



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: April 5, 2012

SUBJECT: Annexation of 2607 and 2609 Somerset Drive in the Somerset Subdivision No. 2 and 2409 Somerset Drive in the Somerset Subdivision No. 3

Introduction

Staff is requesting that the Committee of the Whole consider the attached ordinance on Monday, April 9, 2012 to annex two properties located in Somerset Subdivision No. 2 and one property located in Somerset Subdivision No. 3. (See Exhibit A.) The three properties consist of 0.968 acres and are commonly known as 2409, 2607, and 2609 Somerset Drive. These properties are wholly surrounded by the City of Urbana's corporate boundaries and have been developed with single-family homes. The properties are required to be annexed per an annexation agreement between the City of Urbana and the developer of the Somerset Subdivision.

Background and Discussion

As a prerequisite for receiving sanitary sewer service for the territory to be subdivided as the Somerset Subdivision, the developer was required to enter into an annexation agreement with the City of Urbana in 1994. Since the Subdivision was developed in phases, the developer, Donald Flessner/Flessner Development Company, entered into three separate annexation agreements with the City of Urbana.

According to these annexation agreements, subsequent property owners have been obligated to submit a signed annexation petition to cause annexation of their property, and the City of Urbana is obligated to annex and provide City services. In conformance with these agreements, City staff initiated the annexation process for the entire Somerset Subdivision in August of 2009. This process included sending an initial informational letter to all property owners, holding an informational meeting, and sending follow-up letters to property owners.

A total of 71 properties have been subject to annexation under the annexation agreements for Somerset Subdivision. The property owners of 55 of the properties returned signed petitions for annexation and were annexed into the City of Urbana by Ordinance No. 2010-04-028, adopted by the City Council on May 3, 2010 (and effective May 13, 2010). Four properties thereby became wholly surrounded by Urbana's corporate boundaries. In accordance with State statutes,

these four properties were annexed under the involuntary annexation process by the passage of Ordinance No. 2010-05-037 by City Council on June 7, 2010 (and effective June 17, 2010). Another four properties submitted petitions and were annexed in 2011 and an additional property was annexed in early 2012. There are now only the three subject properties remaining that need to be annexed to complete the obligations of the annexation agreements. These properties became wholly surrounded following the annexation of 2702 Somerset Drive on March 1, 2012 (Ordinance No. 2012-02-012). Section 7-1-13 of the Illinois Municipal Code permits a municipality to annex unincorporated territory of 60 acres or less that is wholly surrounded by the corporate boundaries of the municipality. Annexation of these three properties would complete the annexation of the entire subdivision.

On March 19, 2012, the City Council unanimously approved a motion to direct publication of a “Notice of Intent to Annex” for the subject properties, which initiated the annexation process.

Zoning and Future Land Use

The three properties to be annexed are currently zoned County R-2, Single Family Residence and would automatically convert to City R-2, Single-Family Residential upon annexation. The 2005 Urbana Comprehensive Plan identifies the future land use for these properties as “Residential”. The subject properties have been developed with single-family homes. 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.

Fiscal Impact

The fiscal implications to the City for annexing these properties should be positive as the City would begin to receive property taxes from them. In return, City services will be provided.

Recommendation

Staff recommends that the Committee of the Whole forward the attached ordinance to the City Council’s regular meeting on April 16, 2012 and approve the ordinance to annex 2409, 2609, and 2607 Somerset Drive into the City of Urbana, Illinois. A public hearing is not required prior to taking action on this case.

Prepared by:

Rebecca Bird, AICP, Planner II

Attachments: Draft Ordinance to Annex
Exhibit A: Annexation Location Map
Exhibit 1: Annexation Plat

cc: John Hall, Champaign County Planning and Zoning Department
Vicki Mayes, Urbana Parks District
Debra Reynolds 2609 Somerset Dr; Susan Hublein 2607 Somerset Dr; Lonnie Lee Coffey 2409 Somerset Dr

ORDINANCE NO. 2012-04-037

AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA

(Involuntary Annexation of two properties located in Somerset Subdivision No. 2 and one property located in Somerset Subdivision No. 3 Wholly Surrounded by Urbana's Corporate Limits / 2409, 2607, and 2609 Somerset Drive)

