

VILLAGE OF DOWNERS GROVE
Report for the Village Council Meeting
10/14/2025

SUBJECT:	SUBMITTED BY:
Proposed Special Service Area #14 - Talon Preserve Subdivision - 100 39th Street	Stan Popovich, AICP Director of Community Development

SYNOPSIS

An ordinance has been prepared proposing the establishment of Special Service Area #14 for the Talon Preserve Subdivision at 100 39th Street.

STRATEGIC PLAN ALIGNMENT

The Goals 2025-2027 identified *Exceptional Municipal Services*.

FISCAL IMPACT

N/A

UPDATE & RECOMMENDATION

This item was discussed at the October 7, 2025 Village Council meeting. Staff recommends approval on the October 14, 2025 Active Agenda.

BACKGROUND

The Village is proposing establishment of Special Service Area (SSA) #14 for the Talon Preserve Subdivision, which will serve as a safeguard in the event that the homeowners' 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 homeowners' association 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 Talon Preserve Subdivision is located at the northwest corner of Cumnor Road and 39th Street. The 38 lot subdivision was approved on September 16, 2025 and recorded on September 29, 2025. The subdivision consists of 35 single family residential lots with stormwater management basins on two outlots and a landscape buffer on a third outlot. The subdivision approval included the establishment of a homeowners' association to maintain 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, then the Village can approve an ordinance establishing the SSA. Staff is not anticipating an objection as the entire subdivision is still owned by the petitioner.

ATTACHMENTS

Ordinance

Aerial Map

Recorded Final Plat of Subdivision for the Talon Preserve Subdivision

I:\mw\cas.25\SSA#14-Estab - Talon Preserve

ORDINANCE NO. _____

**AN ORDINANCE PROPOSING THE ESTABLISHMENT OF
SPECIAL SERVICE AREA NUMBER 14 (TALON PRESERVE)
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, December 16, 2025 at 7:00 p.m. in the Betty Cheever Council Chambers of the Civic Center, 850 Curtiss Street, Downers Grove, Illinois, to consider the creation of Special Service Area Number 14 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 14**

NOTICE IS HEREBY GIVEN that on Tuesday, December 16, 2025 at 7:00 p.m., in the Betty Cheever Council Chambers of the Civic Center, 850 Curtiss Street, 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:

The south $\frac{1}{2}$ of the southeast $\frac{1}{4}$ of the southwest $\frac{1}{4}$ of Section 33, Township 39 North, Range 11 East of the Third Principal Meridian, (except the south 50 feet of the south $\frac{1}{2}$ of the southeast $\frac{1}{4}$ of the southwest $\frac{1}{4}$ of said Section 33) in DuPage County, Illinois. Also known as the south 10 chains (660 feet) of the east half of the southwest quarter of Section 33, Township 39 north, range 11 east of the Third Principal Meridian (except the south 50 fee thereof) in DuPage County, Illinois

Commonly known as: 100 39th Street, Downers Grove, IL 60515
PIN: 06-33-300-006

The approximate street location for the area is on at the northeast corner of Cumnor Road and 39th Street. 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 14, 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 14 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 Talon Preserve 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 outlet 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 _____ 202_____.

