



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning and Economic Development Division

m e m o r a n d u m

TO: Bruce Walden, Chief Administrative Officer

FROM: Reed Berger, AICP, Economic Development Coordinator

DATE: November 28, 2001

SUBJECT: Annexation of Cunningham Avenue and Willow Road Area

Staff is requesting the City Council to consider the attached ordinance on Monday, December 3, 2001 causing the annexation of the unincorporated territory located generally south of Interstate 74, west of N. Cunningham Avenue, north of Country Club Road, and east of Golfview Road. There are 30 lots in this area including 23 single family homes, three businesses, and an alley.

BACKGROUND

At the November 5, 2001 Council meeting the City Council passed a motion directing the City Clerk to publish the attached Notice of Annexation. This notice was published November 20th in the News-Gazette. A map is attached illustrating the area proposed to be annexed.

On November 19, 2001 the City approved the annexation of United Fuel Co. located at 1802 N. Cunningham Avenue, an action that caused the corporate boundaries of the City of Urbana to surround approximately 13 acres of unincorporated territory. Because the surrounded area is less than 60 acres in size, State law permits the City to pass an ordinance automatically annexing the territory into the City.

The City has proposed a Tax Increment Finance (TIF) district that is to be considered for adoption by Council in December and requires all property included within the final approved TIF boundary to be within the City limits at the time of adoption of the TIF district. Because the three commercial businesses along the west side of Cunningham Avenue are now surrounded by the City and are proposed to be included in the TIF district, the timing of annexation is critical to assure their inclusion in the TIF district.

On November 20, 2001 City staff mailed letters to all property owners and residents affected by the proposed annexation to advise them of a neighborhood meeting scheduled for November 28th, the annexation process, and some of the benefits and costs associated with annexation to the City of Urbana. A copy of this letter is attached.

On November 28th staff conducted the neighborhood meeting for residents and property owners at Eastland Suites to address questions and concerns. City staff was represented by Community Development Services, Fire, Police, and Public Works. Eleven residents attended the meeting and

expressed concerns about the increase in their property tax, the recycling fee, and questioned the difference in quality of service levels before and after annexation. In general, the residents of the area objected to being annexed into the City because of higher taxes. If annexed, the residents offered suggestions ranging from property tax relief, addressing speeding on Willow Road, replacing old speed limit signs but keep 25 MPH, don't build sidewalks, provide more fire hydrants, and improve drainage in the area.

ISSUES AND DISCUSSION

Surrounded Territory: Although the Shamrock Tavern located at 1702 N. Cunningham Avenue is also surrounded by the City limits it will not be annexed until July 2002 based on a provision in an annexation agreement with the City that permitted delay of the annexation for a period of three years from the effective date of annexation.

Infrastructure: The condition of the public infrastructure along the section of nearly 900 linear feet of Willow Road that would be annexed was reviewed by City staff. A number of deficiencies were identified, including the lack of curb and gutter, sidewalks, lighting, drainage, etc. Although sanitary sewers are present a number of the residences in this area remain on septic systems. Once a septic system fails the owner will be required to connect to the public sewer. Staff has concluded that there is no immediate need to add or replace public infrastructure.

It should be noted that once annexation occurs most of the infrastructure needs will be evaluated along with all other potential public infrastructure needs in the City and prioritized in the capital improvement plan. It should also be noted that the Cunningham Avenue right-of-way is already in the City with the exception of a small section that has been accounted for based on a prior annexation agreement that includes the Shamrock Tavern.

Maintenance: Based on roughly 1,000 linear feet of streets (Willow Road and G.H. Baker Drive) that would be annexed, the City could expect to incur an annual cost of \$3,000 to \$4,000 for services including snow removal, street repair and cleaning, tree trimming, and traffic control.

