

VILLAGE OF DOWNERS GROVE
Report for the Village
9/11/2018

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

SYNOPSIS

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

STRATEGIC PLAN ALIGNMENT

The Goals 2017-2019 identified *Exceptional Municipal Services*.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval on the September 18, 2018 active agenda.

BACKGROUND

This ordinance is the last step in the process to establish Special Service Area (SSA) #10 for the 3600 Lacey (“Bridgepoint”) Subdivision. On May 1, 2018 the Village Council approved an ordinance proposing to establish this SSA. The required public hearing was held on July 10, 2018. There were no objections to the creation of the SSA filed.

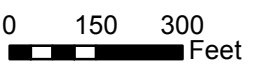
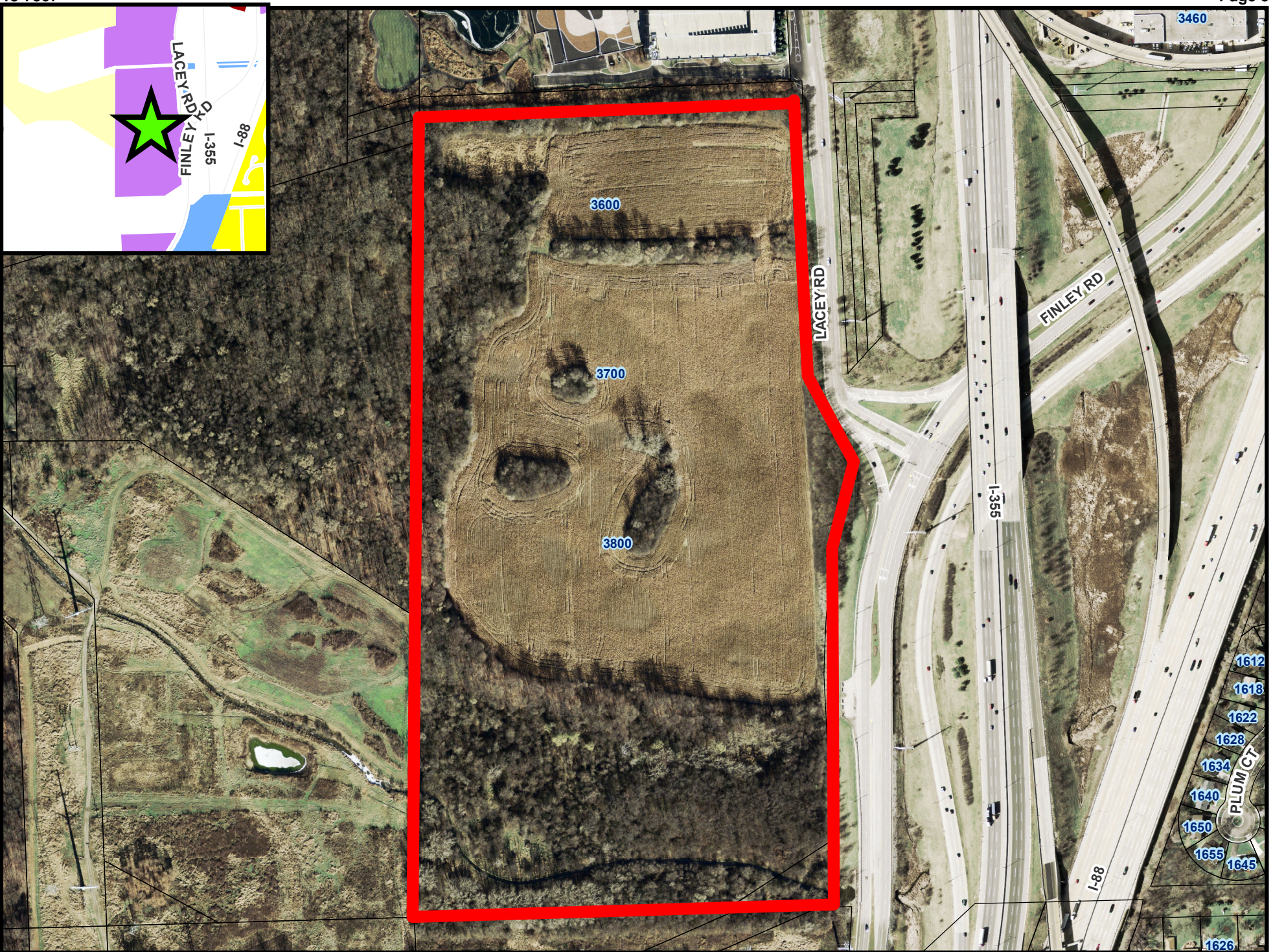
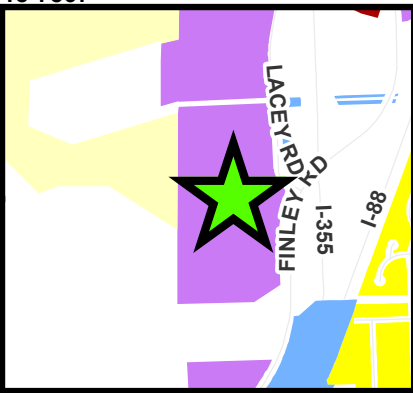
The subdivision will serve as a safeguard in the event that the Association cannot or does not maintain the subdivision’s common detention areas. The SSA will allow the Village to levy a special tax on the property owners for the maintenance of the common areas if the owner defaults and the Village is required to step in to provide such maintenance. The Village would then assume responsibility for maintaining the detention facilities.