Rosa Berardi, 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

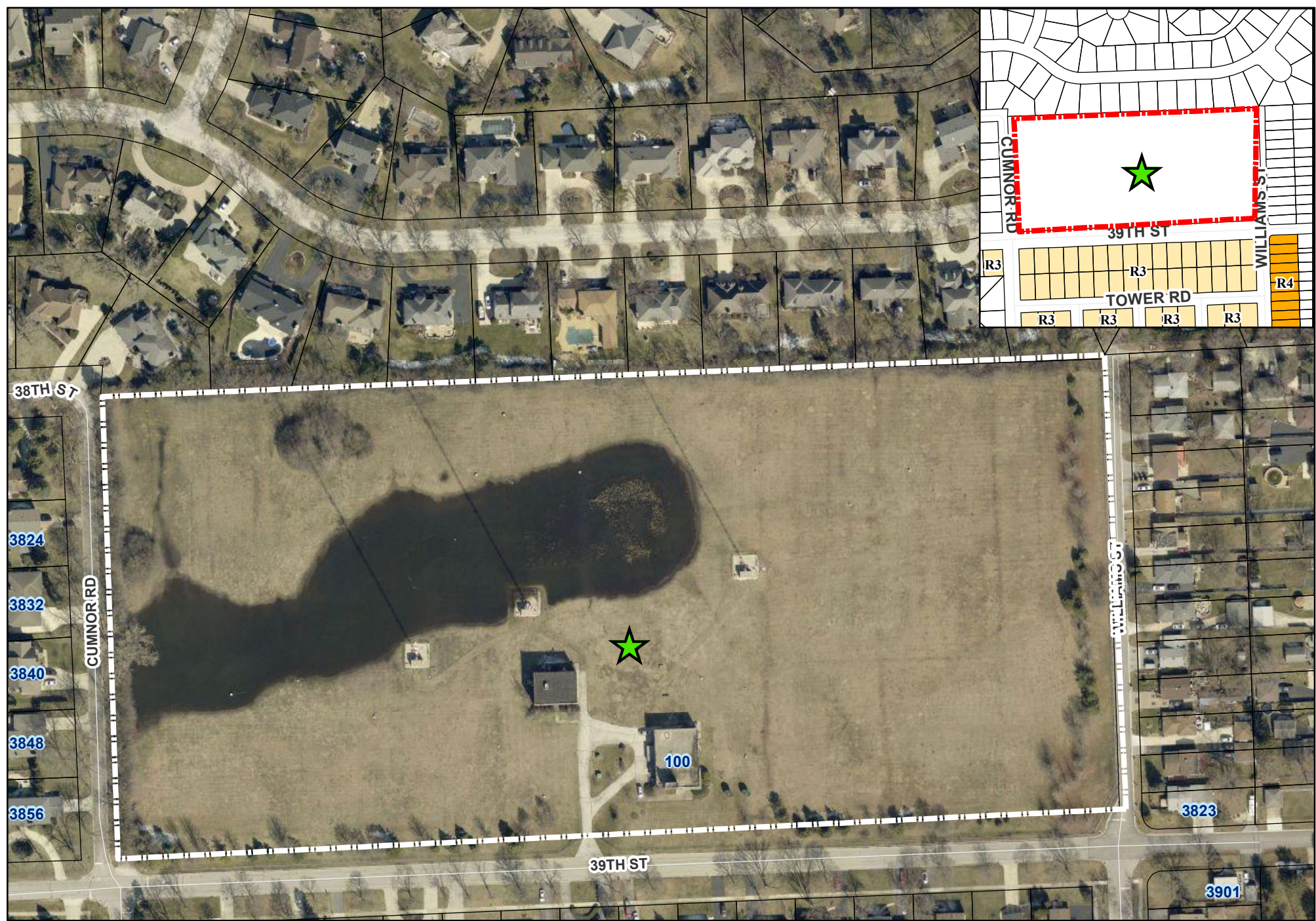
Passed:

Published:

Attest:

Village Clerk

l\mw\ord.25\SSA#14 Propose Talon

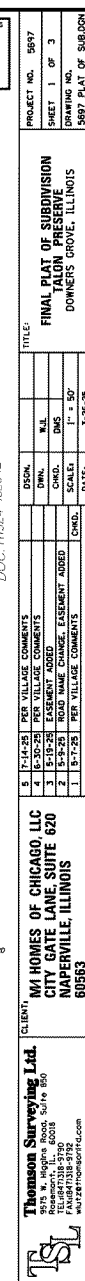


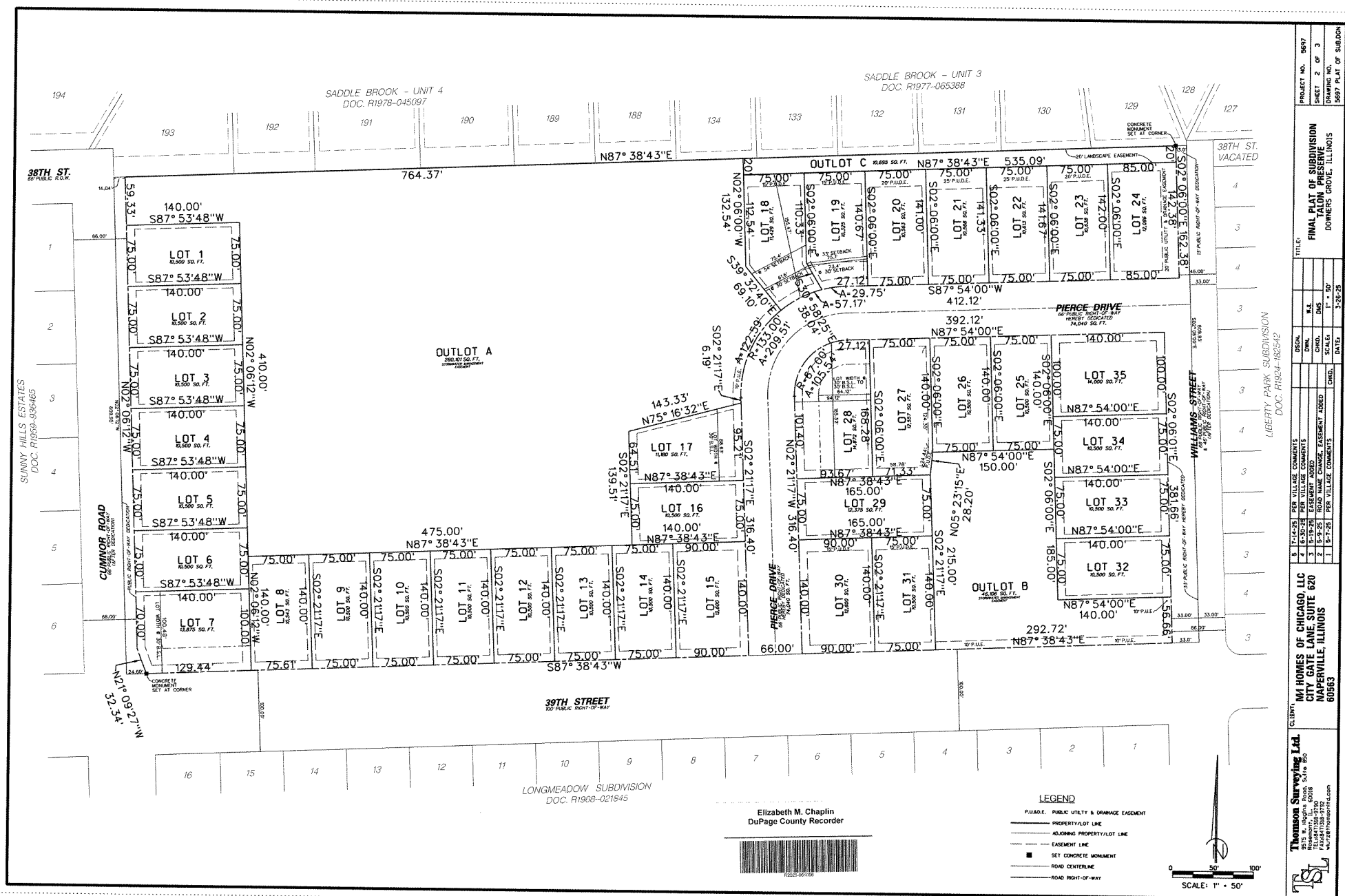


0 100 200 Feet

100 39th Street - Location Map

 Subject Property
 Site Location





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