

# Manhattan Community Board 4

(All Fields Must Be Completed)

<b>CORPORATION NAME</b>		<b>DOING BUSINESS AS (DBA)</b>	
This must be the place group inc		Carla	
<b>STREET ADDRESS</b>		<b>CROSS STREETS</b>	<b>ZIP CODE</b>
331 West 51 Street, New York, NY		between 8th & 9th Ave	10019
<b>OWNER</b> <small>(Attach a list of all the people that will be associated/listed with the license)</small>	<b>NAME:</b> Barbie Cheung	<b>ATTORNEY/ REPRESENTAIVE</b>	<b>NAME:</b> Law Office of Zhen Liang Li, P.C.
	<b>PHONE:</b> 7187303199		<b>PHONE:</b> 718-337-8838
	<b>EMAIL:</b> bcheung2015@gmail.com		<b>EMAIL:</b> lawoffice5721@gmail.co,
<b>MANAGER</b>	<b>NAME:</b> Michael Kydes	<b>LANDLORD</b>	<b>NAME:</b> 331 West 51 Street NY LLC
	<b>PHONE:</b> 203-423-9176		<b>PHONE:</b> 516-355-8018
	<b>EMAIL:</b> kydes.m@gmail.com		<b>EMAIL:</b> 331w51@gmail.com
<b>APPLICATION TYPE</b> ( <input checked="" type="checkbox"/> <i>Liquor License</i> <input type="checkbox"/> <i>Unenclosed Sidewalk Cafe</i> )			
<input checked="" type="checkbox"/> <b>New</b>	Has applicant owned or managed a similar business?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
	What is/was the name and address of establishment?	Bar Basic & Carla	
	What were the dates applicant was involved with this former premise?	on or about 15 years experienced	
<input type="checkbox"/> <b>Corp</b> <b>Change/Class Change/Removal</b>	What is the license # and expiration date?		
	Is applicant making any alterations or operational changes?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	<i>If alterations or operational changes are being made, please describe/list all changes.</i>		
<input type="checkbox"/> <b>Alteration</b>	What is the current license # and expiration date?		
	<i>Please list/describe the nature of all the changes and attach the plans:</i>		
<b>METHOD OF OPERATION</b>			
<b>TYPE OF ALCOHOL</b>	<input checked="" type="checkbox"/> Liquor/Wine/Beer & Cider <input type="checkbox"/> Beer & Cider <input type="checkbox"/> Wine/Beer & Cider		
<b>ESTABLISHMENT TYPE</b>	<input checked="" type="checkbox"/> Restaurant <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input type="checkbox"/> Bar/Tavern <input type="checkbox"/> Catering Establishment <input type="checkbox"/> Adult Entertainment <input type="checkbox"/> Wine Bar <input type="checkbox"/> Dance Club <input type="checkbox"/> Sports Bar <input type="checkbox"/> 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="checkbox"/> YES	<input checked="" type="checkbox"/> NO	on or about 30 days from today
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="checkbox"/> YES	<input type="checkbox"/> NO	see attached
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="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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
	<b>Operation</b>	9am-12am	9am-12am	9am-12am	9am-12am	9am-1am	9am-1am	9am-12am
	<b>Kitchen</b>	same	same	same	same	same	same	same
	<b>Music</b>	same	same	same	same	same	same	same
If you plan to have music, what type(s)? (Circle all that apply)			X BACKGROUND	X LIVE MUSIC	DJ	JUKE BOX	KARAOKE	

**OCCUPANCY**

	Capacity (Certificate of Occupancy)	Maximum # of Persons 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
<b>INSIDE</b>	128	128	50	110	0	2	10
<b>OUTSIDE</b> <i>(Other than sidewalk café)</i>							
<b>DCA APPROVED UNENCLOSED SIDEWALK CAFÉ</b>	n/a	n/a					

How many floors are there? What is the capacity for each floor?	2 floor, 63 on basement, 65 on first floor	
How frequently will the owner(s) be at the establishment?	everyday	
Will there be dancing?	YES	NO
Will applicant have bottle or table service for beverage alcohol?	YES	NO
Will applicant 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 applicant 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
Does applicant agree to notify MCB4 prior to making changes to its method of operation?	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?	n/a	

**MULTIPLE SPACES/FLOORS CAPACITY BREAKDOWN**

Space/Floor	Description/Use of Space	Capacity	Hours	# of Tables	# of Seats	# of Service Only Bars	# of Stand-Up Bars/Seats at Bar	Music
basement	dining/bar	63	same	25	50	0	1 bar 6 seats	recorded
1st floor	dining/bar	65	same	25	50	0	1 bar 4 seats	recorded/ live

**LOCATION & ZONING**

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

**Community Notification/Relations**

<b>NOTIFICATION:</b> 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	yes, all have been notified. see attached sheets. the same list that		
	# 2	we received an email from community board no.4 on Feb. 23, 22		
	# 3			
	# 4			
	# 5			
Please provide dates when applicant met with the groups listed above.		n/a		
Who was your contact person at each group you met with?		n/a		
When did applicant post the notice that was provided?		2/28/2022		
Where did applicant post the notice that was provided?		at the storefront and light pole		
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.		YES	NO	yes, if needed
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?		YES	NO	yes, if needed

<b>BUILDING DESIGN</b>			
State the name and type of business previously located in the space.			
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	yes, spoonfed
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	yes, repaint the exterior
Has the applicant/owner(s) read MCB 4 ADA Guidelines Memo?	YES	NO	yes
Is the entrance ADA Compliant?	YES	NO	yes
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	yes, repaint the exterior
Will applicant have a vestibule within the establishment?	YES	NO	yes
Will applicant use a storm enclosure?	YES	NO	yes
Does applicant agree to keep the sidewalk clear of all items or obstructions, such as sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	YES	NO	yes
Will applicant comply with the NYC noise code?	YES	NO	yes
Will the establishment have any of the following: (circle all that apply)	<input checked="" type="checkbox"/> FRENCH DOORS		<input type="checkbox"/> GARAGE DOORS
			<input checked="" type="checkbox"/> 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?	YES	NO	yes
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?	YES	NO	yes
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	NO	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?	YES	NO	no
Will the kitchen exhaust system extend to the roof?	YES	NO	yes
Will the establishment have an illuminated sign?	YES	NO	yes
Will the establishment have a canopy extending over the sidewalk?	YES	NO	no
Where will the air conditioner be located? What type is it?	central a/c system		
When was the air conditioner installed?	it was installed by prior owner		