Emergency Services: The area is currently served by two Fire Protection Districts operated by volunteers. Eastern Prairie FPD serves the area west of Willow Road and is based in Wilbur Heights west of the Illinois Central Railroad and north of Interstate 74. The travel distance and volunteer system results in very slow response times. Carroll FPD serves the area east of Willow Road and is located at the entrance to Columbia Village Mobile Home Park from Perkins Road. Quick response by professionally trained paramedics within a few minutes from the Main and North substations is one of several advantages Urbana's fire service offers. It should be noted that there is some question regarding inadequate fire hydrant locations. The City will review this with the water company and assure hydrant locations meet City standards for fire safety.

Tax Impact on Property Owners / Residents: Property owners in this area can expect their real estate taxes to increase between 11% to 21% as a result of annexation. The smaller increase of 11% affects the lots located on the west side of Willow Road because they are already in the Urbana Park District. Property owners will be liable for this increase beginning in June 2003. This gives property owners about 18 months to adjust to the increased cost. In addition to paying taxes in return for City of Urbana services, including the Urbana Free Library, property owners

also benefit from the services of Cunningham Township, the Public Health District, and in some cases, the Urbana Park District. It should be noted that residents in this area benefit from the nearby location of Crystal Lake Park. Annexation by the City permits the automatic annexation of this area into the Park District.

Land Use & Zoning: The single family and commercial uses and the corresponding zoning districts in this area conform to the City's future land use map. The unincorporated area located along Willow Road is in Champaign County's R-1, Single Family Residence zoning district. The lots along Cunningham Avenue are zoned B-4, General Business in the County. Upon annexation these areas will be automatically classified R-1, Single Family Residential and B-3, General Business, respectively.

Cost/Benefit: Net revenues from the area over the next five years is expected to be roughly \$150,000 dollars. Although the assessed valuation of the area is about \$850,000 and sales taxes are estimated to produce over \$50,000 / year, the City is required to pay Urbana Township and the fire protection districts an amount equivalent to the revenue these taxing districts would lose in property taxes.

The City has an intergovernmental agreement with Urbana Township that provides reimbursement of real estate taxes lost as a result of annexation for a period of ten years. This agreement is based on a State law passed in 1986 which requires the annexing municipality which has a coterminous township to reimburse the affected township.

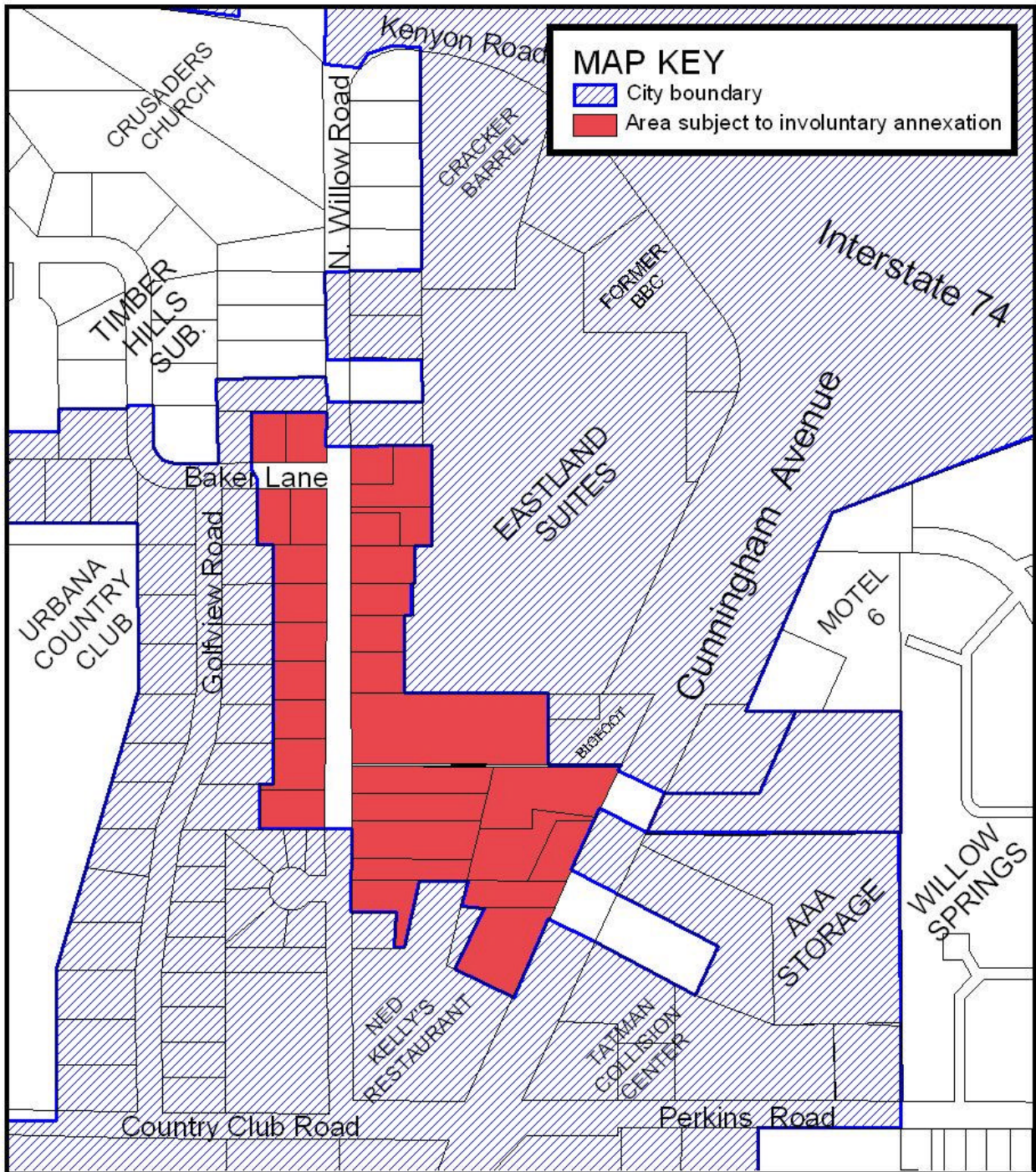
The fire protection districts get paid for five years with a 20% annual reduction in the amount each year based on a State law that took effect last year. Champaign County also gets paid for the loss in sales tax revenues for those businesses existing at the time an intergovernmental agreement between the cities and the County was approved. Based on this information it appears that the City may realize roughly \$300,000 in net revenues during the next decade, after which time annual net revenues will increase more rapidly with the termination of payments to other taxing districts.

RECOMMENDATION

Staff recommends the City Council approve the attached annexation ordinance at its regular meeting on December 3, 2001 which is necessary to permit the unincorporated commercial lots along Cunningham Avenue to be include in a proposed TIF district.

Prepared by: _____
Reed Berger, Economic Development Coordinator

c: Mayor Satterthwaite and City Council Members
City Department Heads



North Cunningham Avenue Involuntary Annexations

prepared September 19, 2001 by RAB - Community Development Services



ORDINANCE NO. 2001-12-156

AN ORDINANCE
ANNEXING CERTAIN TERRITORY
TO THE CITY OF URBANA

(Cunningham Avenue and Willow Road Area / Involuntary Annexation)

WHEREAS, on November 5, 2001, the Urbana City Council directed the City Clerk to publish Notice that the annexation of the properties therein described was being contemplated and would be considered by the Urbana City Council at its regular meeting on December 3, 2001, and

WHEREAS, the City Clerk of Urbana, Illinois duly published such Notice on November 20, 2001 in The News-Gazette, a newspaper having general circulation in the City of Urbana, Illinois, and the area proposed to be annexed, a Certificate of Publication therefore being on file with the City Clerk's Office, and

WHEREAS, the hereinafter described territory is unincorporated territory wholly surrounded by and contiguous to the City of Urbana, Illinois within the meaning of Section 5/7-1-13 of the Illinois Municipal Code, and

WHEREAS, said unincorporated territory is part of the Eastern Prairie Fire Protection District and the Carroll Fire Protection District, and includes certain territory within the Urbana Township, and Notice was given to the Trustees of said Fire Protection Districts, the Board of Township Trustees, and the Township Commissioner of Highways, said notices being mailed on November 14, 2001, that this Ordinance would be voted upon at a regular meeting of this Council at 7:30 p.m., Monday, December 3, 2001, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois, on the 15th day of November, 2001 ; and

