



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

M E M O R A N D U M

TO: Bruce Walden, Chief Administrative Officer

FROM: Elizabeth H. Tyler, AICP, Director

DATE: June 2, 2005

SUBJECT: Annexation of 3305 and 3311 South Philo Road – First Baptist Church of Urbana

Introduction and Background

Staff is requesting the City Council consider the attached ordinance on Monday, June 6, 2005 to annex 3305 and 3311 South Philo Road. The property is owned by the First Baptist Church of Urbana and is subject to a proposed annexation to also be considered at the June 6, 2005 City Council. The proposed effective date of the annexation is June 7, 2005.

Issues and Discussion

The property at 3305 and 3311 is currently contiguous to the city limits from the east. The First Baptist Church of Urbana has purchased the property and intends to develop a church and parsonage use. The terms of the zoning and development will be subject to an annexation agreement also proposed for City Council consideration on June 6, 2005.

Since the property is contiguous, it can be immediately annexed without under the terms of the adopted agreement. Any development on the site will be built to the codes and requirements of the City of Urbana.

Recommendation

Staff recommends that the Urbana City Council approve the ordinance to annex the property located at 3305 and 3311 South Philo Road into the City of Urbana, Illinois effective June 7, 2004 at 12:00P.M.

Prepared by:

Rob Kowalski, Planning Manager

- Attachment #1: Draft Ordinance to Annex 301 South Pfeffer Road
- Attachment #2: Annexation Plat
- Attachment #3: Annexation Petition submitted by Owners

ATTACHMENT #1 – Draft Ordinance to Annex 3305 and 3311 South Philo Road

ORDINANCE NO.2005-06-077

**AN ORDINANCE
ANNEXING CERTAIN TERRITORY
TO THE CITY OF URBANA**

(3305 and 3311 South Philo Road / First Baptist Church 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 Philo 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 that this Ordinance would be voted upon at the regular meeting of this Council at 7:30 p.m., Monday, June 6, 2005, and the Affidavit of mailing such Notices was duly recorded with the Recorder of Deeds of Champaign County, Illinois; and

WHEREAS, a written petition signed by all of the Owners of Record and at least fifty-one percent (51%) of the electors, 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 property is subject to an adopted annexation agreement between the First Baptist Church of Urbana and the City of Urbana adopted at the regular meeting of the Urbana City Council on June 6, 2005 under Ordinance Number 2005-XX-XXXX.

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 R-2, Single Family Residential Zoning District in accordance with the provisions of the annexation agreement and the Urbana Zoning Ordinance; 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.

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

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

A part of the Southwest Quarter of Section 28 Township 19 North Range

9 East of the Third Principal Meridian being more particularly described as follows:

Lots 1 and 2 of the First Baptist Church of Urbana Subdivision, as shown on a plat, recorded May 19, 2005, as Document Number 2005R13236, in the Office of the Recorder of Deeds, Champaign County, Illinois.

Said tracts containing 5.00 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 the tracts.

That part of Philo Road right-of-way lying adjacent to the herein annexed tract, encompassing 0.429 acres, more or less.

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 R-2, Single Family Residential upon annexation.

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

Section 6. To avoid uncertainty regarding public safety responsibilities concerning the property herein annexed, this Ordinance shall take effect at noon on the 7th day of June 2005 following its passage by the Urbana City Council.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council on the _____ day of _____, 2005, A.D.

Ayes:
Nays:
Abstain:

PASSED by the City Council this _____ day of _____, 2005.

