



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Laurel Lunt Prussing, Mayor

FROM: Elizabeth H. Tyler, FAICP, Director

DATE: June 2, 2011

SUBJECT: Annexation Case 2011-A-04, Voluntary Annexation of 2704 N. Cunningham Ave.

Introduction

Staff is requesting that the City Council consider the attached petition and ordinance to annex 2704 Cunningham Avenue into the Urbana corporate limits. (See Exhibit A.) The area to be annexed is 0.791 acres in area which includes the sales office for Riley Homes, a retailer of manufactured homes. (See Exhibit B.) The property is required to be annexed per an adopted annexation agreement between the City of Urbana and the owner. Should the annexation of subject property be approved, the effective date of the annexation would be June 30, 2011 at noon.

Background

The previous owner entered into an annexation agreement with the City of Urbana which was approved by the Urbana Corporate Authorities on April 18, 1994 (Ordinance No. 9394-88). The property is now contiguous with the City of Urbana's corporate limits. Per the annexation agreement, the property owners must submit a signed annexation petition to cause annexation of their property. The owner, Pathfinder Group of IL, LLC, submit an annexation petition on May 24, 2011.

Discussion

Zoning and Future Land Use

The property to be annexed is currently zoned County B-4, General Business District, and would automatically convert to City B-3, General Business District, upon annexation. The 2005 Urbana Comprehensive Plan identifies the future land use for the property as "Regional Business." This proposed zoning would be consistent with the use of the property and with the future land use designation of the subject property by the 2005 Urbana Comprehensive Plan.

The subject property has been developed with the offices for a manufactured home retail sales lot for Riley Homes. Per the approved annexation agreement, some of the property would remain in unincorporated Champaign County but the sales office would be annexed into the City.

Recommendation

Staff recommends that the Committee of the Whole forward this petition and ordinance to the June 20, 2011 City County meeting with a recommendation for approval. Annexation would become effective June 30, 2011 at noon. City staff will insure that the annexation ordinance is recorded by June 30, 2011 so that City property tax collection would begin in 2012.

Prepared by:

Robert Myers, AICP, Planning Manager

Attachments: Draft Ordinance to Annex
Exhibit A: Annexation Location Map
Exhibit B: Annexation Plat
Exhibit C: Annexation Petition submitted by the property owner

cc: Property Owner
John Hall, Champaign County Planning and Zoning Department

ORDINANCE NO. 2011-06-051

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA

(2704 N Cunningham Ave. / Pathfinder Group of IL, 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 Carroll Fire Protection District, and includes certain territory within Urbana Township; and

WHEREAS, a 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 May 27, 2011 notifying them that this Ordinance would be voted upon at the regular meeting of this Council at 7:00 p.m., Monday, June 20, 2011; 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 April 18, 1994, the City Council passed Ordinance No. 9394-88 approving and authorizing the execution of annexation agreement pertaining to the property; and

WHEREAS, the territory to be annexed by this Ordinance in Huddleston Subdivision and is presently located within Champaign County's B-4, General Business Zoning District, and upon annexation will be directly converted to City B-3, General Business Zoning District; and

WHEREAS, it has been determined that said petitions comply with all requirements of the law therefore; and

WHEREAS, the majority of the Corporate Authorities 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 CORPORATE AUTHORITIES OF THE CITY OF URBANA, ILLINOIS:

Section 1. That the following described real estate, be and the same are hereby annexed to the City of Urbana, Illinois:

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

Lots 1 and 2 of Huddleston Subdivision, Champaign County, Illinois as per plat recorded in Plat Book "AA" at page 254 as Document 88R23910, situated in Champaign County, Illinois.

Said annexation containing 0.791 acres, more or less, all situated in Urbana Township, Champaign County, Illinois.

The above described territory is more commonly known as 2704 N Cunningham Ave., Urbana, Illinois, and referenced by the Champaign County Parcel Index Numbers 30-21-04-201-021 and 30-21-04-201-022.

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.

Section 3. 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 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 Zoning District.

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

Section 7. To avoid uncertainty regarding public safety responsibilities concerning the property herein annexed, this Ordinance shall take effect at noon on the 30th day of June, 2011 following its passage by the Urbana City Council.

PASSED by the City Council this _____ day of _____,
2011.

