Manhattan Community Board 4 (All Fields Must Be Completed)

NYS Liquor License/DOT Dining Out Stipulations Application

CORPORATION NAM	ME		DO	ING BL	SINESS A	S (DBA)					
Kun Tsuki O	makas	e XTRA Inc.									
STREET ADDRESS			CRO	OSS ST	REETS		ZIP CODE				
464 W 51st S	street		9 A	ven	uē & 1	10 Aver	nue	1	0019		
Applicant	NAME:	Xi Lin	- Here	12.5		NAME: Martin Li / Vertex Business Services Inc.					rvices Inc.
(Attach a list of all individuals that will be listed/associated	PHONE:	646-675-5522	ATTORNEY/ REPRESENTATIVE			PHONE:	917-24	44-04	70		
with the license)	EMAIL:	Steveny9888@gmail.com	n			EMAIL:	vertext	busine	essinc	@gmail.com	
	NAME:		N.			NAME:	464-68	3 Wes	t 51 S	treet HDFC	9.
MANAGER	PHONE:		LAP	NDLOR	,e D	PHONE: (212) 799-2365				5	
	EMAIL:					EMAIL:	sandy	y@v	eritas	manageme	ent.com
APPLICATIO	ON TYP	E (X New York State Lique	or L	icens	e .	Dep	ot. of T	ransp	ortatio	on Dining Oi	ut)
	Has applica				X YE	s	N	0			
New What is/was the name and address of establishment?						ldashi	Idashi Omakase Inc.,464 Bergen Street, New York, N				
	What were	the dates applicant was involved with this form	ner premise?			11/15	5/2023	3			
O Corp	What is the	license # and expiration date?									
Change/Class	Is applican	t making any alterations or operational changes?	es?			YE	s	r	10		
Change/Method of Operation Change/Removal	If alteration	s or operational changes are being made, please	e desc	ribe/list	all changes						
	What is the	current license # and expiration date?									
O Alteration	Please list/c	describe the nature of all the changes and attach	the pl	ans:	, e -						
METHOD OF	OPER	ATION									
TYPE OF ALCOH	OL	O Liquor/Wine/Beer & Cider		С	Beer & C	Cider		X) Wine/E	Beer & Cider	
		X Restaurant O Cabaret O	Night	Club	O Hote		3ar/Tavem	ı	O Ca	atering Establishme	nt
ESTABLISHMENT TYPE	ſ	O Adult Entertainment O Wine Ba	ar	0 0	ańce Club	🔿 Spo	rts Bar	O Clu	b (Fraterr	al Organization – N	fembers Only)
Has applicant filed applicant plan to fi		SLA? If yes, when? If no, when does		YES	X NO	Will file	e with S	SLA aft	er the o	community bo	ard approved
of the On-Premise	liquor lice	ole? If yes, please attach a diagram ense establishments within a 500 foot nd the Public Interest Statement.		YES	X NO						
Is the 200 Foot Ru	le applicat	ole? If yes, please attach a diagram worship within a 200 foot radius of	x	YES	NO	Stree	et Diag	garm	atta	ched	
		MCB4 Policy Regarding of Alcoholic-Serving	x	YES	NO						

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Business Licenses & Permits Committee

		MONDAY	TUESDA	Y	WEDNE	ESDAY	тно	JRSDAY	FRIDAY	SA	TURDAY	SU	JNDAY
HOURS	Indoors	11am-11pm	11am - 11pr	n	11am-1	1pm	11am	n-11pm	11am-11pm	11a	am-11pm	11am	-1 1pm
of Operation	Outdoors	N/A						<u>_</u>					
operation	Kitchen	11am-11pm	11am-11pm		11am-1	l1pm	11am	n-11pm	11am-11pm	11a	am-11pm	11am	-11pm
(Music indoors)	11am-11pm	11am-11pm		11am-1	1pm	11an	n-11pm	11am-11pm	11a	am-11pm	11ar	n-11pn
If yes, what type(a (Circle all that ap)			X backgro	UND	LIVE	MUSIC		DJ	JUKE BOX		KA	RAOKE	
					OCCUP.	ANCY							
	Pur Cer	pacity suant to tificate of upancy	Maximum Occupancy (Including Employees)	Num of Ta		imber Seats		umber of ce-Only Ba	Number rs Stand-Up I		Number of at Stand-U		
INSIDE	21		21	2		17		1	0	- 24	0		
OUTSIDE (Rooftop/Rear Yard/Patio/Terrad /Garden; within the premises)	e N/A												
DOT Dining Out: Sidewalk Cafe	N/A	···					ى						
DOT Dining Ou Roadway	^{it:} N/A					ŗ.							
How frequently	will the owr	ner(s) be at the	establishment?			_	5-6 d	ays a v	week				
Will there be da	ncing?						YES	NO	VEEK				
Will applicant h wine?	ave bottle or	table service for	or alcohol beve	erages	other thar	ı	YES	NO					
Will applicant b	e hosting pri	vate promotion	al or corporate	e event	s?	,e.	YES	NO					
Will outside pro	moters be us	ed 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 As	sociation and N	YPD Best Pra	ctices	be follow	ed?	YES	NO					
Does applicant a operation?	gree to notif	y MCB4 prior	to making cha	nges to	its metho	od of	YES	NO					
Will applicant be			f yes, how mar ked when pick			\$?	YES	NO					

Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly marked with the name as described by NYC Law?	YES NO No delivery bicycle	S
Where will applicants' own delivery bicycles be parked when not making deliveries?	No delivery bicycles	
If applicant is using third party delivery service, where will third party delivery bicycles park?	ubereat, they should park on th	e street parking
Where will applicant store its garbage containers when not in use?	t will be stored in the basem	ent
Where will applicant lay out garbage containers and at what time?	n front of premises, after 11pm	1

LOCATION & ZONING			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	Clinton
Does the building have a Certificate of Occupancy ("C of O") or a Letter of No Objection?	YES	M	they are working on it
Is a Public Assembly permit required?	YES	NO	
Are your plans filed with DOB?	YES	NO	
What is the zoning designation for this location?	R8 0	CL C2	2-5

Community Notification/Relat	ions								
NOTIFICATION:	#1								
List all block associations; tenant associations, co-op boards or condo boards of residential	# 2								
buildings; and community groups that applicant has notified regarding its application. For each,	# 3								
please list both the organization and individual you contacted.	# 4	#4							
	# 5								
When did applicant post the notice that was provided?			10/29/2024						
Where did applicant post the notice that	t was prov	vided?	In front of the premises						
Please provide dates when applicant me above.	et with th	e groups listed							
Who was your contact person at each g	roup you	met with?	, e -						
Will applicant provide a cell phone number to neighbors and respond to complaints that arise? If yes, please provide.			d YES	NO	(646) 675-5522				
Will applicant inform the Community Board office of its job opening and/or provide a hyperlink to applicant's jobs webpage?			gs YES	NO	Yes, will inform				

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Space/Floor	Description/ Use of Space	Capacity	Hours	# of Tables	# of Seats	# of Service- Only Bars	# of Stand-Up Bars/Seats at Bar	Music
G/F	Dining Rm	21	11am-11pm	2	17	1	0	Soft background
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	6 012 1				
State the name and type of business previously located in the space.	Ram	en Tin	ne Inc. , Rest	aurant	:
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO			
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO			
Has the applicant/owner(s) read MCB4 ADA Guidelines Memo?	YES	NO			
Is the entrance ADA Compliant?	YES	NO			
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO			
Will applicant have a vestibule within the establishment?	YES	NO			
Will applicant use a storm enclosure?	YES	NO			
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			
Will applicant comply with the NYC noise code?	YES	NO			
Will the establishment have any of the following: (circle all that apply)	FREN	ENCH DOORS GARAGE DOORS WINDOWS THAT OPENED			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?	TES	NO			
Will applicant close all windows, French doors, garage doors by 11 p.m. Friday and Saturday and 10 p.m. on all other days even if no music or amplified sound is played inside the establishment?	VES	NO			
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	NO	Only play soft	backgro	ound music
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	Only play soft	backgro	ound music
Will the kitchen exhaust system extend to the roof?	YES	NO			
Will the establishment have an illuminated sign?	YES	NO			
Will the establishment have a pole-supporting canopy extending over the sidewalk?	YES	NO	,P		
Where will the air conditioner be located? What type is it?	Cent	ral air	conditioner		
When was the air conditioner installed?			e from the p		IS OWDER

