



VILLAGE OF SCHAUMBURG

AGENDA

Planning, Building, and Development Committee
Thursday, January 18, 2024
7:00 PM - Conference Room B

CALL TO ORDER

APPROVAL OF MINUTES

1. December 7, 2023

NEW BUSINESS

1. Recommendation to Amend Ordinance Establishing a Tax on Hotel Stays of 30 days and longer
2. Status of Construction Activity for Holiday Inn Express - Informational
3. Status Report on New Auto Repair and Internet Auto Sales Licensed Locations - Informational

UNFINISHED BUSINESS

CONTINUING ITEMS

DEFERRALS

COMMENTS FROM THE PUBLIC

ADJOURNMENT

NEXT VILLAGE BOARD MEETING

February 13, 2024

In compliance with the Americans with Disabilities Act and other applicable Federal and State laws, the meeting will be accessible to individuals with disabilities. Persons requiring auxiliary aids and/or services should contact the Village Manager's Office at 847.923.4705, preferably no later than five days before the meeting.



December 7, 2023

1/18/2024

Planning, Building, and Development Committee

Presenter:

Lead Department: Community Development

Executive Summary:

Recommended Action:

ATTACHMENTS:

Description	Type
▣ December 7, 2023	Minutes

I have reviewed the Minutes and they correctly represent the action taken by the Committee.

**PLANNING, BUILDING & DEVELOPMENT COMMITTEE
VILLAGE OF SCHAUMBURG
MUNICIPAL CENTER – CONFERENCE ROOM B
THURSDAY, DECEMBER 7, 2023**

Members Present: Jack Sullivan, Chairman
George Dunham, Trustee
Esha Patel, Trustee

Others Present: Paula Hewson, Assistant Village Manager
Julie Fitzgerald, Director, Community Development Department
Shawn Green, Deputy Police Chief
Debbie Parran, Code Enforcement Supervisor
Kevin Gilbert, Resident

The Chairman called the meeting to order at 7:00 p.m.

APPROVAL OF MINUTES:

A motion was made by Trustee Esha Patel and seconded by Trustee George Dunham to approve the minutes of the November 2, 2023, meeting of the Planning, Building & Development Committee.

All Ayes.

MOTION CARRIED

CONSENT AGENDA:

NEW BUSINESS:

1. Recommendation to Approve a Contract Extension with Christopher Burke Engineering for Community Development Engineering

Ms. Fitzgerald said we are running into a very difficult time recruiting in this challenging environment – particularly for engineers. We have seen it in our Public Works department as well. We have been to this committee a few times asking for extensions/additional funds. Right now we have paused recruitment, we are not actively recruiting. We are looking for funds to continue contracting with Christopher Burke Engineering through the end of the year. There is an engineer that works here 3 days a week, 9 hours per day. He is a former Community Development Engineer for a south suburb. He has been a very good resource for us. Christopher Burke is willing to continue to have him assigned here. We are working with the manager’s office to put together a game plan for next year as part of the proposed 2024-2025 budget.

A motion was made by Trustee George Dunham and seconded by Trustee Esha Patel to recommend the Village Board approve a contract extension with Christopher Burke Engineering for Interim Engineering Services in the amount of \$59,700.

All Ayes.

MOTION CARRIED

2. Community Development Status of Concerns Expressed at the November Coffee with the Council Meeting - Informational

Ms. Parran said at the November Coffee with the Council meeting a resident came forward with concerns about 3 residential properties located in his neighborhood. Those properties were 130 Dartford (storage POD on driveway for several months), 206 Wilmslow Lane (construction work without permits), and 209 Dunlap (vehicle with damage to the rear fender being stored on driveway).

Ms. Parran indicated the home at 130 Dartford has been vacant for many years, but it has been maintained on the exterior. Code Enforcement has been monitoring it. Recently, the son began clearing out the home and hired a contractor to do that work. Staff has been communicating with him about the storage POD needing a permit. He applied for the permit in October, and the permit was issued on November 15. The permit is good for 45 days and could be renewed for an additional 45-day period. Since the home is vacant, Code Enforcement will continue to monitor the property. Trustee Dunham asked what the delay was in October. Ms. Parran said he hadn't given all the information needed to process the permit initially. It was approved November 15, and the application initially came in mid-October.

The concern raised at 206 Wilmslow Lane was that there was some construction work happening that would require permits. This was a prior rental home that had been inspected and there was a hold on the tax stamp for some violations at that time. The home is now vacant. The owner sold the property as-is. Prior to the sale, building had performed a vacant home inspection which includes the interior and exterior of the property. A letter of intent was drawn up in August and the owners signed the letter. They are hoping to complete all items by the end of this year. A status inspection was recently conducted on December 5th, which verified compliance with most of the items on the letter of intent. The remaining items involve replacing the door between the home and the garage with a fire-rated door and some window screens. A permit is required for the step that was added between the home and the garage. There was a chimney report pending that the owners had misplaced with their closing documents and will provide it to staff once located. Trustee Sullivan mentioned he knew residents that lived near this address and the perception is that there is work being done at this property without permits. He asked if permits had been issued and if they were posting them in the windows. Ms. Fitzgerald said the work they are doing does not require permits. There is 1 step that was added which did require a permit however it is a minor thing. Our inspector spoke with the owners this week and said there was a riser height issue that needed correction on some stairs. They are clearing that up and getting a permit. Ms. Parran said Code Enforcement went out that Saturday and noted there was no construction material stored outside. Trustee Sullivan said it sounds like they are doing everything right.

Trustee Sullivan asked if there were many vacant properties in town. Ms. Parran said the number remains the close to the same - always under 100 properties. We are currently

near 75 properties right now. Staff does an annual inspection to check for basic nuisance items and we do require the vacant registration to be current.

Ms. Parran said she spoke with the complainant about 209 Dunlap a couple of times prior to this. We have gotten a few anonymous complaints about the car on the driveway. At the time, there was some garbage stored in front of the home which was promptly removed. Code Enforcement staff continues to respond about the concerns that there was no front license plate on the car in the driveway. That was determined unfounded. That is something the police may enforce when the vehicle is being driven, but it is not something Code Enforcement enforces. It does have a current legal plate on the rear of the vehicle which is a Wisconsin dealer plate. Code Enforcement checked with police who indicated it is a plate that doesn't expire, so it is current. The vehicle had been parked with the plate not visible, and after a discussion with Code Enforcement decided to turn the vehicle around. The vehicle is operable, which is what the code requires. The vehicle is currently operable and licensed. Trustee Sullivan asked if the complainant was aware of this. Ms. Parran indicated he was. Staff spoke with him and let him know it was compliant. The damage the complainant is concerned about is a fender problem with a broken-out taillight. Trustee Dunham asked why the vehicle had a Wisconsin dealer plate and asked whose car it was. Ms. Parran indicated it was owned by one of the occupants of the home. Trustee Dunham asked if he was a used car salesman. Ms. Parran indicated she didn't believe so. Trustee Dunham asked if we could find out who the plate belongs to and contact the dealer to find out why the vehicle was here. Ms. Parran said staff could do that however Code Enforcement does not run plates and would need to ask the police to get involved. Ms. Fitzgerald said staff could do that but as of right now there are no village ordinances being violated.

A motion was made by Trustee Esha Patel and seconded by Trustee George Dunham to accept as informational.

All Ayes.

MOTION CARRIED

3. Status of Concerns Regarding Trucks Parked Behind Retail Stores from the November Coffee with the Council Meeting - Informational

Deputy Green said there have been 13 citizen generated calls for service to date as of the 28th for 1235-1293 E. Higgins. There has also been a customer service request in the same time frame initiated from an officer. Since the issue has been revisited, we have put it on the direct patrol assignment and made a concerted effort of the beat officers and auxiliaries looking in that area. All calls for service since have been generated by the police department and have not been neighbor complaints. We have written quite a few citations. We have written 25 citations since the end of November. There are a couple different businesses/drivers that are repeat offenders and our Quality of Life division is working with the company to make their drivers aware.

We have also looked at complaints throughout the last year. We have had similar complaints at 100 N. Barrington Road (Home Depot) from citizens for the same issue in February – May 2023. There were 59 citations issued for that problem. There have been no complaints since. There have also been similar complaints at 1 S. Roselle (Jewel) in

November 2022. Those issues were resolved by working directly with Jewel to adjust where they park the refrigerated trucks. There were no issues with this location this year.

We are continuing with our targeted enforcement efforts by working with the drivers and the companies to remediate issues. One recommendation is that we would like to make these citations 'Must Appear', especially for the repeat offenders.

Trustee Sullivan asked if the truck drivers were local. Deputy Green indicated only 1 was local. Trustee Dunham asked if we had a Denver boot large enough for a truck. Deputy Green indicated we did not and said we could investigate it to see if those were available. Ms. Hewson said the initial approach is to issue the citation and levy the fines and increase the fines as the violations continue. The approach police are taking with finding the owner of the business for those vehicles is the best approach to ensure the communication gets across to all their drivers. Trustee Sullivan asked Mr. Gilbert if he had noticed any improvement. Mr. Gilbert indicated he had noticed improvement and thanked the police staff. He said he is a long time resident and prior to the police involvement, it had gotten as bad as it had ever been. There are now many less trucks. Mr. Gilbert said it has been very good the past few weeks. He did say just this past Friday night into Saturday morning there was 1 truck running all night, but indicated he was too tired to make a complaint about it. He said when he got up the next morning the truck was still in the Target loading dock and was a repeat offender. He let Officer Wang know and added that perhaps additional signage would help.

Trustee Dunham asked if it would be possible for refrigerated trucks to plug in to the building for power instead of running diesel. Deputy Green said it probably would be, but it was likely the businesses wouldn't want to do that. Trustee Patel mentioned she visited the area yesterday and noted there were a couple of trucks parked but they were unoccupied, and the engines were not running. Trustee Sullivan suggested Mr. Gilbert continue working with the police department and should it ever become such a large problem again, it should be brought back to this committee.

A motion was made by Trustee George Dunham and seconded by Trustee Esha Patel to accept as informational.

All Ayes.

MOTION CARRIED

UNFINISHED BUSINESS:

CONTINUING ITEMS:

DEFERRALS:

COMMENTS FROM THE PUBLIC:

COMMENTS FOR THE GOOD OF THE ORDER:

ADJOURNMENT:

A motion was made by Trustee George Dunham and seconded by Trustee Esha Patel to adjourn the meeting at 7:24 p.m.

All Ayes.

MOTION CARRIED

NEXT VILLAGE BOARD MEETING: January 9, 2024

Respectfully submitted,

Vicki Bloomer
Recording Secretary



**Recommendation to Amend Ordinance Establishing a Tax on Hotel Stays of 30 days and longer
1/18/2024**

Planning, Building, and Development Committee

Presenter: Brian A. Townsend
Lead Department: General Government

Executive Summary:

At a special meeting on 11/28/23, the Village Board approved an ordinance to establish a tax on long-term stays at hotels for the purpose of protecting the economic viability of the hospitality industry and ensuring local revenue generation for the village. The ordinance includes a \$1,000/month tax for stays of 30 days or more.

The Village Code includes exceptions to allow a hotel to provide housing/shelter beyond the 29-day requirement. These exceptions are as follows:

1. Where there is a written contract or documented agreement between a hotel, motel, or extended-stay hotel and a business, corporation, firm or governmental agency to house employees or individuals on valid work orders;
2. Where there is documentation that a hotel guest is considered family or is providing care for a patient who is admitted at local hospital;
3. When an insurance company or federal, state or local agency has provided documentation that a hotel guest has been displaced from their home by a natural disaster or fire;
4. Where there is a written contract or documented agreement between a hotel, motel, or extended-stay hotel and an organization to provide emergency or transitional housing/shelter.

