



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

M E M O R A N D U M

TO: Bruce Walden, Chief Administrative Officer

FROM: Elizabeth H. Tyler, AICP, Director

DATE: July 29, 2004

SUBJECT: Annexation of 1501 North Lincoln Avenue – Bushman, LLC

Introduction and Background

Staff is requesting the City Council consider the attached ordinance on Monday, August 2, 2004 to annex 1501 North Lincoln Avenue. The undeveloped 2.71-acre tract of property is located at the southwest corner of Lincoln Avenue and Bradley Avenue. It is currently owned by Bushman, LLC. The proposed effective date of the annexation is August 3, 2004.

Issues and Discussion

The property at 1501 North Lincoln Avenue is currently wholly surrounded by the city limits. On May 3, 2004 the Urbana City Council approved Council Ordinance No. 2004-04-044 which approved the annexation agreement and rezoning for the parcel. The agreement outlines the plans to develop the property with a restaurant and convenience store. At this time construction plans are being reviewed and development is expected to begin within the next 2-4 weeks. As per the agreement the parcel will be subdivided into two. The restaurant/convenience store will be built on the northern lot while a 0.63-acre lot to the south will be marketed for future commercial development. Any development on the site will be built to the codes and requirements of the City of Urbana as well as any stipulations and conditions of the annexation agreement.

As required by state statute, the appropriate township officials and trustees for the Eastern Prairie Fire Protection District have been notified via certified mail about the pending annexation petition. This notice was sent on Thursday, July 22, 2004.

Recommendation

Staff recommends that the City Council approve the ordinance to annex the property located at 1501 North Lincoln Avenue into the City of Urbana, Illinois effective August 3, 2004 at 12:00P.M.

Prepared by:

Rob Kowalski, Planning Manager

Attachment #1: Draft Ordinance to Annex 1501 North Lincoln Avenue

Attachment #2: Annexation Location Map

ATTACHMENT #1 – Draft Ordinance to Annex 1501 North Lincoln Avenue

ORDINANCE NO.2004-08-090

**AN ORDINANCE
ANNEXING CERTAIN TERRITORY
TO THE CITY OF URBANA**

(1501 North Lincoln Avenue / Bushman, LLC)

WHEREAS, the hereinafter described territory is situated in unincorporated territory adjacent to and contiguous to the City of Urbana, Illinois, and is part of the Eastern Prairie Fire Protection District, and includes certain territory within the Urbana Township, and Notice was given to the Trustees of said Fire Protection District, the Board of Township Trustees, and the Township Commissioner of Highways, said notices being mailed on July 21, 2004, that this Ordinance would be voted upon at the regular meeting of this Council at 7:30 p.m., Monday, August 2, 2004, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois, on the 27th day of July, 2004; and

WHEREAS, a written petition signed by all of the Owners of Record and at least fifty-one percent (51%) of the electors residing therein, of all land within such territory, has been filed with the City Clerk of the City of Urbana, Illinois, requesting annexation thereof to the City of Urbana; and

WHEREAS, on May 3, 2004 the Urbana City Council adopted Ordinance No. 2004-04-044 entitled "An Ordinance Approving and Authorizing The Execution of An Annexation Agreement" for 1501 North Lincoln Avenue; and

WHEREAS, the annexation agreement specified above outlines provisions for zoning, land use and development of the tract; and

WHEREAS, the territory to be annexed by this Ordinance is presently located within Champaign County's B-2, Neighborhood Business zoning district and upon annexation will be classified City B-3, General Business Zoning District in accordance with the provisions specified in the annexation agreement; and

WHEREAS, it has been determined that said petition complies with all requirements of the law therefore; 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 following described real estate, viz.:

The East 183 feet and the North 325 feet of the West 120 feet of the East 303 feet of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian;

EXCEPT the South 136 feet of the West 150 feet of the East 183 feet of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 7, Township 19 North, Range 9 East of the Third Principal Meridian;

AND ALSO EXCEPT those parts of the land dedicated or conveyed for public road purposes by document no. 850144 recorded July 27, 1960 in Book 652 at page 1045, by document no. 76R 2759 recorded February 20, 1976 in Book 1073 at page 800, and by document no. 93R 7978 recorded April 7, 1993 in Book 1897 at page 627;

In Champaign County, Illinois.

commonly known for reference as 1501 North Lincoln Avenue, Urbana, Illinois, be and the same is hereby annexed to the City of Urbana, Illinois. The above-described parcel, prior to annexation, has the parcel index numbers 30-21-07-226-008, and following annexation the said parcel should bear the parcel index numbers 91-21-07-226-008.

Section 2. That the City Clerk be authorized and directed to record a certified copy of this Ordinance together with an accurate map of the territory herein above described in the Recorder's Office of Champaign County, Illinois in the Office of the County Clerk and County Election Authority of Champaign County, Illinois.

