



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Laurel Prussing

FROM: Elizabeth Tyler, FAICP, Director

DATE: February 19, 2009

SUBJECT: **Plan Case 2009-A-02** Annexation of Judge Webber Park–1701 East Perkins Road/Urbana Park District

Introduction and Background

The Urbana Park District is requesting the City Council consider the attached petition and ordinance to annex a portion of Judge Webber Park, located at 1701 East Perkins Road. This park is a part of the Urbana Park District system, but is only partially within City limits.

Issues and Discussion

The park is being brought into the City in order to facilitate proper emergency response and to comply with standard Park District practice. Since part of the park is not within the City, emergency responders may not know who should respond to calls from within the park. Judge Webber Park is located on the south side of Perkins Road, east of Brownfield Road. The eastern half of the park is currently within the City. The portion of the park to be annexed is approximately 9.4 acres in area. The park was established in 1985, and is currently leased to an archery club. The park is not open to the public. A community park development for the northern area is planned for the long term. The southern part will become a wet prairie and will be used in the Park District’s environmental education programs. To the north of the park are single-family residential areas. To the west is the Urbana Park District’s Dog Park, and to the east is the other half of Judge Webber Park. The Sanitary District owns the property south of the park. The Comprehensive Plan designates the future land use for the park as “Parks”.

The portion of Judge Webber Park not yet in the City is zoned Champaign County AG-2, Agriculture, and will automatically convert to City AG, Agriculture zoning upon annexation. Parks are permitted by Special Use Permit in the AG district. As a legal non-conforming use, the park would be allowed to remain in operation. City staff anticipates rezoning this park, along with all other Park District properties, to a conservation/recreation zoning district. The City’s current CRE, Conservation, Recreation, Education district may be divided into two separate districts for educational/institutional uses and conservation/recreation uses. If this happens, Park District and University properties will be rezoned appropriately.

Since the park is contiguous to the City, it can be immediately annexed without the need for an annexation agreement. Unlike annexation agreements, annexation petitions do not require a separate public hearing. New property taxes will not be generated as a part of this annexation as Park District properties are exempt. City services will not be significantly affected. The annexation will also bring public right-of-way along Perkins Road adjacent to Judge Webber Park into the City. If approved, the annexation would be effective March 12, 2009 at 12:00pm.

Recommendation

Staff recommends that the Committee of the Whole forward the attached ordinance to the City Council's regular meeting on March 2, 2009 and approve the ordinance to annex Judge Webber Park, located at 1701 East Perkins Road, into the City of Urbana, Illinois effective March 12, 2009 at 12:00P.M.

Prepared by:

