

SECOND AMENDED SPECIAL USE STANDARDS AND MODIFICATION REQUESTS

Petitioner: Hawkeye Hotels
Project Name: Hampton Inn
Project Location: 16160 – 16186 LaGrange Road; PINs 27-21-202-014 through -016 (the “Subject Property”)

1. The special use will be consistent with the purposes, goals and objectives and standards of the Comprehensive Plan, any adopted overlay plan and these regulations. (List factors that demonstrate how your proposal meets this standard.)

Petitioner seeks an amendment to the existing special use permit previously granted in 2004 under Ordinance No. 4156, which authorized the construction of the Main Street Village West shopping center (the “Center”). Petitioner’s request would allow for the construction and operation of one hotel under the Hampton Inn brand (the “Hotel”) on the Subject Property, which is a vacant site consisting of approximately 3.89 acres within the Center (the “Project”).

As with the remainder of the Center, the Subject Property is located in the COR Mixed Use District under the Land Development Code (the “Code”) and zoning map of the Village of Orland Park (the “Village”). Under the Code, “overnight accommodations,” defined as facilities “offering transient lodging accommodations at a daily rate to the general public and which may also provide additional services, such as restaurants, meetings rooms and recreational facilities” are permitted uses in the COR district in buildings up to 50,000 square feet, for rental periods of 30 days or less. The Hotel will consist of approximately 82,823 square feet. Accordingly, Petitioner’s special use request includes a modification that will allow a building in excess of 50,000 square feet. The Hotel will not provide for extended stay opportunities beyond 30 days. Therefore, with only the building square footage modification, the proposed Hotel use is appropriate for this location under the express terms of the Code.

The Project is consistent with the Village’s 2013 Comprehensive Plan (the “Plan”). The Subject Property, and the rest of the Center, is located in the Plan’s Regional Core Planning District. The Plan notes that this area is heavily used and frequented by non-residents (Plan, p. 77). Among the Plan’s observations and recommendations for this area is to maintain the LaGrange Road corridor as a regional destination (Plan, p. 78). Under the Plan, the Regional Mixed Use land use category, which is specific to the LaGrange Road Corridor and immediate surrounding area bordered by 147th Street and 179th Street, provides for regionally oriented commercial uses that serve residents and draw visitors. Hotels certainly advance the goals of attracting non-residents to the

corridor and maintaining the corridor as a regional destination. Further, the Plan expressly provides that hotels are appropriate uses in this area (Plan, p. 98).

In conclusion, the Project, with the noted modification, is consistent with the express purposes, goals, and objectives of the Code and the Plan.

2. The special use will be consistent with the community character of the immediate vicinity of the parcel for development. (List factors that demonstrate how your proposal meets this standard.)

Under the Code, the COR District was established to encourage and promote a mix of commercial, office, and residential uses and to create a Village core.

Under the Plan, the Regional Core Planning District is intended to feature regionally oriented uses that draw visitors.

The Center contains a mixture of retail, dining, and service establishments. In addition to the immediate vicinity of the Center, the Subject Property is surrounded by established commercial areas on three sides – north (the Center), south (commercial offices), and east (Main Street Village Commercial Center). All these areas are zoned COR mixed use, and notably the residential developments to the west are within the COR zoning district as well.

Hotels are consistent with the planning concepts set forth in the Code for the COR District and in the Plan for the Regional Core Planning District. Further, they are consistent with the actual uses contained in the Center and surrounding area. Accordingly, the proposed special use is consistent with community character of the immediate vicinity of the Project from both a conceptual and a practical standpoint.

Additionally, the building designs, materials, and finishes for the Hotel, all of which are detailed in the renderings and elevations submitted as part of this petition, are consistent with nearby commercial structures. The overall style of the buildings is contemporary and meet the Code requirements for building materials.

3. The design of the proposed use will minimize adverse effect, including visual impacts on adjacent properties. (List factors that demonstrate how your proposal meets this standard.)

There is a residential neighborhood west of 97th Avenue, and there are light commercial buildings within the Center. The Hotel's windows will be of similar proportion to the

residential area. The parking areas between the Hotel and 97th Avenue will be screened with landscaping, as shown in the site plan and landscape plan, limiting the visual impacts on the residential properties to the west. The parking areas near the southern property line will also be screened with landscaping, as shown on the site plan and landscape plan. The exterior finishes of the Hotel, as shown on the elevations and renderings, are colored to be consistent with the adjacent light commercial buildings.

4. The proposed use will not have an adverse effect on the value of the adjacent property. (Insert explanation. If necessary, the petitioner should be prepared to offer expert testimony that the proposed project will have no adverse impact on surrounding properties.)

