



Category 3 Plan Application

Louisville Metro Planning & Design Services

Case No.: 15DEVPLAN1083 Intake Staff: LM

Date: 6/5/15 Fee: 314.50

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

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Project Information:

Project Description (e.g., retail center and office development, etc.): New Mixed Use Hotel and Apartment Building, with ballrooms, meeting facilities, ancillary retail, grocery market and parking garage

Project Name: Omni Louisville Hotel and Residences

Primary Project Address: 400 South 2nd. Street

Additional Address(es): Block between S. 2nd & 3rd St. & Liberty St. & Muhammad Ali Blvd.

Primary Parcel ID: 017F00010000

Additional Parcel ID(s): 017F00020000 thru 017F00240000; 017F01510000

of Residential Units: 225 Commercial Square Footage: See Plans

Proposed Use: Hotel, Apartments, Retail Existing Use: Parking & Office Space

Existing Zoning District: C3 Existing Form District: Downtown

Deed Book(s) / Page Numbers²: 7879x389,9087x465,9263x159,9265x548,9320x752+762,9657x761

The subject property contains 5.646 acres. Number of Adjoining Property Owners: 19

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ Yes No

If yes, please list the docket/case numbers:

Docket/Case #: 15STREETS1008 Docket/Case #: _____

Docket/Case #: DDRO (TBA) Docket/Case #: _____

Contact Information:

Owner: Check if primary contact

Applicant: Check if primary contact

Name: E. Jeffrey Mosley

Name: Mr. Michael Smith

Company: Louisville/Jefferson County Metro

Company: Omni Louisville, LLC

Address: 444 S. Fifth Street, Suite 600

Address: 4001 Maple Ave, Suite 600

City: Louisville State: KY Zip: 40202

City: Dallas State: TX Zip: 75219

Primary Phone: 502-574-1375

Primary Phone: _____

Alternate Phone: _____

Alternate Phone: _____

Email: Jeff.mosley@louisvilleky.gov

Email: _____

Owner Signature (required): *E. Jeffrey Mosley*

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Attorney: Check if primary contact

Plan prepared by: Check if primary contact

Name: _____

Name: Zachary Jekot

Company: _____

Company: HKS Inc.

Address: _____

Address: 350 N. St. Paul St. Suite 100

City: _____ State: _____ Zip: _____

City: Dallas State: TX Zip: 75201

Primary Phone: _____

Primary Phone: 214-969-3142

Alternate Phone: _____

Alternate Phone: 214-969-5599

Email: _____

Email: zjekot@hksinc.com

certification Statement: A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

E. Jeffrey Mosley, in my capacity as representative, hereby representative/authorized agent/other

certify that Louisville/Jefferson County Metro Government is (are) the owner(s) of the property which name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature: *E. Jeffrey Mosley* Date: 6/5/15

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.

15DEVPLAN1083



3001 Taylor Springs Drive - Louisville, KY
40220 p. 502.459.8402 - f. 502.459.8427
www.btmeng.com

June 4, 2015

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Mr. Brian Davis
Louisville Metro
Planning and Design Services
444 South 5th Street, Suite 300
Louisville, Kentucky 40202

**Re: Omni Louisville- Hotel & Residences
Category 3 Development Plan for Property Located at
400 S. 2nd Street
And Being in Louisville Metro**

Dear Brian:

Enclosed please find copies of the Category 3 Development Plan and application package for the above mentioned property. Please refer to the DDRO application package being submitted concurrently for additional information concerning building a site design.

The applicant is requesting to build a 600 room hotel with ancillary retail, restaurants and conference facilities, 225 luxury apartment units, a 20,200 square foot lifestyle grocery market and an 850 space parking garage. There will be a consolidation plat that creates two lots (as shown on the development plan) and an alley closing that is currently in the approval process.

If you have any questions or concerns, please do not hesitate to contact the project architect, Zachary Jekot- (214 969-3142), or me (502 459-8402).

