

**ALLEY VACATION [DENIAL] – PEE #23-01**

Motion by Councilor \_\_\_\_\_,  
Supported by Councilor \_\_\_\_\_,

**WHEREAS**, a request has been received from Brian Najor of MAD Fuel Holdings, LLC, 601 W. 12 Mile Road, Madison Heights, MI 48071, to vacate the existing 17-foot wide alley adjacent to 601 W. 12 Mile Road (TM# 44-25-14-202-003; Assessors Plat No. 2 Lots 5 thru 11) and 28767 Dartmouth Street (TM# 44-25-14-202-004; Assessors Plat No. 2 Lot 12) and to retain the existing public utility easements therein; and

**WHEREAS**, the Planning Commission reviewed the proposed alley vacation at their July 18<sup>th</sup>, 2023 meeting; and

**WHEREAS**, the Planning Commission recommended that City Council action be postponed until such time that a concept plan for the proposed development is provided and until such time that utility companies provide correspondence pertaining to necessary easements and utility relocations; and

**WHEREAS**, the applicant has provided the City with a conceptual site plan for future development but is still in discussion with DTE regarding utility relocation; and

**WHEREAS**, the City Council held a public hearing on August 14<sup>th</sup>, 2023; and

**WHEREAS**, the City Council does not deem it advisable to vacate said public alley;

**NOW, THEREFORE, BE IT RESOLVED**, that the Madison Heights City Council determines that it is not necessary for the health, welfare, comfort and safety of the people of the City to:

Vacate the existing 17-foot wide alley adjacent to 601 W. 12 Mile Road (TM# 44-25-14-202-003; Assessors Plat No. 2 Lots 5 thru 11) and 28767 Dartmouth Street (TM# 44-25-14-202-004; Assessors Plat No. 2 Lot 12) and to retain the existing public utility easements therein, subject to all conditions of the utilities in their respective review letters.

**BE IT FURTHER RESOLVED**, that based on the findings enumerated above, the Madison Heights City Council hereby denies the requested alley vacation PEE #23-01.

Yeas:

Nays: