



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

memorandum

TO: Bruce Walden, Chief Administrative Officer

FROM: Elizabeth Tyler, AICP, Director

DATE: September 8, 2005

SUBJECT: **Annexation of a tract of land contiguous to the northwest corner of the City limits adjacent to the Canadian National Railway – Emulsicoat, Inc.**

Introduction and Background

Staff is requesting the City Council consider the attached ordinance on Monday, September 12, 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. The proposed effective date of the annexation is September 30, 2005.

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 go to the City Council regular meeting for approval on Monday the 19th 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 is currently being reviewed as Plan Case 1952-S-05 and will also go to the City Council for approval on Monday September 19, 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 Committee of the Whole forward the attached ordinance to the City Council's regular meeting on September 19, 2005 and approve the ordinance to annex the subject property owned by Emulsicoat into the City of Urbana, Illinois effective September 30, 2005 at 12:00P.M.

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
1610 Broadmoor Drive
Champaign, IL 61821

Thomas, Mamer & Haughey, LLP
Attn: James Green
P.O. Box 560
Champaign, IL 61824-0560

Shirley Squires
3913 N. Lincoln Avenue
Urbana, IL 61803

Blake Weaver
130 W. Main
Urbana, IL 61801

Ken Mathis
Somerset Township Supervisor
2808 N. Lincoln Avenue
Urbana, IL 61803

Rick Wolken
Somerset Township Road District Commissioner
2294 County Road, 1600 East
Urbana, IL 61802

Bruce Knight
City of Champaign
Planning Department
102 N. Neil Street
Champaign, IL 61820

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ORDINANCE NO. 2005-09-136

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 / 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 2, 2005 that this Ordinance would be voted upon at the regular meeting of this Council at 7:00 p.m., Monday, September 19, 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 30th day of September 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

Location Map

EXHIBIT "A"



Plan Case 2005-A-12: a proposed annexation agreement for a 13.843 acre tract of land.
Plan Case 1954-M-05: a proposed rezoning of a 13.843-acre tract of land from Champaign County AG-2, Agriculture Zoning District to the City of Urbana IN, Industrial

Petitioner: Emulsicoat, Inc
Location: CN – IC Railway Right-of-Way located at the extreme northwest corner of the city limits. The property is located approximately 825 feet west of Saline Court

Prepared 9/01/05 by Community Development Services - pal

Subject Site = Tract "A"

Related Site = Lot 204

City Limits 

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

The Petitioners, **Emulsicoat, Inc.** respectfully state under oath:

1. Petitioners are the sole owners of record of the following legally described land (hereinafter sometimes referred to as Tract A), except any public right-of-way property to wit:

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.

Parcel Identification Number: A part of 25-15-31-200-005

2. Said Tract is not situated within the corporate limits of any municipality, but is, or will be, contiguous to the City of Urbana, Illinois at the time of annexation.
3. At least fifty-one percent (51%) of all electors residing in said Tract have signed this petition.

PETITIONERS RESPECTFULLY REQUEST:

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 the terms of an annexation agreement to be passed by Ordinance of the City of Urbana and approved by the Mayor of the City of Urbana.

Dated this _____ day of August, 2005.

Owners:

Rick Beyers, Vice President & General Manager
Emulsicoat, Inc.
705 E. University Ave.
Urbana, IL 61802

Date

Subscribed and sworn to before me this

_____ day of August, 2005, A.D.

Notary Public

My Commission Expires:_____