comparable infill sites. While the Staff Report characterizes these as verbal commitments, the submitted architectural plans and appendices include detailed specifications confirming the use of advanced building envelope systems. The design team has confirmed that the current design exceeds HUD's noise attenuation standards—recognized as the industry benchmark for residential development near highways. These measures are fully integrated into the construction documents, and the applicant is willing to accept a condition of approval requiring compliance with HUD standards.

With respect to air quality, the project is designed with high-performance architectural and mechanical systems—including enhanced ventilation and air filtration—that will ensure indoor air quality meets or exceeds all applicable standards. In fact, indoor air quality is expected to be significantly better than ambient outdoor conditions in locations that have some of the best air quality throughout the City.

**Conditions.** To further ensure that the project meets or exceeds the requirements of Conditional Use Standard 2 and in addition to the conditions in the staff report, the applicant is willing to accept the following conditions of approval:

- Require use of sound-attenuated windows and wall assemblies as detailed in the submitted construction documents.
- Require compliance with HUD noise attenuation standards, as verified by the completed HUD-compliant sound study.
- Require implementation of advanced building envelope systems modeled after those used in comparable approved projects.
- Require installation of high-performance ventilation and air filtration systems as specified in the architectural plans.
- Require adherence to Energy Star and Indoor AirPlus certification standards to ensure enhanced indoor air quality.



## **Standard 2: Adequacy of Public Services**

**Staff Concern:** Inadequate park access and potential increase in calls to MPD with insufficient nearby amenities.

**Clarification:** Concerns about park access and municipal services, particularly from MPD and the Parks Division, raise broader policy questions that go beyond the scope of this individual proposal. These issues should not be used to deny a project that otherwise meets ordinance standards. Denying a CUP under Standard 2 on these grounds effectively sets a precedent that will be applied to other sites, creating systemic barriers to infill housing across Madison.

**Park Access and Green Space:** Britta Park is located approximately 0.4 miles from the site, satisfying the City's stated policy that every residential unit be located within a 10-minute walk of a park. This standard is based on proximity, not amenities—a distinction confirmed by Parks Superintendent Eric Knepp. While Britta Park may currently lack restrooms or play equipment, these features are not required to satisfy the 10-minute walk goal. In fact, Britta Park is scheduled for improvements, including a picnic shelter and native flower garden, which are expected to be completed prior to occupancy.

**Comparison to Similar Projects:** The Canyons, a similar development also near the Beltline, was approved despite having less definitive park access and no assurances of future park improvements. In contrast, this site is walkable to Britta and Doncaster Parks—both accessible and improvable. By that measure, the Verona Road project is better positioned to meet long-term green space objectives.

**Purpose of Parks Feedback:** As acknowledged by Interim Parks Superintendent Lisa Laschinger, Parks comments often serve to signal to policymakers where future investment may be needed. They are not intended to function as opposition to specific housing proposals. That distinction is important when interpreting the purpose and impact of the staff report's concerns.

**MPD Service Concerns:** The Staff Report also references MPD's concerns regarding future calls for service. However, MPD is not responsible for applying zoning standards, and its internal resource constraints are not an appropriate basis for CUP denial under Standard 2. As Alder Figueroa Cole noted, this standard is meant to address hard infrastructure limitations—such as the absence of sewer or road access—not internal budget allocations. She further emphasized that MPD has a strong and responsive relationship with the applicant's property manager, undermining any claim that this project presents a unique or unmanageable burden.

**On-Site Design Features:** The proposal includes significant on-site amenities to reduce pressure on city services: a staffed community service facility space, indoor and outdoor play areas, a resident lounge, and a fitness center. These features support livability and self-sufficiency for families, particularly those with children.



**Design for Comfort and Safety:** The site features a courtyard shielded from roadways to offer a quiet, protected greenspace. The building's orientation and transparent street frontage promote natural surveillance and discourage isolated activity.

- Adjacent to two Metro Transit stops with 30-minute or better service
- 118 bicycle stalls and 9 EV-ready stalls exceed code requirements
- Full urban utilities are already in place—no new extensions required
- No deficiencies identified in sewer, water, fire, or stormwater services
- Includes solar panels, green roofs and rain gardens to meet environmental standards
- Required mid-block crosswalk enhances pedestrian access and safety
- No inconsistencies with zoning dimensional or use standards

These facts and commitments provide substantial evidence that the City can adequately serve the development, and that the project is designed to minimize service burdens while supporting healthy, family-oriented living.

#### **Standard 4: Compatibility with Area Development and Zoning Intent**

**Staff Concern:** Development would impede future commercial growth and contradict the area's General Commercial (GC) land use designation.

#### **Clarification:**

##### **Continued CC Zoning Compliance**

The proposed development fully complies with the existing Commercial Center (CC) zoning, including 324 square feet of commercial space that qualifies it as a mixed-use project under the City's zoning ordinance. This approach embraces the intended flexibility of CC zoning and meets a critical demand for infill housing near employment corridors.

