

**METROPOLITAN DEVELOPMENT COMMISSION
PLAT COMMITTEE**

**PLAT STAFF REPORTS FOR
February 8, 2012**

**Room 260
2nd Floor City-County Building
1:00 p.m.**

**DEPARTMENT OF METROPOLITAN DEVELOPMENT
DIVISION OF PLANNING
CURRENT PLANNING SECTION**

<u>PETITION NO.</u>	<u>PETITION ADDRESS AND LOCATION</u>	<u>PAGE NO.</u>
VACATION APPROVAL		
<u>EXPEDITED PETITIONS:</u>		
2011-VAC-011	720 WISHARD WAY CENTER TOWNSHIP, CCD # 15	2
2012-VAC-001	450 WEST 21 ST STREET CENTER TOWNSHIP, CCD # 15	5

- * Automatic continuance
- ** Continuance requested
- *** Petition withdrawn/dismissal

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2011-VAC-011
Address: 720 Wishard Way (Approximate Address)
Location: Center Township, Council District # 15
Petitioner: Health and Hospital Corporation of Marion County, by Rachel M. Sloop
Hearing Date: December 14, 2011
Waivers: None

This case was continued from the **January 11, 2012** hearing to the **February 8, 2012** hearing to provide time for the petitioner needs additional time to make changes to the request. This case was continued from the **December 14, 2011** hearing to the **January 11, 2012** hearing to provide the petitioner time to make changes to the request.

SUMMARY

This request would vacate an easement that was established to provide for access to uses associated with the State Board of Health. The easement had been provided because of the construction of a building used by The State Board of Health. The easement was intended to only remain in place while the building existed; it has since been demolished. Therefore the easement no longer exists but the language remains in the deed. The petitioner wishes to vacate the easement in order to remove it from and to simplify the deed.

Staff finds the vacation **would be in the public interest** and recommends the vacation petition be **approved**, subject to the release of the easement rights of all utilities listed below.

RECOMMENDED MOTION:

That the Plat Committee find that the proposed vacation is in the public interest; that the Plat Committee confirm and ratify the adoption of Declaratory Resolution 2011-VAC-011, and that the vacation be subject to the rights of public utilities under IC. 36-7-3-16.

GENERAL DESCRIPTION:

VACATION of an east-west, ingress egress easement, being 125 feet wide and 615.74 feet long and a 75-foot wide easement of varying length perpendicular to said east-west easement, being along the north and west sides respectively of a 5.43 acre parcel in the Northeast Quarter of Section Three, Township 15 North, Range 3 East.

(Continued)

STAFF REPORT 2011-VAC-011 (Continued)

UTILITIES AND AGENCY REPORT

Telephone:	No objection, release easement
Gas:	No objection, release easement
Water:	No objection, release easement
Power:	No objection, release easement
Cable:	No answer, retain easement, if requested
DPR:	No answer, retain easement, if requested
DPW, SS:	No answer, retain easement, if requested
DPW, TS:	No answer, retain easement, if requested

Subject to Utilities? Yes

ATS

STAFF REPORT

Department of Metropolitan Development Division of Planning Current Planning Section

Case Number: 2012-VAC-001
Address: 450 West 21st Street (Approximate Address)
Location: Center Township, Council District # 15
Petitioner: Indianapolis Department of Public Works, by Bryan Moll
Hearing Date: February 8, 2012
Waivers: Assessment of Benefits

SUMMARY

This request would vacate the right-of-way of Marlette Drive between the right-of-way of Allfree Avenue (vacated by 2011-VAC-010) and Wendell Avenue.

Prior to the development of the interstate highway system in the mid-1960s, the surrounding area consisted of a medium-density single-family neighborhood. When the existing highway ramp was constructed to the west of Marlette Street, the single-family dwellings were gradually vacated and were all demolished by 1999.

The current dead-end of Marlette Drive which was created by the vacation of Allfree Avenue would be relocated westward to the north end of Wendell Avenue which would be used by a proposed fire station and an existing industrial use.

In 2011, 1.98 acres from the centerline of Marlette Drive to the south was rezoned to C-4 (W-1) to provide for a fire station. This vacation would aid in the development of the fire station.

Staff finds the vacation **would be in the public interest** and recommends the vacation petition be **approved**, subject to the release of the easement rights of all utilities listed below.

ASSESSMENT OF BENEFITS

A waiver of the assessment of benefits has been requested for this petition. The Rules of Procedure indicate that a waiver would be appropriate if no public improvements have been constructed within a subject right-of-way, if the right-of-way has not been utilized by the general public, or if the right-of-way was not acquired through condemnation or purchase.

Because the petitioner is the Department of Public Works and the vacation would serve a public use, the assessment of benefits would not be required.

RECOMMENDED MOTION:

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 2012-VAC-001, and that the vacation be subject to the rights of public utilities under IC. 36-7-3-16.

(Continued)

STAFF REPORT 2012-VAC-001 (Continued)

GENERAL DESCRIPTION:

VACATION of Marlette Drive, being 40 feet in width and being the first east-west street north of 21st Street, from the east right-of-way line of Wendell Avenue, being the northwest corner of Lot 84 of Marlette Park, an addition to the City of Indianapolis, as recorded in Plat Book 10, Page 39, to the east right-of-way line of Allfree Avenue, extended north, being the northwest corner of Lot 66 of said Marlette Park, with a waiver of the assessment of benefits.