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.

ATTACHMENTS

Ordinance
Aerial Map



3600-3800 Lacey - Location Map



ORDINANCE NO. _____**AN ORDINANCE ESTABLISHING
SPECIAL SERVICE AREA NUMBER 10
IN THE VILLAGE OF DOWNERS GROVE, ILLINOIS**

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 Area Number 10 is established pursuant to Article VII, Section 6L of the Constitution of the State of Illinois and pursuant to "An Act to provide the manner of levying or imposing taxes for the provision of special service areas within the boundaries of home rule units and non-home rule municipalities and counties" (35 ILCS 200/27-5 et seq.).

Section 2. Findings. The Village Council finds:

- A. That the question of the establishment of the area hereinafter described as a special service area was considered by the Village Council pursuant to an Ordinance entitled, "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", adopted May 1, 2018, and considered pursuant to a public hearing held on July 10, 2018, by the Village Council, pursuant to Notice duly published on June 20, 2018 in The Bugle, a newspaper published in the Village of Downers Grove, at least fifteen (15) days prior to the hearing and pursuant to Notice by mail addressed to the person or persons in whose name the general taxes for the last preceding year were paid on each lot, block, tract, or parcel of land lying within the Special Service Area. Said notice was given by depositing said Notice in the United States mail not less than ten (10) days prior to the time set for the public hearing. In the event the taxes for the last preceding year were not paid, the said Notice was sent to the person last listed on the tax rolls prior to that year as the owner of said property. A Certificate of Publication of said Notice and an Affidavit of Mailing are attached to this Ordinance as Exhibits "1" and "2" respectively. Said Notices conform in all respects to the requirements of 35 ILCS 200/27-5, et. seq.
- B. That a public hearing on the question set forth in the Notice was held on July 10, 2018. All interested persons were given an opportunity to be heard on the question of the creation of Downers Grove Special Service Area Number 10. That general discussion was heard at the public hearing regarding the services and maintenance activities proposed to be undertaken and provided within the Special Service Area. No one attending the public hearing voiced objection to the creation of the Special Service Area or the method or rate of taxation to be levied against property within the Special Service Area. The public hearing was adjourned at 7:35 p.m. on July 10, 2018.
- C. That following the aforesaid public hearing, a period of sixty (60) days has been provided for the filing of any petition opposing the creation of the Special Service Area pursuant to 35 ILCS 200/27-55, and that during such period of time, no such petition has been filed.
- D. That after considering the data, as presented at the public hearing, the Village Council finds that it is in the public interest and in the interest of Downers Grove Special Service Area Number 10

that said Special Service Area, as hereinafter described, be established.

- E. That said area is compact and contiguous and constitutes a planned development residential area, which is the sole area in the Village to be benefitted from the maintenance and operation of said improvements.
- F. It is in the best interest of said Special Service Area that the furnishing and maintenance of the municipal services proposed be considered for the common interests of said area.
- G. Said area is zoned for residential purposes and will benefit specially from municipal services proposed to be provided. The proposed municipal services are unique and in addition to the municipal services provided to the Village of Downers Grove as a whole.

Section 3. Village of Downers Grove Special Service Area Number 10 Established.

A Special Service Area to be known and designated as "Village of Downers Grove Special Service Area Number 10" is hereby established and shall consist 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 Finely Road,
Downers Grove, IL 60515
PIN: 06-31-300-009

Section 4. Purpose of Area.

Downers Grove Special Service Area Number 10 is established to provide special municipal services to said area in addition to services provided to the Village generally. Included in said purposes, but not by way of limitation, 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 Bridgepoint Downers Grove, including but not limited to real property and improvements thereto owned or maintained by the Homeowners 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.

Section 5. Tax Levied.

A special 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 shall be levied against the subject property in addition to all other taxes provided by law. 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 the Common Area, 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 6. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 7. That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

Section 8. That the Village Clerk shall record this Ordinance with the DuPage County Recorder's Office.

Mayor

Passed:

Published:

Attest: _____

Village Clerk