



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: June 2, 2011
SUBJECT: Annexation Case 2011-A-03, Voluntary Annexation of 2408 Barnes Street

Introduction

Staff is requesting that the City Council consider the attached petition and ordinance for the annexation of 2408 Barnes St in Prairie View Subdivision. (See Exhibit A.) The property consists of 0.304 acres and has been developed with a single-family home. The Barnes Street right-of-way immediately adjacent to the subject property, and not already a part of the Urbana corporate boundaries, will also be annexed. The right-of-way to be annexed totals 0.124 acres. (See Exhibit B.) The property is required to be annexed per an adopted annexation agreement between the City of Urbana and the previous owner. Should the annexation of subject property be approved, the effective date of the annexation would be June 16, 2011.

Background

As a prerequisite for receiving sanitary sewer to serve the property, the previous owner was required to enter into an annexation agreement with the City of Urbana in 2008 (Ordinance No. 2008-12-145). 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 May 17, 2011.

Discussion

Zoning and Future Land Use

The property to be annexed is currently zoned County R-3, Two-Family Residence, and would automatically convert to City R-3, Single and Two-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 single-family home. This proposed zoning would be consistent with

the use of the property and with the future land use designation of the subject property by the 2005 Urbana Comprehensive Plan.

Address

The property is addressed in all official records as 2408 Barnes Street despite other homes on Barnes Street being addressed in the 2100 block. For emergency response and other purposes, the property address should be readdressed 2108 Barnes Street following the E911 standardized addressing system. City staff will work with the property owner to insure that this takes places following annexation and will involve a number of public agencies.

Recommendation

Staff recommends that City Council approve the ordinance to annex the property located at 2408 Barnes Street into the City of Urbana, Illinois, effective June 16, 2011 at noon.

Prepared by:

Robert Myers, AICP, Planning Manager

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

cc: Property Owner
John Hall, Champaign County Planning and Zoning Department

ORDINANCE NO. 2011-06-045

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA

(2408 Barnes Street / Dorothy Wolgemuth)

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 May 27, 2011 notifying them that this Ordinance would be voted upon at the regular meeting of this Council at 7:00 p.m., Monday, June 6, 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 December 15th, 2008, the City Council passed Ordinance No. 2008-12-145 approving and authorizing the execution of annexation agreement pertaining to the property; and

WHEREAS, the territory to be annexed by this Ordinance in Prairie View Subdivision and is presently located within Champaign County's R-3, Two-Family Residence Zoning District, and upon annexation will be directly converted to City R-3, Single and Two-Family Residential Zoning District; and

WHEREAS, it has been determined that said petitions comply with all requirements of the law therefore; and

WHEREAS, for emergency response and other purposes the City will work with the property owner following annexation to correct the property's address from 2408 Barnes Street to 2108 Barnes Street; 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 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 Southwest 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 9 in the Second Plat of Prairie View Subdivision, Champaign County, as per plat recorded in Book "R" at page 47, situated in Champaign County, Illinois.

Said annexation containing 0.304 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 Barnes Street right-of-way, not previously annexed to the City of Urbana, lying adjacent to the herein annexed tracts, being 60 feet (60') in width and encompassing 0.124 acres, more or less.

The above described territory is more commonly known as 2408 Barnes Street, Urbana, Illinois, and referenced by the Champaign County Parcel Index Number 30-21-03-303-001.

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.

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 16th day of June, 2011 following its passage by the Urbana City Council.

PASSED by the City Council this _____ day of _____, 2011.

AYES:

NAYS:

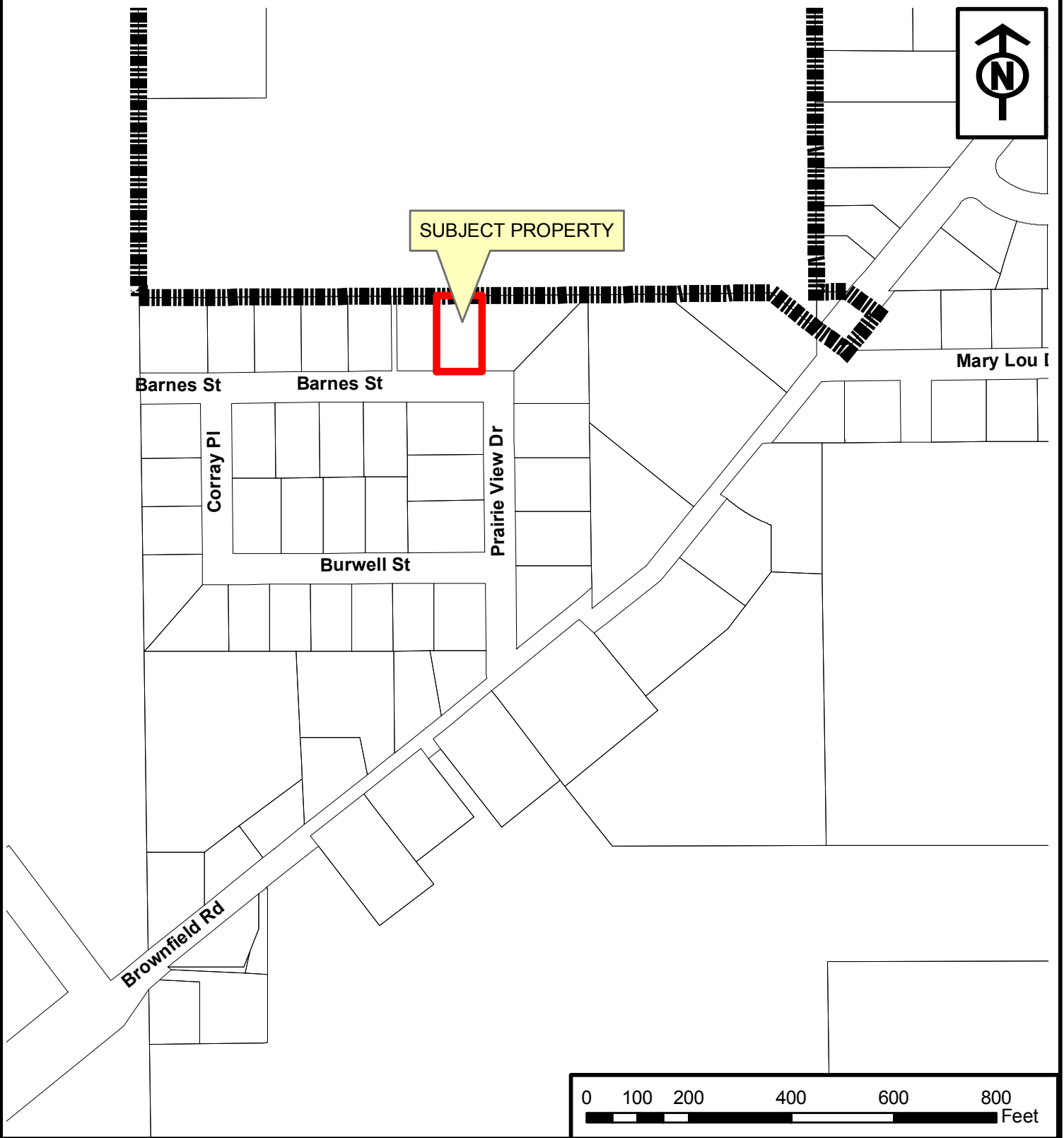
ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2011.

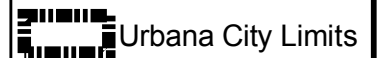
Laurel Lunt Prussing, Mayor

Exhibit A: Location Map



Petitioner: Dorothy Wolgemuth
Location: 2408 Barnes Street
PIN No.: 30-21-03-303-001

Prepared 05/11 by Community Development Services -jme



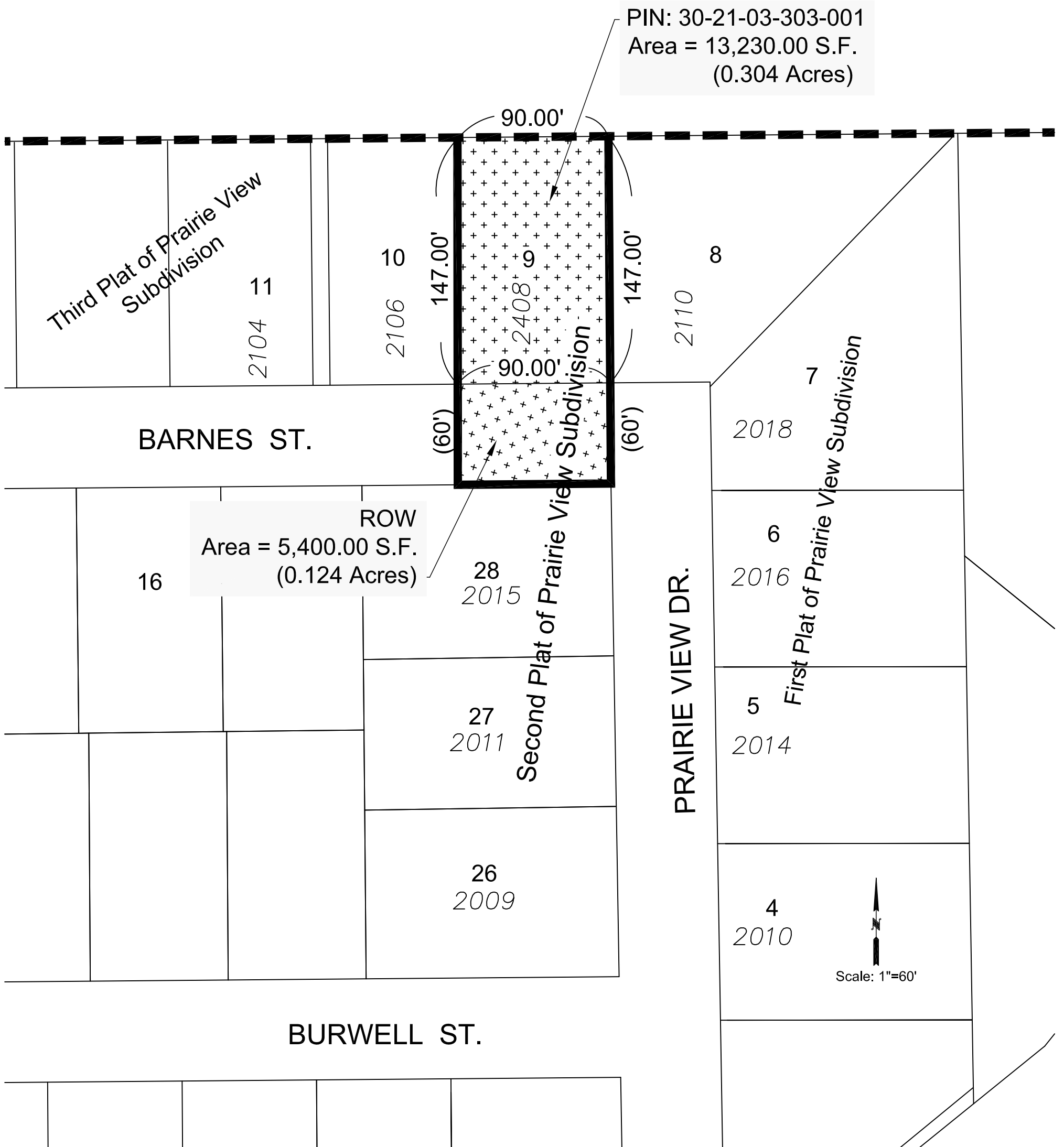
A part of the Southwest Quarter of Section 3, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as follows:

Lot 9 in the second Plat of Prairie View Subdivision, Champaign County, Illinois, as per Plat recorded in Book "R" at Page 47, situated in Champaign County, Illinois.

Said annexation containing 0.304 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 these tracts:

That portion of the Barnes Street right-of-way lying adjacent to the herein annexed tracts, being sixty feet (60') in width and encompassing 0.124 acres, more or less.



PIN: 30-21-03-303-001
 Area = 13,230.00 S.F.
 (0.304 Acres)

ROW
 Area = 5,400.00 S.F.
 (0.124 Acres)

MAP SHOWING AREA ANNEXED BY CITY ORDINANCE #2011-XX-XXX
 CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS
 DATE: June 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., 5/18/2011
 CHECKED: W.R.G., 5/XX/2011



Petition for Annexation

Annexation

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed May 17, 2011 Annexation Case No. 2011-A-03

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **Wolgemuth, Dorothy A** Phone:

Address (street/city/state/zip code): **2408 Barnes Street Urbana, IL 61802**

Email Address:

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

2. OWNER INFORMATION

Name of Owner(s): **Wolgemuth, Dorothy A** Phone:

Address (street/city/state/zip code): **2408 Barnes Street Urbana, IL 61802**

Email Address:

Is this property owned by a Land Trust? Yes x No

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

3. PROPERTY INFORMATION

Location of Subject Site: **2408 Barnes Street Urbana, IL 61802**

PIN # of Location: **302103303001**

Lot Size: **14,271 square feet**

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

Proposed Zoning Designation: **R-1**

Current Land Use (vacant, residence, grocery, factory, etc): **Single-Family (Owner Occupied)**

Proposed Land Use: **Single Family Residential**

Present Comprehensive Plan Designation: **Residential**

Legal Description: **Lot 9 in the second plat of Prairie View Subdivision, Champaign County, as per plat recorded in book "R" at page 47, situated in Champaign County, Illinois.**

To the City Council of the City of Urbana
Champaign County, Illinois

The Applicant, _____; respectfully states under oath:

That I, _____ (*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 9 in the second plat of Prairie View Subdivision, Champaign County, as per plat recorded in book "R" at page 47, 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 2408 Barnes Street Urbana, IL 61802
(*street address*)

having permanent identification number (PIN) 302103303001 .

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 3/18, 2009 as Ordinance No. 2008-12-145 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 17th day of May, 2011

OWNER(S):

By: Dorothy Wolganutt

By: _____

By: _____

By: _____

Subscribed and sworn to before me this 17th day of MAY, 2011.

Sukiya J. Robinson
Notary Public

"OFFICIAL SEAL"
SUKIYA J. ROBINSON
Notary Public, State of Illinois
My commission expires 10/18/14

RECEIVED
MAY 17 2011
Seal: _____

My Commission Expires: 18th day of OCTOBER, 2014.

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

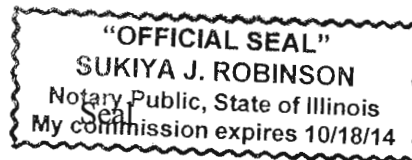
ADDRESS (PLEASE PRINT)

- 1. Dorothy Wolgenuth 2408 Bonnes, Urbana, IL 61802
- 2. _____
- 3. _____

COUNTY OF CHAMPAIGN)
) SS
 STATE OF ILLINOIS)

I, SUKIYA J. ROBINSON, 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.

Sukiya J. Robinson
 Notary Public



My Commission expires the 18th day of OCTOBER, 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