

VILLAGE OF DOWNERS GROVE
Report for the Village
4/17/2018

SUBJECT:	SUBMITTED BY:
3600 Lacey Road – Special Service Area	Stan Popovich, AICP Director of Community Development

SYNOPSIS

An ordinance has been prepared proposing the establishment of Special Service Area #10 for the Bridgepoint Downers Grove Subdivision at 3600 Lacey Road.

STRATEGIC PLAN ALIGNMENT

The goals 2017-2019 include *Exceptional Municipal Services*.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval on the May 1, 2018 active agenda.

BACKGROUND

The Village is proposing the establishment of Special Service Area (SSA) #10 for the 3600 Lacey (“Bridgepoint”) Subdivision which will serve as a safeguard in the event that the Association cannot or does not maintain the subdivision’s common detention areas. The SSA will allow the Village to levy a special tax on the property owners for the maintenance of the common areas if the owner defaults and the Village is required to step in to provide such maintenance. The Village would then assume responsibility for maintaining the common areas.

The 3600 Lacey (“Bridgepoint”) Subdivision is located at the intersection of Finley Road and Lacey Road. The three lot and two outlot subdivision was approved on December 5, 2017 and recorded on March 23, 2018. The subdivision consists of three lots with a stormwater management basin on a dedicated outlot. The subdivision approval included the establishment of an Association that will be responsible for maintaining the stormwater management facilities (including but not limited to the detention basin, inlet and outlet structures and connecting storm sewers) and associated landscaping, swales and grass areas.

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

To establish the SSA the Village must first approve an ordinance proposing the establishment of the SSA. A public hearing must then be held at a Council meeting after notice is published in the paper and mailed to

those properties which would be included in the SSA. There is then a 60-day objection period following the public hearing. If 51% of the property owners and electors residing within the boundaries of the proposed SSA file an objection, then the SSA cannot be created. If this threshold is not met, the Village can then approve an ordinance establishing the SSA. Staff is not anticipating an objection as the entire subdivision is still owned by the developer, Bridge Downers Grove, LLC.

ATTACHMENTS

Ordinance

Aerial Map

Recorded Final Plat of Subdivision for the 3600 Lacey (“Bridgepoint”) Subdivision

ORDINANCE NO. _____**AN ORDINANCE PROPOSING THE ESTABLISHMENT OF
SPECIAL SERVICE AREA NUMBER 10
IN THE VILLAGE OF DOWNERS GROVE, ILLINOIS AND
PROVIDING FOR A PUBLIC HEARING
AND OTHER PROCEDURES IN CONNECTION THEREWITH**

BE IT ORDAINED by the Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

Section 1. Authority to Establish Special Service Area.

Special Service Areas are established pursuant to Article VII, Section 6L of the Constitution of the State of Illinois in force July 1, 1971, which provides:

The General Assembly may not deny or limit the power of home rule units (1) to make local improvement by special assessment and to exercise this power jointly with other counties and municipalities, and other classes of units of local government having that power on the effective date of this Constitution, unless that power is subsequently denied by law to any such other local unit of government, or (2) to levy or impose additional taxes upon areas within their boundaries in the manner provided by law for the provision of special services to those areas and for the payment of debt incurred in order to provide those special services and are established pursuant to the provision of an Act to provide the manner of levying or imposing taxes for the provision of special services to areas within the boundaries of home rule units and non-home rule municipalities and counties pursuant to the Revenue Act of 1939.

Section 2. Findings. The Village Council finds:

- A. It is in the public interest that the creation of the area hereinafter described as a special service area for the purposes set forth herein be considered.
- B. That said area is compact and contiguous and constitutes the sole area to be benefitted from the maintenance and operation of said improvements.
- C. That said area is zoned for residential purposes and will benefit specially from the municipal services to be provided and that the proposed municipal services are in addition to municipal services provided to the Village of Downers Grove as a whole and it is, therefore, in the best interest of the Village of Downers Grove that the levy of special taxes against said area for the services to be provided be considered.

Section 3. Public Hearing – Tax Rates.

