

**THE AREA PLAN COMMISSION  
OF ST. JOSEPH COUNTY, IN**

**AGENDA**

Tuesday, June 19, 2018  
3:30 p.m.

Fourth-Floor Council Chambers  
County-City Building, South Bend, IN

**PUBLIC HEARINGS:**

Rezoning:

- A. A proposed ordinance initiated by the Area Plan Commission of St. Joseph County, Indiana on behalf of the Town of Lakeville to zone from R1 Single Family District to R2 Multi-family District, property located at 500 E Monroe Street, Town of Lakeville - APC# 2866-18 – REQUEST TO WITHDRAW.
- B. An ordinance initiated by the Area Plan Commission of St. Joseph County, Indiana, amending Chapter 21 of the South Bend Municipal Code, Article 2 Residential Districts, Article 3 Commercial / Mixed Use Districts, and Article 7 General Regulations to revise off-street parking regulations - APC# 2872-18.

**ITEMS NOT REQUIRING A PUBLIC HEARING**

- 1. Miscellaneous:
  - A. Findings of fact for denial of variances for 1619 South Michigan Street, City of South Bend – APC #2865-18.
  - B. Findings of fact for granting of variances for property located at 18644 Cleveland Road, 53062 & 53184 Bracken Fern Court, St. Joseph County – APC #2868-18.
  - C. Findings of fact for granting of variances for property located at 13060 Adams Road, St. Joseph County – APC #2869-18.
  - D. Appointment of Randy James as the Building Department alternate to the Plat Committee.
- 2. Executive Director's Report:
- 3. Minutes and Expenditures:
- 4. Adjournment:

**Staff Report**

6/12/2018

APC # 2872-18  
Owner: Initiated by the Area Plan Commission  
Location: Off-Street Parking Regulations  
Jurisdiction: City of South Bend  
Public Hearing Date: 6/19/2018

**Requested Action:**

The petitioner is requesting a zoning ordinance amendment to update parking standards within the City of South Bend.

**Staff Comments:**

Since the adoption of the Ordinance in 2004, the parking requirements have proven to be overly burdensome on development in an urban setting. The proposed amendment simplifies the parking table for minimum parking requirements, adjusts requirements to better align with best practices and current demand, recognizes on-street parking, and promotes transportation alternatives such as transit and bicycle transportation. The proposed changes include:

- \* Eliminating redundant language in existing districts that currently have allowances for on-street parking;
- \* Simplifies the process by which development can utilize nearby parking areas;
- \* Simplifies parking design standards per current best practices;
- \* Clarifies that decorative and storm water sensitive materials satisfy hard surface requirements;
- \* Promotes the re-use of existing properties by increasing change of use allowance from 15% to 25%;
- \* Simplifies the parking requirements by standardizing most requirements to a gross floor area requirement;
- \* Removes reduction of combined parking area;
- \* Clarifies ADA parking provisions;
- \* Updates bicycle parking requirements to better reflect current best practices;
- \* Simplifies the minimum parking table to more accurately reflect current trends and demands;
- \* Allows on-street parking and other alternatives such as reductions for proximity to bus routes and substitution of bicycle parking

**Recommendation:**

Based on information available prior to the public hearing, the staff recommends the Zoning Ordinance Amendment be sent to the Common Council with a favorable recommendation.

**Analysis:**

Updating the parking requirements to reflect current best practices and more accurately align with parking demands will promote smart development and strengthen the urban character of the City.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE INITIATED BY THE AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, INDIANA, AMENDING CHAPTER 21 OF THE SOUTH BEND MUNICIPAL CODE, ARTICLE 2 RESIDENTIAL DISTRICTS, ARTICLE 3 COMMERCIAL / MIXED USE DISTRICTS, AND ARTICLE 7 GENERAL REGULATIONS TO REVISE OFF-STREET PARKING REGULATIONS

STATEMENT OF PURPOSE AND INTENT

The Common Council of the City of South Bend, Indiana, adopted a new zoning ordinance that went into effect on May 7, 2004. Experience in using the Ordinance's provisions for off-street parking has shown that these regulations have led to the overbuilding of vehicle parking lots while not promoting the use of active transportation modes. This ordinance revises required parking count and parking design standards to reduce the amount of unnecessary off-street parking and to encourage infill and reuse of existing properties.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of South Bend, Indiana as follows:

SECTION I. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 2 Residential Districts, Section 21-02.03 (b) Development Standards, is hereby amended as follows:

- (11) Parking – See Section 21-07.04 – Off-Street Parking Regulations; ~~provided, however, a project in the MF1 District may include on-street parking located immediately adjacent to the project, if such adjacent on-street parking is approved by the Department of Public Works and the design of the on-street parking is approved by the Department of Public Works. If on-street parking is provided, the amount of off-street parking required by this Ordinance for the project shall be deemed to be reduced by the number of on-street parking spaces provided immediately adjacent to the project.~~

SECTION II. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 3 Commercial / Mixed Use Districts, Section 21-03.01 (b) Development Standards, is hereby amended as follows:

- (10) Parking – See Section 21-07.04 – Off-Street Parking Regulations; ~~provided, however, on-street parking located immediately adjacent to the site may be permitted if the design and location of the on-street parking is approved by the Board of Public Works. If on-street parking is provided, the amount of off-street parking required by this Ordinance shall be deemed to be reduced by the number of on-street parking spaces provided immediately adjacent to the site.~~

SECTION III. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 7 General Regulations, Section 21-07.04 Off-Street Parking Regulations, is hereby deleted and replaced with a new Section 21-07.04 as follows:

### **Section 21-07.04 Off-Street Parking Regulations.**

Intent – These Off-Street Parking Regulations are intended to provide for the provision of *off-street parking areas* which are adequate to support the needs of proposed *uses* and future *uses* of a site while at the same time assuring that the design and construction of such *off-street parking areas* meet minimum design standards necessary to promote efficient circulation and prevent undue traffic congestion. These Regulations are also intended to support active transportation modes.

#### **(a) General Regulations.**

##### **(1) Applicability.**

##### **(A) Parking for Buildings, Structures or Uses.**

All new development, additions to *buildings* or *structures*, or conversions of *use* for which an *improvement location permit* is required by this Ordinance in any *district* except the *MU District* or *CBD District* shall provide required *off-street parking areas* in accordance with the regulations of this Section 21-07.04 and the *development standards* of the applicable *district* of this Ordinance.

##### **(B) Exceptions to Off-Street Parking Regulations for any MU District or CBD District.**

*Off-street parking areas* shall not be required for any *use* located in any *MU District* or *CBD District*. Any *off-street parking areas* which are provided, even if not required, shall be developed in compliance with the design and construction standards set forth in this Section 21-07.04.

##### **(2) Existing Parking Areas.**

Existing *off-street parking areas* shall not be reduced below the minimum requirement for such *use* as required by this Ordinance. Any *off-street parking areas* existing prior to the effective date of this Ordinance which were already below the standards established by this Ordinance shall not be further reduced.

(3) Location of Parking Areas.

*Off-street parking areas* shall be located:

- (A) on the same *lot* as the building, structure or use served by the *off-street parking area*;
- (B) within the same integrated center, business park, or industrial park as the *building, structure* or *use* served by the *off-street parking area*; or
- (C) within five hundred (500) feet, of the *building, structure* or *use* served by the *off-street parking area*, provided that such off-site location for the *off-street parking area* is:
  - i. located within a *district* which permits the *use* for which the *off-street parking* is provided; and,
  - ii. described by a written agreement, properly drawn and executed by the parties concerned and approved as to form by the South Bend City Attorney, assuring the availability of the *off-street parking area* and filed with the *Zoning Administrator* as part of the request for approval of an *Improvement Location Permit*.
- (D) In addition to the above location requirements, the location of *off-street parking areas* in residential districts shall not be located in violation of the provisions set forth in Section 21-02.11 (e).

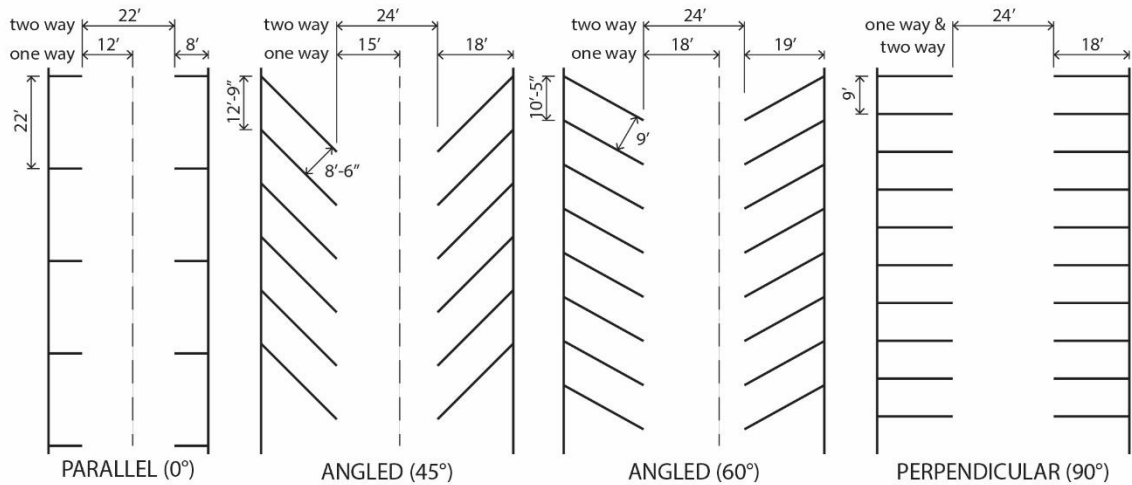
(b) **Vehicle Parking.**

(1) Design and Construction of *Off-Street Parking Areas*.

The design and construction of all required *off-street parking areas* shall be in compliance with the stricter of the regulations contained in this Section 21-07.04 (b)(1) or the minimum specifications prescribed by the Board of Public Works.

