

ALLEY VACATION10112-11
StatusVacated

Date 10/17/2011

Description: The First East/West Alley North of Cedar Street from Niles Avenue East, 172' East/West to the Vacated North/South Alley



Office of the City Clerk

John Voorde, City Clerk

October 17, 2011

MEMORANDUM

TO: Area Plan Commission
Board of Public Works/Engineering Dept.
Building Department
Fire Department
Northern Indiana Public Service Company
Police Department
Street Department
Bureau of Traffic & Lighting – Mark
Community & Economic Development – Pam Meyer
County Auditor – Paula
Water Works – North Station-Ed Herman

FROM: John Voorde, City Clerk

All proceedings with reference to Ordinance No. 10112-11 for the vacation of the following property:

AN ORDINANCE TO VACATE THE FOLLOWING DESCRIBED PROPERTY:
THE FIRST EAST/WEST ALLEY NORTH OF CEDAR STREET, FROM NILES
AVENUE EAST, 172 FEET EAST/WEST TO THE VACATED NORTH/SOUTH
ALLEY

is closed and this area is vacated.

1316 COUNTY-CITY BUILDING
227 W. JEFFERSON BOULEVARD
SOUTH BEND, INDIANA 46601-1830



PHONE 574/ 235-9251
FAX 574/ 235-9171

CITY OF SOUTH BEND STEPHEN J. LUECKE, MAYOR
BOARD OF PUBLIC WORKS

July 25, 2011

Mr. Terry Lang
Lang-Feeney & Associates
715 S. Michigan Street
South Bend, Indiana 46601

RE: Alley Vacation – First Half of East/West Alley North of Cedar Street between Niles Avenue and Hill Street
(Preliminary Review)

Dear Mr. Lang:

The Board of Public Works, at its July 25, 2011, meeting, reviewed comments by the Engineering Division, Area Plan Commission, Economic Development, Fire Department, Police Department, and the City Attorney's Office. The following comments and recommendations were submitted:

Area Plan stated that the vacation would not hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous. The vacation would not make access to the lands of the aggrieved person by means of public way difficult or inconvenient. The vacation would not hinder the public's access to a church, school or other public building or place. The vacation would not hinder the use of a public right of way by the neighborhood in which it is located or to which it is contiguous.

NIPSCO stated there are currently gas facilities in this alley and they will need to maintain access for maintenance purposes. They object to this vacation

Therefore, the Board of Public Works submitted a favorable recommendation for the vacation of this alley, subject to all utility easements. The Board noted if there is any construction on this site, you will need to pay to relocate the utilities.

GARY A. GILOT, P.E.
PRESIDENT

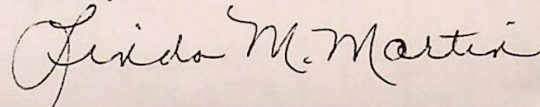
DONALD E. INKS
MEMBER

CARL P. LITRELL
MEMBER

Page 2 of 2
Lang-Feeney & Associates
July 25, 2011

Please contact Tony Molnar at (574) 235-9254 prior to picking up your radius map.
You will need a radius map showing properties within 150' of the proposed vacation for your petition to the Common Council. Once you pick up the radius map, proceed to the City Clerk's office for your alley vacation packet.

Sincerely,



Linda M. Martin, Clerk

- c: Federico Rodriguez, Fire Department
Tony Molnar, Engineering
Janice Talboom, City Clerk's Office
Carl Littrell, Engineering

From: Nancy Schrader
To: Memo-Vacations
Date: 6/7/2011 2:01 PM
Subject: Alley Vacation - Memorial Hospital
Attachments: S45C-511060713400.pdf

Please provide your recommendation.

Thank you.

Nancy Schrader
City of South Bend
Department of Engineering and Board of Public Works
227 West Jefferson, Room 1316
South Bend, Indiana 46601
Office: (574) 235-9251
Fax: (574) 235-9171

This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.

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From: <Mailer-Daemon@CCBMS.SOUTHBEND.CITY>
To: <NJSCHRAD@southbendin.gov>
Date: 6/7/2011 2:02 PM
Subject: Message status - undeliverable
Attachments: Part.001

The message that you sent was undeliverable to the following:

RMATHIA@SouthBendIN.Gov (550 Mailbox not found)

Possibly truncated original message follows:

From: Stephen Goen
To: Nancy Schrader
Date: 6/8/2011 7:34 AM
Subject: Re: Alley Vacation - Memorial Hospital

approved

This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was original addressed. Any use by others is strictly prohibited.

