



THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION  
 1 CENTRE STREET 9TH FLOOR NORTH NEW YORK NY 10007  
 TEL: 212 669-7700 FAX: 212 669-7780



# PERMIT CERTIFICATE OF APPROPRIATENESS

<b>ISSUE DATE:</b> 02/17/17	<b>EXPIRATION DATE:</b> 11/24/2021	<b>DOCKET #:</b> 197623	<b>COFA #:</b> COFA 19-8915
<b>ADDRESS:</b> 1562-1564 BROADWAY <u>The Palace Theater</u> INTERIOR LANDMARK		<b>BOROUGH:</b> MANHATTAN	<b>BLOCK/LOT:</b> 999 / 63

**Display This Permit While Work Is In Progress**

ISSUED TO:

**Nick Scandalios**  
**Broadway Palace Theater Company**  
**1501 Broadway, 14th Floor**  
**New York, NY 10036**



Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of November 24, 2015, following the Public Hearing of the same date, voted to grant a Certificate of Appropriateness for the proposed work at the subject premises, as put forth in your application completed on October 29, 2015, and as you were notified in Status Update Letter 17-9294 (LPC 17-7951), issued on November 25, 2015.

The proposal, as approved, consists of vertically relocating the theater approximately 29-feet above its current location; and work at designated interior spaces in two phases, including in Phase 1: removing the existing non-historic main lobby entrance doors and glass transom infill and installing four (4) pairs of paneled metal doors and mirrored glass transom infill to match the appearance of the historic doors; removing non-historic exit doors throughout the auditorium and balconies and replacing with wood paneled doors; installing painted panels over exit signs at select non-operable doors throughout the auditorium and balconies; removing the non-historic lighting booth and installing new seating at the second balcony; installing a follow spot booth with stage lighting installed behind removable painted panels with egg and dart borders to match existing at the attic; replacing existing seating throughout the auditorium while maintaining the historic configuration; rotating a portion of the marble knee walls, installing stairs, removing portions of the theater wall, and installing doors at the left and right sides of the front of the orchestra level; and installing an egress vestibule featuring double doors at the back of the orchestra level at the house right side; and in Phase 2: refurbishing and repainting aisle end rails; installing a lighting rail and decorative plasterwork at the first balcony fascia; at the auditorium ceiling, installing a chandelier at the center of the

dome, removing recessed lighting fixtures, patching and repainting the dome, and removing non-historic chandeliers flanking the proscenium arch; at the orchestra level, removing and replacing light fixtures under the boxes, patching and cleaning the marble knee walls; restoring pilasters flanking exit doors under the boxes; and throughout the auditorium replacing non-historic felt wall panels with patterned fabric to match the historic, patching abandoned cable-pass and lighting penetrations and repairing damaged ornamentation to match the historic, and replicating decorative garlands; as shown in a digital presentation, titled "The Palace Theater," dated November 24, 2015, and prepared by PBDW Architects and Higgins Quasebarth & Partners, LLC, including 48 slides, consisting of photographs, renderings, existing and proposed elevations, site plan drawings, and section drawings, all presented as components of the application and presented at the Public Hearing and Public Meeting.

In reviewing this proposal, the Commission noted that The Palace Theater Interior Designation Report describes 1564-1566 Broadway as a Beaux-Arts style theater interior with Baroque style detailing, designed by Kirchoff & Rose, and built in 1912-13.

