



**VILLAGE OF SCHAUMBURG**  
PROGRESS THROUGH THOUGHTFUL PLANNING

**MEMORANDUM**

Date: September 6, 2024  
To: Village Board  
From: Parth Joshi, AICP, Community Planner  
Subject: Recommendation to Proceed with Establishment of a Special Service Area for Maintenance of the Woodfield Business Center Detention and Park

**Background**

The Woodfield Business Center subdivision was recorded in 1979. A Declaration of Protective Covenants was also created and recorded in 1979 to provide for the maintenance of the water detention area and park located at the southwest corner of Remington Road and Basswood Drive. The Declaration required the creation of an owners association, which had the power and responsibility to levy annual assessments to provide for the maintenance of the detention pond and park area.

It came to the village's attention in 2012 that the association had been dissolved earlier that year and the property had been abandoned. As a result, the village has been performing maintenance of the park area since that time. In addition to mowing the area, the village has removed hazardous trees and branches and cleaned debris from time to time.

After initial unsuccessful code enforcement efforts, the village attempted to engage with the property owners to encourage and facilitate the re-establishment of the association. This included joint informational meetings with Economic Development, Code Enforcement, and village legal counsel. Following unsuccessful attempts to facilitate re-establishment of the association, the village filed a lawsuit in 2018 to request that the property be placed in receivership and that a receiver be appointed to manage the maintenance, which would be the financial responsibility of the property owners. Ultimately, the judge ruled in 2020 that the property could not be placed in receivership since the property owners didn't have an "ownership interest" in the property.

The village proceeded in 2021 to pursue ownership of the property through the Cook County "no cash bid" program. This program has several steps and was placed on hold during the C-19 pandemic. The village obtained the deed to the property in spring 2024. Staff presented this item at the June, 2024 Planning, Building, and Development Committee to seek direction from the Village Board to take necessary steps to create a Special Service Area (SSA) that will require the property owners within the Woodfield Business Center to pay for initial restoration and ongoing maintenance of the detention and park area. The EPW department has prepared an estimate of costs, which is attached. The initial costs include restoring the property to match the original approved development plan, including rehabilitation of the walking path, tree plantings, and

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installation of benches, trash receptacles, and a retaining wall. No other enhancements are proposed. The first year costs for this restoration and maintenance are estimated to be \$185,828.

### **Discussion**

Staff has worked with legal counsel to draft an ordinance proposing to establish the SSA. Per state statute, a public hearing must occur at a Village Board meeting at least 60 days following approval of the proposed ordinance. As such, the ordinance references a public hearing to be scheduled prior to the start of the Village Board meeting on December 10, 2024.

At the public hearing, all persons affected by the formation of said Woodfield Business Center Detention and Park Special Service Area 1, including all persons owning taxable real estate therein, will be given an opportunity to be heard. The public hearing may be adjourned by the President and Board of Trustees 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 and/or as otherwise required by law.

Following the public hearing, there is a 60-day objection period to hear any objections for creation of the dormant SSA; however, the persons affected by the formation of the said SSA could waive the right to the objection period to eliminate the objection period. Once the objection period has passed or been waived, the Village Board could then approve an ordinance implementing establishment of the SSA at a Village Board meeting. If approved, the ordinance will need to be filed with the County Clerk and Recorded with the County Recorder's Office.

### **Recommendation**

Staff recommends that the Village Board approve the proposed Ordinance Proposing the Establishment of Woodfield Business Center Detention and Park - Special Service Area 1 in the Village of Schaumburg, Cook County, Illinois and Providing for a Public Hearing and Other Procedures in Connection Therewith.