

**VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
SEPTEMBER 9, 2014 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Public Hearing Regarding the Establishment of a Special Service Area (SSA) for Dunham Subdivision	Resolution ✓ Ordinance Motion Discussion Only	Stan Popovich, AICP Planning Manager

SYNOPSIS

A public hearing has been noticed for September 9, 2014 regarding the establishment of Special Service Area #7 for the Dunham Subdivision.

STRATEGIC PLAN ALIGNMENT

The Goals for 2011-2018 identified *Exceptional Municipal Services*.

FISCAL IMPACT

N/A.

RECOMMENDATION

As required by statute, hold the public hearing as part of the regularly scheduled meeting of the Village Council.

BACKGROUND

The Village is proposing establishment of a Special Service Area (SSA) #7 for the Dunham Subdivision, which will serve as a safeguard in the event that the homeowners association cannot or does not maintain the subdivision's detention areas. The SSA will allow the Village to levy a special tax on the property owners for the maintenance of the facility. The tax would only be levied if the homeowner's association defaults and the Village is required to step in and maintain the common areas. The Village would then maintain the detention facilities.

The Dunham Subdivision is located at the southeast corner of Dunham Road and Crystal Avenue, currently known as 7143 Dunham Road. The three lot subdivision was approved on March 18, 2014. The subdivision will facilitate construction of 12 townhome units in three buildings. A stormwater detention facility is located on Lot 1. The subdivision approval included the establishment of a homeowners association to maintain the common areas, which in this case is the detention area with associated stormwater improvements. As part of the homeowners association, an SSA is being created.

The Village proposes a maximum annual rate not to exceed 3% of the property's equalized Assessed Value (EAV) as a tax levy.

Tonight's public hearing is a required component in the process of creating an SSA. Notice of the public hearing was published in the Downers Grove Suburban Life on August 20, 2014 and mailed to the affected

property owners as required by state statute. Following a 60-day objection period an ordinance approving the establishment of the SSA will be placed on a Council agenda.

ATTACHMENTS

Notice of Public Hearing

**PROCEDURES FOR PUBLIC HEARING
PROPOSED SPECIAL SERVICE AREA #7**

Mayor's Opening Statement:

This public hearing will please come to order. This public hearing has been called by the Village Council to consider the formation of Special Service Area #7 and the levying of taxes affecting said area. The approximate street location for the special service area is the Dunham Subdivision located at the southeast corner of Dunham Road and Crystal Avenue. An accurate map of said territory is on file in the office of the Village Clerk and is available for public inspection.

Notice of this hearing was published in the Downers Grove Suburban Life on August 20, 2014 and a certificate of publication is made a part of these proceedings.

I would like to summarize the procedures which we will follow for tonight's public hearing.

1. First, Dave Fieldman, Village Manager, will provide an overview of the proposed Special Service Area.
2. Next, there will be an opportunity for members of the Village Council to ask questions or make comments.
3. Next, there will then be an opportunity for members of the public to make statements or comments, or to submit written statements or comments for the record.
4. I will again ask if any member of the Council wishes to make a statement or ask a question.
5. Thereafter, I will ask for a motion to adjourn.

At this hearing, witnesses will not be sworn and a verbatim written transcript of the statements or testimony given at the hearing will not be prepared. However, a recording of the procedures will be made on Village equipment and retained until minutes of the hearing have been prepared and approved by the Village Council.

- 1. Staff Presentation.**
- 2. Questions or comments from the Village Council.**
- 3. Comments or statements from the public.**
- 4. Final questions or comments from the Village Council.**
- 5. Adjournment.**

NOTICE OF HEARING

VILLAGE OF DOWNERS GROVE SPECIAL SERVICE AREA NUMBER 7

NOTICE IS HEREBY GIVEN that on September 9, 2014 at 7:00 p.m., in the Council Chambers of the Civic Center, 801 Burlington Avenue, Downers Grove, Illinois, a hearing will be held by the Village Council of the Village of Downers Grove, to consider forming a Special Service Area consisting of the following described territory:

LOT 1 IN DUNHAM SUBDIVISION, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 25, 2014 AS DOCUMENT R2014-024226, IN DUPAGE COUNTY, ILLINOIS.

LOT 2 IN DUNHAM SUBDIVISION, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 25, 2014 AS DOCUMENT R2014-024226, IN DUPAGE COUNTY, ILLINOIS.

LOT 3 IN DUNHAM SUBDIVISION, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 25, 2014 AS DOCUMENT R2014-024226, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.s: 09-29-100-123; 09-29-100-124; 09-29-100-125

The approximate street location for the area is 7143 Dunham Road. An accurate map of said territory is on file in the office of the Village Clerk and is available for public inspection.

All interested persons affected by the formation of Downers Grove Special Service Area Number 7, including all persons owning taxable real property within said special service area, will be given the opportunity to be heard regarding the formation and boundaries of the area and may object to the formation of the area and the levy of taxes affecting said area. The hearing may be adjourned by the Council to another date without further notice other than a Motion to be entered upon the minutes of its meeting fixing the time and place of its adjournment.

The purpose of the formation of Downers Grove Special Service Area Number 7 in general is to provide special municipal services to the area, including, but not limited to, municipal services in connection with the maintenance and operation of

any “Common Area” of the subject property as defined in the Declaration of Covenants, Conditions, Easements and Restrictions for the Dunham Street Development Townhomes Association, including but not limited to real property and improvements thereto owned or maintained by the Association, and the stormwater management facilities (including, but not limited to, stormwater detention and retention basin areas, inlet and out structures, connection storm sewers, connecting surface drainage channels, subsurface drainage systems) and associated landscaping, retaining walls and grass areas located therein.

A special tax will be considered at the public hearing to be levied in an amount not to exceed an annual rate of three percent (3%) of the assessed value, as equalized to be levied against the real property included in the special service area. This tax may be levied for an indefinite period of time during and in the years subsequent to the date of this Ordinance.

If a petition signed by at least fifty-one percent (51%) of the electors residing within the special service area and by at least fifty-one percent (51%) of the owners of record of the land included within the boundaries of the Special Service Area is filed with the Village clerk within sixty (60) days following the final adjournment of the public hearing objecting to the creation of the special service district, the enlargement thereof, the levy or imposition of a tax for the provision of special services to the area, or to a proposed increase in the tax, no such district shall be created or enlarged, or tax may be levied or imposed nor the rate increased.

Dated this ___ day of August 2014.

April Holden, Village Clerk