**OUTDOOR ITEMS - OTHER THAN SIDEWALK CAFÉ**

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

## DCA APPROVED UNENCLOSED SIDEWALK CAFÉ

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

**ADDITIONAL STIPULATIONS: (Office Use Only)**

- There will be no use of any rear yard
- There will be no Open Restuarants Roadway Dining
- Applicant will obtain an acoustical report from a license acoustical engineer and submit report to MCB4 Office by 4/25/22. Applicant agrees to implement recommendations of report
- Live music will cease no later than 11 p.m. nighthly
- Live music will be limited to no more than 4 performers and will not be amplified
- All live music will be limited to the lower (basement) floor

***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  
 May 4, 2022 full board meeting, with 39 members voting in favor  
 of the recommendation, 0 members opposed, 0 members  
 abstaining and 0 present but not eligible)

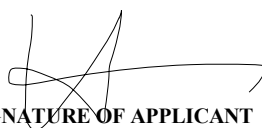
- Denial unless all stipulations agreed to by applicant/owner are part of the method of operation
- Denial     Approval

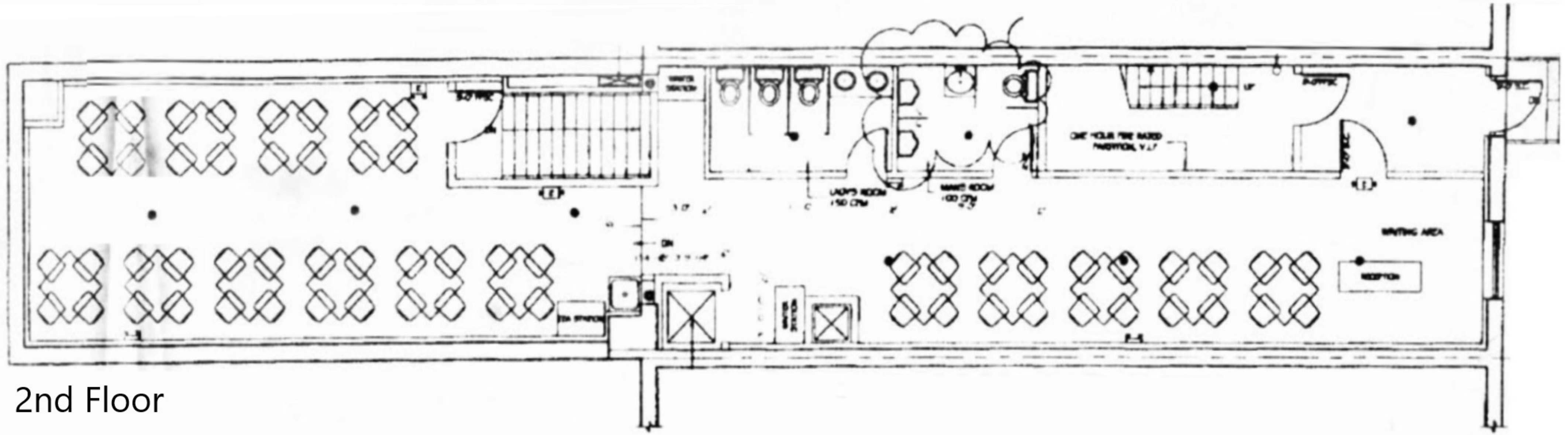
**CB4 REPRESENTATIVES**

 <b>Nelly Gonzalez</b> <i>CB4 Assistant District Manager</i>	 <b>Frank Holozubiec</b> <i>CB4 BLP Committee Co-Chair</i>	 <b>Burt Lazarin</b> <i>CB4 BLP Committee Co-Chair</i>
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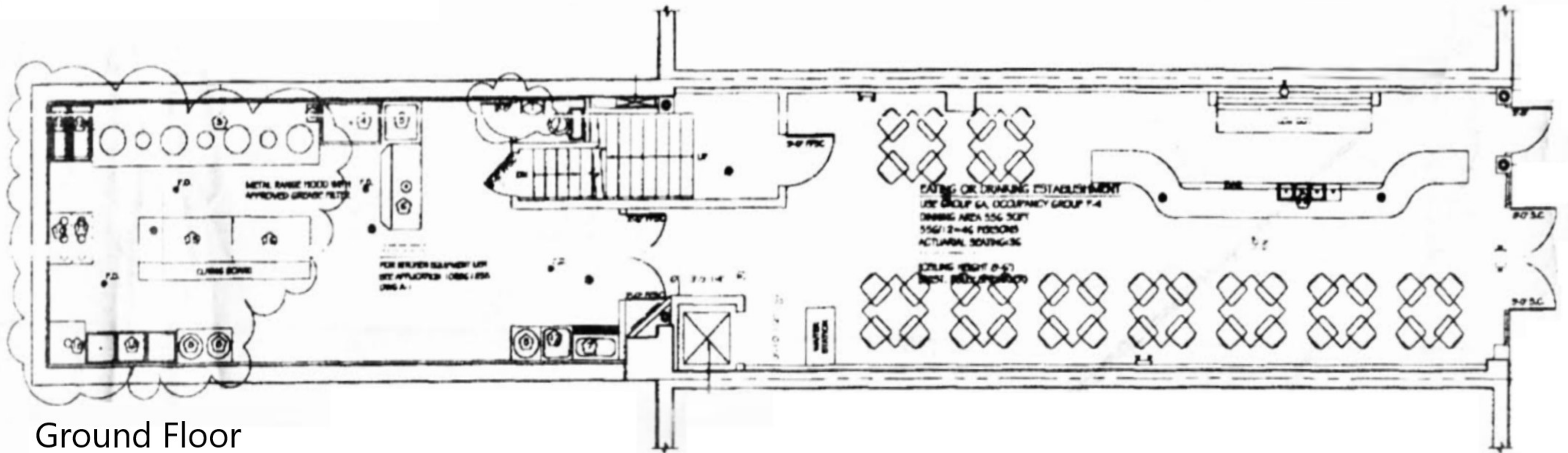
**APPLICANT AGREEMENT WITH THE COMMUNITY**

