

**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

**September 11, 2025**

**Case Number:** 2025-CZN-842 / 2024-CVR-842

**Property Address:** 6290 North College Avenue (Approximate Address)

**Location:** Washington Township, Council District #7

**Petitioner:** Obscure Investors, LLC, by Joseph D. Calderon

**Current Zoning:** D-7 (FF) (TOD)

**Request:** Rezoning of 0.42-acre from the D-7 (FF) (TOD) district to the C-3 (FF) (TOD) district to provide for neighborhood commercial uses.

**Current Land Use:** Retail

**Staff Recommendations:** Approval

**Staff Reviewer:** Marleny Iraheta

Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to legally establish the existing surface parking lot partially within the College Avenue right-of-way and partially within the Canal right-of-way (not permitted), and to provide for 18 parking spaces (minimum one parking space for every 300 square feet of building area, or 27 spaces required).

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the requests.

**PETITION OVERVIEW**

**LAND USE**

The 0.42-acre subject site is a corner lot developed with a commercial building used as a pharmacy measuring approximately 8,100 square feet and associated parking area. Vehicular access is gained from 63<sup>rd</sup> street and the abutting alley.

The site is surrounded by single-family dwellings to the west, zoned D-4, an office and grocery store to the north, zoned D-7, a canal to the east zoned C-S, and a mixed-use building to the south, zoned MU-2.

## **REZONING**

The grant of the request would rezone the property from the D-7 (FF) (TOD) district to the C-3 (FF) (TOD) district to provide for neighborhood commercial uses not otherwise permitted in the existing dwelling district.

The D-7 district is intended for medium-density residential development, accommodating multi-family dwellings, triplex, fourplex, two-family and single-family attached dwellings. The district may be applied anywhere within the metropolitan area, provided, however, it should be closely associated with the primary intensity generators, such as commercial shopping centers or industrial employment centers. The district requires superior street access and all public utilities and facilities. Provisions for various modes of travel and pedestrian linkages are critical. Well-planned, on-site recreational facilities, selected to fit the site and residents' needs, must be developed to answer the demands of the higher density of residents. The D-7 district has a typical density of 12 to 15 units per gross acre fulfilling the medium density residential recommendation of the Comprehensive General Land Use Plan. Development plans should incorporate and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage, and wildlife.

The C-3 District is for the development of an extensive range of retail sales and personal, professional, and business services required to meet the demands of a fully developed residential neighborhood, regardless of its size. Examples of such types of uses include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail, and personal and professional service establishments. At this neighborhood scale of retail, a fine-grain of accessibility requisite for all modes of travel must be provided and maintained. It does not make provision, however, for those businesses that draw customers insignificant numbers from well beyond a neighborhood boundary and are, therefore, unusually heavy traffic generators, such as theaters. It does not allow those businesses that require the outdoor display, sale or storage of merchandise; or require outdoor operations. In general, to achieve maximum flexibility of permitted land use, the C-3 District makes possible a highly varied grouping of indoor retail and business functions.

## **VARIANCE OF DEVELOPMENT STANDARDS**

The grant of the variance request would legally establish the existing surface parking lot partially within the College Avenue right-of-way and partially within the Canal property and would allow for 18 parking spaces to be provided on site.

The petitioner noted the proposed uses on site as the following: Art Gallery, Day Care Center or Nursery School, Medical or Dental Office, Center Clinic or Laboratory, Animal Care, Boarding, or Veterinary, Personal or Commercial Services, Business Professional or Government Office, and Retail Sales.

Encroachments within the right-of-way are not permitted and the 8,100 square foot building would require a minimum of 27 parking spaces when using the parking requirement of one space for every 300 square feet of building area for medical or dental offices which is the most restrictive of the listed uses.

Because the Ordinance allows for parking adjustments up to 35 percent of the required off-street if the parking adjustments are used, staff is supportive of the 18 proposed parking spaces on site.

Additionally, the parking lot layout has existed as far back as 1972 according to an aerial photograph. It is for this reason that staff determined the continued use of the parking lot configuration would not affect the area adjacent to the property in a substantially adverse manner.

Approval of the variances would also not be injurious to the public health, safety, morals, and general welfare of the community because the site would not change from its current condition or create any additional issues for the community.