Lt. Stephen Goen
Traffic Commander
St Joe Co. **Fatal Alcohol Crash Team**
South Bend Police Department - Traffic Investigations
701 W. Sample St
South Bend, IN 46601
(574) 235-7515
(574) 235-7538

>>> Nancy Schrader 6/7/2011 2:00 PM >>>
Please provide your recommendation.

Thank you.

Nancy Schrader
City of South Bend
Department of Engineering and Board of Public Works
227 West Jefferson, Room 1316
South Bend, Indiana 46601
Office: (574) 235-9251
Fax: (574) 235-9171

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From: <pmgriffin@NiSource.com>
To: "Nancy Schrader" <NJSCHRAD@southbendin.gov>
Date: 6/8/2011 2:21 PM
Subject: Re: Alley Vacation - Memorial Hospital
Attachments: S45C-511060713400.pdf

CC: <lmartin@southbendin.gov>
 NIPSCO objects to recommendation to vacate this alley. NIPSCO currently has gas facilities in the alley in question and will need to maintain access for maintenance purposes.

Thank-you,

Philip M. Griffin
 NIPSCO
 Project Engineer II
 Office Phone: 574-284-2214
 Mobile Phone: 574-220-3804
 FAX: 574-284-2220

"Nancy Schrader"
 <NJSCHRAD@southbendin.gov>
 ndin.gov>
 To
 <jbyorni@co.st-joseph.in.us>,
 06/07/2011 02:00 PM <pmgriffin@nisource.com>, "Andre Price" <APRICE@southbendin.gov>,
 "Chris Dressel" <CDRESSEL@southbendin.gov>, "Cheryl Greene" <CGREENE@southbendin.gov>,
 "Carl Littrell" <CLITTREL@southbendin.gov>,
 "Federico Rodriguez" <frodrigu@southbendin.gov>, "Jeff Gibney" <jgibney@southbendin.gov>,
 <RMATHIA@SouthBendIN.Gov>, "Stephen Goen" <SGOEN@southbendin.gov>
 cc
 "Nancy Schrader" <NJSCHRAD@southbendin.gov>
 Subject
 Alley Vacation - Memorial Hospital

Nancy Schrader - Re: Alley Vacation - Memorial Hospital

From: Federico Rodriguez
To: Nancy Schrader
Date: 6/14/2011 7:58 AM
Subject: Re: Alley Vacation - Memorial Hospital

Approved S.B.F.D

Federico "Chico" Rodriguez
Fire Marshal
South Bend Fire Dept.
1222 S. Michigan Street
South Bend, In.
574-235-7564(O)
574-235-9305(F)
frodriqu@southbendin.gov

>>> Nancy Schrader 6/7/2011 2:00 PM >>>
Please provide your recommendation.

Thank you.

