

CITY COUNCIL  
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON ZONING  
AND FRANCHISES

----- X

JANUARY 7, 2021  
Start: 10:04 A.M.  
Recess: 11:27 A.M.

HELD AT: REMOTE HEARING (VIRTUAL ROOM 1)

B E F O R E: FRANCISCO P. MOYA, CHAIRPERSON

COUNCIL MEMBERS: DIANA AYALA  
JOSEPH C. BORELLI  
BARRY S. GRODENCHIK  
STEPHEN T. LEVIN  
ANTONIO REYNOSO  
CARLINA RIVERA

## A P P E A R A N C E S (CONTINUED)

PAUL SELVER, applicant partner at Kramer,  
Levin, Naftalise and Frankel

JULIO PETERSON, Vice-President of Real  
Estate for the Shubert Organiation

JOHN DARBY, Senior Vice-President of  
Facilities for Shubert

ADAM TAUBMAN, Special Counsel at Kramer,  
Levin

CHARLOTTE ST. MARTIN, President of the  
Broadway

ELIZABETH BAKER, Local 32 BJAs Director  
of Bargaining and Employee Relations

JAMES CLAFFY, International Vice-  
President of IATSC (International  
Alliance of Theatrical Stage in Corts)

ANDREA GOLDWYN, behalf of New York  
Landmark Conservancy

CRISTYNE NICHOLAS, behalf of Broadway  
Application

JESSICA BAKER VODOOR, Vice-President of  
Operations for the non-profit  
organization of New 42nd Street

2 SGT. STEVEN SADOWSKY: Good morning  
3 everyone and at this time will the Sergeants please  
4 start their recordings.

5 SGT. KEITH POLITE: According to the  
6 computer all set.

7 SGT. STEVEN SADOWSKY: Thank you.

8 SGT. HAN DAUTAJ: Cloud recording is  
9 good.

10 SGT. STEVEN SADOWSKY: Thank you.

11 SGT. RAFAEL PEREZ: Backup is rolling.

12 SGT. STEVEN SADOWSKY: Thank you and Sgt.  
13 Biondo if you would be able to start with your  
14 opening statement. Thank you all.

15 SGT. JOHN BIONDO: Good morning everyone  
16 and welcome to today's remote New York City Council  
17 hearing on the Committee on Zoning and Franchises.  
18 At this time, would all panelists please turn on  
19 their video for verification. Once again, all  
20 panelists please turn on your video for verification  
21 and to minimize disruption please place all  
22 electronic devices on vibrate or silent mode. If you  
23 wish to submit testimony you may do so to  
24 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov). Again, that is

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 4  
2 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov). Thank you Chair,  
3 we are ready to begin.

4 CHAIRPERSON FRANCISCO MOYA: Thank you.  
5 Thank you. Uhm, good morning. I am Council Member  
6 Francisco Moya, Chair of the Subcommittee on Zoning  
7 and Franchises. I am joined remotely today by  
8 Council Members Grodenchik, Borelli and Powers.  
9 Today, we will hold a public hearing for LU numbers  
10 712 and 713 for the court district zoning, text  
11 amendment and special permit related to property in  
12 Council Member Powers District in the Theatre  
13 District in Manhattan. Before we begin, I want to  
14 recognize the Subcommittee Counsel to review the  
15 remote meeting procedures.

16 ARTHUR HUH: Thank you Chair Moya, I am  
17 Arthur Huh, Counsel to this Subcommittee. Members of  
18 the public wishing to testify were asked to register  
19 for today's hearing. If you wish to testify and have  
20 not already registered, we ask that you please do so  
21 now by visiting the Council's website  
22 [www.council.nyc.gov](http://www.council.nyc.gov) to sign up. Members of the  
23 public may view a livestream broadcast of this  
24 hearing at the New York City Council Website. When  
25 called to testify, individuals appearing before the

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 5

2 Subcommittee will remain muted until recognized by

3 the Chair to speak. Applicant teams will be

4 recognized as a group and be called first. Members

5 of the public will be called and recognized in panels

6 in groups of up to four names at a time. When the

7 Chair recognizes you, your microphone will be

8 unmuted. Please take a moment to check your device to

9 confirm that your microphone is on before you begin

10 speaking. Public testimony will be limited to two

11 minutes per witness. If you have additional

12 testimony you would like the Subcommittee to consider

13 or if you have written testimony that you wish to

14 submit instead of appearing before the Subcommittee,

15 you may email it to

16 [landuse.testimony@council.nyc.gov](mailto:landuse.testimony@council.nyc.gov). Please indicate

17 the LU number and/or project name in the subject line

18 of your email. During the hearing, Council Members

19 with questions will use the raise hand function. The

20 raise hand function should appear at the bottom of

21 your participant panel. Council Members with

22 questions will be announced the order that they raise

23 their hands and Chair Moya will recognize them.

24 Witnesses are reminded to remain in the meeting until

25 excused by the Chair as members may have questions.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

6

2 Finally, there will be pauses over the course of this  
3 meeting for various technical reasons and we ask that  
4 you please be patient as we work through any issues.  
5 Chair Moya will now continue with today's agenda  
6 items.

7 CHAIRPERSON FRANCISCO MOYA: Thank you  
8 Arthur. Uhm, I now want to open the Public Hearing  
9 on LU numbers 712 and 713 for the Cort Theatre  
10 Proposal relating to property in Council Member  
11 Power's District in Manhattan. The proposal seeks a  
12 Zoning Text Amendment and a Zoning Special Permit  
13 pursuant to the Amended Tax to grant a floor area  
14 bonus for the substantial rehabilitation and  
15 restoration of the Cort Theatre which has designated  
16 individual and interior landmark and also a listed  
17 theatre under the Special Midtown District Zoning  
18 Regulations. The proposed action would facilitate  
19 the rehabilitation restoration and expansion of the  
20 Cort Theatre as well as the development of a new use  
21 group 5 hotel utilizing the proposed bonus floor area  
22 and on the same zoning lot. Before we hear from the  
23 applicant, I would like. Uhm, I'm sorry no, please  
24 skip that. Counsel, if you could please call the  
25 first panel for this item.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 7

2 COUNSEL ARTHUR HUH: The applicant panel  
3 will include Julio Peterson and John Darby on behalf  
4 of the Shubert Organization and Paul Selver and Adam  
5 Taubman, Land Use Counsel appearing on behalf of the  
6 panelist. Panelists, if you have not already done  
7 so, please accept the unmute request and begin to  
8 speak.

9 CHAIRPERSON FRANCISCO MOYA: Counsel, if  
10 uhm, do we have everybody on?

11 COUNSEL ARTHUR HUH: I see everyone.

12 CHAIRPERSON FRANCISCO MOYA: Okay. Uhm,  
13 Counsel if you could, please administer the  
14 affirmation.

15 COUNSEL ARTHUR HUH: Panelist, please  
16 raise your right hands. Do you affirm to tell the  
17 truth the whole truth and nothing but the truth in  
18 your testimony before this Subcommittee in an answer  
19 to all Council Member questions?

20 PAUL SELVER: I do.

21 JOHN DARBY: Yes.

22 JULIO PETERSON: I do.

23 ADAM TAUBMAN: I do.

24 CHAIRPERSON FRANCISCO MOYA: Thank you.

25 We are in receipt of your slideshow presentation for

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 8  
2 this proposal. Uhm, when you are ready to present the  
3 slideshow and it will be displayed on the screen for  
4 you uhm by our staff. Slides will be advanced for  
5 you when you say next. Please note that there may be  
6 a slight delay in both the initial loading and the  
7 advancing of slides. As a technical note, for the  
8 benefit of the viewing public, if you need an  
9 accessible version of this presentation, uhm, please  
10 send an email request to  
11 [landusetestimony@council.nyc.gov](mailto:landusetestimony@council.nyc.gov) and now if the  
12 panelists would please restate your name and  
13 affirmation for the record, I'm sorry, if you could  
14 please state your name and affiliation for the  
15 record, you may begin.

16 JULIO PETERSON: Good morning, my name is  
17 Julio Peterson, I'm the Vice-President of Real Estate  
18 for the Shubert Organization.

19 JOHN DARBY: And I am John Darby, Senior  
20 Vice-President Facilities for Shubert.

21 PAUL SELVER: Paul Selver, a member of  
22 Kramer, Levin, Naftalis and Frankel and are a Land  
23 Use Counsel to the Shubert Organization.

24

25



1 SUBCOMMITTEE ON ZONING AND FRANCHISES 9

2 ADAM TAUBMAN: Adam Taubman from Kramer  
3 Levin, also Land Use Counsel to the Shubert  
4 Organization.

5 CHAIRPERSON FRANCISCO MOYA: Great, thank  
6 you, before you begin, I just want to recognize that  
7 we have been joined by Council Member Steve Levin.  
8 You, you may begin.