WHEREAS, the territory to be annexed by this Ordinance is presently

located within Champaign County's R-1 Single-Family Residence and B-4 General Business zoning districts and upon annexation will automatically be classified R-1 Single Family Residential and B-3 General Business respectively, upon annexation in accordance with Article IV, Section IV-5 of the Urbana Zoning Ordinance; and

WHEREAS, the majority of the Members of the Council are of the opinion that it would be for the best interests of the people of the City of Urbana, Illinois, that said territory be annexed to and made a part of the said City.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS:

Section 1. That the Urbana City Council finds and determines that the property described below is surrounded by property previously annexed to the City of Urbana, Illinois, within the meaning of Section 7-1-13 of the Illinois Municipal Code.

Section 2. That the following described real estate is hereby annexed to the City of Urbana, Illinois, viz:

A part of the South Half of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

Beginning at the northwest corner of Lot 86 of Timber Hills Fifth Subdivision, as shown on a plat prepared by Charles S. Danner, Illinois Professional Land Surveyor Number 1470, dated May 11, 1977 and recorded in Plat Book "Y" at page 286 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, easterly, along the north line of Lots 86 and 87 of said Timber Hills Fifth Subdivision, to the westerly Right-of-Way line of Willow Road; thence, southerly, along said westerly Right-of-Way line, to the intersection of said westerly Right-of-Way line with the westerly extension of the north line of Lot 10 of Reinhold Acres, as shown on a plat recorded in Plat Book "M" at page 34 in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, easterly, along said north line, and the westerly extension thereof, to the northeast corner of said Lot 10; thence, southerly, along the east line of said Lot 10, to the southeast corner of said Lot 10; thence, westerly, along the south line of

said Lot 10, said line also being the north line of the Southwest Quarter of the Southwest Quarter of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian, 10.00 feet, to a point 180 feet easterly of the Northwest Corner of the Southwest Quarter of the Southwest Quarter of said Section 4; thence, southerly, along a line parallel with the west line of said Section 4, 88.10 feet; thence, westerly, along a line parallel with the north line of said Southwest Quarter of the Southwest Quarter of Section 4, 5.0 feet; thence, southerly, along a line parallel with the west line of said Section 4, 73.70 feet; thence, westerly, along a line parallel with the north line of said Southwest Quarter of the Southwest Quarter of Section 4, 20.0 feet; thence, southerly, along a line parallel with the west line of said Section 4, 182.0 feet; thence, easterly, along the westerly extension of the north line of Tract 2 as shown on a Plat of Survey prepared by Orville J. Hewkin III, Illinois Professional Land Surveyor Number 2338, and dated May 28, 1999, 443.19 feet, to the northwest corner of an "Exception to Tract 2", as shown on said Hewkin plat; thence, southerly, along the west line of said "Exception to Tract 2", and Tract 2 as shown on said Hewkin plat, to the north line of "Lillian M. Nelson's Subdivision of the South Half of Lot 2 of the Subdivision of the Southwest Quarter of the Southwest Quarter of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian as shown by a plat recorded in Book "E" of Plat Records in the Recorder's Office of Champaign County, Illinois at page 458"; thence, easterly, along said north line of Lillian M. Nelson's Subdivision, to the westerly Right-of-Way line of F.A. Route 39 (U.S. Route 45 & Cunningham Avenue); thence, southwesterly, along said westerly Right-of-Way line, to an iron pin 70.66 feet northeasterly of the south line of Lot 9 of "Lillian M. Nelson's Subdivision of the South Half of Lot 2 of a Subdivision of the Southwest Quarter of the Southwest Quarter of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian as shown by a plat recorded in Book "E" of Plat Records in the Recorder's Office of Champaign County, Illinois at page 458", said iron pin being on the southerly line of an unnamed tract shown on a plat dated September 27, 1971, prepared by Charles S. Danner, Illinois Professional Land Surveyor Number 1470; thence, northwesterly, along said southerly line, to an iron pin at the southwesterly corner of said tract; thence, northeasterly, along the westerly line of said tract, to the north line of said tract; thence, westerly, along the westerly extension of said north line, to an iron pin on the westerly line of Lot 8 of said Lillian M. Nelson's Subdivision; thence, northeasterly, along the westerly line of said Lot 8, to the northwest corner of said Lot 8, said point also being the northeast corner of Lot 7 of said Lillian M. Nelson's Subdivision; thence, westerly, along the north line of said Lot 7, 108.00 feet; thence, southwesterly to a point on the north line of Lot 10 of said Lillian M. Nelson's Subdivision, said point being 152.74 feet easterly of the west line of the Southwest Quarter of said Section 4; thence, westerly, along the north line of said Lot 10, 22.74 feet; thence, northerly, 80 feet; thence, westerly, to the east Right-of-Way line of Willow Road; thence, northerly, along said east Right-of-Way line, to the easterly extension of the south line of R. W. Beeson's Subdivision, as shown on a plat prepared by M. H. Kinch, Illinois Registered Land Surveyor Number 358, dated June 29, 1958, and recorded in Plat Book "M" at page 61, in the Office of the Recorder of Deeds, Champaign County, Illinois; thence, westerly, along the south line of said R. W. Beeson's Subdivision, and said