Sincerely,

John M. Addington, RLA
Planning Manager

Cc: Jeffrey Mosely- Metro Government: Develop Louisville
Zachary Jekot, AIA, LEED AP, BD+C- HKS, Inc.

150097/JMA

Omni Louisville: Design Narrative

The Omni Louisville is designed to be a catalyst to the city's future growth and urban development while embracing and celebrating Louisville's authentic quality in a new and forward thinking way. It will be more than just a travel destination as it incorporates hotel, residential living and neighborhood amenities into a vertically integrated urban mixed-use development.

The building is designed to be a prominent landmark against the Louisville skyline, as the intersection of hotel and residential towers are uniquely expressed as bold overlapping architectural forms meant to represent the crossroads of the past, present and future of Louisville.

The Omni Louisville will reflect the warmth and hospitality of our city to visitors while also serving as place for our growing downtown community to connect and enjoy the benefits of urban living in an upscale yet comfortable environment.

Glistening during the day and glowing at night, the glassy ends of the 600 room hotel tower and 225 unit residential tower will be an iconic and gestural response of the building reaching out to engage with the city. A concept inspired by the image of bourbon pouring out of a still, the prominent tower ends become an expression of the inner spirit of the project being expressed visually outward.

The ground level public space is designed to embrace the neighborhood with vibrant spaces for both local and hotel guests. The restaurant tenants will have the flexibility to open up doors and walls to provide guests indoor or outdoor dining options.

A modern urban lifestyle market will add another dynamic dimension to the project. The market will transform Liberty Street from an auto-centric environment into the city's new pedestrian thoroughfare. It will invite the neighborhood in with the smells of freshly brewed coffee, baking bread and fragrant fresh flowers and will serve as a gateway to the community for hotel guests and locals alike.

Building on the city's strong sense of community and connection to the outdoors, the project maximizes its rooftop spaces and views. The hotel pool and rooftop bar will allow guests to rest, relax or socialize with spectacular views of the city from above. Other hotel amenities such as the fitness center and spa will also be found the pool deck level. Go a little higher, and you will find the residence amenity deck on top the hotel guestroom wing.

Inspired by the city's rich history and authentic character, the Omni Louisville will transform one of the city's most significant urban blocks into a unique and vibrant mixed-use environment offering hotel guests, residents and locals a chance to connect and enjoy the best of a great city.

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5/24/15/10/1



Variance Application July 20, 2015
Louisville Metro Planning & Design Services

Case No.: 15VAR1041 Intake Staff: KMC

Date: 6/15/15 Fee: 450

CD 4 - David Tandy

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

Project Information:

This is a variance from Section 5.2.1.C.5; 5.2.1.C.6; 5.2.1.C.7 of the Land Development Code, to allow A building setback of greater than zero along all three street frontages, including corners.

Primary Project Address: 400 South 2nd Street

Additional Address(es): Block between S. 2nd & 3rd St. & Liberty St. & Muhammad Ali Blvd.

Primary Parcel ID: 017F00010000

Additional Parcel ID(s): 017F00020000 thru 017F00240000; 017F01510000

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Proposed Use: Hotel, Apartments, Retail Existing Use: Parking & Office Space

Existing Zoning District: C3 Existing Form District: Downtown

Deed Book(s) / Page Numbers²: 7879x389,9087x465,9263x159,9265x548,9320x752+762,9657x761

The subject property contains 5.646 acres. Number of Adjoining Property Owners: 19

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*¹ Yes No

If yes, please list the docket/case numbers:

Docket/Case #: 15DEVPLAN1083 Docket/Case #: 15STREETS1008

Docket/Case #: 15DDRO1011&1012 Docket/Case #: _____

15VAR1041

Contact Information:

Owner: *Check if primary contact*

Applicant: *Check if primary contact*

Name: E. Jeffrey Mosley

Name: Mr. Michael Smith

Company: Louisville/Jefferson Co. Metro

Company: Omni Louisville, LLC

Address: 444 S. Fifth Street, Suite 600

Address: 4001 Maple Ave., Suite 600

City: Louisville State: KY Zip: 40202

City: Dallas State: TX Zip: 75219

Primary Phone: 502-574-1375


Primary Phone: _____

Alternate Phone: _____

Alternate Phone: _____

Email: Jeff.mosley@louisvilleky.gov

Email: _____

Owner Signature (required): 

Attorney: *Check if primary contact*

Plan prepared by: *Check if primary contact*

Name: _____

Name: Zachary Jekot

Company: _____

Company: HKS Inc.

Address: _____

Address: 350 N. St. Paul St., Suite 100

City: _____ State: _____ Zip: _____

City: Dallas State: TX Zip: 75201

Primary Phone: _____

Primary Phone: 214-969-3142

Alternate Phone: _____

Alternate Phone: 214-969-5599

Email: _____

Email: zjekot@hksing.com

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Certification Statement: A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

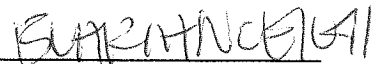
I, E. Jeffrey Mosley, in my capacity as representative, hereby *representative/authorized agent/other*

certify that Louisville/Jefferson County Metro Government is (are) the owner(s) of the property which *name of LLC / corporation / partnership / association / etc.*

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature:  Date: 6/15/15

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.



Variance Justification:

In order to justify approval of any variance, the Board of Zoning Adjustment considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. Explain how the variance will not adversely affect the public health, safety or welfare.

The variances will improve the public health, safety and welfare by adding width to the pedestrian walkways and ground level outdoor amenity areas, in context with the proposed large scale structure.

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2. Explain how the variance will not alter the essential character of the general vicinity.

The variances to increase the building setbacks will help transform a predominant restaurant environment of three very busy streets into a pedestrian thoroughfare. Ground level restaurants will have the flexibility to open up doors and walls to provide guests indoor and outdoor dining options.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

The variances will provide larger pedestrian spaces in both public and private realms, helping to strengthen pedestrian connectivity for this project's mixed-use environment and other nearby attractions such as the Convention Center, Yum Arena and other downtown core destinations.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

The variances will accommodate the "Building to Pedestrian" DDRO guideline to widen sidewalks where sidewalk width is limited. Relief from the zero setback requirement in the zoning regulations to enhance the pedestrian experience is not an unreasonable circumvention of this requirement.

Additional consideration:

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

The Omni Louisville is designed to transform the City's skyline, which incorporates hotel, apartment living and neighborhood amenities into a vertically integrated urban mixed-use development. The unique, high-end design will enhance the City's ability to attract new and more upscale conventions.

2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

The applicant has requested these variances to accommodate a \$289 million dollar development that will be an economic engine for downtown. If relief from the zero-setback regulation was denied, it would compromise the hotel guest experience, affecting the project's costs and operational efficiency.

3. Are the circumstances are the result of actions of the applicant taken subsequent to the adoption of the regulation which relief is sought?

No. The project team is in the design-development phase of the project. Please refer to "Omni Louisville: Design Narrative", attached hereto, for further design information.

[Handwritten signature]



General Waiver Application
Louisville Metro Planning & Design Services

Case No.: 15DEVPLAN1083 Intake Staff: KMC
Date: 6/29/15 Fee: 100

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5th Street, Suite 300. For more information, call (502) 574-6230 or visit http://www.louisvilleky.gov/PlanningDesign.

Project Information:

Application is hereby made for one or more of the following waivers of the Land Development Code.

- Landscape Waiver of Chapter 10, Part 2
Other: Waiver of Section 5.2.1.D

A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.

Explanation of Waiver: Building Mass and Form: To accommodate an innovative high-rise design that proposes two towers that are not stepped back at and above the 14th floor level.

