



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: January 31, 2013

SUBJECT: Motion to Allow Sanitary Sewer Connection for 1501 North Coler Avenue Under the Urgency Provisions of Resolution No. 9394-R-13

Introduction and Background

Susan and Bertram Bruce, the owners of a single-family home located at 1501 North Coler Avenue, 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, necessitating an emergency connection to the sanitary sewer system.

The subject property is located along Coler Avenue, northwest of the Champaign County Fairgrounds. It is currently adjacent to the corporate limits of Urbana. 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. Since this property is contiguous it may be immediately annexed. However, due to a conflict between the property's current zoning in the county (R-4, Multi-Family Residential) and the Comprehensive Plan future land use designation (Residential – Urban Pattern), an annexation agreement is accompanying the annexation petition in order to rezone the property to City R-2, Single-Family Residential District, upon annexation.

Under the provisions of Resolution 9394-R-13, the City may allow an emergency sewer connection in anticipation of the completion of an annexation. The owners have submitted a signed annexation petition. City Council will be presented with an annexation agreement and petition at an upcoming meeting.

The property information is as follows:

Property Location: 1501 North Coler Avenue
PIN No.: 30-21-08-102-002
Acreage: 1.74 acres
County Zoning: R-4, Multi-Family Residential
Current Use: Single-Family Residence
Urbana Comprehensive
Plan Future Land Use: Residential – Urban Pattern

Recommendation

Staff recommends that the City Council approve a motion directing staff to authorize the Urbana-Champaign Sanitary District to allow the emergency sanitary sewer connection for 1501 North Coler Avenue. City staff would then prepare an annexation agreement with the owners for a future public hearing and presentation to the City Council.

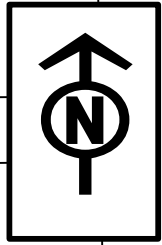
Prepared by:

Jeff Engstrom, AICP, Planner II

Attachments: Exhibit A: Location Map
Exhibit B: Resolution 9394-R13
Exhibit C: Annexation Petition

Cc: Susan and Bertram Bruce
Mark Radi, UCSD

Location Map



N Lincoln Av

W Bradley Av

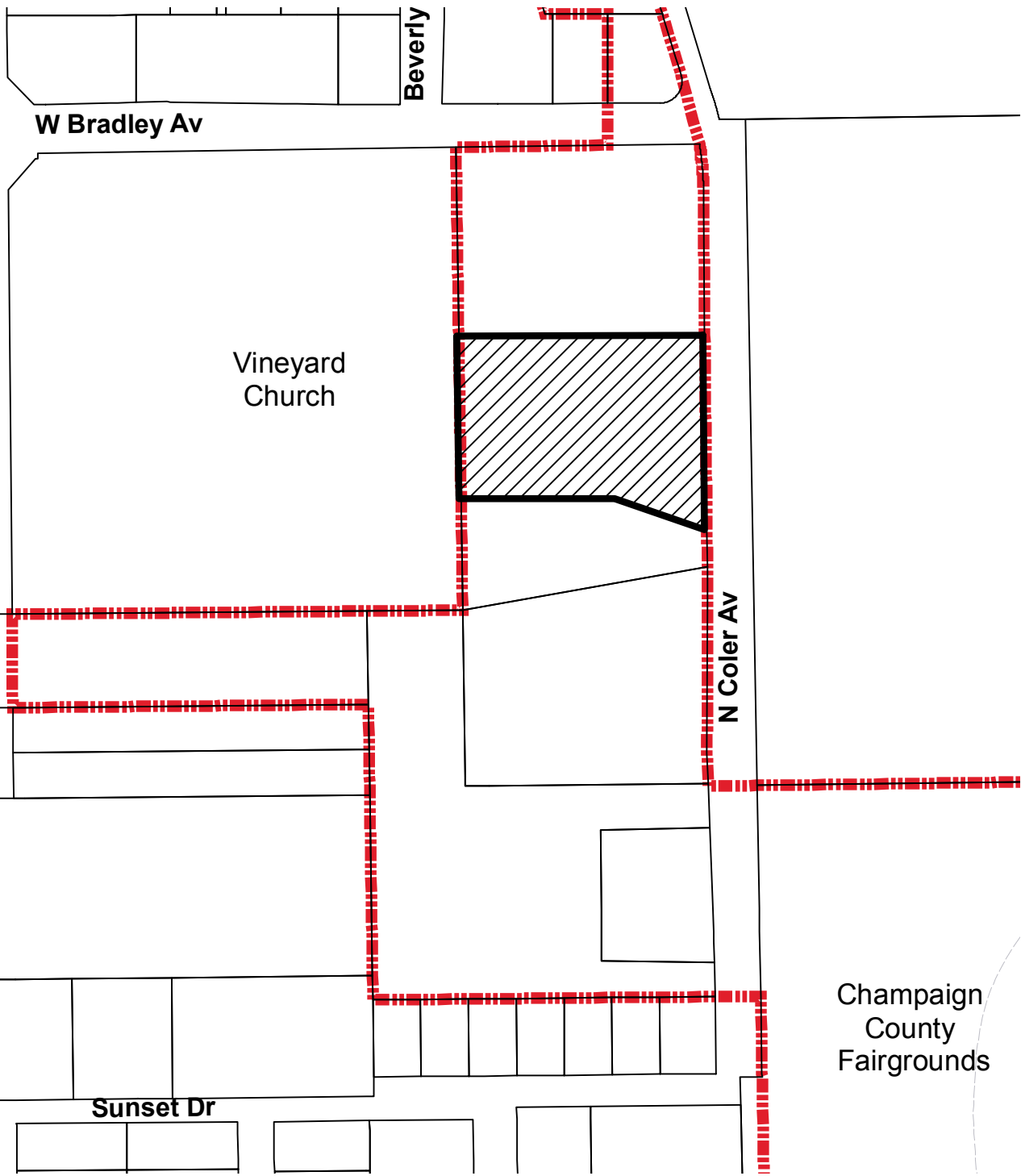
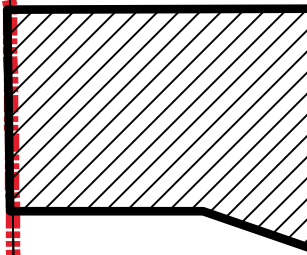
Beverly