9 JULIO PETERSON: Thank you, can you  
10 please bring up the presentation? I will start now  
11 Councilman.

12 CHAIRPERSON FRANCISCO MOYA: Yes.

13 JULIO PETERSON: Thank you, as I said, my  
14 name is, good morning, my name is Julio Peterson, I  
15 am the Vice-President of Real Estate for the Shubert  
16 Organization. We are really excited to be here today  
17 to present the proposed rehabilitation and  
18 restoration and expansion of the Cort Theatre. The  
19 project seeks to address all of the deficiencies of  
20 the existing theatre and transform the building into  
21 a Broadway House for the 21st Century. I will be  
22 presenting this application with John Darby, our  
23 Senior Vice-President of Facilities and Paul Selver  
24 our Land Use Counsel. This project has broad support  
25 from organizations invested in the vitality and

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 10  
2 economic success of the theatre industry and our  
3 greater City. Organizations that have been provided  
4 support include the association for a Better New  
5 York, Partnership for New York City, the Broadway  
6 Association, Times Square Alliance, 32 BA, and a  
7 number of other organizations and local unions  
8 including the Landmarks Conserves. Letters of  
9 support from these organizations have been submitted  
10 for the Public Record. Lastly, I would like to say  
11 that the rehabilitation of the Cort Theatre  
12 represents a unique opportunity for the substantial  
13 investment in the theatre industry at a critical time  
14 for our industry and for the City. By transforming  
15 the theatre into a modern Broadway House capable of  
16 accommodating productions and audience members of all  
17 types, we were looking to prove to the world that  
18 Broadway is ready to come back stronger and bigger  
19 than ever so we would really appreciate the Council's  
20 support in supporting this project. I now turn it  
21 over to Paul Selver, who will address other specific  
22 Land Use issues associated with this application.  
23 Thank you.

24 PAUL SELVER: Thank you Julio. Again,  
25 Paul Selver of Kramer Levin Land Use Counsel to

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 11

2 Shubert. Uhm, next slide place. The Cort Theatre is

3 situated on a zoning lot approximately 47,700 square

4 feet shown here outlined in the dashed, the dashed

5 line. Located between 6th and 7th Avenue, 47th and

6 48th Streets. It is a split lot divided between a C6-

7 7 T-zone which is a higher density avenue frontage

8 zone, uhm about 12,050 square feet and a C6-5.5 zone

9 which is a moderate, moderate, high to moderate

10 density uhm uhm commercial zone that exists in the

11 mid blocks in Midtown. It is in the Theatre

12 Subdistrict, Cort in the special Midtown District.

13 Uhm, the Zoning Lot contains four building sites. The

14 first is the Cort Theatre, the existing Cort Theatre

15 is shown in the Hatching in pink and the site of the

16 annex that will be developed as part of this

17 application if it is approved is shown with the dots

18 immediately to the left, west of the Cort Theatre.

19 The second development site is in yellow. It is the

20 site of the proposed Rio Hotel that is being

21 developed by Clarity uhm and that is the site that is

22 receiving the development rights from or received the

23 development rights from the Cort Theatre and then

24 there are two others, development site 155 which runs

25 on 48th Street in gray that is now being developed by

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 12  
2 the McSam Organization and line 7 on 47th Street that  
3 is owned by High Eight Hotels and is the site of the  
4 existing As of Right Night Hotel. There is no  
5 proposed re-development there at this time. Next  
6 slide please. The proposed actions, as the Council,  
7 as Council Member Moya noted, uhm are first a special  
8 permit on your section 81-745 to authorize bonus  
9 floor area for the substantial rehabilitation of a  
10 listed theatre and also a zoning text amendment to  
11 that section to clarify the description of qualifying  
12 rehabilitation work and to allow for zoning lots that  
13 are partially in C6-5.5 District and bonus floor area  
14 that is generated on one portion of the zoning lot  
15 can be used anywhere on the zoning lot regardless of  
16 the zoning district of the receiving site. Uhm, next  
17 slide please. Uhm, the uhm, the proposed, the  
18 proposed action would allow Shubert to take full  
19 advantage of the 119,000 square foot bonus and that  
20 would provide for also the opportunity to clarify  
21 what qualifies as bonus rehabilitation work. John  
22 Darby will now walk you through the existing  
23 conditions at the Cort and the issues that those  
24 conditions raise and uhm what is proposed to be done  
25 about them. John.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 13

2 JOHN DARBY: Uhm, good morning and thanks  
3 for the opportunity to present our project. Uhm, we  
4 are going to skip over the next few slides. The  
5 deficiencies that the Cort of 1913 Theatre are many  
6 and we would be glad to come back to any of those  
7 slides if any of the Council Members have questions  
8 later. Uhm, if we can go to slide #13 please. So,  
9 the uhm proposed theatre rehabilitation program  
10 involves major structural changes and will address  
11 and remedy many or virtually all the significant  
12 shortcomings of the existing theatre. Uhm, the  
13 program includes upgrading of all of the  
14 infrastructure as well as some of the layout of the  
15 theatre to bring it up to the standards of a modern  
16 house capable of handling both the plays that it has  
17 traditionally been there for but as well a musical  
18 theatre which is the predominant art form these days  
19 on Broadway. Uhm, also there will be a creation of a  
20 substantial amount of new space for patron amenities,  
21 also for back, back ha... back of house, backstage  
22 facilities and front of house support facilities.  
23 There will be great improvements for audient  
24 circulation and for accessibility for people who have  
25 disabilities. Lastly, we are doing a restoration of

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 14

2 both the interior and exterior of the landmarked Cort

3 Theatre. Next slide please. The key to this

4 rehabilitation is the vacant site adjacent to the

5 existing theatre that you see outlined in pink there.

6 This has presented us with the unique opportunity for

7 not only theatre improvements but for the expansion

8 of space. Shubert's acquisition of the vacant site

9 is a significant investment in Broadway at a critical

10 time both for the Theatre Industry and the City and

11 the vacant site along with what has been a 10-foot-

12 wide egress ally on the west side of the theatre will

13 give the opportunity for a 35' wide annex building

14 horizontal extension to the existing theatre. Next

15 slide please. The, we are seeing here a street level

16 floor plan. Now the annex and the existing building

17 will be connected at many locations to improve

18 functioning both back of house and for the audience

19 in the front house. Next slide please. The proposed

20 upgrades for back of house will increase the range of

21 productions that the Cort will be able to accommodate

22 and it will generally improve working conditions for

23 both performers and crew back stage. The improvements

24 include roughly doubling the amount of wing space.

25 You can see the wings highlighted in yellow to the

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 15

2 left and right respectively of the plain area and

3 these are very important uhm aspects of the stage

4 allowing for scene changes. For the movement of

5 props on and off stage for quick change, costume

6 changes and also, they are the holding areas for the

7 performers before they make their entrances. To

8 date, the stage left wing at the Cort is less than 10

9 feet and totally inadequate for large productions.

10 Uhm, in addition to the improvement of the stage

11 itself on the right-hand side you will see load-in

12 door, we largely have an enclosed area for safe

13 storage of scenery and a better load-in when they are

14 bringing shows into the theatre, loading scenery and

15 a better load-in situation. Uhm, likewise, we will

16 have improved stage door access which will be via a

17 corridor underneath the orchestra section that will

18 allow performers and crew to get straight backstage.

19 Next slide please. There will be substantially more

20 dressing room area. You can see on the right the uhm

21 floor plan. This is kind of an exploded view floor

22 plans of the existing theatre and the much more

23 capacious facility that will result from the annex.

24 Uhm, the not only is it a greater amount of dressing

25 room space but it enables the theatre to have

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 16

2 dedicated spaces for wardrobe operations and well as

3 hair and wig operations. Next slide please. The

4 stage house will be totally reconfigured with new

5 infrastructure for the rigging of scenery. The whole

6 stage deck will be reconfigured with better access to

7 trap area. The area underneath the stage often used

8 for special effects and tremendous electrical

9 infrastructure and other support for the productions.

10 Next slide please. Very unusually, the annex will

11 allow an on-site rehearsal space which will be on the

12 top floor of the annex and this rehearsal space will

13 allow a space column free with dimensions matching

14 that of the stage. Next slide please. Here is a

15 rendering of that rehearsal space. Uhm, next slide.

16 Similarly, in the front of house there will be vast

17 improvements because of the ability to have expanded

18 space for the theatre. So, the restrooms will more

19 than double in capacity for the audience. At every

20 level they will have, they will be accessible for

21 persons with disabilities. Uhm, there will be more

22 than 5 times the amount of area for lounges and

23 refreshment bars compared to the existing theatre and

24 there will also be greatly improved uhm audience

25 circulation with an elevator providing access to all



1 SUBCOMMITTEE ON ZONING AND FRANCHISES 17

2 levels. Next slide. And again, in order of

3 surrendering of one of the main lounges at orchestra

4 level. Next slide. Uhm, I will now briefly describe

5 restoration work uhm, on the historic theatre, on the

6 historic restoration and what you see here is

7 essentially the existing condition of the façade

8 which is in sore need of restoration. The marquis

9 there is totally inappropriate, dating from the 60s

10 and the condition of doors, windows, etc. all are in

11 need of help. Next slide. Similarly, the interior

12 of the theatre is very plain. It is nothing like it

13 was originally. It has been able to accommodate

14 shows but not in the way uhm, uhm, of current

15 Broadway standards. A lot of exposed infrastructure

16 is in the way, detracting from the ambiance. You can

17 see in the upper right picture, the arrow pointing

18 to. There is a large duct passing right through the

19 audience area. Okay, next slide. Uhm, as far, as

20 part of the historic restoration of the exterior of

21 the entire façade will be renovated and repaired,

22 renovated, upgraded, there will be new windows. There

23 will be a new historically appropriate marquis, new

24 signage boxes, new doors. The façade will be totally

25 restored. Next slide please. Similarly, the

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 18  
2 landmark interior will be brought back to with the  
3 historically appropriate details. A lot of the  
4 exposed infrastructure will be hidden, removed, and  
5 the original palette derived from articles in the  
6 architectural press when the theatre opened, that  
7 palette of coloration of the theatre will be restored  
8 and very uniquely what is shown in blue and the  
9 Proscenium Arch, the surround of the Proscenium  
10 opening is a lattice work decoration that is backed  
11 up by art glass which is in turn backlit. It is  
12 really a spectacular and unique feature on Broadway  
13 and it hasn't really been seen in all of its glory in  
14 years and that will be fully restored. Next slide.  
15 And uhm lastly, as mentioned earlier, we will be able  
16 to hide all of the exposed infrastructure so it will  
17 really just be the historic details, this historic  
18 architecture and ornament on the inside that the  
19 audience will see. And I will turn it back to Paul  
20 Selver now.

21 PAUL SELVER: Okay, thank you John, next  
22 slide please. Uhm, this is a, a quote from the  
23 zoning resolution 81-745 and excuse me. Uhm, we've  
24 taken the liberty of highlighting in red the uhm,  
25 fundamental criteria for the grant of the theatre

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 19

2 bonus and we think that the work that we described is

3 very much on point to these findings and I am just

4 going to cite a few examples. The first is the

5 expansion of the theatre by the construction of the

6 annex improves its functionality by allowing the uses

7 within the Cort to be unpacked from their existing

8 cramped quarters and by giving them the space that

9 they need whether they are dressing rooms, or

10 wardrobe space, or wings, whatever it is, all of that

11 is made possible by the construction of the annex.

12 The second is that the alterations and enhancements

13 improve the Cort's commercial viability by giving it

14 the capacity to be used as a musical house as well as

15 a play house allowing it to serve a wider range of

16 performances and third is just more specifically as

17 John said, the work expands the stage wings,

18 increases rehearsal and dressing room space,

19 significantly increases the area and functionality of

20 the lobby and its ancillary spaces, provides greater

21 handicap access than is required by law and includes

22 a comprehensive high quality historic restoration.

23 So, the scope and the quality of this work that we

24 believe justifies the full floor area and all its

25 components. Next slide please. Uhm, this is the

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 20  
2 zoning lot again. The Cort on the upper, the upper  
3 right-hand corner of the zoning lot and the Rio  
4 Clarity Hotel directly below it which is going to  
5 receive the development rights. Next slide please.  
6 Go past this one, yeah, this one. In the proposed  
7 hotel, it will be 49-stories tall, it would be 524'  
8 in height and contain approximately 264,000 square  
9 feet of zoning floor area. This scale of the  
10 building is very much in context. It is lower than  
11 the new Cort building to its east and almost the same  
12 height within 10' of the height of the Times Square  
13 Edition Hotel to its west on 47th Street. With  
14 respect to the development on the zoning lot, both  
15 the Clarity Rio Hotel and the McSam Hotel which you  
16 can see directly to the left of the Rio Hotel, it is  
17 labeled 34-stories, 331', fully comply with the  
18 height and setback regulations of the special Midtown  
19 District ensuring that the bulk on the zoning lot  
20 will be distributed in a manner that provides for the  
21 light and air to the street and neighboring  
22 properties it is contemplated by the zoning  
23 resolution. I, I want to close with one further  
24 thought. This is Julio said, has had a tremendous  
25 support from a wide range of organizations, civic

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 21  
2 organizations and New York City Supporting  
3 Organizations and humans. Uhm, you may hear an  
4 objection today as part of the hearing to approving  
5 the special permit and granting Shubert the full 119  
6 square feet of development rights. As we understand  
7 the basis of this objection, it has to do with the  
8 hotel to which Shubert has agreed to sell the  
9 development rights. It has nothing to do with the  
10 theatre or with the merits of this application.  
11 Moreover, and perhaps more importantly for the  
12 purposes of our discussion today is the fact that  
13 denial of the special permit will prevent the  
14 modernization of one of Broadway's most historic  
15 houses and in message and in fact will harm only New  
16 York City's legitimate theatre industry and the  
17 economic eco system that depends on its success.  
18 Denial or modification of this special permit, will  
19 not, again, will not in any way affect the  
20 construction of the hotel which today has backup  
21 contracts to purchase any four area that it cannot  
22 purchase from the Cort either from one of the other  
23 owners on the dev... on the zoning lot or through an as  
24 of right transfer of theatre development rights under  
25 Section 81-744. Now you have all heard and it goes

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 22  
2 without saying that this is not a time to discourage  
3 people who want to invest in New York City and this  
4 is especially true where the investment is in one of  
5 our signature industries where it will generate or  
6 secure 100s of union jobs in its construction and  
7 operation and where it will not prevent or limit in  
8 any way other development on the zoning lot. It  
9 sends the wrong message and it wastes a singular  
10 opportunity to upgrade the Cort and support the  
11 Theatre Industry. Uhm, we are happy to take your  
12 questions.

13 CHAIRPERSON FRANCISCO MOYA: Thank you,  
14 thank you for your presentation before I turn it over  
15 to my colleagues, I just want to acknowledge that we  
16 have been joined by Council Member Ayala and Rivera.  
17 Uhm, just a couple of questions, I know Julio, you  
18 had mentioned this but can you speak to the efforts  
19 that were made by you or the applicant team to engage  
20 the community support for this application?

21 JULIO HERNANDEZ: Yes, uhm, thank you.  
22 We've reached out to folks who understand that this,  
23 the improvements that we are making are really  
24 substantial and as I said earlier, we have broad  
25 support. We've reached out. We were able to get

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 23  
2 Landmarks approval early on. Uhm, we reached out to  
3 a lot of different constituency group, not for profit  
4 theatre companies, civic organizations, unions. We  
5 uhm, we've really reached out to a lot of different  
6 uhm, community folks so I think we definitely made a  
7 very comprehensive effort of trying to make sure that  
8 folks bought in to our project which we think on its  
9 own merits is a fantastic project.

10 PAUL SELVER: You know, I just want to  
11 pick up on something, just add to what Julio said and  
12 that is Community Board 5 does not very often  
13 recommend in favor of an application and we were very  
14 pleased that they saw fit to support both the text  
15 change and the special permit in full in this case.

16 CHAIRPERSON FRANCISCO MOYA: Great, thank  
17 you. Uhm, could you just clarify again for me, uhm  
18 the impact on the proposed hotel, how much floor area  
19 would be added? And what would be the difference as  
20 compared to the as of right hotel scenario and  
21 without the transferred floor areas in terms of hotel  
22 floor, number of rooms, number of stories, etc.

23 PAUL SELVER: Well, I think there are two  
24 different ways of looking at this. Uhm, when we  
25 started out this exercise and this was before the

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 24  
2 hotel had purchased uhm, had entered into back up  
3 contracts to acquire all the floor area it would need  
4 if this special permit did not go forward. But when  
5 we first started out the difference would have been  
6 about 30,000 which I think as compared to what would  
7 have been an as of right development of this. So, in  
8 other words, as of right, the, the theatre could  
9 transfer approximately 86,000 square feet.

10 CHAIRPERSON FRANCISCO MOYA: Uh-huh.

11 PAUL SELVER: Of floor area to the hotel.  
12 Uhm, and uhm, so that was, that was there. What  
13 happened in the course of this process and it was  
14 because of COVID and because of the fact that there  
15 were no City Planning Hearings, actually there were  
16 no certifications for six months because we were, we  
17 were literally the project that was going to be  
18 certified the day City Planning stopped certifying  
19 projects. Uhm, the hotel which was under construction  
20 became concerned about its ability to uhm support the  
21 floor area that it was building and so it entered in  
22 to contract uhm with one of the other owners on the  
23 zoning lot to purchase 86,000 square feet of floor  
24 area from that owner, about that amount. And it, it  
25 entered into a contact and this would be a contract



1 SUBCOMMITTEE ON ZONING AND FRANCHISES 25  
2 with Shubert but it would be for another theatre to  
3 purchase the floating development rights that you can  
4 move around the theatre district on an as of right  
5 basis. So, today on an as of right basis, you get  
6 exactly the hotel that you have uhm, that we are  
7 showing you today. There would be no difference. It  
8 would have the same floor area. The same number of  
9 rooms and the same characteristics, they were just be  
10 sourced differently.

11 CHAIRPERSON FRANCISCO MOYA: Got it, thank  
12 you, uhm and aside from the floor area transfer, can  
13 you just confirm that all of the buildings on this  
14 Zoning Lot would be in compliance with all applicable  
15 bulk height and setback rules?

16 PAUL SELVER: They will be.

17 CHAIRPERSON FRANCISCO MOYA: Okay.

18 PAUL SELVER: However, that is part of  
19 the, part of the uhm, special permit site plan that  
20 we've agreed to is that uhm the McSam Building which  
21 I think already it has been very close to getting its  
22 approvals from the Department of Buildings on an as  
23 of right basis and the Clarity Hotel which has  
24 already gotten approvals for the envelope that it is

25

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 26

2 operating in, it's developing under are as of right  
3 and don't require any height and setback record.

