



**CITY OF BERKLEY PUBLIC NOTICE
SPECIAL CITY COUNCIL MEETING
MONDAY, APRIL 27, 2026 - 5:30 PM
CITY HALL - 3338 COOLIDGE HIGHWAY
248-658-3300**

CALL 41ST COUNCIL TO ORDER

APPROVAL OF AGENDA

MAYOR-LED MOMENT OF REFLECTION

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT(S)

Comments are invited on each Agenda item when that item comes up for consideration. Matters not listed on the Agenda may be addressed at this time. Please state your name and residential city. Each speaker's remarks are a matter of public record, and the Council will not engage in a back-and-forth discussion. Any person speaking at a City Council Meeting may be called to order by the Mayor or any Council Member for failure to be germane to the business of the City or for disruptive or disorderly behavior which prevents the Council from conducting its business. There is a three-minute limit per speaker.

ORDER OF BUSINESS

CONSENT AGENDA

REGULAR AGENDA

- 1) Resolution to set a public hearing for the vacation of an alley covering the northerly 18 feet of lots 39-49 in the Ellwood Heights Subdivision.

COMMUNICATIONS

ADJOURN

Note: The City Of Berkley Will Provide Necessary Reasonable Auxiliary Aids And Services, Such As Signers For The Hearing Impaired And Verbal Representations Of Printed Materials Being Considered At The Meeting, To Individuals With Disabilities At The Meeting Upon Four Working Days' Notice To The City. Individuals With Disabilities Requiring Auxiliary Aids Or Services Should Contact The City By Writing Or Calling: Victoria Mitchell, ADA Contact, Berkley City Hall, 3338 Coolidge Highway, Berkley, MI 48072 (1-248-658-3310).

Note: Official Minutes Of City Council Meetings And Supporting Documents For Council Packets Are Available For Public Review In The City Clerk'S Office During Normal Working Hours. Anyone Wishing To Submit Correspondence To The Council Before The Meeting May Send An Email To

Comment@Berkleymt.Gov By Noon On The Day Of The Meeting. Emails Sent Prior To The Deadline Will Be A Part Of The Meeting Record But Will Not Be Read During The Council Meeting.

MEMORANDUM

To:
From:

Date: April 27, 2026

Subject: Resolution to set a public hearing for the vacation of an alley covering the northerly 18 feet of lots 39-49 in the Ellwood Heights Subdivision.

Madam Mayor and Members of City Council,

Background

- Through a combination of condemnation and conveyance, the City of Berkley acquired the northerly 18 feet of the subject properties highlighted below in order to establish a public alley in the late 1960's. Based on the court records, it is unclear why the City sought to establish a public alley in this location and went to such lengths to do so. While public utilities do exist on these parcels, an easement alone would have allowed for maintenance and repair, if needed. For reference purposes, a parking space is approximately 20 feet long; the alley would approximately occupy the area shown as the northerly parking spaces below.



- Last year, the Planning Commission approved a site plan (PSP-02-25) and the City Council ultimately approved a Special Land Use (PSU-01-25) for the subject properties that included demolition of a portion of the site along with construction of a large addition and associated parking, landscaping, etc. The location of the building addition necessitates relocating the public utilities on the site. As part of

the development, the applicant is required to combine the parcels, and to provide an easement over the relocated utilities to allow for maintenance and repair. (A separate easement would be established to cover the overhead power lines near the northerly property line.)

- Section 106-1 of the City Code provides procedures for the vacation of any street, alley or public ground. The first step in that process requires City Council pass a resolution for staff to notify the public of the proposed vacation and the time for public comment.

Summary

- Prior to the approval of the required parcel combination associated with PSP-02-25, the applicant must retain ownership of the entire property included in the redevelopment. As noted above, the City currently retains ownership of the portion of the property identified as an alley in the 1960's.
- Given that there will be no City utilities located within the area of the alley, an easement will be established to cover the existing power lines and the alley is not required to maintain access (the site will be one parcel with multiple access points), the alley no longer serves a public purpose.

Recommendation

Motion to (approve/deny/postpone) the resolution setting the public hearing for the vacation of the northerly 18 feet of lots 39-49, inclusive, Ellwood Heights Subdivision.

**RESOLUTION OF THE CITY COUNCIL SETTING THE PUBLIC HEARING TO
VACATE THE UNPLATTED ALLEY ALONG THE NORTHERLY 18’ OF LOTS 39-49
OF ELLWOOD HEIGHTS SUBDIVISION**

WHEREAS: Through condemnation and conveyance, the City acquired ownership interest in the northerly 18 feet of lots 39-49, inclusive, Ellwood Heights Subdivision, according to the plat thereof, as recorded in Liber 23 of Plats, Pg. 19, Oakland County Records, which is the subject matter of this Resolution, and shall be referred to herein as the “Unplatted Alley;” and

WHEREAS: The Owner(s) of the property located adjacent to the Unplatted Alley (“Owners”) desire to relocate the public and private utilities located in the Unplatted Alley in connection with development of the site, and agrees to grant a new utility easement to the City for the relocation of the public utilities; and

WHEREAS: The appropriate City Officials have investigated the need to maintain the Unplatted Alley for the benefit of the City's public utilities, for the benefit of the Property, and/or for the benefit of surrounding properties. The City Officials have determined it is not necessary to own, operate, use or maintain the Unplatted Alley provided new easements are granted by the adjacent property owners for public and private utilities, and hereby agree to its vacation; and

WHEREAS: Since the Unplatted Alley is no longer needed for public purposes, the City desires to vacate the Unplatted Alley.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. City Council has deemed it advisable to vacate, discontinue or abolish the Unplatted Alley.
2. The City Council hereby directs the City Clerk to schedule the public hearing on the vacation of the Unplatted Alley along the northerly 18 feet of lots 39-49, inclusive, Ellwood Heights Subdivision for the Regular City Council Meeting on June 1, 2026 and publish Notice of the Public Hearing in accordance the City’s Code of Ordinances, Chapter 102, Sec. 106-1.

Introduced and Passed at a regular City Council Meeting on _____.

Bridget Dean, Mayor

Attest:

Victoria Mitchell, City Clerk