



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: September 8, 2011
SUBJECT: Annexation Case 2011-A-08, Voluntary Annexation of 2409 Brownfield Road

Introduction

Staff is requesting that the City Council consider the attached petition and ordinance to annex 2409 Brownfield Road in Brownfield Subdivision into the Urbana corporate limits. (See Exhibit A.) The area to be annexed is 0.525 acres in area and includes a 0.232-acre duplex lot and the adjacent 0.293 acres of Brownfield Road right-of-way. The property is required to be annexed per an adopted annexation agreement between the City of Urbana and the property owner. Should the annexation of the subject property be approved, the effective date of the annexation would be September 29, 2011 at noon.

Background

As a prerequisite for receiving sanitary sewer service, the owner entered into an annexation agreement with the City of Urbana approved on June 3, 1996 (Ordinance No. 9596-122). With the recent annexation of Somerset Subdivision, the property is now adjacent to the City boundary. Per the annexation agreement, the property owners must submit a signed annexation petition to cause annexation of their property. City staff initiated the annexation process for this property in May of 2011 by sending a letter to the owner informing them that they are now adjacent to the City and requesting that they submit an annexation petition. The property owner submitted the petition on July 25, 2011.

Discussion

Zoning and Future Land Use

The property to be annexed is currently zoned County R-1, Single Family Residence, and would automatically convert to City R-1, Single-Family Residential, upon annexation. The 2005 Urbana Comprehensive Plan identifies the future land use for the property as “Residential.” The subject property has been developed with a duplex home, and will remain a legally

nonconforming use in the City's R-1 District. This proposed zoning would be consistent with the future land use designation of the subject property by the 2005 Urbana Comprehensive Plan.

Recommendation

Staff recommends that the Committee of the Whole forward this petition and ordinance to the September 19, 2011 City Council meeting with a recommendation for approval. Annexation would become effective September 29, 2011 at noon.

Prepared by:

Jeff Engstrom, AICP, Planner II

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

cc: Troy Flessner
John Hall, Champaign County Planning and Zoning Department

ORDINANCE NO. 2011-09-110

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA

(2409 Brownfield Road / Troy Flessner)

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 August 25, 2011 notifying them that this Ordinance would be voted upon at the regular meeting of this Council at 7:00 p.m., Monday, September 19, 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 June 3, 1996 the City Council passed Ordinance No. 9596-122 approving and authorizing the execution of annexation agreement pertaining to the property; and

WHEREAS, the territory to be annexed by this Ordinance in Brownfield Subdivision and is presently located within Champaign County's R-1, Single Family Residence Zoning District, and upon annexation will be directly converted to City R-1, Single-Family Residential 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 Northwest Quarter of Section 3, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as follows:

Lot 1 of First Plat of Brownfield Subdivision, Champaign County, Illinois, as per Plat recorded in Plat Book "O" at Page 87, in Champaign County, Illinois.

Said annexation containing 0.232 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:

That portion of the Brownfield Road right-of-way lying adjacent to the herein annexed tract, being eighty feet (80') in width and encompassing 0.293 acres, more or less.

The above described territory is more commonly known as 2409 Brownfield Road, Urbana, Illinois, and referenced by the Champaign County Parcel Index Number 30-21-03-127-012.

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 R-1, Single-Family Residential 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 29th day of September, 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