4 CHAIRPERSON FRANCISCO MOYA: Okay, and  
5 its, and its, in its approval, City Planning  
6 Commission noted that the existence of approximately  
7 82,000 square feet of remaining unused base floor  
8 area uhm, could you clarify whether and how this  
9 floor area could be used on this zoning lot in the  
10 future if that's at all possible.

11 PAUL SELVER: I, sure, the, I mean the, I  
12 should say first of all that I, when I used the  
13 number 86, I was referring to that 82 and I, there  
14 may be some slight variation in the numbers involved  
15 here but the same order of magnitude. Uhm, the  
16 82,000 square feet uhm is owned by the prior owner of  
17 the Mc, of the McSam site and if they do not use it  
18 in the Clarity Hotel, they cannot use it on the  
19 zoning lot. They have to convey it, the terms of the  
20 special permit uhm require that it be conveyed to  
21 another site uhm through a, through an 81-744  
22 certification transfer. That is, Rockefeller, the  
23 prior owner of that site may own those development  
24 rights but they actually are pertinent to the theatre

25

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 27

2 and therefore they are eligible for transfer under  
3 81-744.

4 CHAIRPERSON FRANCISCO MOYA: Okay.

5 PAUL SELVER: And that's Shubert and  
6 Rockefeller would be required to do that for any use  
7 of the development rights other than for the Clarity  
8 Hotel.

9 CHAIRPERSON FRANCISCO MOYA: Okay. This  
10 proposal also calls for an enormous floor area bonus  
11 to a new hotel, 128,000 square feet. Uhm, the size  
12 of the hotel will make a huge impact on the Special  
13 District, the Special Theatre Subdistrict. Is this  
14 much additional floor area really necessary and how  
15 will you make sure it benefits and preserves the  
16 character of the District?

17 PAUL SELVER: Well, I think, I think, I  
18 am going to ask Shubert to speak to the issue uhm of  
19 what has to be done with the Cort, uhm, the magnitude  
20 of that exercise. Because if the Cort, because it is  
21 an interior and exterior landmark uhm, it has and  
22 because it is so small and so old and so, uhm  
23 basically cramped it requires an awful lot of work to  
24 make it into what it needs to be and that goes to two  
25 things. Number one, it goes to whether or not on the

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 28  
2 merits, you know, under the standards that are set by  
3 the zoning, the special, the work that is being done  
4 earns the Special Permit. Earns the full bonus of  
5 tree planting. Looked at that, they had uhm  
6 independent people look at that and they concluded  
7 that it did. Uhm, and then the second thing is  
8 although it is not supposed to be relevant but the,  
9 part of the purpose of this Special Permit is to uhm,  
10 fund uhm high quality substantial rehabilitations in  
11 theatres that would qualitatively move them to a  
12 different place and, and that's, uhm, that's what's  
13 happening here and without the, the full bonus it  
14 couldn't happen in the way uhm, in the way that it is  
15 being proposed. Uhm, in terms of the broader context  
16 of the theatre district, you know, this is a high-  
17 density zone, the amount of floor area that we are  
18 talking about on this zoning lot is only 20% more  
19 than what the underlying zoning is and a 20% bonus is  
20 a pretty standard bonus, not only in, in Midtown but  
21 it is considerably less than what is allowed in East  
22 Midtown now but also throughout other high-density  
23 zones in the City, so, so and finally I guess, you  
24 know Midtown is about density and, and the eco system  
25 that exists there which is the eco system of

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 29  
2 hospitality, of retail, of arts and entertainment, in  
3 a way that the denser it is, the better it all works  
4 together so that's, that's my rambling now. Julio if  
5 you want to talk a little bit about you know what it  
6 means to the theatre to, to, to have a rehabilitation  
7 like this.

8 JULIO HERNANDEZ: Well, I would just like  
9 to say that this investment, we are building a brand-  
10 new building. Uhm, this is very expensive, a very  
11 expensive proposition in addition to this full  
12 historic restoration here. We aren't just changing  
13 the seats, I mean we are doing fine historic  
14 restoration which was approved by the Landmarks  
15 Preservation Commission and has been endorsed by the  
16 Landmarks Conservancy, so we are just not doing sort  
17 of basic maintenance here, these are real structural  
18 improvements to the theatre in addition to dealing  
19 with the esthetics of the theatre to preserve it in  
20 the way that it was initially constructed. So, it's a  
21 big economic and financial proposition here. Uhm, as  
22 it relates to the theatre itself and the theatre  
23 industry, we see it as something that is really going  
24 to be a symbol of our resurgence and so right now we  
25 are very clear and very focused that we want to do

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 30  
2 the project in the way that, in the high-quality way  
3 and we've hired the best consultants, the best  
4 architects who have done this work in the past and  
5 this uhm, this uhm, the rehab bonus provision has  
6 only been utilized twice before and I think we have  
7 to be very clear here that this is a very complicated  
8 and very onerous process and that's why it's only  
9 been used twice before and we've been working on this  
10 project for close to six years to make sure that we  
11 address all of the issues. City Planning had asked  
12 us to hire third-party consultants, the best theatre  
13 consultants in the country, HRMA to look at this in  
14 an independent manner and verify that the  
15 improvements that we are making or that we have  
16 proposed to make to these, to this theatre really  
17 merits the bonus and I think there is no argument  
18 that we merit the maximum bonus because we are going  
19 above and beyond what the Zoning Resolution asks.

20 CHAIRPERSON FRANCISCO MOYA: Okay, I have  
21 one more question and then I am going to turn it over  
22 to my colleague, uhm Keith Powers. Look we know that  
23 tourism is down in New York City, uhm you know  
24 Broadway has been affected but so has the hotel  
25 industry and the hotel workers and they are also

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 31  
2 going through extremely difficult times. It is  
3 critical that when the hotel industry uhm comes back  
4 uhm that it comes back with having the ability to  
5 give good middle-class jobs like to New Yorkers. We  
6 just can't afford a hotel district that is not going  
7 to be able to accomplish that. Uhm, so what are you  
8 doing to ensure that this, that this hotel will  
9 provide true economic benefits uhm to New York by  
10 providing good paying jobs.

11 JULIO HERNANDEZ: We, our employees at  
12 our theatres, they are union employees, they live in  
13 the Bronx, they live in Brooklyn, so we hire a lot of  
14 folks that are middle-class, lower-class New Yorkers,  
15 uhm from an economic perspective. And so, as it  
16 relates to the hotel, they are building their own  
17 hotel. We are building our and expanding our theatre  
18 and if this action isn't approved, to Paul's point,  
19 this hotel is still going to go up the only entity  
20 that is really hurt here is us and our industry if  
21 this application doesn't move forward and we need to  
22 upgrade this theatre, we need to show the world that  
23 we are coming back and this is very straightforward  
24 and we are very dedicating to presenting a first  
25 class project so we hire folks, union labor, our

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 32  
2 construction is going to be union labor. So, we're,  
3 we're ready to put our money where our mouth is as it  
4 relates to this.

5 PAUL SELVER: I, I just want to add, you  
6 know, the truth is and it's not a truth that I really  
7 want to say but it needs to be said, is we have a  
8 contractual relationship with the hotel. We have  
9 advised them of, of the issues that are associated  
10 with jobs at the hotel, uhm, but we can't, we can't  
11 force them to do it. And uhm, uhm, they uhm, if  
12 there are unacceptable put on this special permit  
13 then they have no, they have the ability to walk away  
14 from the deal, so it's, it's not something that we  
15 have a lot of control over unfortunately.

16 CHAIRPERSON FRANCISCO MOYA: Alright,  
17 well, thank you very much. Thank you for your uhm,  
18 your testimony and thank you for taking my questions.  
19 I am going to turn it over now to uhm to my  
20 colleague, uhm Council Member Powers. You're online  
21 Keith.

22 KEITH POWERS: Thank you Chair Moya,  
23 thank you, I was waiting to be unmuted and Happy New  
24 Year to everyone and thank you for the testimony and  
25 thank you to the Chair for the opportunities to ask



1 SUBCOMMITTEE ON ZONING AND FRANCHISES 33

2 some questions here. Uhm, nice to see everyone as  
3 well. I'm going to talk about the theatre and then I  
4 will talk about the hotel side as well since we have  
5 a couple of components to this project. Before I say  
6 so, cause I want to followup with Council Member,  
7 Chair Moya's questionnaire, who is representing the  
8 hotel on the developer here today? This is all Cort  
9 theatre, am I, is that fair to say? Paul and the  
10 others.

11 PAUL SELVER: That is correct. We are not  
12 all; we are all representing the theatre.

13 KEITH POWERS: Okay, because you know I do  
14 think it would have made sense to have someone here  
15 who is part of the transferring site as well since  
16 they are uhm you know a beneficiary of this project  
17 as well but let's go to the theatre as a starting  
18 point. Uhm, you guys touched upon this a little bit  
19 in your testimony but can we talk about the  
20 modification you are making here, or let's start with  
21 the, let's start with the uhm, the actual theatre  
22 bonus. I think that some sites have taken advantage  
23 of this in the past, can you just talk to us about  
24 which sites have taken advantage of this bonus in the

25

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 34  
2 past, when they did it and uhm let's start there. Who  
3 and when has taken advantage of it?  
4 PAUL SELVER: Sure.  
5 KEITH POWERS: If there are two it is  
6 pretty narrow.  
7 PAUL SELVER: Yeah, there are, there are  
8 only two and I'm not sure I can give you the dates  
9 Council Member but the two were City Center and the  
10 Samuel J. Freedman Billboard Theatre. Uhm, the City  
11 Center was very early. Uhm, it was a 128,000 square  
12 foot bonus. Uhm, I think it may go back to the 1980s  
13 or 1990s because it was the building that produced  
14 the City Center Tower with the dome that whistled.  
15 Betraying my age by telling this, but City Center  
16 included about 10,000 square feet of new space within  
17 the existing building, excuse me, within the building  
18 and office building was being constructed. So, there  
19 wasn't a separate annex as we are doing in putting in  
20 15,000 square feet, they just set aside 10,000 square  
21 feet in the existing building and expanded the box  
22 office and restored the lobby. We are doing those  
23 things in a historically appropriate manner and we  
24 are also tripling the public lobbying space, lobby  
25 space. Uhm, we both, both projects have significant

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 35

2 building infrastructure upgrades and both projects

3 enhanced the commercial liability of the theatre by

4 creating conditions that would allow a greater

5 variety of production. So, you know, we looked at

6 this, uhm the uhm, the consultants who City Planning

7 asked us to retain, Fisher Dax and HRNA looked at

8 this and they felt what we were doing was at least as

9 significant in terms of the work that is being done

10 and the improvements to the theatre as we saw with

11 City Center. Uhm, Samuel J. Freedman which got a

12 131,000 square foot bonus, uhm, involved a very,

13 involved taking a theatre that was pretty uhm, pretty

14 run down, uhm pretty broken down and, and restoring

15 it to full theatre use, but it wasn't historic

16 restoration, it was a restoration, a restoration

17 which is much easier. It made improvements to the

18 theatre's accessibility, its improved audience

19 amenities and it improved the capacity of the theatre

20 to handle a different wide variety of offerings. It

21 also repaired the structural damage and reconstructed

22 the non-landmark interior. Uhm, we are also doing a

23 significant amount of structural work on the stage

24 house and enlargement to the cellar of the Cort which

25 falls within the structural category in order to make

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

36

2 it more commercially viable, uhm, we are constructing  
3 an entirely new annex and we are restoring, restoring  
4 the existing interior and exterior of the, of our  
5 theatre which is a landmark uhm as opposed to the  
6 Samuel J. Freedman which is not an interior landmark  
7 and I just want to quote uhm from the report by HRNA  
8 and Fisher Dax, relative to these two precedents, the  
9 proposed improvements at the Cort Theatre are  
10 significant and the project is similarly if not more  
11 aligned with the zoning resolutions bonus criteria.  
12 So, you know we think we, not only do we need this  
13 test in the abstract but we need it as well.

14 KEITH POWERS: Okay, and uhm just a  
15 followup question, how many other sites would this be  
16 applicable to? The changes you are proposing?

17 PAUL SELVER: We looked at this and Adam,  
18 Adam may know the answer to this, I am going to ask  
19 him to speak up if he does because he may be more  
20 familiar with the details of the EAS which was the  
21 Environmental Assessment which is where this all came  
22 out of. I think there were theoretically four or five  
23 other sites in the theatre district to which this  
24 applied and all of them either had theatres which had  
25 sold off their development rights for a new large

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 37

2 office building or hotel or had or were, in one case  
3 it was the Palace Theatre which as you know is the  
4 theatre that is being elevated one level and being  
5 put in a completely new box. So, in the real world  
6 this text change in terms of applicability wouldn't,  
7 isn't going to make a difference for another 20, 30,  
8 40, 50 years. And maybe not even then but it does  
9 have theoretical applicability behind this.

10 KEITH POWERS: Meaning that if one of the  
11 four or five other theatres at some point of time  
12 could decide to take advantage of it. The real-world  
13 scenario that you envision right now is that none are  
14 in a position to take it, is that, is that correct?

15 PAUL SELVER: That's correct. They have  
16 sold off all their development rights. Those  
17 development rights are in large, you know, modern  
18 buildings that, you know it just makes no economic  
19 sense to demolish at this point.

20 KEITH POWERS: Okay and one of the  
21 questions that was raised to the Committee Board was,  
22 was changing the definition of, of this to include,  
23 to strike out the you know, word interior to make  
24 sure that this was, I think, it sounds to me like  
25 sure you know that is applies here. Just talk about

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 38

2 you know that change and why the need for the  
3 Community Board to raise that as a concern. Does  
4 this apply? Having to do that change. So, can you  
5 tell us why it is necessary here.

6 PAUL SELVER: Okay so, this is sort of  
7 one of these things where I think we felt uhm we  
8 understand where the Community Board is coming from.  
9 That, you can make an argument under the existing  
10 text, that the annex uhm, constitutes a structural  
11 alteration or something to that effect within the  
12 meaning of the, of the existing text. Uhm, to justify  
13 the bonus. Uhm, we were not comfortable with that.  
14 We thought it was the kind of interpretation which  
15 you know somebody might think is good today but not  
16 so good tomorrow. So, we felt it would be better to  
17 clarify the text to allow for the, so, so the, the  
18 things like the annex which are very important  
19 actually to the, which are very important to the  
20 theatre like this because without the annex, almost  
21 none of this would be possible, or certainly it  
22 wouldn't be possible to the extent that it is. So, we  
23 thought it would be helpful to clarify it and we  
24 thought it would be helpful to have, to encourage  
25 people to think about doing this with regard to

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

39

2 theatres. Uhm, I, I should say, you know, I was  
3 never, maybe I should have thought about it a little  
4 harder but it was never quite clear to me why the  
5 Community Board raised this issue as a problem.  
6 What we have, our position has been consistently and  
7 I think is if, if City Planning or the Council did  
8 not want to make this change that would be okay. It  
9 would be very helpful. It is helpful by itself that  
10 you are approving this special permit which involves  
11 the annex in a, under a statute that you know just  
12 talked about interior so that would be good. As a  
13 lawyer, I would like to see something in the  
14 Legislative record that I could, you know put in my  
15 file and have, you know, give to other people who are  
16 going to be doing this uhm an indication that the  
17 intent wasn't to preclude bonusing things like the  
18 annex, it was only to ensure that, you know that the,  
19 the uhm, that the bonus was subject to the tightest  
20 appropriate restrictions that it could be. So, the  
21 answer is, if the Council didn't want to do it, you  
22 know, certainly, you are the Council you can do  
23 whatever you want but it would be great if you were  
24 to make a note somewhere in the record that uhm it  
25

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 40

2 wasn't intended to preclude bonusing things like the  
3 annex.

4 KEITH POWERS: Okay, and uhm, what is the  
5 timeline for the theatre, uhm from uhm, you know what  
6 is the anticipated timeline of the theatre being  
7 completed and reopened?

8 PAUL SELVER: Julio do you want to, or  
9 John do you want talk to that.

10 JOHN DARBY: I can speak to that, uhm, we  
11 are anticipating once the project starts a 15-month  
12 timeline to get the work done.

13 KEITH POWERS: 15 months, so sometime in  
14 2022?

15 PAUL SELVER: Mid, mid-2022.

16 KEITH POWERS: Mid-2022, okay and what is  
17 the timeline for the hotel construction?

18 PAUL SELVER: If we understand it, the  
19 hotel is going to be substantially completed sometime  
20 this summer.

21 KEITH POWERS: So, they are on their way,  
22 they are on the way right now.

23 PAUL SELVER: They've been building for a  
24 long time.

25 KEITH POWERS: Yeah, yeah.



1 SUBCOMMITTEE ON ZONING AND FRANCHISES 41

2 JOHN DARBY: Structurally, structurally  
3 they are topped out. They will soon be doing interior  
4 put up they are well along.

5 KEITH POWERS: But they are waiting on  
6 some answer here aren't they about? Or they believe  
7 they have alternative options to.

8 PAUL SELVER: That's why, that's why.

9 JOHN DARBY: They have the alternatives.

10 PAUL SELVER: We need the backup, the  
11 backup air rights, because they wanted to be covered  
12 in the event that, you know either we didn't get the  
13 bonus, we didn't get the full bonus, we uhm, you  
14 know, nobody got their act together and there would  
15 be no public hearing for another six months or  
16 something because of COVID so we just, they didn't  
17 know and they had to cover themselves.

18 KEITH POWERS: Okay, uhm, you mentioned  
19 Times Square Addition earlier which I have to note is  
20 now closed I believe, the hotel, which is nearby if  
21 I'm correct. And I think the ques... you know one  
22 question I have is just feasibility of, I mean they  
23 are not here to talk about it to a developer but you  
24 know we, we are seeing this industry being decimated  
25 right now, I have hotels in my district that are

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 42

2 converting or closing. (INAUDIBLE) I believe is  
3 closed and I think folks would certainly wonder the  
4 feasibility of doing a large-scale hotel. I think  
5 this is 600... am I right thinking this is 650 rooms,  
6 that?

7 PAUL SELVER: Uhm, I don't know, I don't  
8 know off hand, uhm Adam do you know?

9 ADAM TAUBMAN: Uhm, I think its around  
10 600, 650.

11 KEITH POWERS: It's big, it's a lot of  
12 rooms and we have hotels that are downsizing in my  
13 District right down the block from where I am sitting  
14 right now, we have another one. So, what is, I mean  
15 what is the fea... I mean, what is like I guess the  
16 question here is you know, did we start a project  
17 that is no longer going to be economically feasible  
18 based on the current proposed size or have unoccupied  
19 space inside of it based on what we know about COVID,  
20 changes in tourism and maybe even oversupply. What  
21 is, what is the answer to that question of providing,  
22 so, such a large-scale size hotel right now at a  
23 point where we were in a situation where it is hard  
24 to see when folks are occupying those rooms in the  
25 near future?

