

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License/Sidewalk Cafe Stipulations Application

CORPORATION NAME S&F Szechuan Inc		DOING BUSINESS AS (DBA) Szechuan Mountain	
STREET ADDRESS 353 West 46th Street		CROSS STREETS 8th Avenue & 9th Avenue	ZIP CODE 10036
OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small>	NAME: Fang Yi He	ATTORNEY/ REPRESENTAIVE	NAME: James Wang
	PHONE:		PHONE: 212-219-3070
	EMAIL:		EMAIL: j.y.wang.ny@gmail.com
MANAGER	NAME: Yamin Ji	LANDLORD	NAME: 353 West 46th Owner LLC
	PHONE: 631-943-9843		PHONE: 646-596-9662
	EMAIL:		EMAIL:
APPLICATION TYPE (<input checked="" type="checkbox"/> <i>Liquor License</i> <input type="checkbox"/> <i>Unenclosed Sidewalk Cafe</i>)			
<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?		<input checked="" type="radio"/> YES <input type="radio"/> NO
	What is/was the name and address of establishment?		M & Y CATERING INC 31, SAINT MARKS PL
	What were the dates applicant was involved with this former premise?		06/01/2018
<input type="radio"/> Corp Change/Class Change/Removal	What is the license # and expiration date?		
	Is applicant making any alterations or operational changes?		<input type="radio"/> YES <input type="radio"/> NO
	<i>If alterations or operational changes are being made, please describe/list all changes.</i>		
<input type="radio"/> Alteration	What is the current license # and expiration date?		
	<i>Please list/describe the nature of all the changes and attach the plans:</i>		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input checked="" type="radio"/> Liquor/Wine/Beer & Cider <input type="radio"/> Beer & Cider <input type="radio"/> Wine/Beer & Cider		
ESTABLISHMENT TYPE	<input checked="" type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Bar/Tavern <input type="radio"/> Catering Establishment <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Club (Fraternal Organization – Members Only)		
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?		<input type="radio"/> YES	<input checked="" type="radio"/> NO
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 ft. radius of your establishment and the Public Interest Statement.		<input checked="" type="radio"/> YES	<input type="radio"/> NO
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.		<input type="radio"/> YES	<input checked="" type="radio"/> NO
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?		<input checked="" type="radio"/> YES	<input type="radio"/> NO

OPERATIONAL DETAILS (*Closing time will be when establishment is vacated of all patrons)

HOURS* <i>(Indoor Only)</i>		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	11am-12am	11am-12am	11am-12am	11am-12am	11am-12am	11am-12am	11am-12am
	Kitchen	11am-12am	11am-12am	11am-12am	11am-12am	11am-12am	11am-12am	11am-12am
	Music	11am-12am	11am-12am	11am-12am	11am-12am	11am-12am	11am-12am	11am-12am

If you plan to have music, what type(s)?
(Circle all that apply)

<input checked="" type="checkbox"/> BACKGROUND	<input type="checkbox"/> LIVE MUSIC	<input type="checkbox"/> DJ	<input type="checkbox"/> JUKE BOX	<input type="checkbox"/> KARAOKE
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OCCUPANCY

	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Stand-Up Bar
INSIDE	74	74	19	68	0	0	0
OUTSIDE <i>(Other than sidewalk café)</i>	0	0	0	0	0	0	0
SIDEWALK CAFÉ	0	0	0	0			

How many floors are there? What is the capacity for each floor?
 Basement-kitchen
 3 floors 1st Floor-28; 2nd floor-40

How frequently will the owner(s) be at the establishment?
 6 days per week

Will there be dancing?
 YES NO

Will applicant have bottle or table service for beverage alcohol?
 YES NO

Will you be hosting private; promotional or corporate events?
 YES NO

Will outside promoters be used on a regular basis? If yes please describe.
 YES NO

Will you have a security plan? If, yes please attach.
 YES NO

Will security plan be implemented?
 YES NO

Will State certified security personnel be used?
 YES NO

Will New York Nightlife Association and NYPD Best Practices be followed?
 YES NO

Will applicant be using delivery bicycles? If yes, how many?
 YES NO

Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly noting name as described by NYC Law?
 YES NO

Where will delivery bicycles be stored during the day when not in use?

LOCATION & ZONING			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="radio"/> NO	
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO	
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	
Are your plans filed with DOB?	YES	<input checked="" type="radio"/> NO	

Community Notification/Relations			
NOTIFICATION: List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted	# 1		
	# 2		
	# 3		
	# 4		
	# 5		
Please provide dates when applicant met with the groups listed above.			
Who was your contact person at each group you met with?			
When did applicant post the notice that was provided?			
Where did applicant post the notice that was provided?			
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.		<input checked="" type="radio"/> YES	NO
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?		<input checked="" type="radio"/> YES	NO

BUILDING DESIGN			
State the name and type of business previously located in the space.	353 West NYC		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	<input checked="" type="radio"/> NO	
Do you plan any changes to the existing façade? If yes, please describe.	YES	<input checked="" type="radio"/> NO	
Will applicant have a vestibule within the establishment?	YES	<input checked="" type="radio"/> NO	
Will applicant use a storm enclosure?	YES	<input checked="" type="radio"/> NO	
Will applicant agree not to place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	<input checked="" type="radio"/> YES	NO	
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> YES	NO	
Will the establishment have any of the following: (circle all that apply)	FRENCH DOORS	GARAGE DOORS	WINDOWS THAT CAN BE OPENED
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	<input checked="" type="radio"/> YES	NO	
Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment?	<input checked="" type="radio"/> YES	NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	<input checked="" type="radio"/> YES	NO	
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	<input checked="" type="radio"/> YES	NO	
Will the kitchen exhaust system extend to the roof?	YES	<input checked="" type="radio"/> NO	
Will the establishment have an illuminated sign?	<input checked="" type="radio"/> YES	NO	
Will the establishment have a canopy extending over the sidewalk?	YES	<input checked="" type="radio"/> NO	
Where will the air conditioner be located? What type is it?	A/C		
When was the air conditioner installed?			

Handwritten initials/signature

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ

Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Are the floorplans for the outdoor space(s) included?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	<input type="radio"/> YES	<input type="radio"/> NO	
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	<input type="radio"/> YES	<input type="radio"/> NO	
Will there be no amplified music, as per the law?	<input type="radio"/> YES	<input type="radio"/> NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant agree to post signs outside asking customers to respect the neighbors'?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant agree to train staff to encourage a peaceful environment?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	<input type="radio"/> YES	<input type="radio"/> NO	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	<input type="radio"/> YES	<input type="radio"/> NO	

OUTDOOR ITEMS – SIDEWALK CAFÉ

Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant be applying for a sidewalk café now or in the future?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Is applicant in this application seeking to include a sidewalk café in its liquor license?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	<input type="radio"/> YES	<input type="radio"/> NO	
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk cafe?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant mark the perimeter of the café on the sidewalk?	<input type="radio"/> YES	<input type="radio"/> NO	
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	<input type="radio"/> YES	<input type="radio"/> NO	
Will the sidewalk café not provide standing space for drinking or smoking?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input type="radio"/> YES	<input type="radio"/> NO	
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	<input type="radio"/> YES	<input type="radio"/> NO	
Will all furniture be stored inside between December 21 st and March 21 st , and any other day when it rains or snows?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant use umbrellas?	<input type="radio"/> YES	<input type="radio"/> NO	
If construction or construction protection has reduced the sidewalk width, will applicant always maintain an 8 foot clear path of sidewalk between the perimeter of the café and the closes obstruction including construction barricades?	<input type="radio"/> YES	<input type="radio"/> NO	

ADDITIONAL STIPULATIONS: (Office Use Only)

To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

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Manhattan Community Board 4 (MCB4) recommends:
 (MCB4's recommendation is based on a vote taken at its
 June 5, 2019 full board meeting, with 45 members voting in favor
 of the recommendation, 0 members opposed, 0 members
 abstaining and 0 present but not eligible)

Denial unless all stipulations agreed to by applicant/owner are part of the method of
 operation


Denial Approval

CB4 REPRESENTATIVES

 Nelly Gonzalez CB4 Assistant District Manager	 Frank Holozubiec CB4 BLP Committee Co-Chair	 Yoni Bokser CB4 BLP Committee Co-Chair
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APPLICANT AGREEMENT WITH THE COMMUNITY

Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of operation of its liquor license. The stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 and applicant. These stipulations supersede any oral statements or representations in connection with this application.

