

MINUTES
BOARD OF ZONING APPEALS
August 24, 2020

The Warsaw Board of Zoning Appeals met for regular session on Monday, August 24, 2020 at 7:00 p.m. in the City Council Chambers, 102 S. Buffalo Street, Warsaw, Indiana. The following members were present or excused:

Present: Tom Allen, Rick Keeven, Dan Smith, Tammy Dalton, Jeremy Skinner (City Planning Director), Scott Reust (City Attorney), Justin Taylor (Senior Planner), Johnny Latsko (Assistant Planner), Kim Arnold (Recording Secretary)

Absent: None

CALL TO ORDER

Allen called the meeting to order.

APPROVAL OF MINUTES

The July 27, 2020 meeting minutes were reviewed and presented for approval. Keeven made a motion to approve the July 27, 2020 meeting minutes as presented. Smith seconded the motion. The motion carried unanimously by roll call vote of all members.

ORAL OR WRITTEN COMMENTS OR REPORTS

None

OLD BUSINESS

None

NEW BUSINESS

2020-08-01—Use Variance- Allow Multi-Family Residential in an I-2 District- Allen turned the meeting over to Assistant Planner Latsko for a brief explanation of the request. The petitioner has requested a Use Variance to construct multi-family housing within an I-2 Zoning District. The proposed project features two 3-story buildings with 60 units, as well as a community building, parking area, and other amenities for tenants. *See Attachment 3 for the site plan provided by the petitioner.*

The location is currently occupied by the former Arnolt Corporation building, as well as several smaller vacant lots. The I-2 designation does not allow for residential development.

The properties north, west, and east are C-2, R-3, and C-2 respectively. All three of these districts allow for multi-family housing.

The comprehensive plan identifies the corridor as a target for community vitality. The lot is identified as industrial due to the historical presence of Arnolt Corporation. An Argonne Corridor Vision Plan is currently in the works by Kosciusko Economic Development Corporation in partnership with Warsaw and Winona Lake. The Vision Plan identifies the Arnolt property as a potential catalyst site for private investment in the corridor. The general corridor vision is to encourage a mixed-use neighborhood.

A Residential Market Potential Study conducted in 2020 identified a demand for rental housing in Warsaw.

The Planning Department received one letter against the petition and two in favor of the petition.

It is the recommendation of the Planning Department that the Board approve this request.

The Arnolt Corporation building is an important catalyst site for the revitalization of the Argonne Corridor. Shifts in manufacturing, City growth, and transportation trends have made the site less suitable for the heavy industry historically conducted in the area.

The proximity to restaurants and a grocery store make it an ideal candidate for expansion of rental housing. The City of Warsaw has worked to encourage private investment in the site for several years.

Relevant Regulations:

12.2.2.1 – I-2 Light Industrial District

Description of district. The I-2 light industrial district is intended to provide lands for development by most general types of industrial firms. The regulations are designed to permit operations in a clear and quiet manner and to protect adjacent district uses and industries within the [I-2] district. Residential uses are prohibited in this district to conserve and protect the supply of industrial land for industrial use.

16.0 Permitted Uses:

	R-3	I-2	C-2	C-3
Residential Multi-family	P		SE	SE

Allen opened the meeting to any person wishing to speak in favor or against the petition. Jeff Ryan, representing the petitioner, attended digitally to explain the request and answer any questions. City Planning Director Skinner explained the Redevelopment Commission has been working on this project and the City of Warsaw now owns the property, which they obtained

with the intent to demolish it. The property had been in receivership since the late 1980's or early 90's. The property has become a dumping ground and has been addressed at City Code Hearings. The City has a Redevelopment Plan for that area of the City. Skinner stated it is difficult to re-use a building that is so large. The heating and cooling alone would be costly. The City wishes to protect and grow Warsaw Engineering and Fabricating. Skinner explained the City wants to protect the area for existing business, which is why the area will not be re-zoned. He stated the Arnolt site has access to so much that it creates opportunities, such as job opportunities, with the mixed use of the area. Some buildings are underutilized. The City has made a significant investment in the project and has been working with MACOG for the site clean-up. Skinner stated it will be a development similar to Little Crow Lofts. Children will be allowed. Discussion followed. Jeff Ryan, of Real America, presented renderings digitally of the proposed project. He answered questions including if there would be contamination clean up. He stated they have experience with the type of clean up needed. Allen closed the meeting to any person wishing to speak in favor of the petition and opened it to any person wishing to speak against it. Jim Weaver, of Warsaw Engineering and Fabricating, was present to speak against it. He stated they have been in business for 35 years at the present location which is zoned Industrial. He stated they have to endure people, including children, cutting through their property going to Winona Lake. He stated the equipment they use is large and kids like equipment. He stated in 1985 when his business opened, Arnolt was still open. The location has historically been industrial. He is against the petition. City Planning Director Skinner stated the City wishes to make opportunities for people to get where they are going without trespassing. The area has changed a lot over time. Skinner stated the City wants to protect his business. Industry in that area has left and is not coming back. The area has to be rehabilitated. That location will never be industrial again. He explained the City has owned the Gatke property since 1999 and no manufacturing has inquired about the property. Current business needs to be protected. Discussion followed among members. Smith asked if the City of Warsaw could provide some type of fence to Warsaw Engineering and Fabricating. Allen stated fence would be out of the BZA jurisdiction. Weaver stated he is in favor of cleaning up the location but does not like the risk involved with residential use. He stated he hears the City telling him to move. Skinner reiterated the City wants to protect his business rights and ability to operate at the current site. Discussion about the future of the Arnolt Corporation property and future use followed. Allen opened the meeting to any person wishing to communicate by text or phone and provided the telephone number. An anonymous call was received stating the residential use should be approved but be for homeless or something more useful. Allen closed the meeting to the public. City Attorney Reust reminded the members of the criteria to be used to make the decision. Discussion among members followed. Motion was made by Dalton to approve *2020-08-01—Use Variance- Allow Multi-Family Residential in an I-2 District*. Keeven seconded the motion. The motion passed unanimously.

2020-08-02-Variance from Development Standards-Allow a Mobile Home in an R-2- Request withdrawn.

2020-08-03- Variance from Development Standards-Allow an Accessory Structure in Front of Primary Structure – Request withdrawn.

OTHER MATTERS THAT MAY COME BEFORE THE BOARD

- Next meeting will be September 28, 2020

Keeven made a motion to adjourn the meeting. Smith seconded the motion. The motion carried unanimously.

Tom Allen, President

Kim Arnold, Recording Secretary