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 43

2 PAUL SELVER: I think that one, I am going  
3 to duck away, I am Julio and the Shubert Organization  
4 is any better equipped than I am to answer. I just  
5 don't think we know this.

6 JULIO HERNANDEZ: Uhm, we don't know, we  
7 just don't know.

8 KEITH POWERS: I know sadly, I mean they  
9 should be here, right? I think they should be here  
10 alongside you guys.

11 JULIO HERNANDEZ: I think the entire  
12 hotel industry is obviously just like our theatre, so  
13 it's really, nobody knows, you have that crystal  
14 ball. The other party decided not to participate so  
15 we are here to show the merits of our project and we  
16 want to you know do the right thing.

17 KEITH POWERS: Do you know if they've  
18 given consideration of different use or even maybe  
19 even selling the property at some point based on the  
20 current conditions?

21 JULIO HERNANDEZ: We haven't had those  
22 conversations. We are focused on our project.

23 KEITH POWERS: Okay and uhm, uhm, but  
24 okay, uhm I'll just, I'm just going to close out, so  
25 I'll let go, I'll let go what the chair said as well

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 44  
2 as they are not here and we all know the merits of  
3 your project I, I think are clear and the support for  
4 it and the need to revitalize an industry that has  
5 been similarly decimated during this uhm, during this  
6 industry but you know we also want to make sure that  
7 the economic development like yours devel... will  
8 deliver an economic benefit for people that are there  
9 as well and we do, and we do hope to be able to talk  
10 to them about that as well and so and let me, let me  
11 ask this question and I just want to ask this on a  
12 more broader, so we will continue that conversation  
13 and I see the Chair raising that issue. I know, I  
14 know frankly in our conversations you share that goal  
15 too, but you are not the other party to this. So,  
16 the last question I asked you, just on a broader  
17 scale here, Broadway has been decimated, uhm closed,  
18 shuttered, uhm, a little adjacent to the project here  
19 but Julio or somebody can just talk to us about the  
20 state of industry right now and uhm and when do you  
21 guys anticipate. We know when you might re-open in  
22 15 months but is that just any sort of sense of where  
23 uhm Broadway is right now.

24

25

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 45

2 JULIO HERNANDEZ: We are doing everything  
3 we can to work with any groups that we can to make  
4 sure that our facilities are safe. We want to open  
5 right away and just to be very clear, we are one of  
6 the largest rivalries of tourists in the City of New  
7 York and occupants of the hotel and uhm people come  
8 to New York to see our shows and so, we are all here  
9 together uhm so I just want to be very clear in that  
10 regard, but we are looking at all kinds of ways to  
11 make our theatres safer and you know we want to open  
12 up our theatres. I mean people are dying to come to  
13 our theatres so we are working really hard and in  
14 fact we have some members of the uhm Broadway  
15 Community, the Broadway League who will be presenting  
16 testimony today uhm in support of this project.

17 KEITH POWERS: Okay, thanks and when do  
18 you, when do you uhm think Broadway shows are widely  
19 done.

20 JULIO HERNANDEZ: That is subject to  
21 conversations with the Governor, uhm, we are geared  
22 up when hey say we can go we are going to go.

23 KEITH POWERS: Okay. Thank you and we  
24 will continue to talk about some of the issues that  
25 were raised here today. Thanks for presenting and uhm

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 46  
2 I know it has been a tough year for your industry and  
3 we are all, and you know we are all thinking about it  
4 and all industries that we are talking about here  
5 today and so you know vaccination and recovery are  
6 uhm, need to happen at work speed here so that New  
7 York City can get back on speed. So, thank you, thank  
8 you to the Chair for the opportunity to ask  
9 questions. Thank you.

10 CHAIRPERSON FRANCISCO MOYA: Thank you  
11 uhm Council Member Powers. Uhm, I now invite my  
12 colleagues to ask question if you have questions for  
13 the applicant panel. Please use the raise hand  
14 button on the participant panel, now I ask uhm our  
15 Council are there any Council Members who have any  
16 questions.

17 SUBCOMMITTEE COUNSEL ARTHUR HUH: Chair  
18 Moya, Council Member Grodenchik has a hand raised for  
19 a question.

20 CHAIRPERSON FRANCISCO MOYA: Yes sir,  
21 hand it over to Council Member Grodenchik.

22 BARRY GRODENCHIK: Thank you Chair. Uhm,  
23 thank you very much. Thank you to the applicants. I  
24 just, a quick question. What is the uhm total value,  
25 if you said this, I'm sorry if I missed it but the

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 47

2 total investment that you are making in the Cort

3 Theatre to bring it back to, to change it to bring it

4 back to its former glory?

5 JOHN DARBY: Our budget is approximately

6 \$40 million dollars.

7 BARRY GRODENCHIK: Okay uhm and that

8 takes care of everything in your, in the Cort Theatre

9 itself?

10 JOHN DARBY: Yes, in our project.

11 BARRY GRODENCHIK: Somebody testified

12 that you would be using union construction labor

13 there?

14 JOHN DARBY: Correct.

15 BARRY GRODENCHIK: And do you have, I

16 know you are not the applicants for the hotel, do you

17 have any idea what their value is? If not, we will

18 find out. Okay, I saw that nod of the head, I guess

19 that is a no so. Uhm. Okay, the Chair and Councilman

20 Powers everything else that I would have asked so,

21 thank you, thank you Mr. Chair.

22 CHAIRPERSON FRANCISCO MOYA: Thank you,

23 thank you Barry. Are there any other Council Members

24 with any questions?

25

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 48

2 SUBCOMMITTEE COUNSEL ARTHUR HUH: Chair,  
3 I see no members with questions.

4 CHAIRPERSON FRANCISCO MOYA: Thank you,  
5 uhm their being no further questions, the applicant  
6 panel is now excused, uhm, thank you again for your  
7 testimony today. Uhm, Counsel are there any members  
8 of the public who wish to testify on the Cort Theatre  
9 application?

10 SUBCOMMITTEE COUNSEL ARTHUR HUH: Yes,  
11 Chair Moya we have approximately six public witnesses  
12 who have signed up to speak. For members of the  
13 public here to testify please note again that witness  
14 panels will be called in groups of up to four names  
15 per panel. If you are a member of the public who has  
16 signed up to testify on LU items 712 and 713 for the  
17 Cort Theatre proposal and as you hear your name being  
18 called please standby and prepare to speak when the  
19 Chair says that you may begin. Please also note that  
20 once all panelists in your panel have completed their  
21 testimony, you will be removed as a group and the  
22 next group of speakers will be announced. After you  
23 have completed your testimony and your group has been  
24 removed, participants may continue to view the  
25 livestream broadcast of this hearing. We will now



1 SUBCOMMITTEE ON ZONING AND FRANCHISES 49  
2 hear from the first panel which will be Charlotte St.  
3 Martin, Elizabeth Baker, James Claffy and Jessica  
4 Vodoor.

5 CHAIRPERSON FRANCISCO MOYA: Okay uhm  
6 just a, a reminder member of the public you will be  
7 given two minutes to speak, please do not begin until  
8 the Sargeant at Arms has started the clock. The  
9 first speaker will be Charlotte St. Martin who will  
10 be followed by Elizabeth Baker.

11 SGT. STEVEN SADOWSKY: Time starts now.

12 CHARLOTTE ST. MARTIN: I am Charlotte St.  
13 Martin, President of the Broadway League which is the  
14 trade association representing Broadway and  
15 Commercial Theatre in New York and across the  
16 country. Uhm, we are here to speak in favor of the  
17 improvement of the historic Cort Theatre. These  
18 improvements will make critical enhancements to the  
19 theatre that will make it better for ADA theatre  
20 goers and all theatre goers will receive uhm better  
21 accommodations and better facilities. The theatre  
22 will enable the artist and creative staff to better  
23 deliver the award-winning shows that the theatre will  
24 host while not disturbing the historic building's  
25 essence. As Broadway is a critical economic driver

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 50  
2 for New York City and is responsible for over 97,000  
3 jobs in the City and gives an economic impact to the  
4 City of almost \$15 billion with a B. It is important  
5 that we maintain the quality of our industry and  
6 facilities to retain the most important theatre  
7 location in the world. What we do impacts jobs in  
8 the most critically hit industries in New York  
9 including hotels, restaurants, attractions and  
10 tourism overall. As Julio said, people come to New  
11 York to see a Broadway show and then they stay in the  
12 theatres and so forth. We must protect this asset to  
13 the City during the times of economic challenges for  
14 our City, the Capital Investment will create jobs  
15 when the City needs it most. It will send a message  
16 that Broadway is coming back in top form and  
17 especially for their darling theatre. Thank you.