<p>SIGN HERE →</p>	<p>Lin Ming</p> <p>PRINT NAME OF APPLICANT</p>	 <p>SIGNATURE OF APPLICANT</p>	<p>5/14/19</p> <p>DATE</p>
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Proximity Report for Location:

April 20, 2019

353 W 46 St, New York, NY, 10036

On-Premise Licenses within 500 Feet

Name	Address	Approx. Distance
G CUBED CORP	369 W 46TH ST	20 ft
BETTI BAR INC	373 W 46TH STREET	30 ft
BARE CITY THREE LLC	366 W 46TH ST	45 ft
KINSALE ROAD INC	370 WEST 46TH STREET	55 ft
363 WEST 46TH STREET TAVERN INC	363 W 46TH ST	65 ft
ERMINIA RESTAURANT CORPORATION	361 W 46TH STREET	80 ft
JOIN US HK LLC	364 W 46TH ST	115 ft
HAMA NEW YORK INC	358 W 46TH ST	125 ft
365 SEKI INC	365 367 W 46TH ST	130 ft
POLA RESTAURANT INC	355 W 46TH STREET	135 ft
TRES MOSQUETEROS CORP	371 W 46TH ST	150 ft
353 LIVE LIMITED LIABILITY COMPANY	353 W 46TH ST	155 ft
LA BUCA REST CORP	349 W 46TH ST	185 ft
CDDF RESTAURANT INC	346 348 W 46TH ST	195 ft
658 THAI CORP	658 9TH AVE	210 ft
MESON SEVILLA LTD	344 WEST 46TH ST	225 ft
DTM PB CORP	343 W 46TH ST	240 ft
WEST J & R INC	342 W 46TH STREET	245 ft
DIM SUM PALACE INC	334 W 46TH ST	245 ft
340 WEST 46TH STREET CORP	340 W 46TH STREET	260 ft
JANDA LATINO 46 LLC	338 W 46TH ST	275 ft
656 NINTH AVENUE PUB CORP	656 9TH AVENUE	275 ft
659 REST INC	659 9TH AVE	310 ft
TUM TUM BKK CORP	650 652 9TH AVE	315 ft
LATTO 317 LLC	317 W 46TH ST	335 ft
RESTAURANT & CAFE ON NINTH CORP	653 9TH AVENUE	340 ft
BRAZIL 46 RESTAURANT ROW INC	328 330 W 46TH ST	340 ft
SAMBA BRAZIL RESTAURANT INC	661 9TH AVE	345 ft
THREE AND ONE GROUP LLC	320 W 46TH ST	355 ft
GO BNB REST LLC	675B 9TH AVE	360 ft
315RR LLC	315 W 46TH ST	360 ft
PARADISO 679 INC	679 9TH AVE	370 ft
SETA RESTAURANT CORP	686 688 NINTH AVENUE	375 ft
326 RESTAURANT CORP	326 W 46TH STREET	380 ft
647 NINTH AVE CORP	647 9TH AVE	385 ft
SHNY RESTAURANT GROUP LLC	643 645 9TH AVENUE	400 ft
AHMN INC.	690 9TH AVENUE	410 ft
BARBETTA RESTAURANT INC	319 321 323 W 46TH STREET	410 ft
W F RESTAURANTS INC	322 W 46TH STREET	415 ft
683 NINTH AVENUE INC	683 NINTH AVE AKA 401 W 47TH	440 ft
DARDURO LLC	328 W 45TH ST	465 ft
NINTH AVENUE TOMATO INC	635 9TH AVENUE	490 ft
CHAUFA INC	698 700 9TH AVE	495 ft
ANNALISA ITALIA LTD	313 W 46TH ST	500 ft

500 Foot Rule Public Interest Statement

Re: S&F Szechuan Inc.
353 West 46th Street,
New York 10036

This is a liquor license.

