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Redevelopment Authority of the City of Milwaukee  
Neighborhood Improvement Development Corporation

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#### MEMORANDUM

**TO:** COMMON COUNCIL FILE #171211  
**FROM:** SAM LEICHTLING, DEPARTMENT OF CITY DEVELOPMENT  
**SUBJECT:** HARBOR DISTRICT WATER AND LAND USE PLAN – SUMMARY OF PUBLIC COMMENTS ON DRAFT PLAN AND PLAN EDITS  
**DATE:** JANUARY 23, 2018  
**CC:** LILITH FOWLER, HARBOR DISTRICT INC.

Following a two-year process that involved significant community input and engagement, a draft of the Harbor District Water and Land Use Plan (“WaLUP”) was released for public review on November 17<sup>th</sup>, 2017<sup>1</sup>. The WaLUP was posted online at <http://harbordistrict.org/plan/> and also linked from the DCD website. The public was asked to provide comments on the draft plan on or before December 18<sup>th</sup>, 2017. Comments were solicited via email, social media, and in-person at a plan open house. Based on public comments received on the draft, a number of edits were proposed to the version of the WaLUP that has been submitted for review and approval to the City Plan Commission and Common Council. This memorandum includes a summary of comments received and resulting changes to the WaLUP.

#### Public Comment Summary

In general, public comments have reflected an outpouring of community enthusiasm about the future of the Harbor District and excitement for the recommendations proposed within the WaLUP. There were also a number of comments received that also offered critiques of the WaLUP and the recommendations it made (or did not make) about the future of the area.

The November 17<sup>th</sup> posting of the draft of the WaLUP was publicized on social media, through the City’s E-Notify system, print media, and other channels. The public was encouraged to provide comments on the draft plan to DCD Planning via email or hard copy mail. The City of Milwaukee and Harbor District Inc. (HDI) received 54 email comments on the draft.

Additionally, the public was invited to provide input at an Open House hosted by the Department of City Development and Harbor District Inc. at the Mitchell Street Library on December 4, 2017. 90 people signed in as attending the Open House and many more attended who did not formally sign in. Meeting materials were available in English and Spanish and Spanish-speaking staff were present at the event.

Several key themes emerged from the public comments received by email and at the Open House:

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<sup>1</sup> An in-depth description of the planning process used to develop the WaLUP and the input received can be found on pages 29-36 of the WaLUP.



- The most frequent topic of public comment received during the comment period dealt with land uses and materials shipping and storage at Port Milwaukee. These comments generally expressed concerns about the transportation and storage of Liquefied Petroleum Gas “LPG” and ethanol fuel in the Port. Of all the emails received during the comment period, 39 of 54 emails were either solely about, or touched on, this issue. These comments requested that the WaLUP contain a more specific set of recommendations about the types of materials that should be shipped through Port Milwaukee. Many of these emails were variations on this sample comment:

*“The Harbor District report's central themes of sustainable economic development, safe and healthy communities and wise stewardship of our notable water resources are all threatened by the ill-advised plans of U.S. Oil for expanded storage and transportation of High Hazard Flammable cargo - ethanol and LPG. What is missing from the draft Harbor District Plan is a similarly detailed Water and Land Use Plan for the Port of Milwaukee and similar widespread public discussion and reflection on what kind of cargo and development is appropriate for the Port. I want there to be protection, value, longterm sustainability. I don't want to see another disaster in Wisconsin. Please do the right thing.”*

- A number of comments supported the WaLUP recommendations for better pedestrian and bicycle access to and through the Harbor District, and especially public access to the water. Some commenters encouraged the City to do even more to improve bicycle and pedestrian connectivity and access beyond what is already recommended in the WaLUP.
- The importance of the historical context of the area was reinforced; comments specifically mentioned the need to recognize local Native American / First Nation heritage.
- Stakeholders do prioritize the ecological issues that were a theme of the WaLUP: preservation of habitat, greenspace, sustainable design of buildings and infrastructure, and reducing the potential for pollution.
- A number of comments expressed concerns about whether the new jobs that will be created in the area will be the accessible to existing neighborhood residents, and the long term affordability of commercial property and housing in the area, including concerns about displacement.
- Several people also commented on the need to do even more to mitigate the potential conflict between industrial uses and residential or office development.
- A number of comments and questions received were about the planning process itself, including sources of stakeholder input and communication during the drafting of the Plan, what steps would be taken to increase the likelihood of successful implementation of the WaLUP and adherence to overarching plan goals.

Organizations that partnered in the development of the WaLUP also provided formal comments on the draft plan:

- **Milwaukee Riverkeeper** expressed support for shoreland green buffers, high stormwater management standards, and creation/protection of natural habitat. They also expressed concern

regarding the loss of recreational boating facilities and businesses in the Harbor District and the storage and shipment of hazardous materials at Port Milwaukee.

