



Land Use Review Application

Department of City Planning

22 Reade Street, New York, NY 10007-1216

Applicant will sign and stamp application numbers here

N 070468 ZRM
070469 ZSM
070470 ZSM

Received by DCP's Central Intake on May 10, 2007

APPLICATION NUMBER

400 Fifth Realty LLC

APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION) *
712 Fifth Avenue, 28th Floor

STREET ADDRESS

New York NY **10019**
CITY STATE ZIP
212-616-0405 **212-616-0401**
AREA CODE TELEPHONE # FAX#

APPLICATION NUMBER

Paul Travis **Michael T. Sillerman**
APPLICANT'S PRIMARY REPRESENTATIVE

Washington Square Partners, Inc. **Kramer Levin Naftalis & Frankel LLP**
REPRESENTATIVE'S COMPANY/AGENCY OR OTHER ORGANIZATION

850 Third Avenue **1177 Ave of the Americas**
STREET ADDRESS

New York, NY 10022 **New York, NY 10036**
CITY STATE ZIP
212-906-9090/9043 **212-715-7838/7832**
AREA CODE TELEPHONE # FAX#

APPLICANT AND APPLICANT'S REPRESENTATIVES

* List additional applicants below:

401 Fifth LLC

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)
ADDITIONAL APPLICANT REPRESENTATIVE:

NAME AND PROFESSIONAL AFFILIATION (ATTORNEY/ARCHITECT/ENGINEER ETC.) TELEPHONE # FAX #

Granting Lot: 393-401 Fifth Avenue **Receiving Lot: 400-404 Fifth Avenue**
STREET ADDRESS

PROJECT NAME (IF ANY)

East and west sides of Fifth Avenue between 36th and 37th Streets.
DESCRIPTION OF PROPERTY BY BOUNDING STREETS OR CROSS STREETS

C5-3 (MiD) (F) **C5-3 (MiD)(F), C5-2** **8d**
EXISTING ZONING DISTRICT (INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY) ZONING SECTIONAL MAP NO(S)

Block 866 Lots 3, 76 **Block 838 Lots 42, 45, 46, 47 & 48** **Manhattan** **5**
TAX BLOCK AND LOT NUMBER BOROUGH COMM. DIST

URBAN RENEWAL AREA, HISTORIC DISTRICT OR OTHER DESIGNATED AREA (IF ANY)

IS SITE A NEW YORK CITY OR OTHER LANDMARK? NO YES IF YES, IDENTIFY

401 Fifth Avenue,
404 Fifth Avenue

3. SITE DATA
If the site contains more than one property complete the "Site Data Attachment Sheet."

DESCRIPTION OF PROPOSAL

(If the entire project description does not fit in this space, enter "see attached description" below and submit description on a separate sheet, identified as "LR item 3. Description of Proposal")

See attached description.

4. ACTIONS REQUESTED AND FEES

Check appropriate action(s) and attach

- CHANGE IN CITY MAP..... MM \$ _____
- ZONING MAP AMENDMENT.....ZM \$ _____
- ZONING TEXT AMENDMENT..... ZR \$ **3,600**
- ZONING SPECIAL PERMIT.....ZS \$ **11,750**
- ZONING AUTHORIZATION.....ZA \$ _____

- MODIFICATION \$ _____
- FOLLOW-UP \$ _____
- RENEWAL \$ _____

APPLICATION NO. _____

APPLICATION NO. _____

NOTICE OF CERTIFICATION

Pursuant to the Uniform Land Use Review Procedure

DEPARTMENT OF CITY PLANNING
22 Reade Street, New York, NY 10007
FAX # (212) 720-3356

Application # C 070469 ZSM
CEQR # 07DCP074M
Community District No. 05 Borough: Manhattan
Community District No. ___ Borough: _____
Project Name: 400 5th Avenue

Please use the above application number on all correspondence concerning this application

Docket Description:

IN THE MATTER OF an application submitted by 400 Fifth Realty LLC and 401 Fifth LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to the following sections of the Zoning Resolution:

1. Sections 81-212* and 74-79 - to allow the transfer of 173,692 square feet of floor area from property located at 393-401 Fifth Avenue (Block 866, Lots 3 and 76) that is occupied by a landmark building to property located at 400-404 Fifth Avenue (Block 838, Lots 42, 45, 46, 47 and 48); and
2. Section 81-85* - to modify the requirements of Section 81-84 (Mandatory Regulations and Prohibitions) to allow a hotel lobby within 50 feet of the Fifth Avenue street line and Section 81-45 (Pedestrian Circulation Space) and 37-07 (Requirements for Pedestrian Circulation Space) to allow a reduction of the amount and dimensional requirements of the required pedestrian circulation space;

to facilitate the development of a 57-story mixed use building on property located at 400-404 Fifth Avenue (Block 838, Lots 42, 45, 46, 47 and 48), in a C5-3 District, within the Special Midtown District (Fifth Avenue Subdistrict), Borough of Manhattan, Community District 5.

* Note: A zoning text change is proposed under a concurrent related application (N 070468 ZRM) for amendment to Sections 81-212 (Special provisions for transfer of development rights from landmark sites) and Section 81-81 (General Provisions) and the creation of a new Section 81-85 (Transfer of development rights from landmark sites).

Plans for this proposal are on file with the City Planning Commission and may be seen at 22 Reade Street, Room 3N, New York, N.Y. 10007.