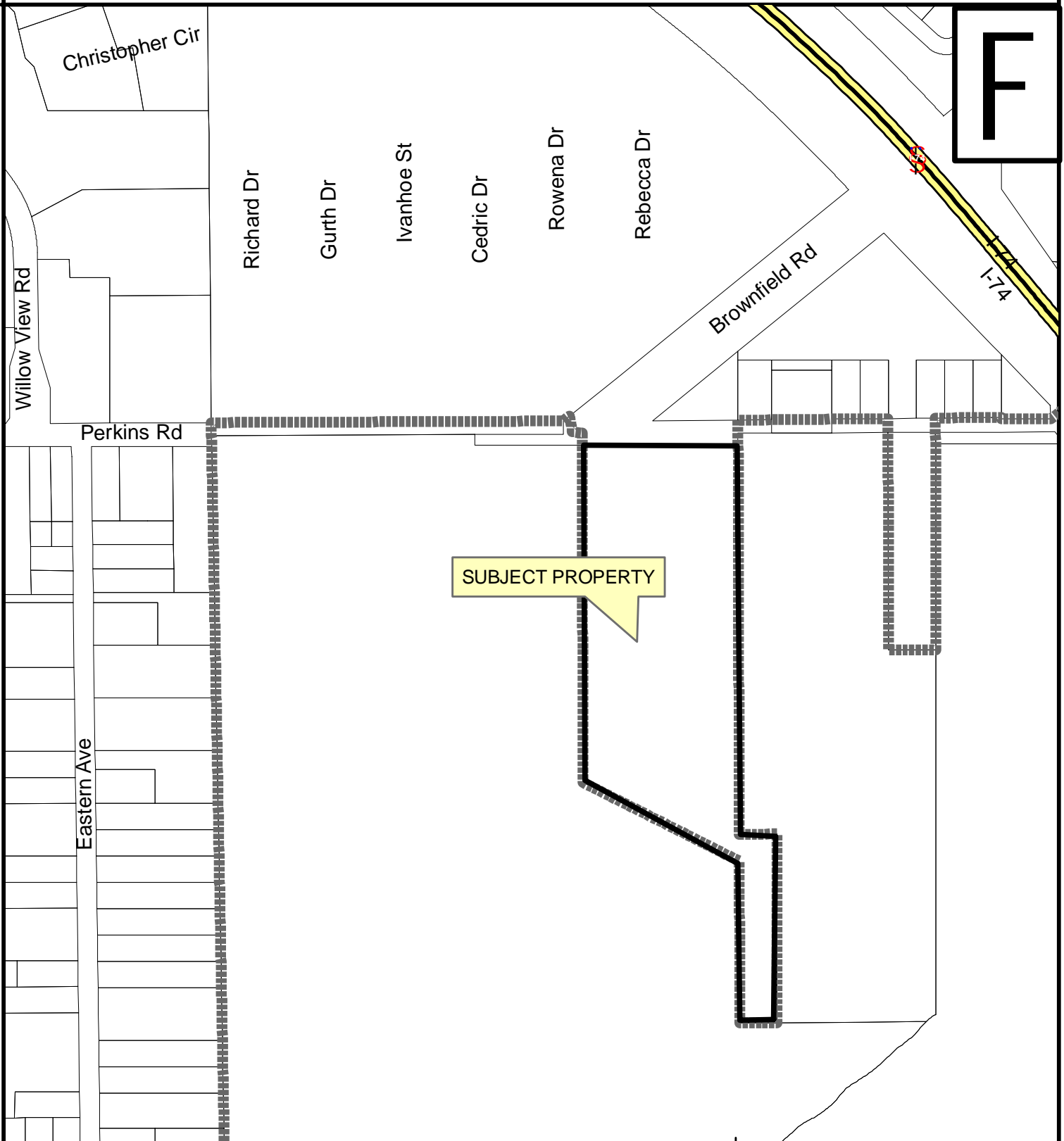
Jeff Engstrom, AICP, Planner I

Attachments: Exhibit A: Location Map
 Exhibit B: Annexation Petition
 Exhibit C: Draft Ordinance

Cc:

Betsy Wong Executive Center - Suite 101 115 North Neil Street Champaign, IL 61820-4080	Vicki Mayes Urbana Park District 303 West University Avenue Urbana, Illinois 61801
---	---

Exhibit 1: Location Map



Plan Case: 2009-A-02
Description: Judge Webber Park Annexation Petition
Location: 1701 East Perkins Road



Urbana



Petition for Annexation

Annexation

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 01-16-2009 Annexation Case No. 2009-A-02

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. Location of Subject Site Judge Webber Park Site, 1701 E. Perkins Road
Urbana, IL
2. PIN # of Location 30-21-09-200-009
3. Name of Applicant/Petitioner(s) Urbana Park District Phone 217-367-1536
Address 303 West University, Urbana, IL 61801
(street/city) (state) (zip)

Property interest of Applicant(s) Owner
(owner, contract buyer, etc)

4. Name of Owner(s) Urbana Park District Phone 217-367-1536
Address 303 West University, Urbana, IL 61801
(street/city) (state) (zip)

If there are additional owners, please attach extra pages to the application.