- (A) Design of Parking Areas.
  - i. The layout of all *off-street parking areas* shall be in compliance with Table 21.07.04 A: Parking Lot Design. An *alley* adjacent to the *lot* may be used to meet the requirement for drive aisle width.

<b>Space Angle</b>	<b>Space Width</b>	<b>Parking Row Depth</b>	<b>Curb Width</b>	<b>Drive Aisle Width: One-Way</b>	<b>Drive Aisle Width: Two-Way</b>
Parallel (0°)	8'	8'	22'	12'	22'
45°	8'-6"	18'	12'-9"	15'	24'
60°	9'	19'	10'-5"	18'	24'
Perpendicular (90°)	9'	18'	9'	24'	24'



- ii. Except for individual *single family dwellings* or *two family dwellings*, the landscaping of all *off-street parking areas* shall comply with the regulations contained in Section 21-07.01.

- iii. Except for individual *single family dwellings* or *two family dwellings*, all *off-street parking spaces* shall be:
  - a. identified by painted lines (minimum four inches (4") in width), raised curbs or other means to indicate individual spaces; and,
  - b. provided with a raised curb, wheel stops or other devices to ensure that motor vehicles do not encroach beyond the *off-street parking area* or into a required *yard*.

(B) Surface of *Off-Street Parking Areas*.

*Off-street parking areas* and any *driveway*, *interior access driveway* or *interior access drive* to and from such *off-street parking areas* shall be hard surfaced with asphalt, concrete, pervious pavement, pavers, or other material to provide a durable, dust-free surface, which meets or exceeds the minimum specifications prescribed by the Board of Public Works, provided, however, a *temporary* or seasonal *use* permitted by the *district* in which such *temporary* or seasonal *use* is located may use an unimproved or gravel surface for the duration of the *temporary* or seasonal *use*. If a temporary gravel surface is provided, such gravel shall be removed and the *off-street parking area* shall be returned to its prior condition immediately upon cessation of the *temporary* or seasonal *use*.

(2) Minimum Number of *Off-Street Parking Spaces*.

*Off-street parking* for all *uses* shall be provided in accordance with the minimum requirements set forth in Table 21-07.04 B: Required Off-Street Parking Table. When the computation of required *off-street parking spaces* results in a fraction of one-half (1/2) or greater, the number of required *off-street parking spaces* shall be rounded up to the next whole number. Except for residential uses, any individual, non-related and separately operated *use* shall provide no less than two (2) *parking spaces*.

<b>Table 21-07.04 B: Required Off-Street Parking</b>	
<i>Use</i>	<b>Minimum Number of <i>Parking Spaces</i> per One Thousand (1,000) Square Feet of <i>Gross Floor Area</i> of <i>Buildings</i> (except as noted)</b>
Automobile Sales, Service, & Related <i>Uses</i>	2
Commercial: Hotels, Motels, & Other Sleeping Establishments	0.75, plus 2 <i>parking spaces</i> at office or registration area
Commercial: Retail & Service	2
Commercial: Restaurants & Bars	8
Industrial	0.5
Industrial: Warehouse or Distribution	0.33
Institutional: Schools	0.75
Institutional: Hospitals and Clinics	2.5
Office	3
Public Assembly, Civic, Religious, and Recreational Facilities	4
Residential	1 per <i>dwelling unit</i>

Note: For any *use* not specified above, the minimum number of *parking spaces* shall be determined by the *Zoning Administrator* and shall be based upon requirements for similar *uses*, expected demand, and traffic generated by the proposed *use*, and other information from appropriate traffic engineering and planning criteria.

(A) Units of Measurement.

*Gross floor area* shall be determined per the definition of *gross floor area* in Section 21-11 – Definitions.

(B) Credits to Provide Minimum Number of *Off-Street Parking Spaces*.

- i. Legal, *on-street parking spaces* located immediately adjacent to and on the same side of the *street* as the *front lot line* may be counted toward *off-street parking space* requirements.



- ii. The minimum number of *off-street parking spaces* may be reduced by ten (10) percent if the *lot* is located within one thousand (1,000) feet of a public transit line.
- iii. The required number of *off-street parking spaces* may be reduced by one (1) for every two (2) bicycle parking spaces provided above those otherwise required by Section 21-07.04 (c)(2), up to a maximum of ten (10) percent of the minimum *off-street parking space* requirement.

(C) Increase in Intensity of Use.

Additional *off-street parking spaces* shall be required whenever a change of *use*, units, or size of a *building, structure, or lot* results in an increase in the minimum number of required *off-street parking spaces* of twenty-five (25) percent or more from the number of *off-street parking spaces* existing on the effective date of this Ordinance, whether such total increase occurs at one (1) time or in successive stages.

(3) Required Parking for the Disabled.

