

Manhattan Community Board 4

(All Fields Must Be Completed)

NYS Liquor License/DOT Dining Out Stipulations Application

CORPORATION NAME		DOING BUSINESS AS (DBA)	
701 Restaurant LLC		Mom's Kitchen and Bar	
STREET ADDRESS		CROSS STREETS	ZIP CODE
701 9th Avenue, NY NY 10036		8th and 9th Ave,	10036
Applicant <i>(Attach a list of all individuals that will be listed/associated with the license)</i>	NAME: Brian Connell/Anthony Doyle	ATTORNEY/ REPRESENTATIVE	NAME: Michael Paleudis
	PHONE: 917-653-7390		PHONE: 212-837-8482
	EMAIL: brian@hkh.nyc		EMAIL: mjp@kplawyers.com
MANAGER	NAME: Abe Luna	LANDLORD	NAME: Empire Management
	PHONE: 646-657-0080		PHONE: 212-686-5252
	EMAIL: abe@hkh.nyc		EMAIL: ramin@empiremanagement.com
APPLICATION TYPE (<u> </u> New York State Liquor License <u> </u> Dept. of Transportation Dining Out)			
<input type="radio"/> New	Has applicant owned or managed a similar business?		<input type="checkbox"/> YES <input type="checkbox"/> NO
	What is/was the name and address of establishment?		
	What were the dates applicant was involved with this former premise?		
<input type="radio"/> Corp Change/Class Change/Method of Operation Change/Removal	What is the license # and expiration date?		
	Is applicant making any alterations or operational changes?		<input type="checkbox"/> YES <input type="checkbox"/> NO
	If alterations or operational changes are being made, please describe/list all changes.		
<input checked="" type="radio"/> Alteration	What is the current license # and expiration date?		0370-24-114974 6/30/2026
	Please list/describe the nature of all the changes and attach the plans:		
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 filed with the SLA? If yes, when? If no, when does applicant plan to file?		<input type="checkbox"/> YES <input type="checkbox"/> NO	No we will file when appropriate
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 foot radius of the establishment and the Public Interest Statement.		<input type="checkbox"/> YES <input type="checkbox"/> NO	No
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship within a 200 foot radius of the establishment.		<input type="checkbox"/> YES <input type="checkbox"/> NO	No
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?		<input type="checkbox"/> YES <input type="checkbox"/> NO	Yes

OPERATIONAL DETAILS (*Closing time will be when establishment is vacated of all patrons)								
HOURS of Operation		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Indoors	8am-12am	8am-12am	8am-12am	8am-12am	8am-12am	7am-12am	7am-12am
	Outdoors	8am-10pm	8am-10pm	8am-10pm	8am-10pm	8am-10pm	8am-10pm	10am-10pm
	Kitchen	8am-12am	8am-12am	8am-12am	8am-12am	8am-12am	7am-12am	7am-12am
	Music (indoors)							
If yes, what type(s)? (Circle all that apply)								
		BACKGROUND	LIVE MUSIC	DJ	JUKE BOX	KARAOKE		
OCCUPANCY								
	Capacity Pursuant to Certificate of Occupancy	Maximum Occupancy (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	N/A	74	17	59	0	1	8	
OUTSIDE <i>(Roof/Top/Rear Yard/Patio/Terrace /Garden; within the premises)</i>								
DOT Dining Out: Sidewalk Cafe			12	24				
DOT Dining Out: Roadway			6	12				
How frequently will the owner(s) be at the establishment?					Most Days			
Will there be dancing?					YES	NO	No	
Will applicant have bottle or table service for alcohol beverages other than wine?					YES	NO	No	
Will applicant be hosting private promotional or corporate events?					YES	NO	No	
Will outside promoters be used on a regular basis? If yes, please describe.					YES	NO	No	
Will applicant have a security plan? If yes, please attach.					YES	NO	No	
Will security plan be implemented?					YES	NO	No	
Will State certified security personnel be used?					YES	NO	No	
Will New York Nightlife Association and NYPD Best Practices be followed?					YES	NO	Yes	
Does applicant agree to notify MCB4 prior to making changes to its method of operation?					YES	NO	Yes	
Will applicant be using delivery bicycles? If yes, how many? Please describe where delivery bicycles will be parked when picking up deliveries?					YES	NO	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	N/A
Where will applicants' own delivery bicycles be parked when not making deliveries?	N/A		
If applicant is using third party delivery service, where will third party delivery bicycles park?	N/A		
Where will applicant store its garbage containers when not in use?	Basement		
Where will applicant lay out garbage containers and at what time?	Sidewalk		