### STAFF ANALYSIS

The subject site falls within the Broad Ripple Village Plan Envision Broad Ripple (2012), which recommends Village Mixed Use development for most of the site and Linear Park development along the southern property boundary.

Because the continued commercial use of the site would align with the Village Mixed Use recommendation of the Neighborhood Plan, staff is supportive of the rezoning request to the C-3 district. Furthermore, there are no plans in the work for a path, trail, or corridor park along the small sliver of Linear Park recommendation along the southern property boundary or within northern portion of the Canal.

The application form noted that the petitioner would impose certain use limitations on the subject property via written commitments, but they were not provided to the case file. While staff has not requested any commitments related to the requests, it would be appropriate for any proposed commitments to be addressed at the hearing and provided for the record.

### GENERAL INFORMATION

<b>Existing Zoning</b>	D-7 (FF) (TOD)	
<b>Existing Land Use</b>	Retail	
<b>Comprehensive Plan</b>	Linear Park and Village Mixed Use	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
	North: D-7	Office / Retail
	South: MU-2	Mixed-Use Building
	East: C-S	Canal
	West: D-4	Residential (Single-family dwellings)
<b>Thoroughfare Plan</b>		
College Avenue	Primary Arterial Street	78-foot proposed right-of-way and 62-foot existing right-of-way.
63 <sup>rd</sup> Street	Local Street	48-foot proposed right-of-way and 50-foot existing right-of-way.
<b>Context Area</b>	Compact	

<b>Floodway / Floodway Fringe</b>	Yes
<b>Overlay</b>	Yes
<b>Wellfield Protection Area</b>	No
<b>Site Plan</b>	August 13, 2025
<b>Site Plan (Amended)</b>	N/A
<b>Elevations</b>	N/A
<b>Elevations (Amended)</b>	N/A
<b>Landscape Plan</b>	N/A
<b>Findings of Fact</b>	August 13, 2025
<b>Findings of Fact (Amended)</b>	N/A
<b>C-S/D-P Statement</b>	N/A

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Broad Ripple Village Plan Envision Broad Ripple (2012)
- Red Line Transit-Oriented Development Strategic Plan (2021)

### Pattern Book / Land Use Plan

- Not Applicable to the Site. Please see Broad Ripple Village Plan Envision Broad Ripple (2012) below.

### Red Line / Blue Line / Purple Line TOD Strategic Plan

- The site falls within the Red Line Transit-Oriented Development Strategic Plan (2021) which recommends this site to the District Center land use typology to allow for walkable areas of multiple city blocks, serving as cultural and commercial hubs for multiple neighborhoods with a mix of office, retail, entertainment, and residential uses.
- The site is approximately 220 feet northwest from the closest transit station at the intersection of Broad Ripple Avenue and College Avenue.

### Neighborhood / Area Specific Plan

- The Envision Broad Ripple Plan (2012) recommends this area for Village Mixed Use development for most of the site and Linear Park development along the southern property boundary.

- The site also falls within Critical Area 2 of the Plan for the Broad Ripple Village which notes that Broad Ripple was originally developed as a distinct village. Over the years, the City of Indianapolis grew out to envelop it. To maintain Broad Ripple's identity as a distinct place it has been designated as Urban Mixed-Use and Village Mixed-Use. To retain and enhance the village character of Broad Ripple and to promote its evolution into a self-sustaining pedestrian-oriented village it is critical to increase the population density, promote mixed-use development and enhance vitality of the streetscape.
- The land use category designated for the village north of the canal is Village Mixed-Use. This category recommends a mix of retail, office and residential uses built to a pedestrian scale. Village mixed use areas are intended to be neighborhood gathering places and should allow a wide range of small businesses, housing types, and public and semi-public facilities.
- The Linear Park land use category consists of public or private property designated for active and/or passive recreational amenities and is primarily used for the passage of people or wildlife. Typical examples are greenways and parkways.

#### **Infill Housing Guidelines**

- Not Applicable to the Site.

#### **Indy Moves**

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- Not Applicable to the Site.

