

## PLAT COMMITTEE

July 9, 2025

**Case Number:** 2025-PLT-030  
**Property Address:** 8315 Center Run Road (*approximate address*)  
**Location:** Lawrence Township, Council District # 4  
**Petitioner:** Sunbeam Development Corporation, by Max Mouser  
**Zoning:** C-4 (FF)  
**Request:** Approval of a Subdivision Plat to be known as Castle Run Subdivision, subdividing 12.561 acres into two lots, with a waiver of the sidewalk requirement along Center Run Road, per Chapter 741, Article III, Section 6 of the Consolidated Zoning and Subdivision Ordinance.  
**Waiver Requested:** Waiver of sidewalks  
**Current Land Use:** Commercial  
**Staff Reviewer:** Michael Weigel, Senior Planner

## PETITION HISTORY

A timely automatic continuance request was filed by a registered neighborhood organization in advance of the June 11, 2025 hearing date of the Plat Committee. The petition was continued to today's hearing.

## STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated April 22, 2025, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
2. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
4. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the Final Plat prior to recording.
5. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the Final Plat prior to recording.
6. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the Final Plat prior to recording.
7. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the Final Plat prior to recording.
8. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the Final Plat prior to recording.

9. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the Final Plat.
10. That all the standards related to Secondary Plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.
11. That the waiver of sidewalks be denied, and sidewalks be installed along the required portions of Center Run Road's frontage (approximately 827.5 linear feet), except for the 125 linear feet closest to the northern property line.

## PETITION OVERVIEW

### SITE PLAN AND DESIGN

This site is zoned C-4 (FF) and developed with a commercial integrated center. The proposed plat would subdivide the property into two (2) lots and common area. Lot 1 would comprise 7.757 acres and would contain an existing vacant commercial structure as well as parking areas to the west and south and a portion of the Howland Ditch legal drain. Lot 2 would comprise 4.345 acres and would contain an existing multitenant commercial building as well as parking areas to the west. Common Area A would comprise 0.459 acres and would contain an existing drainage/retention pond on the western portion of the site. The proposed plat meets the standards of the C-4 zoning classification.

### STREETS

Lot One would be accessed from Center Run Road, and Lot Two would be accessed from both Center Run Road and 82<sup>nd</sup> Street. All vehicle access points are previously existing, and no new streets are proposed as part of this petition.

### SIDEWALKS

Sidewalk currently exists along 82<sup>nd</sup> Street to the south of the proposed replat. However, sidewalks do not currently exist along the portions of Center Run Drive on which Lot 1 and Common Area A have frontage. A waiver has been requested to exempt the petitioner from the need to install the approximately 827.5 feet of sidewalk that would be required along the western frontage.

Waivers of sidewalk requirements are appropriate in areas of extreme topography or other special circumstances. Staff notes that the Department of Public Works has plans for a future daylighting and culvert replacement project for the 125-foot portion of the site comprised by the Howland Ditch legal drain and easement which would involve placement of sidewalks (see Exhibits). Staff would be supportive of a waiver of the sidewalk requirements for this 125-foot portion of the frontage.

However, staff **would not** be supportive of a waiver for the rest of the Center Run frontage (around 707.5 linear feet). Per site photographs (also within Exhibits; see Photos 8 through 11 in particular), it doesn't appear that intense grade changes or site-specific practical difficulty exists along these portions of the frontage, and additional site engineering would allow for the comfortable placement of compliant sidewalks along the length of the frontage not that wouldn't be impacted by the future DPW project.

Although the Findings provided by the applicant are correct that the two outlots existing between their portion of the frontage and sidewalks along 82<sup>nd</sup> Street do not currently contain sidewalks, it does not appear that past development on either property has been exempted from the need for sidewalks via ‘in lieu of’ payments into the City’s sidewalk fund as outlined within 744-301.G of the Ordinance, and future redevelopment would offer opportunities for their installation and for greater usage of existing north-south crosswalks across 82<sup>nd</sup> Street.