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><b>SIGN HERE</b> →</p>	<p>Barbie Cheung</p> <p><b>PRINT NAME OF APPLICANT</b></p>	 <p><b>SIGNATURE OF APPLICANT</b></p>	<p>2/28/2022</p> <p><b>DATE</b></p>
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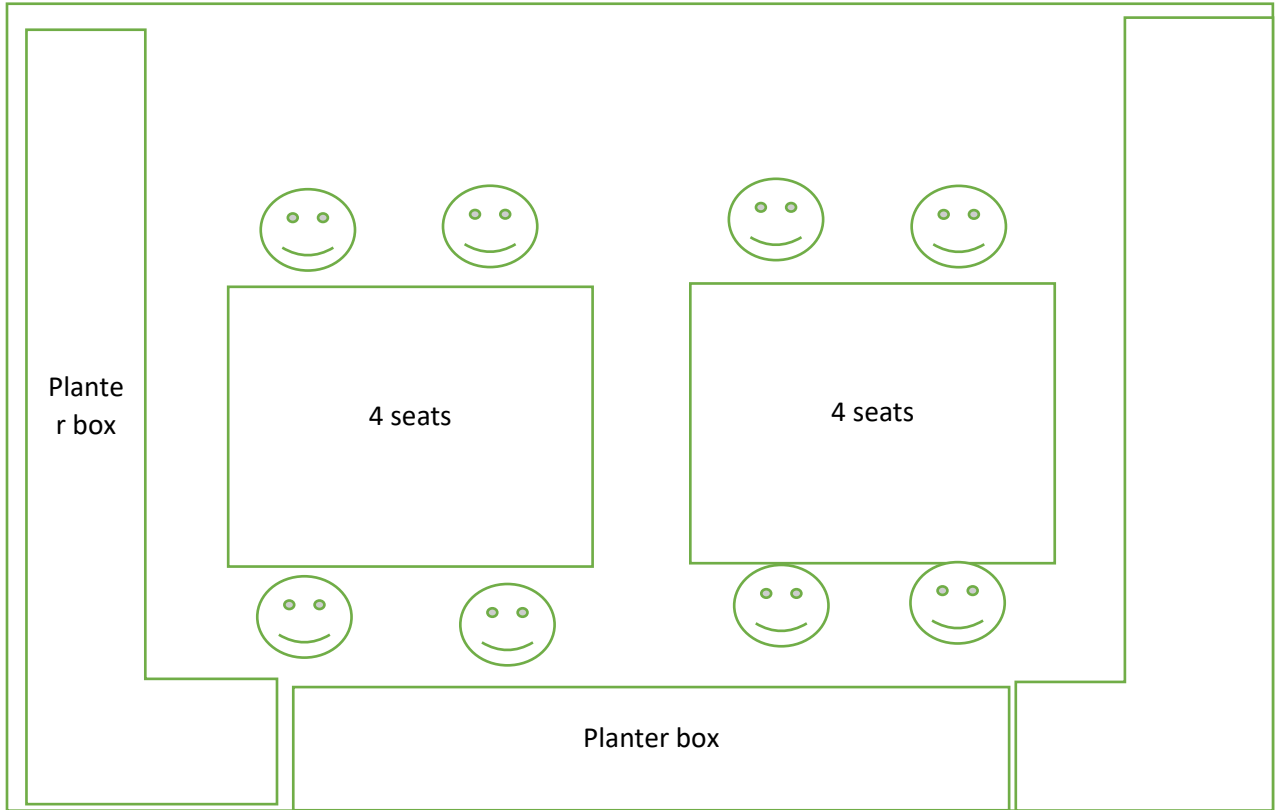


2nd Floor



Ground Floor

# Open Dining Floorplan





Wifi 
Carla guest  
chillatcarla

@CARLALICNY

## APPETIZERS

- VEGAN GUAC & CHIPS 12  
avocado, onion, tomato, cilantro, corn tortillas chips
- MIGHTY WINGS (5PCS) 13  
crispy potato starch coated wing, sweet soy ginger sauce, sesame seeds, scallion
- BUFFALO WINGS (5PCS) 13  
breaded spicy wing, bleu cheese, carrot, celery
- MEXICAN SHRIMP COCKTAIL 15  
shrimp, cucumber, cilantro, avocado, pico de gallo, corn tortillas chips
- VEGAN ROASTED CAULIFLOWER 13  
roasted cauliflower, peanut, pumpkin seeds, pesto
- QUESO CHEESE DIP 12  
creamy cheese, bell pepper, pico de gallo, corn tortillas chips
- VIET. SPRING ROLL (3PCS) 12  
pork, wood ear, carrot, taro, mung bean noodles in crispy wheat flour wrapper, w. sweet chili dipping sauce

## TACOS

made with blue corn nixtamal tortillas

- AL PASTOR (1PC) 5  
braised style pork, pineapple, tomatillo salsa verde, pico de gallo, cilantro
- MALIBU SHRIMP TACO (1PC) 6  
shrimp, corn, pickled cabbage, tomatillos salsa verde, pico de gallo, cilantro
- TINGA DE POLLO (1PC) 5  
chipotle-tomato braised chicken, cojita cheese, cilantro
- BEEF BARBACOA (1PC) 6  
mexican braised beef, pickled onion, pickled jalapeños, onion, cilantro
- PESCADO (1PC) 6  
crunchy battered tilapia fish, lettuce, pickled cabbage, chipotle mayo, cilantro
- VEGETARIAN TACO (1PC) 5  
black bean, sweet plantain, cojita cheese, avocado, salsa verde, pico de gallo, cilantro

## SALADS

- WALNUT CRANBERRY SALAD 15  
kale, apple, bacon bits, goat cheese, dried cranberry, walnut, w. balsamic vinaigrette
- VEGAN KALE QUINOA SALAD 15  
kale, black bean, bell pepper, quinoa, corn, pico de gallo, avocado w. tomatillos lime vinaigrette
- GRILLED CORN ROMAINE SALAD 15  
romaine, grilled corn, pumpkin seed, tomato, cucumber, onion, avocado w. citrus crema dressing
- ROASTED CAULIFLOWER SALAD 15  
organic spring mix, cucumber, cauliflower, bell pepper, peanut, avocado, goat cheese, w. creamy honey mustard dressing



Add chicken +\$7, jumbo shrimp +\$9, avocado +\$4, boiled egg +\$2, bacon +\$5, crispy chicken +\$7

SHOW KITCHEN SOME LOVE

Buy The Kitchen a Round \$5


If you enjoyed your meal and want to show some love for the kitchen

DISCLAIMER: PLEASE BE ADVISED THAT FOOD PREPARED HERE MAY CONTAINS MILK, EGG, WHEAT, SOYBEAN, PEANUTS, TREE NUTS, FISH AND SHELLFISH. NOT ALL INGREDIENTS ARE LISTED ON THE MENU. BEFORE PLACING YOUR ORDER, PLEASE ALERT THE SERVER TO YOUR FOOD ALLERGY OR SPECIAL DIETARY NEED. Please be informed that consuming raw and undercooked meats, poultry, seafood, shellfish or egg may increase your risk of foodborne illness.

20% gratuity added to parties of 5 or more ∞ All Meats Are Hormone & Antibiotic Free  
(We have (1) dedicated vegetarian fryer, might contain gluten)


## BURGERS/SANDWICHES


served with waffle fries or salad

**LIC BURGER**  18  
angus beef, cheese, pickled cabbage, lettuce, tomato, apple-wood smoked bacon, runny egg, house sauce, on a classic martin's potato bun

**KANSAS PULLED PORK SANDWICH** 16  
braised pulled pork, cheese, pickled cabbage, caramelized onion, bell pepper, on a brioche bun

**BUTTERMILK CHICKEN BURGER**  16  
crispy breaded buttermilk chicken thigh, coleslaw, pickled cabbage, chipotle mayo, house sauce, on a classic martin's potato bun (dark meat)

**AVOCADO BLT**  16  
avocado, tomato, lettuce, apple-wood smoked bacon, house sauce, chipotle mayo, choice of country white bread or multigrain bread



**IMPOSSIBLE BURGER**  20  
plant-based meat taste just like beef, lettuce, tomato, avocado, spring mix, house sauce, on a brioche bun


**SHRIMP PO' BOY**  21  
breaded shrimp, lettuce, tomato, remoulade sauce, on a toasted buttered French roll

Add avocado +5 / sauteed mushrooms +3 / runny egg +3 / Applewood Smoked Bacon + 5


Substitute: sweet potato fries +3 / beer battered onion rings +3/ tater tots +3



## ENTREES

**CHICKEN FAJITAS**   19  
chicken, onion, bell peppers, cilantro, lime, avocado, crema, w. a side of flour tortillas (4 pcs)

**FISH N' CHIPS**  20  
crispy battered tilapia fish fillet, coleslaw, house tartar sauce, lemon w. waffle fries

**SHRIMP JAMBALAYA**   20  
shrimp, andouille sausage, okra, onion, bell pepper, tomato, celery, rice, scallion, runny egg, black sesame seed

**MEXICAN SURF & TURF**  20  
mexican style braised beef, shrimp, lettuce, pico de gallo, corn, chipotle mayo, cilantro, fries, cheese, avocado, wrapped in a flour tortilla w. a side of salad

**KALE QUESDILLA**   17  
shiitake mushroom, kale, Mexican shredded cheese, queso cheese, pickled onion, avocado, flour tortillas, w. a side of salad

**CHICKEN ENCHILADAS**   19  
chicken, cheese, tomatillos salsa verde, lettuce, onion, crema, cojita cheese, cilantro, corn tortillas

**BEEF BRISKET PHO'**   19  
rice noodle served with beef brisket, rice noodles, cilantro, scallions, red onion, bean sprouts, holy basil, lime, and pickled jalapeños, in our 8 hours home-made beef bone marrow broth

**CHICKEN BÁNH MÌ** 18  
Chicken breast marinated in home-made lemongrass sauce, on a toasted French bread, chicken pâté, pickled jalapeños, cucumber, pickled carrots & radish, chipotle mayo and cilantro.

## SIDE-KICKS

**WAFFLE FRIES**  8  
**SWEET PLANTAIN**  8  
**BEER BATTERED ONION RING**  8  
**SWEET POTATO FRIES**  8  
**TATER TOTS**  8  
**COLESLAW**  4  
**SOUP OF THE DAY** 8