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OUTDOOR PRIVATE PROPERTY – ROOFTOP, REAR	YARI	D, TER	RACE
Has the applicant/owner(s) read MCB4 Rear Yard Rooftop Policy?	YES	NO	
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck, gazebo? If yes, which one(s)?	YES	סא	
Are the floorplans for the outdoor space(s) included?	YES		No outdoor space
Will applicant close and vacate the outdoor space(s) by 11 p.m. on Friday & Saturday and 10 p.m. on all other days?	YES		No outdoor
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YÉS	NO	No outdoor
Will applicant prohibit patrons from drinking in any outdoor space(s)?	YES	NO	
Will there be no amplified music, as per the law?	YES	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	no amplified music
Will applicant agree to post signs outside asking customers to respect the neighbors?	YES	NO	
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants; apartments)	YES	NO	Only play soft background music
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	no outdoor space

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Has the applicant read MCB4 Sidewalk Café Policy?	YES	NO	
Will applicant be applying for sidewalk seating now or in the future?	YES	NO	
If you answered no to the question above, jump to the next page			
Did applicant submit an application and dimension site plan at scale to NYC Dept. of Transportation? Please attach a copy of application and plans.	YES	NO	
Will applicant close and vacate the sidewalk and roadway seating by 11 p.m. on Friday & Saturday and 10 p.m. on all other days?	YES	NO	
Will applicant respect trees and tree pits and insure the health of the tree?	YES	NO	
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	
Will applicant prohibit patrons from drinking in any outdoor space(s) or adjacent sidewalk?	YES	NO	
Will applicant permit NO wait lines or smoking outside?	YES	NO	
Will there be no amplified music, as per the law?	YES	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	
Will there be a staff person responsible to ensure no loitering, noise or crowds outside?	YES	NO	
Will applicant agree not to use propane heaters?	YES	NO	
Will applicant agree to abide by all applicable fire codes, including not blocking fire escapes?	YES	NO	
Will the outdoor dining deposit its garbage in a container on the parking lane?	YES	NO	
Will the café have a 3 foot-wide serving aisle running the entire length of the sidewalk seating?	YES	NO	
Will the sidewalk seating have a platform?	YES	NO	
oes applicant agree to keep the sidewalk clear of all items or obstructions, such sandwich boards, sidewalk signs, freestanding menus and plants, as per the w?	YES	NO	
ill there be a lighting plan that allows safe usage of the outdoor space without srupting neighbors?	YES	NO	
Will the sidewalk seating block subway grate, utility hardware or Siamese water connection?	YES	NO	
construction or construction protection has reduced the sidewalk width, will pplicant always maintain an 8-foot clear path of sidewalk between the erimeter of the café and the closes obstruction including construction			

Did applicant submit an application and dimension site plan at scale to NYC Dept. of Transportation? Please attach a copy of application and plans.	YES	NO	
f you answered no to the question above, jump to the next page			
Vill the roadway structure extend on top of the curb or pedestrian refuge? By ow much?	YES	NO	
Will the roadway structure have an ADA compliant ramp (not in the bike lane)?	YES	NO	
Will the roadway structure extend in the striped zone along the bike lane? By how much?	YES	NO	
Will the electric wires be brought over at the roof level?	YES	NO	
Will applicant dismantle and dispose of a shed that is no longer in use, along , with its furniture?	YES	NO	
Will there be no music or amplifies sound in any outdoor seating, as per law?	YES	NO	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	
Will applicant close and vacate the sidewalk and roadway seating by 11 p.m. on Friday & Saturday and 10 p.m. on all other days?	YES	NO	
Will the Outdoor Dining Sidewalk & Roadway provide no standing space for drinking or smoking?	YES	NO	
Will the service and consumption of alcohol in the Outdoor Dining Sidewalk/Roadway only be via seated food service?	YES	NO	
/ill applicant prohibit patrons from drinking in any outdoor space(s) or adjacent dewalk?	YES	NO	
amplified sound is played inside the establishment, will windows and doors be osed?	YES	NO	
Will applicant permit NO wait lines or smoking outside?	YES	NO	
oes applicant agree to keep the sidewalk clear of all items or obstructions, such s sandwich boards, sidewalk signs, freestanding menus and plants, as per the w?	YES	NO	
Will applicant respect trees and tree pits and insure the health of the tree?	YES	NO	
Will applicant permit NO wait lines or smoking outside?	YES	NO	
Will there be a staff person responsible to ensure no loitering, noise or crowds outside?	YES	NO	
Will applicant agree not to use propane heaters?	YES	NO	
Will the outdoor dining deposit its garbage in a container on the parking lane?	YES	NO	

- Applicant will obtain an acoustic report from an NYC approved noise consultant

- Applicant will submit acoustic report to MCB4 office no later than 11/25/24. Applicant agrees to implement all recommendations of report.