## ZONING HISTORY

### Zoning History – Site

**2007-DV2-059; 6290 North College Avenue** (subject site), Variance of Development Standards of the Sign Regulations to provide for three wall signs on the east elevation of the building totaling 385.03 square feet of sign area (maximum one wall sign per elevation, maximum 87.34 square feet of sign area permitted), and for two wall signs on the south elevation of the building totaling 201.23 square feet of sign area (maximum one wall sign permitted per elevation, maximum 31.029-square feet of sign area permitted), **granted**.

**2004-DV1-031; 6290 North College Avenue** (subject site), Variance of Development Standards of the Sign Regulations to provide for a concrete pad for a 24-foot tall, 101.89-square foot pylon sign with a 37.73-square foot electronic variable message component, in D-7, **denied**.

**95-V3-53; 6290 North College Avenue** (subject site), Variance of Development Standards of the Sign Regulations to provide for the replacement of an existing, illuminated pole sign, in D-7, **granted**.

**64-V-522; 6290 North College Avenue** (subject site), Variance of use to permit a drug store use in a residential zone, **granted**.

### Zoning History – Vicinity

**2025-DV1-035; 0 Canal (northwest quadrant of intersection of College Avenue and Westfield Boulevard)** (south of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the installation of a 30-foot-tall steel sculpture on top of a 2.5-foot-tall concrete base within the clear sight triangle of the intersection of College Avenue and Westfield Boulevard and encroaching within the right-of-way of Westfield Boulevard (encroachments not permitted), **granted**.

**2023-DV1-057; 6230 and 6280 North College Avenue** (south of site), Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for the construction of a mixed-use building with a building height of up to 68-foot tall, with extensions up to 82.5-foot tall for an elevator shaft and stairwell, **granted**.

**2021-CVR-804A; 6230 N College Avenue (south of site)**, Variance of development standards to provide for a commercial building with a 0-foot front yard setback (5 feet required) and proposed 61.67 of building height (maximum 35-foot building height required), **approved**.

**2016-UV1-025; 6280 North College Avenue (south of site)**, Variance of use of the Consolidated Zoning and Subdivision Ordinance to provide for an automobile rental facility, including an office and car wash facility on the roof of the existing garage, **granted**.

**2015-DV3-022; 6349 North College Avenue, 702, 705, 709 and 713 East 63<sup>rd</sup> Place and 710 East Laverock Road** (northeast of site), Variance of development standards of the Commercial Zoning



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Ordinance to provide for mixed-use development, including a maximum 35,000-square foot grocery store and 152 dwelling units, with 340 parking spaces (minimum 461 parking spaces required), **granted**.

**2014-CZN-819; 6265 Broadway Street** (southwest of site), Rezoning of 0.18 acre from the D-4 (FF) district to the D-6 (FF) classification to provide for multi-family development, **denied**.

**2014-DV1-024; 6286 N College Avenue (south of site)**, Variance of development standards of the Commercial Zoning Ordinance to provide for a 22-seat, restaurant sidewalk café in the right-of-way (not permitted) of College Avenue, with a wrought iron fence, umbrellas and portable propane heaters, **approved**.

**2013-ZON-013 / 2013-VAR-001; 702, 705, 709, and 713 East 63<sup>rd</sup> Place, 6349 North College Avenue, 710 East Laverock Road** (northeast of site), Rezoning of 1.9 acres, from the C-2 (FF) district to the C-S (FF) classification to provide for the following general use categories: Dwelling units; eating places, personal service establishments and retail establishments, with a maximum gross floor area of 12,000 square feet; membership organization and club; health services; office uses; public and semi-public uses; food stores, and other uses similar and comparable in character, and a Variance of development standards of the Commercial Zoning Ordinance to provide for outdoor seating, a building height of 75 feet to the roof deck, with a parapet extending five additional feet and architectural corner elements and an open air roof-top shelter extending 15 feet above the roof deck, and 340 parking spaces, **approved and granted**.

**2012-DV2-021; 714 Broad Ripple Avenue** (east of site), Variance of development standards of the Commercial Zoning Ordinance to provide for two parking spaces in the front setback of Westfield Boulevard, with one parking space having a zero-foot front setback (10-foot front setback, with landscaping required) and to provide for two drive-through lanes, with five stacking spaces before the final drive-through component, with three stacking spaces within the parking aisle (stacking spaces cannot conflict with parking aisle maneuverability area), **denied**.