Nancy Schrader
City of South Bend
Department of Engineering and Board of Public Works
227 West Jefferson, Room 1316
South Bend, Indiana 46601
Office: (574) 235-9251
Fax: (574) 235-9171

~~~~~  
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~~~~~



AREA PLAN COMMISSION OF ST. JOSEPH COUNTY, IN

JOHN W. BYORNI

EXECUTIVE DIRECTOR

LARRY MAGLIOZZI

DEPUTY DIRECTOR

227 W. JEFFERSON BLVD. ROOM 1140 COUNTY-CITY BLDG. SOUTH BEND, INDIANA 46601 (574) 235-9571

June 17, 2011

City of South Bend
Board of Public Works
13th Floor, County-City Building
South Bend, Indiana 46601

RE: Right-of-Way Vacation
Applicant: Larry Lies
Vacation of West Half of East/West Alley North of Cedar
Between Niles Avenue and Hill Street

Dear Board Members:

The staff has reviewed this petition. It is the staff's opinion that:

- (1) The vacation *would not* hinder the growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous.

It is our understanding that the alley is purposed to be vacated for future development of the adjacent land to the north and south, which is currently owned by Madison Center Inc. (Memorial Hospital). Access to this land and land to the east will continue to be maintained via the adjacent Niles Avenue, Cedar Street, and Hill Street rights-of-way.

- (2) The vacation *would not* make access to the lands of the aggrieved person by means of public way difficult or inconvenient.

The portion of the alley to be vacated and the continuation of the alley to the east do not provide sole access to any of the adjacent land.

- (3) The vacation *would not* hinder the public's access to a church, school, or other public building or place.

There are no churches, schools, or other public places lying along this alley from Niles Avenue to Hill Street.

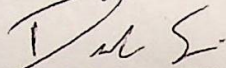
- (4) The vacation *would not* hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous.