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To the extent any additional stipulation on pages 9 and 10 of this application conflicts with any response on pages 1 – 11 of this application, the stipulations on pages 9 and 10 control.

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To the extent any additional stipulation on pages 9 and 10 of this application conflicts with any response on pages 1 – 11 of this application, the stipulations on pages 9 and 10 control.

Manhattan Community Board 4 (M (MCB4's recommendation is based on December 4, 2024 full board meeting, w in favor of the recommendation, members abstaining and present	a vote taken at its with <u>42</u> members voting members opposed, <u>0</u>	of the method of ope	 Denial unless all stipulations agreed to by applicant/owner are part of the method of operation Denial Approval 						
MCB4 REPRESENTATIVES									
Nelly Gonzalez MCB4 Assistant District Manager	Frank Holozubiec MCB4 BLP Committee Co-Chair	hali	Burt Lazarin MCB4 BLP Committee Co-C	Chair					
APPLICANT AGREEMENT W	ITH THE COMMUNIT	Υ							
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 representatives and applicant. These stipulations supersede any oral statements, representations, or prior iterations in connection with this application.									
$\operatorname{sign} \operatorname{here} \to$	Xi Lin print name of applicant	· · · ·	024 16:50 EST) F APPLICANT	11/6/2024 Date					



31 Sandy Ln Selden, NY 11784

REPORT

November 21, 2024

Sanmiwago Restaurant 64-66 7th Ave New York, NY

ATT: Jeffrey

On Thursday, November 14, 2024, I performed a site visit and took attended noise measurements inside Apartments 2A, 2B and 2C, in order to determine whether any noise generated by the first floor restaurant will meet the requirements of the NYC Noise Code.

PROCEDURE:

Instruments used for the attended measurements were Nti XL2 Type 1 acoustic analyzer, and Bruel & Kjaer Type 4231 acoustic calibrator. As per standard practice, the instrument was checked just prior to measurements and again just after to ensure stability.

Average ambient measurements - 39dB(A).

I brought my own sound source in order to generate a higher than normal sound level that a small restaurant might produce. I set the test levels around 85dB(A), which would also test the ceiling transmission loss (TL).

The NYC Noise Code reads, in part...

Sect.24-231 Commercial music. (a) No person shall make or cause or permit to be made or caused any music originating from or in connection with the operation of any commercial establishment or enterprise when the level of sound attributable to such music, as measured inside any receiving property dwelling unit:

(1) is in excess of 42 dB(A) as measured with a sound level meter; or

(2) is in excess of 45 dB in any one-third octave band having a center frequency between 63 hertz and 500 hertz (ANSI bands numbers 18 through 27, inclusive), in accordance with American National Standards Institute standard S1.6-1984; or

(3) causes a 6 dB(C) or more increase in the total sound level above the ambient sound level as measured in decibels in the "C" weighting network provided that the ambient sound level is in excess of 62 dB(C).

RESULTS:

The instrument I used is capable of simultaneously showing A-weighted (sect.24-231 (1), as well as 1/3 octave bands showing flat or C-weighted levels (sect.24-231,(2) & (3).

The A-weighting filters out the low frequencies, a measurement that accounts for how the human ear **perceives** the loudness of a sound

The flat or C-weighted scale is a frequency weighting method that measures the **effect** of low-frequency sounds on the human ear.

1 st floor sound sou Apt. 2A (living roo Apt. 2B (bedroom) Apt. 2C	m)	85 dE 37 dE 41 dE 41 dE	B(A) B(A)							
Frequencies - Hz	63	80	100	125	160	200	250	315	400	500
Apt. 2A (dB)	44	40	39	36	32	32	32	31	26	26
Apt. 2B (dB)	44	36	40	41	36	38	35	32	31	32
Apt. 2C (dB)	45	41	39	44	43	39	37	33	31	34

CONCLUSION:

Throughout the test period, there was no audible music heard coming from the restaurant below. This was captured in the simultaneous digital recordings of the sound level meter.

Based on the information gathered from this sound test, I can certify that the above restaurant, at 64 - 66 7th Ave, NYC is in compliance with all sections of the NYC Noise Code.

If you have any questions or need further information, please feel free to call me anytime.