SIZE, USE, AND ZONING OF PROPERTY

Lot Size 376 feet x 547 feet = 205,672 square feet

Present Use of Property Public Park
(vacant, residence, grocery, factory, etc)

Present Zoning Designation Ag2

To the City Council of the City of Urbana

Champaign County, Illinois

The Petitioner, Urbana Park District respectfully states under oath:

That ~~xx Urbana Park District~~ _____ (*petitioner*), ~~is~~ ^{is} the sole owner of record of the following legally described land (hereinafter sometimes referred to as the "Tract"), except any public right-of-way property wit: (*Insert Legal Description*)

See Attached

All situated in 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 parcel:

Also known for reference as Judge Webber Park Site Urbana, Illinois,
(*street address*) 1701 E. Perkins Road,

having permanent identification number (PIN) 30-21-09-200-009 .

That said territory is not situated within the corporate limits of any municipality, but is contiguous to the City of Urbana, Illinois.

That at least fifty-one percent (51%) of all electors residing in said Tract have signed this petition.

PETITIONER(S) RESPECTFULLY REQUESTS:

1. That the above described Tract(s) be annexed to the City of Urbana by Ordinance of the Mayor and City Council of the City of Urbana, pursuant to Section 7-1-8 of Chapter 24 of the Illinois Municipal Code of the State of Illinois, as amended.
2. That said Tract be annexed in accordance with the terms of the annexation agreement passed by the City Council on _____, 20____ as Ordinance No. _____ and approved by the Mayor of the City of Urbana.

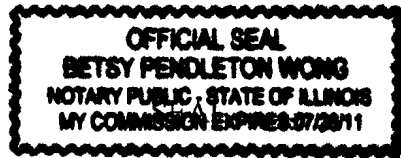
Dated this 13th day of January, 2009

OWNER(S): URBANA PARK DISTRICT

By: Michael Walker
Michael Walker, President
Board of Commissioners of
Urbana Park District

Subscribed and sworn to before me this 13th day of January, 2009.

Betsy Pendleton Wong
Notary Public



My Commission Expires: 26th day of July, 2011.

The undersigned, being electors residing in said Tracts, respectfully state under oath:

NOT APPLICABLE

1. I am currently registered to vote in Champaign County, Illinois and currently reside in said Tracts.
2. I have read and understand the petition to annex said Tracts and hereby and herewith join in the petition for annexation of said Tracts to the City of Urbana.

ELECTORS:

SIGNATURE

ADDRESS (PLEASE PRINT)

1. _____
2. _____
3. _____

COUNTY OF CHAMPAIGN)
) SS
 STATE OF ILLINOIS)

I, _____, Notary Public in the aforesaid County and State, do hereby certify that each of the persons who signed this petition personally appeared before me and acknowledged that they signed the said petition as their free and voluntary act for the uses and purposes set forth therein.

Notary Public

SEAL

My Commission expires the _____ day of _____, 20_____.

Exhibit A

Part of the Northeast Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

Commencing at the Northwest corner of the East Half of the Northeast Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian in Champaign County, Illinois, thence East 376 feet, thence South 547 feet, thence East 119 feet, thence South 926.9 feet, thence West 30 rods, thence North 89 1/3 rods to the place of beginning;

ALSO

Commencing at the said Northwest corner of the East Half of the Northeast Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian in Champaign County, Illinois, thence South 64.28 rods, thence North 63 degrees West 26 rods, thence North 53.56 rods to the North Section Line of said Section 9, thence Easterly along said Section line to the place of beginning,

EXCEPTING from all the above the following described tract:

Commencing at the Northwest corner of the East Half of the Northeast Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian in Champaign County, Illinois, thence East 376 feet, thence South 547 feet, thence East 119 feet, thence South 926.9 feet, thence West 400 feet, thence North 474 feet, thence West 95 feet, thence North 1,000 feet to the point of beginning, in Champaign County, Illinois.