The ordinance has an allowance for up to 10% of the total occupancy of the hotel for these exceptions.

In talking with hotel owners and operators, village staff has learned that the occupancy of some hotels could be as much as 90% contract business (under #1 above). In order to address this, and not impose the new tax on these corporate travelers, an amended ordinance has been drafted that will exempt all contractual arrangements for employees that are being housed in Schaumburg hotels for valid work/employment purposes.

This will allow hotels to continue to enter into contracts with businesses and not put Schaumburg hotels at a competitive disadvantage with neighboring communities.

Recommended Action:

The Village Manager recommends that the Planning, Building, and Development Committee

recommend that the Village Board approve an ordinance amending the Village Code regarding Hotel Stays of 30 days and longer.

ATTACHMENTS:

Description	Type
▣ Ordinance 23-099	Exhibit
▣ Proposed Amendment	Ordinance

PUBLICATION OF:

ORDINANCE NO. 23-099

**AN ORDINANCE AMENDING MUNICIPAL CODE / TITLE 3,
CHAPTER 36 (TAXES) AND TITLE 11, CHAPTER 129C.07 (HOTEL
ESTABLISHMENTS; MAXIMUM STAY LENGTH) PERTAINING TO HOTEL
AND MOTEL TAX ON EXTENDED STAYS**

ADOPTED: NOVEMBER 28, 2023

**PUBLISHED IN PAMPHLET FORM PURSUANT TO AUTHORIZATION AND
DIRECTION OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE
OF SCHAUMBURG ON NOVEMBER 29, 2023**

ORDINANCE NO. 23-099

**AN ORDINANCE AMENDING MUNICIPAL CODE / TITLE 3,
CHAPTER 36 (TAXES) AND TITLE 11, CHAPTER 129C.07 (HOTEL
ESTABLISHMENTS; MAXIMUM STAY LENGTH) PERTAINING TO HOTEL
AND MOTEL TAX ON EXTENDED STAYS**

WHEREAS, the Village of Schaumburg, as a home rule unit of local government as provided by Article VII, Section 6 of the Illinois Constitution of 1970, has the authority to exercise any power and perform any function pertaining to its government and affairs except as limited by Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, Section 5/8-11-6a of the Illinois Code permits Home Rule Units to impose “a tax, however measured, based upon the use of a hotel or motel room or similar facility” 65 ILCS 5/8-11-6(a); and

WHEREAS, Title 3, Chapter 36.050 of the Village Code imposes a tax on all persons engaged in the business of renting, leasing, or letting rooms in a hotel or motel in Village or making, booking, facilitating, or servicing the leasing or renting of rooms in a hotel or motel in the Village; and

WHEREAS, Title 11, Section 129C.07 of the Village Code limits occupancy in a hotel, motel, or extended-stay hotel in the Village to no more than twenty-eight (28) consecutive days, except in certain circumstances; and

WHEREAS, the President and Board of Trustees of the Village of Schaumburg find that those occupying a hotel or motel in the Village for thirty (30) days or longer are more likely to require Village services than those staying less than the twenty-eight (28) day maximum stay length; and

WHEREAS, pursuant to the authority granted under Section 5/8-11-6a of the Illinois Municipal Code (65 ILCS 5/8-11-6a) and Article VII, Section of the Illinois Constitution of 1970, the President and Board of Trustees of the Village of Schaumburg approve the Proposed Code Amendments to the Village Code set forth below, and find that amending the Village Code to adopt such Proposed Code Amendments is in the best interest of the Village; and

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SCHAUMBURG:

SECTION ONE: The recitals above shall be and are hereby incorporated in this Section 1 as if restated herein.

SECTION TWO: Title 3, Chapter 36, Section 36.050 of the Schaumburg Village Code is hereby amended to read in its entirety as follows:

ORDINANCE NO. 23-099

**AN ORDINANCE AMENDING MUNICIPAL CODE / TITLE 3,
CHAPTER 36 (TAXES) AND TITLE 11, CHAPTER 129C.07 (HOTEL
ESTABLISHMENTS; MAXIMUM STAY LENGTH) PERTAINING TO HOTEL
AND MOTEL TAX ON EXTENDED STAYS**

“§ 36.050 - TAX IMPOSED.

- (A) A tax is hereby levied and imposed upon all persons engaged in the business of renting, leasing, or letting rooms in a hotel or motel in the village or making, booking, facilitating or servicing the leasing or renting of rooms in a hotel or motel in the village at a rate of eight percent (8%) of the gross rental receipts from such rental, leasing or letting. The ultimate incidence of and liability for payment of said tax shall be borne by the user, lessee or tenant of said rooms. The tax herein levied shall be in addition to any and all other taxes.
- (B) When the rental period exceeds a period of thirty (30) or more consecutive days, a tax is hereby levied and imposed upon all persons engaged in the business of renting, leasing, or letting rooms in a hotel or motel in the village or making, booking, facilitating or servicing the leasing or renting of rooms in a hotel or motel in the village at the rate of one thousand dollars (\$1,000) for each thirty (30) day period and any prorated fraction thereof.”

SECTION THREE: Title 11, Chapter 129C, Section 129C.07 of the Schaumburg Village Code is hereby amended to read in its entirety as follows:

“§ 129C.07 - MAXIMUM STAY LENGTH.

- (A) No hotel, motel, extended-stay hotel located within the village shall allow any person to occupy such facility for more than twenty-nine (29) consecutive days unless otherwise permitted in this section. No guest residing for more than twenty-nine (29) consecutive days shall begin a new rental agreement with the hotel, motel, or extended stay hotel without at least a two-day vacancy between stays.
- (B) No hotel, motel, or extended-stay hotel located within the village shall allow any person to occupy such hotel, motel, or extended-stay hotel as his or her permanent residence, and/or to utilize the hotel, motel, or extended-stay hotel address as his or her mailing address.
- (C) Notwithstanding subsections (A) and (B) of section 129C.08, a stay in excess of twenty-nine (29) consecutive days, or utilizing the hotel, motel, or extended-stay hotel as a mailing address by a guest may occur in the following situations:

ORDINANCE NO. 23-099

**AN ORDINANCE AMENDING MUNICIPAL CODE / TITLE 3,
CHAPTER 36 (TAXES) AND TITLE 11, CHAPTER 129C.07 (HOTEL
ESTABLISHMENTS; MAXIMUM STAY LENGTH) PERTAINING TO HOTEL
AND MOTEL TAX ON EXTENDED STAYS**

- (1) Where there is a written contract or documented agreement between a hotel, motel, or extended-stay hotel and a business, corporation, firm or governmental agency to house employees or individuals on valid work orders;
 - (2) Where there is documentation, consistent with HIPPA privacy rules, that a hotel guest is considered family or is providing care for a patient who is admitted at local hospital;
 - (3) When an insurance company or federal, state or local agency has provided documentation that a hotel guest has been displaced from their home by a natural disaster or fire;
 - (4) Where there is a written contract or documented agreement between a hotel, motel, or extended-stay hotel and an organization to provide emergency or transitional housing/shelter.
- (D) All hotels, motels, and extended-stay hotels are required to comply with all applicable provisions of this Code, including but not limited to the taxes imposed in Section 36.050; however, the additional tax imposed for stays exceeding a period of thirty (30) or more consecutive days provided in Section 36.050(B) shall not apply to stays under the exceptions in Section 129C.07(C) in the event less than ten percent (10%) of the total hotel, motel or extended-stay hotel occupancy is being used subject to any such exception at any given time.
- (E) All hotels, motels, and extended-stay hotels constructed after the effective date of the ordinance codified in this chapter, must provide a minimum of one thousand (1,000) square feet in common areas for recreational use by guests. In computing the one thousand (1,000) square feet requirement, swimming pools, fitness or recreation centers, patios, terraces, and other recreational facilities in common areas may be used in determining the square footage required by this subsection. An extended-stay hotel is considered constructed only after a certificate of occupancy is issued.”

SECTION FOUR: To the extent necessary, all tables of contents, indexes, headings, section and subsection numbering/lettering, and internal references or cross-references to sections that need to be amended or deleted within the Schaumburg Village Code, as amended, as a consequence of the above Code Amendments, shall be amended by the Village’s codifier so as to be consistent with the terms of the Ordinance.

SECTION FIVE: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

ORDINANCE NO. 23-099

**AN ORDINANCE AMENDING MUNICIPAL CODE / TITLE 3,
CHAPTER 36 (TAXES) AND TITLE 11, CHAPTER 129C.07 (HOTEL
ESTABLISHMENTS; MAXIMUM STAY LENGTH) PERTAINING TO HOTEL
AND MOTEL TAX ON EXTENDED STAYS**


SECTION SIX: That this Ordinance shall be in full force and effect, after passage, approval and publication as required by law.

AYES: (6) Trustee Bieschke, Madej, Dunham, Sullivan, Clar, Patel

NAYS: (0) None

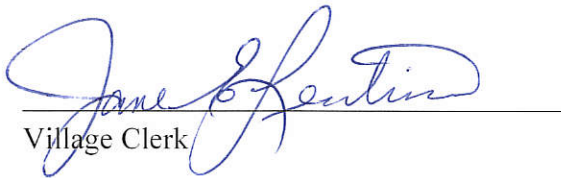
ABSENT: (0) None

ADOPTED this _____ 28th _____ day of _____ November, 2023.



Village President

ATTEST:



Village Clerk

PUBLICATION OF:

ORDINANCE NO. 24-XXX

**AN ORDINANCE AMENDING THE MUNICIPAL CODE TITLE 11, CHAPTER
129C.07 (HOTEL ESTABLISHMENTS; MAXIMUM STAY LENGTH)
PERTAINING TO HOTEL AND MOTEL TAX ON EXTENDED STAYS**

ADOPTED: FEBRUARY 13, 2024

**PUBLISHED IN PAMPHLET FORM PURSUANT TO AUTHORIZATION AND
DIRECTION OF THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE
OF SCHAUMBURG ON FEBRUARY 14, 2024**

ORDINANCE NO. 24-

AN ORDINANCE AMENDING THE MUNICIPAL CODE TITLE 11, CHAPTER 129C.07 (HOTEL ESTABLISHMENTS; MAXIMUM STAY LENGTH) PERTAINING TO HOTEL AND MOTEL TAX ON EXTENDED STAYS

WHEREAS, the Village of Schaumburg, as a home rule unit of local government as provided by Article VII, Section 6 of the Illinois Constitution of 1970, has the authority to exercise any power and perform any function pertaining to its government and affairs except as limited by Article VII, Section 6 of the Illinois Constitution of 1970; and

WHEREAS, Title 3, Chapter 36.050 of the Village Code imposes a tax on all persons engaged in the business of renting, leasing, or letting rooms in a hotel or motel in Village or making, booking, facilitating, or servicing the leasing or renting of rooms in a hotel or motel in the Village; and

WHEREAS, Title 11, Section 129C.07 of the Village Code limits occupancy in a hotel, motel, or extended-stay hotel in the Village to no more than twenty-eight (28) consecutive days, except in certain circumstances; and

WHEREAS, the President and Board of Trustees of the Village of Schaumburg previously amended the Village Code to provide an additional tax on stays of thirty (30) or more consecutive days; and

WHEREAS, pursuant to the authority granted under Section 5/8-11-6a of the Illinois Municipal Code (65 ILCS 5/8-11-6a) and Article VII, Section of the Illinois Constitution of 1970, the President and Board of Trustees of the Village of Schaumburg desire to further amend the tax provisions on stays of thirty (30) or more consecutive days, and find that amending the Village Code to adopt such Proposed Code Amendments is in the best interest of the Village; and

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SCHAUMBURG:

SECTION ONE: The recitals above shall be and are hereby incorporated in this Section 1 as if restated herein.