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	NO	No
Is a Public Assembly permit required?	YES	NO	No
Are your plans filed with DOB?	YES	NO	No
What is the zoning designation for this location?	R8 CL C1-5		

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	Everyone on the list.	
	# 2		
	# 3		
	# 4		
	# 5		
When did applicant post the notice that was provided?	3/27/2025		
Where did applicant post the notice that was provided?	9th avenue front window and 48th street side window		
Please provide dates when applicant met with the groups listed above.			
Who was your contact person at each group you met with?			
Will applicant provide a cell phone number to neighbors and respond to complaints that arise? If yes, please provide.	YES	NO	917-653-7390
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicant's jobs webpage?	YES	NO	Yes

MULTIPLE SPACES/FLOORS 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

BUILDING DESIGN				
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		
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)	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?	YES	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?	YES	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		
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		
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		
Where will the air conditioner be located? What type is it?				
When was the air conditioner installed?				

OUTDOOR PRIVATE PROPERTY – ROOFTOP, REAR YARD, TERRACE

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	NO	
Are the floorplans for the outdoor space(s) included?	YES	NO	
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	
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)?	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 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	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	

DEPARTMENT OF TRANSPORTATION DINING OUT: SIDEWALK

Has the applicant read MCB4 Sidewalk Café Policy?	YES	NO	Yes
Will applicant be applying for sidewalk seating now or in the future?	YES	NO	Yes
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	Yes
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	Yes
Will applicant respect trees and tree pits and insure the health of the tree?	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 prohibit patrons from drinking in any outdoor space(s) or adjacent sidewalk?	YES	NO	Yes
Will applicant permit NO wait lines or smoking outside?	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 there be a staff person responsible to ensure no loitering, noise or crowds outside?	YES	NO	Yes
Will applicant agree not to use propane heaters?	YES	NO	Yes
Will applicant agree to abide by all applicable fire codes, including not blocking fire escapes?	YES	NO	Yes
Will the outdoor dining deposit its garbage in a container on the parking lane?	YES	NO	No
Will the café have a 3 foot-wide serving aisle running the entire length of the sidewalk seating?	YES	NO	Yes
Will the sidewalk seating have a platform?	YES	NO	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	Yes
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	Yes
Will the sidewalk seating block subway grate, utility hardware or Siamese water connection?	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 closes obstruction including construction barricades?			Yes

DEPARTMENT OF TRANSPORTATION DINING OUT: ROADWAY			
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	Yes
If you answered no to the question above, jump to the next page			
Will the roadway structure extend on top of the curb or pedestrian refuge? By how much?	YES	NO	No
Will the roadway structure have an ADA compliant ramp (not in the bike lane)?	YES	NO	No
Will the roadway structure extend in the striped zone along the bike lane? By how much?	YES	NO	No
Will the electric wires be brought over at the roof level?	YES	NO	Yes
Will applicant dismantle and dispose of a shed that is no longer in use, along with its furniture?	YES	NO	Yes
Will there be no music or amplifies sound in any outdoor seating, as per law?	YES	NO	No
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	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	No
Will the Outdoor Dining Sidewalk & Roadway provide no standing space for drinking or smoking?	YES	NO	No
Will the service and consumption of alcohol in the Outdoor Dining Sidewalk/Roadway only be via seated food service?	YES	NO	No
Will applicant prohibit patrons from drinking in any outdoor space(s) or adjacent sidewalk?	YES	NO	No
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	Yes
Will applicant permit NO wait lines or smoking outside?	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 respect trees and tree pits and insure the health of the tree?	YES	NO	Yes
Will applicant permit NO wait lines or smoking outside?	YES	NO	Yes
Will there be a staff person responsible to ensure no loitering, noise or crowds outside?	YES	NO	Yes
Will applicant agree not to use propane heaters?	YES	NO	Yes
Will the outdoor dining deposit its garbage in a container on the parking lane?	YES	NO	No

ADDITIONAL STIPULATIONS: (Office Use Only)

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.

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

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 (MCB4) recommends:
(MCB4's recommendation is based on a vote taken at its
May 7, 2025 full board meeting, with 38 members voting
in favor of the recommendation, 0 members opposed, 1
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

MCB4 REPRESENTATIVES



Nelly Gonzalez
MCB4 Assistant District Manager



Frank Holozubiec
MCB4 BLP Committee Co-Chair



Wendy Gonzalez
MCB4 BLP Committee Co-Chair

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 representatives and applicant. These stipulations supersede any oral statements, representations, or prior iterations in connection with this application.