easterly extension thereof, to the southwest corner of Lot 7 of said R. W. Beeson's Subdivision; thence, northerly, along the west line of said Lot 7 and Lot 6 of said R. W. Beeson's Subdivision, to a southwesterly corner of said Lot 6; thence, easterly, along a northerly line of said Lot 6, to a southwesterly corner of said Lot 6; thence, northerly, along the west line of said Lot 6, and Lots 5, 4, 3, 2 and 1 of said R. W. Beeson's Subdivision, to the northwest corner of said Lot 1, said point also being on the south line of Lot 2 of Timber Hills Subdivision, as shown on a plat recorded in Plat Book "K" at page 87; thence, westerly, along the south line of said Lot 2, to the southwest corner of said Lot 2; thence, northerly, along the west line of said Lot 2, and the northerly extension thereof, to the north Right-of-Way line of G. H. Baker Drive; thence, westerly, along said northerly Right-of-Way line, to the southwest corner of said Lot 86 of Timber Hills Fifth Subdivision; thence, northerly, along the west line of said Lot 86, to the Point of Beginning.

Except;

That portion of G. H. Baker Drive, Willow Road and Cunningham Avenue rights-of-way lying within the above described tract.

Said tract containing 11.529 acres, more or less, all situated in Urbana Township, Champaign County, Illinois.

Together with the following described adjacent public Right-of-Way which is by operation of the law, automatically annexed with the adoption of an annexation ordinance pertaining to this tract:

Willow Road and G. H. Baker Drive Rights-of-Way, being 60 feet in width, and Cunningham Avenue (U.S. Route 45) Right-of-Way, being 120 feet in width, lying adjacent to the above described parcel.

Encompassing 1.757 acres, more or less, all being situated in Champaign County, Illinois.

The area legally described above also referred to by the following parcel index numbers and corresponding street addresses as follows:

PIN	STREET ADDRESS
30-21-04-301-011	1912 N. Willow Road
30-21-04-301-016	2000 N. Willow Road
30-21-04-301-017	N. Willow Road
30-21-04-301-018	2002 N. Willow Road
30-21-04-351-001	1910 N. Willow Road
30-21-04-351-002	1908 N. Willow Road
30-21-04-351-003	1906 N. Willow Road
30-21-04-351-004	1902/1904 N. Willow Road
30-21-04-351-005	1808 N. Willow Road
30-21-04-351-006	N. Willow Road