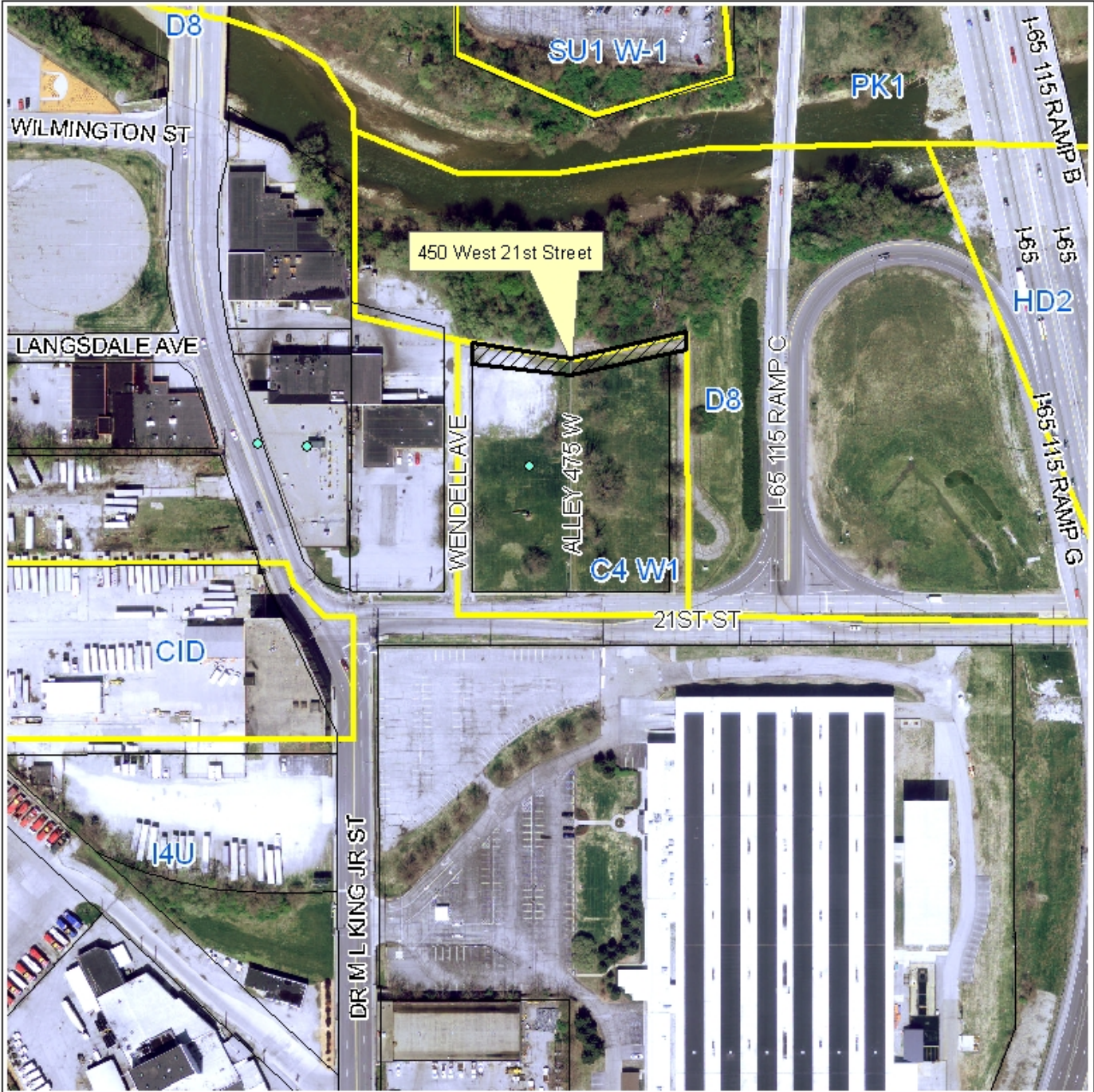
UTILITIES AND AGENCY REPORT

Telephone:	No answer, retain easement, if requested
Gas:	No answer, retain easement, if requested
Water:	No answer, retain easement, if requested
Power:	No answer, retain easement, if requested
Cable:	No answer, retain easement, if requested
DPR:	No answer, retain easement, if requested
DPW, SS:	No answer, retain easement, if requested
DPW, TS:	No answer, retain easement, if requested

Subject to Utilities? Yes

ATS

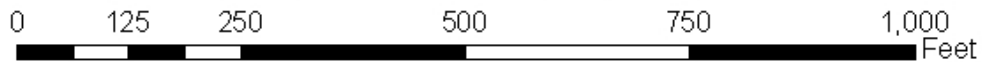
2012-VAC-001 450 West 21st Street



Legend

- BOUNDARY
- DRIVE
- ALLEYS
- APPROVAL
- APPROVAL
- COGIS IMAGE 2011
- RED
- Zone 1
- Zone 2
- Zone 3

This map does not represent a legal document. It is intended to serve as an aid in graphic representation only. Information shown on this map is not warranted for accuracy or merchantability.



January 18, 2012
Produced by the Current Planning Section



2012-VAC-001: Site Photos



1) Looking east along Marlette Drive.