18 CHAIR FRANCISCO MOYA: Thank you, thank  
19 you for your testimony Charlotte.

20 SUBCOMMITTEE COUNSEL ARTHUR HUH: Next  
21 speaker will be Elizabeth Baker who will be followed  
22 by James Claffy.

23 SGT. STEVEN SADOWSKY: Time starts now.

24 ELIZABETH BAKER: Good morning Chair Moya  
25 and members of the Subcommittee. My name is Elizabeth

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 51

2 Baker and I am SEIU local 32BJA's Director of

3 Bargaining and Employer Relations for the New York

4 Metro area. Thank you for the opportunity to testify

5 today. On behalf of SEIU local 32BJA I want to

6 express our support for the Shubert Organization's

7 initiative to improve the Cort Theatre. Given the

8 economic challenges facing the theatre industry in

9 the pandemic, projects that will maintain the

10 viability and vitality of Broadway institutions are

11 essential. This initiative is meant to invest in the

12 future of the Cort Theatre and is a chance to ensure

13 that one of our Bedrock Cultural Institutions can

14 come back even stronger after the pandemic. The

15 physical improvements that the Cort plans to make to

16 its facility as part of this rezoning will provide an

17 improved experience for staff, artists, patrons and

18 pave the way for the theatre to thrive in years to

19 come. Among the many benefits it provides to our

20 community, the Cort Theatre is a source of good jobs

21 for working New Yorkers. Local 32 BJA represents the

22 facility cleaners and security officers at the

23 theatre who make family-sustaining wages with

24 excellent health benefits and a defined benefit

25 pension plan. The Shubert organization has a track

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 52  
2 record of responsible employment and of working in  
3 partnership with our union to meet the needs of our  
4 members. Our Cort cleaning members, like many  
5 Broadway workers are currently laid off due to the  
6 closure of the theatre and we see this project as a  
7 key helping the theatre invest in the existing  
8 workers and create additional good cleaning jobs that  
9 will flow from the expansion of the footprint of the  
10 facility. This application is an opportunity to  
11 rejuvenate a treasured Broadway Theatre and protect  
12 and grow good jobs that it provides for working  
13 people in New York City and we respectfully ask that  
14 you improve it. Thank you.

15 CHAIRPERSON FRANCISCO MOYA: Thank you.

16 SUBCOMMITTEE COUNSEL ARTHUR HUH: Thank  
17 you. Uhm, next speaker will be James Claffy.

18 SGT. STEVEN SADOWSKY: Time starts now.

19 JAMES CLAFFY: Good morning uhm Council  
20 Members and to the Chair. I am happy to be here in  
21 support of one of the Local 1 of the real substantial  
22 employers of Shubert Organization. Local 1 of the  
23 IATSC represent 3600 members in the theatre community  
24 in New York City as well as 150,000 members as an  
25 International Vice-President of the International

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 53

2 Alliance of Theatre Stage in Courts. Uhm, there is no

3 secret that our industry, as I heard one of the

4 Council Members say is decimated at this time. I

5 think a real revitalization of uhm, of the Cort

6 Theatre which is frankly a cultural jab of our

7 industry and frankly the City of New York it goes

8 hand in hand hopefully with the resurgence of the

9 Broadway Community and frankly the theatre community

10 throughout the City of New York. The Cort Theatre is

11 one of the theatres that we obviously service. It's

12 got while it is really a significant part of our

13 community it has its challenges and those challenges

14 are frankly everyday that we have a, that we have a

15 show and we have an obligation to put on a show and

16 to load the show in and to put in to full operation

17 and those challenges are many. Those that are

18 addressed by the representatives of the Shubert

19 Organization will remedy those challenges which gives

20 us a better opportunity to provide the service on

21 behalf of the theatre goers, our employer, it is a

22 safer environment and frankly you know when you have

23 producers looking for theatres to put their shows,

24 uhm, you know our house crews, whether it is the

25 stage crew, wardrobe, hair and makeup, box office,

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 54

2 uhm the teamsters that otherwise services the theatre

3 they want a real opportunity to get in a show and the

4 producers are going to look at a theatre that has its

5 grandeur and the Cort Theatre needs that. The Cort

6 Theatre needs to be able to compete with the other

7 theatres. My apologies, is that my time?

8 CHAIRPERSON FRANCISCO MOYA: If you, if

9 you can wrap it up.

10 JAMES CLAFFY: Local 1 and the

11 International Alliance of the Theatrical Stage

12 Employees are in full support of the application and

13 we would urge you to consider that with our thanks.

14 CHAIRPERSON FRANCISCO MOYA: Thank you

15 James.

16 SUBCOMMITTEE COUNSEL ARTHUR HUH: It

17 appears that Jessica Vodoor is unavailable or has

18 left us so, Chair Moya that was the last speaker on

19 this panel and you can, see if there are questions

20 for this panel.

21 CHAIRPERSON FRANCISCO MOYA: Uhm, thank

22 you for your testimony. Uhm, if any Council Members

23 have questions for this panel, please indicate by

24 using the raise hand button. Counsel, do we have any

25 Council Members with questions?

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 55

2 SUBCOMMITTEE COUNSEL ARTHUR HUH: No,  
3 Chair, I don't see, excuse me, Council Member Powers  
4 has his hand raised for the panel.

5 KEITH POWERS: Thank you, thanks to  
6 everyone for your support and your testimony. Uhm,  
7 uhm thank you to the Broadway League and others I  
8 know you have gone through a lot and Local 1. I just  
9 ask this to the theatre as well but just wanted to,  
10 uhm, maybe Mr. Claffy this is maybe for you. We will  
11 get you unmuted. You are unmuted.

12 JAMES CLAFFY: Yes sir.

13 KEITH POWERS: Thank you and I know this  
14 has been, a, uhm, Mr. Claffy I am sure this has been  
15 a difficult year for, for your members here. Uhm,  
16 when do you anticipate your members will be going  
17 back to work and, and what are, what have they been  
18 doing during the pandemic if anything?

19 JAMES CLAFFY: To be fair, I am going to  
20 have to echo with, uhm with uhm, with Julio from the  
21 Shubert Organization said and Ms. Martin will, will  
22 likely on behalf of the employers have a better  
23 indication from their view. Local 1 is ready right  
24 now uhm to go to work and I think the response about  
25 the Governor's mandate, the vaccine, all hand in hand

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 56

2 then frankly, what the, what the producers and the  
3 theatre owners speak you know will solve the  
4 audience, uhm the theatre goers concern of sitting  
5 next to each other after the vaccination and after  
6 the mandate is lifted. So, my answer is that I am  
7 hoping sooner than later but if I was to give you a  
8 real date, I would be misleading you. Our hope is we  
9 would like to start tomorrow but uhm I think Ms.  
10 Martin has a better idea of just what that may be uhm  
11 for our purpose I think it is just an older real  
12 recipe that needs to be put together for it to  
13 happen.

14 KEITH POWERS: Sure, now I appreciate  
15 that. And just one last question, this is for of  
16 course, Ms. St. Martin and the Broadway League. Nice  
17 to see you uhm and as well. Just wanted to ask uhm  
18 just quickly the uhm the Federal Government honestly  
19 just passed a new package this year, did that include  
20 some relief for the sake of our stages legislation  
21 which we have all been advocating for for some period  
22 of time with Senator Shumer and others. Can you just  
23 give us a quick overview of how you think it impacts  
24 the uhm, the Broadway industry and whether you think  
25 it is efficient and also what are the terms of it.



1 SUBCOMMITTEE ON ZONING AND FRANCHISES 57

2 Going to meet with you **(INAUDIBLE)** that they are  
3 asking for.

4 CHARLOTTE ST. MARTIN: Sure uhm, we uhm,  
5 advocated strongly with uhm Senator Shumer and the  
6 strong bipartisan group that introduced the Bill, the  
7 Save our Stages Bill and what it is geared to do is  
8 to help us get back open and hopefully stay open long  
9 enough when we know that attendance will likely be  
10 down and will be adding significant cost to having  
11 people in our theatres. So, while this won't spur new  
12 investment in Broadway it will hopefully help us get  
13 open, get all of our uhm employees back to work as  
14 well as all of the respites and hotels around us  
15 helping get them back to work. The Small Business  
16 Administration uhm will be taking this Bill and  
17 developing the rules and regulations in the very near  
18 future so we don't know yet from a detailed  
19 perspective what uhm, what the criteria will be but  
20 we do know that shows that had been running for a  
21 year prior to the shutdown will have an opportunity  
22 to apply for forgivable grants to help us get that  
23 back open and the Bill is primarily geared to those  
24 that lost 90% or more of their revenue and as you  
25 know Broadway was the first industry out and will be

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 58  
2 the last in so there are significant losses at the  
3 90% level and the 70% level and all of that but, we  
4 do hope that it will help the theatres be able to uhm  
5 make the changes that are required from a COVID  
6 perspective, uhm, we hope that the Bill will enable  
7 producers the opportunity to get people back to work.  
8 They've all spent all of their advances for the most  
9 part so they will have to have rehearsals that may  
10 last as little as two months and for newer shows up  
11 to four months and they are going to need to market  
12 and get people back and I could keep going but that  
13 is probably more information than you want. We are  
14 hoping that by mid to late summer we will be back  
15 rehearsing and opening our theatres in the fall and  
16 if there were a miracle, we, we like Mr. Claffy uhm  
17 would be ready to go back to work very quickly.

18 KEITH POWERS: Thank you, thanks Jeff.

19 CHAIRPERSON FRANCISCO MOYA: Thank you  
20 uhm Council Members Powers. Uhm, Counsel, is there  
21 any other Council Members that uhm have questions for  
22 this panel.