## KID'S MENU

FOR 10 AND UNDER  
SERVED W. A CHOICE OF WAFFLE FRIES OR TATER TOT AND A CHOICE OF LEMONADE, ICED TEA, MILK OR JUICE



**HAMBURGER** 11  
beef patty, potato bun

**CHEESE BURGER** 11  
beef patty, cheese, potato bun

**CHICKEN TENDER** 11  
crispy breaded chicken breast

**GRILLED CHEESE** 11  
american cheese, white bread



333

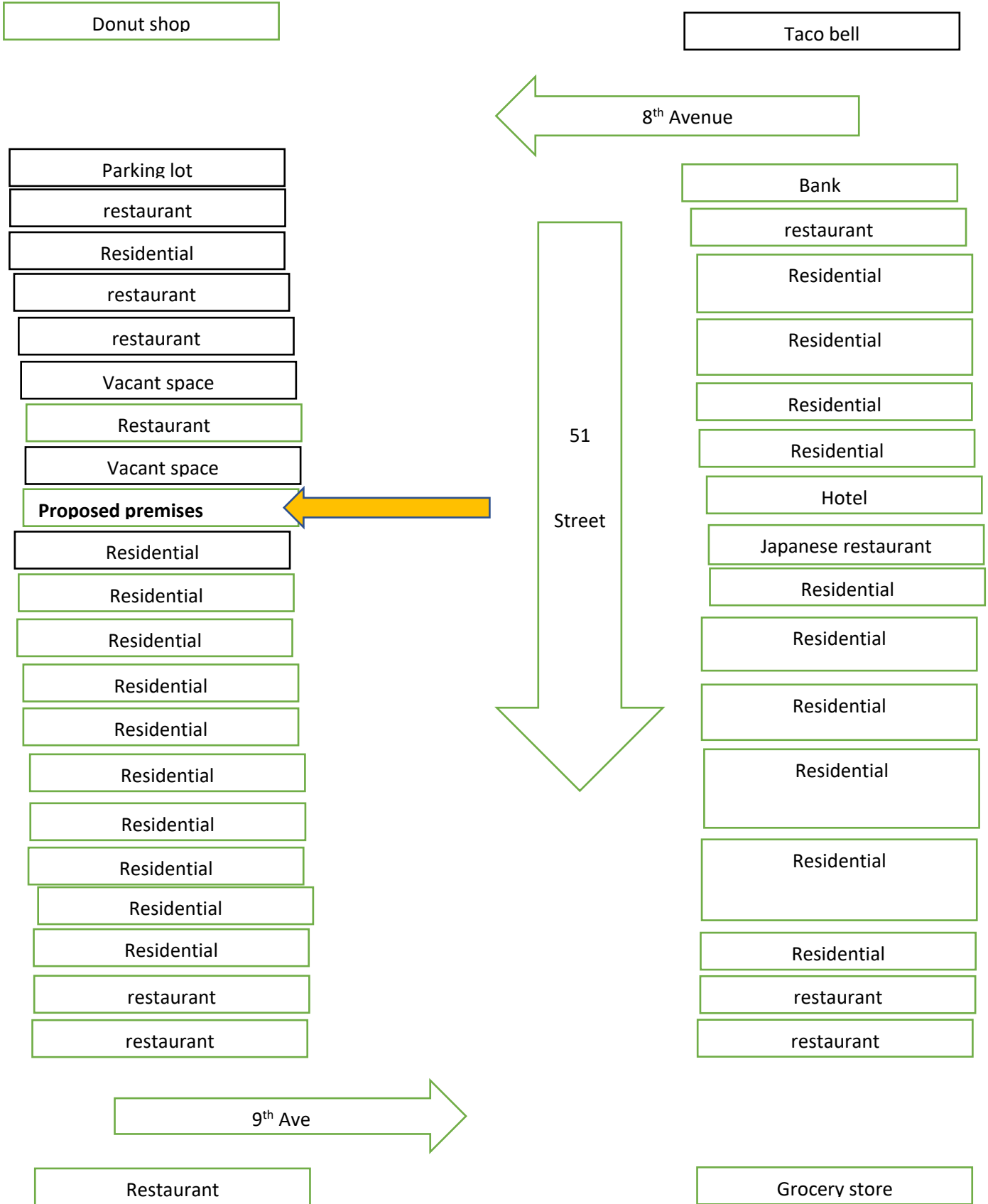
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TRATTORIA

500 foot rule diagram





This report is for informational purposes only in aid of identifying establishments potentially subject to 500 and 200 foot rules. Distances are approximated using industry standard GIS techniques and do not reflect actual distances between points of entry. The NYS Liquor Authority makes no representation as to the accuracy of the information and disclaims any liability for errors.

<b>Proximity Report For:</b>	
Location	<b>331 W 51st St, New York, New York, 10019</b>
Geocode	<b>Latitude: 40.76357 longitude: -73.98691</b>
Report Generated On	<b>3/1/2022</b>

<b>8 Closest Liquor Stores</b>		
<b>Name</b>	<b>Address</b>	<b>Distance</b>
SHON 45 LIQUORS INC Ser #: 1023642	840 8TH AVENUE NEW YORK, NY 10019	463 ft
ROYAL WINES & LIQUORS INC Ser #: 1334969	803 9TH AVENUE SOUTH STORE NEW YORK, NY 100019	766 ft
706 9TH AVE LIQUORS INC Ser #: 1314835	706 9TH AVE NEW YORK, NY 10019	848 ft
921 WESTERLY LIQUOR CORP Ser #: 1255189	921 8TH AVE NEW YORK, NY 10019	1,013 ft
54 WINES & SPIRITS INC Ser #: 1297881	400 W 55TH ST AKA 839 9TH AVE NEW YORK, NY 10019	1,107 ft
WEST 54 LIQUORS LLC Ser #: 1210031	453 W 54TH ST CNR-10TH AVE NEW YORK, NY 10019	1,219 ft
REIDY WINE & LIQUOR CO INC Ser #: 1023815	762 8TH AVENUE NEW YORK, NY 10036	1,241 ft
NINTH AVENUE WINE & LIQ CORP Ser #: 1023639	860 9TH AVENUE NEW YORK, NY 10019	1,315 ft

<b>Schools within 500 feet</b>		
<b>Name</b>	<b>Address</b>	<b>Distance</b>
PS 35	317 W 52ND ST NEW YORK, NY 10019	331 ft

<b>Churches within 500 feet</b>	
<b>Name</b>	<b>Distance</b>
No Churches within 500 feet	

<b>Pending On Premises Liquor Licenses within 750 feet</b>		
<b>Name</b>	<b>Address</b>	<b>Distance</b>

**Pending On Premises Liquor Licenses within 750 feet**

Name	Address	Distance
KEVIN EMPIRE RESTAURANT 319 CORP Ser #: 1335223	319 W 51ST ST NEW YORK, NY 10019	123 ft
OVER A DRINK LLC Ser #: 1341373	405 W 51ST ST NEW YORK, NY 10019	619 ft
BOXERS ENTERPRISES LLC Ser #: 1332648	735 9TH AVE NEW YORK, NY 10019	655 ft
MORALES 29TH STREET CORP Ser #: 1341465	735 739 9TH AVE NEW YORK, NY 10018	668 ft