Additionally, the Comprehensive Plan indicates plans for a future greenway in this area, and the Castleton Strategic Revitalization Plan (2020) both encourages the addition of pedestrian trails and paths to promote walkability in a general sense and envisions future development of a greenway with associated residential development in areas along the Howland Ditch and to the west of the property (see Exhibits). Staff is supportive of these plans and feels that required installation of sidewalk in this area would be a long-term benefit both for existing apartments to the north and potential future residential development to the west. Staff therefore recommend that the sidewalk waiver request be denied, except for the 125 linear feet closest to the northern property line.

## GENERAL INFORMATION

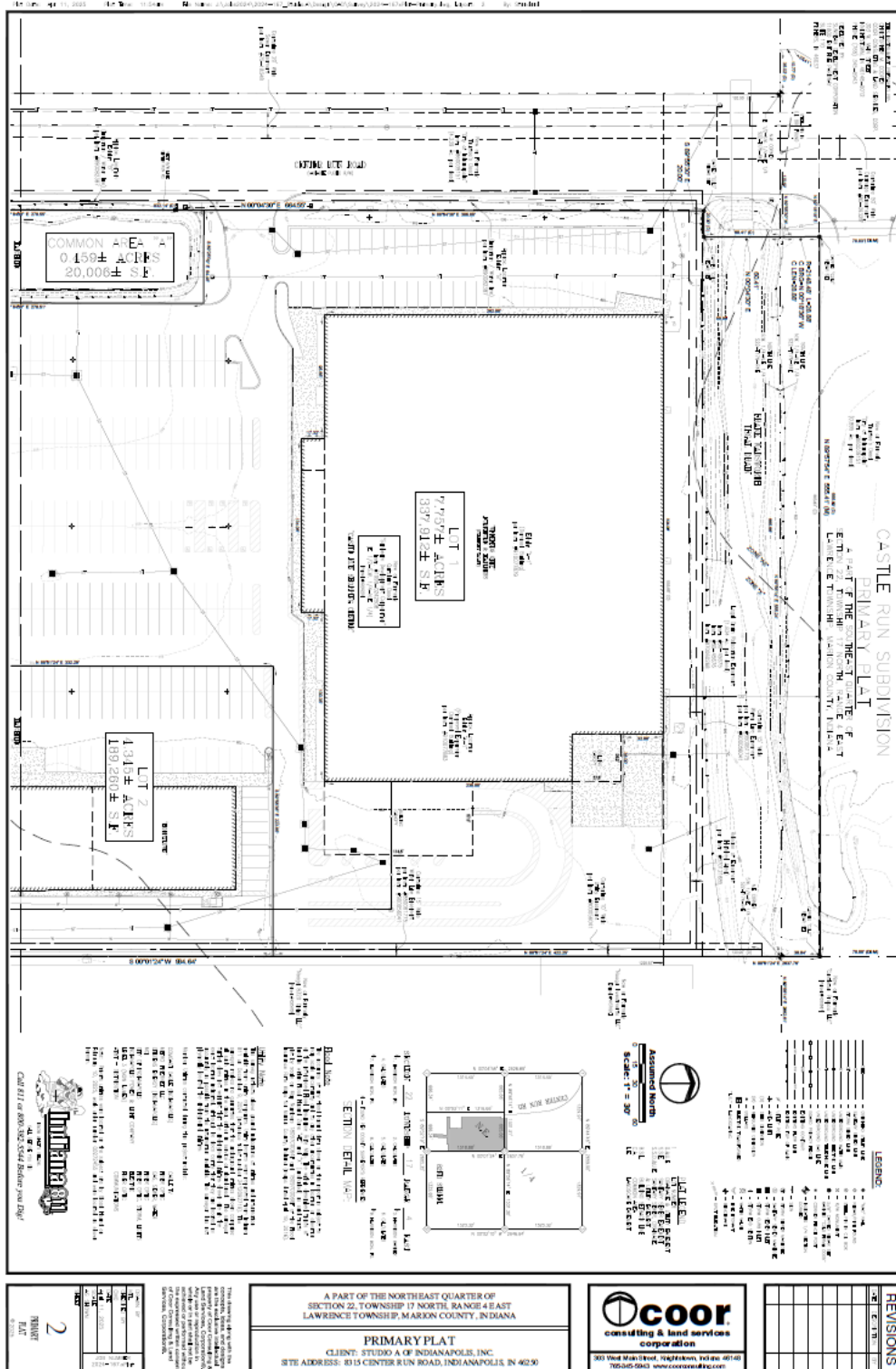
<b>Existing Zoning</b>	C-4 (FF)	
<b>Existing Land Use</b>	Commercial Integrated Center	
<b>Comprehensive Plan</b>	Community Commercial	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
North:	C-4	Undeveloped
South:	C-4	Commercial
East:	C-4 / C-S	Commercial
West:	C-4	Commercial
<b>Thoroughfare Plan</b>		
Center Run Road	Primary Collector	108-foot existing and 102-feet proposed
82 <sup>nd</sup> Street	Primary Arterial	146-foot existing and 134-foot proposed
<b>Petition Submittal Date</b>	April 22, 2025	