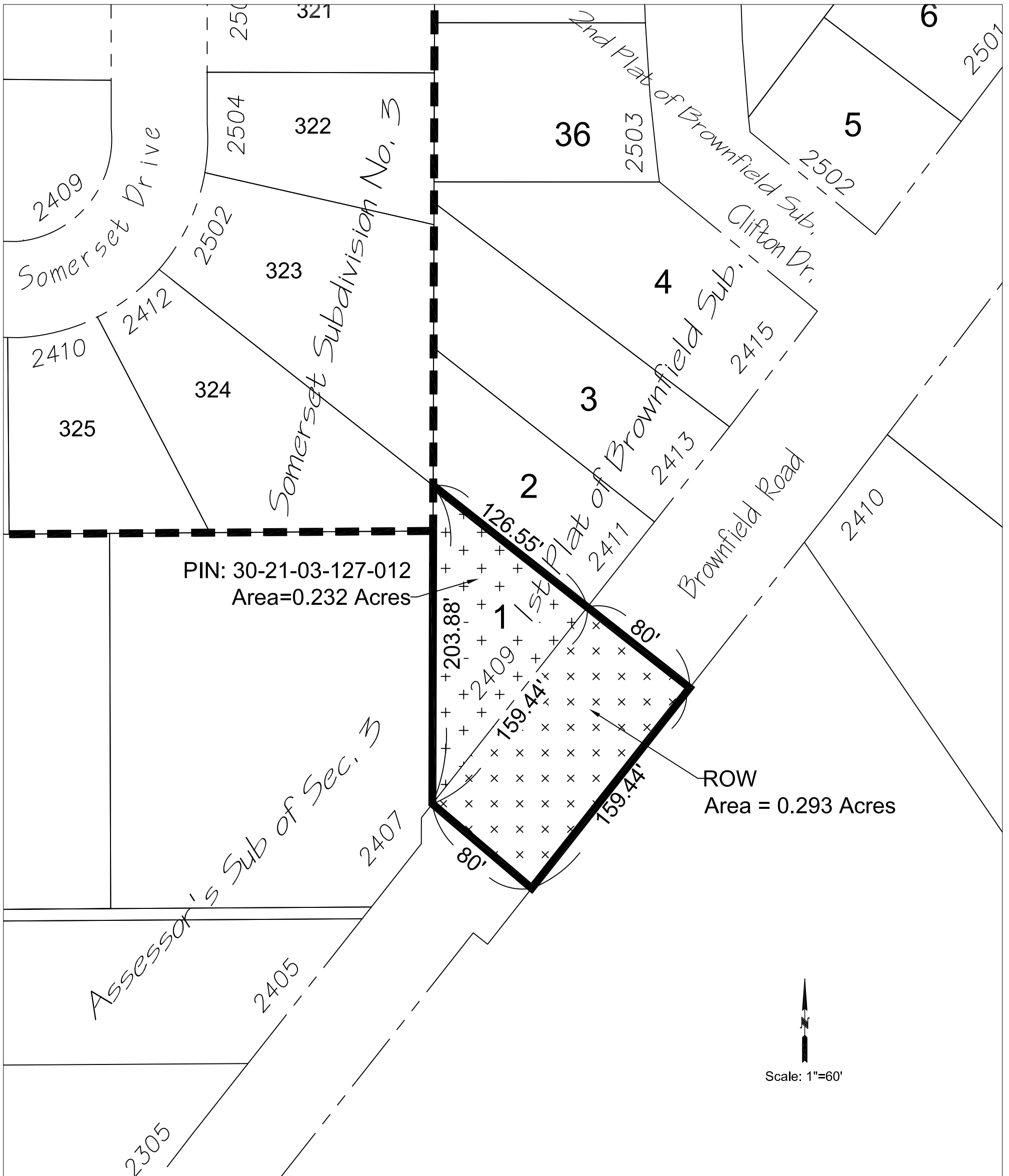
A part of the Northwest Quarter of Section 3, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as follows:

Lot 1 of First Plat of Brownfield Subdivision, Champaign County, Illinois, as per Plat recorded in Plat Book "O" at Page 87, in Champaign County, Illinois.

