

## PLAT COMMITTEE

September 10, 2025

**Case Number:** 2025-VAC-009  
**Property Address:** 100 Block of West Georgia Street (*Approximate Address*)  
**Location:** Center Township, Council District #18  
**Petitioner:** Capital Improvements Board of Managers of Marion County, by Mary E. Solada and Suzanne Baker  
**Zoning:** CBD-2 (RC)  
**Request:** Vacation of air rights, subterranean rights, and right-of-way of Georgia Street, being 90 feet in width, from the west right-of-way line of Illinois Street, west 419.5 feet, to the east right-of-way line of Capitol Avenue, with a waiver of the assessment of benefits.  
**Waiver Requested:** Assessment of Benefits  
**Current Land Use:** Public Right-of-Way  
**Staff Reviewer:** Michael Weigel, Senior Planner

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## PETITION HISTORY

This is the first hearing for this vacation petition.

## STAFF RECOMMENDATION

**RECOMMENDED MOTION (approval):** That the Plat Committee find that the proposed vacation is in the public interest; that a hearing upon the Assessment of Benefits be waived; that the Plat Committee confirm and ratify the adoption of Declaratory Resolution 2025-VAC-009; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

## PETITION OVERVIEW

### SUMMARY

The subject right-of-way is located along the 100 block of Georgia Street between Illinois Street and Capitol Avenue. The area is adjacent to the Indiana Convention Center to the west, and it and areas along Georgia Street to the east were redeveloped for additional pedestrian amenities in the lead up to Super Bowl XLVI in 2011 and 2012. This portion of Georgia Street is contemplated for full closure to vehicle traffic to allow for a pedestrian plaza featuring park-like amenities, green space, and programming for daytime recreation and evening events. Renderings of the proposed improvements submitted along with the Regional Center approval petition 2024-REG-075 are included within the Exhibits of this staff report below. The subject site is zoned CBD-2, and areas to the east of the proposed vacation are within a locally-designated historic district (Wholesale District).

## PROCEDURE

Neither the Division of Planning nor the Plat Committee, Hearing Examiner or Metropolitan Development Commission determines how vacated right-of-way is divided. The approval of a vacation petition only eliminates the public right-of-way. The vacation approval does nothing more. A petitioner will not receive a deed or other document of conveyance after the approval of a vacation.

The general rule under Indiana case law is that when a street or highway is vacated or abandoned the title to the land reverts to the abutting property owners. This rule exists by virtue of the fact that the abutting land owner owns to the center of the street or highway subject only to an easement for the public to the use of the street or highway. *Gorby v. McEndarfer* 135 Ind.App. 74, \*82, 191 N.E.2d 786, \*\*791 (Ind.App.1963). However, there are possible exceptions to this general rule.

After a vacation of public right-of-way the county assessor determines how the vacated right-of-way will be assessed for tax purposes. Petitioners and abutters of the vacated right-of-way should consult their own attorneys for advice regarding the ownership of the vacated right-of way.