SIGN HERE



BRIAN CONNELL

PRINT NAME OF APPLICANT



SIGNATURE OF APPLICANT

3/27/2025

DATE



July 1, 2024











Eric Adams
Mayor

Ydanis Rodriguez
Commissioner

COMMUNITY BOARD FEEDBACK PACKAGE

Please review this application and provide the required feedback.

Manhattan Community Board 4's (MCB4) recommendation is based on a voted at its May 7, 2025 Full Board Meeting with 39 members in favor of the recommendation, 0 member opposed, 0 members abstaining and 0 present but not eligible.

DINING OUT NYC

COMMUNITY BOARD RECOMMENDATION FORM

This form is to be used by community boards during the cafe review process. Any comments from the community board should be recorded on this form and submitted to NYC DOT. For information pertaining to specific cafe design requirements, visit the Dining Out NYC website for program legislation, rules, and Setup Guides.

Business Name: Mom's Midtown

Cafe Address: 701 9 AVENUE, NEW YORK, NY, 10019

Application Number: 20240730010063

CB Review Deadline (on date or next business day): 4/26/2025

NYCDOT Internal Use Only

Sidewalk Cafe Setup Feedback:

☐ Community Board chooses to **WAIVE** review

Comments related to the cafe's **physical footprint and dimensions**:

Comments related to **pedestrian flow** (i.e., visibility, safety, potential crowding):

Comments related to potential conflicts with **existing curb use** (i.e., planters, bike racks, bus stops):

Please check one of the recommendations below, either **approval**, **denial**, or **approval with modifications** relating to the above application:

☒ Community Board recommends **approval**

☐ Community Board recommends **denial**

☐ Community Board recommends **approval w/ modifications**

Recommended modifications (**only if approved w/ modifications**):

☐ Applicant acknowledges and agrees to modifications relating to the above referenced application

☐ Applicant acknowledges **BUT** does **NOT** agree with modifications relating to the above referenced application. If this box is checked, please provide NYC DOT with documentation of such agreement for NYC DOT's consideration.

Nelly Gonzalez

Community Board Authorizing Name

Community Board Authorizing Signature

4/28/25

Date

On 4/8/25 the Business Licenses & Permits Committee voted to recommend approval. This application is subject to ratification by MCB4 Full Board on Wednesday, May 7, 2025.

RESTAURANT DETAILS

Food Service Establishment Permit (FSEP)

FSEP#: 50010991

Expiration Date: 05/31/2025

DOHMH Status: CURRENT

Business Legal Name: 701 RESTAURANT LLC

Assumed Name: MOM'S MIDTOWN

Business Address: 701 9 AVENUE, NEW YORK, NY 10019

Venue Type: Restaurant (with bar)

Last updated from DOHMH: 03/17/2025

Restaurant Information

Entity Type: Limited Liability Corporation (LLC)

Employer Identification Number: 46-5077604

Phone: (646) 657-0080

Email Address: brian@hkh.nyc

DOS Information

DOS ID#: 4540242

Process Name: 701 Restaurant C/O PALEUDIS LAW FIRM

DOS Address: 100 CANAL POINTE BLVD., SUITE 125, PRINCETON, New Jersey 08540

NYS Liquor Authority Information

NYSLA Serial No: 037024114974

License Type: On-Premises

Name of License: 701 Restaurant LLC

Title of Representative: Member

Name of Certificate Holder: 701 Restaurant LLC

Business hours

Sun: 8:00 AM- 12:00 AM

Mon: 8:00 AM- 12:00 AM

Tues: 8:00 AM- 12:00 AM

Wed: 8:00 AM- 12:00 AM

Thurs: 8:00 AM- 12:00 AM

Fri: 7:30 AM- 12:00 AM

Sat: 7:30 AM- 12:00 AM



SECTION 1: Site Plan

- This Site Plan form is required to be uploaded in the "Sidewalk Site Plan" field of your online application.
- Refer to the [How to Apply](#) page in the Dining Out NYC website for more information about the application process.

Identify Clear Path Requirements:

Clear path requirement for your sidewalk cafe can be found by identifying your corridor type on the DOT's Pedestrian Demand Map.