Section 4. 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 B-3, General Business upon annexation.

Section 5. The territory annexed herein is assigned to City of Urbana Ward 3.

Section 6. To avoid uncertainty regarding public safety responsibilities concerning the property herein annexed, this Ordinance shall take effect at noon on the 3rd day of August 2004 following its passage by the Urbana City Council.

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 _____, 2004, A.D.

Ayes:

Nays:
Abstain:

PASSED by the City Council this _____ day of ____
_____, 2004.

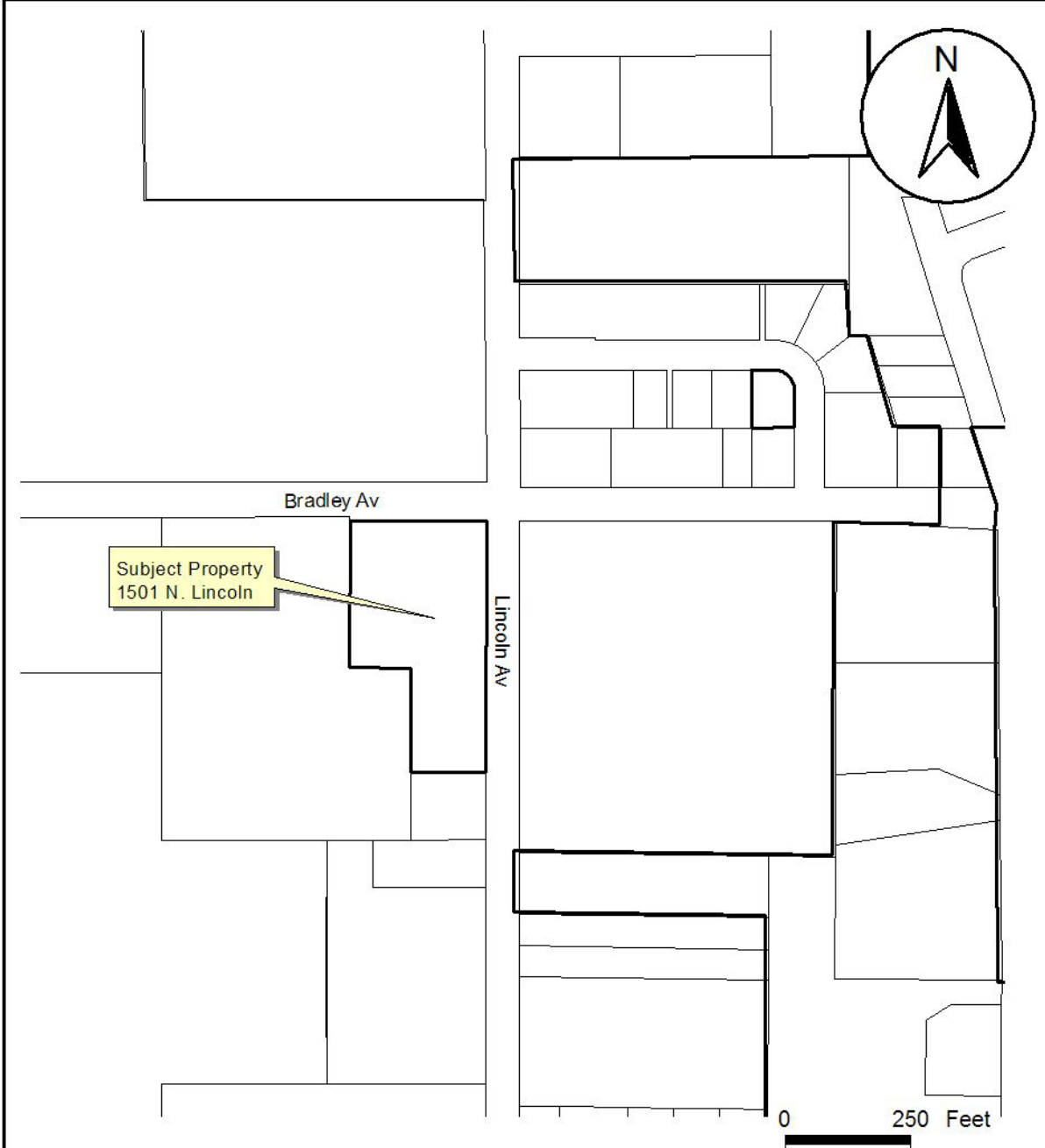
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____
_____, 2004.

Tod Satterthwaite, Mayor

ATTACHMENT #2 – Annexation Location Map

Exhibit "A": Location Map



1887-M-04
1501 N. Lincoln
Petition to Rezone from
Champaign Co. B-2, to City B-3,
General Business



Subject Property

Prepared 3/16/04 by Community Development Services - mbo