That a public hearing be held on Tuesday, July 10, 2018 at 7:00 p.m. in the Council Chambers of the Civic Center, 801 Burlington Avenue, Downers Grove, Illinois, to consider the creation of Special Service Area Number 10 of the Village of Downers Grove, in the territory described in the Notice set forth in Section 4 hereof. At the hearing, there will be considered the levy of an annual tax not to exceed an annual rate of three percent (3%) of the assessed value, as equalized, of the property in the Special Service Area. Said taxes shall be in addition to all other taxes provided by law and shall be levied pursuant to the provisions of the Revenue Act of 1939. Notwithstanding the foregoing, taxes shall not be levied hereunder and said area shall be "dormant", and shall take effect only if the applicable required owners association or property owner fails to maintain, repair or replace part or all of the "Common Area" and stormwater management facilities and associated landscaping, retaining walls and grass areas, as hereinafter identified, and the Village chooses to assume some or all of said responsibilities. The Village may annually levy hereunder up to the maximum rate specified herein for the cost of said services, as said services become necessary and are provided for.

Section 4. Notice of Hearing.

Notice of hearing shall be published at least once not less than fifteen (15) days prior to the public hearing in one or more newspapers in general circulation in the Village of Downers Grove. In addition, notice by mailing shall be given by depositing said notice in the U.S. Mail addressed to the person or persons in whose name the general taxes for the preceding year were paid on each lot, block, tract, or parcel of land lying within the proposed Special Service Area. Said notices shall be mailed not less than ten (10) days prior to the time set for the public hearing. In the event the taxes for last preceding year were not paid, the Notice shall be sent to the person last listed on the tax rolls prior to that year as the owner of the property. The Notice shall be in substantially the following form:

NOTICE OF HEARING

**VILLAGE OF DOWNERS GROVE
SPECIAL SERVICE AREA NUMBER 10**

NOTICE IS HEREBY GIVEN that on Tuesday, July 10, 2018 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:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 31; THENCE NORTH 89 DEGREES 45 MINUTES 17 SECONDS EAST ALONG SAID NORTH LINE OF LACEY'S TRACT, 999.58 FEET TO AN INTERSECTION WITH A LINE 67.00 FEET, AS MEASURED AT RIGHT ANGLES, WEST OF AND PARALLEL WITH THE CENTERLINE OF OLD LACEY ROAD; THENCE SOUTH 00 DEGREES 37 MINUTES 55 SECONDS EAST ALONG SAID LAST DESCRIBED PARALLEL LINE, 706.49 FEET TO A POINT

OF CURVATURE; THENCE SOUTHEASTERLY ALONG A CURVED LINE CONVEX SOUTHWESTERLY, HAVING A RADIUS OF 208.50 FEET AND BEING TANGENT TO SAID LAST DESCRIBED CURVED LINE AT SAID LAST DESCRIBED POINT, AN ARC DISTANCE OF 111.01 FEET TO A POINT OF TANGENCY (THE CHORD OF SAID ARC BEARS SOUTH 15 DEGREES 53 MINUTES 03 SECONDS EAST, 109.70 FEET); THENCE SOUTH 31 DEGREES 08 MINUTES 11 SECONDS EAST, ALONG THE SOUTHERLY LINE OF NEW LACEY ROAD, 75.14 FEET TO THE SOUTHERLY EXTENSION OF THE CENTERLINE OF OLD LACEY ROAD; THENCE SOUTH 00 DEGREES 37 MINUTES 55 SECONDS EAST ALONG THE SOUTHERLY EXTENSION OF THE CENTERLINE OF OLD LACEY ROAD, 281.93 FEET TO AN INTERSECTION WITH THE NORTHEASTERLY EXTENSION OF THE CURVED WESTERLY LINE OF FINLEY ROAD (COUNTY ROAD 2) AS DEDICATED BY INSTRUMENT RECORDED SEPTEMBER 21, 1959 AS DOCUMENT 940529; THENCE SOUTHERLY ALONG SAID WESTERLY LINE OF FINLEY ROAD AND ALONG SAID WESTERLY LINE EXTENDED, BEING A CURVED LINE CONVEX NORTHWESTERLY AND HAVING A RADIUS OF 2471.12 FEET, AN ARC DISTANCE OF 467.35 FEET TO A POINT OF TANGENCY IN SAID LINE (THE CHORD OF SAID ARC BEARS SOUTH 05 DEGREES 17 MINUTES 23 SECONDS WEST, 466.65 FEET); THENCE SOUTH 00 DEGREES 07 MINUTES 44 SECONDS EAST ALONG THE WEST LINE OF FINLEY ROAD (COUNTY ROAD 2) AS DEDICATED BY INSTRUMENT RECORDED SEPTEMBER 21, 1959 AS DOCUMENT 940529, 368.88 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF THE NORTHERN ILLINOIS GAS COMPANY RIGHT OF WAY; THENCE SOUTH 57 DEGREES 53 MINUTES 25 SECONDS WEST ALONG SAID NORTHERLY LINE OF THE NORTHERN ILLINOIS GAS COMPANY RIGHT OF WAY, 303.18 FEET TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 31; THENCE NORTH 89 DEGREES 13 MINUTES 43 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER 873.46 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS

Commonly known as: 3600 Lacey Road, 3700 Lacey Road, 3800 Finley Road,
Downers Grove, IL 60515
PIN: 06-31-300-009

The approximate street location for the area is at the intersection of Lacey Road and Finley 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 10, 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 10 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 Bridgepoint Subdivision, 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. Notwithstanding the foregoing, taxes shall not be levied hereunder and said area shall be "dormant", and shall take effect only if the applicable required owners association or property owner fails to maintain, repair or replace part or all of the "Common Area" and stormwater management facilities and associated landscaping, retaining walls and grass areas, as hereinafter identified, and the Village chooses to assume some or all of said responsibilities.

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 _____ 201____.

April Holden, Village Clerk

Section 5. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 6. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

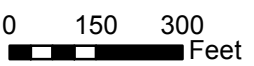
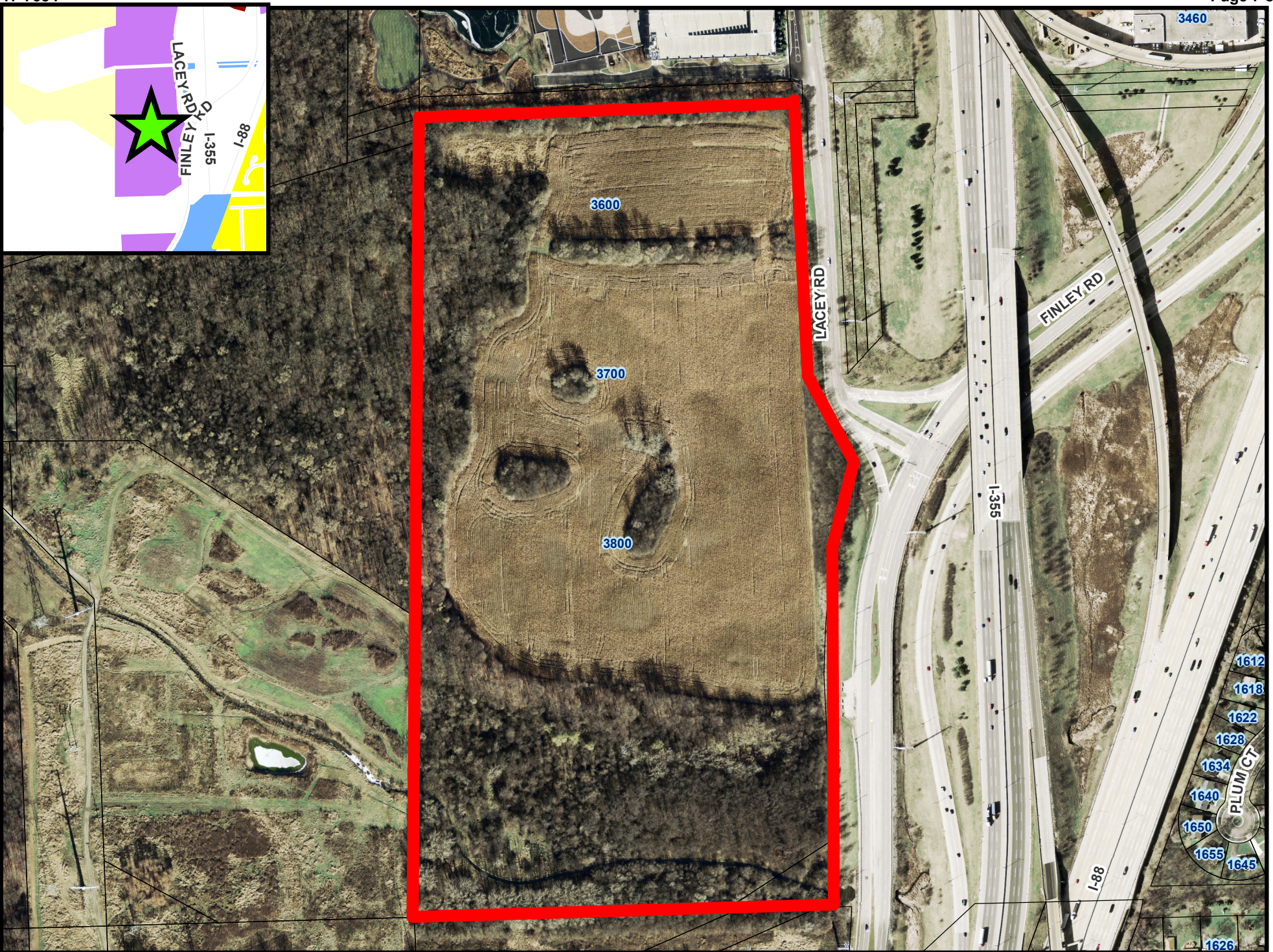
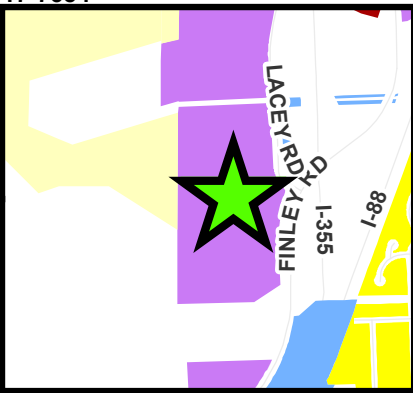
Mayor

Passed:

Published:

Attest: _____

Village Clerk



3600-3700 Lacey and 3800 Finley - Location Map

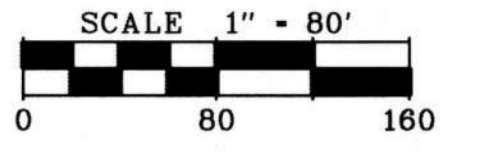
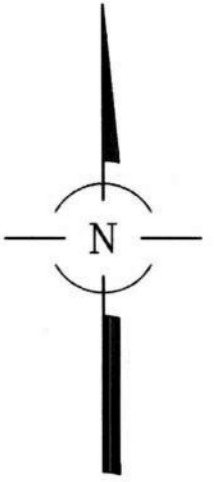


FINAL PLAT OF SUBDIVISION OF BRIDGEPOINT DOWNERS GROVE

PART OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

NEW LOT LAYOUT (SEE SHEET 2 OF 4 FOR PROPOSED EASEMENT LAYOUT)