- ☐ C1 - Global Corridor (12 feet Clear Path)
- ☐ C2 - Regional Corridor (10 feet Clear Path)
- ☒ C3 - Neighborhood Corridor, Community Connector, or Baseline Street (8 feet Clear Path)

Setup Area Identification:

- ☐ Please check this box if you plan to have outdoor dining located partially within private property. If you are uncertain, please request records from your property owner/manager.
- ☐ Please check this box if all or part of your sidewalk cafe is in a sidewalk widening area, developed pursuant to the NYC Zoning Resolution. If so, indicate the property line in the site plan drawing below.

9th Avenue



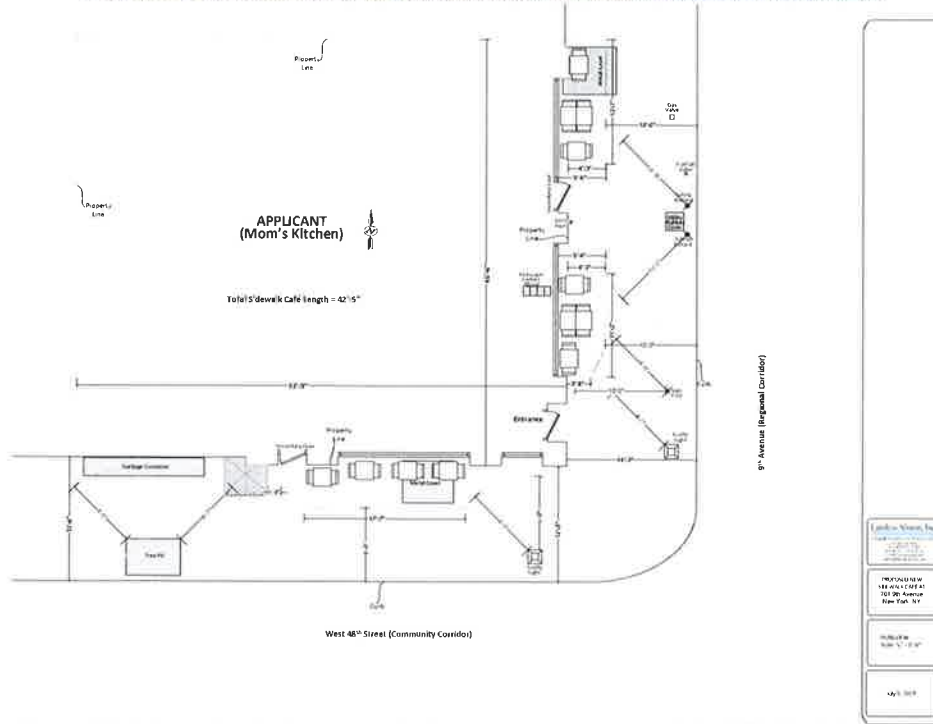
Sidewalk Cafe Site Plan Form

Applicant Name: 701 Restaurant LLC

Restaurant Name: Mom's Kitchen and Bar

FSEP Number: 50012273

Use the space below to draw or upload your Site Plan representing your cafe perimeters, furniture, and clearances.



Length of sidewalk cafe: 24'-10" feet

Width of sidewalk cafe: 4'-3" feet

Drawing Requirements

Food service establishment frontage shown by:

- Line representing the establishment's space facing the sidewalk
- Length
- Labels

Private Property shown as:

- Dashed line

Street names:

- Labels on each street

Sidewalk shown as:

- Line representing street curb
- Width measured from building line to curb line

Building entrances shown as:

- Label

Cafe perimeter shown as:

- Lines indicating perimeter
- Length and width

Set-up furniture (tables, chairs, etc.) shown as:

- Lines or symbols at approximate location within setup

Elements (in Section 2 of this form) within 15 feet of cafe perimeter, shown as:

- Lines or symbols
- Distance from cafe perimeter
- Labels

Utility coverings (water/gas valves, and pull boxes) shown as:

- Symbols representing the location within the setup

North arrow

SECTION 2: Required Clearances

- Please provide distances from the following objects.
- Only provide a distance if the listed object is within 15 feet of your proposed setup.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding clearances.