EXHIBITS

2025PLT023 ; Aerial Map

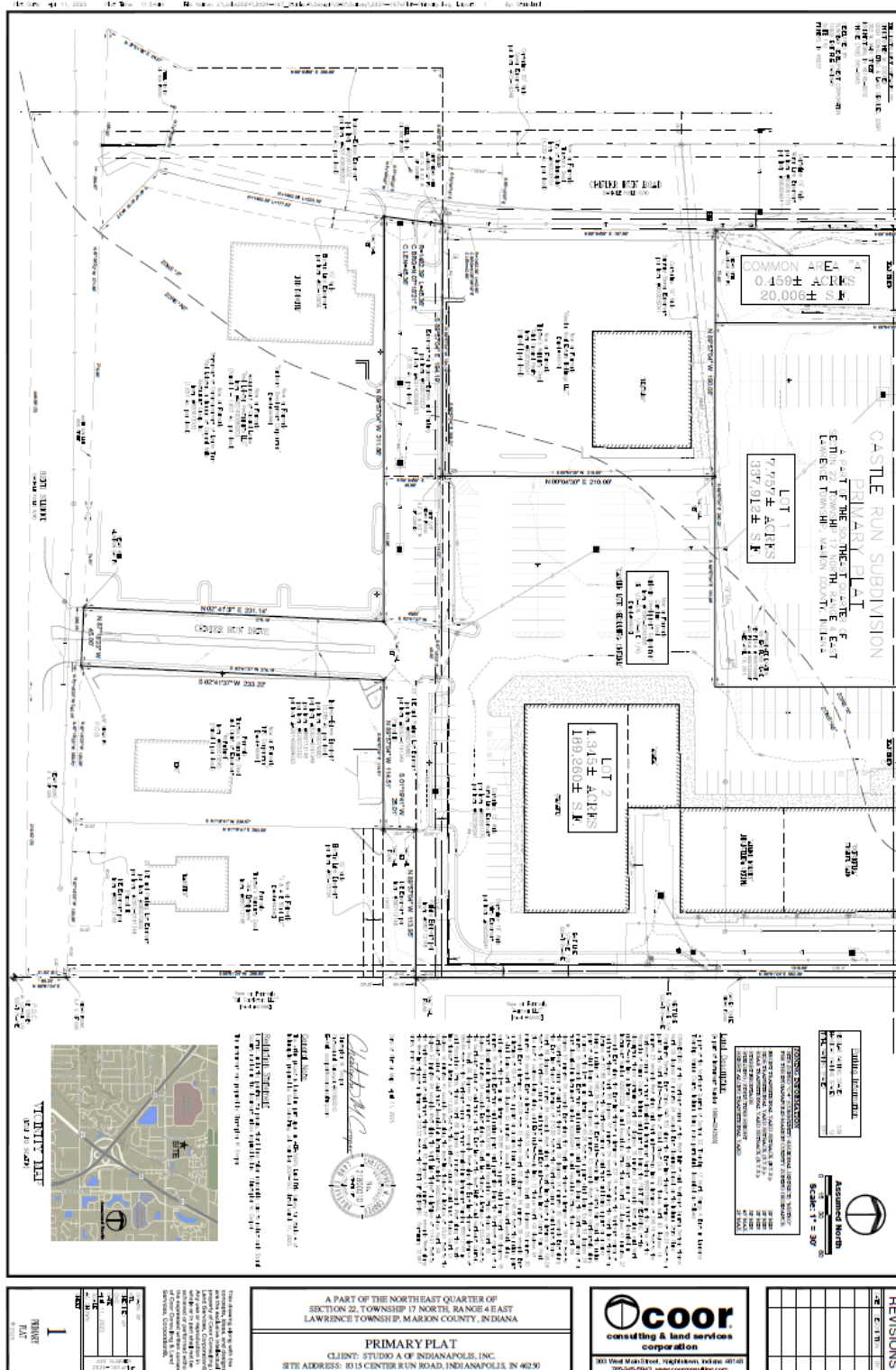


**2025PLT023 ; Proposed Plat (page 1 of 2)**





**2025PLT023 ; Proposed Plat (page 2 of 2)**



## 2025PLT023 : Findings of Fact

1. The granting of the waiver or modification will not be detrimental to the public health, safety, or welfare or injurious to other property because:

Currently there are no other sidewalks adjacent to this property along Center Run Road. There are 2 properties to the south that would need to install sidewalk to connect to 88th Street. This distance is approximately 520 feet of sidewalk that would need installed across these 2 properties. There are 7 properties to the north that would need to install sidewalks to connect to the closest sidewalk. This distance is approximately 3,090 feet to connect to the closest sidewalk to the north. The existing sidewalk to the north is only 273' long and would require an additional 2,390 feet to connect to the existing sidewalk at Allisonville Road.

2. The conditions upon which the request is based are individual to the property for which the relief is sought and are not applicable generally to other property because:

This property began construction in 1979. In 1979 Center Run Road did not exist along this property. Center Run Road was constructed by the City of Indianapolis in 1985-1988. When Center Run Road was built the City of Indianapolis did not install sidewalks. The pond existed that is at the time