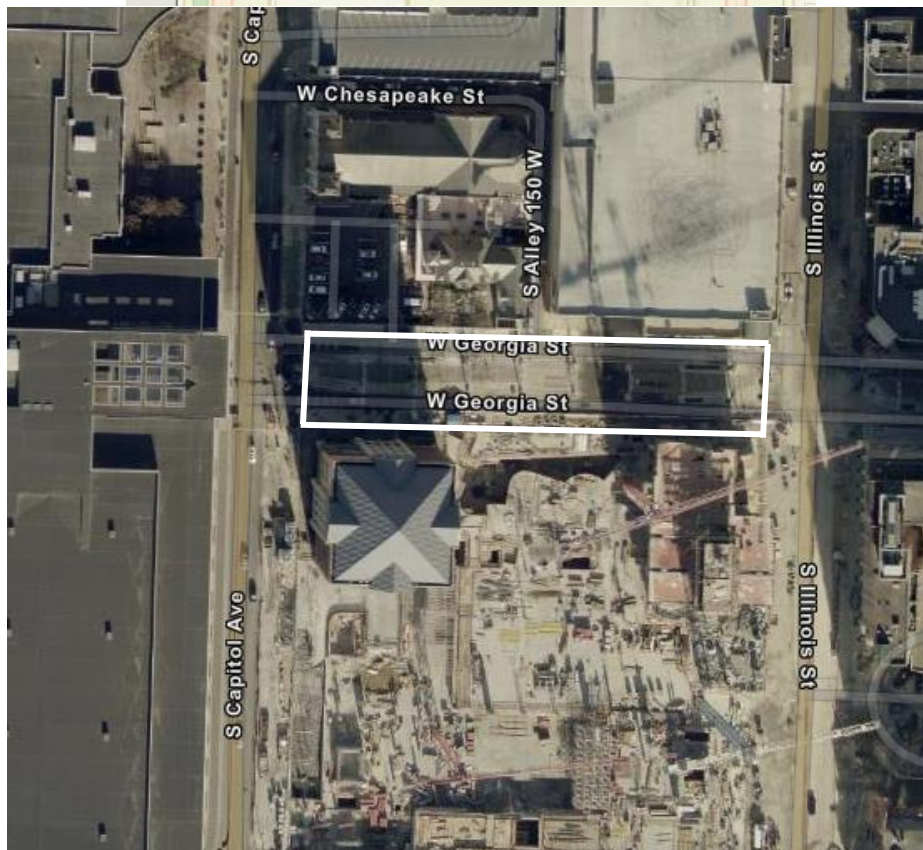
## ASSESSMENT OF BENEFITS

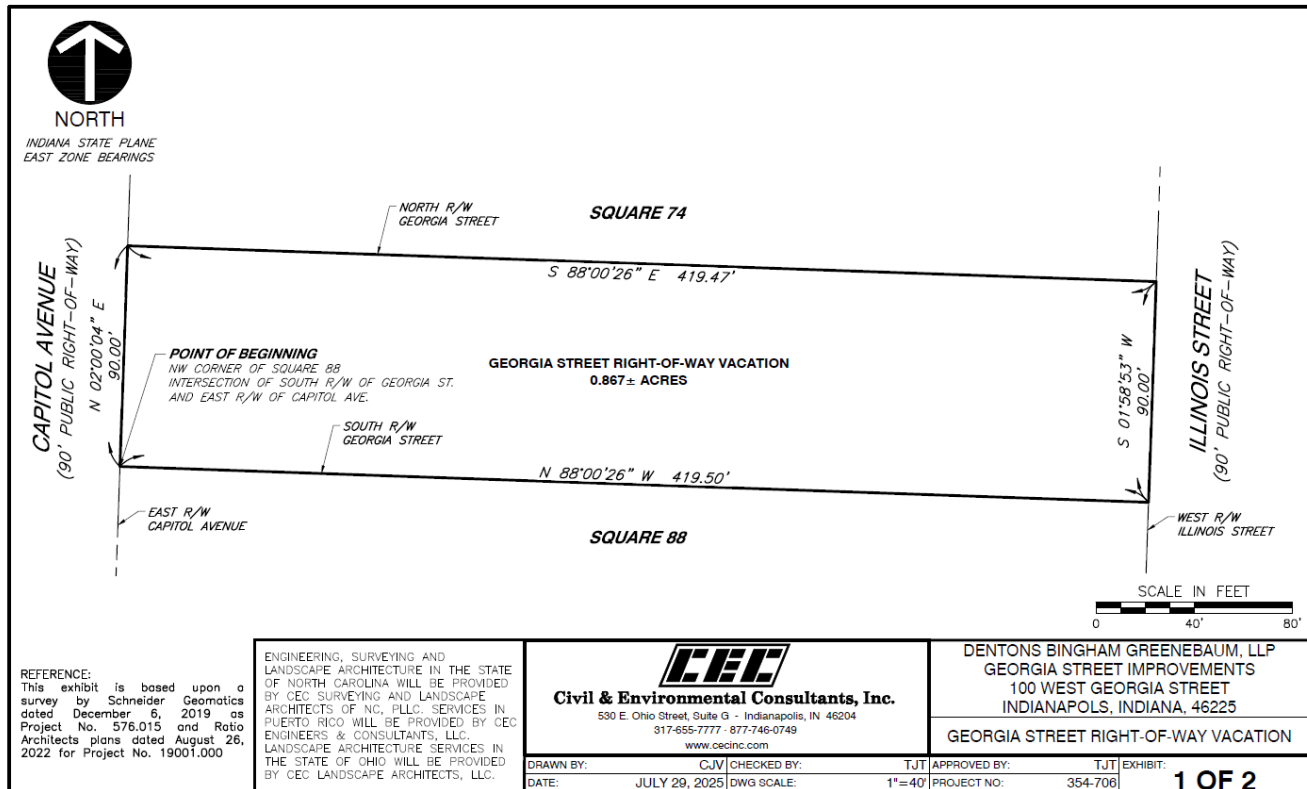
The petitioner has requested a waiver of the Assessment of Benefits. The petitioner is a quasi-governmental agency, and the planned improvements would benefit the City and region. Staff recommends **approval** of the waiver request.