Elements with minimum 15 feet clearance from sidewalk cafe:

☐ S01- Subway Stair: Open End _____ feet

Elements with minimum 10 feet clearance from sidewalk cafe:

☐ S02- Subway Elevator Entrance _____ feet ☐ S04- MTA Curb Cut _____ feet
☐ S03- Exhaust Duct _____ feet ☐ S05- FDNY Curb Cut _____ feet

Elements with minimum 8 feet clearance from sidewalk cafe:

☐ S06- Street Tree Bed _____ feet ☐ S13- Newsstand _____ feet
☐ S07- Mailbox _____ feet ☐ S14- Streetlight _____ feet
☐ S08- LinkNYC Kiosk _____ feet ☐ S15- Bus Stop Pole _____ feet
☐ S09- Wayfinding Kiosk _____ feet ☐ S16- Fire Hydrant _____ feet
☐ S10- E-charging Station _____ feet ☐ S17- Bus Stop Shelter _____ feet
☐ S11- Parking Meter _____ feet ☐ S18- Traffic Signal _____ feet
☐ S12- SBS Fare Machine _____ feet

Elements with minimum 5 feet clearance from sidewalk cafe:

☐ S19- CitiBike/Bike Share Station _____ feet ☐ S24- Emergency Exit Hatch _____ feet
☐ S20- Bike Corral _____ feet ☐ S25- Subway Stair: Closed End _____ feet
☐ S21- Micromobility Station _____ feet ☐ S26- Subway Elevator: Non-Entry _____ feet
☐ S22- Primary Building Entrance _____ feet ☐ S27- Siamese Connection _____ feet
☐ S23- Curb Cut _____ feet

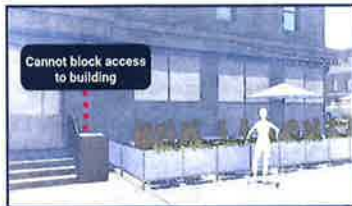
Elements with minimum 3 feet clearance from sidewalk cafe:

☐ S28- Elevated Train Infrastructure _____ feet ☐ S29- Transformer Vault _____ feet

Elements with minimum 1 foot 6 inches clearance from sidewalk cafe elements:

☐ S30- Vent Infrastructure: utility vent poles, vent grates, subway grates _____ inches ☐ S31- Manholes _____ inches

☐ Check this box if none of the objects listed above are within 15 feet of the proposed setup.



SECTION 3: Material Requirements

- Please indicate which of the following materials will be part of your sidewalk cafe by checking the box next to the category. If applicable, please confirm the materials comply with the Dining Out NYC requirements by checking the box next to the associated requirement.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding materials.

Materials Checklist:

Required

☐ Perimeter Demarcation (All of the following must be met)

- ☒ Perimeter demarcation must be clear and visible by using a lightweight and removable self-supporting base wall, railing, planter, fence, or stanchion and rope.
- ☐ Maximum height is 2 feet 6 inches (excluding planting(s)).
- ☐ Not affixed to the sidewalk.

Optional- Only check the material categories you intend to use in your sidewalk cafe

☐ Furnishings (if using, the first two below must be met)

- ☐ Lightweight and easily movable.
- ☐ Not affixed to the sidewalk.
- ☐ Check here if you plan to place tables/chairs on top of a cellar or basement door. If so, please complete the [Cellar or Basement Door Certification](#).

☐ Awnings Physically Attached to the Building (if using, all of the following must be met)

- ☐ Minimum 8 feet height from the ground and does not exceed 10 feet height.
- ☐ Easily removable, comprised of fire-grade and wind resistant materials.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ Complies with the New York City Building Code. Please note that this may require additional permits from DOB, and/or approval from the Landmarks Preservation Commission (LPC) as applicable.

☐ Overhead Coverings/ Umbrellas (if using, all of the following must be met)

- ☐ Minimum 7 feet height from the ground and does not exceed 10 feet height.
- ☐ Easily removable, comprised of fire-grade and wind resistant materials.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ The umbrella/overhead covering has a weighted base and any supports are not affixed to the sidewalk.
- ☐ Any support structures are of sufficient size and strength, made of durable materials, and free of defects.

☐ Lighting and Electrical Connections (if using, all of the following must be met)

- ☐ Any lighting is outdoor rated, properly secured, and lightweight.
- ☐ Connection is directly connected to ground floor restaurant's power source and within the perimeter of the cafe.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ Does not exceed 10 feet in height.
- ☐ Not attached to any City property, including street trees.
- ☐ Electrical work complies with the applicable requirements set forth in DOT's rules and the New York City Electrical Code. Please note that this may require additional permits from DOB or FDNY, and/or approval from the Landmarks Preservation Commission (LPC) as applicable.

