



Department of Metropolitan Development
Division of Planning
Current Planning

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

October 9, 2025

Case Number: 2025-ZON-075 / 2025-VAR-005 (Amended)
Property Address: 5416 North College Avenue (Approximate Address)
Location: Washington Township, Council District #7
Petitioner: Firkins, LLC, by Joseph D. Calderon
Current Zoning: D-3 (TOD) and C-3 (TOD)
Request: Rezoning of 0.22-acre from the D-3 (TOD) and C-3 (TOD) districts to the MU-2 (TOD) district to provide for a mixed-use development.
Variance of development standards of the Consolidated Zoning and Subdivision Ordinance to provide for a small mixed-use building, with zero-foot side and transitional yard setbacks, zero open space, zero-foot rear transitional yard, a 48-foot tall building without street frontage landscaping, with a 40-foot street frontage (minimum five-foot side yard and 15-foot transitional yard setbacks required, minimum 5%, or 50 square feet per unit of open space required, minimum of 15-foot landscape buffer, or a six-foot-tall opaque wall, berm, fence or dense vegetative screen required, 35-foot maximum transitional building height, street frontage landscaping required, 50-foot street frontage required).
Current Land Use: Commercial Building
Staff Recommendations: To be determined.
Staff Reviewer: Marleny Iraheta, Senior Planner

PETITION HISTORY

This petition was automatically continued from the July 24, 2025 hearing to the August 28, 2025 hearing at the request of a registered neighborhood organization.

This petition was continued for cause from the August 28, 2025 hearing to the October 9, 2025 hearing at the request of the petitioner to allow additional time to amend the request and provide new notice.

The petitioner's representative notified staff early on that the petitioner planned to make changes to the request beyond the amendment made through companion petition 2025-VAR-005. Therefore, the petition would not be able to be heard until the development proposal is confirmed. Although staff reached out to confirm a continuance hearing date from the petitioner, one has not been provided yet.

This petition will need to be **continued from the October 9, 2025 hearing to the November 13, 2025 hearing** at minimum with notice if needed. The proposed continuance date may be subject to change at the hearing. Staff would not have an objection to a different date so long as there is sufficient time provided to ensure the complete mailing notice requirement is met.



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STAFF RECOMMENDATION

Staff recommendation to be determined.

PETITION OVERVIEW

This petition is to be continued to the November 13, 2025 hearing.