

From: [Jason Ilstrup](#)
To: [Plan Commission Comments](#)
Subject: Downtown Madison, Inc. (DMI) Statement on the Downtown Height Map Resolution
Date: Monday, February 27, 2023 4:44:35 PM

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Good Afternoon Commissioners:

I hope you're all doing well and had a great weekend. I'm sorry I can't be in attendance at tonight's Plan Commission meeting, however DMI is hosting a Mayoral debate at the same time.

DMI wants to share several comments on tonight's agenda item number 3, file #75911, a zoning amendment clarifying the maximum stories and feet in the Downtown Height Map. DMI wholeheartedly agrees with the goals and objectives of this resolution. As an organization, we are committed to working with the City and other public and private partners to increase diverse housing options for all income levels. Downtown Madison badly needs more housing of all types, but particularly affordable units. On it's face, the goals of this resolution should help increase the affordable housing supply in Downtown Madison.

However, there are sections of this resolution that do give us pause. Although it's clearly described as voluntary in the resolution's wording, we worry some may interrupt the inclusion of the Land Use Restriction Agreement (LURA) as non-voluntary and thereby potentially meaning this resolution is in direct conflict with the State of Wisconsin's ordinance prohibiting municipal rent control and inclusionary zoning. We ask the Plan Commission and City Council to investigate this question thoroughly in order to not create an illegal ordinance.

We also want to ensure this amendment is only intended to help produce more affordable housing and not to prevent non-housing or non-affordable housing projects from being approved for bonus floors if they don't include an affordable component. There is concern that only projects with an affordable component will be approved through the traditional land use process. The normal exceptions should remain in force and in practice.

Thank you again for all your work to create more housing options in downtown. We certainly applaud your efforts. As an organization, we are willing and wanting partners to finding solutions to our housing crisis, including revisiting the entire downtown height map to ensure we are creating as much density as possible.

I hope you all have a nice evening and thank you for your service to Madison.

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