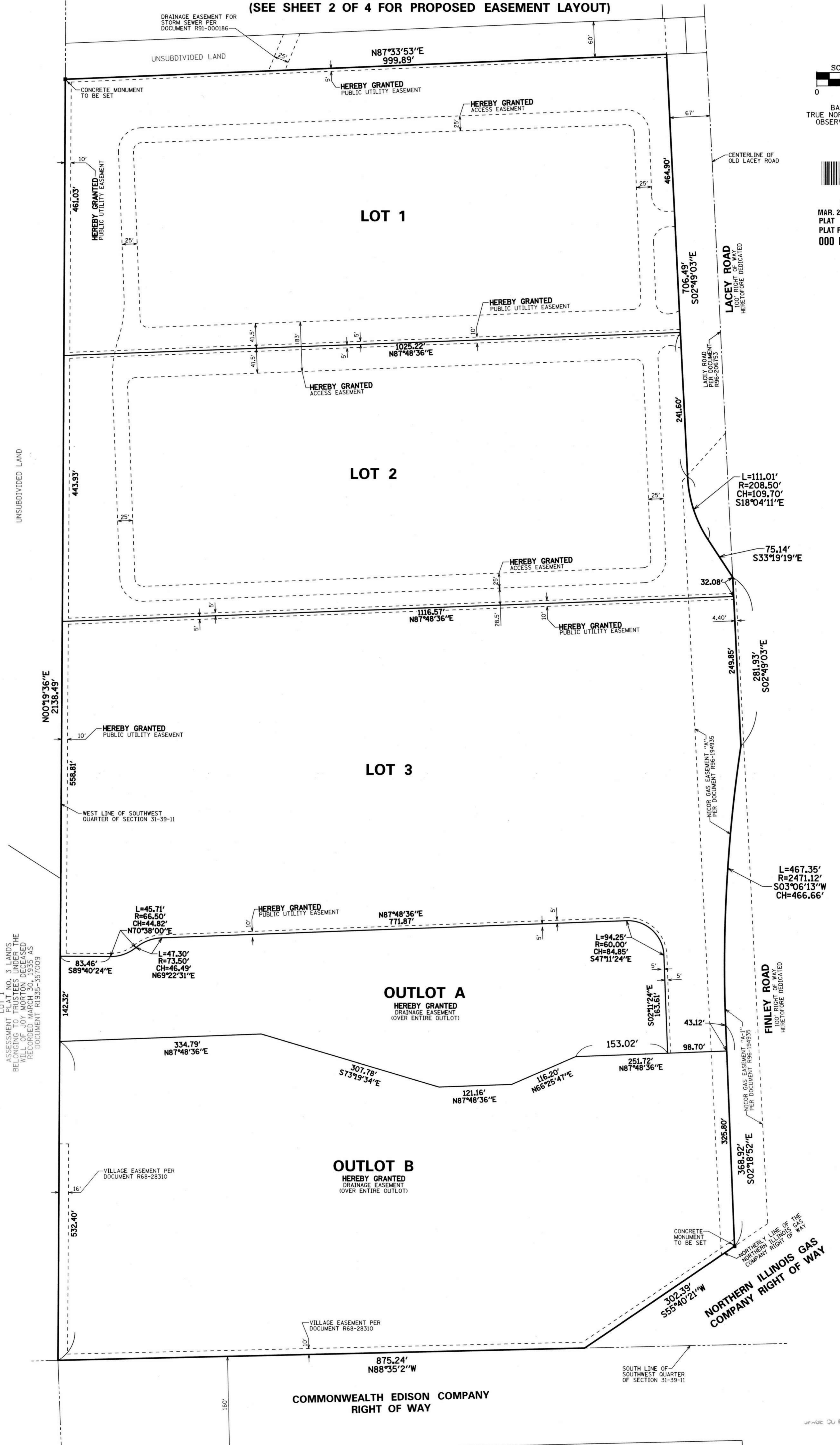
AREA TABLE		
	SO. FT.	ACRES
LOT 1	468,514	10,756
LOT 2	466,298	10,705
LOT 3	624,188	14,329
OUTLOT A	206,850	4,749
OUTLOT B	533,572	12,248
TOTAL	2,299,422	52,787



BASIS OF BEARINGS:
TRUE NORTH BASED ON GEODETIC
OBSERVATION IL EAST ZONE



FRED BUCHOLZ
 DUPAGE COUNTY RECORDER
 MAR. 23, 2018 RHSP 9:20 AM
 PLAT S81.00 06-31-300-009
 PLAT PAGE COUNT: 4
 000 PAGES R2018-025167



LOT 1
 ASSESSMENT PLAT NO. 3, LANDS
 BELONGING TO MORTGAGES REFINANCED
 RECORDED MARCH 30, 1935 AS
 DOCUMENT R1935-357009