The alley vacation *would* hinder the use of the remaining portion of the alley to the east to Hills Street because this alley would become a dead end alley. *Therefore, our office is recommending that the east half of this alley also be vacated to Hill Street.* Madison Center (Memorial Hospital) also owns the property to the south of east half of this alley.

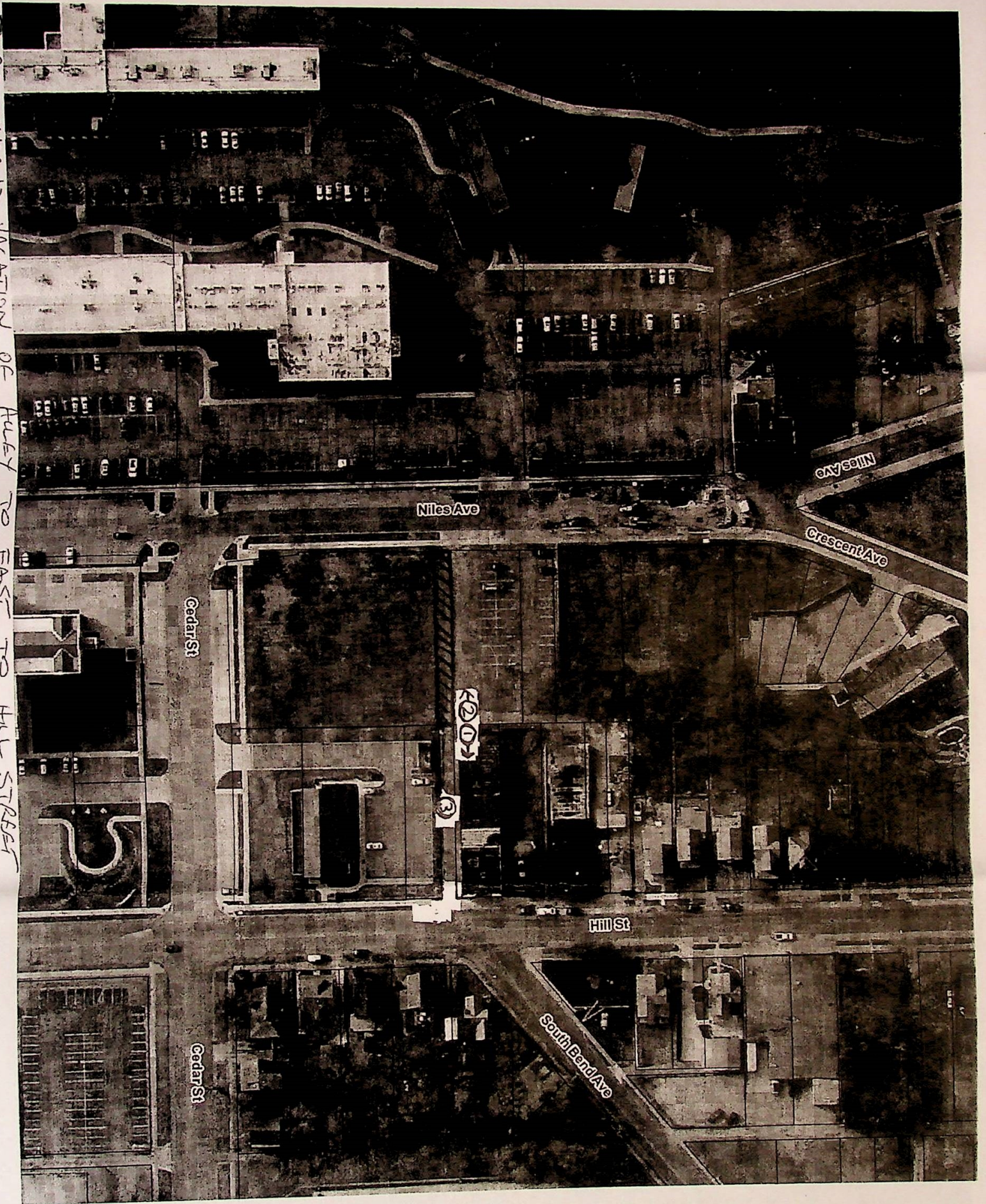
Due to the above stated reasons, the staff recommends that the proposed right-of-way vacation be approved and that the petition be amended to add the eastern half of this alley.

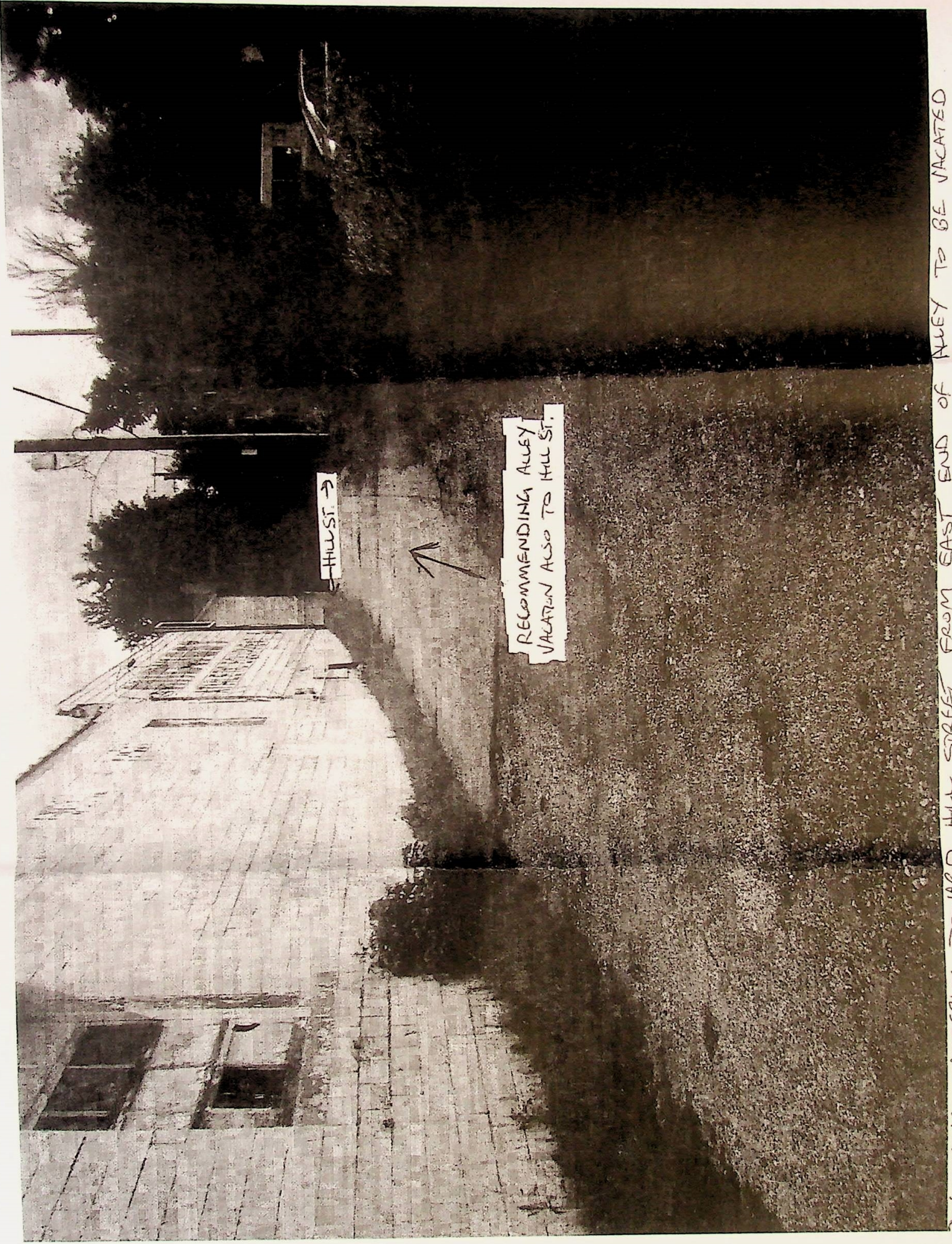
Please contact our office if you have any questions or need any additional information.

Sincerely,


Derek Spier, AICP
Planner

③ RECOMMENDS VACATION OF ALLEY TO EAST TO HILL STREET





HILL ST →

RECOMMENDING ALLEY
VACATION ALSO TO HILL ST.

D) LOOKING EASTERLY TOWARD HILL STREET FROM EAST END OF ALLEY TO BE VACATED



AWAY TO BE VACATED
TO NILES AVENUE

2) LOOKING WESTERLY TOWARD NILES AVENUE FROM EAST END OF AWAY TO BE VACATED

From: Chris Dressel
To: Nancy Schrader
Date: 6/18/2011 8:22 AM
Subject: Re: Alley Vacation - Memorial Hospital
Attachments: Chris Dressel.vcf

CC: Jeff Gibney
Recommended for approval.

Christopher D. Dressel
Planner
Bicycle Coordinator
Weed and Seed Coordinator
City of South Bend
Division of Community Development
1200 County-City Building
227 W. Jefferson
South Bend, IN 46601
Phone: 574-235-5847
Fax: 574-235-9469
cdressel@southbendin.gov

>>> Nancy Schrader 6/7/2011 2:00 PM >>>
Please provide your recommendation.

Thank you.

Nancy Schrader
City of South Bend
Department of Engineering and Board of Public Works
227 West Jefferson, Room 1316
South Bend, Indiana 46601
Office: (574) 235-9251
Fax: (574) 235-9171

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INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS

DATE SENT: 6/7/2011

TO: Andre Price, Solid Waste
Bob Mathia, Community & Economic Development
Carl Littrell, Engineering Department
✓ Chris Dressel, Community & Economic Development
✓ Federico Rodriguez, Fire Department
Jeff Gibney, Community & Economic Development
✓ John Byorni, Area Plan Commission (jbyorni@co.st-joseph.in.us or 235-9813 fax)
✓ Stephen Goen, Police Department