**Active On Premises Liquor Licenses within 750 feet**

Name	Address	Distance
IPPUDO NY LLC Ser #: 1306858	321 323 W 51ST ST NEW YORK, NY 10019	92 ft
WASHINGTON JEFFERSON HOTEL LLC Ser #: 1299505	318 W 51ST ST NEW YORK, NY 10019	123 ft
UOGASHI NEW YORK INC Ser #: 1316060	318 W 51ST ST NEW YORK, NY 10019	127 ft
CERTA GENTE LLC Ser #: 1026196	325 W 51ST STREET NEW YORK, NY 10019	194 ft
PRIVY LLC Ser #: 1245972	346 WEST 52ND STREET NEW YORK, NY 10019	201 ft
BOXERS WASHINGTON HEIGHTS LLC Ser #: 1336978	348 W 52ND ST NEW YORK, NY 10019	211 ft
355 HELL S KITCHEN GROUP LLC Ser #: 1244550	355 W 52ND ST BTW 8TH & 9TH AV NEW YORK, NY 10019	302 ft
TOUT VA BIEN RESTAURANT INC Ser #: 1026445	311 W 51ST ST NEW YORK, NY 10019	315 ft
ELYMAR RESTAURANT CORPORATION Ser #: 1026234	365 W 50TH STREET NEW YORK, NY 10019	316 ft
NEW WORLD STAGES HOLDING CO LLC&NEW WORLD STAGES Ser #: 1282938	340 W 50TH ST NEW YORK, NY 10019	318 ft
TBB TAVERN CORPORATION Ser #: 1026424	302 W 51ST STREET NEW YORK, NY 10019	388 ft
MORNINGSIDE TERRACE CORP Ser #: 1280901	772 9TH AVE NEW YORK, NY 10019	388 ft
BRICIOLA CORP Ser #: 1319788	370 W 51ST ST NEW YORK, NY 10019	418 ft
NPD WEST 51 INC Ser #: 1337047	370 W 51ST ST STORE 1, 2 NEW YORK, NY 10019	418 ft
7 WASHINGTON LANE CORP Ser #: 1298056	369 W 51ST ST NEW YORK, NY 10019	425 ft
DON ANTONIO RESTAURANT LLC Ser #: 1256251	309 W 50TH ST NEW YORK, NY 10019	427 ft
23 INNOVATIONS INC Ser #: 1272878	308 W 50TH ST NEW YORK, NY 10019	440 ft
CHIPOTLE MEXICAN GRILL OF COLORADO LLC Ser #: 1191543	854 8TH AVENUE NEW YORK, NY 10019	447 ft
HELLS KITCHEN THAI INC Ser #: 1300696	750 9TH AVE NEW YORK, NY 10019	451 ft

**Active On Premises Liquor Licenses within 750 feet**

<b>Name</b>	<b>Address</b>	<b>Distance</b>
ARRIBA ARRIBA MEXICAN RESTAURANTS INC Ser #: 1026170	762 9TH AVENUE NEW YORK, NY 10019	453 ft
VYNL LLC Ser #: 1166291	754 NINTH AVE NEW YORK, NY 10019	470 ft
AGGIEPOLO INC Ser #: 1274213	761 9TH AVE NEW YORK, NY 10019	473 ft
AGEHA JAPANESE FUSION INC Ser #: 1261234	767 9TH AVE NEW YORK, NY 10019	475 ft
INISTIOGE INC Ser #: 1026257	768 9TH AVE NEW YORK, NY 10019	475 ft
HIGHLANDERS 756 INC Ser #: 1272868	756 NINTH AVE NEW YORK, NY 10019	483 ft
OXIDO CORP Ser #: 1271658	753 9TH AVE NEW YORK, NY 10019	489 ft
TB CANTINA LLC Ser #: 1308880	840 8TH AVE UNIT 39; STORE #034273 NEW YORK, NY 10019	496 ft
IDEALIZE INC Ser #: 1285439	362 W 53RD ST NEW YORK, NY 10019	508 ft
SURYA HELLS KITCHEN INC Ser #: 1302014	788 9TH AVE NEW YORK, NY 10019	527 ft
17 STONE STREET LLC Ser #: 1294524	832 8TH AVE NEW YORK, NY 10019	529 ft
EASTSIDE BARKING DOG INC Ser #: 1337741	329 W 49TH ST NEW YORK, NY 10019	531 ft
PGNV LLC Ser #: 1300770	765 9TH AVE NEW YORK, NY 10019	536 ft
401 W 50 TAVERN INC Ser #: 1208415	401 W 50TH STREET NEW YORK, NY 10019	553 ft
BOXERS ENTERPRISES LLC Ser #: 1266990	742 9TH AVE NEW YORK, NY 10019	556 ft
MORALES CABRERA CORP Ser #: 1275160	741 9TH AVE NEW YORK, NY 10019	556 ft
AURA LLC AND SCOTT STERNICK AND RICHARD WINCKELMAN Ser #: 1261080	350 W 49TH ST NEW YORK, NY 10019	563 ft
785 CAFE INC Ser #: 1237340	785 9TH AVENUE NEW YORK, NY 10019	570 ft
LOS ANDES GROUP LLC Ser #: 1334403	745 9TH AVE NEW YORK, NY 10019	572 ft
HAMA NEW YORK INC Ser #: 1339720	245 W 51ST ST NEW YORK, NY 10019	612 ft
798 NINTH RESTAURANT LLC Ser #: 1298456	798 9TH AVE NEW YORK, NY 10019	615 ft
WESTSIDE TM CORPORATION Ser #: 1261322	813 8TH AVE NEW YORK, NY 10019	618 ft
733 RESTAURANT CORP Ser #: 1209592	733 9TH AVENUE 49TH ST & 50TH STREET NEW YORK, NY 10019	629 ft
FLAMING SADDLES NYC 1 LLC Ser #: 1256033	793 9TH AVE NEW YORK, NY 10019	629 ft
316 WEST 49TH RESTAURANT CORP Ser #: 1026490	316 W 49TH STREET NEW YORK, NY 10019	640 ft