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MAP SHOWING AREA ANNEXED BY CITY ORDINANCE #2011-09-XXX
 CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS
 DATE: September XX 2011

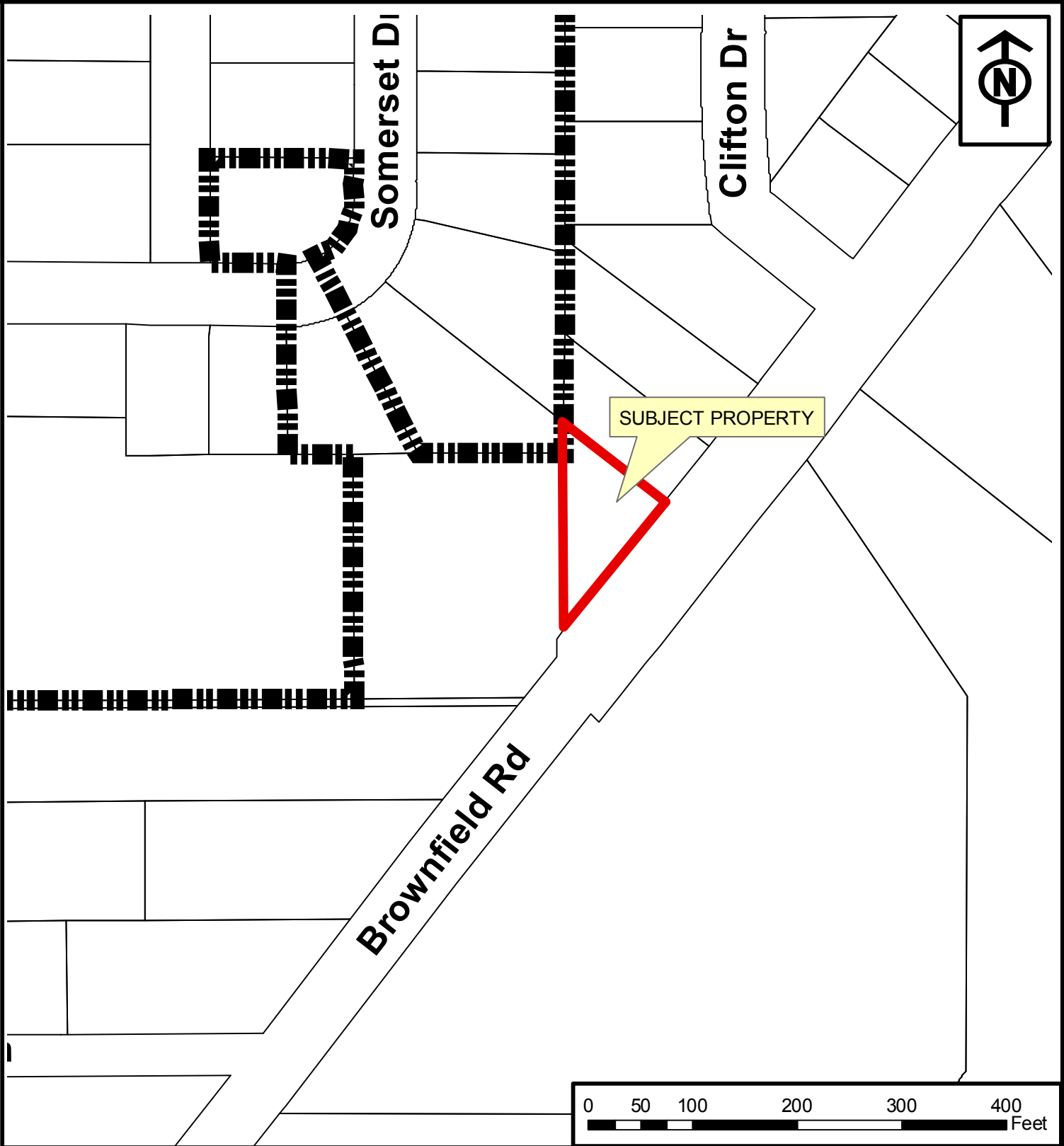
AREA OF ANNEXATION	+++++
EXISTING CITY LIMITS	-----
NEW CITY LIMITS	-----
RIGHT OF WAY LINE	-----
PROPERTY ADDRESS	2702
LOT NUMBER	416