30-21-04-351-007	1804 N. Willow Road
30-21-04-351-008	1802 N. Willow Road
30-21-04-351-009	1710 N. Willow Road
30-21-04-351-010	1708 N. Willow Road
30-21-04-351-011	1704 N. Willow Road
30-21-04-351-020	1705 N. Cunningham Avenue
30-21-04-351-021	1605 N. Cunningham Avenue
30-21-04-351-025	1709 N. Cunningham Avenue
30-21-04-351-029	1707 N. Cunningham Avenue
30-21-05-427-028	604 E. GH Baker Drive
30-21-05-427-029	606 E. GH Baker Drive
30-21-05-477-002	605 E. GH Baker Drive
30-21-05-477-003	1911 E. GH Baker Drive
30-21-05-477-019	1907 N. Willow Road
30-21-05-477-020	1905 N. Willow Road
30-21-05-477-021	1903 N. Willow Road
30-21-05-477-022	1901 N. Willow Road
30-21-05-477-023	1807 N. Willow Road
30-21-05-477-024	1803 N. Willow Road
30-21-05-477-025	1801 N. Willow Road

Section 3. That the City Clerk be authorized and directed to record a certified copy of this Ordinance together with an accurate map of the territory hereinabove described in the Recorder's Office of Champaign County, Illinois.

Section 4. That the City Clerk be authorized and directed to file, for record, a certified copy of this Ordinance together with an accurate map of the territory hereinabove described in the Office of the County Clerk and County Election Authority of Champaign County, Illinois.

Section 5. The Zoning Ordinance of the City of Urbana, Illinois, and the Zoning Map of Urbana, Illinois, are hereby amended to classify the real property herein annexed as R-1 Single Family Residential and B-3 General Business upon annexation and in accordance with Article IV, Section IV-5 of the Urbana Zoning Ordinance.

Section 6. The territory annexed herein is assigned to City of Urbana
Ward 5.

Section 7. This Ordinance shall take effect at 12:00 p.m. CDT,
December 10, 2001.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a
majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said
Council on the _____ day of _____, 2001, A.D.

PASSED by the City Council this _____ day of _____, 2001.

Phyllis D. Clark, City Clerk

AYES:

NAYS:

ABSTAINED:

APPROVED by the Mayor this _____ day of _____, 2001.

Tod Satterthwaite, Mayor

NOTICE OF ANNEXATION

Pursuant to the Illinois Municipal Code (65 ILCS 5/7-1-13) , notice is hereby given that the annexation of the territory described below is contemplated by the Corporate Authorities of the City of Urbana, Illinois, and that they propose to consider and take action on an ordinance annexing such territory at a regular meeting of the Urbana City Council on Monday, December 3, 2001 at 7:30 p.m in the City Council Chambers of the City Building, 400 South Vine Street, Urbana, Illinois.

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southwest corner of said Lot 86 of Timber Hills Fifth Subdivision; thence, northerly, along the west line of said Lot 86, to the Point of Beginning.

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30-21-04-351-006	N. Willow Road
30-21-04-351-007	1804 N. Willow Road
30-21-04-351-008	1802 N. Willow Road
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30-21-04-351-010	1708 N. Willow Road
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30-21-04-351-021	1605 N. Cunningham Avenue
30-21-04-351-025	1709 N. Cunningham Avenue
30-21-04-351-029	1707 N. Cunningham Avenue

30-21-05-427-028	604 E. GH Baker Drive
30-21-05-427-029	606 E. GH Baker Drive
30-21-05-477-002	605 E. GH Baker Drive
30-21-05-477-003	1911 E. GH Baker Drive
30-21-05-477-019	1907 N. Willow Road
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30-21-05-477-021	1903 N. Willow Road
30-21-05-477-022	1901 N. Willow Road
30-21-05-477-023	1807 N. Willow Road
30-21-05-477-024	1803 N. Willow Road
30-21-05-477-025	1801 N. Willow Road

Questions regarding the proposed annexations should be directed to Reed Berger, Economic Development Coordinator (phone 217-384-2442) or email raberger@city.urbana.il.us.