- 1) This is an Asian Restaurant.
- 2) There are about 2000 square feet
- 3) This is full service restaurant not a bar.
- 4) We do have all necessary license and permits from the state and the New York City
- 5) We only have background music. It will be no increase in noise levels.
- 6) The owner do hold full liquor license about one in Downtown Manhattan. The manager (her husband) do hold full liquor license more than two years. Both have no any liquor violations.
- 7) Most, if not all, Chinese restaurant provide alcoholic beverage upon it is customary. It is part of Chinese culture and tradition to serve beer, wine and liquor with Chinese food. The liquor is as essential to an authentic meal as the Japanese food it is served with. Since we are an Chinese restaurant we would like to provide our customers with a true experience. Although there are restaurants within a 500 feet radius which serve alcoholic drinks, these restaurants are very different in styles. There will be no dancing or improper behavior within our premise. We only wish serve liquor with our dishes to enhance the dining experience and bring a flavor of China to our customers.

<input type="radio"/> Original	<input type="radio"/> Amended	Date _____
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500 FOOT LAW STATEMENT

Applicants for on premises liquor licenses must complete this section (Not required for on premises beer or wine applicants)

If the location is subject to the 500 Foot Law, and no other exception applies, the license cannot be issued unless the State Liquor Authority makes an affirmative finding that it is in the public interest to issue the license.

The provisions of Section 64, 64-a, 64-b, 64-c and 64-d of the ABC Law require the Authority to consult with the municipality or community board prior to granting a license for **ANY ON PREMISES LIQUOR ESTABLISHMENTS** where such premises is located within a 500 foot radius of three or more on premises liquor establishments and the population of the municipality is 20,000 or more. The Authority is further required to conduct a public hearing, upon notice to the applicant and the municipality or the community board.

The Proposed Premises (check the appropriate box below):

- IS NOT WITHIN A 500 FOOT RADIUS OF THREE OR MORE ESTABLISHMENTS HOLDING ON PREMISES LIQUOR LICENSES.
- IS WITHIN A 500 FOOT RADIUS OF THREE OR MORE ESTABLISHMENTS SELLING LIQUOR FOR ON PREMISES CONSUMPTION. (IF SO, YOU MUST COMPLETE THE WRITTEN STATEMENT BELOW AND SUBMIT THE NAMES AND ADDRESSES OF THE ESTABLISHMENTS WITHIN THE 500 FOOT RADIUS, *UNLESS THE PREMISES HAS BEEN CONTINUOUSLY LICENSED ON OR PRIOR TO NOVEMBER 1, 1993.*)
- NOT APPLICABLE - PREMISES HAS BEEN CONTINUOUSLY LICENSED ON OR PRIOR TO NOVEMBER 1, 1993.
- NOT APPLICABLE - POPULATION OF CITY, TOWN OR VILLAGE IS UNDER 20,000
- NOT APPLICABLE - BEER, WINE AND CIDER ONLY

IMPORTANT:

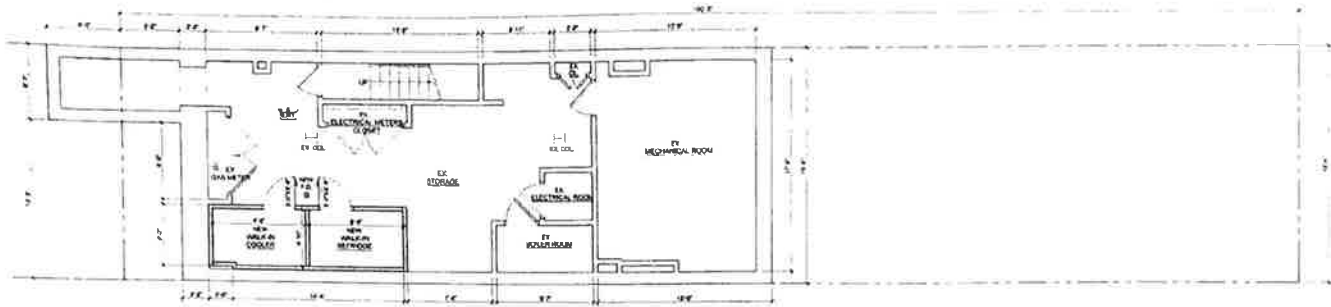
YOU MUST PROVIDE THE NAMES OF ALL ON PREMISES LIQUOR ESTABLISHMENTS LOCATED WITHIN A 500 FOOT RADIUS OF THE PROPOSED PREMISES

For assistance, use the "GIS Maps - LAMP" (Liquor Authority Mapping Project) system, which is available on our website.

