To: Members of the Plan Commission

From: Tom Vander Woude, Planning Director

Date: November 22, 2019

Re: Summary of comments received during the zoning ordinance public review period

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Background

Town of Munster staff publicized the Public Review Draft of the Livable Munster: Character Based Code on the Town of Munster website and made physical copies available in the Community Development Office for review beginning on October 15, 2019. During that time, three sets of comments were received via email.

The comments are summarized below and a response is provided. The comments have been edited to only include those that request changes to the code.

From Paul Rotatori, received November 7, 2019:

Comment: I didn't track everything that was mentioned during the public draft presentation regarding the exact rationale as to why sidewalks were not required for all zones, but it seems to me like that this should be a requirement for all zones since the Town and public want a more walk-able community.

Response: No code revisions were made. The Town of Munster requires sidewalks in all zoning districts in the Town, but this requirement is located in Chapter 46 – Streets, Sidewalks and Other Public Places of the Municipal Code:

Sec. 46-82. - Installation required upon construction of building.
Every person erecting or constructing any building shall provide, install and construct a public sidewalk.

(Code 1985, § 23-25)

From Paul Rotatori, received November 7, 2019:

Comment: During the public draft presentation the issue of not requiring parking lots to the maximum capacity was also briefly addressed at the presentation, but I heard loud and clear during the previous public meetings that we don't want to require businesses to build big ugly parking lots to be able to hold the maximum number of cars that might be needed, when that might only be necessary once or twice a year. Jewel for instance has an enormous, disgusting parking lot that just encourages people to speed through it when those spaces are really only needed on 1 day a year. On p.253 it states that spaces should not be less or more than 10% of parking requirements. Can we remove the allowance to build 10% more spaces? And can building 10% under be increased to 20 or 30%?

Response: No code revisions were made. Without a detailed study regarding the actual parking counts for business throughout Town, staff is reluctant to make substantial changes to our parking minimums. The intent of the 10% provision is to allow a slight deviation from the standards without requiring a variance. If a particular development requires substantially fewer spaces than are required by ordinance, a variance can provide that flexibility.

From Paul Rotatori, received November 7, 2019:

Comment: With the Town's unfortunate history of flooding can we require permeable pavers for large parking lots for business and civic zones p. 263

Response: No code revisions were made. The Town of Munster does not have a specification for permeable pavers, but this suggestion could be revisited in the future.

From Paul Rotatori, received November 7, 2019:

Comment: More specific requirements are needed for bicycle parking. For instance, "schoolyard" or old-fashioned racks that are just a grid should not be allowed. This is a great guide that can provide people with criteria for what should and should not be installed. If we have detailed requirements for light poles and light fixtures then there should also provide detailed requirements for the types of racks and how they're installed.

Response: The Town will begin working on a standard for bicycle parking in association with a Ridge Road and Calumet Avenue streetscaping plan. In the meantime, we have revised the code to require Planning Director approval of bicycle parking types:

TABLE 26-6.405.O-6 BICYCLE PARKING REQUIREMENTS
Unless otherwise noted, bicycle parking shall be provided as specified below or at a rate of 1 bicycle space for each 5 vehicular parking spaces provided, whichever is greater. Any fractions round up. Required bicycle parking shall be provided in accordance with specifications and requirements on file with the Department of Planning & Community Development.

From Paul Daniels, received November 11, 2019:

Comment: In reading through the new draft there were certain town reps that were mentioned (Chief Building Inspector, Planning Director, Zoning Administrator, Town Engineer, Floodplain Administrator, etc) and these official names are good but to make the town seem more open to assisting and encouraging projects, these reps need to be added to the list of definitions in Division 9 with a short description of their roles and on the town's published staff list, the current acting reps should be listed when the new ordinance is in use.

Response: General definitions of Chief Building Inspector, Planning Director, Zoning Administrator, and Floodplain Administrator have been added to the zoning ordinance. Additional detailed definitions can be provided in a separate companion staff list as requested. It is unusual to put function descriptions in a zoning ordinance because these roles are defined by the activities that they are authorized to do. Specific names and contact information change frequently and cannot be included in the actual ordinance.

From Paul Daniels, received November 11, 2019:

Comment: The list of definitions in Division 9 should clearly include all the 3 or 4 letter abbreviations mentioned throughout the Zoning Ordinance i.e. FPG, LOMA, etc.

Response: These acronyms are defined within the Floodplain Regulations and are found in the text of the document. No revisions made.

From Dave Van Dyke, received November 18:

Comment: I appreciate you taking the time to meet with Ted Rohn and myself last week. We have revised the preliminary site plan after our discussion to more closely reflect the new direction the town is moving in. As we work thru the requirements for parking and green space, we may need to make some of the buildings 5 stories to achieve the density we need for the project… As we discussed we will need CD-5 zoning on the property with a special exception for row houses and residential 4 to 5 story condominiums. CD-5 Zoning is in line with the zoning we currently have which allows up to 5 story buildings. We would like to have the zoning designation resolved now prior to the new zoning ordinance and map being finalized…

Response: The regulating plan has been revised to specify a CD-5 zoning classification for five parcels located at 101 Main Street at the southwest corner of the Town:

- 45-06-36-352-008.000-027
- 45-06-36-379-011.000-027
- 45-06-36-379-012.000-027
- 45-06-36-380-008.000-027
- 45-06-36-380-009.000-027