Every *off-street parking area* and *parking garage* available to the public shall have *parking spaces* reserved for the use of physically handicapped persons as specified in Table 21-07.04 C: Minimum ADA Parking Spaces (as required by ADA Accessibility Guidelines for Buildings and Facilities, Chapter 4.1.2 (5)(a), published in the Federal Register, Volume 56, No. 144, dated July 26, 1991); provided, however, facilities which provide medical care and other services to persons with mobility impairments shall provide ADA Parking Spaces as follows:

- (A) Outpatient units and facilities – 10% of the total number of *off-street parking spaces* provided; and,
- (B) Units and facilities that specialize in treatment services for persons with mobility impairments – 20% of the total number of *off-street parking spaces* provided.

<b>Table 21-07.04 C: Minimum ADA Parking Spaces</b>	
<b>Total Parking Spaces Provided</b>	<b>Minimum Number of Reserved Spaces</b>
1 - 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 150	5
151 - 200	6
201 - 300	7
301 - 400	8
401 - 500	9
501 - 1000	Two percent (2%) of the total number of <i>off-street parking spaces</i> .
1001 and over	Twenty (20), plus one (1) for each one hundred (100) <i>off-street parking spaces</i> over one thousand (1000).

**(c) Bicycle Parking.**

- (1) Design and Construction of *Off-Street* Bicycle Parking.
  - (A) Bicycle parking shall be placed with one-hundred (100) feet of, and clearly visible from, the main entrance to the *use* served.
  - (B) All bicycle parking areas shall be hard surfaced with asphalt, concrete, pervious pavement, pavers, or other material to provide a durable, dust-free surface.
  - (C) All bicycle racks shall be
    - i. securely anchored,
    - ii. able to support the bicycle frame in at least two places to prevent the bicycle from falling over, and
    - iii. configured to allow the locking of the frame and at least one wheel with a U-lock.

- (2) Minimum Number of Required *Off-Street* Bicycle Parking Spaces.
- (A) The number of bicycle parking spaces, not the number of bicycle parking fixtures, is used to determine bicycle parking. For example, a single bicycle rack that is designed for parking two bicycles is counted as two bicycle parking spaces.
  - (B) Any *use* that requires at least ten (10) vehicle *parking spaces* (per the provisions of Section 21-07.04 (b)(2)) shall provide one (1) bicycle parking space for every ten (10) required vehicle *parking spaces* or fraction thereof. No more than sixteen (16) bicycle parking spaces shall be required.

SECTION IV. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

\_\_\_\_\_  
Member of the Common Council

Attest:

\_\_\_\_\_  
City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. m.

\_\_\_\_\_  
City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_. m.

\_\_\_\_\_  
Mayor, City of South Bend, Indiana

**Zoning Quick Fixes**

Reform to Off-Street Parking Regulations

Last updated May 23, 2018

Ordinance Section	Item	Current Standard	Proposed Standard	Notes
21-02.03 (b)(11)	On-Street Parking in MF1 District	Allows on-street parking to be counted toward off-street parking requirement in MF1 district	Eliminates provision	As legal on-street parking is proposed to be counted toward off-street parking requirements in all districts, removes redundant language
21-03.01 (b)(10)	On-Street Parking in OB District	Allows on-street parking to be counted toward off-street parking requirement in OB district	Eliminates provision	As legal on-street parking is proposed to be counted toward off-street parking requirements in all districts, removes redundant language
21-07.04 (c)(3)	Location of Off-Site Parking Areas	Off-street parking may be provided off-site within 500 feet of the use through a written agreement with a special exception	Off-street parking may be provided off-site within 500 feet of the use through a written agreement filed administratively	Simplifies providing off-site off-street parking by no longer requiring a special exception
21-07.04 (d)(1)(A)	Design of Parking Areas	Provides two options for parking space dimensions	Creates a single set of parking space dimension standards with improved graphics; allows alley to be used to meet drive aisle width requirement	Simplifies parking space/lot design standards per current best practice
21-07.04 (d)(2)	Surface of Off-Street Parking Areas	Lists asphalt, concrete as example materials for providing a durable surface	Adds pervious pavement, pavers as example materials for providing a durable surface	Clarifies that decorative and stormwater sensitive materials can be used to pave parking areas
21-07.04 (e)(1)	Increase in Intensity of Use	Requires additional parking spaces to be provided when a change in use requires a 15% or more increase in off-street parking spaces	Requires additional parking spaces to be provided when a change in use requires a 25% or more increase in off-street parking spaces	Promotes re-use of existing properties
21-07.04 (e)(2)	Units of Measurement	Required parking based on employees, gross floor area, seating capacity, or housing unit count	Required parking based on gross floor area or housing unit count	Simplifies administration of ordinance and provides clearer standard to calculate required parking
21-07.04 (e)(3)	Reduction for Combined Off-Street Parking Areas	Permits sharing of parking for uses with dissimilar peak time parking demands	Eliminates provision	Provision never used, and it becomes less valuable with reductions in required minimum parking
21-07.04 (f)	Required Parking for the Disabled	Ambiguous whether required ADA parking space count is based on the number of parking spaces required or provided	Clarifies that required ADA parking space count is based on the number of parking spaces provided	Clarifies ADA parking space provision, consistent with Federal law
21-07.04 (g)	Bicycle Racks	Requires parking for 10 bicycles if a parking lot provides over 50 spaces; no standard for bicycle rack design or placement	Requires bicycle parking at a rate of one space per 10 required vehicle parking spaces (up to 16 bicycle parking spaces) for any use requiring at least 10 vehicle parking spaces; adds basic standards for bicycle rack design and placement	Encourages bicycling as a means of transportation
Table 21-07.04 E	Required Off-Street Parking	Provides off-street parking minimums for 53 use categories	Provides off-street parking minimums for 11 use categories; generally reduces the minimum parking requirement	Simplifies administration of ordinance; eliminates building of unnecessary parking (also see Table revision summary)
New	Credits to Provide Minimum Number of Off-Street Parking Spaces	Allows on-street parking to be counted toward off-street parking requirement in MF1 and OB districts	Allows on-street parking to be counted toward off-street parking requirement in all districts; reduces parking requirement for areas near bus routes; allows extra bicycle parking to be substituted for vehicle parking	Promotes development of in-fill sites; reduces parking requirement where other modes of transportation are common; promotes use of bicycle transportation