The Subject Property is currently vacant and has been since the development of the Center. Therefore, it has not to date maximized its potential as a catalyst for growth of nearby businesses and tax revenue for the Village. The Hotel will have 158 rooms. All of the Hotel guests will be potential daily customers of the retail shops and restaurants contained within the Center and other nearby commercial establishments. As such, the Project will further stimulate those businesses.

Additionally, the Project will generate hotel taxes for the Village, which the Village may use to further promote tourism, to the benefit of all local merchants.

As mentioned above, hotels are permitted uses in the COR District and have been designated as appropriate uses for the Project location under the Plan. They are not uses of any controversial nature that could potentially adversely impact their neighbors by making visitors less likely to visit the immediate area.

Accordingly, the Project will not have any adverse effect on the value of the adjacent properties.

5. The applicant has demonstrated that public facilities and services, including but not limited to roadways, park facilities, police and fire protection, hospital and medical services, drainage systems, refuse disposal, water and sewers, and schools will be capable of serving the special use at an adequate level of service. (Insert explanation.)

A hotel's impact on public facilities and services is very limited. Water, sewer, and electrical use is mainly at early evening to early morning hours, therefore, peak demand times for those services is different than those of the other uses in the Center. The Hotel will be equipped with a NFPA fire suppression system. Pervious pavement has been added in certain areas in order to assist with storm water drainage.

Storm water detention requirements are met in the existing pond in the north end of the Center. This is supplemented by a pervious paver system. Less impervious area and best management practices (BMP) will ensure adequate storm water maintenance and drainage. These BMP will further reduce detention requirements in order to comply with the MWRD Watershed Management Ordinance and meet volume control requirements.

Nearby utility tie-ins are existing and available.

Access to the Hotel via La Grange Road is provided through full access driveway at 161st Street and two right in/right out driveways at the south end of the site. The Hotel's staff, guests, and delivery drivers will be directed to use those access points. A driveway to the north of the Hotel connects to 97th Avenue, which allows patrons of the Center access to the signalized intersection at 163rd Street and LaGrange Road.

A traffic study was performed and concluded that any delays generated by this Project will be minor. The 163rd Street/LaGrange Road intersection is already signalized and the addition of Project related trips will be minimal. Minimal impact is also anticipated on both of the unsignalized, right in/right out intersections.

All drive aisles are existing and built as per the approved Main Street Village West site plan.

6. The applicant has made adequate legal provision to guarantee the provision and development of any open space and other improvements associated with the proposed development. (Insert explanation.)

Petitioner and its design team have met with Village staff many times, and have altered the original plans in accordance with Village staff's comments and suggestions. In fact, the original plan for the Subject Property was to build two hotels on this site. Therefore, the current site plan provides more open space on the Subject Property than the original version.

7. The development will not adversely affect a known archaeological, historical or cultural resource.

In 2015, the Illinois Historic Preservation Agency ("IHPA") determined that no significant historic, architectural, or archaeological resources are located within the Project location. A copy of IHPA's determination letter is on file with the Village. No

changes to the Subject Property have occurred since that determination, and Petitioner does not anticipate any issues in obtaining a renewed determination letter from IHPA.

8. The proposed use will comply with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other requirements of the ordinances of the Village.

As stated in response to Standard No. 1, above, as part of its special use request, Petitioner is seeking a modification to allow for buildings in excess of 50,000 square feet.

Petitioner also requests the following modifications:

- a. Section 6-210.F.4 of the Code: Petitioner seeks modifications to allow parking stalls and the trash enclosure within the setback area between Hotel façade and the street (97th Avenue), which will allow for sufficient numbers of parking spaces to serve the proposed use. The parking stalls along 97th Avenue, which would be located within said setback area, are existing conditions and were approved and constructed as part of the special use and development approval for the Center in 2004; those stalls (and drive aisles) will remain in their current conditions, at their current dimensions. The proposed new parking stalls adjacent to the sidewalk west of the Hotel are outside of the required 25' setback, and thus need no modification. The exterior lot follows the pattern already established in the previous development and ties into existing driveways. As for the trash enclosure, which is proposed to be located in the southwest portion of the Subject Property, it is oriented so that it can be easily accessed and serviced by front-forked dumpster trucks. There is no other available location to place the trash enclosure that would allow it to be easily accessed and serviced by such trucks, mainly due to existing parking conditions.
- b. Section 6-302.C.33 of the Code: This section contemplates sheds and storage buildings being located only in rear yards. The Project plans have the storage shed located in the side yard. This is for the same reason as the proposed location of the trash enclosure, discussed in Paragraph 8(a), above, and the same justification applies equally to this modification request.
- c. Section 6-306.B.6 of the Code: This section requires hotels to have one (1) parking space per sleeping room. The Hotel will have 158 sleeping rooms, therefore, 158 parking spaces are required. Per the site plan, the Subject Property will have 199 parking spaces located on it, which exceeds the 20 percent increase that may be supported by staff, thereby technically requiring a modification.