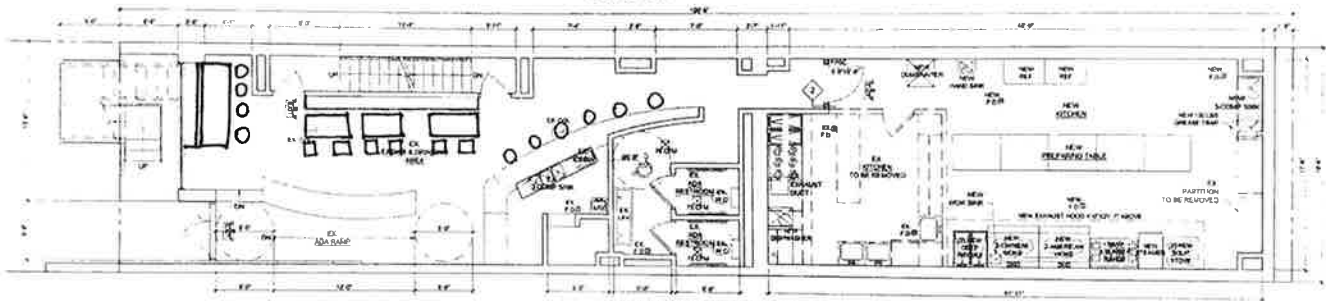
If a premises is within a 500 foot radius of three or more establishments holding on premises liquor licenses and has not been continuously licensed since November 1, 1993 and the population is over 20,000 you must **ATTACH A WRITTEN STATEMENT EXPLAINING IN DETAIL WHY YOU BELIEVE ISSUANCE OF THE LICENSE WOULD BE IN THE PUBLIC INTEREST.**

FAILURE TO SUBMIT THIS INFORMATION MAY RESULT IN DISAPPROVAL OF THE LICENSE APPLICATION.

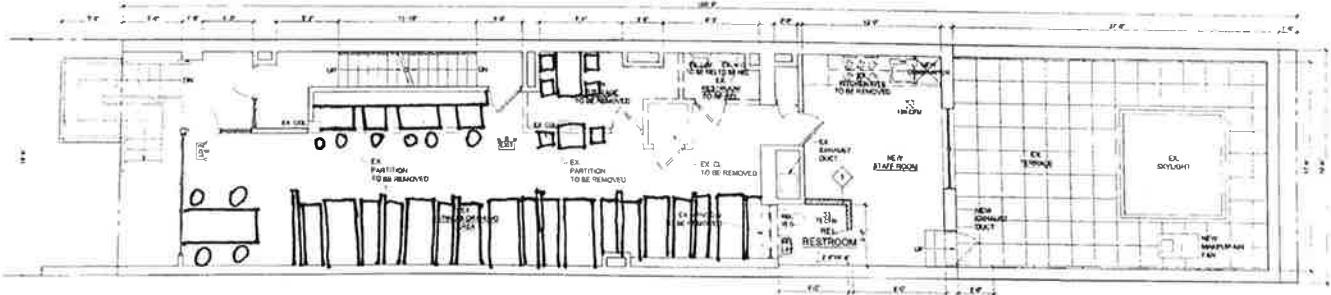
ADDRESS: 353 W 46 ST, NEW YORK, NY 10036



PROPOSED CELLAR PLAN
SCALE 1/4" = 1'-0"



PROPOSED BASEMENT PLAN
SCALE 1/4" = 1'-0"