Center Run Road was built. The slope from curb on Center Run Road to the water's edge is a 3:1 slope. The addition of a sidewalk where the pond is located will make the pond bank steeper than a 3:1 slope and will exceed the allowable slope allowed by the City of Indianapolis. There are (3) 48 inch culvert pipes in the Howland Ditch/ Frank Wadworth Legal Drain. The slope from the curb on Center Run Road to the bottom of the pipes is a 3:1 slope. By adding a sidewalk and clear zone the new slope would be greater than 2:1.

3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out:

This property has an existing retention pond next to the right-of-way of Center Run Road. The existing pond bank has a 3:1 slope the maximum slope allowed by the City of Indianapolis for a pond bank. If a sidewalk is added next to the curb the pond bank would exceed the maximum 3:1 slope. The other area is where the Howland Ditch/ Frank Wadworth Legal Drain crosses the northern portion of the property. Where there are (3) 48 inch corrugated metal pipes cross under Center Run Road. The slope is a 3:1 slope from the curb to the bottom of the pipes. If a sidewalk is added the slope would have to change to a 2:1 slope. To achieve a 2' clear zone next to the sidewalk the slope would be greater than a 2:1 slope.

4. The resulting subdivision fulfills the purpose and intent of these regulations at an equal or higher standard than what would have been possible without the deviation because:

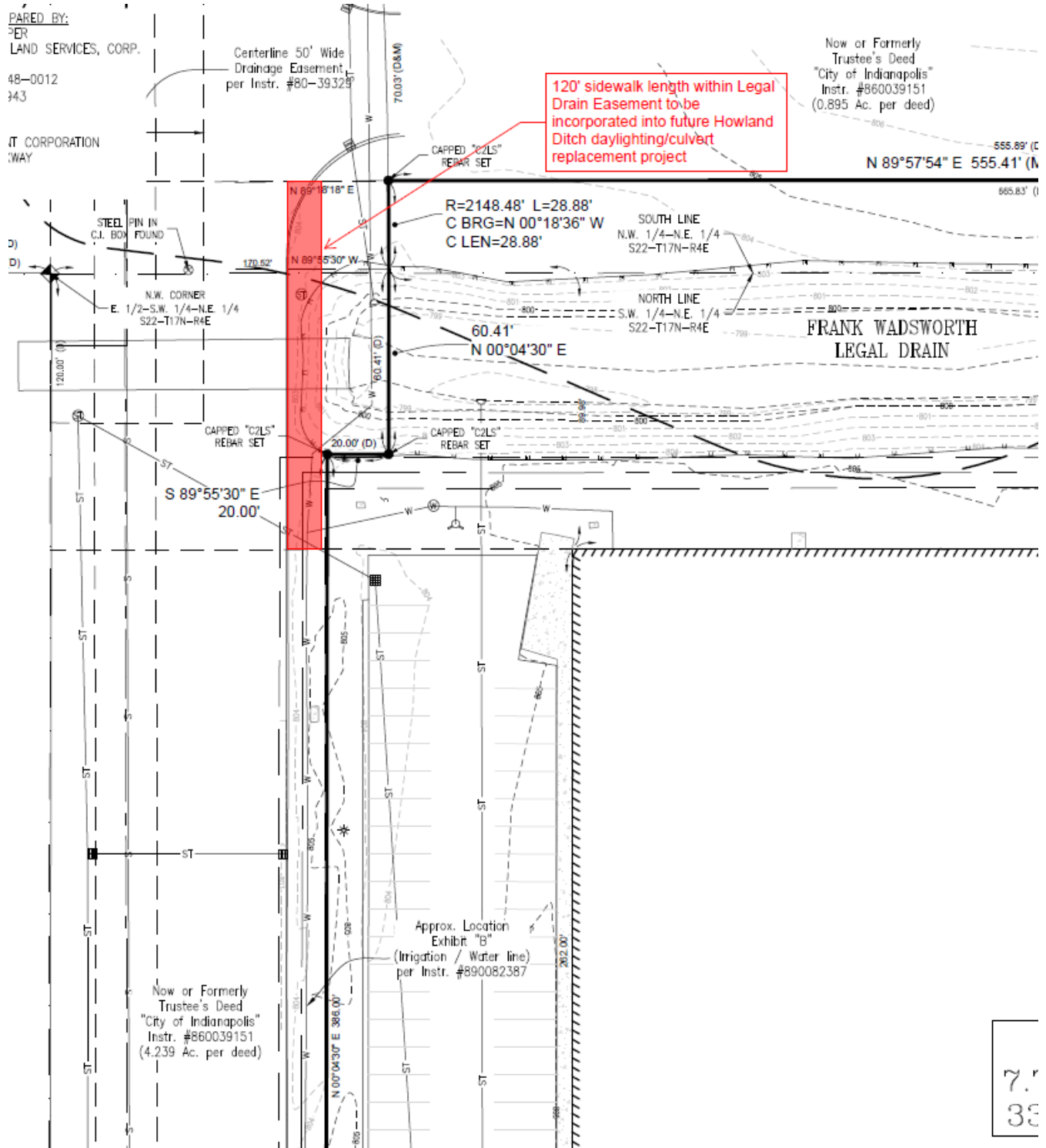
Without the waiver of sidewalks the proposed sale of the vacant 98,318 square foot building might be cancelled. The proposed purchaser (VASA) is scheduled to close as soon as we get the plat recorded. The current schedule is to be heard at the June 11, 2025 Development Commission meeting. The construction schedule has VASA starting construction June 1, 2025 to open December 31, 2025. If the waiver is not approved VASA will not be able to start construction until the sidewalk construction plans are approved. It is estimated that creating the sidewalk plans, filing the plans and making plan revisions could take 60 +/- days. If the City's reviewer does not approve the greater slopes the pond would need modifications, and the pipe would need extended. This is a hardship of time and money that was not anticipated. If VASA can't open and the cost is too great the sale will be canceled, and the existing building will remain empty. By VASA owning/occupying the building will only add to the economic development of this area.