WHEREAS, on Monday, March 19, 2012, the Urbana City Council directed the City Clerk to publish a Notice that the annexation of the property therein described was being contemplated and would be considered by the Urbana City Council at its regular meeting on April 16, 2012; and

WHEREAS, the City Clerk of Urbana, Illinois duly published such Notice on March 30, 2012 in the News-Gazette, a newspaper having general circulation in the City of Urbana, Illinois, a Certificate of Publication therefore being on file with the City Clerk's Office; and

WHEREAS, the hereinafter described territory is unincorporated territory wholly surrounded by and contiguous to the City of Urbana, Illinois within the meaning of Section 5/7-1-13 of the Illinois Municipal Code; and

WHEREAS, said unincorporated territory is part of the Carroll Fire Protection District, and includes certain territory within 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 7:00 p.m., Monday, April 16, 2012, said notices being mailed on March 26, 2012; and

WHEREAS, the City Council passed the following ordinances approving and authorizing the execution of annexation agreements pertaining to the Somerset Subdivision Nos. 1, 2, 3, and 4, an adjacent tracts; Ordinance No. 9495-8 passed July 18, 1994; Ordinance No. 2002-09-112 passed October 7, 2002; and Ordinance No. 2006-07-085 passed July 17, 2006; and

WHEREAS, the territory to be annexed by this Ordinance is presently located within Champaign County's R-2, Single Family Residence zoning district and upon annexation will be directly converted to City R-2, Single-Family Residential; 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 Urbana City Council finds and determines that the property described below is surrounded by property previously annexed to the City of Urbana, Illinois, within the meaning of Section 5/7-1-13 of the Illinois Municipal Code.

Section 2. That the following described real estate, be and the same are hereby annexed to the City of Urbana, Illinois:

Lot 327 in Somerset Subdivision No.3, as per Plat recorded as Document number 1998R33828, in the Office of the Recorder of Deeds, Champaign County, Illinois.

AND;

Lot 213 in Somerset Subdivision No.2, as per Plat recorded in Plat Book "CC" at Page 154, in the Office of the Recorder of Deeds, Champaign County, Illinois.

AND;

Lot 214 in Somerset Subdivision No.2, as per Plat recorded in Plat Book "CC" at Page 154, in the Office of the Recorder of Deeds, Champaign County, Illinois.

Said annexation containing 42,146.572 S.F. (0.968 Acres), more or less, all situated in Urbana Township, Champaign County, Illinois.

The above described territory is more commonly known by the addresses, and referenced by the Champaign County Parcel Index Number (PIN) as specified in the following table. The table includes the corresponding lot number that is noted in the above legal description.

LOCATION ADDRESS	PIN NUMBER	LOT NUMBER
2409 SOMERSET DRIVE	30-21-03-129-010	327
2607 SOMERSET DRIVE	30-21-03-129-008	213
2609 SOMERSET DRIVE	30-21-03-129-007	214

Section 3. 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 before June 30, 2012.

Section 4. 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 5. 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.

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 26TH day of April 2012 following its passage by the Urbana City Council.

PASSED by the City Council this _____ day of _____, 2012.

AYES:

NAYS:

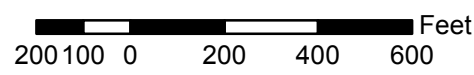
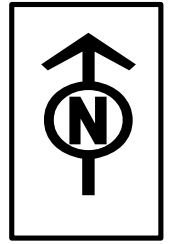
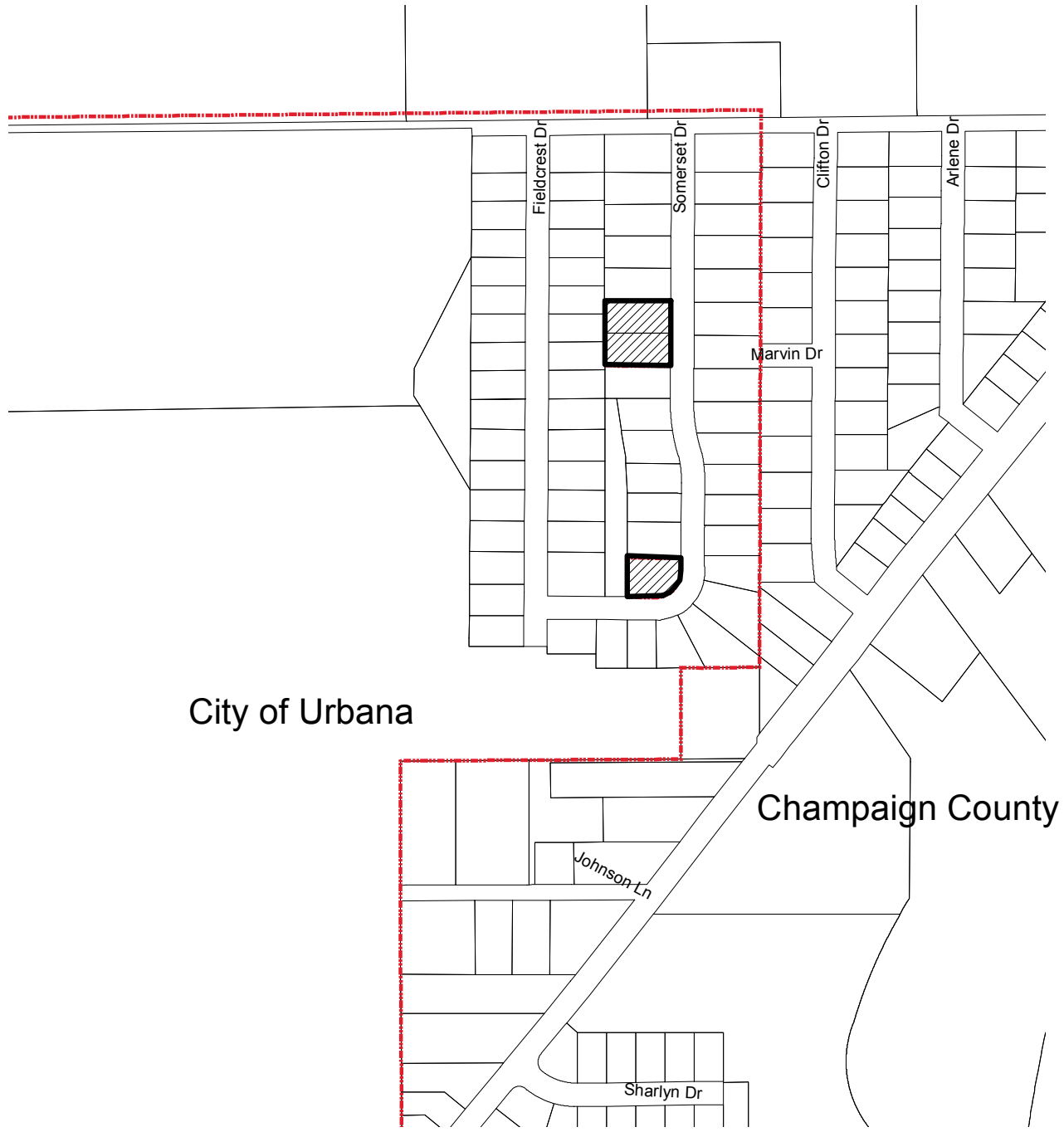
ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____, 2012.

Laurel Lunt Prussing, Mayor

Exhibit A: Location Map



Case: 2011-A-11
Subject: Somerset Surrounded Territory Annexation
Location: 2409, 2607, and 2609 Somerset Dr., Urbana

 Subject Property
 Corporate Limits

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

Lot 327 in Somerset Subdivision No.3, as per Plat recorded as Document number 1998R33828, in the Office of the Recorder of Deeds, Champaign County, Illinois.

Containing 13,226.876 S.F. (0.304 Acres) and commonly known for reference as 2409 Somerset Drive and also identified as Parcel Index Number: 30-21-03-129-010.

AND;

Lot 213 in Somerset Subdivision No.2, as per Plat recorded in Plat Book "CC" at Page 154, in the Office of the Recorder of Deeds, Champaign County, Illinois.