Cheryl Greene, City Attorney's Office
✓ Phil Griffin, NIPSCO (pmgriffin@nisource.com) (FYI Only)
Linda M. Martin, Clerk *LM*

FROM: **RECOMMENDATION FOR ALLEY VACATION**

SUBJECT: **REQUEST FOR RECOMMENDATION – ALLEY VACATION**

APPLICANT: **Memorial Hospital**

LOCATION: **First Half of East/West Alley North of Cedar Between Niles and Hill**

DATE DUE: **June 17, 2011**

FAX OR E-MAIL TO: **235-9171 / lmartin@southbendin.gov**

RECOMMENDATIONS AND COMMENTS:

No objection. Landowner to East may have objection for lack of truck mobility in alley.

By *Carl P. Littrell* Date *7/11/11*



719 NOTRE DAME AVE

713 NOTRE DAME AVE

705 NOTRE DAME AVE

627 NOTRE DAME AVE

617 NOTRE DAME AVE

613 NOTRE DAME AVE

605 NOTRE DAME AVE

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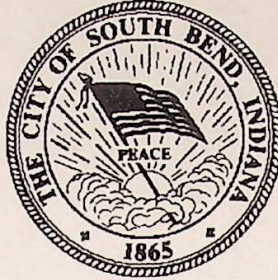
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1880 ALMOND

1884 ALMOND

1888 ALMOND

1892 ALMOND



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BOARD OF PUBLIC WORKS**

DATE SENT: 6/7/2011

TO: Andre Price, Solid Waste
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✓ Carl Littrell, Engineering Department
✓ Chris Dressel, Community & Economic Development
✓ Federico Rodriguez, Fire Department
Jeff Gibney, Community & Economic Development
✓ John Byorni, Area Plan Commission (jbyorni@co.st-joseph.in.us or 235-9813 fax)
✓ Stephen Goen, Police Department
Cheryl Greene, City Attorney's Office
✓ Phil Griffin, NIPSCO (pmgriffin@nisource.com) (FYI Only)
Linda M. Martin, Clerk *LM*

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APPLICANT:

Memorial Hospital

LOCATION:

First Half of East/West Alley North of Cedar Between Niles and Hill

DATE DUE:

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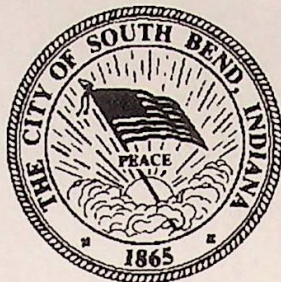
FAX OR E-MAIL TO:

235-9171 / lmartin@southbendin.gov

RECOMMENDATIONS AND COMMENTS:

By _____

Date _____



**INTER-OFFICE MEMORANDUM
BOARD OF PUBLIC WORKS**

DATE SENT: 6/7/2011

TO:

Andre Price, Solid Waste
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