SECTION TWO: Title 11, Chapter 129C, Section 129C.07(D) of the Schaumburg Village Code is hereby amended to read in its entirety as follows:

“(D)All hotels, motels, and extended-stay hotels are required to comply with all applicable provisions of this Code, including but not limited to the taxes imposed in Section 36.050; however, the additional tax imposed for stays exceeding a period of thirty (30) or more consecutive days provided in Section 36.050(B) shall not apply to stays under the exception in Section 129C.07(C)(1).”

SECTION THREE: All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

ORDINANCE NO. 24-

**AN ORDINANCE AMENDING THE MUNICIPAL CODE TITLE 11, CHAPTER
129C.07 (HOTEL ESTABLISHMENTS; MAXIMUM STAY LENGTH)
PERTAINING TO HOTEL AND MOTEL TAX ON EXTENDED STAYS**

SECTION FOUR: That this Ordinance shall be in full force and effect, after passage, approval and publication as required by law.

AYES:

NAYS:

ABSENT:

PASSED AND APPROVED this _____ day of _____, 2024.

Tom Dailly, Village President

ATTEST:

Jane Lentino, Village Clerk



**Status of Construction Activity for Holiday Inn Express - Informational
1/18/2024**

Planning, Building, and Development Committee

Presenter: Julie Fitzgerald, Director of Community Development
Lead Department: Community Development

Executive Summary:

Introduction

The Village Board has previously approved the development of a dual-brand Holiday Inn full-service and express hotel complex at 30 and 40 N. Martingale Road. Equityroots Holdings purchased the 5+ acres on December 18, 2015, and was approved by the Village Board on March 28, 2017 to develop a 182-room Holiday Inn and Holiday Inn Express complex.

A Class 7C tax incentive was approved by the Village Board through Resolution 17-109. On August 13, 2019, the Village Board approved an amendment to the conditions of support for the Class 7C application through resolution R-19-049. The amendment allowed for phased development and froze permit fee requirements.

Discussion

The amended and restated conditions of support for the Class 7C includes a condition (#6) requiring construction of each phase of the hotel project to be completed within 20 months after the date on which the village issues a building permit for that phase. The condition allows for the extension of the construction schedule due to adverse weather conditions, material shortages, labor shortages or strikes, unforeseen site conditions and other unanticipated events subject to approval by the Village Board.

The building permit for Holiday Inn Express was issued on April 28, 2021. Per the agreement, construction of the hotel was to be completed on December 28, 2022 (20 months following permit issuance).

The Planning Building and Development Committee considered a request for an extension to the construction schedule at their meeting on January 5, 2023. The requested extension of the construction schedule was due to supply chain disruption and unavailability of items that impacted the ability to install roofing and provide permanent electricity. After discussion, PBD recommended, and the Village Board approved an extension to July 26, 2023. Construction was not completed by July and PBD recommended and the Village Board later approved an extension to December 31, 2023.

The hotel is not yet completed. Most of the remaining work is related to interior finishes (flooring, millwork, final trim, signage). A Building Inspection conducted on January 4, 2024, noted that there were finish materials and guest room furniture stored inside the hotel, but not yet installed or assembled. Carpeting is not yet installed throughout the hotel and signage throughout the hotel has not been installed or ordered. At the time of inspection, only two contractors were working inside the hotel.

The overall exterior of the property is clean and the majority of the site work is complete. The property owner has an agreement with a general contractor for project management and so the project is now in compliance with the terms of the agreement except for the completion date. It should be noted that while the contractor is in communication with the village and has provided progress updates that staff requested an updated schedule the first week of January and that has not yet been provided.

<i>Recommended Action:</i>

Informational

ATTACHMENTS:

Description	Type
▣ Resolution 17-109	Exhibit
▣ Resolution 19-049	Exhibit
▣ Resolution 20-031	Exhibit
▣ Resolution 23-008	Exhibit
▣ Resolution 23-072	Exhibit

RESOLUTION NO. R-17-109

**RESOLUTION APPROVING AND AUTHORIZING A CLASS 7C CLASSIFICATION FOR
30-40 N. MARTINGALE ROAD, SCHAUMBURG, ILLINOIS; PIN 07-24-401-005-0000
(EQUITYROOTS HOLDINGS I, LLC – DUAL BRAND HOLIDAY INN HOTELS)**

WHEREAS, Village President and Board of Trustees (the “Board”) of the Village of Schaumburg (the “Village”) has received a request from Equityroots Holdings I, LLC (“Applicant”) for support and consent to the filing of an application for a Class 7c real estate tax incentive for the property located at 30-40 N. Martingale Road in Schaumburg, Illinois, Permanent Index No. 07-24-401-005-0000 (the "Subject Property"), which is legally described in Exhibit A hereto.

WHEREAS, the Board has received information, letters and testimony regarding said request.

WHEREAS, there exists within the Village a recognized need for economic development, business expansion and renewal, and increased employment opportunities; and

WHEREAS, there exists the need to aid in financing the cost of certain commercial development projects in order to create employment opportunities and to encourage an increase in property values and commerce within the Village, thereby reducing unemployment and providing for the increased welfare and prosperity of Cook County residents; and

WHEREAS, Applicant is the title owner of the Subject Property; and

WHEREAS, the Subject Property is vacant and has remained unimproved since its annexation to the Village in 1987 as farm land due to what the Applicant describes as very challenging topographic, hydrologic, and soil conditions that substantially increase the cost of development; and

WHEREAS, Applicant has proposed development of two Holiday Inn branded hotels with a total of 182 guest rooms, a full service restaurant, meeting rooms, and other high quality amenities and construction materials on the Subject Property in a manner that preserves and buffers existing wetlands on the site and adjacent lands, accommodates all applicable stormwater management requirements, accounts for difficult soil conditions, and satisfies Village design criteria (“Hotel Project”); and

WHEREAS, Development of a full service hotel on the Subject Property would expand employment opportunities and enhance its assessed value to a greater extent than a limited service hotel, but the Applicant indicates would be more challenging to finance due to increased construction costs for a full service restaurant and meeting rooms and the risks associated with the fluctuating revenues of those ancillary facilities, together with greater ongoing employment costs, which reduce profit margins; and

WHEREAS, the Applicant reports that the Hotel Project is anticipated to create more than 600 construction jobs, 62 permanent full time jobs, and 15 part time jobs. The permanent

jobs are expected to offer health insurance and are expected to have pay levels that meet or exceed the standard of the Cook County Living Wage Ordinance; and

WHEREAS, the Hotel Project is expected to substantially increase annual property tax revenues generated by the Subject Property from the current level of approximately \$36,000 to \$656,000 by the fifth year of Class 7c eligibility, thereby providing tax relief to homeowners and other property owners in Cook County; and

WHEREAS, no other appropriate or economically viable development has been proposed for the Subject Property despite substantial development on adjacent lands; and

WHEREAS, the Board unanimously adopted Ordinance No. 17-030 on March 28, 2017, which granted approvals of a site plan, special uses and variations that fully entitle the Hotel Project; and

WHEREAS, Applicant has advised the Board that interest rates and costs of constructing the Hotel Project have risen substantially since Applicant's initial determination to acquire and pursue development of the Subject Property, to the point that economic assistance is necessary to improve its debt service coverage and secure financing for construction and initial operations of the Hotel Project; and

WHEREAS, the Cook County Assessor and Economic Development Advisory Committee operate under an ordinance, known as the Cook County Real Property Classification Ordinance ("Classification Ordinance"), which the Cook County Board of Commissioners enacted in order to encourage industrial and commercial projects which would not be economically feasible without economic assistance by reduction of assessment levels for limited periods of time; and

WHEREAS, the Classification Ordinance creates the Class 7c Incentive for real estate used primarily for commercial purposes, including hotels; and

WHEREAS, the Applicant intends to apply for a Class 7c Incentive for the Hotel Project, and has requested that the Board adopt a resolution in support of that application, which is a requirement of the Classification Ordinance.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SCHAUMBURG:

SECTION ONE: The Village hereby finds that the Subject Property is in need of commercial development, the Subject Property will remain underutilized without Class 7c status, and the incentive benefits provided pursuant to Class 7c status will assist in allowing for commercial development of the Subject Property to occur.

SECTION TWO: the Board has reviewed Applicant's Class 7c Eligibility Application and supplemental information responsive to the Incentive Classification Initial Questionnaire. Based on information and representations provided by Applicant, the Board finds that the Subject Property and Hotel Project meet the Class 7c eligibility factors set forth in the Classification Ordinance, specifically:

- a) The assessed value of the Subject Property and real estate taxes generated by the Subject Property have declined significantly for at least the past six years; and
- b) With the Class 7c Incentive, the Hotel Project is both viable and likely to proceed on a reasonably timely basis, thereby contributing to the economic enhancement of the Subject Property and surrounding area; and
- c) But for the Class 7c Incentive, the Hotel Project would not go forward; and at the conclusion of the five-year Class 7c Incentive period, the Hotel Project should be viable and economically feasible for the foreseeable future; and
- d) The Class 7c Incentive is reasonably expected to ultimately result in a substantial increase in real estate tax revenue and new employment opportunities on the Subject Property.

SECTION THREE: The Village hereby supports and consents to the Applicant's request to the Cook County Assessor for a Class 7c Incentive for the Subject Property in accordance with the Classification Ordinance.

SECTION FOUR: Applicant shall cause a certified copy of this Resolution to be filed with the office of the Assessor of Cook County.


SECTION FIVE: This Resolution shall be in full force and effect upon passage as required by law.

AYES: (6) Trustee: Dailly, Madej, Dunham, Sullivan, Connelly, Kozak

NAYS: (0) None


ABSENT: (0) None

PASSED AND APPROVED this 12th day of December, 2017.




Village President

ATTEST:



Village Clerk

APPROVED:



Assistant Village Attorney

**MEMORANDUM OF CONDITIONS
FOR VILLAGE SUPPORT OF CLASS 7C APPLICATION
OF EQUITYROOTS HOLDINGS I, LLC**

The Village of Schaumburg Board of Trustees has approved a Resolution supporting the Class 7c Incentive Eligibility Application of Equityroots Holdings I, LLC (“Equityroots”) to the Cook County Assessor for development of the Hotel Project as defined in that Resolution on property located at 30-40 N. Martingale Road (PIN 07-24-401-005-000; the “Subject Property”) in accordance with zoning approvals granted by Ordinance No. 17-030 (adopted March 28, 2017).

In consideration of the Village Board’s support of the Class 7c Incentive application, Equityroots agrees to the following conditions for development of the Hotel Project upon approval of a Class 7c Incentive for the Subject Property by the Cook County Assessor:

1. Equityroots will provide documentation suitable to the Village’s Director of Community Development demonstrating that a commitment has been obtained for full funding for all phases of construction of the Hotel Project before a land development permit is issued for the Subject Property; and
2. Equityroots will retain a reputable, well-qualified general contractor with experience in hotel development of similar size and scope to the Hotel Project to manage and carryout development and construction activities, and shall submit to the Village’s Director of Community Development information regarding similar projects in which the general contractor has been involved. Furthermore, Mr. Bhavik Dani will not be involved in day-to-day construction management or have any control over subcontractors on the Hotel Project. The general contractor shall serve as the designated contact for the Village for any construction issues for the Hotel Project; and
3. The Hotel Project will comply with all applicable Village permit and code requirements related to land development, building construction, and property/site maintenance.
4. Construction of the Hotel Project will be completed within 20 months after the date on which the Cook County Assessor provides written notice to Equityroots that its application for Class 7c Incentive has been approved. Equityroots shall forward any such written notice to the Village’s Community Development Director upon receipt. This construction schedule may be extended due to adverse weather conditions, material shortages, labor shortages or strikes, unforeseen site conditions, and other unanticipated events or circumstances that are duly documented by Equityroots and the general contractor, subject to approval by the Village Board, which approval will not be

unreasonably withheld, provided notice of such condition is provided to the Village's Community Development Director within ten (10) business days of the occurrence of the condition allegedly necessitating such extension to the construction schedule. The Village's Community Development Director will review the extension request and forward to the Village Board for consideration at its next regular Board meeting held at least fourteen (14) days after receipt of the request.

5. Equityroots will cause the general contractor to provide monthly construction progress reports to the Village's Director of Community Development or her designee, which reports shall include, but not be limited to, any anticipated or potential delays for the Hotel Project.

This Memorandum of Conditions is approved by the Village Board and Equityroots as of December 12, 2017.

VILLAGE OF SCHAUMBURG



Brian Townsend
Village Manager

EQUITYROOTS HOLDINGS I, LLC

By: Equityroots, Inc.

Its: Manager

By: 

Bhavik S. Dani

Its: President

Attest:



Marilyn J. Kerr
Village Clerk

RESOLUTION NO. R-19-049

**RESOLUTION APPROVING AMENDED AND RESTATED MEMORANDUM OF
CONDITIONS FOR VILLAGE SUPPORT OF CLASS 7C APPLICATION OF EQUITYROOTS
HOLDINGS, LLC, FOR 30-40 N. MARTINGALE ROAD, SCHAUMBURG, ILLINOIS;
PIN 07-24-401-005-0000 – (DUAL BRAND HOLIDAY INN HOTELS)**

WHEREAS, the Village of Schaumburg Board of Trustees approved Resolution R-17-109 (adopted Dec. 12, 2017) supporting the Class 7c Incentive Eligibility Application of Equityroots Holdings, LLC, to the Cook County Assessor for development of the Hotel Project as referenced in that Resolution on property located at 30-40 N. Martingale Road (PIN 07-24-401-005-0000; the "Subject Property") in accordance with zoning approvals granted by Ordinance No. 17-030 (adopted March 28, 2017).

WHEREAS, on March 27, 2018, the Cook County Assessor's Office issued its determination that the Hotel Project is eligible for the Class 7c Incentive upon construction and proof of occupancy.

WHEREAS, changed conditions have made it advisable for the Hotel Project to proceed in two separate phases.

WHEREAS, the Village has determined that it remains in support of the Hotel Project's Class 7c eligibility, conditioned on approval of an Amended and Restated Memorandum of Conditions for Village Support of Class 7c Application of Equityroots Holdings, LLC.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SCHAUMBURG:

SECTION ONE: The Village hereby finds that the Subject Property remains in need of commercial development, the Subject Property will remain underutilized without Class 7c status, and the incentive benefits provided pursuant to Class 7c status will assist in allowing for commercial development of the Subject Property to occur.

SECTION TWO: The Village hereby continues to support and consent to the Applicant's eligibility for the a Class 7c Incentive for the Subject Property in accordance with the Amended and Restated Memorandum of Conditions for Village Support of Class 7c Application of Equityroots Holding, LLC, which is hereby approved and attached to this Resolution as Exhibit A.

SECTION FOUR: Applicant shall cause a certified copy of this Resolution to be filed with the office of the Assessor of Cook County.

SECTION FIVE: This Resolution shall be in full force and effect upon passage as required by law.

RESOLUTION NO. R-19-049

**RESOLUTION APPROVING AMENDED AND RESTATED MEMORANDUM OF
CONDITIONS FOR VILLAGE SUPPORT OF CLASS 7C APPLICATION OF EQUITYROOTS
HOLDINGS, LLC, FOR 30-40 N. MARTINGALE ROAD, SCHAUMBURG, ILLINOIS;
PIN 07-24-401-005-0000 – (DUAL BRAND HOLIDAY INN HOTELS)**

AYES: (6) Trustee: Kozak, Connelly, Sullivan, Dunham, Madej, Bieschke

NAYS: (0) None


ABSENT: (0) None

PASSED AND APPROVED this 13th day of August, 2019.



Village President

ATTEST:



Village Clerk

EXHIBIT A

AMENDED AND RESTATED

MEMORANDUM OF CONDITIONS

FOR VILLAGE SUPPORT OF CLASS 7C APPLICATION

OF EQUITYROOTS HOLDINGS I, LLC

The Village of Schaumburg Board of Trustees approved Resolution R-17-109 (adopted Dec. 12, 2017) supporting the Class 7c Incentive Eligibility Application of Equityroots Holdings I, LLC ("Equityroots") to the Cook County Assessor for development of the Hotel Project as referenced in that Resolution on property located at 30-40 N. Martingale Road (PIN 07-24-401-005-0000; the "Subject Property") in accordance with zoning approvals granted by Ordinance No. 17-030 (adopted March 28, 2017). On March 27, 2018, the Cook County Assessor's Office issued its determination that the Hotel Project is eligible for the Class 7c Incentive upon construction and proof of occupancy.

In consideration of the Village Board's support of the Class 7c Incentive application, Equityroots agrees to the following conditions for development of the Hotel Project:

1. Equityroots may construct the Hotel Project in two phases, with the first phase being a Holiday Inn Express & Suites, and the second phase being a full service Holiday Inn (or related lifestyle/boutique brand with full service amenities of equal or better quality than a Holiday Inn), provided that the first phase includes installation of site improvements and construction of building elements in substantial conformance with the schedule and plans attached hereto, except as noted below.
 - a. Petitioner shall provide a complete phasing plan showing all work proposed for each phase that includes any additional construction details necessary to complete a full review of the construction plans. Plans and details shall be provided to the satisfaction of the Director of Community Development.
 - b. There shall be no phasing of overall general site improvements, including detention, and lighting, except for the perimeter landscaping on the south and west sides which will be installed with the second phase.
 - c. All utilities for future phased building construction shall be stubbed to the site; future building phases shall not be required to remove parking lot or other improved surfaces (other than landscaped areas) to gain access to future utilities.

- d. Second phase building pad shall be graded, and sodded. Plans and details shall be provided to the satisfaction of the Director of Community Development.
 - e. Phasing plan shall include complete architectural floor plans, building elevations, and details indicating how the building will be treated during each proposed phase. Plans and details shall be provided to the satisfaction of the Director of Community Development.
 - f. No exposed walls which connect to future phased buildings shall remain unfinished; all exterior elevations shall appear as finished facades during all phases. Plans and details shall be provided to the satisfaction of the Director of Community Development.
2. Equityroots or its construction contractor may obtain the land development for the entire Hotel Project upon approval of this Memorandum, subject to project security requirements. Prior to issuance of a building permit for each phase of the Hotel Development, Equityroots will provide documentation suitable to the Village's Director of Community Development that full funding is available for construction of the hotel building therein.
3. Equityroots will retain a reputable, well-qualified general contractor with experience in hotel development of similar size and scope to the Hotel Project to manage and carryout construction activities, and shall submit to the Village's Director of Community Development information regarding similar projects in which the general contractor has been involved. Furthermore, Mr. Bhavik Dani will not be involved in day-to-day construction management. The general contractor and legal counsel for Equityroots shall serve as the designated contact for the Village for any construction issues for the Hotel Project.
4. Village code requirements applicable to land development and building construction as of March 28, 2017, shall be applicable to all aspects of the first phase of the Hotel Project. Construction plans for the second phase of the Hotel Project shall conform to building code requirements enacted by the Village at the time such plans are submitted for permit. Current Village code requirements for property and site maintenance shall apply to both phases of the Hotel Project after construction of each.
5. Fees for permits for land development and first phase building construction (including charges for associated water meters, water/sewer connection, and police



and fire contributions) shall be those in effect as of March 28, 2017, but only provided that a final construction permit is issued and picked up by Equityroots no later than February 1, 2020. Fees for the permit for second phase building construction (including charges for associated water meters, water/sewer connection, and police and fire contributions) shall be those in effect as of March 28, 2017, provided that the building permit application and required plans for the second phase building are received within three (3) years after the date of this Memorandum. If the building permit application and required plans for the second phase building are received more than (3) years after the date of this Memorandum, the schedule of fees for building permits and charges for associated water meters, sewer/water connections, and fire and police contributions in effect at the time of submission shall apply.

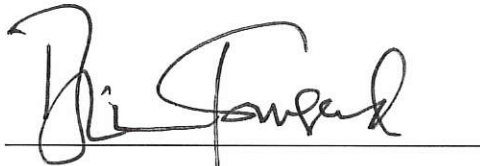
6. Construction of each phase of the Hotel Project will be completed within 20 months after the date on which the Village issues a building permit for that phase. This construction schedule may be extended due to adverse weather conditions, material shortages, labor shortages or strikes, unforeseen site conditions, and other unanticipated events or circumstances that are duly documented by Equityroots and the general contractor, subject to approval by the Village Board, which approval will not be unreasonably withheld, provided notice of such condition is provided to the Village's Community Development Director within ten (10) business days of the occurrence of the condition allegedly necessitating such extension to the construction schedule. The Village's Community Development Director will review the extension request and forward to the Village Board for consideration at its next regular Board meeting held at least Fourteen (14) days after receipt of the request.
7. Equityroots will cause the general contractor or its legal counsel to provide monthly construction progress reports to the Village's Director of Community Development or her designee, which reports shall include, but not be limited to, any anticipated or potential delays for the Hotel Project.

The Village will maintain its support of, and will not take any action that would cause the Cook County Assessor's Office to withdraw the Class 7c Incentive for the Hotel Project, provided Equityroots acts in substantial conformance with the foregoing conditions.



This Memorandum of Conditions is approved by the Village Board and Equityroots as of August 13, 2019.

VILLGE OF SCHAUMBURG



Brian Townsend
Village Manager

EQUITYROOTS HOLDINGS I, LLC

By: Equityroots, Inc.