23 SUBCOMMITTEE COUNSEL ARTHUR HUH: No  
24 Chair, I see no other members with questions for the  
25 panel.

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 59

2 CHAIRPERSON FRANCISCO MOYA: Thank you,  
3 uhm, there being no more questions for this panel,  
4 uhm the witness panel is now excused. Thank you for  
5 your testimony today. Uhm, Council, if you can please  
6 call up the next panel.

7 SUBCOMMITTEE COUNSEL ARTHUR HUH: Next  
8 panel will include Andrea Goldwyn, will be followed  
9 by Christine Nicholas. Andrea Goldwyn.

10 SGT. STEVEN SADOWSKY: Time starts now.

11 CHAIRPERSON FRANCISCO MOYA: Hold on, we  
12 are going to unmute you, hold on one second.

13 ANDREA GOLDWYN: Uhm, thank you uhm,  
14 thank you good day Chair Moya and Council Members I  
15 am Andrea Goldwyn speaking on behalf of the New York  
16 Landmarks Conservancy. A Conservancy supports this  
17 application to improve the Cort Theatre and  
18 individual and interior landmark designed by Themed  
19 Theatre Architect, Thomas Lamb. We are pleased to  
20 testify in 2017 at the Landmarks Commission which led  
21 to an LPC approval of this project. At that time, we  
22 noted that restoration of the Cort's French Neo-  
23 Classical Façade including the windows, doors, and  
24 marquis will enhance this institution, work at the  
25 theatre's rich interior will improve fixtures and

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 60

2 finishes such as murals and plaster ornament and

3 bring back the rose and gold color scheme. He will

4 also revive the glory of the Proscenium with its

5 unique art glass detailing. The new annex is said to

6 provide services and amenities which are considered

7 standard to contemporary theatre audiences such as

8 ADA accessible restrooms and circulation space and

9 those which theatre productions use including

10 increased backstage and rehearsal space. The

11 proportions of façade are in line with those of the

12 theatre and its modest contemporary details provide

13 an appropriate background to this exquisite landmark.

14 Alterations to the interior in order to integrate the

15 annex are minor and will not detract from its

16 character. The LPC Designation report refers to the

17 Cort as one of the theatres that has come to

18 personify the American Theatre and that its presence

19 helps to visually to define the Broadway Theatre

20 District. This project coupled with the services

21 that will be available in the annex will ensure the

22 Cort's continued survival and success. The Shubert

23 Organization has always been an excellent steward of

24 its landmark theatres. We appreciate the continued

25 work on this project during this difficult time and

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 61

2 we value the Shubert's Organization state in revival  
3 of Broadway and the City. We urge the Council to  
4 support this project. Thank you for the opportunity  
5 to present the Conservancy's views.

6 CHAIRPERSON ARTHUR HUH: Thank you.

7 SUBCOMMITTEE COUNSEL ARTHUR HUH: Thank  
8 you. The next speaker will be Christine Nicholas.

9 SGT. STEVEN SADOWSKY: Time starts now.

10 CRISTYNE NICHOLAS: Thank you, Chair  
11 Moya. My name is Cristyne Nicholas and I am  
12 testifying today on behalf of the Broadway  
13 Association of which I Chair in support of the  
14 Shubert Organization's Land Use Application for the  
15 Historic Cort Theatre's Rehabilitation and expansion.  
16 The Broadway Association is a 110-year-old non-profit  
17 organization dedicated to the cultural and economic  
18 betterment of Mid-Town West which comprises the  
19 Broadway Theatre District with association works  
20 together with other civic, cultural and business  
21 organizations to foster a client that is usured in  
22 the development renaissance within the Community and  
23 also serves as a resource of support during these  
24 unprecedented times. In its current state, the Cort  
25 Theatre is hampered by deficiencies impact the

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 62

2 public's experience and limiting the potential of the

3 cast, crew and staff. It lacks patron amenities such

4 as adequate public restrooms and accessibility. The

5 lobby and box office areas are crammed and do not

6 allow for social distancing and the tight backstage

7 in wing spaces limit the work of stage crews and set

8 designers. Given the current economic realities

9 inflicted on the Broadway industry it is more

10 important now than ever to rally behind initiatives

11 that will restore the vitality of the most important

12 cultural and economic assets of New York City. New

13 York City won't be back until Broadway is back.

14 Realizing the fully restored and expanded Cort

15 Theatre during these difficult times will send a

16 clear message that Broadway and New York City will be

17 back stronger than ever. And if you recall following

18 the events of 09/11 the Broadway Theatre was reopened

19 just two days after the attack sending a strong

20 message to the world that New York City was stronger,

21 back on its feet and remained opened for business.

22 We can do the same with this. The Broadway

23 Association enthusiastically supports this dynamic

24 project and will be a catalyst in revising Broadway

25 in creating opportunities for all New Yorkers. We ask

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 63

2 that you vote favorably in support of their  
3 application. Thank you very much.

4 CHAIRPERSON FRANCISCO MOYA: Thank you.

5 SUBCOMMITTEE COUNSEL ARTHUR HUH: Chair,  
6 uhm, we uhm, we are now to, I believe we are now able  
7 to bring back Jessica Vodoor on this panel. The next  
8 speaker will be Jessica Vodoor.

9 SGT. STEVEN SADOWSKY: Time starts now.

10 JESSICA BAKER VODOOR: Good morning.  
11 Thank you very much. My name is Jessica Baker Vodoor.  
12 And I testify today as the Vice-President of  
13 Operations for the non-profit organization, the new  
14 42nd Street and we share our full support of the  
15 Shubert Organization's initiative to improve the  
16 historic Cort Theatre by allowing the full  
17 restoration and expansion of the Cort Theatre, you  
18 will have an opportunity to support and celebrate one  
19 of New York City's most important cultural assets.  
20 Founded in 1990 by New York City and State, New 42  
21 was originally created when the City and State of New  
22 York entrusted the new 42 to restore 7 historic 42nd  
23 Street theatres between 7th and 8th Avenues. Facing  
24 recession, its time to need other commercial  
25 development in the area, new 42 adopted a bold plan

1 SUBCOMMITTEE ON ZONING AND FRANCHISES

64

2 supported by enlightened public officials that  
3 revitalized 42nd Street and the Broadway District.  
4 As stewards of the historic theatres of 42nd Street,  
5 new 42 has an intimate knowledge and authority on the  
6 facilities necessary to serve a modern theatre  
7 audience and just as the new victory lacked space  
8 within its original footprint to accommodate public  
9 accessibility and mobility needs, the Cort Theatre  
10 must also find creative solutions to improve the  
11 health and safety and comfort of its audience  
12 members, its cast, its crews, its lighting designers,  
13 theatre staff and anyone else involved in the  
14 production. The Landmark Cort Theatre will benefit  
15 enormously from these significant improvements such  
16 as a newly accessible audience restrooms, additional  
17 lobby space, accessible dressing rooms and improved  
18 air circulation which is critical at this time in our  
19 industry's history. All of the contemplated  
20 improvements to the Cort Theatre are crucial for it  
21 to thrive as the premier Broadway House that it  
22 should be. We enthusiastically support this dynamic  
23 project that will be a catalyst in reviving Broadway  
24 and creating opportunities for all New Yorkers and in

25



1 SUBCOMMITTEE ON ZONING AND FRANCHISES 65

2 that spirit, we urge this Committee to support this  
3 essential project before you today. Thank you.

4 SUBCOMMITTEE COUNSEL ARTHUR HUH: Thank  
5 you. Chair, that is the last speaker for this panel.  
6 You have the opportunity to ask questions uhm of the  
7 panel.

8 CHAIRPERSON FRANCISCO MOYA: Uhm,  
9 Counsel, do we have any Council Members who wish to  
10 ask the panel any questions?

11 SUBCOMMITTEE COUNSEL ARTHUR HUH: No  
12 Chair, I see no members of uhm with questions for the  
13 panel.

14 CHAIRPERSON FRANCISCO MOYA: Uhm, there  
15 being no more questions for this panel, the witness  
16 panel is now excised, thank you so much for your  
17 testimony today. Counsel, can you please call up the  
18 next panel?

19 SUBCOMMITTEE COUNSEL ARTHUR HUH: If  
20 there are any members of the public who wish to  
21 testify on LU numbers 712 and 713 for the Cort  
22 Theatre Proposal please press the raise hand button  
23 now. Uhm, participants joining by phone who wish to  
24 testify on LU 712 and 713 are asked to use the \*9  
25 buttons on your keypad uhm to raise hand and the

1 SUBCOMMITTEE ON ZONING AND FRANCHISES 66  
2 meeting will now stand at ease briefly while we check  
3 for members of the public. Chair Moya, I see no  
4 other members of the public who wish to testify on  
5 this item.

6 CHAIRPERSON FRANCISCO MOYA: Thank you.  
7 There being no members of public who wish to testify  
8 on LU numbers 712 and 713 for the Cort Theatre  
9 proposal and the public hearing is now closed and the  
10 item is laid over. That concludes today's business  
11 and I would like to thank the members of the public,  
12 my colleagues, the Subcommittee Council, Land Use and  
13 other Council Staff and the Sargeant at Arms uhm for  
14 participating in today's meeting. This meeting is  
15 hereby adjourned. Thank you.

16

17

18

19

20

21

22

23

24

25

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date February 1, 2021