- **The National Park Service** offered feedback on plans for park space and water trails, and recommended the inclusion of “Dark Sky” design standards to reduce light pollution in the area.
- **WE Energies** expressed support for the plan in general and a desire for property owners to retain maximum flexibility in regards to land use and the creation of new public space and access within the East Greenfield Avenue sub-district.

### **Changes to draft WaLUP**

The overall tone of feedback received on the WaLUP has been positive, reflecting the significant efforts that Harbor District Inc., Sixteenth Street Community Health Center, and the Department of City Development devoted to community engagement during the development of the Plan.

However, the feedback received during the public comment period did identify a number of places where specific recommendations could be altered or clarified. Substantive revisions that have been made between the posting of the draft WaLUP and the version submitted for Common Council review and approval are described below (edits that were made to correct typos or other non-substantive edits are not included in this memorandum):

#### **Page 40-41**

**Edit:** Added photos and a map demonstrating green infrastructure opportunities and precedent and concept images.

**Rationale:** To further illustrate some of the WaLUP text recommendations related to green infrastructure and stormwater management. Both were plan priorities that were reinforced during public comment period.

#### **Page 80**

**Edit:** The words "the existing" were removed from Land Use recommendation #5 dealing with the Freshwater Plaza development.

**Rationale:** To reflect ongoing discussions regarding future uses at this site, to more closely align with Port Redevelopment Plan language, and to ensure that the site is developed in a manner consistent with applicable WaLUP recommendations.

#### **Page 88**

**Edit:** The word "residential" was removed from the map legend for the brown "Mixed Use" entry.

**Rationale:** This was a technical correction made to make the map consistent with the written plan recommendations.

#### **Page 101**

**Edit:** The word "housing" was removed from the map legend for the brown "Mixed Use" entry.

**Rationale:** This was a technical correction made to make the map consistent with the written plan recommendations.

#### **Page 102**

**Edit:** Added the sentence "Housing is not envisioned at these sites" to the end of recommendation #3.

**Rationale:** This was to further clarify the technical correction described above and also to reflect comments received during the public comment period.

**Page 109**

**Edit:** Added the phrase “relevant WaLUP recommendations” to recommendation #1. The recommendation now reads as “Uses and tenants on Jones Island should be consistent with the Public Trust Doctrine, **relevant WaLUP recommendations**, and economic goals and strategies for the region as a whole. Tenants should be held to environmental standards consistent with Milwaukee’s goals to improve the quality of waterways.” (bold added in this memo for emphasis only)

**Rationale:** This addition was made in response to the 39 comments received that raised concerns about the safety and potential impacts on the environment of particular materials being shipped or stored at Port Milwaukee, namely LPG and ethanol. Many of these comments asked that the Water and Land Use Plan more specifically articulate the types of materials that should be allowed at Port Milwaukee.

Strengthening and supporting Port Milwaukee as a freight hub is one of the guiding principles of the WaLUP. The plan also includes a number of guiding principles and recommendations related to environmental sustainability, reducing the discharge of pollutants into the District’s waterways, and avoiding land use conflicts between industrial and non-industrial users. Specifically the WaLUP states that “(Port) tenants should be held to environmental standards consistent with Milwaukee’s goals to improve the quality of waterways.” To support the ongoing operations of the Port, the WaLUP does not recommend any changes to the existing Industrial-Heavy zoning on Jones Island. Beyond the zoning code, the storage of potentially hazardous materials is heavily regulated by the state and federal government and Port Milwaukee has a long history of working with its tenants to ensure compliance with all applicable regulations related to the storage of potentially hazardous materials. While the WaLUP does not attempt to identify specific materials that should or should not be handled at Port Milwaukee, in response to the comments received, additional language was also inserted to clarify that Port Milwaukee and the Common Council should consider all relevant WaLUP recommendations when considering potential uses at the Port.

**Page 139**

**Edit:** The following sentence was added to the Grand Trunk Site Southern Zone section, “An updated wetland delineation is currently in progress that will inform the final wetland design and boundaries and may change the size of the developable land in this zone.”

**Rationale:** This edit was made to reflect stakeholder input received during the comment period and also the current status of the wetland design project.

**Additional testimony at City Plan Commission**

The Water and Land Use Plan was presented to the City Plan Commission on January 22, 2018. Three individuals testified at the hearing. Ald. Jose Perez recommended the plan be adopted and praised the community engagement during the development of the WaLUP. A resident who is also an environmental attorney recommended adoption and supported the strong sustainability recommendations in the plan and the implementation language in the adopting resolution. One neighborhood resident recommended that the approval of the plan be held until a recommendation could be crafted to address the potential negative impacts of road salt on area waterways. The City Plan Commission recommended adoption of the WaLUP and no additional text changes were proposed.