**Zoning Quick Fixes**

Reform to Off-Street Parking Regulations

Last updated April 18, 2018

**Former Table 21-07.04 E**

Proposed Use	Proposed Standard	Current Use	Current Standard
Automobile Sales, Service, & Related Uses	Two (2) <i>parking spaces</i> per one thousand (1,000) square feet of <i>gross floor area</i>	Automobile, motorcycle, truck, bus, RV and boat sales	One (1) <i>parking space</i> per three-hundred (300) square feet of sales floor area in excess of one-thousand (1000) square feet plus one (1) <i>parking space</i> per two-thousand (2000) square feet of open area
		Automotive repair or service facility	Five (5) <i>parking spaces</i> per one-thousand (1,000) square feet of <i>gross floor area</i> devoted to retail sales of automotive supplies or parts, plus two (2) <i>parking spaces</i> per service bay, (a service bay shall not be considered a <i>parking space</i> ), plus three (3) <i>customer parking spaces</i>
		Car washes	Stacking spaces per wash bay, as required for a drive-through facility, plus three and one-half (3.5) <i>parking spaces</i> per one-thousand (1,000) square feet of <i>gross floor area</i> devoted to office or retail sales
		Gasoline stations and public garages	One (1) <i>parking space</i> per each employee, plus two (2) <i>parking spaces</i> for each service bay
Commercial: Hotels, Motels, & Other Sleeping Establishments	Three-quarters (0.75) <i>parking spaces</i> per guest room, plus two (2) <i>parking spaces</i> at office or registration area	Boarding Houses	One (1) <i>parking space</i> per two (2) guest rooms plus one (1) <i>parking space</i> for owner or manager
		Hotels and motels	One (1) <i>parking space</i> per guest room, plus two (2) <i>parking spaces</i> at office or registration area. If, in addition to guest rooms, there are other <i>uses</i> or <i>accessory uses</i> located within or operated in conjunction with the <i>hotel</i> or <i>motel</i> , such as ballrooms, meeting rooms, dining areas, retail stores, auditoriums, <i>bars</i> , restaurants, <i>taverns</i> , <i>nightclubs</i> , and the like, additional <i>parking spaces</i> , calculated based upon the parking requirements for that specific <i>use</i> , shall be provided (calculation shall be based upon the total square feet of <i>gross leasable floor area</i> for such <i>uses</i> located within or operated in conjunction with the <i>hotel</i> or <i>motel</i> )
		Private clubs, dormitories, fraternities, sororities and lodges – with sleeping rooms	Two (2) <i>parking spaces</i> per every three (3) sleeping rooms or one (1) <i>parking space</i> per every (5) members, whichever is greater