**2012-DV2-006; 6280 N College Avenue (south of site)**, Variance of development standards of the Flood Control Districts Zoning Ordinance to provide for a retail and garage building, with its lowest floor elevation at 719.2 feet, without structural floodproofing (flood protection grade of 723.00 feet, two feet above the base flood elevation or structural flood proofing for nonresidential buildings required), **denied**

**2011-DV2-021; 6280 N College Avenue (south of site)**, Variance of development standards of the Commercial Zoning Ordinance to provide for the construction of a building with a zero-foot setback (30 and 45 feet from the centerline, respectively) from Westfield Boulevard and College Avenue (70-foot setback from the centerline required): (a) with 8.75 by 18-foot parking spaces or 157.5 square feet (minimum nine-foot width and 180 square feet required); (b) with zero loading spaces (one loading space required); (c) with a drive-through bank with six stacking spaces (one stacking space after and six stacking spaces before the final component required); and (d) without a bypass aisle to access parking spaces (no bypass lane provided), **approved**.

**2006-DV3-002; 708 Broad Ripple Avenue** (east of site), Variance of Development Standards of the Sign Regulations to provide for a concrete pad for a 23.4-foot tall, 4.32-foot-wide pylon sign with a four-





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foot front setback from the right-of-way of Broad Ripple Avenue, and a 5.5-foot front setback from the right-of-way of College Avenue, in C-4, **granted**.

**2006-UV1-016; 6310 North College Avenue** (north of site), Variance of use of the Dwelling Districts Zoning Ordinance to provide for the construction of a 50-foot tall, four-story structure with five condominium units on the upper floors and parking on the lower floor, with 50 feet of frontage on a public street with fourteen-foot front setback, with a one-foot north side setback, resulting in an eight-foot side yard aggregate, with a thirteen-foot rear yard setback, with a floor area ratio of 1.65 and an open space ratio of 0.61, and a livability space ratio of 0.21, and a majority livability space ratio of zero, **denied**.

**2003-DV3-029; 714 Broad Ripple Avenue** (east of site), Variance of development standards of the Sign Regulations to provide for a 13.75-foot tall, 108.90-square foot on-premises pylon sign with a 0.50-foot west side yard setback, **granted**.

**2003-HOV-042; 701 Broad Ripple Avenue** (southeast of site), Variance of development standards of the Commercial Zoning Ordinance to provide for a delicatessen and bakery without on-premises parking. **granted**.

**2001-DV3-038; 714 Broad Ripple Avenue** (east of site), Variance of development standards of the Commercial Zoning Ordinance and Flood Control Districts Zoning Ordinance to provide for seven off-street parking spaces, five stacking spaces before the final drive-through component, and with the sixth stacking space located within the right-of-way of Westfield Boulevard, **granted**.

**2000-ZON-028; 6280 North College Avenue** (south of site), Rezoning of 0.187 acre from the D-4 district to the C-4 classification to provide for expansion of a convenience store / gasoline station, with an associated carwash, **granted**.

**96-HOV-27; 6280 North College Avenue** (south of site), Variance of Development Standards of the Sign Regulations to provide for two 8.25 by 20-foot pylon signs being zero feet from College Avenue and Westfield Boulevard, in C-4 and D-4, **granted**.