Phyllis D. Clark, City Clerk

November 20, 2001

Dear Resident or Property Owner:

Your property along with several other properties comprising an area of less than 60 acres was recently surrounded by the Urbana City limits (see attached map). State law provides that the City can cause the annexation of unincorporated territory wholly surrounded by a municipality if that area comprises less than 60 acres. Therefore, the City Council of the City of Urbana will consider the question of annexation of your property at its regular meeting on December 3, 2001. We want to work with each of you to answer questions you may have. The following is a timetable for annexation of your property:

- ✓ **Neighborhood meeting to discuss annexation** – November 28, 2001 at 7:00 PM at the Heritage Room, Eastland Suites Hotel & Conference Center, 1907 N. Cunningham Avenue, Urbana, Illinois. Representatives of the City will be attending and will answer questions from residents and property owners.
- ✓ **Council considers action to annex territory** – December 3, 2001 at 7:30 PM in the Urbana City Council Chambers, 400 S. Vine Street, Urbana.
- ✓ **Effective date of annexation** – this is the proposed date you will officially be within the city limits and eligible to receive city services – December 10, 2001.

What does annexation mean to you?

Recycling. As an Urbana resident you will be eligible to participate in the U-Cycle Program. You will be assigned a date for recycling pickup and provided with free recycling containers and information on how the program works. You will receive a bill for a fee of \$24 per year for the U-Cycle program.

Library Services. As a resident, you will be able to apply for a resident library card. The Urbana Free Library has agreed to allow for reimbursement of recently purchased library cards on a pro-rata basis after your property is annexed into the City of Urbana. We will provide confirmation that your property has been annexed. Please contact the Urbana Free Library at 367-4057 with any questions.

City Council Representation. As a resident of Urbana, you will be able to vote in the City of Urbana and Cunningham Township elections. Your property is expected to be in Ward 5. Ms. Laura Huth will be your alderperson. She can be reached at 367-7254.

Fall and Spring Leaf Collection Program. Each fall and spring, the City contracts to have leaves and non-woody plant material collected in 30 gallon paper lawn and garden bags. Pickup weeks will be advertised in the News-Gazette and Urbana's Government Access Cable Channel 6 or you can call 384-2342 for details.

Snow and Ice Removal Services. The Department of Public Works will provide snow plowing services. Typically your street will be plowed within 15 hours after snowfall stops.

Building Permits. Once you are in the City, you need to contact the Building Safety Division regarding new construction or major repairs. Please contact our staff at 384-2431 with questions.

Professional Fire Protection. The City of Urbana Fire Department has fully staffed fire apparatus 24 hours daily, which improves response times. Responding engines are equipped with advanced life support personnel and supplies enhancing the survival in a medical emergency. In the non-emergency realm the Urbana Fire Department will conduct free fire safety checks of any residence and install smoke detectors and batteries also free of charge. Our non-emergency phone is 384-2420.

Police Protection. Upon annexation to the City, you will be served by the Urbana Police Department. The Department is extremely responsive and will be available to answer any questions you may have. Please feel free to contact them at their non-emergency number at 384-2320.