Proposed Use	Proposed Standard	Current Use	Current Standard
Commercial: Retail & Service	Two (2) <i>parking spaces</i> per one thousand (1,000) square feet of <i>gross floor area</i>	Barber Shop / Beauty Shop / Hair Salon / Manicure Shop / Tanning Salon	Three (3) <i>parking spaces</i> per each customer seat or service station
		Child care centers	One (1) <i>parking space</i> per employee plus three (3) additional <i>parking space</i>
		Financial Institutions / Banks	One (1) <i>parking space</i> per two-hundred (200) square feet of <i>gross floor area</i> , plus <i>parking spaces</i> as required for each walk-up, drive-through or freestanding bank machine
		Financial Institutions / Banks – Freestanding Bank Machines, Walk-up or Drive-through	One (1) <i>parking space</i> for each walk-up, drive-through or freestanding bank machine, plus stacking spaces as required for a drive-through facility for any drive-through or freestanding bank machine accessible from an automobile
		Grocery store	Five (5) <i>parking spaces</i> per one-thousand (1,000) square feet of <i>gross floor area</i>
		Hardware / Paint / Home Improvement Store	Five (5) <i>parking spaces</i> per one-thousand (1,000) square feet of <i>gross floor area</i>
		Laundromats	One (1) <i>parking space</i> per every two (2) washing machines, plus one (1) <i>parking space</i> per every two (2) employees
		Publishing establishments, newspaper or printing shops	Two (2) <i>parking spaces</i> per one-thousand (1,000) square feet of <i>gross floor area</i> , plus three and one half (3.5) <i>parking spaces</i> per one-thousand (1000) square feet devoted to office or related retail activities
		Retail – <i>Single Use Sites</i>	<p>&lt; 100,000 Sq. Ft. – Three and one half (3.5) <i>parking spaces</i> per one-thousand (1000) square feet of <i>gross floor area</i>, provided, however, that in no case shall any individual use provide less than a total of five (5) <i>parking spaces</i>. 100,000 Sq. Ft. and Over – Two and one half (2.5) <i>parking spaces</i> per one-thousand (1000) square feet of <i>gross floor area</i></p>
		Retail – <i>Integrated Centers</i>	<p>&lt; 400,000 Sq. Ft. – If the total <i>gross leasable floor area</i> of an <i>integrated center</i> is less than 400,000 square feet, four (4) <i>parking spaces</i> per one thousand (1,000) square feet of <i>gross leasable floor area</i> shall be required. 400,000 – 600,000 Sq. Ft. – If the total <i>gross leasable floor area</i> of an <i>integrated center</i> is greater than 400,000 square feet, but less than 600,000 square feet, four and one half (4.5) <i>parking spaces</i> per one thousand (1,000) square feet of <i>gross leasable floor area</i> shall be required. &gt; 600,000 Sq. Ft. – If the total <i>gross leasable floor area</i> of an <i>integrated center</i> is greater than 600,000 square feet, five (5) <i>parking spaces</i> per one thousand (1,000) square feet of <i>gross leasable floor area</i> shall be required. Provided, however: (1) in no case shall any <i>integrated center</i> provide less than five (5) <i>parking spaces</i>; and, (2) the following individual uses: grocery store; hardware / paint / home improvement store; theaters; bowling alley; bar; tavern; nightclub; cabarets; or, other establishments for the sale of beer or intoxicating liquor for consumption on the premises, shall provide <i>parking spaces</i> as required for the individual use by this Section and such calculation shall be separate from the calculation of the <i>gross leasable floor area</i> calculation of the <i>integrated center</i>.</p>
Service or repair establishments	Three and one half (3.5) <i>parking spaces</i> per every one-thousand (1,000) square feet of <i>gross floor area</i>		

Proposed Use	Proposed Standard	Current Use	Current Standard
Commercial: Restaurants & Bars	Eight (8) <i>parking spaces</i> per one thousand (1,000) square feet of <i>gross floor area</i>	<i>Bar, Tavern, Nightclub, Cabaret</i> , and other establishments for the sale of beer or intoxicating liquor for consumption on the premises	One (1) <i>parking space</i> per every three (3) persons based upon the maximum number of persons that can be accommodated at the same time in accordance with design capacity
		Restaurants: Family restaurant, Family restaurant with lounge, Fast food restaurant	One (1) <i>parking space</i> per each three (3) customer seats based upon the maximum number of persons that can be accommodated at the same time in accordance with design capacity (including outdoor seating areas) (minimum of five (5) <i>parking spaces</i> required)
		Restaurants: Drive-In Restaurant	One (1) <i>parking space</i> per customer service unit, plus ten (10) <i>parking spaces</i> per one thousand (1,000) square feet of <i>gross floor area</i> (minimum of four (4) additional <i>parking spaces</i> required)
		Restaurants: Drive-Through only (no seating)	One (1) <i>parking space</i> per one employee (minimum of five (5) <i>parking spaces</i> required)
Industrial	One-half (0.5) <i>parking spaces</i> per one thousand (1,000) square feet of <i>gross floor area</i>	Ambulance and Armored Care Service	One (1) <i>parking space</i> per vehicle plus one (1) <i>parking space</i> per on-duty employee
		Industrial: Assembly or Manufacturing	One (1) <i>parking space</i> for each one thousand (1,000) square feet of <i>gross floor area</i> devoted to such use. If, in addition, there is space devoted to office, retail or other <i>uses</i> specified elsewhere in these regulations, parking required for such additional <i>use</i> shall also be provided
		Refuse dumps or landfills	One (1) <i>parking space</i> per employee
Industrial: Warehouse or Distribution	One-third (0.33) <i>parking spaces</i> per one thousand (1,000) square feet of <i>gross floor area</i>	Industrial: Warehouse or Distribution	One (1) <i>parking space</i> for each three thousand (3,000) square feet of <i>gross floor area</i> . If, in addition, there is space devoted to office, retail or other <i>uses</i> specified elsewhere in these regulations, parking required for such additional <i>use</i> shall also be provided
Institutional: Schools	Three-quarters (0.75) <i>parking spaces</i> per one thousand (1,000) square feet of <i>gross floor area</i>	College / University	One (1) <i>parking space</i> per two (2) employees, plus one (1) <i>parking space</i> per every (10) students based upon the maximum number of students that can be accommodated in accordance with the design capacity, or one (1) <i>parking space</i> per five (5) seats in the main auditorium, whichever is greater
		Commercial, trade or business schools	Forty (40) <i>parking space</i> per each one-thousand (1,000) square feet of classrooms
		Schools: Nursery, elementary and junior high schools	One (1) <i>parking space</i> per classroom and office or one (1) <i>parking space</i> per every ten (10) seats in auditorium, whichever is greater
		Schools: Senior high schools	One (1) <i>parking space</i> per every ten (10) classroom seats, plus one (1) <i>parking space</i> per every two (2) staff members
Institutional: Hospitals and Clinics	Two and one-half (2.5) <i>parking spaces</i> per one thousand (1,000) square feet of <i>gross floor area</i>	Hospitals, sanitariums, rehabilitation centers and emergency medical care service centers	One (1) <i>parking space</i> per every (4) patient beds, plus one (1) <i>parking space</i> per every two (2) employees, plus one (1) <i>parking space</i> per staff doctor
		Medical and dental clinics	Five (5) <i>parking spaces</i> per each doctor
		Nursing, convalescent, rest homes, residential facilities for the developmentally disabled and other health homes and institutions	One (1) <i>parking space</i> per every four (4) beds plus one (1) <i>parking space</i> per every two (2) employees, plus one (1) <i>parking space</i> per staff doctor
		Veterinary hospitals, animal kennels and pounds	One (1) <i>parking space</i> per every four-hundred (400) square feet of <i>gross floor area</i>
Office	Three (3) <i>parking spaces</i> per one thousand (1,000) square feet of <i>gross floor area</i>	Broadcasting, movie or video producing or recording studios	One (1) <i>parking space</i> per two-hundred (200) square feet of <i>gross floor area</i>
		Offices and office buildings	Three and one half (3.5) <i>parking spaces</i> per one-thousand (1000) square feet of <i>gross floor area</i>