Its: Manager

By:  _____

Bhavik S. Dani

Its: President

Attest:



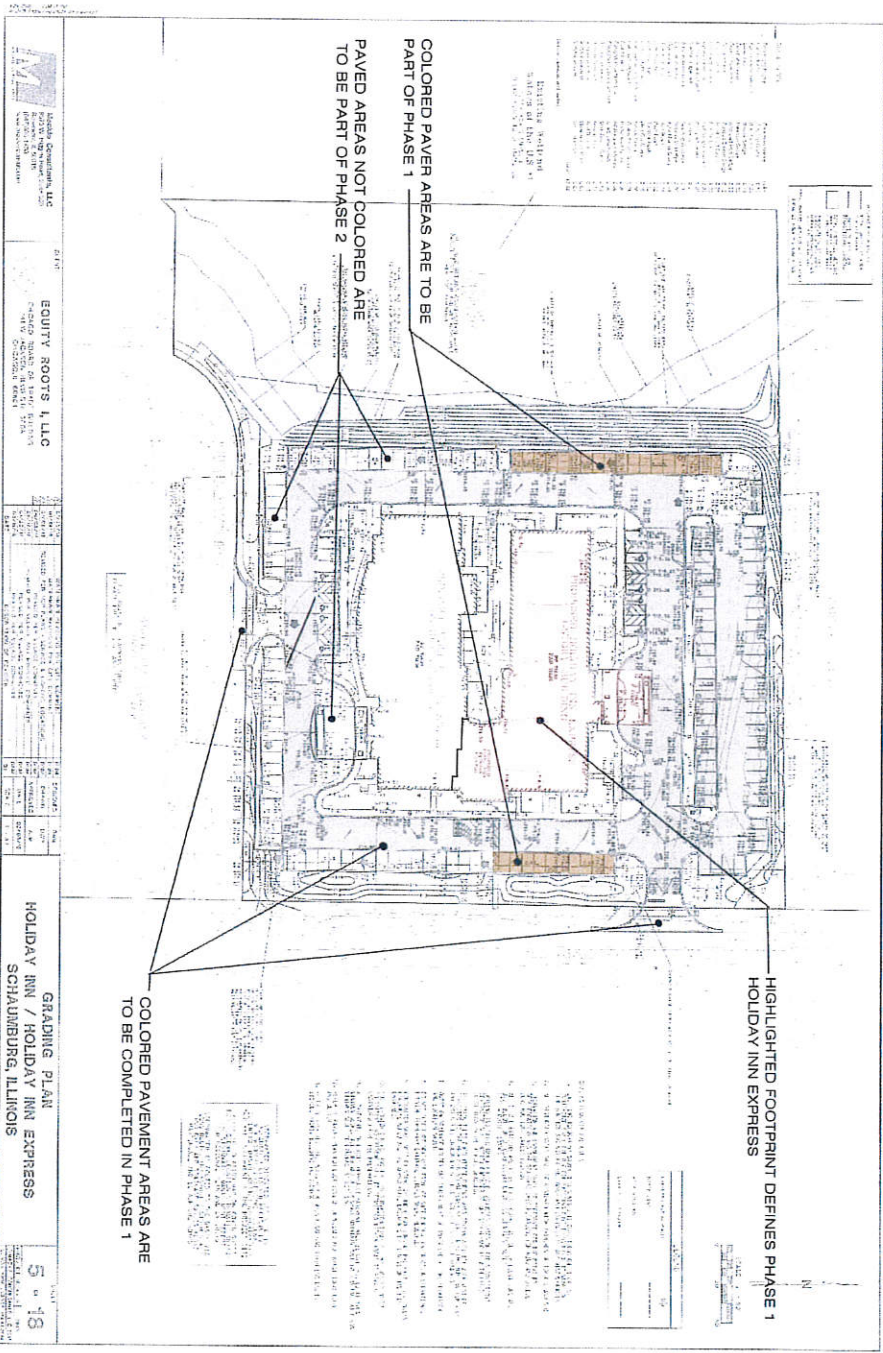
Marilyn J. Han
Village Clerk



SCHEDULE OF SITE AND BUILDING IMPROVEMENTS
FOR PHASE I OF EQUITYROOTS HOTEL DEVELOPMENT
30 – 40 N. MARTINGALE ROAD

- Site Development Improvements:
 - Stormwater pollution control and erosion control measures for Phases I & II;
 - Mass grading and necessary clearing and grubbing of plant material for Phases I & II;
 - All stormwater management facilities – pipes, catch basins, underground detention structure – for Phases I & II;
 - Potable water and sanitary sewer extensions for Phases I & II;
 - Public utility extensions for Phases I & II;
 - Fully paved access driveways and entire internal “ring road;”
 - Pervious paver parking spaces accessory to the Phase I building;
 - Curbing adjacent to Phase I parking areas and on both sides of the ring road, except where adjacent to Phase II parking spaces and drop off aisle;
 - Perimeter, foundation and parking lot landscaping for Phases I areas;
 - Perimeter landscaping for Phase II area adjacent to Martingale Road; and
 - Sod installed and maintained on Phase II building pad and perimeter areas.

- Construction of four-story Holiday Inn Express & Suites hotel with 54 standard guest rooms, 15 accessible guest rooms, and 18 suites rooms, including:
 - All premium façade elements as originally approved;
 - Pool/Spa area to be shared with Phase II;
 - Fitness Center to be shared with Phase II;
 - Patio to be shared with Phase II
 - Lobby seating area to be shared with Phase II;
 - Breakfast/Dining seating area to be shared with Phase II;
 - Catering kitchen; and
 - Large, divisible meeting room.

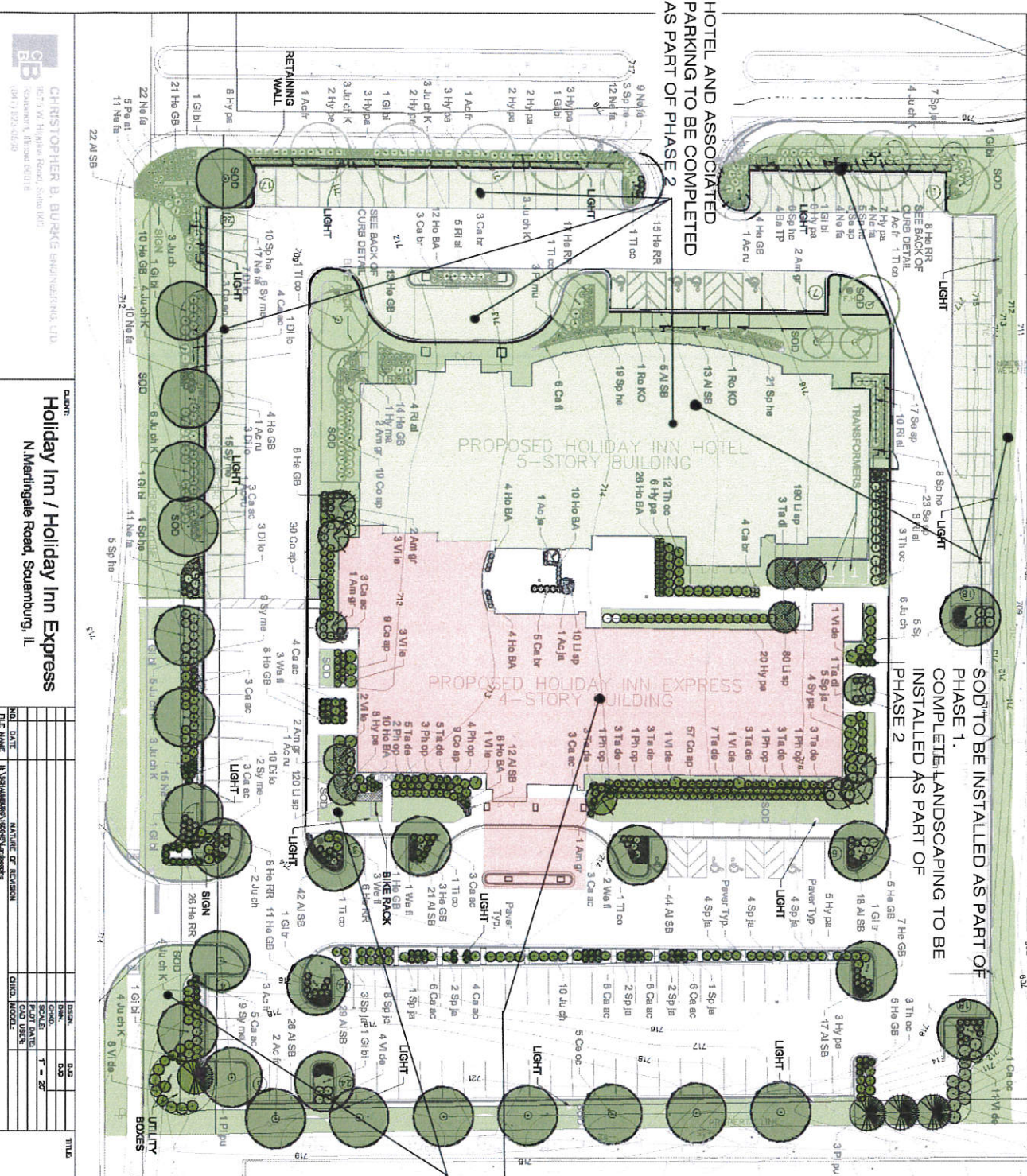


Modular Development, LLC
 1000 W. WASHINGTON ST.
 SUITE 200
 CHICAGO, IL 60606

EQUITY ROOTS LLC
 CHICAGO SOUTH OF MARY BLVD
 1000 W. WASHINGTON ST.
 SUITE 200
 CHICAGO, IL 60606

NO.	DESCRIPTION	DATE	BY	CHKD.
1	ISSUED FOR PERMIT	08/14/18
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GRADING PLAN
 HOLIDAY INN / HOLIDAY INN EXPRESS
 SCHAUMBURG, ILLINOIS



HOTEL AND ASSOCIATED PARKING TO BE COMPLETED AS PART OF PHASE 2

SOD TO BE INSTALLED AS PART OF PHASE 1. COMPLETE LANDSCAPING TO BE INSTALLED AS PART OF PHASE 2

PHASE 1 HOLIDAY INN EXPRESS BUILDING FOOTPRINT

LANDSCAPING TO BE INSTALLED PER THE APPROVED PLAN FOR PHASE 1

SYM.	BOTANICAL NAME	COMMON NAME	QTY.	SIZE	COMB.
1	Asplenium Platyneuron	Rock Fern	1	12"	12"
2	Asplenium Platyneuron	Rock Fern	1	12"	12"
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CHRISTOPHER B. BURKE ENGINEERING, LTD.
1802 W. Highway Road, Suite 100
Normal, Illinois 61754
(815) 223-6800

CLIENT: Holiday Inn / Holiday Inn Express
N. Merringdale Road, Schaumburg, IL

NO.	DATE	BY	DESCRIPTION
1	11/15/17	CB	ISSUED FOR PERMIT
2	11/15/17	CB	ISSUED FOR PERMIT
3	11/15/17	CB	ISSUED FOR PERMIT

LANDSCAPE PLAN

PROJ. NO. 180048
DATE: 11/15/17
SHEET: 1 OF 3
DRAWING NO. L1

RESOLUTION NO. R-20-031

**RESOLUTION APPROVING AND AUTHORIZING FIRST AMENDMENT TO THE
AMENDED AND RESTATED MEMORANDUM OF CONDITIONS FOR VILLAGE SUPPORT
OF CLASS 7C APPLICATION OF EQUITYROOTS HOLDINGS I, LLC FOR 30-40 N.
MARTINGALE ROAD, SCHAUMBURG, ILLINOIS; PIN 07-24-401-005-0000
(EQUITYROOTS HOLDINGS I, LLC – DUAL BRAND HOLIDAY INN HOTELS)**

WHEREAS, the Village of Schaumburg Board of Trustees approved Resolution R-17-109 (adopted Dec. 12, 2017), supporting the Class 7c Incentive Eligibility Application of Equityroots Holdings, LLC, to the Cook County Assessor for development of the Hotel Project as referenced in that Resolution on property located at 30-40 N. Martingale Road in Schaumburg, Illinois, Permanent Index No. 07-24-401-005-0000 (the "Subject Property"), in accordance with zoning approvals granted by Ordinance No. 17-030 (adopted March 28, 2017); and

WHEREAS, along with the approval of Resolution R-17-109, the Village of Schaumburg Board of Trustees also approved a Memorandum of Conditions for the development of the Hotel Project upon approval of a Class 7c Incentive for the Subject Property by the Cook County Assessor

WHEREAS, on March 27, 2018, the Cook County Assessor's Office issued its determination that the Hotel Project is eligible for the Class 7c Incentive upon construction and proof of occupancy; and

WHEREAS, on August 13, 2019, the Village of Schaumburg Board of Trustees Approved Resolution R-19-049 approving an Amended and Restated Memorandum of Conditions for Village Support of Class 7c Application of Equityroots; and

WHEREAS, Equityroots desires to amend one of the conditions set forth in the Amended and Restated Memorandum of Conditions approved by the Village of Schaumburg Board of Trustees on August 13, 2019; and

WHEREAS, the Village is in agreement to amend said condition subject to all other provisions in the Amended and Restated Memorandum of Conditions remaining in effect; and

WHEREAS, the Village has determined that it remains in support of the Hotel Project's Class 7c eligibility, conditions on approval of this First Amendment to the Amended and Restated Memorandum of Conditions for Village Support of Class 7c Application of Equityroots originally approved on August 13, 2019;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SCHAUMBURG:

RESOLUTION NO. R-20-031

RESOLUTION APPROVING AND AUTHORIZING FIRST AMENDMENT TO THE AMENDED AND RESTATED MEMORANDUM OF CONDITIONS FOR VILLAGE SUPPORT OF CLASS 7C APPLICATION OF EQUITYROOTS HOLDINGS I, LLC FOR 30-40 N. MARTINGALE ROAD, SCHAUMBURG, ILLINOIS; PIN 07-24-401-005-0000 (EQUITYROOTS HOLDINGS I, LLC – DUAL BRAND HOLIDAY INN HOTELS)

SECTION ONE: The Village hereby finds that the Subject Property remains in need of commercial redevelopment, the Subject Property will remain underutilized without Class 7c status, and the incentive benefits provided pursuant to Class 7c status will assist in allowing for commercial development of the Subject Property to occur.