VILLAGE EASEMENT PER
 DOCUMENT R68-28310

VILLAGE EASEMENT PER
 DOCUMENT R68-28310

LOT 1
 ASSESSMENT PLAT NO. 3, LANDS
 BELONGING TO MORTGAGES REFINANCED
 RECORDED MARCH 30, 1935 AS
 DOCUMENT R1935-357009

VILLAGE EASEMENT PER
 DOCUMENT R68-28310

REVISIONS:
10/20/2017
01/24/2018
02/12/2018
02/16/2018
03/09/2018



CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS

9575 W. Higgins Road, Suite 700,
 Rosemont, Illinois 60018
 Phone: (847) 696-4060 Fax: (847) 696-4065

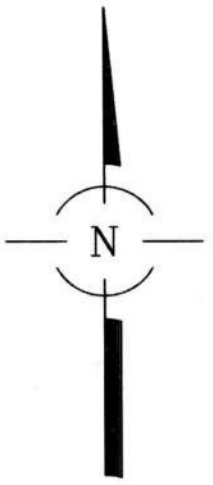
DATE: 09/15/2017
JOB NO: 2529.03
FILENAME: 2529_03SUB-01
SHEET 1 OF 4

PREPARED FOR:
 BRIDGE DEVELOPMENT PARTNERS LLC
 1000 IRVING PARK ROAD
 SUITE 150
 ITASCA, ILLINOIS 60143

FINAL PLAT OF SUBDIVISION OF BRIDGEPOINT DOWNERS GROVE

PART OF THE SOUTHWEST QUARTER SECTION 31, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE
THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