With regard to this proposal, the Commission found that although the side elevation of the theater is partially visible along 47th Street, the theater interior is a unique candidate for relocation because there is no visual connection or presence on the exterior of the existing hotel building which will be diminished as a result of the proposed work; that the Palace Theater is one of the largest theaters in Times Square, with very tight circulation patterns for theater patrons, and raising the theater interior will allow for improved patron circulation and full barrier-free access at every level of the auditorium; that vertically raising the theater interior will increase theater back of house and production spaces, which will enhance the ongoing use of the theater and modern production requirements; that the theater interior will always be supported by a foundation or support structure during the vertical raising process; that the theater will be raised at very small increments to allow for settling and with extensive vibration monitoring to protect the interior features; that the removal of the existing non-historic metal doors at the orchestra level will remove a feature that detracts from the interior; that the proposed paneled doors are based on the historic doors, and the proposed mirror glass at the decorative transoms will provide a light lock for the auditorium while maintaining the historic configuration; that the removal of the lighting booth at the upper balcony will remove a feature that detracts from the configuration of the auditorium, and that the decorative plaster cove ceiling will be restored with permanent spotlight locations and removable decorative panels for additional spotlights; that the removal of portions of the marble knee wall adjacent to the stage will provide an additional path of egress without removing a highly designed architectural feature; that the removal of the existing non-historic metal doors at exits along the auditorium walls will remove a features that detract from the interior, and the proposed faux wood paneled doors will match the original doors; that given the monumental scale of the interior, the proposed enclosed vestibule at the orchestra level and changes in plane of the rear auditorium wall at the lower and upper balcony levels will not be perceptible changes within the interior; that the architectural features of the rear auditorium walls of the lower and upper balcony level will be fully reconstructed; and that the proposed work will not diminish the special architectural and historic character of this Interior Landmark. Based on these findings, the Commission determined the work to be appropriate to the building and voted to approve it with the stipulation that prior to the issuance of the Certificate of Appropriateness, the applicant shall provide for an independent peer review of the proposal that is satisfactory to the staff of the Commission, and that the review will continue during the raising of the structure; and that if the peer review raises any significant concerns, the staff shall bring the application back to the Commission for review.

The Commission authorized the issuance of a Certificate of Appropriateness upon receipt, review and approval of two or more sets of signed and sealed Department of Building filing drawings showing the approved design and submitting documentation regarding the independent peer review. Subsequently, on March 11, 2016, the Commission received written correspondence from Scott Duenow, R.A. outlining the

structural peer review process; on December 20, 2016 and January 27, 2016, the Commission received written correspondence from Nat Oppenheimer, Silman Structural Engineers, providing updates on the peer review; and on February 14, 2017, the Commission received drawings for portions of the work, known as Phase 1, including drawings T-001.00, T-002.00, A-011.00 through A-017.00, A-102.00 through A-107.00, dated November 7, 2016; and drawing A-130.00, dated (as revised) December 8, 2016, and prepared by Theodore S. Hammer, R.A.; drawings S-000.00, S-010.00 through S-016.00, S-050.00, S-051.00, S-060.00, S-061.00, S-090.00, S-091.00, S-102.00 through S-107.00, S-401.00, S-408.00, S-409.00, S-501.00, S-503.00, S-508.00, S-511.00, S-721.00, S-722.00, S-731, S-802.00 through S-808.00, S-901.00 through S-903.00, and S-911.00 through S-915.00, dated (as issued) December 9, 2016, and prepared by Cawsie JiJina, P.E.; and drawings M-001.00, M-099.00, M-102.00 through M-108.00, M-302.00, M-304.00, M-403.00, M-404.00, M-406.00, P-001.00, P-102.00 through P-108.00, P-146.00, P-147.00, P-301.00 through P-303.00, and P-401.00, dated September 30, 2016, and prepared by Douglas C. Mass, P.E. The Commission notes that the Landmarks review submission consisted of 89 sheets out of the total plan set, focused on the scope of work pertaining to the designated interior theater spaces and immediate adjacencies.

Accordingly, staff reviewed these materials and noted that they include modifications and additions to the Phase I scope of work, consisting of at the first and second balconies, installing two (2) new openings and doors in the existing rear walls instead of moving the rear wall closer to the auditorium seating, infilling the existing house left stair entries and installing new access doors, and installing new doors at the house right stair entries; at the orchestra level, installing a pit lift between the pit and orchestra levels, infilling the existing house left stair entry and installing new access doors, and installing a fire separation wall at the existing stairs at the rear wall; removing a portion of the top of the stage house to accommodate the theater's relocation; at select locations in the auditorium, installing cable passes in plasterwork, installing emergency exit signs, emergency lighting, and aisle lighting; detailing structural and framing work related to the theater's relocation; installing ductwork and air returns throughout the stage walls, and installing mechanical equipment in the stage house; and interior alterations at non-designated portions of the building, including the demolition and construction of partitions and finishes, as well as plumbing, mechanical, and structural work.