Sincerely,

Dan Prosseda SOUND CONTROL 646-226-3966 <u>sedadan@gmail.com</u> www.soundcontrolny.net

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CITY OF NEW YORK MANHATTAN COMMUNITY BOARD No. 4 424 W 33* Street, Scill 660 New York, NY 10001 fel: 212-736-4536

PUBLIC NOTICE

Business Licenses and Permits Committee will discuss an application submitted by

Kun Tsuki Omakase XTRA Inc. 464 W 51st Street

A New Wine, Beer & Cider License for a Restaurant Establishment with Recorded Music

Tuesday, November 12, 2024

TIME:

DATE:

6:30 PM

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NO PLANTINE BRITTINE

PLACE:

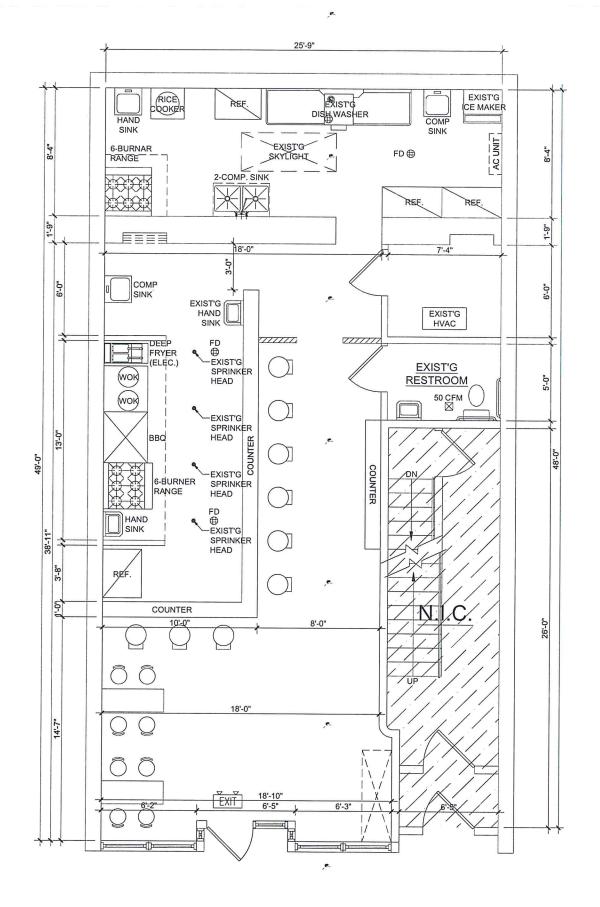
Hybrid Meeting:

Video/Phone Conference Registration: https://tinyurl.com/mcb4-blp-committee

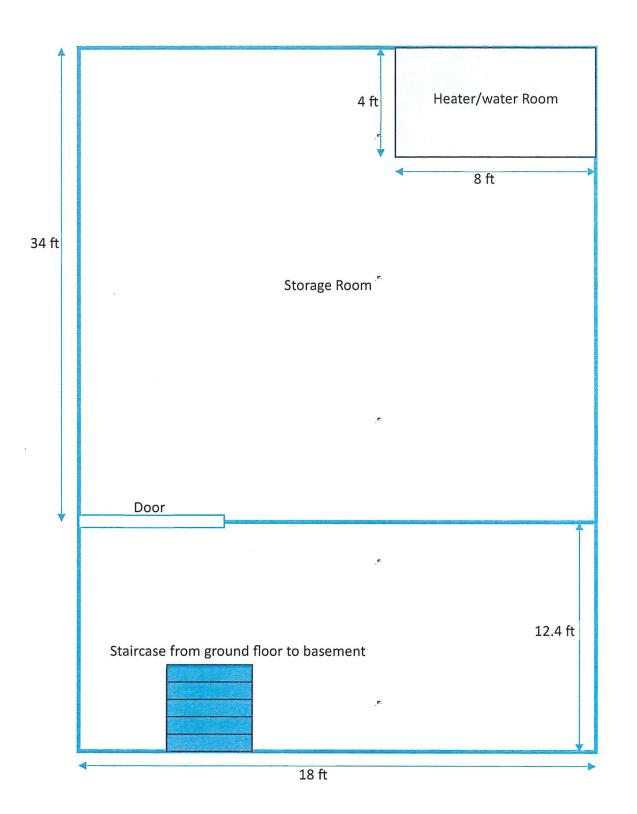
> In-Person: MCB4 Office 424 W 33rd Street, Suite 580

To follow public health best practices, building protocols and due to limited space, we encourage all members of the public to participate remotely via Zoom. If you would like to attend in person, please email Assistant District Manager Nelly Gonzalez at negonzalez@ch.nyc.gov by





PROPOSED 1st FLOOR PLAN @WEST 51st STREET A-002 SCALE: 3/16" = 1'-0"



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Basement Diagram for

Kun Tsuki Omakase XTRA Inc.