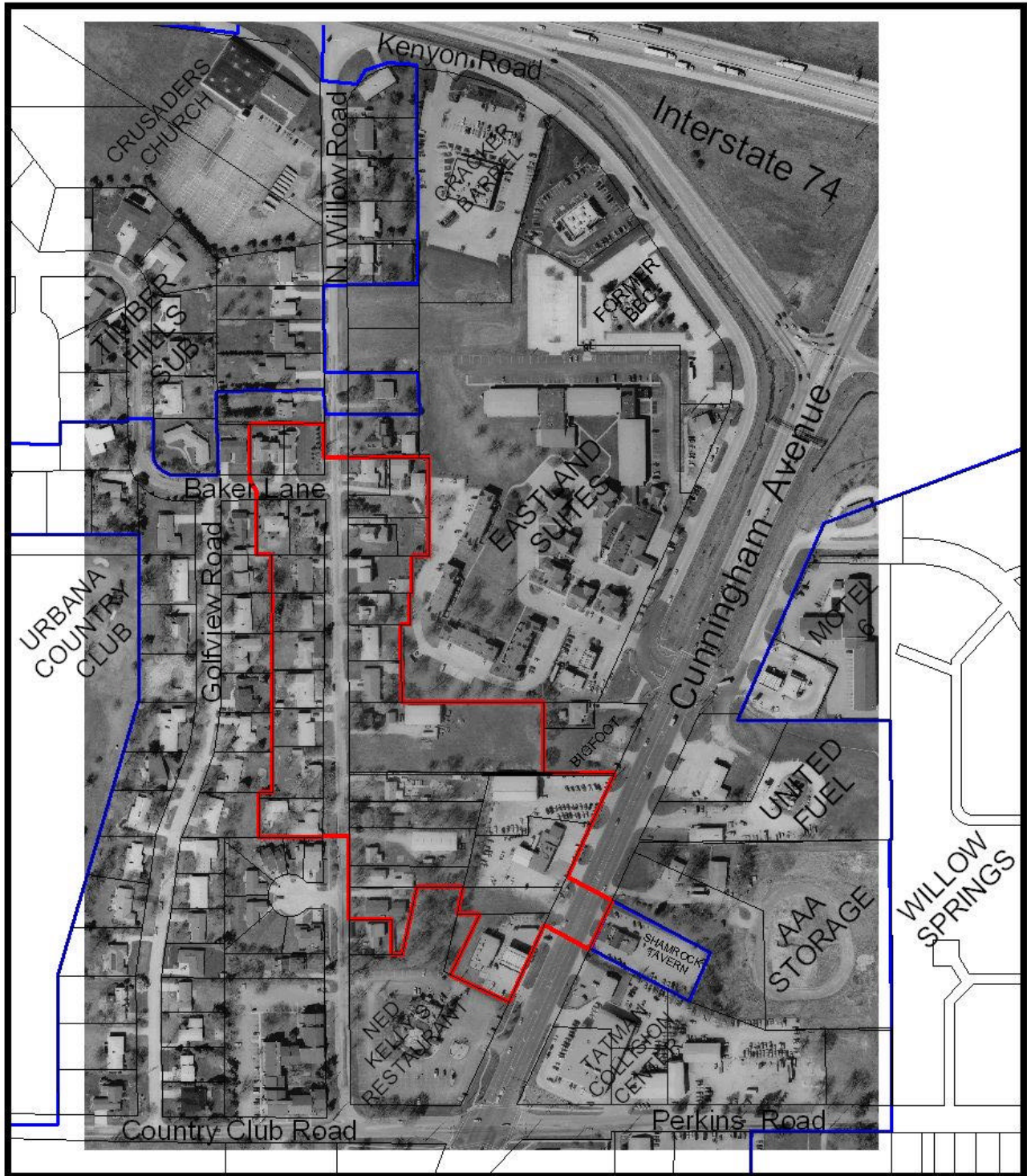
Changes in tax bill. Your real estate tax bill **will not** be impacted by annexation to the City of Urbana **until your June 2003 payment**. At that time you can anticipate an increase of roughly 10 to 20%, depending on which taxing districts your property is already located within. You may be interested to know that the tax rate for Urbana citizens has been consistently lowered over the last several years.

The staff of the City of Urbana look forward to meeting you at the November 28th neighborhood meeting at Eastland Suites. In the meantime, if you have any questions, please don't hesitate to contact me at 384-2442 or send email to my attention at raberger@city.urbana.il.us. I also encourage you to browse our web site at www.city.urbana.il.us for more information about City services.

Sincerely,

Reed A. Berger, AICP
Community Development Services

c: The Urbana City Council
Robin Hall, Urbana Park District
Gene Amberg, Unit 116 Schools
City of Urbana Department Heads
Urbana City Clerk
Fred Schlipf, Urbana Free Library
Dennis Schmidt, Urbana-Champaign Sanitary District



Cunningham and Willow Involuntary Annexations

AERIAL PHOTO

100 0 100 200 300 Feet

prepared September 19, 2001 by RAB - Community Development Services

MAP KEY

- ▬ City boundary
- ▬ Area subject to involuntary annexation