Proposed Use	Proposed Standard	Current Use	Current Standard
Public Assembly, Civic, Religious, and Recreational Facilities	Four (4) parking spaces per one thousand (1,000) square feet of gross floor area	Amusement centers, skating rinks, pools, natatoriums, exhibition halls	One (1) <i>parking space</i> per one-hundred (100) square feet of floor area in public use
		Amusement Park	<i>Five (5) parking spaces</i> per one-thousand (1,000) square feet of <i>gross floor area</i> within <i>buildings</i> plus one and one-half (1.5) <i>parking spaces</i> per one-thousand (1,000) square feet of site area accessible to the public, exclusive of the <i>parking area</i>
		Assembly facilities without fixed seats, including dance halls, martial arts schools, aerobic and exercise centers, and similar studios or centers	One (1) <i>parking space</i> per every twenty-five (25) square feet of floor area in public use
		Bowling alleys	Five (5) <i>parking spaces</i> per alley. If, in addition, there are other uses or accessory uses located within or operated in conjunction with the bowling alley, such as restaurants, bars, taverns, nightclubs, and the like, additional <i>parking spaces</i> , calculated based upon the parking requirements for that specific <i>use</i> , shall be provided (calculation shall be based upon the total square feet of <i>gross leasable floor area</i> for such uses located within or operated in conjunction with the bowling alley)
		Casinos, approved hotels or buildings wherein gambling games are conducted	One (1) <i>parking space</i> per each employee plus one (1) <i>parking space</i> per each three (3) persons based upon the maximum number of persons that can be accommodated at the same time in accordance with the design capacity
		Funeral homes and mortuaries	One (1) <i>parking space</i> per every fifty (50) square feet of <i>gross floor area</i> in service rooms
		Gun clubs, skeet, target or archery ranges	One (1) <i>parking space</i> per every two (2) employees, plus one (1) <i>parking space</i> per shooting position
		Libraries, museums and art galleries	Ten (10) <i>parking spaces</i> , plus one (1) <i>parking space</i> per every three-hundred (300) square feet of <i>gross floor area</i> over two-thousand (2000) square feet
		Off-track pari-mutual wagering facility	One (1) <i>parking space</i> per each employee, plus one (1) <i>parking space</i> per every three (3) persons based upon the maximum number of persons that can be accommodated at the same time in accordance with the design capacity
		Private clubs, fraternities, sororities and lodges – no sleeping rooms	One (1) <i>parking space</i> per every five (5) members
		Railroad or motor bus passenger stations or heliports	One (1) <i>parking space</i> per every (50) square feet of <i>gross floor area</i> , plus one (1) <i>parking space</i> per every two (2) employees
		Religious Uses – Churches or temples	One (1) <i>parking space</i> per every four (4) seats in the main sanctuary, auditorium or assembly room
		Theatres, auditoriums, gymnasiums, stadiums, arenas, convention halls, and places of assembly with fixed seats	One (1) <i>parking space</i> per every five (5) seats, plus one (1) <i>parking space</i> per every two (2) employees
Residential	One (1) parking space per dwelling unit	Mobile home parks	One and one-half (1 ½) <i>parking spaces</i> per mobile home park lot plus there shall be a conveniently located area for visitor parking at a ratio of one-half (½) space per lot; provided, however, in no case shall there be less than twenty-five (25) <i>parking spaces</i> provided per mobile home park
		Residential: Single Family	One (1) <i>parking space</i> per <i>dwelling unit</i>
		Residential: Multifamily, including apartment houses	Two (2) <i>parking space</i> per <i>dwelling unit</i> . Note: In the CBD <i>District</i> , apartment houses containing one-hundred (100) or more <i>dwelling units</i> may provide a minimum of two (2) <i>parking spaces</i> for every three (3) <i>dwelling units</i>
		Residential: Two Family	Two (2) <i>parking space</i> per <i>dwelling unit</i>