AYES:

NAYS:

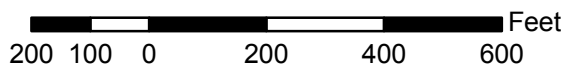
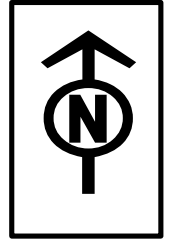
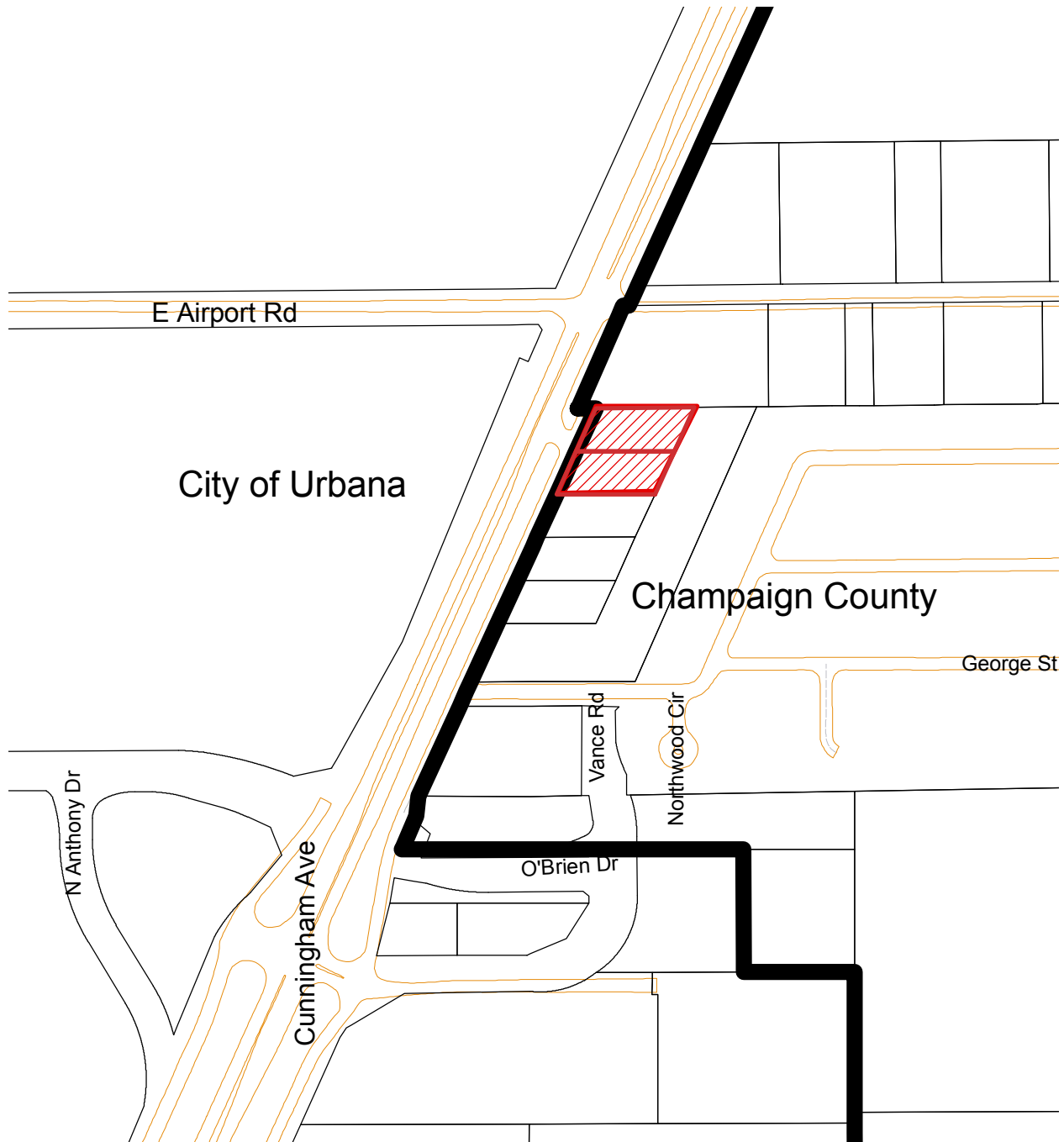
ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____,
2011.

