

ALLEY VACATION 10182-12
Status Vacated

Date 11/9/2012

Description: The First North/South Alley West of Notre Dame Avenue from Howard Street South to the First East/West Alley for a Distance of 198 Feet and a Width of 14 Feet. Said Alley is Part of Sorin's 2nd Addition to the City of South Bend Portage Township, South Ben



Office of the City Clerk

John Voorde, City Clerk

November 9, 2012

MEMORANDUM

TO: Area Plan Commission
Board of Public Works/Engineering Dept.
Building Department
Fire Department
Northern Indiana Public Service Company – Phil Griffin
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. 10182-12 for the vacation of the following property:

A BILL TO VACATE THE FOLLOWING DESCRIBED PROPERTY: THE FIRST NORTH/SOUTH ALLEY WEST OF NOTRE DAME AVENUE FROM HOWARD STREET SOUTH TO THE FIRST EAST/WEST ALLEY FOR A DISTANCE OF 198 FEET AND A WIDTH OF 14 FEET. SAID ALLEY IS PART OF SORIN'S 2ND ADDITION TO THE CITY OF SOUTH BEND, PORTAGE TOWNSHIP, ST. JOSEPH COUNTY, INDIANA

are 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 PETE BUTTIGIEG, MAYOR
BOARD OF PUBLIC WORKS

July 24, 2012

Mr. Jamey High
925 Notre Dame Avenue
South Bend, Indiana 46617

RE: Alley Vacation – North Half of the North/South Alley between St. Peter Street and Notre Dame Avenue, South of Howard Street
(Preliminary Review)

Dear Mr. High:

The Board of Public Works, at its July 24, 2012, meeting, reviewed comments by the Engineering Division, Area Plan Commission, Economic Development, Fire Department, Police Department, and the Solid Waste Division. 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** make access to the lands of the aggrieved person by means of public way difficult or inconvenient. The vacation **would** block access to a fire hydrant located behind the commercial building at the south east corner of St. Peter and Howard Streets. 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.

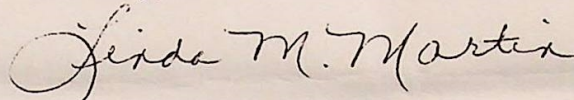
Engineering stated there may be an objection from the business owners on the northeast side of St. Peter St. due to access to a parking lot and their delivery dock. Two of the surrounding neighbors can only access their garage through the alley. The Fire Department stated the vacation would hinder protection to the rear of the structures between the streets.

Therefore, the Board of Public Works submitted a favorable recommendation for the vacation of this alley, subject to an access easement agreement between all affected parties.

Page 2 of 2
July 24, 2012
High, Jamey

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.

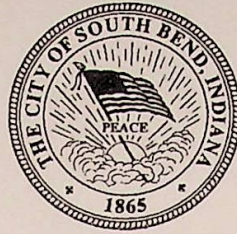
Sincerely,



Linda M. Martin, Clerk

c: Federico Rodriguez, Fire Department
Tony Molnar, Engineering
Janice Talboom, City Clerk's Office
Michael Mecham, Engineering
Scott Kidder

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 PETE BUTTIGIEG, MAYOR
BOARD OF PUBLIC WORKS

July 24, 2012

Mr. Scott Kidder
919 Notre Dame Avenue
South Bend, Indiana 46617

RE: Alley Vacation – North Half of the North/South Alley between St. Peter Street and Notre Dame Avenue, South of Howard Street
(Preliminary Review)

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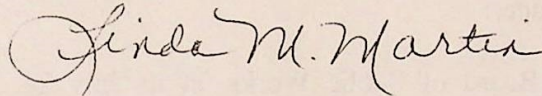
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Page 2 of 2
July 24, 2012
Kidder, Scott

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Sincerely,



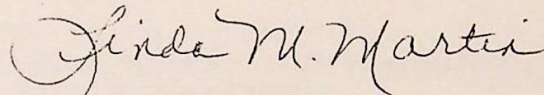
Linda M. Martin, Clerk

c: Federico Rodriguez, Fire Department
Tony Molnar, Engineering
Janice Talboom, City Clerk's Office
Michael Mecham, Engineering
Jamey High

Page 2 of 2
July 24, 2012
Kidder, Scott

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Sincerely,

A handwritten signature in cursive script that reads "Linda M. Martin". The signature is written in dark ink and is positioned above the typed name.

Linda M. Martin, Clerk

c: Federico Rodriguez, Fire Department
Tony Molnar, Engineering
Janice Talboom, City Clerk's Office
Michael Mecham, Engineering
Jamey High

Nancy Schrader - Alley Vacation Recommendation - Notre Dame Avenue

From: Nancy Schrader
To: Memo-Vacations
Date: 7/5/2012 12:41 PM
Subject: Alley Vacation Recommendation - Notre Dame Avenue
Attachments:

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.  
~~~~~


Nancy Schrader - Re: Alley Vacation Recommendation - Notre Dame Avenue

From: Bill Schalliol
To: Nancy Schrader
Date: 7/5/2012 1:53 PM
Subject: Re: Alley Vacation Recommendation - Notre Dame Avenue

Nancy -

As long as the neighbors on St. Peter concur, this seems to be a reasonable street vacation.

Bill Schalliol

>>> Nancy Schrader 7/5/2012 12:40 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: 7/5/2012 3:16 PM
Subject: Re: Alley Vacation Recommendation - Notre Dame Avenue
Attachments: pic11243.gif

No objection

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

"Nancy Schrader"
 <NJSCHRAD@southbendin.gov>
 To
 <jbyorni@co.st-joseph.in.us>, <pmgriffin@nisource.com>, "Andre Price" <APRICE@southbendin.gov>, "Bill Schalliol" <BSCHALLI@southbendin.gov>, "Chris Dressel" <CDRESSEL@southbendin.gov>, "Cheryl Greene" <CGREENE@southbendin.gov>, "Carl Littrell" <clittrel@southbendin.gov>, "Federico Rodriguez" <frodrigu@southbendin.gov>, "Michael Mecham" <mmecham@southbendin.gov>, "Stephen Goen" <SGOEN@southbendin.gov>
 07/05/2012 12:40 PM
 cc
 "Nancy Schrader" <NJSCHRAD@southbendin.gov>
 Subject
 Alley Vacation Recommendation - Notre Dame Avenue

Please provide your recommendation.

From: Stephen Goen
To: Nancy Schrader
Date: 7/9/2012 7:11 AM
Subject: Re: Alley Vacation Recommendation - Notre Dame Avenue

no objections

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Lt. Stephen Goen
Traffic Commander
South Bend Police Department - Traffic Investigations
701 W. Sample St
South Bend, IN 46601
(574) 235-7515
(574) 235-7538

>>> Nancy Schrader 7/5/2012 12:40 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: Carl Littrell
To: NJSCHRAD@SouthBendIN.Gov, MMECHAM@SouthBendIN.Gov
Date: 7/6/2012 6:16 PM
Subject: Re: Alley Vacation Recommendation - Notre Dame Avenue

CC: TMOLNAR@SouthBendIN.Gov

I think this was discussed a few years ago, but the owners of the former Pandora's Bookstore - office building at Howard/ St.Peter - objected. I can't remember if it died at the Council or if it was withdrawn before it got started.

I think the vacation is a good idea if a way can be found to service the office building's loading dock in harmony with the neighbors' wishes.

From: Federico Rodriguez
To: Andre Price; Bill Schalliol; Carl Littrell; Cheryl Greene; Chris Dre...
Date: 7/9/2012 2:48 PM
Subject: Re: Alley Vacation Recommendation - Notre Dame Avenue

Denied, due to a commercial building on the North East side corner of St. Peter street with the fire department connection on the alley being request to vacate side. Also this alley has the hydrants on the Howard Street side that will give us water protection to the back of all the structures between the streets.

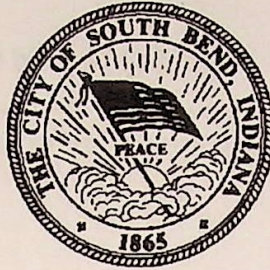
Federico "Chico" Rodriguez
Fire Marshal
South Bend Fire Dept.
1222 S. Michigan Street
South Bend, In.
574-235-7564(O)
574-235-9305(F)
frodrigo@southbendin.gov

>>> Nancy Schrader 7/5/2012 12:40 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: 7/5/2012

TO: Andre Price, Solid Waste
Carl Littrell, Engineering Department
Michael Mecham, Engineering Department
Chris Dressel, Community & Economic Development
Federico Rodriguez, Fire Department
Bill Schalliol, 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)

FROM: Linda M. Martin, Clerk *LMM*

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

APPLICANT: **Scott Kidder and Jamey High**

LOCATION: **North Half of North/South Alley Between St. Peter Street and Notre Dame Avenue, South of Howard Street**

DATE DUE: **7/16/12**

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

RECOMMENDATIONS AND COMMENTS:

*AS LONG AS TRASH CAN BE PICKED ON
THE STREET – NO OBJECTION*

By MM Date 7/12/12



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 BUILDING, SOUTH BEND, INDIANA 46601 (574) 235-9571

July 13, 2012

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

RE: Alley Vacation
Petitioner: Scott Kidder and Jamey High
Location: North half of N/S alley between St. Peter Street and Notre Dame Avenue, south of Howard 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.
- (2) The vacation *would* make access to the lands of the aggrieved person by means of public way difficult or inconvenient.
The vacation would block access to a fire hydrant located behind the commercial building at the south east corner of St. Peter and Howard Streets.
- (3) The vacation *would not* hinder the public's access to a church, school, or other public building or place.
This alley does not access a church, school, or other public building or place, however it does access a fire hydrant.
- (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.
Nearby east/west alleys have been previously vacated.

Due to the public safety concern stated above, the staff recommends that the proposed street vacation be denied.

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

Sincerely,

A handwritten signature in cursive script that reads "Christa Nayder".

Christa Nayder, Planner



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

DATE SENT: 7/5/2012

TO: Andre Price, Solid Waste
✓ Carl Littrell, Engineering Department
✓ Michael Mecham, Engineering Department
Chris Dressel, Community & Economic Development
✓ Federico Rodriguez, Fire Department
✓ Bill Schalliol, 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 *L.M. Martin*

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RECOMMENDATIONS AND COMMENTS:

By _____ Date _____