



RECOMMENDATION OF THE SOUTH BEND PLANNING COMMISSION Case 02-2020 | Amendments to SBMC 15.20.270 Off-Street Parking

Summary of Recommendation

The Planning Commission recommends that the City Council approve a proposed amendment to SBMC 15.20.270, Off-Street Parking, which strikes Subsections A and B, and replaces them with the following:

A. The off-street parking standards of this section, except as noted in subsection B, shall apply to:

1. New uses; and
2. The expanded portion of existing uses.

B. Uses on parcels adjacent to Robert Bush Drive/US 101 between Central Avenue and Ferry Street are exempt from the off-street parking standards of this section; provided that Commercial Uses under SBMC 15.20.270(C) with greater than 2,000 square feet of area open to the public shall provide designated accessible parking, computed to the nearest whole number, based on the following standard:

1. Retail sales and services and other uses not listed: minimum of one space per 6,000 square feet open to the public.
2. Offices and personal services: one space per 7,500 square feet open to the public.
3. Eating and drinking establishments: one space per 2,000 square feet open to the public.

Summary of the Record

Details of Request

The city has proposed amending SBMC 15.20.270, Subsections A and B, Off-Street Parking, to exempt parcels from the off-street parking requirements adjacent to Robert Bush Drive/US 101 from Central Avenue to Ferry Street. Along with this amendment, the city is suggesting some additional wordsmithing to make the overall section easier to read.

The primary rationale for this proposal is the city's desire to encourage development opportunities for property owners along US 101 between Central

Avenue and Ferry Street by allowing greater lot coverage by eliminating the need to devote on-site space for off-street parking.

While the city is proposing to exempt off-street parking in this area, it also wants to adopt standards for accessible parking for people with disabilities for commercial uses greater than 2,000 square feet of area open to the public. This standard reflects the IBC requirement for accessible parking for facilities of commensurate size when a city does require off-street parking. It is important to note that this provision also exempts commercial uses 2,000 square feet and under from the accessible parking standard.

Procedural History

- Application Date: November 2, 2020
- Determination of Completeness: November 6, 2020
- Notice of Application: November 11, 2020
- SEPA Review: The city issued a Determination of Nonsignificance (DNS) for the proposed amendment on November 11, 2020. The comment period on the environmental review will close on November 25, 2020. The city received no comment on the environmental review.
- Open Record Public Hearing before Planning Commission: December 7, 2020
- Recommendation passed by Planning Commission: December 15, 2020

Testimony

The following individuals provided written and oral testimony at the hearing:

- John Kliem, CCS, Inc., consulting land use planner for the City of South Bend
- Dennis Houk, City Supervisor, City of South Bend
- Julie Struck, Mayor, City of South Bend
- Joel Penoyer (letter)
- Craig Spredeman

Findings

1. SBMC 15.56.030 sets forth procedures for amending the city's development regulations.
2. The City of South Planning Commission held a public hearing on the proposed amendment to amend SBMC 15.20.270 on December 7, 2020. The commission listened and considered public comment on the amendment.
3. Upon close of the public hearing, the Planning Commission discussed the merits of the proposed amendment. Discussion by commission members agreed that the amendment was consistent with the comprehensive plan and would not adversely impact capital facilities and the general health, safety, and welfare of the community, excepting for a potential loss of accessible parking in the exempt area. Some members also expressed concern with a provision relating to parking in the front yard of residential properties.
4. Given the impacts to accessible parking, the Planning Commission requested city staff to provide an amendment to the amendment that would create a new standard for accessible parking in the exempted area. The staff was to report at a following meeting on December 15, 2020.
5. At their subsequent December 15, 2020 meeting, the Planning Commission reviewed the addition of the accessible parking standard and approved their inclusion. They also decided that a proposed new subsection relating to parking in the front yard of residential properties needed further study and removed it from the draft amendment.

Decision

Based on these findings, the Planning Commission recommends that the City Council approve the proposed amendment to SBMC 15.20.270, Off-Street Parking, Subsections A and B.

PASSED on this 15th day of December 2020.

Scot Pearson, Planning Commission Chair