Laurel Lunt Prussing, Mayor

Exhibit A: Location Map



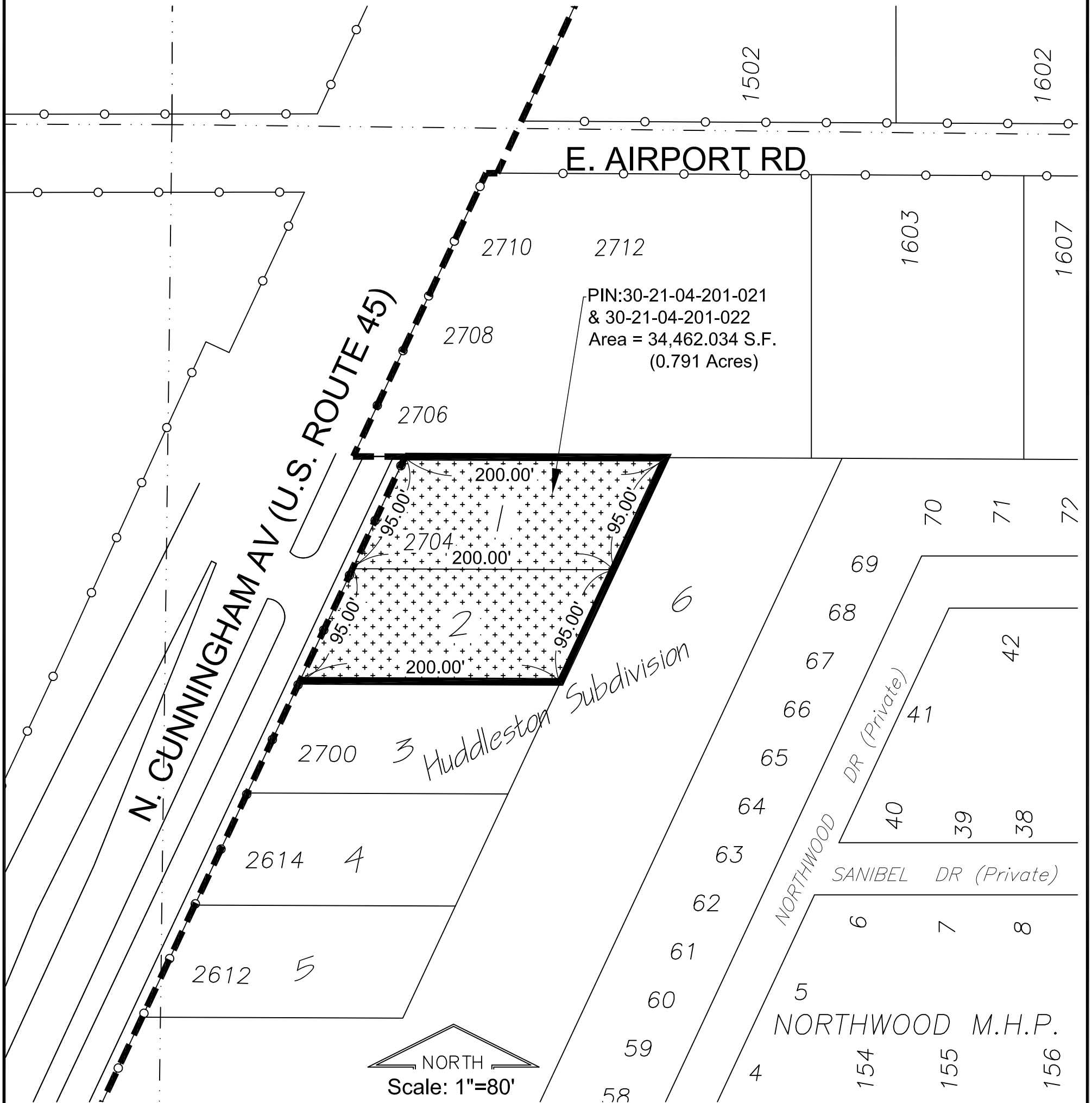
Case: 2011-A-04
Subject: Annexation Petition
Location: 2704 N Cunningham Ave
Petitioner: Dennis Ohnstad & John North

 Subject Property
 Corporate Limits

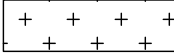


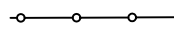
A part of the Northeast Quarter of Section 4, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as follows:

Lots 1 and 2 of Huddleston Subdivision, Champaign County, Illinois as per plat recorded in Plat Book "AA" at page 254 as Document 88R23910, situated in Champaign County, Illinois.

