

VILLAGE OF DOWNERS GROVE
Report for the Village
7/10/2018

SUBJECT:	SUBMITTED BY:
3600 Lacey Road - Public Hearing for the establishment of Special Service Area #10	Stan Popovich, AICP Director of Community Development

SYNOPSIS

A public hearing has been noticed for July 10, 2018 as part of the regularly scheduled meeting of the Village Council regarding the establishment of Special Service Area #10 for the Bridgepoint Downers Grove Subdivision at 3600 Lacey Road.

STRATEGIC PLAN ALIGNMENT

The goals for 2017-2019 include *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 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.

Tonight's public hearing is a required component in the process of creating an SSA. Notice of the public hearing was published in Enterprise Newspapers, Inc. on June 20, 2018 and mailed to the affected property owner 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

Aerial Map

Notice of Public Hearing

PROCEDURES FOR PUBLIC HEARING PROPOSED SPECIAL SERVICE AREA #10

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 #10 (Bridgepoint Downers Grove) and the levying of taxes affecting said area. The special service area is located at the corner 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.

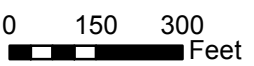
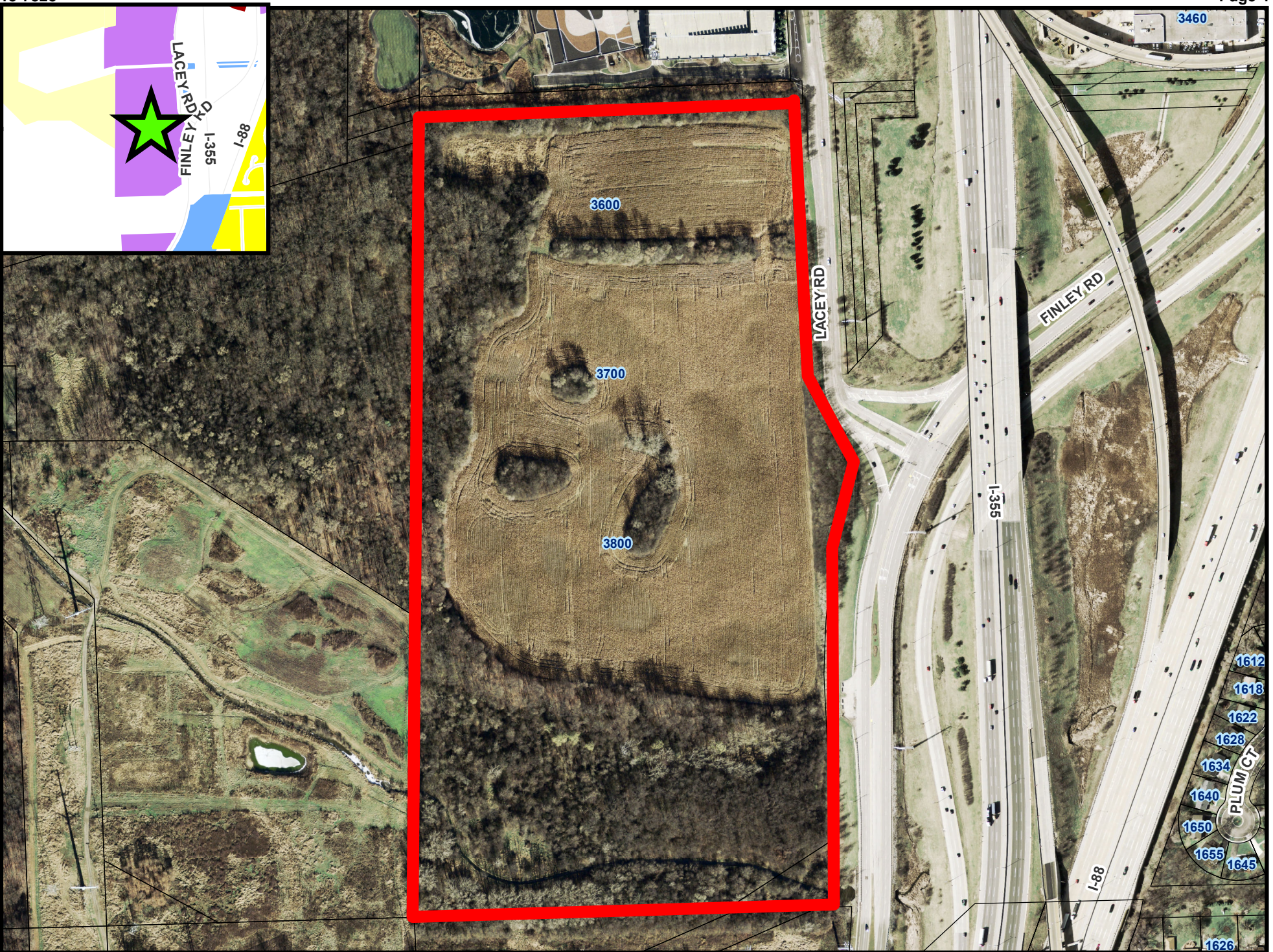
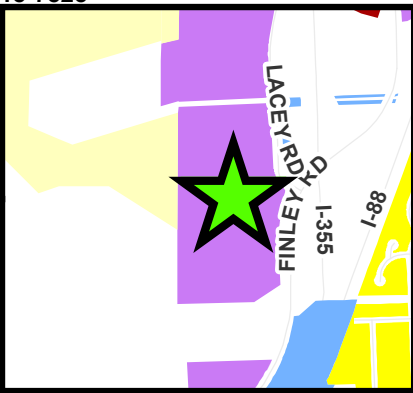
Notice of this hearing was published in The Bugle on June 20, 2018 and a certificate of publication is made a part of these proceedings.

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

1. First, Village Staff 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 proceedings 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.**



3600-3800 Lacey - Location Map



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

P.I.N.s: 06-31-300-009

The approximate street location for the area is at the intersection of Lacey Road and Finley Road, commonly known as 3600 Lacey Road, 3700 Lacey Road, and 3800 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 20th day of June, 2018.

April Holden, Village Clerk