Vineyard Church



N Coler Av

Sunset Dr

Champaign County Fairgrounds



Case: 2013-A-01
Subject: Bruce Annexation
Location: 1501 N. Coler Ave, Urbana
Petitioner: 30-21-08-102-002

 Subject Property
 Urbana City Boundary

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 13th day of November 1993.

Phyllis U. Clark

Phyllis U. Clark, City Clerk

APPROVED by the Mayor this 10th day of November 1993

Tod Satterthwaite

Tod Satterthwaite, Mayor



Petition for Annexation

Annexation

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed 1/22/13 Annexation Case No. 2013-A-01

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): Bertram C & Susan P Bruce Phone: 508-214-0250
Address (street/city/state/zip code): 130 Daniels Dr Wellfleet MA 02667
Email Address: Susanpbruce@yahoo.com
Property Interest of Applicant(s) (Owner, Contract Buyer, etc.): Owners

2. OWNER INFORMATION

Name of Owner(s): Bertram C & Susan P Bruce Phone: 508-214-0250
Address (street/city/state/zip code): 1501 N Coler Ave Urbana IL 61801
Email Address: Susanpbruce@yahoo.com
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: 1501 N Coler Ave Urbana
PIN # of Location: 30-21-08-102-002
Lot Size: 1.74 acres
Current Zoning Designation: R4
Proposed Zoning Designation: R4
Current Land Use (vacant, residence, grocery, factory, etc): residence
Proposed Land Use: residence
Present Comprehensive Plan Designation:
Legal Description: CUB of NE 1/2 NW 1/4 SEC 8 URB TWP

To the City Council of the City of Urbana

Champaign County, Illinois

The Applicant, Bertram C & Susan P Bruce, respectfully states under oath:

That I, Bertram C & Susan P Bruce (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)

CUB OF NE 1/2 NW 1/4 SEC 8 URB TWP

All situated in 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 parcel:

Also known for reference as 1501 N Coler Ave Urbana, Illinois,
(street address)

having permanent identification number (PIN) 30-21-08-102-002.

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 _____, 20____ as Ordinance No. _____ 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 22nd day of January, 2013

OWNER(S):

By: Bertman Bruce

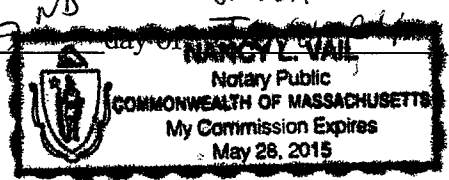
By: Susan P Bruce

By: _____

By: _____

Subscribed and sworn to before me this 22nd day of JANUARY, 2013.

Nancy L. Vail
Notary Public



Seal

My Commission Expires: 28th day of MAY, 2015.