SECTION TWO: The Village hereby continues to support and consent to the Applicant's eligibility for a Class 7c Incentive for the Subject Property in accordance with the First Amendment to the Amended and Restated Memorandum of Conditions for Village Support of Class 7c Application of Equityroots originally approved on August 13, 2019, which is hereby approved and attached to this Resolution as Exhibit A.

SECTION THREE: Applicant shall cause a certified copy of this Resolution to be filed with the office of the Assessor of Cook County.

SECTION FOUR: This Resolution shall be in full force and effect upon passage as required by law.

AYES: (6) Trustee: Kozak, Connelly, Sullivan, Dunham, Madej, Bieschke

NAYS: (0) None

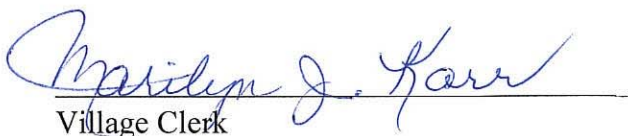
ABSENT: (0) None

PASSED AND APPROVED this _____ 28th _____ day of _____ April, 2020.



Village President

ATTEST:



Village Clerk

**FIRST AMENDMENT TO THE AMENDED AND RESTATED MEMORANDUM OF
CONDITIONS FOR VILLAGE SUPPORT OF CLASS 7C APPLICATION
OF EQUITYROOTS HOLDINGS I, LLC**

WHEREAS, the Village of Schaumburg Board of Trustees approved Resolution R-17-109 on December 12, 2017 supporting the Class 7c Incentive Eligibility Application of Equityroots Holdings I, LLC (“Equityroots”) to the Cook County Assessor for development of the Hotel Project as defined in that Resolution on property located at 30-40 N. Martingale Road (PIN 07-24-401-005-000; the “Subject Property”) in accordance with zoning approvals granted by Ordinance No. 17-030 (adopted March 28, 2017); and

WHEREAS, along with the approval of Resolution R-17-109, the Village of Schaumburg Board of Trustees also approved a Memorandum of Conditions for the development of the Hotel Project upon approval of a Class 7c Incentive for the Subject Property by the Cook County Assessor; and

WHEREAS, on March 27, 2018, the Cook County Assessor’s Office issued its determination that the Hotel Project is eligible for the Class 7c Incentive upon construction and proof of occupancy; and

WHEREAS, on August 13, 2019, the Village of Schaumburg Board of Trustees Approved Resolution R-19-049 approving an Amended and Restated Memorandum of Conditions for Village Support of Class 7c Application of Equityroots; and

WHEREAS, Equityroots desires to amend one of the conditions set forth in the Amended and Restated Memorandum of Conditions approved by the Village of Schaumburg Board of Trustees on August 13, 2019; and

WHEREAS, the Village is in agreement to amend said condition subject to all other provisions in the Amended and Restated Memorandum of Conditions remaining in effect;

NOW THEREFORE, in consideration of the Village Board’s support of the Class 7c Incentive application, the Village hereby agrees to this First Amendment to the Amended and Restated Memorandum of Conditions for Village Support of Class 7c Application of Equityroots originally approved on August 13, 2019, as follows:

1. Section 5 of the Amended and Restated Memorandum of Conditions for Village Support of Class 7c Application of Equityroots is hereby amended to read in its entirety as follows:

“Fees for permits for land development and first phase building construction (including charges for associated water meters, water/sewer connection, and police

and fire contributions) shall be those in effect as of March 28, 2017, but only provided that a final construction permit is issued and picked up by Equityroots no later than April 28, 2021. Fees for the permit for second phase building construction (including charges for associated water meters, water/sewer connection, and police and fire contributions) shall be those in effect as of March 28, 2017, provided that the building permit application and required plans for the second phase building are received by April 28, 2023. If the building permit application and required plans for the second phase building are received after April 28, 2023, the schedule of fees for building permits and charges for associated water meters, sewer/water connections, and fire and police contributions in effect at the time of submission shall apply.”

2. All other provisions of the Amended and Restated Memorandum of Conditions for Village Support of Class 7c Application of Equityroots originally approved on August 13, 2019 shall remain in full force and effect.

This First Amendment to the Amended and Restated Memorandum of Conditions is approved by the Village Board and Equityroots as of April 28, 2020.


VILLAGE OF SCHAUMBURG



Brian Townsend
Village Manager

EQUITYROOTS HOLDINGS I, LLC

By: Equityroots, Inc.
Its: Manager

By: 

Bhavik S. Dani
Its: President

Attest:



Marilyn J. Kerr
Village Clerk

RESOLUTION NO. R-23-008

**RESOLUTION APPROVING AND AUTHORIZING AN EXTENSION OF TIME TO COMPLETE CONSTRUCTION PURSUANT TO THE AMENDED AND RESTATED MEMORANDUM OF CONDITIONS FOR VILLAGE SUPPORT OF CLASS 7C APPLICATION OF EQUITYROOTS HOLDINGS I, LLC FOR 30-40 N. MARTINGALE ROAD, SCHAUMBURG, ILLINOIS; PIN 07-24-401-005-0000
(EQUITYROOTS HOLDINGS I, LLC – DUAL BRAND HOLIDAY INN HOTELS)**

Memorandum of Conditions for Village Support of Class 7c Application of Equityroots originally approved on April 28, 2020;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SCHAUMBURG:

SECTION ONE: The Village hereby finds that the Subject Property remains in need of commercial redevelopment, the Subject Property will remain underutilized without Class 7c status, and the incentive benefits provided pursuant to Class 7c status will assist in allowing for commercial development of the Subject Property to occur.

SECTION TWO: The Village hereby continues to support and consent to the Applicant's eligibility for a Class 7c Incentive for the Subject Property in accordance with the First Amendment to the Amended and Restated Memorandum of Conditions for Village Support of Class 7c Application of Equityroots originally approved on April 28, 2020, which is hereby approved and attached to this Resolution as Exhibit A, with an amendment hereby approved to grant a six (6) month extension to the construction period and a new phased construction deadline of June 30, 2023.

SECTION THREE: Applicant shall cause a certified copy of this Resolution to be filed with the office of the Assessor of Cook County.

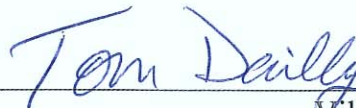
SECTION FOUR: This Resolution shall be in full force and effect upon passage as required by law.

AYES: (6) Trustee: Bieschke, Madej, Dunham, Sullivan, Clar, Patel

NAYS: (0) None

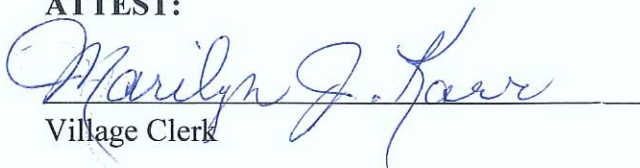
ABSENT: (0) None

PASSED AND APPROVED _____ 24th _____ this day of _____ January, 2023.



Village President

ATTEST:



Village Clerk

RESOLUTION NO. R-23-008

**RESOLUTION APPROVING AND AUTHORIZING AN EXTENSION OF TIME TO COMPLETE CONSTRUCTION PURSUANT TO THE AMENDED AND RESTATED MEMORANDUM OF CONDITIONS FOR VILLAGE SUPPORT OF CLASS 7C APPLICATION OF EQUITYROOTS HOLDINGS I, LLC FOR 30-40 N. MARTINGALE ROAD, SCHAUMBURG, ILLINOIS; PIN 07-24-401-005-0000
(EQUITYROOTS HOLDINGS I, LLC – DUAL BRAND HOLIDAY INN HOTELS)**

WHEREAS, the Village of Schaumburg Board of Trustees approved Resolution R-17-109 (adopted Dec. 12, 2017), supporting the Class 7c Incentive Eligibility Application of Equityroots Holdings, LLC, to the Cook County Assessor for development of the Hotel Project as referenced in that Resolution on property located at 30-40 N. Martingale Road in Schaumburg, Illinois, Permanent Index No. 07-24-401-005-0000 (the "Subject Property"), in accordance with zoning approvals granted by Ordinance No. 17-030 (adopted March 28, 2017); and

WHEREAS, along with the approval of Resolution R-17-109, the Village of Schaumburg Board of Trustees also approved a Memorandum of Conditions for the development of the Hotel Project upon approval of a Class 7c Incentive for the Subject Property by the Cook County Assessor

WHEREAS, on March 27, 2018, the Cook County Assessor's Office issued its determination that the Hotel Project is eligible for the Class 7c Incentive upon construction and proof of occupancy; and

WHEREAS, on August 13, 2019, the Village of Schaumburg Board of Trustees Approved Resolution R-19-049 approving an Amended and Restated Memorandum of Conditions for Village Support of Class 7c Application of Equityroots; and

WHEREAS, on April 28, 2020, the Village of Schaumburg Board of Trustees Approved Resolution R-20-031 approving a First Amendment to the Amended and Restated Memorandum of Conditions for Village Support of Class 7c Application of Equityroots; and

WHEREAS, Equityroots desires to amend one of the conditions set forth in the First Amendment to the Amended and Restated Memorandum of Conditions approved by the Village of Schaumburg Board of Trustees on April 28, 2020; and

WHEREAS, per that Agreement, the phased construction of the Hotel Project was to be completed on December 28, 2022, twenty (20) months following the issuance of the building permit, Equityroots has requested a four (4) month extension to this construction period and a new phased construction deadline of April 28, 2023; and

WHEREAS, the Village is in agreement to amend said condition subject to all other provisions in the First Amendment to the Amended and Restated Memorandum of Conditions remaining in effect; and

WHEREAS, the Village has determined that it remains in support of the Hotel Project's Class 7c eligibility, conditions on approval of this Amendment to the Amended and Restated

RESOLUTION NO. R-23-072

**RESOLUTION APPROVING AND AUTHORIZING AN EXTENSION OF TIME TO COMPLETE CONSTRUCTION PURSUANT TO THE AMENDED AND RESTATED MEMORANDUM OF CONDITIONS FOR VILLAGE SUPPORT OF CLASS 7C APPLICATION OF EQUITYROOTS HOLDINGS I, LLC FOR 30-40 N. MARTINGALE ROAD, SCHAUMBURG, ILLINOIS; PIN 07-24-401-005-0000
(EQUITYROOTS HOLDINGS I, LLC – DUAL BRAND HOLIDAY INN HOTELS)**