PROPOSED EASEMENT LAYOUT



SCALE 1" = 80'
0 80 160

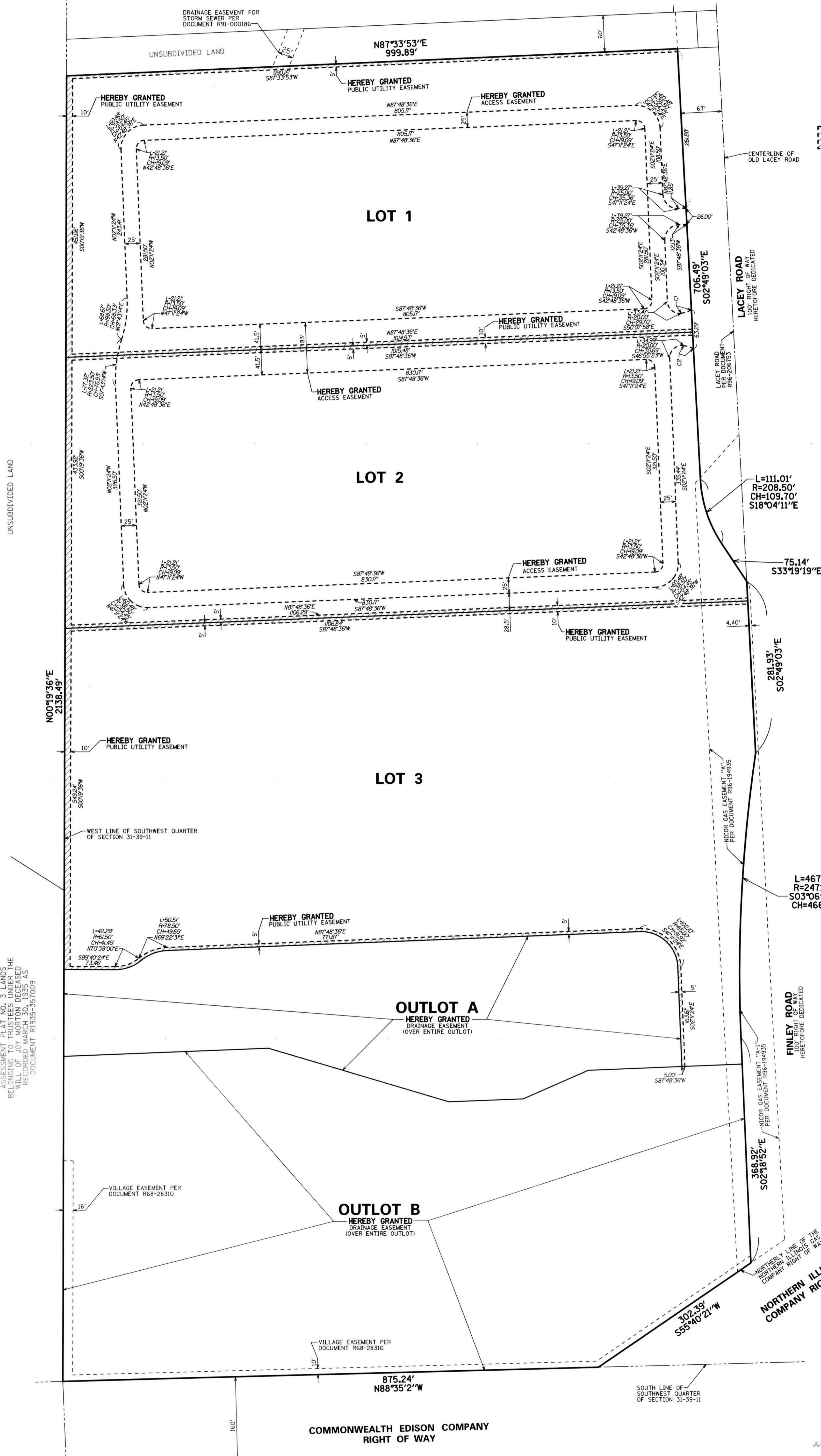
BASIS OF BEARINGS:
TRUE NORTH BASED ON GEODETIC
OBSERVATION IL EAST ZONE

PUBLIC UTILITY EASEMENT
 HEREBY GRANTED

CURVE TABLE	
C1	L=147.36' R=208.50' CH=109.70' S18°04'11"E
C2	L=111.01' R=208.50' CH=109.70' S18°04'11"E



PLAT
R2018-025167
MAR. 23, 2018 9:20 AM
PLAT PAGE COUNT: 4
ACCOMPANYING PAPERS: N



ASSESSMENT LOT NO. 3 LANDS BELONGING TO TRUSTEES UNDER THE WILL OF JOY MORTON DECEASED RECORDED MARCH 30, 1935 AS DOCUMENT R1935-357009

UNSUBDIVIDED LAND

UNSUBDIVIDED LAND

HEREBY GRANTED PUBLIC UTILITY EASEMENT

LOT 1

LOT 2

LOT 3

OUTLOT A

OUTLOT B

COMMONWEALTH EDISON COMPANY RIGHT OF WAY

CENTERLINE OF OLD LACEY ROAD

