



## 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 7, 2012

**SUBJECT:** Annexation Case No. 2012-A-02, Voluntary Annexation of 2100 E. University Avenue.

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### **Description**

The applicant has petitioned the Urbana City Council to annex 2100 East University Avenue into the Urbana corporate limits. (See Exhibit A.) The area to be annexed is 1.37 acres in area and is currently occupied by the Champaign County Power Equipment Company store which is scheduled to close. Casey's Retail Company is under contract to purchase the property to relocate their existing East University Avenue convenience store/service station to this location. (See Exhibit B.) The property is required to be annexed per a recently adopted annexation agreement between the City of Urbana and Town and Country Illinois, LLC. Should the annexation of the subject property be approved, the effective date of the annexation would be June 21, 2012 at noon.

### **Discussion**

An annexation agreement for the subject property was approved by the City Council on June 4, 2012 (see Ordinance No. 2012-06-055). The annexation agreement stipulates that the City of Urbana will rezone the property to City B-2, Neighborhood Business -Arterial upon annexation.

The subject property is a 1.37-acre parcel located northeast of University Avenue (US Route 150) and south of the University Avenue I-74 Access Spur, and is contiguous to the City of Urbana to the west. Benefits of bringing the subject property into the City include the facilitation of compact, contiguous annexation, future tax revenues, and the ability to ensure code compliance and safety.

The property is currently zoned Champaign County B-2, Neighborhood Business, and a recently adopted annexation agreement stipulates that the property will be rezoned to City B-2, Neighborhood Business -Arterial zoning upon annexation. The proposed rezoning was requested

by the owner as Casey's Retail Company is under contract to purchase the property to relocate their existing East University Avenue convenience store/service station to this location and the B-2 district would allow this use to operate by right.

## **Options**

1. Approve the annexation petition.
2. Deny the annexation petition.

## **Fiscal Impact**

The proposed annexation would have a positive fiscal impact upon the City as it would generate additional sales, utility, and property tax revenues. Additional demand for City services as a result of the annexation are not expected to be significant.

## **Recommendation**

Staff recommends that the Committee of the Whole forward the attached ordinance to the City Council's regular meeting on June 18, 2012 for approval.

Prepared By:

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Rebecca Bird, Planner II

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

cc:                    Wes Meyers, Melani Samora, Scott Carter  
                         John Hall, CCP&ZD  
                         Vicki Mayes, Urbana Park District

**ORDINANCE NO. 2012-06-064**

**AN ORDINANCE ANNEXING CERTAIN TERRITORY TO THE CITY OF URBANA**

(2100 East University Avenue / Casey's General Store -  
Town & Country Illinois, LLC)

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 Edge Scott 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 29, 2012 notifying them that this Ordinance would be voted upon at the regular meeting of this Council at 7:00 p.m., Monday, June 18, 2012; 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 4, 2012 the City Council passed Ordinance No. 2012-06-056 approving and authorizing the execution of annexation agreement pertaining to the property; and

WHEREAS, the territory to be annexed by this Ordinance is presently located within Champaign County's B-2, Neighborhood Business Zoning District, and upon annexation will be rezoned under the terms of the annexation agreement to City B-2, Neighborhood Business - Arterial 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:

PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY AND EASTERLY RIGHT-OF-WAY LINE OF THE URBANA SPUR OF INTERSTATE HIGHWAY ROUTE 74 (FA ROUTE 11) WITH THE NORTHERLY RIGHT-OF-WAY LINE OF ILLINOIS HIGHWAY SBI ROUTE 10 (US HIGHWAY ROUTE 150/FAP 808) (ILLINOIS HIGHWAY ROUTE 130) ALSO CALLED UNIVERSITY AVENUE, SAID POINT BEING LOCATED 93.17 FEET RIGHT OF SAID URBANA SPUR OF INTERSTATE HIGHWAY ROUTE 74 CENTER LINE STATION 16+50. FROM SAID POINT OF BEGINNING, THENCE NORTH 71 DEGREES 54 MINUTES 55 SECONDS EAST 255.00 FEET ALONG SAID SOUTHERLY AND EASTERLY RIGHT-OF-WAY LINE OF THE URBANA SPUR TO A POINT OF CURVATURE BEING LOCATED 90 FEET RIGHT OF SAID URBANA SPUR CENTER LINE STATION 19+00; THENCE NORTHEASTERLY ALONG SAID SOUTHERLY AND EASTERLY RIGHT-OF-WAY LINE OF THE URBANA SPUR 40.11 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 4,673.66 FEET AND THE 40.11 FOOT CHORD OF SAID ARC BEARS NORTH 70 DEGREES 45 MINUTES 32 SECONDS EAST ; THENCE SOUTH 02 DEGREES 27 MINUTES 12 SECONDS WEST 59.50 FEET; THENCE SOUTH 87 DEGREES 32 MINUTES 48 SECONDS EAST 15.00 FEET; THENCE SOUTH 02 DEGREES 27 MINUTES 12 SECONDS WEST 118.50 FEET; THENCE SOUTH 17 DEGREES 27 MINUTES 09 SECONDS WEST 114.66 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID ILLINOIS HIGHWAY SBI ROUTE 10 (US HIGHWAY ROUTE 150/FAP 808) (ILLINOIS HIGHWAY ROUTE 130); THENCE NORTH 87 DEGREES 34 MINUTES 22 SECONDS WEST 150.00 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO A POINT LOCATED 26.689 METERS [81.00 FEET] LEFT OF SAID ILLINOIS HIGHWAY WAY SBI ROUTE 10 (US HIGHWAY ROUTE 150/FAP 808) (ILLINOIS HIGHWAY ROUTE 130) CENTER LINE STATION 29+083.459; THENCE NORTH 46 DEGREES 43 MINUTES 56 SECONDS WEST 93.46 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO A POINT LOCATED 27.432 METERS [90.00 FEET] LEFT OF SAID CENTER LINE, STATION 29+046.122; THENCE NORTH 15 DEGREES 46 MINUTES 24 SECONDS WEST 129.96 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING, CONTAINING 1.374 ACRES, MORE OR LESS, 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 TRACT:

A PART OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 19 NORTH, RANGE 9 EAST OF THE THIRD PRICIPAL MERIDIAN, CHAMPAIGN COUNTY, ILLINOIS, BEING FURTHER DESCRIBED AS;

THAT PORTION OF THE UNIVERSITY AVENUE (SBI ROUTE 10) (U.S. ROUTE 150/F.A.P. 808) (IL ROUTE 130) AND I-74 URBANA SPUR (F.A. ROUTE 11) (IL ROUTE 130) RIGHT-OF-WAY LYING ADJACENT TO THE HEREIN ANNEXED TRACT, ENCOMPASSING 1.597 ACRES, MORE OR LESS.

Said annexation containing 1.37 acres, more or less, all situated in Urbana Township, Champaign County, Illinois.

The above described territory is more commonly known as 2100 East University Avenue, Urbana, Illinois, and referenced by the Champaign County Parcel Index Number 30-21-09-476-002.

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 B-2, Neighborhood Business - Arterial 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 21<sup>st</sup> day of June, 2012 following its passage by the Urbana City Council.

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_,  
2012.

AYES:

NAYS:

ABSTAINS:

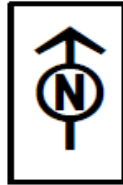
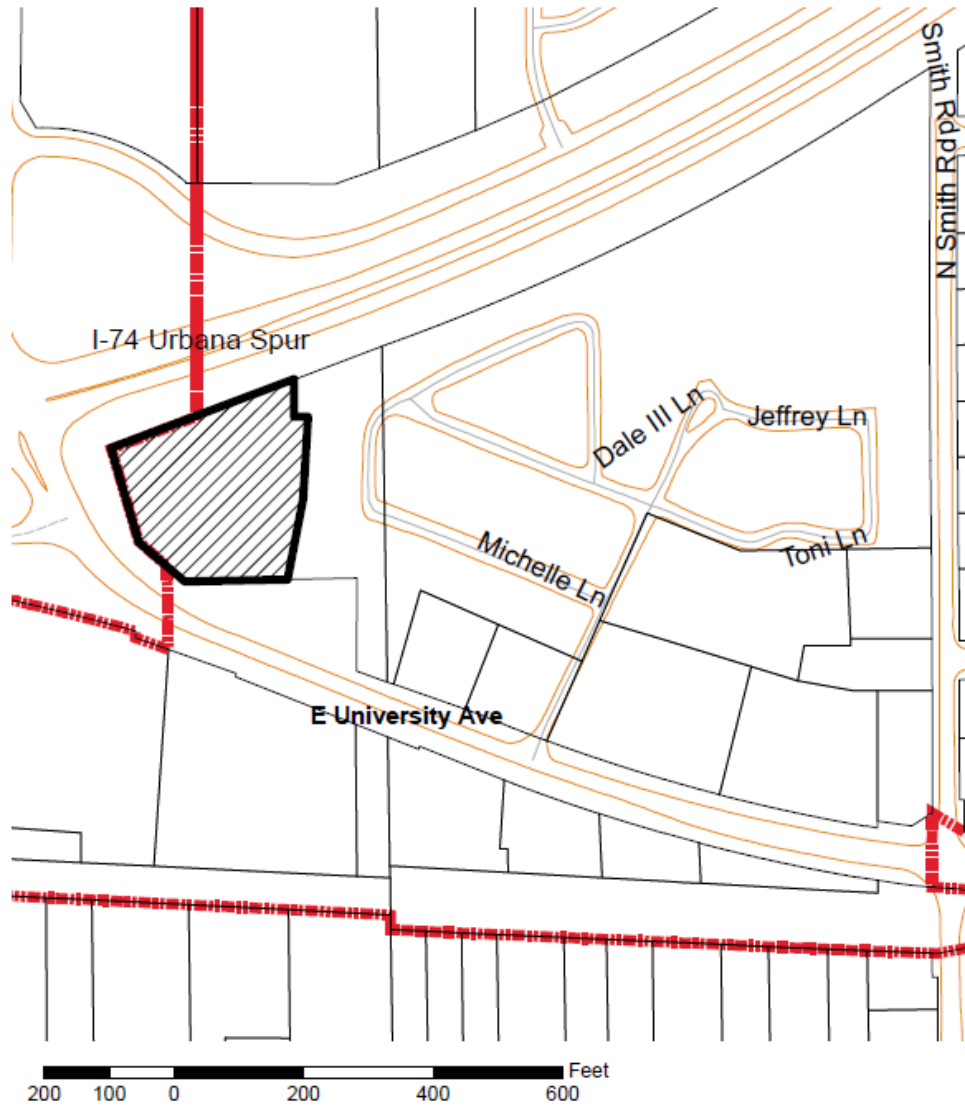
\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_,  
2012.



\_\_\_\_\_  
Laurel Lunt Prussing, Mayor

EXHIBIT A

# Location Map



Case: 2012-A-02 & 2178-M-12  
Subject: Annexation Agreement  
& Rezoning  
Location: 2100 E University Ave, Urbana  
Petitioner: 30-21-09-476-002

 Subject Property  
 Corporate Limits

Prepared 5/8/2012 by Community Development Services - rlb



# Petition for Annexation

# Annexation

DO NOT WRITE IN THIS SPACE - FOR OFFICE USE ONLY

Date Request Filed \_\_\_\_\_ Annexation Case No. \_\_\_\_\_

PLEASE PRINT OR TYPE THE FOLLOWING INFORMATION

### 1. APPLICANT CONTACT INFORMATION

Name of Applicant(s): TOWN & COUNTRY - ILLINOIS L.L.C. (SCOTT CARTER)  
 Address (street/city/state/zip code): 729 ACADEMY STREET KALAMAZOO, MICHIGAN 49007 Phone: 269-381-4641  
 Email Address: pcampbell.glmc@gmail.com  
 Property Interest of Applicant(s) (Owner, Contract Buyer, etc.): OWNER

### 2. OWNER INFORMATION

Name of Owner(s): SAME AS APPLICANT ABOVE Phone: \_\_\_\_\_  
 Address (street/city/state/zip code): \_\_\_\_\_  
 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: SE. COR. UNIVERSITY AVE. (I-74 SPUR) & U.S. 150  
 PIN # of Location: 30-21-09-476-002  
 Lot Size: 1.37 ACRES  
 Current Zoning Designation: CHAMPAIGN COUNTY B-2  
 Proposed Zoning Designation: CITY OF URBANA B-2  
 Current Land Use (vacant, residence, grocery, factory, etc): CHAMPAIGN POWER  
 Proposed Land Use: CONVENIENCE STORE EQUIPMENT  
 Present Comprehensive Plan Designation: COMMUNITY BUSINESS  
 Legal Description: SEE ATTACHED



To the City Council of the City of Urbana

Champaign County, Illinois

The Applicant, SCOTT CARTER; respectfully states under oath:

That I, SCOTT CARTER (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)  
SEE ATTACHED DESCRIPTION

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:  
PROPERTY TO BE ANNEXED IS CONTIGUOUS.

Also known for reference as 2100 E. UNIVERSITY AVE.  
URBANA, ILL. 61802 Urbana, Illinois,  
(street address)

having permanent identification number (PIN) 30-21-09-474-002

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 3<sup>rd</sup> day of May, 2012

OWNER(S):

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

Subscribed and sworn to before me this 4<sup>th</sup> day of May, 2012.

Debra Lynn Zaworski  
Notary Public

Seal

DEBRA LYNN ZAWORSKI  
NOTARY PUBLIC, ALLEGAN COUNTY, MI  
MY COMMISSION EXPIRES DEC 22, 2014  
ACTING IN THE COUNTY OF KALAMAZOO

My Commission Expires: 22<sup>nd</sup> day of December, 2014.

N/A

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. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

COUNTY OF CHAMPAIGN )  
 ) SS  
 STATE OF ILLINOIS )

I, \_\_\_\_\_, 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.

\_\_\_\_\_  
 Notary Public

Seal

My Commission expires the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

**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  
Fax: (217) 384-2367



Lot 1 Lot 2  
T. Wilson's Subdivision

Southerly extension of the east line of Lot 1 of T. Wilson's Subdivision

Existing northerly R.O.W. line of FA Route 11

ROW  
Area = 51,037,862 S.F.  
(1,172 Acres)

L=40.11'  
R=4,673.66'  
C=40.11'

CB=N70°45'32"E

1-74 Urbana Spur (F.A. Route 11)  
(IL Route 130)

Existing southerly ROW line of FA Route 11

S 02°27'12" W - 59.50'

N 71°54'55" E - 255.00'

S 87°32'48" E - 15.00'

S 02°27'12" W - 118.50'

University Avenue (SBI Route 10)  
(U.S. Route 150 / F.A.P. 808)

See Detail "A" on Page 2

ROW  
Area = 1,442,599 S.F.  
(0.033 Acres)

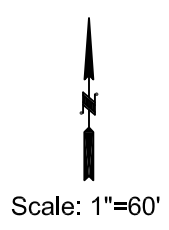
PIN: 30-21-09-476-002 (Part)  
Area = 59,869,332 S.F.  
(1,374 Acres)

Existing northerly ROW line of SBI Route 10 (FA Route 808) (University Avenue)

Southerly extension of the east line of Lot 1 of T. Wilson's Subdivision

ROW  
Area = 17,081,270 S.F.  
(0.392 Acres)


Existing southerly ROW line of SBI Route 10 (FA Route 808) (University Avenue)



MAP SHOWING AREA ANNEXED BY CITY ORDINANCE #2012-06-XXX  
CITY OF URBANA, CHAMPAIGN COUNTY, ILLINOIS  
DATE: June XX, 2012

AREA OF ANNEXATION	+++++
EXISTING CITY LIMITS	-----
NEW CITY LIMITS	-----
RIGHT OF WAY LINE	-----
PROPERTY ADDRESS	2702

**ENGINEERING DIVISION**



CITY ENGINEER/PUBLIC WORKS DIRECTOR

DRAWN BY: B.W.F. 6/6/2012  
CHECKED: W.R.G. 6/7/2012

Page 1 of 2

LEGAL DESCRIPTION

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