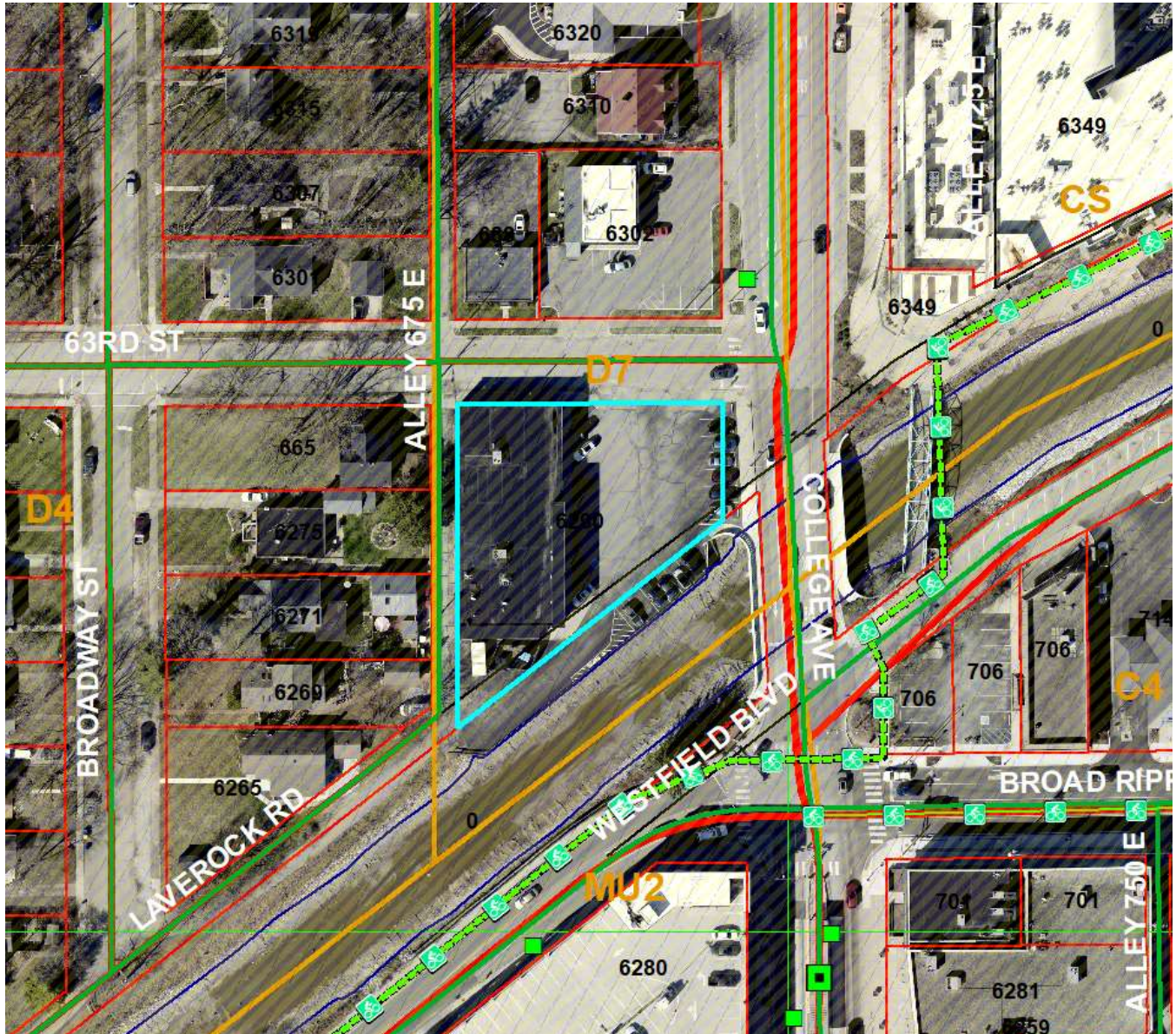
**91-UV1-64; 6310-6312 North College Avenue** (north of site), Variance of use of the Dwelling Districts Zoning Ordinance to permit a beauty shop within the existing building, **granted**.

**86-UV3-14; 6312 North College Avenue** (north of site), Variance of use of the existing building for a carpet cleaning business, **granted**.

**86-UV3-60; 823 East Westfield Boulevard** (south of site), Variance of use of the Commercial Zoning Ordinance to provide for a second story addition to one building and an addition to a separate building both for the existing heating and air conditioning sales and services business, **granted**.