However, it is important to note two points. First, the majority of the parking stalls on the Subject Property's site plan are existing conditions, as part of the Center's original approval and construction. Second, the parking stalls and drives throughout the Center are common areas under the Covenants, Conditions and Restrictions ("CCRs") recorded against the Center as part of the original development. As shown on sketches included as part of the petition for the Project, it is anticipated that, as a practical matter, 160 of the 199 stalls located on the Subject Property will generally be accessory to the Hotel use, while the remaining 39 will generally be accessory to other uses in the Center. Therefore, while the official number of parking spaces is 199 on the Subject Property, the practical number associated with the proposed use is estimated at 160, which, while minimally higher than the required 158, is well within the 20 percent increase that can be supported by staff under the Code. Finally, reducing the number of parking spaces on the Subject Property below the 199 currently shown would cause serious concerns with respect to diminishing the number of common area parking spaces that currently exist and otherwise changing the existing overall site plan for the Center, as discussed further in Paragraph 8.f, below.

- d. Section 6-306.E.7.b of the Code: This section prohibits off-street parking spaces for nonresidential uses in the front and corner-side building setbacks between the building and right-of-way. As discussed in Paragraph 8.a, above, the parking stalls along 97th Avenue, which are located within the front yard setback, are existing conditions approved and built as part of the original development of the Center. The same justification applies equally here. The parking stalls located in the corner-side and side yard setbacks along the southern property line of the Subject Property are also existing conditions as part of the original development of the Center. Thus, all existing parking should be allowed to remain.
- e. Section 6-306.J.6 of the Code: Petitioner requests that only one (1) loading area be required for the Project, rather than the four (4) loading areas required by Code. A hotel does not generate the same delivery requirements as, for example, retail uses that have to continuously add inventory. Petitioner anticipates no more than 15 deliveries per month to the Hotel, consisting of general operational supplies (e.g., laundry supplies) one to two times per month and frozen food items for the breakfast room approximately two times per week. These deliveries will be made by box trucks. Because the deliveries are infrequent and will not overlap, there is no practical need for more than one loading area for this Project. Petitioner notes that Village staff supports this modification request (Village's Staff Review Letter #2, dated December 14, 2018, at p. 5, Par. 6.p).

- f. Section 6-306.C.1 of the Code: This section provides that each required parking space shall cover a rectangle at least nine (9) feet wide and eighteen (18) feet long as measured from the back of the curb, with the minimum width of the applicable drive aisle being twenty-two (22) feet per Figure 6-306.(C)(A). Certain existing parking stalls and aisles fall below these requirements, but, as discussed above, all existing parking spaces and drive aisles were approved by the Village as part of the original development plans for the Center, and should therefore be allowed to remain unaltered. All new parking stalls installed on the Subject Property as part of the Project will comply with the Code's dimensional requirements. Increasing the size of existing parking spaces and aisles would affect the Center's common areas and diminish available common area parking under the CCRs. During the prior iteration of this project in 2016, it was clear that minimal disturbance to the common areas was of paramount importance to other members of the Center's association of owners (the "Association"), and objection by Association members to previously-planned common area layout changes was the main reason why the project in its original form did not move forward at that time. It is critical that the existing common area layout remain unaltered as much as possible so that any Association approvals that may be required under the CCRs may be obtained.

The Project will comply with the Code's requirements in all other respects. All other bulk and density requirements for the COR district, including floor area ratio, setbacks, lot coverage, and building height are satisfied.

The Project will meet or exceed all building code requirements. The Hotel franchisor places paramount importance on ensuring that the life safety facets of its hotels properly protect its guests.

The Hotel meets the Code requirements for building materials.

For all of the above reasons, Petitioner requests that the proposed special use, and all modifications described herein, be approved. Petitioner reserves the right to amend and supplement this document to the extent that any further Code modifications are identified based on the Village's review of the entirety of this new submittal for the Project.

This document is intended to supersede Petitioner's Special Use Standards and Modification Requests dated January 17, 2019, and its Amended Special Use Standards and Modification Requests dated March 6, 2019, both of which are hereby withdrawn.

Respectfully submitted,

Hawkeye Hotels

A handwritten signature in blue ink, appearing to read "Michael J. Castellino", written over a horizontal line.

By: Michael J. Castellino, its Attorney

Date: 3/22/19