



## DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

*Planning Division*

### m e m o r a n d u m

**TO:** Mayor Laurel Lunt Prussing

**FROM:** Elizabeth Tyler, FAICP, Director

**DATE:** October 8, 2009

**SUBJECT:** **Plan Case 2009-A-04** Annexation of a City-owned Parcel Near the Landscape Recycling Center

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### **Introduction and Background**

The Urbana Zoning Administrator is requesting the City Council approve the attached petition and ordinance to annex a 0.918-acre tract near the City's Landscape Recycling Center. This tract has been owned by Urbana since 1991, but was not annexed when acquired by the City. The property is currently undeveloped.

### **Issues and Discussion**

This property is an irregular-shaped lot 0.918 acres in area. It is located northwest of the Saline Ditch, southwest of Interstate 74 and 572 feet southeast of Perkins Road, as shown in Exhibit A. The property does not have an address, as it does not front along a City street. It does have frontage along Interstate 74, but there is no public access. The lot is adjacent to Urbana's Landscape Recycling Center, and is currently undeveloped. The City does not currently have plans to develop the property, and it will remain a natural area.

Along with the subject parcel, approximately three acres of adjacent right-of-way along Interstate 74 will be brought into the City. This right-of-way will continue to be maintained by the Illinois Department of Transportation.

The property is currently zoned Conservation-Recreation in Champaign County. Upon annexation its zoning will automatically convert to Conservation-Recreation-Education (CRE) according to Table IV-1 of the Urbana Zoning Ordinance. This zoning is appropriate for an undeveloped, natural area.

Since the property 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 it is owned by the City. City services will not be significantly affected. Fire protection for the parcel will be provided by the City of

Urbana Fire Department instead of the Carroll Fire District. If approved, the annexation would be effective October 29, 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 October 19, 2009 and approve the ordinance to annex the subject parcel into the City of Urbana, Illinois effective October 29, 2009 at 12:00 P.M.

Prepared by:

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Jeff Engstrom, AICP, Planner I

Attachments:	Exhibit A:	Annexation Petition
	Exhibit B:	Draft Ordinance
	Exhibit C:	Draft Annexation Plat

ORDINANCE NO. 2009-10-114

AN ORDINANCE  
ANNEXING CERTAIN TERRITORY  
TO THE CITY OF URBANA

(Located Southeast of Perkins Road Adjacent to the Landscape Recycling Center / City of Urbana)

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 September 29, 2009 that this Ordinance would be voted upon at the regular meeting of this Council at 7:00 p.m., Monday, October 19, 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 C-R, Conservation-Recreation zoning district and upon annexation will be directly converted to City CRE, Conservation-Recreation-Education; 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, to wit, commonly known for reference as Parcel No. 30-21-09-200-007, Urbana, Illinois, be and the same is hereby annexed to the City of Urbana, Illinois:

Commencing at the Northeast Corner of the East Half of the northeast Quarter of Section 9, Township 19 north, Range 9 East of the Third Principal Meridian, and running thence West 10 Rods; thence South 48 Rods; thence East 10 Rods; thence North 48 Rods to the place of beginning, except that portion of said premises deeded to the State of Illinois by deed recorded February 20, 1959, in Book 616 at page 78 in the Recorder's Office of Champaign

County, Illinois.

The above-described parcels, prior to annexation, had the parcel index number 30-21-09-200-007, and following annexation the said parcel should bear the parcel index number 91-21-09-200-007.

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 3. 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 CRE, Conservation-Recreation-Education.

Section 4. The territory annexed herein is assigned to City of Urbana Ward 5.

Section 5. To avoid uncertainty regarding public safety responsibilities concerning the property herein annexed, this Ordinance shall take effect at noon on the 29<sup>th</sup> day of October, 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

A tract of land conveyed by a "Deed of Grant" dated August 24, 1991, and recorded November 19, 1991 as Document Number 1991R24782 in the Office of the Recorder of Deeds, Champaign County, Illinois, being a portion of the Northeast Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as follows:

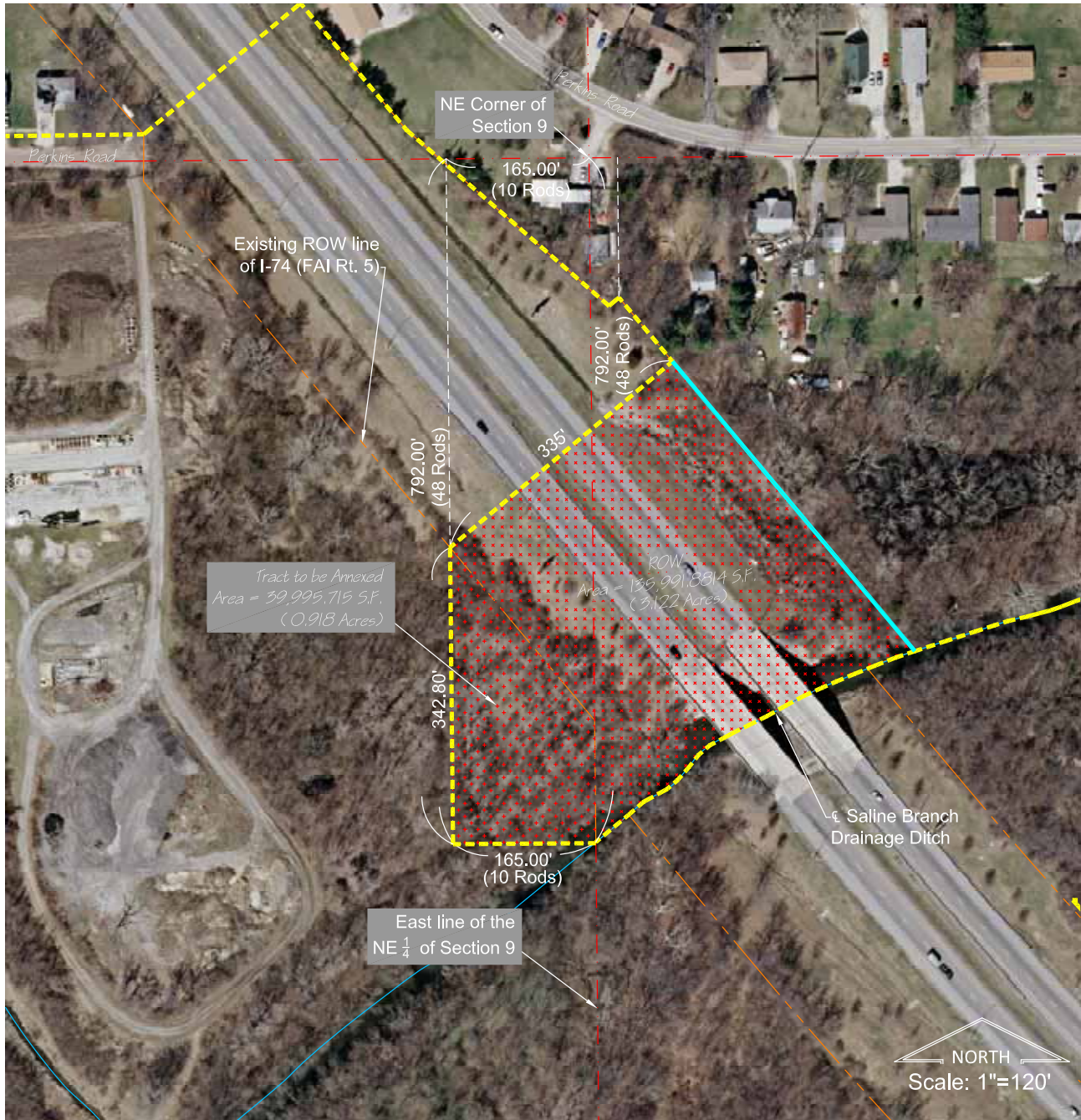
Commencing at the Northeast Corner of the East half of the Northeast Quarter of Section 9, Township 19 North, Range 9 East of the Third Principal Meridian, and running thence West 10 Rods; thence South 48 Rods; thence East 10 Rods; thence North 48 Rods to the place of beginning, except that portion of said premises deeded to the State of Illinois by deed recorded February 20, 1959, in Book 616 at page 78 in the Recorder's Office of Champaign County, Illinois.

Said tract having Permanent Identification Number 30-21-09-200-007 and containing 39,995.715 S.F. (0.918 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:

Interstate 74, (F.A.I. Route 5) Right-of-Way lying adjacent to the above described parcel.

Encompassing 3.122 acres, more or less, all being situated in Urbana Township, Champaign County, Illinois.



MAP SHOWING AREA  
ANNEXED BY CITY  
ORDINANCE #2009-10-XXX  
CITY OF URBANA, ILLINOIS  
CHAMPAIGN COUNTY  
DATE: OCTOBER XX, 2009

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

**ENGINEERING  
DIVISION**



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CITY ENGINEER/PUBLIC WORKS DIRECTOR

CAD: B.W.F. 10/01/09  
CHECKED: W.R.G. 10/07/09