WHEREAS, the Village of Schaumburg Board of Trustees approved Resolution R-17-109 (adopted Dec. 12, 2017), supporting the Class 7c Incentive Eligibility Application of Equityroots Holdings, LLC, to the Cook County Assessor for development of the Hotel Project as referenced in that Resolution on property located at 30-40 N. Martingale Road in Schaumburg, Illinois, Permanent Index No. 07-24-401-005-0000 (the "Subject Property"), in accordance with zoning approvals granted by Ordinance No. 17-030 (adopted March 28, 2017); and

WHEREAS, along with the approval of Resolution R-17-109, the Village of Schaumburg Board of Trustees also approved a Memorandum of Conditions for the development of the Hotel Project upon approval of a Class 7c Incentive for the Subject Property by the Cook County Assessor

WHEREAS, on March 27, 2018, the Cook County Assessor's Office issued its determination that the Hotel Project is eligible for the Class 7c Incentive upon construction and proof of occupancy; and

WHEREAS, on August 13, 2019, the Village of Schaumburg Board of Trustees Approved Resolution R-19-049 approving an Amended and Restated Memorandum of Conditions for Village Support of Class 7c Application of Equityroots; and

WHEREAS, on April 28, 2020, the Village of Schaumburg Board of Trustees Approved Resolution R-20-031 approving a First Amendment to the Amended and Restated Memorandum of Conditions for Village Support of Class 7c Application of Equityroots; and

WHEREAS, Equityroots desires to amend one of the conditions set forth in the First Amendment to the Amended and Restated Memorandum of Conditions approved by the Village of Schaumburg Board of Trustees on April 28, 2020; and

WHEREAS, per that Agreement, the phased construction of the Hotel Project was to be completed on December 28, 2022, twenty (20) months following the issuance of the building permit, Equityroots has requested a twelve (12) month extension to this construction period and a new phased construction deadline of December 31, 2023; and

WHEREAS, the Village is in agreement to amend said condition subject to all other provisions in the First Amendment to the Amended and Restated Memorandum of Conditions remaining in effect; and

WHEREAS, the Village has determined that it remains in support of the Hotel Project's Class 7c eligibility, conditions on approval of this Amendment to the Amended and Restated

RESOLUTION NO. R-23-072

**RESOLUTION APPROVING AND AUTHORIZING AN EXTENSION OF TIME TO COMPLETE CONSTRUCTION PURSUANT TO THE AMENDED AND RESTATED MEMORANDUM OF CONDITIONS FOR VILLAGE SUPPORT OF CLASS 7C APPLICATION OF EQUITYROOTS HOLDINGS I, LLC FOR 30-40 N. MARTINGALE ROAD, SCHAUMBURG, ILLINOIS; PIN 07-24-401-005-0000
(EQUITYROOTS HOLDINGS I, LLC – DUAL BRAND HOLIDAY INN HOTELS)**

Memorandum of Conditions for Village Support of Class 7c Application of Equityroots originally approved on April 28, 2020;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF SCHAUMBURG:

SECTION ONE: The Village hereby finds that the Subject Property remains in need of commercial redevelopment, the Subject Property will remain underutilized without Class 7c status, and the incentive benefits provided pursuant to Class 7c status will assist in allowing for commercial development of the Subject Property to occur.

SECTION TWO: The Village hereby continues to support and consent to the Applicant's eligibility for a Class 7c Incentive for the Subject Property in accordance with the First Amendment to the Amended and Restated Memorandum of Conditions for Village Support of Class 7c Application of Equityroots originally approved on April 28, 2020, which is hereby approved and attached to this Resolution as Exhibit A, with an amendment hereby approved to grant a twelve (12) month extension to the construction period and a new phased construction deadline of December 31, 2023.

SECTION THREE: Applicant shall cause a certified copy of this Resolution to be filed with the office of the Assessor of Cook County.

SECTION FOUR: This Resolution shall be in full force and effect upon passage as required by law.

AYES: (6) Trustee Bieschke, Madej, Dunham, Sullivan, Clar, Patel

NAYS: (0) None

ABSENT: (0) None

PASSED AND APPROVED this 12th day of September, 2023.



Village President

ATTEST:



Village Clerk



Status Report on New Auto Repair and Internet Auto Sales Licensed Locations - Informational
1/18/2024

Planning, Building, and Development Committee

Presenter: Debbie Parran, Code Enforcement Supervisor
Lead Department: Community Development

Executive Summary:

The purpose of this memo is to provide information regarding status of efforts regarding enforcement of the new auto repair and internet auto sales license requirements that were adopted in September 2022.

The Village received complaints in 2021 and 2022 relating to storage of vehicles relating to auto repair businesses that included vehicles blocking drive aisles, parking on the grass, and on public streets. Staff was directed to provide a code amendment for review that would create new license types for auto repair, auto body, and internet auto sales businesses with requirements for the businesses and to provide leverage for enforcement of current code requirements. The Village Board then approved a code amendment requiring a separate license with requirements for internet auto businesses and auto repair businesses. The expectation was that the separate license would add consistent structure and inspection requirements for the businesses and provide leverage for enforcement of current code requirements.

Overall, significant progress has been made in resolving parking and storage violations relating to auto repair businesses. About two-thirds of the impacted businesses are in compliance with the new licensing regulations. Staff will continue to monitor locations to ensure compliance is maintained. Staff believes consistent communication of expectations with the business operators has been key to obtaining compliance.

Recommended Action:

Informational

ATTACHMENTS:

Description	Type
▢ Memo	Exhibit
▢ Auto License Brochure	Exhibit
▢ Auto License Status Graphs	Exhibit
▢ Storage Yard FAQs	Exhibit
▢ Storage Yard Permit Flow Chart Guide	Exhibit
▢ Internet Auto Sales Flow Chart Guide	Exhibit

MEMORANDUM

Date: January 4, 2024

To: Village Manager

From: Director of Community Development and Code Enforcement Supervisor

For: Planning, Building, and Development Committee

Subject: Status Report on New Auto Repair and Internet Auto Sales Licensed Locations - Informational

Introduction

The purpose of this memo is to provide information regarding status of efforts regarding enforcement of the new auto repair and internet auto sales license requirements that were adopted in September 2022.

The Village received complaints in 2021 and 2022 relating to storage of vehicles relating to auto repair businesses that included vehicles blocking drive aisles, parking on the grass, and on public streets. Staff was directed to provide a code amendment for review that would create new license types for auto repair, auto body, and internet auto sales businesses with requirements for the businesses and to provide leverage for enforcement of current code requirements. The Village Board then approved a code amendment requiring a separate license with requirements for internet auto businesses and auto repair businesses. The expectation was that the separate license would add consistent structure and inspection requirements for the businesses and provide leverage for enforcement of current code requirements.

Discussion

Code Amendment for Licensing of Auto Repair Uses

In September 2022, the village adopted a code amendment creating new license types for internet auto sales businesses and auto repair businesses. Overall compliance with the license requirements was required within 1 year of the ordinance's passage. Prior to adoption of the new license, the requirements were discussed at Planning, Building, and Development committee meetings and letters summarizing the proposed requirements were sent to all licensed auto body and internet auto businesses.

In October 2022, notification letters with a copy of the new ordinance and informational brochure were sent to businesses to provide detailed information about the new license type requirements and the inspection plan that would begin in that winter to verify compliance. A copy of the brochure is attached. The letter noted an inspection report detailing what compliance was needed

Date: January 4, 2024
For: Planning, Building, and Development Committee
Subject: Status Report on New Auto Repair and Internet Auto Sales Licensed Locations - Informational

would be provided to each business. Staff was contacted initially by several businesses with questions after receiving the notice letter.

In February 2023, Code Enforcement staff completed initial inspections of the 32 auto repair businesses along Wise Road and the remaining 100 auto repair businesses in other locations were initially inspected in March and April. Code Enforcement staff then began to meet on site with most of the business owners and managers to review requirements and answer their questions. Most businesses failed the initial inspections. Building and Fire staff also conducted interior inspections relating to plumbing, electrical, and spray booth requirements.

Current License Approval Status

There are now 128 auto repair businesses and internet auto sales businesses. 84 of the businesses have complied with the Code Enforcement license inspection and maintenance requirements and 44 businesses remain pending compliance and in Adjudication. 6 locations remain pending compliance for Building and Fire approval. Please see attached pie charts regarding overall status.

The final inspection of all outstanding business locations by Code Enforcement staff resulted in 98 citations being issued for Adjudication Hearings in November, December, and January. 2 locations were issued citations for plumbing code violations by Building staff for an Adjudication hearing in February.

Most of these businesses continue to work with property owners on parking lot maintenance that has been deferred until the spring of 2024, while some others struggle with vehicle parking and storage yard requirements. There were also some questions related to installation of accessible (ADA) parking stalls. Many of the business did not have any ADA stalls. Staff began enforcing installation of an ADA stall as part of the overall parking lot striping enforcement. Some businesses have questioned the need for an ADA stall, particularly in cases where all striped parking is located in the rear of the building, but customers enter through the front of the building. ADA parking is a State and Federal requirement and staff will continue to communicate that providing an ADA stall is necessary.

In general, most of the businesses are complying with the requirements related to tagging vehicles and keeping vehicle logs.

Storage Yards

The most challenging requirement has been related to the storage of vehicles. The ordinance created a definition for a “storage yard” which is a fenced area for the storage of vehicles and parts. “Storage yards” allow for stadium parking and storage of items and vehicles outside of striped parking spaces. To qualify for a “storage yard” businesses must meet the minimum number of parking stalls required per village ordinance. If businesses don’t meet the minimum parking requirements they can still fence in their property and they can still store vehicles in that area; however, the vehicles must be in striped spaces. This has created some confusion for businesses. Staff has met with businesses and Planning staff has created an FAQ sheet (attached but note that the FAQs were formatted for the website) and flow charts to assist in communicating requirements.

Date: January 4, 2024
For: Planning, Building, and Development Committee
Subject: Status Report on New Auto Repair and Internet Auto Sales Licensed Locations - Informational

The “storage yard” designation was one of the ordinance measures meant to address businesses using village streets for vehicle storage and/or over-utilizing parking lots for vehicles stored “for parts” or for parts storage. The ordinance has been an effective tool to require clean-up of parking areas and in particular to require older vehicles and parts storage to be removed; however, some modification to the ordinance to remove the “storage yard” definition and instead provide clear requirements for what can and cannot be stored and where would provide clarification for businesses while having the same positive impacts on the area.

Now that staff has completed inspections of all properties, it is clear that most of the business locations cannot meet the required minimum number of parking spaces for their business use and do not qualify for a “storage yard”, but many of them install fences and are allowed to store cars in striped spaces within the fenced area. Most locations are sharing the available parking with other tenants and have a shared drive aisle with neighboring properties that limits the number of parking spaces available for each business.

Conclusion

About two-thirds of the impacted businesses are in compliance with the new licensing regulations. The most common outstanding violations relate to the condition of parking lots and vehicle storage. Since most businesses are unable to comply with parking space or “storage yard” requirements, the village could review of those current requirements to provide more straight forward and clear guidance for businesses. Should the committee direct staff to pursue a code amendment that would clarify storage requirements, staff could draft code language to be presented to PBD in February.

Overall, for most properties, adjudication remains an effective tool to gain compliance; however, staff will continue to monitor locations to ensure compliance is maintained. Staff believes consistent communication of expectations with the business operators has been key to obtaining compliance.

Recommendation

Informational



GENERAL STANDARDS

Any business where the primary use is auto repair or auto body work must obtain an Auto Repair/Auto Body License. This license does not apply to businesses whose primary use is an auto accessory business such as auto detailing, installation of audio equipment, window tinting, etc.

A license is required for internet automobile sales businesses.