353



THE TRAIN TEAM

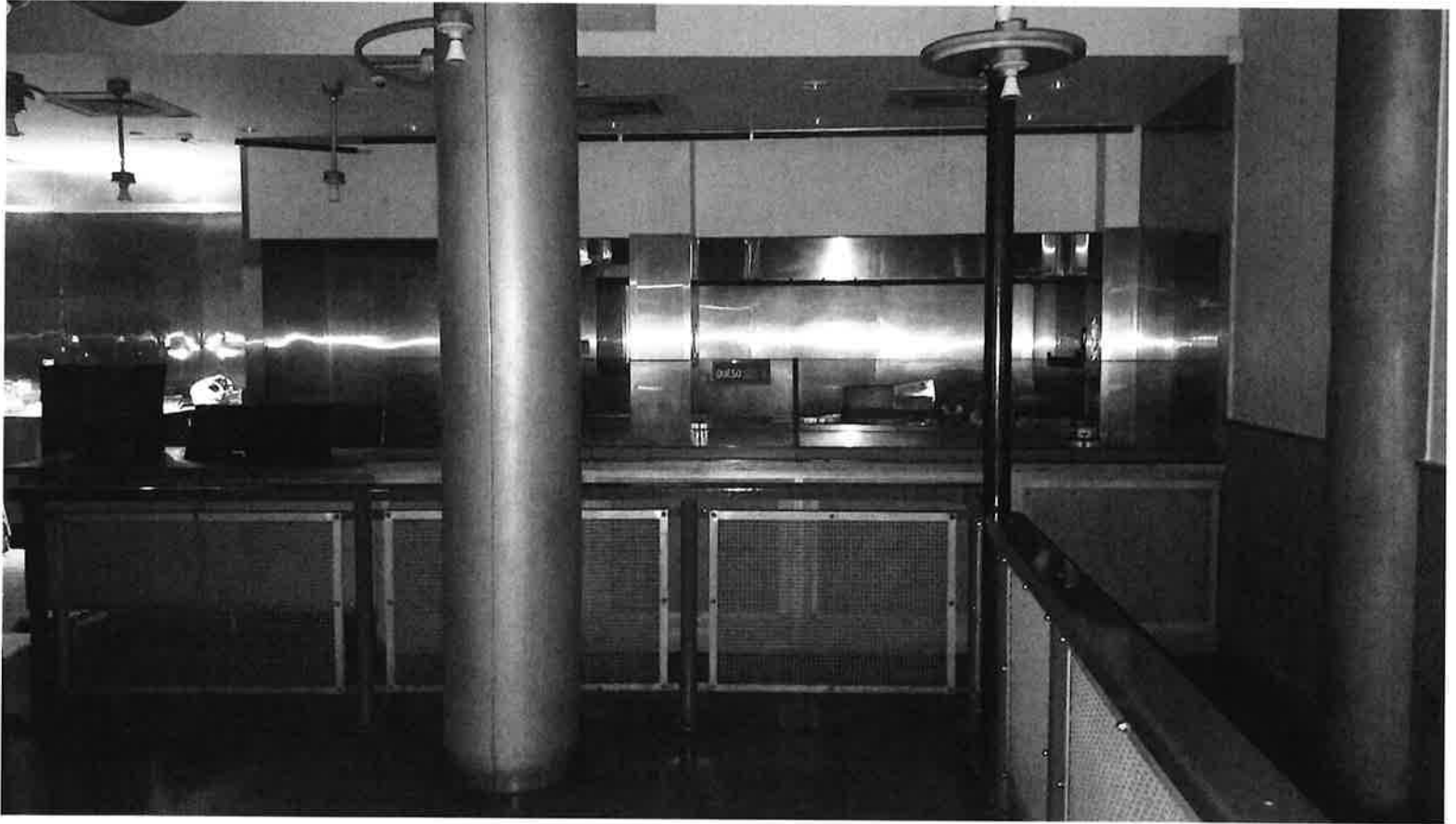
RESTAURANT & BAR













BURT LAZARIN
Chair

JESSE BODINE
District Manager

CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

330 West 42nd Street, 26th floor New York, NY 10036
tel: 212-736-4536 fax: 212-947-9512
www.nyc.gov/mcb4

PUBLIC NOTICE

Business Licenses and Permits Committee
will discuss an application submitted by

S&F Szechaun Inc.
353 W 46th Street

An application for a liquor, wine, beer & cider
license for a Restaurant Establishment with Recorded
Music

DATE:	Tuesday, May 14, 2019
TIME:	6:30 PM
PLACE:	Fountain House 425 W 47 th Street, Lower Level

We invite you to **attend** this meeting and give your comments on **this** application.
Alternately, **you** may mail, **fax** or email us at the **address listed above**.
For more information, please call 212-736-4536.

Posted according to the Administrative Code of the City of New York section 10-119. Please do not remove until after the above meeting date.