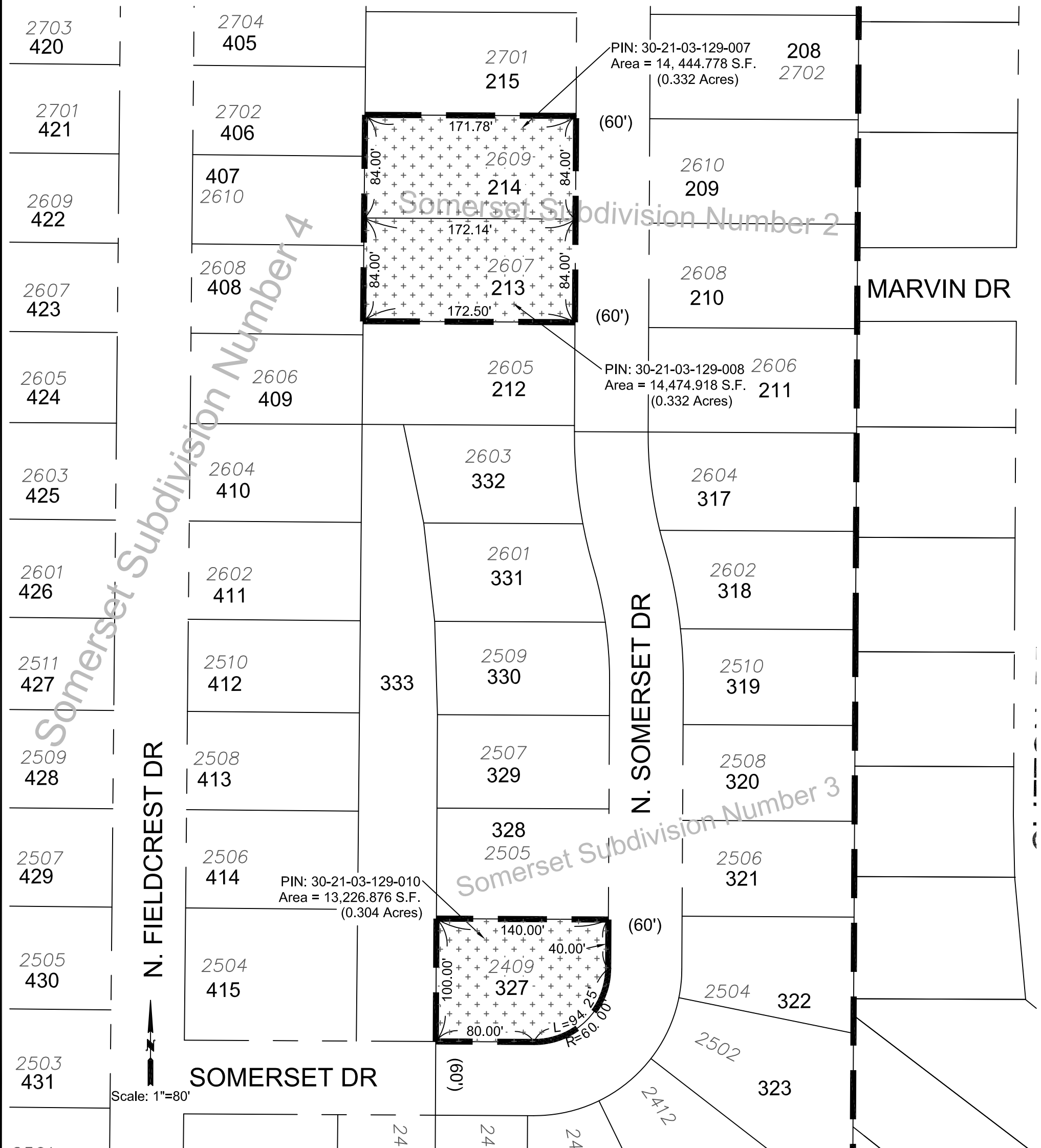
Containing 14,474.918 S.F. (0.332 Acres), commonly known for reference as 2607 Somerset Drive and also identified as Parcel Index Number: 30-21-03-129-008

AND;

Lot 214 in Somerset Subdivision No.2, as per Plat recorded in Plat Book "CC" at Page 154, in the Office of the Recorder of Deeds, Champaign County, Illinois.

Containing 14,444.778 S.F. (0.332 Acres), commonly known for reference as 2609 Somerset Drive and also identified as Parcel Index Number: 30-21-03-129-007.

Said annexation containing 42,146.572 S.F. (0.968 Acres), more or less, all situated in Urbana Township, Champaign County, Illinois.



MAP SHOWING AREA ANNEXED BY CITY ORDINANCE #2012-XX-XXX
 CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS
 DATE: March XX, 2012

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. 3/6/2012
 CHECKED: W.R.G. 3/XX/2012