ENGINEERING DIVISION

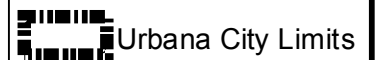
CITY ENGINEER/PUBLIC WORKS DIRECTOR

DRAWN BY: B.W.F. 9/06/2011
 CHECKED: W.R.G. 9/07/2011

Exhibit A: Location Map



Petitioner: Troy Flessner
Location: 2409 Brownfield Road
PIN No.: 30-21-03-127-012





Petition for Annexation

Annexation

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 07-25-2011 Annexation Case No. 2011-A-08

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **Flessner, Troy**

Phone: 217-328-9888

Address (*street/city/state/zip code*): **2103 River Rock Drive Urbana, IL 61802**

Email Address:

Property Interest of Applicant(s) (*Owner, Contract Buyer, etc.*): **Owner**

2. OWNER INFORMATION

Name of Owner(s): **Flessner, Troy**

Phone:

Address (*street/city/state/zip code*): **2103 River Rock Drive Urbana, IL 61802**

Email Address: TKFLESS@COMCAST.NET

Is this property owned by a Land Trust? Yes No

If yes, please attach a list of all individuals holding an interest in said Trust.

3. PROPERTY INFORMATION

Location of Subject Site: **2409 Brownfield Road Urbana, IL 61802**

PIN # of Location: **302103127012**

Lot Size: 9,392 square feet

Current Zoning Designation: **R-1 Single Family Residence (County)**

Proposed Zoning Designation: **R-1**

Current Land Use (*vacant, residence, grocery, factory, etc.*): **Two-Family Residential**

Proposed Land Use: **Two-Family Residential**

Present Comprehensive Plan Designation: **Residential**

Legal Description: Lot 1 in First Plat of Brownfield subdivision, as per recorded in plat book "0" at page 87, situated in Champaign County, Illinois.

To the City Council of the City of Urbana

JUL 25 2011

Champaign County, Illinois

The Applicant, TROY FLESSNER; respectfully states under oath:

That I, TROY FLESSNER (applicant), am either the sole owner or am authorized by the owner(s) 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)

Lot 1 in First Plat of Brownfield subdivision, as per recorded in plat book "0" at page 87, situated in Champaign County, Illinois.

All situated in Champaign County, Illinois.

Together with the 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 2409 Brownfield Road Urbana, IL 61802
(street address)

having permanent identification number (PIN) 302103127012

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 any and all electors (registered voters) residing in said Tract have signed this petition.

APPLICANT(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 6/12, 1996 as Ordinance No. 9495-8 and approved by the Mayor of the City of Urbana.

NOTE: All property owners must sign this annexation petition. In the case of corporate ownership, the person(s) signing must be authorized to do so by the corporation board.

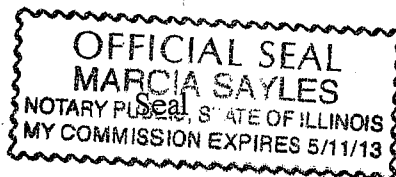
Dated this 13TH day of JULY, 2011

OWNER(S):

By: Troy Flossner

Subscribed and sworn to before me this 13TH day of JULY, 2011.

Marcia Sayles
Notary Public



My Commission Expires: 11 day of May, 2013.

The undersigned, being electors (registered voters) 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:

SIGNATURE	ADDRESS (PLEASE PRINT)
1. <i>[Signature]</i>	2409 Brownfield Rd. - SOUTH SIDE OF DUPLEX
2. <i>[Signature]</i>	2409 1/2 Brownfield Rd
3. <i>[Signature]</i>	2409 1/2 Brownfield Rd NORTH SIDE OF DUPLEX
4. _____	

COUNTY OF CHAMPAIGN)
) SS
 STATE OF ILLINOIS)

I, Heidi Abbott, 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.



[Signature]
 Notary Public

Seal

My Commission expires the 19th day of April, 2014.

PLEASE RETURN THIS FORM ONCE COMPLETED TO:

City of Urbana
 Community Development Department Services
 Planning Division
 400 South Vine Street, Urbana, IL 61801
 Phone: (217) 384-2440