EXHIBITS

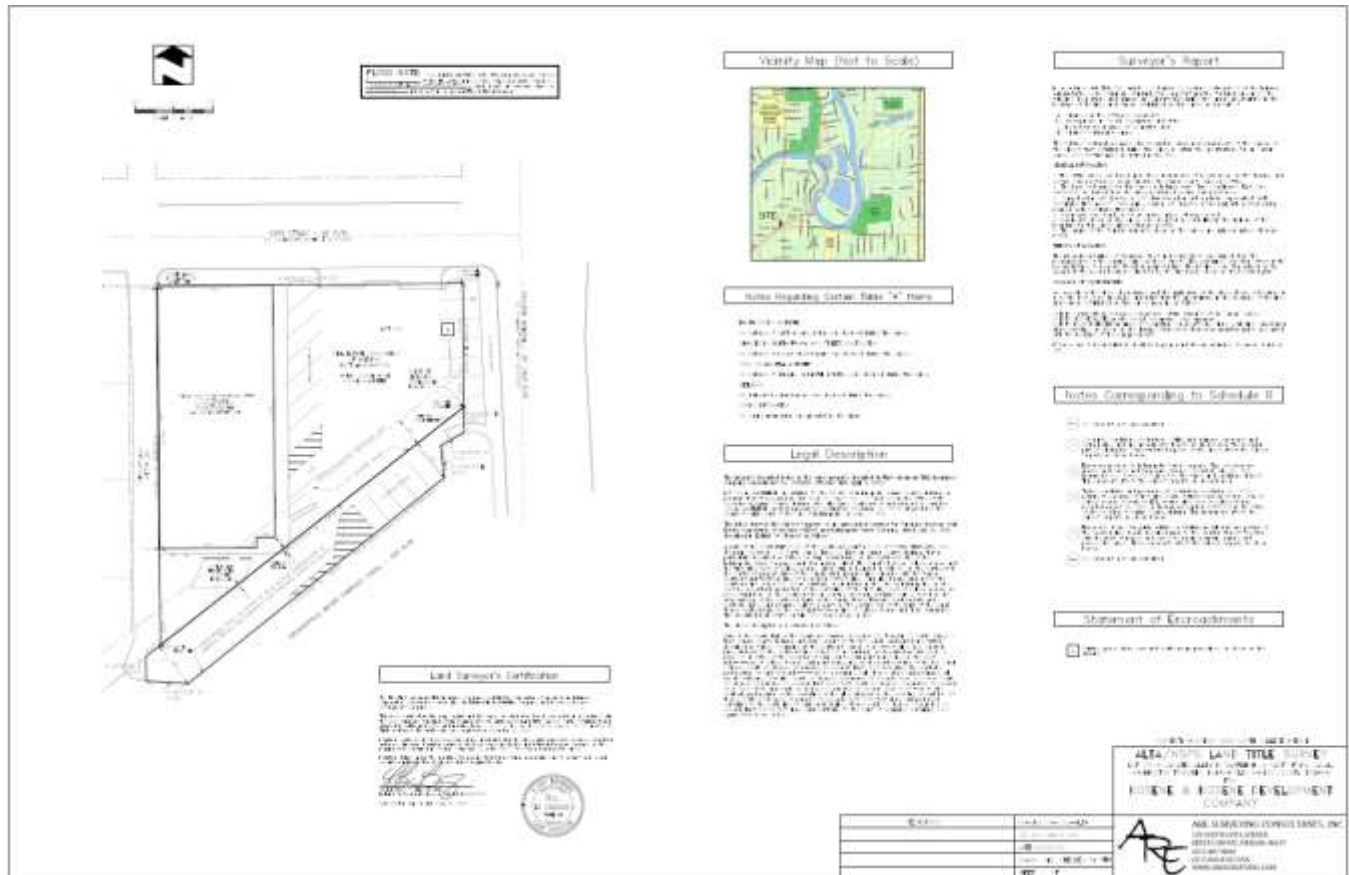


AERIAL MAP

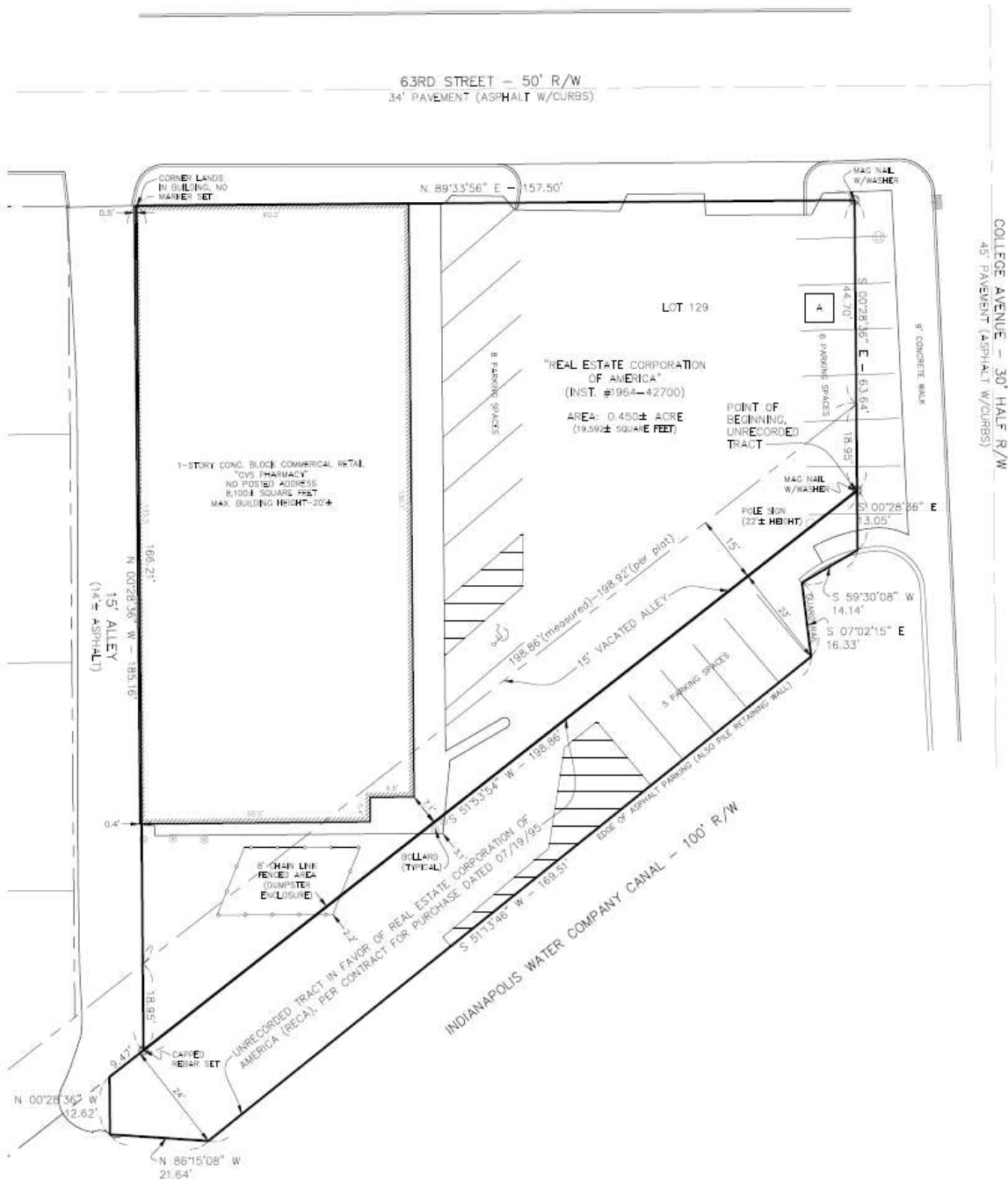




1972 AERIAL MAP



## SITE PLAN



SITE PLAN CLOSE-UP



Department of Metropolitan Development  
Division of Planning  
Current Planning

Petition Number \_\_\_\_\_

METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER  
METROPOLITAN BOARD OF ZONING APPEALS, Division \_\_\_\_\_  
OF MARION COUNTY, INDIANA

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

The parking lot which is the subject of the variance has been in existence for many years and is significantly set back from College Avenue, and therefore avoids any conflicts with existing traffic patterns.

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2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The parking lot which is the subject of the variance is not changing and will be used in the future by future tenants similar in use intensity to the existing retail pharmacy.

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3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

The existing parking lot was in existence long before the current version of the zoning ordinance and would lose its utility upon a change in use without the requested variance.

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DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_

19 or 20 in order to be able to re-lease the existing building to users similar in parking demand to the existing retail

pharmacy tenant

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Photo of the subject site's parking area.



Photo of the existing commercial building on site.





Photo of the parking area within the Canal right-of-way.



Photo of the mixed-use building south of the subject sit and canal.



Photo of the alley west of the site and single-family dwelling.







Photo of a grocery store north of the site.



Photo of the canal east of the site.