**Active On Premises Liquor Licenses within 750 feet**

<b>Name</b>	<b>Address</b>	<b>Distance</b>
SC LIC LLC Ser #: 1324144	735 739 NINTH AVE NEW YORK, NY 10019	643 ft
RUSSIAN VODKA ROOM INC, THE Ser #: 1026432	888 EIGHTH AVE AKA 265 W 52ND ST NEW YORK, NY 10019	651 ft
T N 888 EIGHTH AVENUE LLC Ser #: 1165431	888 8TH AVE 8TH AVE AND 7TH AVE NEW YORK, NY 10019	651 ft
SAAR FOOD GROUP INC Ser #: 1334261	241 W 51ST ST NEW YORK, NY 10019	659 ft
SAS RESTAURANTS LLC Ser #: 1275183	807 8TH AVE STORE #4 NEW YORK, NY 10019	659 ft
STOKES & MCGINLEY INC Ser #: 1263760	800 9TH AVE NEW YORK, NY 10019	679 ft
S SCOTTY ENTERPRISES INC Ser #: 1274915	802 9TH AVE NEW YORK, NY 10019	699 ft
RUSSIAN SAMOVAR INC Ser #: 1026390	256 W 52ND STREET NEW YORK, NY 10019	723 ft
JUJAMCYN THTRS LLC & SWEET HOSPITALITY GRP AS MGR Ser #: 1168127	245 W 52ND ST NEW YORK, NY 10019	733 ft
SICILIAN SAGE LLC Ser #: 1325643	801 9TH AVE AKA 401 W 53RD ST NEW YORK, NY 10019	741 ft
251 WEST 51 HOSPITALITY CORP Ser #: 1262153	251 W 51ST ST NEW YORK, NY 10019	742 ft
EIGHTH AVENUE H & Y DUET INC Ser #: 1253220	900 8TH AVE, BASEMENT NEW YORK, NY 10019	746 ft

**Serial No. pending-** Application for on premises retail license

Statement for 500 Foot Hearing

**Background of the premises**

Carla restaurant is a full-service restaurant located in the Hell's Kitchen neighborhood business district at 331 West 51<sup>st</sup> Street, New York, NY 10019 between 8<sup>th</sup> & 9<sup>th</sup> Avenue. The proposed premises has been used as a restaurant since 2001. Adjacent businesses on this block include a bank, hotel, restaurant, grocery store, fast food chain and pharmacy. To add variety to the upscale food choices in the business district, applicant leased the commercial building to offer the hottest trendy in cuisine and beverages. In keeping with the upscale gourmet trendy eatery, Applicant seeks a license to offer cocktails, wine and beer with its food.

The premises will occupy the first floor and cellar space of three stories residential building located at 331 West 51<sup>st</sup> Street, New York, NY 10019. The restaurant will have 50 tables and 110 seats with one 13 feet customer bar with 6 seats and one 6 feet customer bar with 4 seats. There will be no stand-up bar at the premises. Drinks will be prepared in a customer bar.

**Positive Impact**

Over the decades of its existence, the historic district has had a positive impact on the community, including the generation of additional revenue and employment. The variety of eateries has enhanced the quality of the neighborhood with its rich history and character. The opening of new eateries has continued to improve upon the quality of the neighborhood with the addition of unique gourmet dining experiences with upscale ethnic offerings that appeal to a wide audience. The historic district has been beneficial to both commercial and residential neighbors, providing for an increase in tourism and enhancing the culture of the community. Applicant seeks a liquor license to add its ethnic food fare to the gourmet offerings in the neighborhood.

**Legal Standard**

ABC Law 64(7)(f) provides a discretionary exception to the rule that no retail liquor license for on-premises consumption may be granted for any establishment within five hundred feet of three or more existing liquor licenses. If after consultation with the municipality, it determines that granting such a license would be in the public interest, the SLA may grant an on premise liquor license for an establishment which violates the 500 foot rule.

In determining whether the issuance of a liquor license would promote the “public convenience and advantage” and be in “the public interest” the SLA should consider:

- a) the number, classes and character of licenses in proximity to the location and in the particular municipality;
- a) evidence that all necessary permits have been obtained from the state and all governing bodies;
- b) the effect of granting the license on vehicular traffic and parking in proximity to the location;
- c) the existing noise level at the location and any increase in noise level that would be generated by the proposed premises;
- d) the history of liquor violations and reported criminal activity at the proposed premises; and
- e) any other factors specified by law or regulation that are relevant to determine the public convenience and advantage and public interest of the community.

Each of these factors will be addressed below.

### **Discussion**

#### **A. the number, classes and character of licenses in proximity to the location and in the particular municipality**

The Applicant’s address is 331 West 51<sup>st</sup> Street, New York, NY 10019. This building is a single tax parcel with just one deed and a single restaurant. This commercial property has been operating as a restaurant since 2001. Applicant is not increasing the density of on-premises locations in the neighborhood, she is merely re-opening one that has been there for more than 20 years.

It is undisputed that there are more than twenty-seven (27) on-premises establishments within 500 feet of the proposed premises. However, the neighborhood is commercial, consisting mostly of high quality retailers and eateries. The wealth of tourism in the area is motivated in part by the presence of the variety of unique retailers and eateries.

The vicinity within 500 feet of the premises already includes 1) Unogashi Sushi across the street from Applicant’s premises. Unogashi serves Liquor and high-end sushi and is open Monday through Sunday from 5pm through 11:00pm. 2) Vice Versa is a

Italian restaurant, a casual restaurant cuisine offer an upscale bar scene, and is open for dinner only Monday through Friday 4:30pm until 11:00pm 3) Also on that block is Ippudo, an Ramen restaurant serving Japanese food and is open 11:00am to 10:30pm daily. 4) Within 1 block is also Tout Va Bien, a French Bistro cuisine and an upscale bar scene, and is open daily 12pm – 11pm 5) Dolly Varden, an American restaurant, it is open daily to the general public from 11:00am – 1:00am on weekday, and 11am – 2am on Friday and Saturday

Applicant's restaurant open 7 days a week, Monday through Thursday from 9:00am – 1:00am, and Friday through Sunday from 9:00am -2:00am. Applicant will offer take out at all hours and use third party deliveries service during business hours. Applicant's menu, submitted with the application, reveals that it is operating as a true restaurant with several dozen entree and appetizer menu items ranging from fried chicken, burgers, fries, wings, to jambalaya, taco and New American/Mexican food fare dishes. The cocktail menu is equally elaborate with a wide array of alcoholic and nonalcoholic beverage options.