## FINDINGS OF FACT

APC# 2865-18  
Delta One Properties, LLC  
City of South Bend

On Tuesday, May 15, 2018, the Area Plan Commission denied the following variances from the Development Standards of the City of South Bend Zoning Ordinance:

- 1) from the required foundation landscaping to none
  - 2) from the required parking lot screening to none
  - 3) from the required interior off-street parking area landscaping to none;
  - 4) from the maximum allowed 4' fence to 6' fence with barbed wire
- (1) The approval will not be injurious to the public health, safety, morals and general welfare of the community  
The approval of the variances will not be injurious to the public health, safety, moral and general welfare of the community.
- (2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.  
The value of adjacent properties would be negatively affected if approval of these variances were granted, giving permission to develop a site with intense use and without proper screening and buffering.
- (3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the property  
Strict application of the development standards for parking lot landscaping and fencing would not impose any practical difficulties in the use of this property. Strict application of the foundation landscaping would impose practical difficulties on the property owner.

The Minutes of the May 15, 2018 meeting of the Area Plan Commission are hereby incorporated by reference herein.

Adopted by the Area Plan Commission of St. Joseph County, Indiana, on this 19th of June, 2018.

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Daniel H. Brewer, President  
Area Plan Commission of  
St. Joseph County, Indiana

ATTEST:

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Lawrence P. Magliozzi, Secretary

## FINDINGS OF FACT

APC# 2868-18  
Four Horseman Ventures, LLC  
St. Joseph County

On Tuesday, May 15, 2018, the Area Plan Commission denied the following variances from the Development Standards of the St. Joseph County Zoning Ordinance:

- 1) from the required minimum lot area of 6,000 sq.ft. per dwelling unit to 2,640 sq. ft.
- 2) from the required lot area for multi-family development of 5 acres to 4.22 acres
- 3) from the required minimum front yard and building setback of 35' to 15'
- 4) from the required minimum side yard and building setback of 10' to 0'
- 5) from the required minimum rear yard and building setback of 40' to 20'
- 6) from the required minimum lot frontage of 60' to 0'
- 7) from the required minimum livable open space of 52% project area to 44%;
- 8) from the required minimum required distance between building walls of 40' to 20'

- (1) The approval will not be injurious to the public health, safety, morals and general welfare of the community.  
The proposed variances have no impact on the public health, safety and general welfare of the community.
- (2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.  
The intensity of the use and lack of buffering may have an adverse impact on the use and value of surrounding properties.
- (3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the  
This is a new development site. There are no practical difficulties in the developing in compliance with the Ordinance.

The Minutes of the May 15, 2018 meeting of the Area Plan Commission are hereby incorporated by reference herein.

Adopted by the Area Plan Commission of St. Joseph County, Indiana, on this 19th day of June,

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Daniel H. Brewer, President  
Area Plan Commission of  
St. Joseph County, Indiana

ATTEST:

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Lawrence P. Magliozzi, Secretary

## FINDINGS OF FACT

APC# 2869-18

Mutual Bank (AKA MFB Financial)

St. Joseph County

On Tuesday, May 15, 2018, the Area Plan Commission approved the following variances from the Development Standards of the St. Joseph County Zoning Ordinance:

- 1) to allow a trash enclosure between the front façade of the building and front lot line
  - 2) from the required 12' bail out lane in the drive through to none
  - 3) from the required five waiting spaces prior to the first occurrence of ordering or pickup for drive through facility to none
  - 4) from the required 15' minimum setback for parking and drive aisles to 5';
  - 5) from the required foundation landscaping to none
- (1) The approval will not be injurious to the public health, safety, morals and general welfare of the community  
The proposed variances will have no affect on the public health, safety, morals and general welfare of the community.
- (2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.  
An alternate landscaping plan and proper screening of the dumpster will mitigate negative impacts on the adjacent property values.
- (3) The strict application of the terms of this Chapter would result in practical difficulties in the use of the propert  
The strict application of the setback would cause pratical difficulties in the use of the property by having two front yards. Proper landscaping is shown in an alternative landscape plan. Using one bailout lane for two drive-throughs would allow them to utilize this small site efficiently.

The Minutes of the May 15, 2018 meeting of the Area Plan Commission are hereby incorporated by reference herein.

Adopted by the Area Plan Commission of St. Joseph County, Indiana, on this 19th day of June, 2018.

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Daniel H. Brewer, President  
Area Plan Commission of  
St. Joseph County, Indiana

ATTEST:

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Lawrence P. Magliozzi, Secretary