##### **Transit-Connected, Infrastructure-Supported Urban Infill**

This site exemplifies well-planned urban infill. It is directly adjacent to two bus stops with 30-minute service frequency, integrated into Madison's high-quality bike infrastructure—including proximity to the Southwest Commuter Bike Trail—and benefits from significant public investment in nearby pedestrian tunnels and a Beltline overpass. This development will further activate and justify these existing investments, improving safety, use, and connectivity across the corridor.

##### **High Livability and Accessibility**

The site offers exceptional access to everyday amenities:

- **Grocery:** Three full-service grocery stores (Santa Maria Grocery, Luna's Groceries, and Variedades Nica's) are within a 5–10-minute walk with 15 to 22 minute bus rides to Target, Hy-Vee, Trader Joe's and Woodman's also available



- **Schools:** Families will benefit from access to the Verona Area School District, which offers district transportation to these assigned schools. This ensures convenient and equitable educational access without increasing school transportation burdens.
- **Connectivity:** The surrounding network of sidewalks, trails, and bus lines provides robust non-automobile commuting options and supports Madison’s sustainability and climate goals.

### **No Loss of Viable Commercial Opportunity**

This development does not occupy a high-value commercial corridor or interrupt large-format retail zones. It is situated on a small parcel along a frontage road—an area already surrounded by mixed uses and adjacent to major transportation infrastructure. Rather than precluding commercial expansion, the development enhances the corridor’s economic potential by bringing new households and foot traffic. The neighboring businesses want to see mixed-use developments added to this area to activate the area and support their opportunities to grow.

### **Urban Activation and Compatible Development**

Replacing obsolete structures with a modern, vibrant residential building strengthens the area’s vitality, supports existing retail, and creates a more active and secure streetscape. As cities evolve, sites like this—well-connected, modest in size, and buffered from heavy commercial zones—must play a role in meeting local housing needs.

### **Sustainability and Health Commitments**

This development features:

- Roof top solar panels, green roofs, rain gardens, and EV-ready parking
- Energy Star Certification with Indoor AirPlus , that will include added filtration to improve indoor air quality beyond current City standards
- Proven noise mitigation systems that exceed HUD standards

### **Contextual Policy Alignment**

Thousands of units in Madison already exist near the Beltline and other high-volume corridors. Nationally, successful urban areas routinely site housing near highways, rail lines, and commercial corridors. Drawing marginal or subjective distinctions between this site and others risks setting an unreasonably high bar for approval—one inconsistent with the scale of the housing challenges Madison faces.

### **Conclusion and Request for Staff Action**

This proposal meets or exceeds Conditional Use Standards 1, 2, and 4 through:

- **Comprehensive Design and Mitigation:** The project integrates advanced architectural, mechanical, and site design strategies—including HUD-compliant sound attenuation, high-efficiency air systems, and enhanced green space—to



directly address concerns about proximity to highways and environmental conditions.

- **Support for Municipal Services:** The development includes substantial on-site amenities (e.g., indoor and outdoor play areas, a community service facility, a fitness center), strong property management commitments, and continued collaboration with MPD, helping ensure service needs are met without burdening City resources.
  - **Update Appendix A:** The two references in the table that shows Vitense should be updated to reflect the nearby parks from those two properties (Sherwood Forest is 1400 feet from 5602 Schroeder & Orchard Ridge is 1300 feet from 5614 Schroeder Road), as Vitense is not freely accessible and is a private business.
- **Zoning Compatibility and Strategic Infill:** The site is appropriately zoned (CC), includes a mixed-use commercial component, and meets both the zoning code and the broader intent of urban land use planning. It activates surrounding infrastructure, supports nearby retail and transit, and redevelops a low-productivity site in line with Madison's goals for density and sustainability.
- **WHEDA Tax Credit Award and State Endorsement:** The project received a highly competitive WHEDA tax credit award, representing 100% of the affordable units approved for Madison in 2025. This award confirms the site's compliance with rigorous state-level requirements—many of which align with the City's own planning criteria—and underscores its importance to regional housing goals.

This proposal aligns with the City's objectives for housing, equity, sustainability, and efficient land use. Accordingly, we respectfully request that:

1. All factual clarifications and commitments outlined in this letter are incorporated into the staff's addendum to the report, so the Plan Commission has a complete and accurate record upon which to base its decision.
2. Staff reconsider its recommendation in light of these clarifications and conditions of approval. We believe the additional information presented here demonstrates that the proposal satisfies the applicable standards and warrants support.

We appreciate staff's time and efforts and remain committed to working collaboratively to advance this important housing initiative.

Sincerely,

Kevin McDonell  
Vice President & Regional Project Partner