



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: **Laurel Lunt Prussing, Mayor**

FROM: Elizabeth Tyler, FAICP, Community Development Services Director

DATE: October 15, 2009

SUBJECT: Motion to Allow Sanitary Sewer Connection for 1913 Brownfield Road Under the Urgency Provisions of Resolution No. 9394-R-13

Introduction and Background

Maxey and Ruth Overmyer of 1913 Brownfield Road are requesting authorization for an emergency sewer connection to the Urbana-Champaign Sanitary District (UCSD) under the urgency provisions of Resolution No. 9394-R-13 (see Exhibit B). The septic system on the subject property is no longer working, and the property is currently occupied, necessitating an emergency connection to the sanitary sewer system.

The subject property is located along Brownfield Road, northeast of Interstate 74. It is not currently adjacent to the corporate limits of Urbana but is within the mile-and-a-half extraterritorial jurisdictional area. Under an intergovernmental agreement with the UCSD, any property owner outside the corporate limits of Urbana wishing to connect to sanitary sewer service and annex to the UCSD must also agree to annex to the City of Urbana at such time as their property is contiguous.

Under the provisions of Resolution 9394-R-13, the City may allow an emergency sewer connection in anticipation of the completion of an annexation agreement. The annexation agreement will be prepared for public hearing and presentation to the City Council at an upcoming meeting.

The property information is as follows:

Property Location: 1913 Brownfield Road
PIN No.: 30-21-03-302-011
Acreage: 0.34 acres
County Zoning: R-1, Single Family Residential
Current Use: Single Family Home
Urbana Comprehensive
Plan Future Land Use: Residential

Recommendation

Staff recommends that the City Council pass a motion directing staff to authorize the UCSD to allow the emergency sanitary sewer connection for 1913 Brownfield Road. City staff would then prepare an annexation agreement with the owners for a future public hearing and presentation to the City Council.

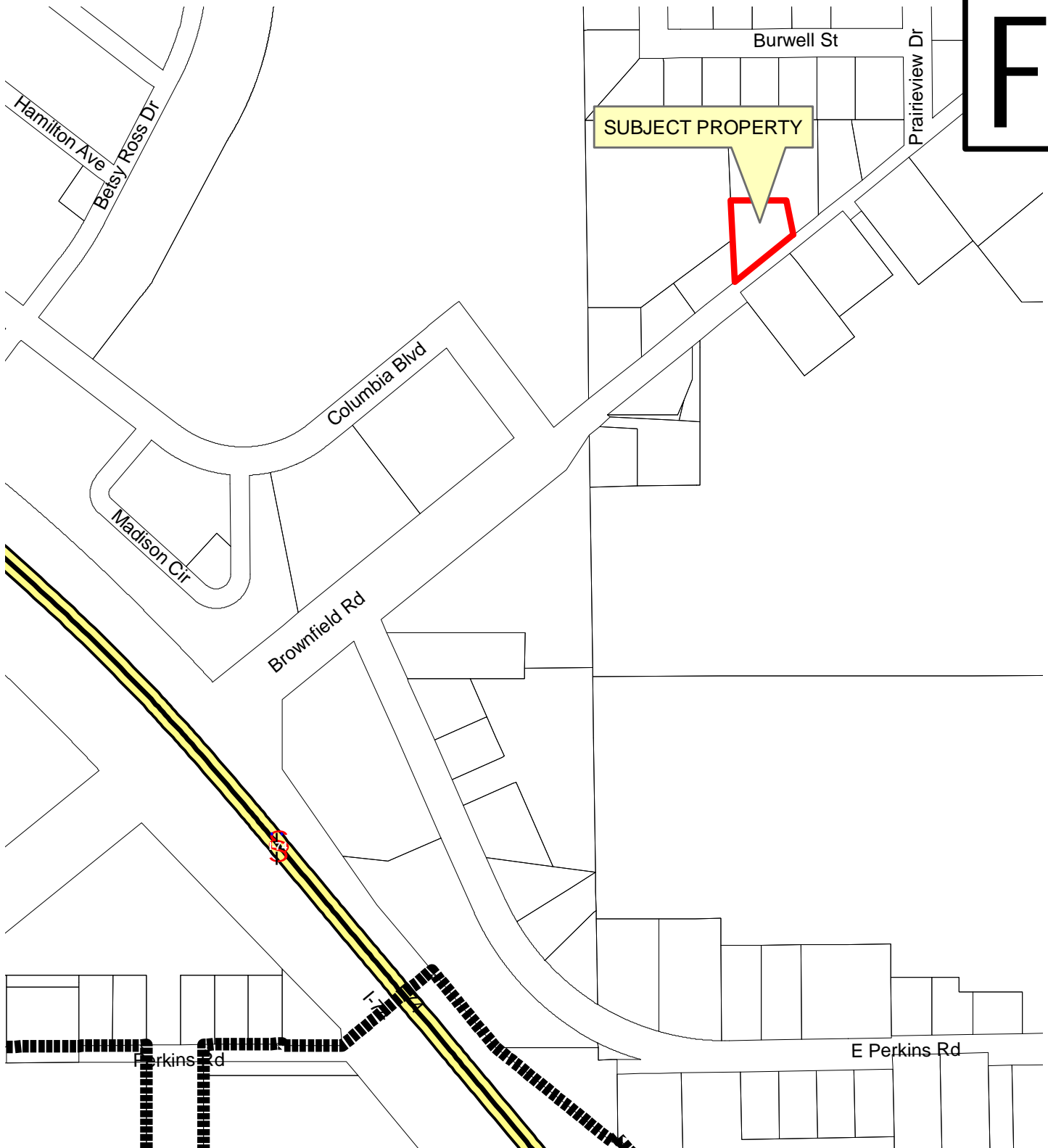
Prepared by:

Jeff Engstrom, Planner I

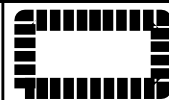
Attachments: Exhibit A: Location Map
 Exhibit B: Resolution 9394-R13

Cc: Maxey and Ruth Overmyer
 1913 Brownfield Rd
 Urbana, IL 61802

Exhibit A: Location Map



Plan Case: 2009-A-06
Description: Maxey & Ruth Overmyer
Annexation Agreement
Location: 1913 Brownfield Road



Urbana

COPY

RESOLUTION NO. 9394-R13

A RESOLUTION ESTABLISHING PROCEDURES FOR APPROVAL OF ANNEXATION AGREEMENTS FOR THE PURPOSES OF SANITARY SEWER CONNECTION

WHEREAS, the City of Urbana and the Urbana-Champaign Sanitary District (UCSD) entered into an intergovernmental agreement (UCSD Agreement) which provides that UCSD will not permit persons to connect to its sanitary sewer system unless the property to be served is within the City, within a subdivision approved by the City, or is in an area that is the subject of an annexation or development agreement with the City; and

WHEREAS, UCSD and the City desire to implement the UCSD Agreement without causing unnecessary delay for persons who are willing and able to enter into annexation agreements; and

WHEREAS, the City finds that if a person delivers to the City an irrevocable offer to enter into an annexation or development agreement in the form of an annexation agreement or annexation petition, that UCSD should then be authorized to provide sanitary sewer service to the property under the UCSD Agreement.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. An annexation agreement or annexation petition may be presented to the City Council or to a Standing Committee of the Whole City Council for review and approval for the purpose of allowing a UCSD sanitary sewer service connection.

Section 2. If the said annexation agreement or annexation petition is acceptable to the City Council or Standing Committee of the Whole City Council, they shall, by motion, direct City staff to inform the UCSD that the City of Urbana has received an annexation agreement or annexation petition in a form acceptable to the City and that said agreement or petition is considered sufficient to authorize UCSD to provide sanitary sewer service to the property.

Section 3. Nothing in this process shall be construed to preempt the requirements of the Illinois State Statutes governing the approval of annexation agreements nor shall this approval prevent the City Council from amending, modifying, supplementing or repealing an annexation agreement.

PASSED by the City Council this 19th day of November 1993.

Phyllis D. Clark

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 10th day of November 1993

Tod Satterthwaite

Tod Satterthwaite, Mayor