



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-05, Voluntary Annexation of 2110 Barnes Street

Introduction

Staff is requesting that the City Council consider the attached petition and ordinance to annex 2110 Barnes Street in Prairie View Subdivision into the Urbana corporate limits. (See Exhibit A.) The area to be annexed is 0.455 acres in area which includes a single-family home and the adjacent Barnes Street right-of-way. (See Exhibit B.) The property is required to be annexed per an adopted annexation agreement between the City of Urbana and the owner. Should the annexation of subject property be approved, the effective date of the annexation would be June 30, 2011 at noon.

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 approved on June 30, 2005 (Ordinance No. 2005-06-079). 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 26, 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.

Recommendation

Staff recommends that the Committee of the Whole forward this petition and ordinance to the June 20, 2011 City County meeting with a recommendation for approval. Annexation would become effective June 30, 2011 at noon. City staff will insure that the annexation ordinance is recorded by June 30, 2011 so that City property tax collection would begin in 2012.

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. 2011-06-055

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA

(2110 Barnes Street / Scott D Kissaw)

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 20, 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 30, 2005, the City Council passed Ordinance No. 2005-06-079 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, 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 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 8 in First Plat of Prairie View Subdivision, as per plat recorded in Plat Book "0" at page 4, situated in Champaign County, Illinois.

Said annexation containing 0.455 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 lying adjacent to the herein annexed tract, being sixty feet (60') in width and encompassing 0.041 acres, more or less.

The above described territory is more commonly known as 2110 Barnes Street, Urbana, Illinois, and referenced by the Champaign County Parcel Index Number 30-21-03-303-002.

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-3, Single and Two-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 30th day of June, 2011 following its passage by the Urbana City Council.

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

AYES:

NAYS:

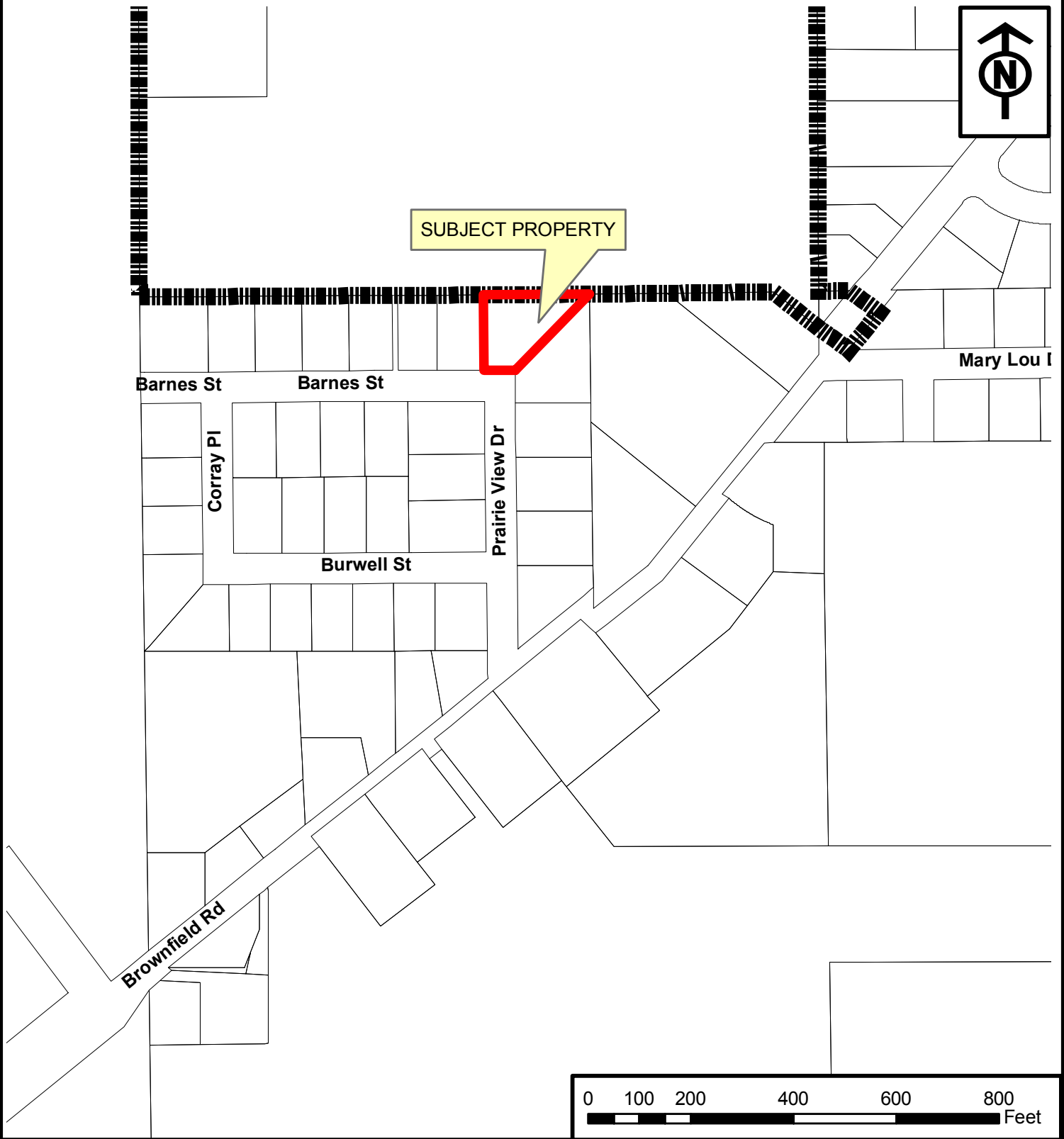
ABSTAINS:

Phyllis D. Clark, City Clerk

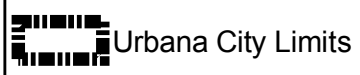
APPROVED by the Mayor this _____ day of _____, 2011.

Laurel Lunt Prussing, Mayor

Exhibit A: Location Map



Petitioner: Scott Kissaw
Location: 2110 East Airport Road
PIN No.: 30-21-03-303-002



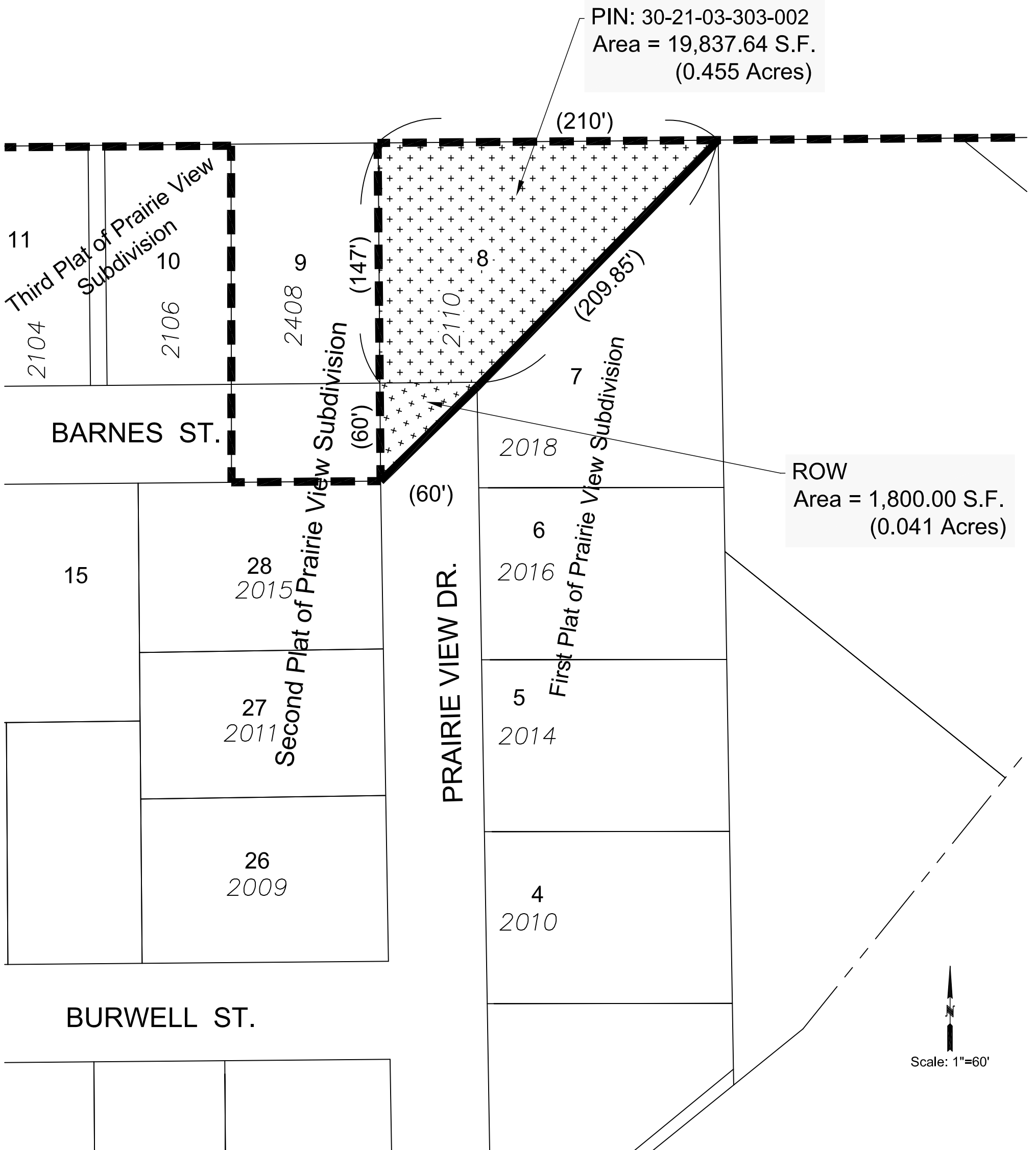
A part of the Southwest Quarter of Section 3, Township 19 North, Range 9 East of the Third Principal Meridian, Champaign County, Illinois, being more particularly described as follows:

Lot 8 in First Plat of Prairie View Subdivision, as per plat recorded in Plat Book "0" at page 4, situated in Champaign County, Illinois.

Said annexation containing 0.455 acres, more or less, all situated in Urbana Township, Champaign County, Illinois.

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PIN: 30-21-03-303-002
 Area = 19,837.64 S.F.
 (0.455 Acres)

ROW
 Area = 1,800.00 S.F.
 (0.041 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. 5/27/2011
 CHECKED: W.R.G. 5/XX/2011



Petition for Annexation

Annexation

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 5/26/11 Annexation Case No. 2011-A-05

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): **Kissaw, Scott D**

Phone: 328-7168

Address (street/city/state/zip code): **2110 Barnes Urbana, IL 61802**

Email Address:

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

2. OWNER INFORMATION

Name of Owner(s): **Kissaw, Scott D**

Phone:

Address (street/city/state/zip code): **2110 Barnes Urbana, IL 61802**

Email Address:

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: **2110 Barnes Urbana, IL 61802**

PIN # of Location: **302103303002**

Lot Size: **20,060 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 8 of the Prairie View Subdivision 1st plat, situated in Champaign County**

To the City Council of the City of Urbana

Champaign County, Illinois

The Applicant, Scott KISSAW; respectfully states under oath:

That I, Scott KISSAW (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 8 of the Prairie View Subdivision 1st plat, situated in Champaign County

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 2110 Barnes Urbana, IL 61802
(street address)

having permanent identification number (PIN) 302103303002.

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 6/30, 2005 as Ordinance No. 2005-06-079 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 26th day of MAY, 20 11

OWNER(S):

By: Scott Kim

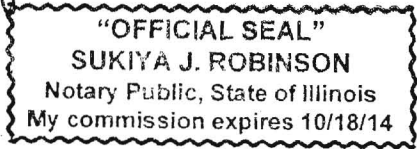
By: _____

By: _____

By: _____

Subscribed and sworn to before me this 26th day of MAY, 20 11.

Sukiya J. Robinson
Notary Public



Seal

My Commission Expires: 18th day of OCTOBER, 20 14.

The undersigned, being electors (registered voters) residing in said Tracts, respectfully state under oath:

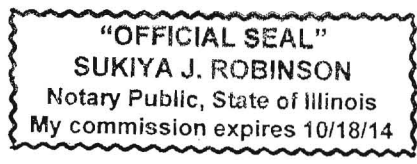
1. I am currently registered to vote in Champaign County, Illinois and currently reside in said Tracts.
2. I have read and understand the petition to annex said Tracts and hereby and herewith join in the petition for annexation of said Tracts to the City of Urbana.

ELECTORS:

| <u>SIGNATURE</u> | <u>ADDRESS (PLEASE PRINT)</u> |
|---------------------|-------------------------------|
| 1. <u>Scott Kim</u> | <u>2110 BARNES ST.</u> |
| 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

Seal

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