Said annexation containing 0.791 acres, more or less, all situated in Urbana Township, Champaign County, Illinois.



MAP SHOWING AREA
ANNEXED BY CITY
ORDINANCE #2011-XX-XXX
CITY OF URBANA, ILLINOIS
CHAMPAIGN COUNTY
DATE: June XX, 2011

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

ENGINEERING DIVISION 

CITY ENGINEER/PUBLIC WORKS DIRECTOR

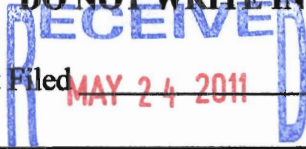
CAD: B.W.F. 5/25/2011
CHECKED: W.R.G. 5/25/2011



Petition for Annexation

Annexation

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY



Date Request Filed MAY 24 2011 Annexation Case No. 2011-A-04

BY: _____

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

- 1. Location of Subject Site 2704 N. Cunningham Avenue
- 2. PIN # of Location 30-21-04-201-021 & 022
- 3. Name of Applicant/Petitioner(s) Dennis Ohnstad & John North Phone 217-493-0083
 Address P.O. Box 566, Urbana, IL 61803
 (street/city) (state) (zip)

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

- 4. Name of Owner(s) Pathfinder Group of IL, LLC
Dennis Ohnstad, John North, Members Phone 217-493-0083
 Address P.O. Box 566, Urbana, IL 61803
 (street/city) (state) (zip)

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

SIZE, USE, AND ZONING OF PROPERTY

Lot Size 38,000 sq. ft. feet x _____ feet = _____ square feet

Present Use of Property Manufactured-Modular Home retail sales
(vacant, residence, grocery, factory, etc)

Present Zoning Designation County B-4

M, 5/24/11

To the City Council of the City of Urbana

Champaign County, Illinois

The Petitioner, Dennis Ohnstad; respectfully states under oath:

Pathfinder Group of IL, LLC
That I, Dennis Ohnstad - John North, Members (*petitioner*), am 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*)

Lots 1 & 2 of Huddleston Subdivision, Champaign County, Illinois, as per plat
recording in plat book "AA" at page 254 as Document 88-R-23910, situated in
Champaign County, Illinois

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 2704 N. Cunningham Avenue Urbana, Illinois,
(street address)

having permanent identification number (PIN) 30-21-04-201-021 & 022 .

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 April 18, 20 1994 as Ordinance No. 9394-88 and approved by the Mayor of the City of Urbana.

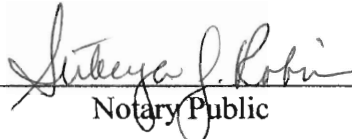
Dated this 24 day of May, 20 11.

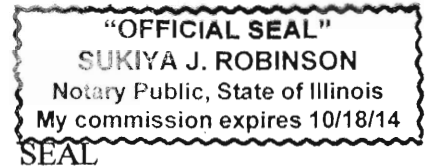
OWNER(S): 

Pathfinder Group of IL, LLC

By: Dennis Ohnstad, John North, Members

Subscribed and sworn to before me this 24th day of MAY, 20 11.


Notary Public

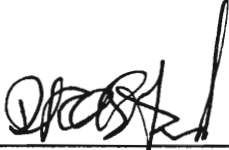



My Commission Expires: 18th day of OCTOBER, 20 14.

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

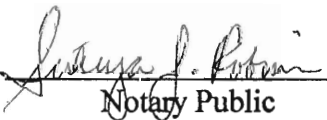
1. I am currently registered to vote in Champaign County, Illinois and currently reside in said Tracts.
2. I have read and understand the petition to annex said Tracts and hereby and herewith join in the petition for annexation of said Tracts to the City of Urbana.

ELECTORS:

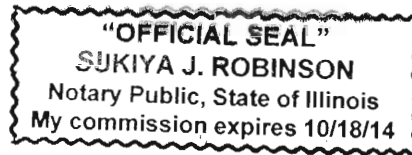
	<u>SIGNATURE</u>	<u>ADDRESS (PLEASE PRINT)</u>
1.	Dennis Ohnstad 	2607 E. Main Street, Urbana, IL 61802
2.	John North 	2170 Police Park Road, St. Joseph, IL 61873
3.	_____	_____

COUNTY OF CHAMPAIGN)
) SS
 STATE OF ILLINOIS)

I, SUKIYA J. ROBINSON, 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 18th day of OCTOBER, 2014.