Village of Schaumburg
Community Development Department
101 Schaumburg Court
Schaumburg, IL 60193
www.schaumburg.com
(847) 923-4430



VILLAGE OF SCHAUMBURG

Licensing for Auto Businesses



VILLAGE OF SCHAUMBURG
PROGRESS THROUGH THOUGHTFUL PLANNING



VEHICLE LOG

The business must maintain a record log of all vehicles in the custody of the business and provide the records to the village upon request. The vehicle log must include the make, model, color, license plate (if applicable), VIN, date of arrival, and date of departure.

VEHICLE CUSTODY / TRACKING

A vehicle tagging system is required to track vehicle custody and which vehicle belongs to what business. At a minimum, the tagging system must include the business name and phone number and be placed on the windshield of the vehicle. The business is responsible for implementing its own tagging system, subject to approval by the village.

STORAGE YARDS

A storage yard is an area on the property, enclosed by a solid fence, where part or vehicle storage could occur. Some auto repair and auto body businesses already have storage yards; however, they may not be fully enclosed.

Properties with storage yards:

- Must provide storage yard access to the village upon request.
- Must provide the minimum amount of parking spaces required per code. Spaces must be striped.
- If parking for customers/employees is located within the storage yard, gates must be open during business hours.
- Must provide a solid fence to screen the storage yard by Sept. 13, 2023.

PARKING & CIRCULATION

Circulation in parking lots shall not be impeded and drive aisles shall not be blocked. Additionally, vehicles must be parked in a striped parking space except when vehicle striping is not required within an approved storage yard.

STREET PARKING LIMITATIONS

Auto repair/auto body businesses cannot park vehicles on the street after the business takes "custody" of the vehicle. Customer drop-off/parking is allowed on the street.

SERVICE & STORAGE

All repair, service operations, and equipment or part storage must be performed or located within a fully enclosed building. Exceptions are allowed for the following:

- Vehicle inspection or emergency repair, such as replacing windshield wipers, adding fluids, replacing light bulbs, or repairs needed to get a vehicle into a bay.
- Tires to be recycled may be stored outside at the rear of a building if stored within an approved enclosure.
- Properties with approved storage yards are allowed to store parts or equipment within a storage yard provided that parking requirements are met.



INTERIOR WASTEWATER

All interior wastewater disposal/drains (triple basin) shall comply with the State of Illinois Plumbing Code. A separate plumbing permit is required to install a triple basin. Businesses must comply with this requirement by Sept. 13, 2023.

SPRAY PAINTING

Spray painting of vehicles shall be performed within an approved spray booth or spray area. Fire and building permits are required for spray booths or areas. Businesses must comply with this requirement by Sept. 13, 2023.



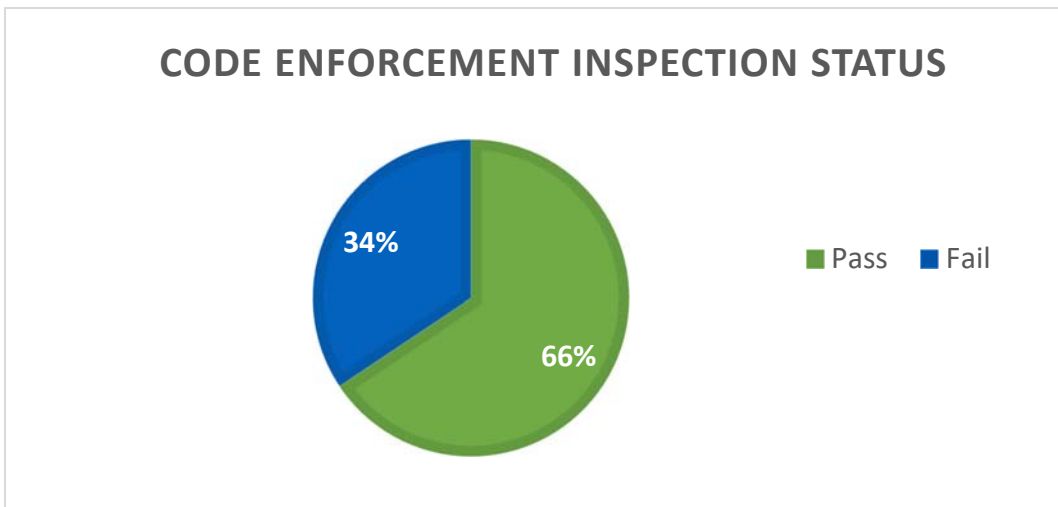
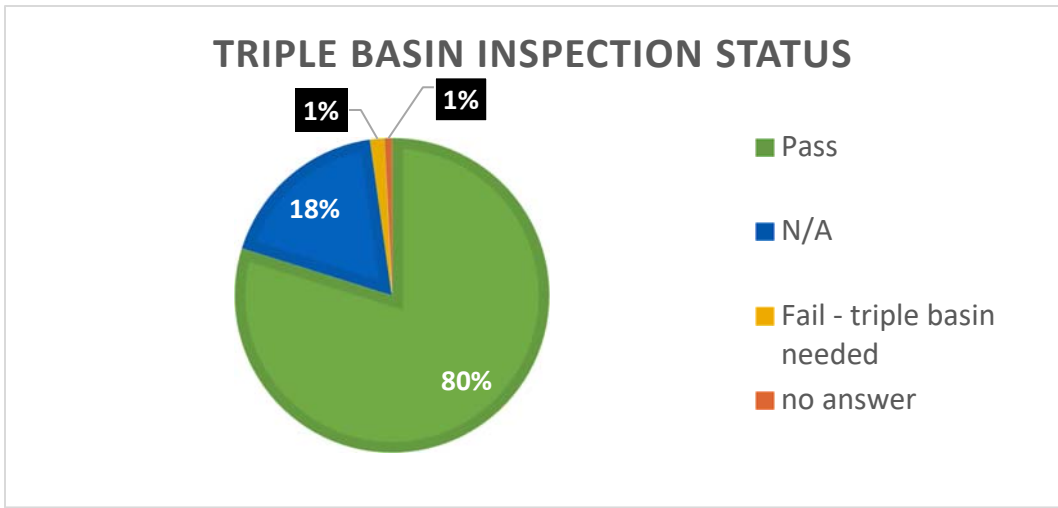
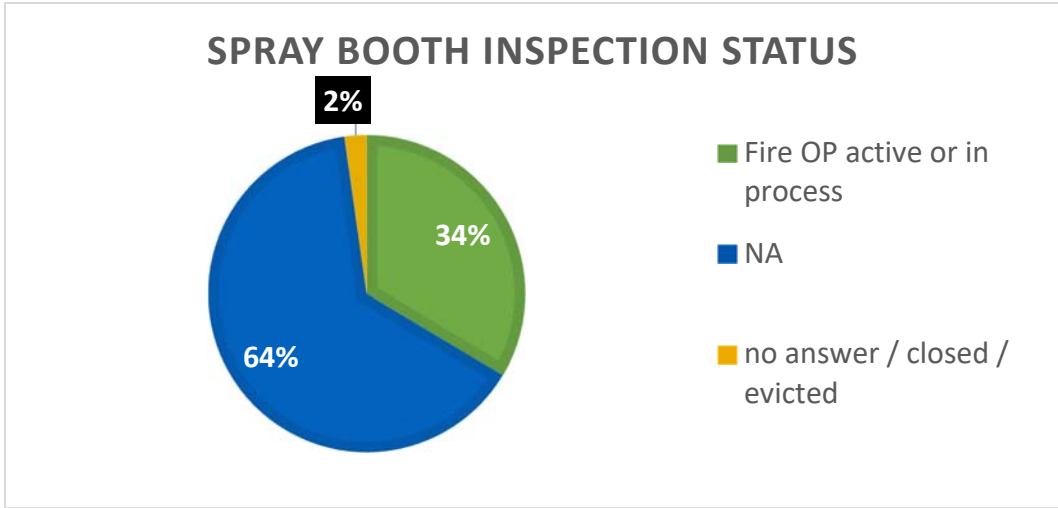
INTERNET AUTO SALES

Internet auto businesses cannot have any advertising inviting the general public to the business. Internet auto businesses cannot post any advertising on vehicles to be sold when stored outside. Any internet auto business approved after April 25, 2017 requires special use approval.

INSPECTIONS

Properties are subject to inspection at any time.

Auto License Enforcement: Status Graphs



Storage Yard Resource Guide

A storage yard is an area on an industrial property that is enclosed by a solid fence where storage may occur. All operations and servicing of vehicles or other materials must take place within the building. Storage yards must be in the rear or side yards. All industrial properties are not eligible for storage yard approval.

FAQs

1. Who is eligible to apply for a storage yard permit?

Any industrial business, including multi-tenant properties in the village can apply for a storage yard permit.

2. What is the eligibility to apply for a storage yard permit?

The property must provide the minimum number of parking spaces required per code on site. Spaces must be striped.

3. How can a business find out the minimum number of parking spaces they are required to have on site per code?

Contact the Planning division by calling 847-923-4430 or email zoning@schaumburg.com. Applicant must provide the Net Floor Area (NFA) of the business and the total number of existing striped parking spaces on site. Planning Division will calculate the minimum number of required parking spaces for the business.

4. Is Accessible Parking (Handicap) space required?

Installation of Illinois ADA Handicap parking spaces will be evaluated on a case-by-case basis by the Planning division.

5. Can a business provide the minimum number of required parking spaces within a storage yard?

Yes. Parking for customers/employees can be located within a storage yard, however, vehicles must be parked in a striped parking space and gates must be unlocked during business hours. Circulation & drive aisles shall not be blocked and the business must provide storage yard access to village upon request.

6. When can a business stadium park or store vehicles on site?

If the business has more parking spaces than required per code, then the additional parking spaces may be converted into a storage yard and could be used for storage of vehicles.

7. Is striping required for storage yards used only for storage of vehicles?

No

Click this link to view a flowchart for Auto Body/Auto Repair Businesses

Click this link to view a flowchart for – Internet Auto Sales Dealers

Submittal Requirements

Storage Yard Fence Permit Application

Two copies of Plat of Survey indicating the location of the proposed fence and parking spaces.

Code Requirements

Storage yard fence must be a solid fence.

Maximum height of the fence/wall shall be no more than eight feet (8') high.

Such fences/walls are allowed in rear and side yards only.

Parking spaces must be 8.5' wide by 16' long, when overhanging a curb or landscaping. Otherwise, they must be 8.5' wide by 18' long.

Auto Repair/Auto Body Business
(Interested in applying
for a Storage Yard Permit)

Does the business have minimum
number of parking spaces required
by code on site?

Yes

May apply for a
"Storage Yard" Fence
Permit to store
vehicles, stadium
park, etc.

No

Not eligible to store
vehicles on site,
except for parking of
cars in striped parking
spaces. Drive aisles
cannot be blocked

Not sure

Provide the Net Floor
Area (NFA) of the
business and the total
number of striped
parking spaces on site
by contacting the
Planning Division.
Planning Division will
calculate the required
parking spaces. If
excess spaces are
available on site, then
those spaces can be
converted to "Storage
Yard"

Internet Auto Sales

Business existed prior to April 25, 2017?

Business existed after to April 25, 2017?

Exempt from Special Use Permit requirement. No limit on the number of outside vehicle storage. Minimum number of parking spaces must still be provided. If excess spaces are available on site, then those spaces can be converted to "Storage yard", permit required.

Does the business have an approved Special Use Permit?

Yes

No

Freestanding Building?

Multi-Tenant Building?

Contact Planning Division to determine eligibility & criteria to obtain a Special Use Permit

Outdoor storage allowed up to 5 vehicles, must be screened from the roadway

Outdoor storage allowed up to 2 vehicles, must be screened from the roadway