**B. evidence that all necessary permits have been obtained from the state and all governing bodies**

Applicant presents testimony for the record, emphasizing that the restaurant will be a first class eatery featuring popular food selections late into the night, and not a night club attracting a late night crowd.

Applicant is a responsible and legally compliant business. A copy of other permits needed to operate is submitted into the record, or proof that same was filed for and is currently pending, including the health department, zoning/building department and business licenses.

**C. the effect of granting the license on vehicular traffic and parking in proximity to the location**

In the application under consideration, the neighborhood is not oversaturated with bars and nightclubs.

Applicant's premises have a capacity to accommodate 128 people, and will primarily serve food. A copy of Applicant's menu has been submitted with the application.

There is no evidence of parking related issues on this block. There is ample parking, and there would be no notable impact on parking or traffic. As the former restaurant has had a steady volume of traffic over the years, there is no reason to expect any change in traffic patterns, parking or noise level upon the addition of this new restaurant in the same location. Many of the patrons will be neighborhood residents so

traffic and parking are not a concern within the community. The premises are centrally located and are easily accessible by the New York City Transit Buses, subways, bike, as well as New York City Taxi cabs. There are also parking garage in the area.

**D. the existing noise level at the location and any increase in noise level that would be generated by the proposed premises**

The ambient noise level after 11 pm would be negligible since the restaurant only has light background recorded music playing for its customers. Applicant's premises do feature live music but the sounds will be minimal.

There are no nightclubs operating on the block at this time. Again it is stressed that Applicant is operating a restaurant with a bar business, not a night club. There is no dancing or even a dance floor at the restaurant. Patrons will not be allowed to loiter, and cars would not be permitted to park illegally in the street in front of the premises.

**E. the history of liquor violations and reported criminal activity at the proposed premises**

Applicant has presented a management plan evidencing that it will take proactive efforts to offer a more upscale, safer and cleaner experience and to avoid disturbances, violence, fighting, crime, noise, and litter. Applicant's business will be owner operated. It is also a family establishment, catering to families and a young professional crowd. The owners-operators will be on the premises 50 – 70 hours per week.

Community outreach for liquor license petitioned by the local community will be submitted if needed. These supporters attest to the quality of the eateries owned and operated by Applicant as well as the positive impact and good citizenship of her businesses in the local community. With an actual history of responsible operations at two other licensed premises, it is not reasonable to presume that Applicant will operate the proposed premises any differently and become a neighborhood problem.

Applicant will obtain TIPS certification to ensure good management practices and training in handling rowdy and drunk patrons and the Applicant will hire only the TIPS certified bartenders to serve alcohol.

Applicant has also installed many surveillance cameras, on the building, having no "dead spots" on the premises. Applicant has taken reasonable steps to ensure orderly operations of her establishment and to be able to identify and exclude problem patrons from the business.

Surveying the other local bar owners (licensees), there is currently no evidence of problems in the neighborhood since the former owner closed its business.



Most notably, the Applicant emphasizes that the proposed restaurant is not its predecessor, will not be like its predecessor, and should not be compared with it. Applicant has made a significant investment in the community. Applicant is operating the proposed premises.

There are no violations for the current licenses and we do not believe there are any histories of criminal activity at the premises. Even if there are any prior violation history at the premises, and any history of violations committed by the previous licensee, without a showing of an ownership interest between applicant and the former owner of the premises, or management of the former premises by Applicant or one of its principals, is insufficient to warrant disapproval of the application. Moreover, there is no factual support that the prior history of the premises created a degree of risk that would be continued by the applicant's operation of its bar. *Matter of 512-3rd St., d/b/a The Buzz v. New York State Liquor Authority*, 217 A.D.2d 1010 (1995). *In the Matter of Ha Ha Ha, Inc., d/b/a Mickey Rats v. New York State Liq. Auth.*, 262 A.D.2d 1008 (4th Dep't 1999) makes clear that although the SLA has the discretionary power to deny an application "for good cause shown" [ABC Law 64(1)], such power may not cross the line into speculation and conjecture. The dysfunctional operation of a previous owner should not be imputed on a new liquor license applicant.

**F. any other factors specified by law or regulation that are relevant to determine the public convenience and advantage and public interest of the community**

51 Street is a very active urban historic neighborhood with restaurants and shops as diverse as the people. The boutique shops are complemented by ethnic and trendy upscale eateries. The proposed license will serve to enhance the impact the gourmet eateries have had and continue to have on the neighborhood.

Issuance of the on premises liquor license will promote the public interest of the community in that it will be a positive contribution to the economy by way of creation of the jobs, continued wage paid, income, sales taxes collected, state and local license revenues, state revenue from liquor, maintenance of the local real estate tax base and commerce generally beyond the community's local benefit. It also promotes local commercial diversity, and community character.

Even more pertinently for the State, that the license fee itself might be in the public interest since that money goes to the government and the government by definition is, of course, the public interest.

We are minority woman owned business which not many existed nowadays. The opening of new restaurant business will have great impact in revitalizing our community, we will use the advantage of our business to hire local staffs and create job opportunities

within the area. While we are seeing a strong recovery in the making, the pandemic has had a significant impact on this critical industry. The restaurant community has played an important role in bringing people and enhancing the vibrancy of our streets, from outdoor dining to live music, these are the things that encourage guests from near and far to visit. The trickle-down effects of their health and well-being is enormous.

For all of the reasons set forth above, it is clear that the liquor license applied for with respect to 331 West 51 Street, New York, NY 10019 is in the public interest, convenience and advantage of the community. Accordingly, we respectfully request that the Authority grant the issuance of the On-Premises Liquor License to the Applicant.

Thank you for your consideration.

Very truly yours,

Barbie Cheung  
President  
This Must Be the Place Group Inc  
DBA: Carla