## GENERAL INFORMATION

|                                |                     |                                     |
|--------------------------------|---------------------|-------------------------------------|
| <b>Existing Zoning</b>         | CBD-2               |                                     |
| <b>Existing Land Use</b>       | Public Right-Of-Way |                                     |
| <b>Comprehensive Plan</b>      | Core Mixed-Use      |                                     |
| <b>Surrounding Context</b>     | <b>Zoning</b>       | <b>Land Use</b>                     |
| North:                         | CBD-2 (RC)          | Church / Garage / Commercial        |
| South:                         | CBD-2 (RC)          | Office / Future Hotel               |
| East:                          | CBD-2 (WD - IHPC)   | Georgia Street ROW                  |
| West:                          | CBD-2 (RC)          | Convention Center / Greenway        |
| <b>Thoroughfare Plan</b>       |                     |                                     |
| Georgia Street                 | Primary Collector   | 87-foot existing, 56-foot proposed  |
| Capitol Avenue                 | Primary Arterial    | 100-foot existing, 78-foot proposed |
| Illinois Street                | Primary Arterial    | 85-foot existing, 78-foot proposed  |
| <b>Petition Submittal Date</b> | July 31, 2025       |                                     |

EXHIBITS





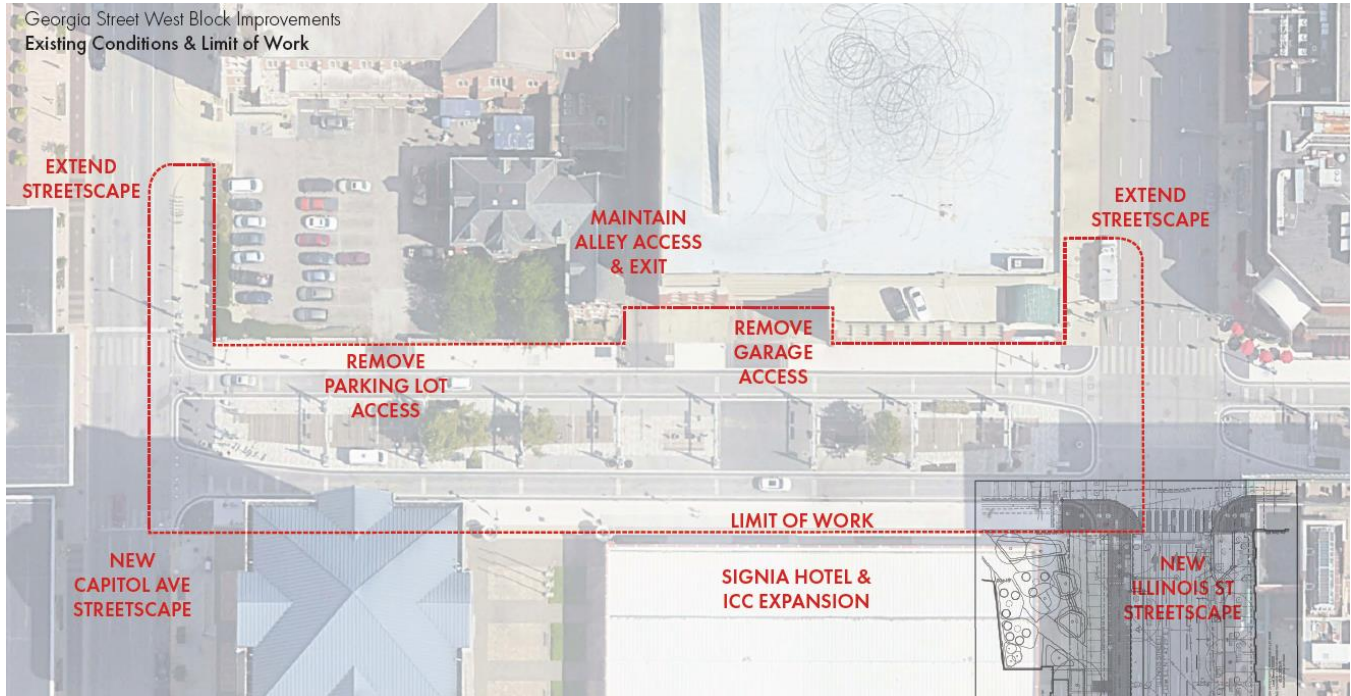
## PETITION FOR VACATION OF A PUBLIC WAY, EASEMENT OR PUBLIC PLACE

### FINDINGS OF FACT

#### 1. THE PROPOSED VACATION IS IN THE PUBLIC INTEREST because:

A CIB operated parklike pedestrian plaza, generally closed to vehicular traffic, and will provide for green space and other outdoor amenities and programming and for daytime recreation and evening events and receptions, will benefit this segment of downtown, given the proximity of the Indiana Convention Center.







Photos



Photo 1: Georgia Street Viewed from West (Capitol)



Photo 2: Georgia Street Looking West (Convention Center)



Photo 3: Georgia Street Viewed from East (Illinois)

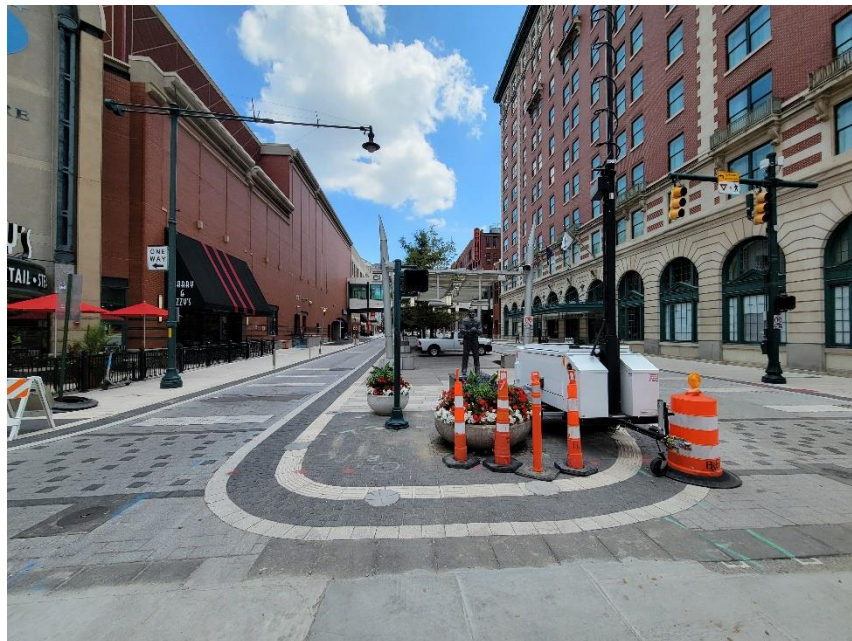


Photo 4: Georgia Street Looking East of Vacation Area