



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

memorandum

TO: Bruce Walden, Chief Administrative Officer

FROM: Elizabeth Tyler, AICP, City Planner, Director

DATE: September 22, 2005

SUBJECT: **Petition for Annexation of a tract of land contiguous to the northwest corner of the City limits adjacent to the Canadian National Railway – (Plan Case 2005-A-12b – Emulsicoat, Inc.)**

Introduction and Background

Staff is requesting the City Council consider the attached ordinance on Monday, September 26, 2005 to annex a tract of land of approximately 13.843 acres. The property is located approximately 825 feet west of Saline Court, and runs along the east edge of the Canadian National / Illinois Central railroad right of way, northward for approximately 2,500 feet. The parcel is currently located within Somer Township, contiguous to the northwest corner of the City limits. Currently the majority of the lot is vacant with only a small part of the north end of the tract in agricultural use. There is no public right-of-way within or immediately adjacent to the tract.

Issues and Discussion

Emulsicoat, Inc. approached the City this year to discuss annexing the subject property known as Tract “A” (see attached map). There are a number of related cases regarding this tract including: a rezoning, annexation agreement with special use permit, and this annexation petition. All the cases will be brought before the City Council at a Special Meeting on Monday the 26th of September 2005. The approval of these related cases will facilitate a Land Trade Agreement between MACC of Illinois, Inc., and Emulsicoat, Inc. so that Emulsicoat can operate an asphalt blending, storage and distribution plant on the subject site and on an adjacent 10.94 acre site located to the north and west of the current terminus of Saline Court (see attached map). The adjacent location is known as Lot 204 of North Lincoln Avenue Industrial Park #2A (NLAIP #2A). It is the only lot in the major subdivision final plat of NLAIP #2A. The subdivision case will also go before the City Council City Council on September 26, 2005. Most of the proposed Emulsicoat plant will occupy Lot 204 fronting Saline Court and part will occupy the subject Tract “A” which is adjacent to the rail line. One provision of the Annexation Agreement will require another subdivision case that will join the subject property Tract “A” to Lot 204. All the plan cases and requested City approvals are interdependent.

Additional detailed information is available in the staff memo for Plan Cases 2005-A-12a, and 1954-M-05 regarding the Annexation Agreement and Rezoning of the subject property owned by Emulsicoat, Inc.

Recommendation

Staff recommends that the City Council **APPROVE** the ordinance to annex the subject property owned by Emulsicoat into the City of Urbana, Illinois.

Prepared by:

Paul Lindahl, Planner I

Attachment #1: Draft Ordinance to Annex subject property
Attachment #2: Annexation Location Map
Attachment #3: Signed Annexation Petition submitted by Owner

Cc:

Emulsicoat, Inc.
Attn: Rick Beyers,
705 E. University Ave.
Urbana, IL 61802

Apcon Corp.
Attn: John Peisker
2906 N. Oak Street
P.O. Box 848
Urbana, IL 61803

Daily & Associates, Engineers, Inc.
Attn: Thomas Jordan
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Shirley Squires
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ORDINANCE NO. _____

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA

(A tract of land contiguous to the northwest corner of the City limits adjacent to the Canadian National Railway / Plan Case # 2005-A-05b, Emulsicoat, Inc.)

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 Somer 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 September 16, 2005 that this Ordinance would be voted upon at the Special Meeting of this Council at 7:00 p.m., Monday, September 26, 2005; 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, Agricultural zoning district and upon annexation will be classified City IN, Industrial in accordance with the provisions of the annexation agreement approved by City Ordinance No. 2005-_____ ; 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.:

TRACT A

PART OF THE EAST ½ OF SECTION 31 AND PART OF THE SE ¼ OF SECTION 30, T. 20 N., R. 9 E. OF THE 3RD P.M., CHAMPAIGN COUNTY, ILLINOIS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 201 OF NORTH LINCOLN AVENUE INDUSTRIAL PARK

SUBDIVISION NO. 2, RECORDED MAY 30, 2002 AS DOCUMENT NUMBER 2002R17213 IN THE OFFICE OF THE RECORDER, CHAMPAIGN COUNTY, ILLINOIS, SAID CORNER LYING 500.00 FEET NORMAL DISTANCE EASTERLY OF THE CENTERLINE SOUTHBOUND MAIN TRACK OF THE CN-IC RAILROAD, SAID POINT ALSO LYING ON THE EASTERLY RIGHT-OF WAY LINE OF SAID RAILROAD; THENCE N. 89°46'39" W., (URBANA HORIZONTAL CONTROL BEARING), ALONG THE EXTENDED NORTH LINE OF SAID LOT 201, 267.80 FEET TO A POINT LYING 244.50 FEET NORMAL DISTANCE EASTERLY OF SAID CENTERLINE OF THE SOUTHBOUND MAIN TRACK; THENCE N. 17°39'30" E., PARALLEL WITH SAID CENTERLINE, 2414.15 FEET; THENCE N. 70°29'17" E., 164.94 FEET TO A POINT LYING 375.94 FEET NORMAL DISTANCE EASTERLY OF SAID CENTERLINE, SAID POINT ALSO LYING ON THE EASTERLY RIGHT-OF WAY LINE OF SAID RAILROAD; THENCE S. 01°13'35" E., ALONG SAID EASTERLY RIGHT-OF-WAY LINE, 383.31 FEET TO A POINT LYING 500.00 FEET NORMAL DISTANCE EASTERLY OF SAID CENTERLINE; THENCE S. 17°39'30" W., ALONG SAID EASTERLY RIGHT-OF-WAY LINE, PARALLEL WITH SAID CENTERLINE, 2070.89 FEET TO THE POINT OF BEGINNING, CONTAINING 602,981 SQUARE FEET OR (13.843 ACRES), MORE OR LESS, ALL SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

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 IN, Industrial upon annexation in accordance with the provisions of the annexation agreement approved by City Ordinance No. 2005-_____.

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 6th day of October 2005 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