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____

_____, 2005.

Laurel Lunt Prussing, Mayor

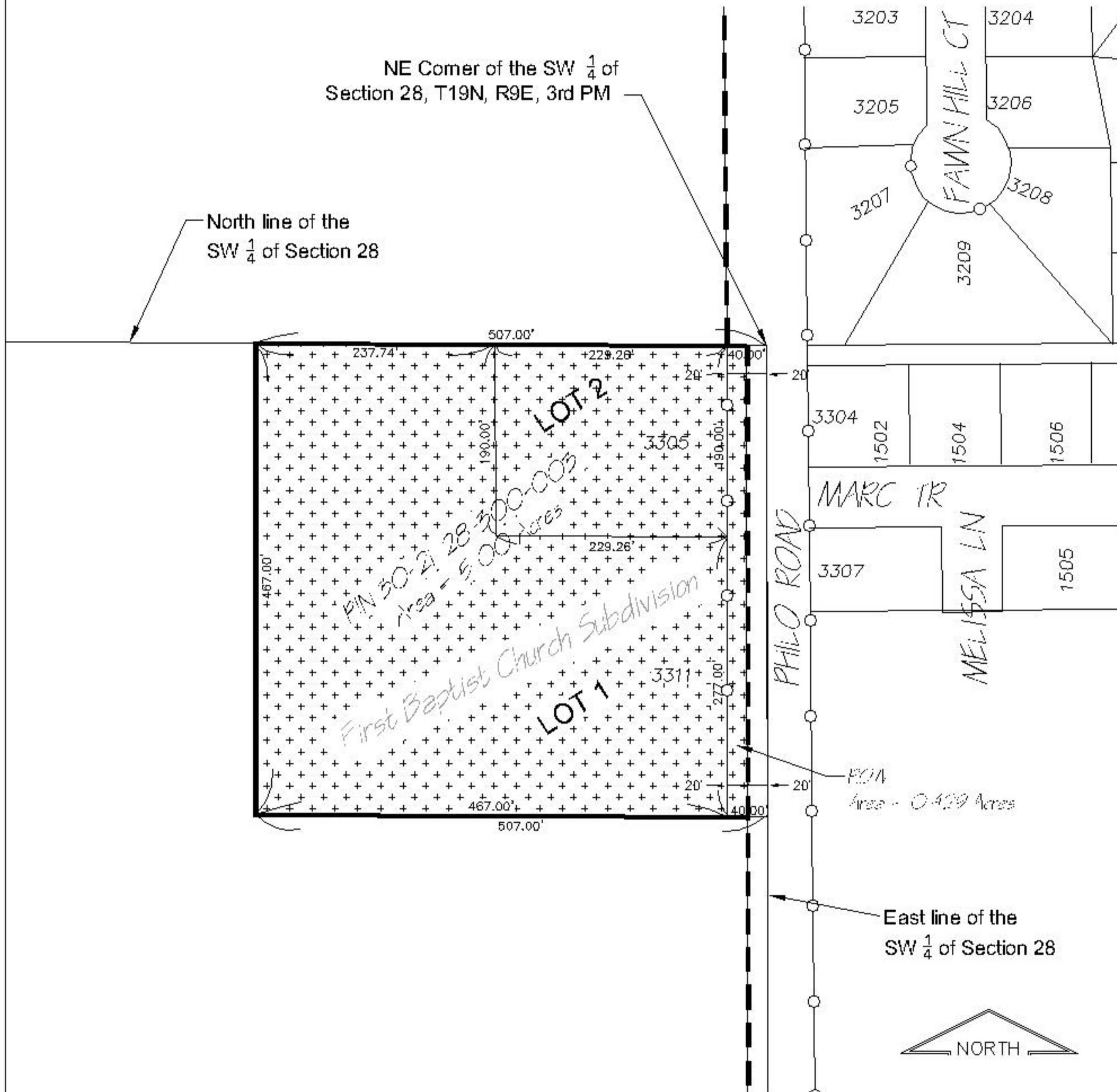
A part of the Southwest Quarter of Section 28, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as follows:

Lots 1 and 2 of the First Baptist Church of Urbana subdivision, as shown on a plat, recorded May 19, 2005, as Document Number 2005R13236, in the Office of the Recorder of Deeds, Champaign County, Illinois.

Said tract containing 5.00 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 Philo Road right-of-way lying adjacent to the herein annexed tract, encompassing 0.429 acres, more or less.



MAP SHOWING AREA
ANNEXED BY CITY
ORDINANCE #2005-06-XXX
CITY OF URBANA, ILLINOIS
CHAMPAIGN COUNTY
DATE: JUNE XX, 2005

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

ENGINEERING DIVISION



CITY ENGINEER/PLANNING DIRECTOR

CAD: B.W.F. 05/26/05
CHECKED: W.R.G. 05/26/05

Petition for Annexation
To
THE CITY COUNCIL OF THE CITY OF URBANA
CHAMPAIGN COUNTY, ILLINOIS

The Petitioner, First Baptist Church of Urbana, respectfully states under oath:

1. Petitioner is the sole owner of record of the legally described land attached hereto as Exhibit "A" (hereinafter sometimes referred to "Tract"); and
2. Said Tract is not situated within the corporate limits of any municipality but is contiguous to the City of Urbana, Illinois at the time of annexation; and
3. There are no electors residing on the said Tract.

PETITIONER RESPECTFULLY REQUESTS:

1. That said Tract described above herein be annexed to the City of Urbana, Illinois pursuant to Section 5/7-1-8 of the Municipal Code of the State of Illinois, as amended (65 ILCS 5/7-1-8).
2. That said Tract be annexed in accordance with terms of any annexation agreement for said tract passed by the City of Urbana and approved by the Mayor of the City of Urbana.

Dated this _____ day of May, 2005.

Owners:

First Baptist Church of Urbana

Date

Subscribed and sworn to before me this

____ day of May, 2005, A.D.

Notary Public

My Commission Expires:

Exhibit "A"
Legal Description

Lots 1 and 2 of the Final Plat of First Baptist Church Subdivision Champaign County, Illinois. A part of the Southwest quarter of Section 28 Township 19 North Range 9 East of the Third Principal Meridian in Champaign County, Illinois as recorded with the Champaign County Recorder under Document Number 2005R13236.