ORDINANCE NO. 2009-02-009

AN ORDINANCE
ANNEXING CERTAIN TERRITORY
TO THE CITY OF URBANA

(1701 East Perkins Road / Urbana Park District)

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 Carroll 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 February 10, 2009 that this Ordinance would be voted upon at the regular meeting of this Council at 7:00 p.m., Monday, March 2, 2009; 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, the territory to be annexed by this Ordinance is presently located within Champaign County's AG-2, Agriculture zoning district and upon annexation will be directly converted to City AG, Agriculture; 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.

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

Section 1. That the following described real estate, viz.:

Part of the Northeast Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

Commencing at the Northwest corner of the East Half of the Northeast Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, thence East 376 feet, South 547 feet, thence East 119 feet, thence South 926.9 feet, thence West 30 rods, thence North 89 1/3 rods to the place of beginning;

ALSO

Commencing at the Northwest corner of the East Half of the Northeast Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, thence South 64.28 rods, thence North 63 degrees West 26 rods, thence North 53.56 rods to the North Section Line of said Section 9, thence Easterly along said Section line to the place of beginning,

EXCEPTING from all the above the following described tract:

Commencing at the Northwest corner of the East Half of the Northeast Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, thence East 376 feet, South 547 feet, thence East 119 feet, thence South 926.9 feet, thence West 400 feet, thence North 474 feet, thence West 95 feet, thence North 1000 feet to the point of beginning, in Champaign County, Illinois.

Except;

That portion of the Perkins Road Right-of-Way contained within the above described tract, containing 0.263 acres, more or less.

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:

That portion of the Perkins Road right-of-way adjoining the herein annexed tract, encompassing 0.527 acres, more or less.

commonly known for reference as 1701 East Perkins Road, Urbana, Illinois, be and the same is hereby annexed to the City of Urbana, Illinois. The above-described parcel, prior to annexation, had the parcel index number 30-21-09-200-009 and following annexation the said parcel should bear the parcel index number 91-21-09-200-009.

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 AG, Agriculture District.

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

Section 6. To avoid uncertainty regarding public safety responsibilities concerning the property herein annexed, this Ordinance shall take effect at noon on the 12th day of March, 2009 following its passage by the Urbana City Council.

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

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

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

Laurel Lunt Prussing, Mayor

Part of the Northeast Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, more particularly described as follows:

Commencing at the Northwest corner of the East Half of the Northeast Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian in Champaign County, Illinois, thence East 376 feet, thence South 547 feet, thence East 119 feet, thence South 926.9 feet, thence West 30 rods, thence North 89 1/3 rods to the place of beginning;

ALSO

Commencing at the said Northwest corner of the East Half of the Northeast Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian in Champaign County, Illinois, thence South 64.28 rods, thence north 63 degrees West 26 rods, thence North 53.56 rods to the North Section Line of said Section 9, thence Easterly along said Section line to the place of beginning,

EXCEPTING from all of the above the following described tract:

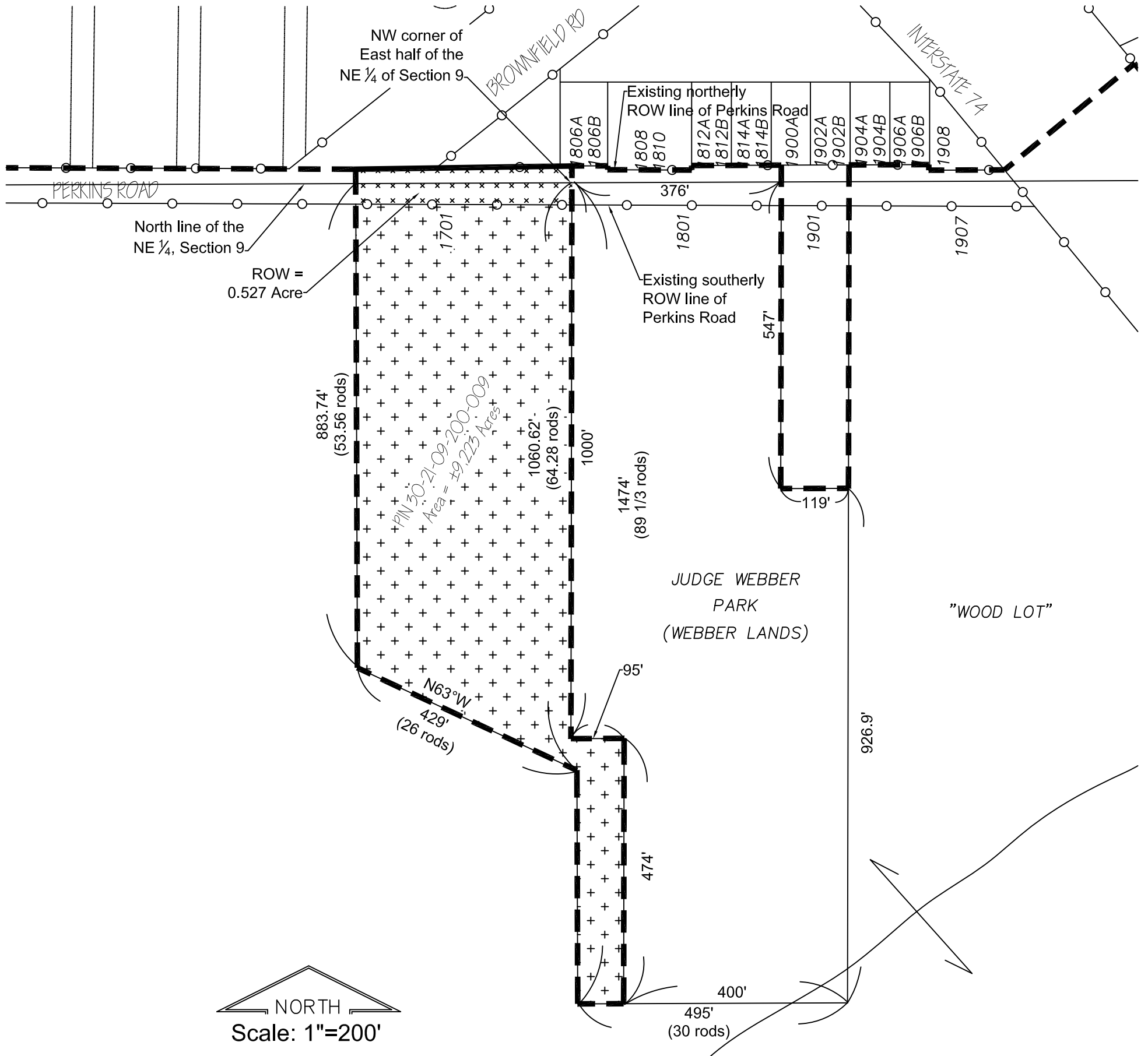
Commencing at the Northwest corner of the East Half of the Northeast Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian in Champaign County, Illinois, thence East 376 feet, thence South 547 feet, thence East 119 feet, thence South 926.9 feet, thence West 400 feet, thence North 474 feet, thence West 95 feet, thence North 1,000 feet to the point of beginning, in Champaign County, Illinois.

Except;

That portion of the Perkins Road Right-of-Way contained within the above described tract, containing 0.263 acres, more or less.

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:

That portion of the Perkins Road right-of-way adjoining the herein annexed tract, encompassing 0.527 acres, more or less.



MAP SHOWING AREA
ANNEXED BY CITY
ORDINANCE #2009-02-XXX
CITY OF URBANA, ILLINOIS
CHAMPAIGN COUNTY
DATE: FEBRUARY XX, 2009

AREA OF ANNEXATION	
EXISTING CITY LIMITS	
NEW CITY LIMITS	
RIGHT-OF-WAY	

ENGINEERING DIVISION



CITY ENGINEER/PUBLIC WORKS DIRECTOR

CAD: B.W.F. 02/11/09
CHECKED: W.R.G. 02/17/09