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Primary Parcel ID: 017F00010000

Additional Parcel ID(s): 017F00020000 thru 017F00240000; 017F01510000

Proposed Use: Hotel, Apartments, Retail Existing Use: Parking & Office Space

Existing Zoning District: C3 Existing Form District: Downtown

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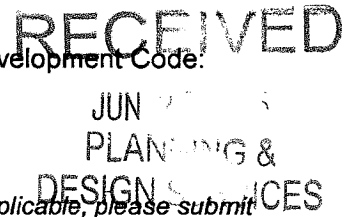
The subject property contains 5.646 acres. Number of Adjoining Property Owners: 19

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? This information can be found in the Land Development Report (Related Cases) Yes No

If yes, please list the docket/case numbers:

Docket/Case #: 15DEVPLAN1083 Docket/Case #: 15VARIANCE1041

Docket/Case #: 15DDRO1011&1012 Docket/Case #: 15STREETS1008



Contact Information:

Owner: Check if primary contact

Applicant: Check if primary contact

Name: E. Jeffrey Mosley

Name: Mr. Michael Smith

Company: Louisville/Jefferson Co. Metro Gov't

Company: Omni Louisville, LLC

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Alternate Phone: _____

Alternate Phone: _____

Email: Jeff.mosley@louisvilleky.gov

Email: _____

Owner Signature (required): 

Attorney: Check if primary contact

Plan prepared by: Check if primary contact

Name: _____

Name: Zachary Jekot

Company: _____

Company: HKS, Inc.

Address: _____

Address: 350 N. St. Paul St., Suite 100

City: _____ State: _____ Zip: _____

City: Dallas State: TX Zip: 75201

Primary Phone: _____

Primary Phone: 214 969-3142

Alternate Phone: _____

Alternate Phone: 214 969-5599

Email: _____

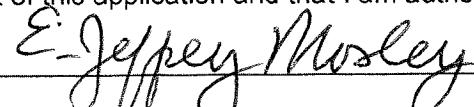
Email: zjekot@hksinc.com

Certification Statement: A certification statement **must be submitted** with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, E. Jeffrey Mosley, in my capacity as representative, hereby representative/authorized agent/other

certify that Louisville/Jefferson County Metro Government is (are) the owner(s) of the property which name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature:  Date: 6/29/15

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ISDENR/MOSLEY

General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer all of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

No, because the narrowest dimension of both towers is facing north on Liberty and east on 2nd St., thus minimizing the impact of shadows and air movement affecting adjacent properties across those streets. The hotel tower is one story above the 14 stories that require a step-back. The innovative design of the residential tower, which projects northward towards the property line beginning at the 16th floor, provides a dramatic architectural feature that will enhance the adjacent streetscapes, the neighboring properties and the City's skyline in general.

2. Will the waiver violate the Comprehensive Plan?

This waiver will not violate the Comprehensive Plan. Associated variance requests will accommodate ground-level setbacks on both Liberty St. and 2nd St. that will help compensate for the lack of step-back at the higher levels. Proposed streetscape improvements and outdoor amenity areas will enliven the patron and pedestrian experience at the street level, which is the intent of the regulation this waiver request seeks relief from.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

The extent of the waiver of the regulation is the minimum necessary to afford relief to the applicant. As stated before, the hotel tower is only one story above where the building step-back is required, and the residential tower is designed to minimize any adverse impact of shadows and air movement at the street level and for the adjacent properties.

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4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

The applicant has incorporated innovative design measures that will have a net beneficial effect on the patron and pedestrian experience and the City at large. The unique building design will transform the City's skyline and will enhance the City's ability to attract new and more upscale conventions. Refer to the "Omni Louisville: Design Narrative" attached hereto. The strict application of the provisions of the regulation would create an unnecessary hardship on the applicant by compromising the patron and pedestrian experience, affecting the project's costs and operational efficiency.

1501 E. MAIN / 1003