LACEY ROAD 100' RIGHT OF WAY HEREOFOR DEDICATED

75.14' S33°19'19"E

281.93' S02°49'03"E

L=467.35'
R=2471.12'
S03°06'13"W
CH=466.66'

FINLEY ROAD 100' RIGHT OF WAY HEREOFOR DEDICATED

368.92' S02°18'52"E

NORTHERLY LINE OF THE SOUTHWEST QUARTER SECTION 31-39-11
NORTHERN ILLINOIS GAS COMPANY RIGHT OF WAY

SOUTH LINE OF SOUTHWEST QUARTER OF SECTION 31-39-11

REVISIONS:
10/20/2017
11/27/2017
02/12/2018
02/16/2018
03/09/2018



CONSULTING ENGINEERS	DATE: 09/15/2017
SITE DEVELOPMENT ENGINEERS	JOB NO: 2529.03
LAND SURVEYORS	FILENAME: 2529.03SUB-01
9575 W. Higgins Road, Suite 700, Rosemont, Illinois 60018	SHEET 2 OF 4
Phone: (847) 696-4060 Fax: (847) 696-4065	

PREPARED FOR:
BRIDGE DEVELOPMENT PARTNERS LLC
1000 IRVING PARK ROAD
SUITE 150
ITASCA, ILLINOIS 60143