5. The relief sought shall not in any manner vary from the provisions of the Zoning Ordinance, or official zoning base maps, except as those documents may be amended in the manner prescribed by law because:

The relief sought does not vary from the Zoning Ordinance. In Section 01, Chapter 744, Article III, G. Waiver of Sidewalks:

"In locations where site conditions cause extreme difficulty in the construction of sidewalks, the Administrator may, upon written request, waive that portion of sidewalks. Examples of extreme difficulty include, but are not limited to, waterway crossings, significant elevation change, existing deep drainage swales in the right-of-way, and grades steeper than 3:1. The request shall include supporting documentation. The waiver would be pursuant to a written agreement and subject to a contribution in lieu of sidewalks that shall be made to the City for the provision of sidewalks in Marion County. The rate amount shall be set annually." The examples used in the ordinance above are exactly what is described in the above Finding of Facts. VASA and the current property owner are will to pay the in lieu fee.

**2025PLT023 ; Future DPW Project Location**





**2025PLT023 ; Proposed Howland Greenway District (from Castleton Revitalization Plan)**



**2025PLT023 ; Photographs**



Photo 1: Subject Site Viewed from South



Photo 2: Vacant Lot 1 Building Viewed from Southwest



**2025PLT023 ; Photographs (continued)**



Photo 3: Existing Lot 2 Building Viewed from Southwest

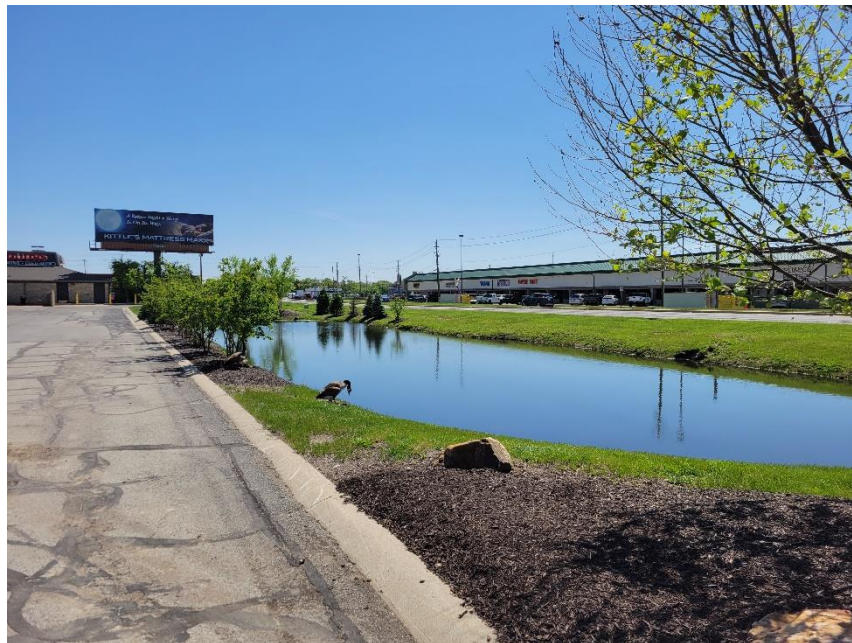


Photo 4: Existing Common Area Viewed from Northwest

**2025PLT023 ; Photographs (continued)**



Photo 5: 8215 Center Run Outlot Viewed from East



Photo 6: 6410 E 82<sup>nd</sup> Outlot Viewed from South



**2025PLT023 ; Photographs (continued)**



Photo 7: Center Run Frontage to North of Subject Site



Photo 8: Center Run Frontage along Lot 1 Viewed from North

**2025PLT023 ; Photographs (continued)**



Photo 9: Center Run Frontage along Lot 1 Viewed from South



Photo 10: Center Run Frontage along Common Area Viewed from North



**2025PLT023 ; Photographs (continued)**



Photo 11: Photo 10: Center Run Frontage along Common Area Viewed from South



Photo 12: Center Run Frontage Viewed from 82<sup>nd</sup>/Center Run Intersection

**2025PLT023 ; Photographs (continued)**



Photo 13: Existing Sidewalk Along 82<sup>nd</sup> Street Facing 82<sup>nd</sup>/Center Run Intersection



Photo 14: Adjacent Property to West of Common Area