With regard to this additional work, staff found that the work approved by the Commission has been separated into two phases; that Phase 1 consists of minor alterations necessary for the relocation of the theater, egress plans, and fire life safety plans; that the interior configuration will be maintained; and that the alteration will not affect significant architectural features underlined in the Description Section of the Designation Report. Additionally, staff found that the design approved by the Commission has been maintained, and that Silman Structural Engineers has been retained to provide an independent peer review of the theater's relocation in compliance with the Commission's request. Based on these and the above findings, the drawings have been marked approved with a perforated seal, and this Certificate of Appropriateness is being issued.

PLEASE NOTE: This permit is issued contingent upon the Commission's review and approval of continuing independent peer review updates regarding the theater's relocation, a preservation monitoring report and plan, and the final Department of Building filing set of drawings and supplemental documentation for the Phase 2 scope of work. **No work can begin until the final drawings have been marked approved by the Landmarks Preservation Commission with a perforated seal. Please** submit these drawings to the Landmarks Preservation Commission staff when they become available.

PLEASE NOTE: As the approved work consists of subsurface work, the applicant is required to strictly adhere to the Department of Buildings' TPPN 10/88 governing in-ground construction adjacent to historic buildings. It is the applicant's obligation at the time of applying for their DOB permit to inform DOB that the TPPN applies.

This permit is issued on the basis of the building and site conditions described in the application and disclosed during the review process. By accepting this permit, the applicant agrees to notify the Commission if the actual building or site conditions vary or if original or historic building fabric is discovered. The Commission reserves the right to amend or revoke this permit, upon written notice to the applicant, in the event that the actual building or site conditions are materially different from those described in the application or disclosed during the review process.

All approved drawings are marked approved by the Commission with a perforated seal indicating the date of the approval. The work is limited to what is contained in the perforated document. Other work or amendments to this filing must be reviewed and approved separately. The applicant is hereby put on notice that performing or maintaining any work not explicitly authorized by this permit may make the applicant liable for criminal and/or civil penalties, including imprisonment and fine. This letter constitutes the permit; a copy must be prominently displayed at the site while work is in progress. Please direct inquiries to Leanne Pollock.

Meenakshi Srinivasan  
Chair

**PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:**  
Scott Duenow, Platt Byard Dovell White Architects LLP

cc: Cory Herrala, Director of Technical Affairs, Sustainability and Resiliency/LPC



THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION  
1 CENTRE STREET 9TH FLOOR NORTH NEW YORK NY 10007  
TEL: 212 669-7700 FAX: 212 669-7780



November 25, 2015

ISSUED TO:

**Nick Scavdalios**  
**Broadway Palace Theater Company**  
**1501 Broadway, 14th Floor**  
**New York, NY 10036**

Re: **STATUS UPDATE LETTER**  
LPC - 177951  
SUL 17-9294  
1562-1564 BROADWAY  
Palace Theater  
INTERIOR LANDMARK  
Borough of Manhattan  
Block/Lot: 999 / 63

This letter is to inform you that at the Public Meeting of November 24, 2015, following the Public Hearing of the same date, the Landmarks Preservation Commission voted to approve a proposal to relocate and alter the theater interior at the subject premises, as put forward in your application completed on October 29, 2015. The approval will expire on November 24, 2021.

However, in voting to grant the approval, the Commission required that prior to the issuance of the Certificate of Appropriateness, the applicant shall provide for an independent peer review of the proposal that is satisfactory to the staff of the Commission, and that the review will continue during the raising of the structure; and that if the peer review raises any significant concerns, the staff shall bring the application back to the Commission for review.

No work can begin until a Certificate of Appropriateness is issued. Upon receipt, review, and approval of two sets of final signed and sealed Department of Building filing drawings, a Certificate of Appropriateness will be issued.

Please note that all drawings, including amendments which are to be filed at the Department of Buildings, must be approved by the Landmarks Preservation Commission. Thank you for your cooperation.

Carly Bond  
Carly Bond

**Please Note: THIS IS NOT A PERMIT**

cc: Elise Quasebarth; Jared Knowles, Director of Preservation/LPC