464 W 51st Street, New York, NY 10019



Signature Trio of Appetizers Nigiri 10 pieces^e Uni Ikura Mini Don Hand Roll Dessert

		bebben			
Nigiri & Hand Roll	N	HR	Sushi Don	12PCs	8PCs
Yellowtail / Amberjack	8	14	Chirashi	89	65
Fluke / Sea Bream	8	14	 Salmon & Ikura 	79	55
Spanish Mackerel / Squid	8	14	Tuna Toro	89	65
Striped Jack / Sablefish	8	14	Double Eel	69	49
Golden Eye Snapper	10	16	Wagyu & Uni	99	75
Rosy Seabass	15	25	Idashi's Special Don		
Sea Scallop / Sweet Shrimp	8	14	(Scallop Shrimp Toro	89	65
Arctic Char Salmon	8	14	Wagyu Uni Ikura)		
King Salmon	10	16	Uni Ikura Mini Don	20	
Ikura	10	16	Special COMB		
Lean Tuna	8	14	Special Comb	N	HR
Chu Toro	10	16	Shrimp / scallop W Uni	15	25
O'toro	12	20	Oʻtoro / Wagyu W Uni	20	30
California Uni	12	20	Idashi Special	25	30
Hokkaido Uni	15	25	(Wagyu,Toro,Scallop W Caviar)		
A5 Wagyu	12	20	Caviar Bomb	15	
Freshwater Eel	6	10	Kiss me ~~~	25	
Sea Eel	8	14	(Monaka,Toro,Ikura,Uni W		
Optional: Double the Nigiri (26PCs)		159	Caviar)		
(3 PCs Annetizers 20 PCs Nigiri					

(3 PCs Appetizers , 20 PCs Nigiri ,

1 Uni Ikura Don , 1 Hand Roll And 1 Dessert)

CONSUMING RAW OR UNDERCOOKED MEATS, POULTRY, SEAFOOD, SHELLFISH, OR EGGS MAY INCREASE YOUR RISK OF FOODBORNE ILLNESS. ESPECIALLY IF YOU HAVE CERTAIN MEDICAL CONDITIONS



op	a-	rev	03	29	20	18
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Original

OFFICE USE ONLY Amended Date

STATEMENT OF AREA PLAN 200 Foot Law

THIS QUESTION MUST BE ANSWERED BY ALL APPLICANTS REGARDLESS OF LICENSE TYPE

1. List the name, address and distance from the premises to ANY SCHOOL, CHURCH or PLACE OF WORSHIP WITHIN **300** FEET

 Is the premises within 200 feet of <u>ANY SCHOOL, CHURCH or PLACE OF WORSHIP?</u> (exclusive use as a church or place of worship will be determined by this agency) (please respond "YES" if ANY school, church or place of worship is within 200 feet)

Yes O No

3. Submit a BLOCK PLOT DIAGRAM (aerial view of the building, with nearby businesses and residences labeled) showing the location of any school, church or place of worship (8-1/2" x 11")

Indicate the distance in feet from the entrance of the proposed premises to the closest entrance of any school, church or place of worship.

Attach additional sheets if necessary.

1. Name of church/school:	Sacred Heart of Jesus RC Church	
Address:	457 W 51st Street	
Distance:	135.15 ft	
2. Name of church/school:	Sacred Heart of Jesus School	
Address:	456 W 52nd Street	
Distance:	279.32 ft	
3. Name of church/school:		
Address:		
Distance:	,c.	

ATTACH A STATEMENT INDICATING HOW THESE MEASUREMENTS WERE TAKEN

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

If applying for a full liquor license (beer, wine and liquor) and the premises is within 200 feet of a school, church or place of worship, the application may be denied.

If any discrepancy in the measurements is brought to the attention of the Authority during the examination of the application, it may be necessary for the applicant to supply a certified survey showing the actual measurement from the premises to the closest school, church or place of worship.

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