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- ☐ C2- Regional Corridor (10 feet Clear Path)
- ☒ C3- Neighborhood Corridor, Community Connector, or Baseline Street (8 feet Clear Path)

West 48th Street Frontage

Setup Area Identification:

- ☐ Please check this box if you plan to have outdoor dining located partially within private property. If you are uncertain, please request records from your property owner/manager.
- ☐ Please check this box if all or part of your sidewalk cafe is in a sidewalk widening area, developed pursuant to the NYC Zoning Resolution. If so, indicate the property line in the site plan drawing below.



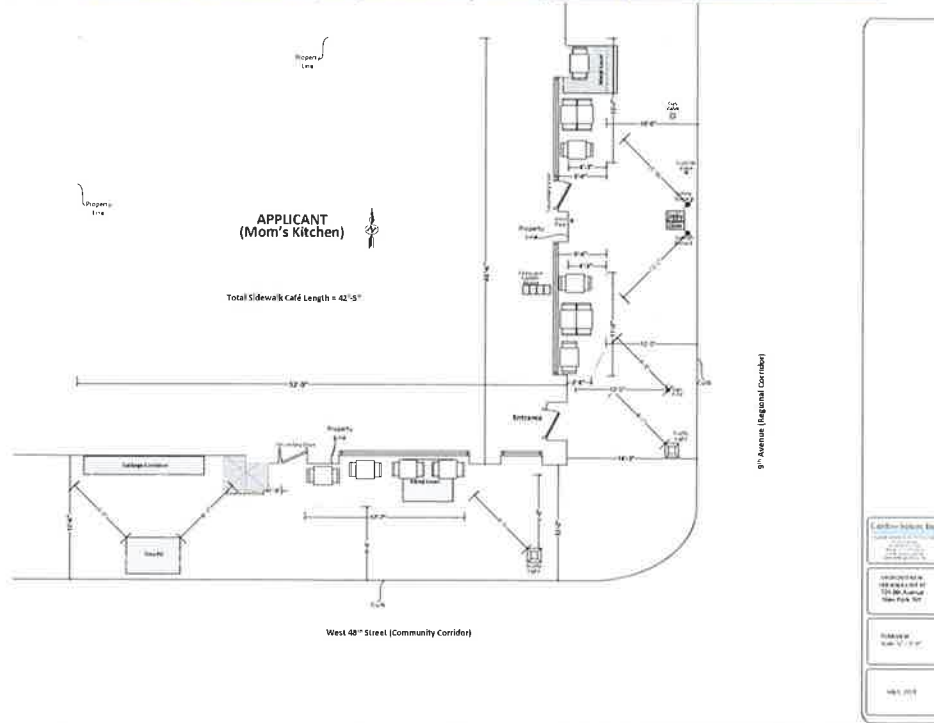
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- Distance from cafe perimeter
- Labels

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North arrow

SECTION 2: Required Clearances

- Please provide distances from the following objects.
- Only provide a distance if the listed object is within 15 feet of your proposed setup.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding clearances.

Elements with minimum 15 feet clearance from sidewalk cafe:

☐ S01- Subway Stair: Open End _____ feet

Elements with minimum 10 feet clearance from sidewalk cafe:

☐ S02- Subway Elevator Entrance _____ feet ☐ S04- MTA Curb Cut _____ feet
☐ S03- Exhaust Duct _____ feet ☐ S05- FDNY Curb Cut _____ feet

Elements with minimum 8 feet clearance from sidewalk cafe:

☐ S06- Street Tree Bed _____ feet ☐ S13- Newsstand _____ feet
☐ S07- Mailbox _____ feet ☐ S14- Streetlight _____ feet
☐ S08- LinkNYC Kiosk _____ feet ☐ S15- Bus Stop Pole _____ feet
☐ S09- Wayfinding Kiosk _____ feet ☐ S16- Fire Hydrant _____ feet
☐ S10- E-charging Station _____ feet ☐ S17- Bus Stop Shelter _____ feet
☐ S11- Parking Meter _____ feet ☐ S18- Traffic Signal _____ feet
☐ S12- SBS Fare Machine _____ feet

Elements with minimum 5 feet clearance from sidewalk cafe:

☐ S19- CitiBike/Bike Share Station _____ feet ☐ S24- Emergency Exit Hatch _____ feet
☐ S20- Bike Corral _____ feet ☐ S25- Subway Stair: Closed End _____ feet
☐ S21- Micromobility Station _____ feet ☐ S26- Subway Elevator: Non-Entry _____ feet
☐ S22- Primary Building Entrance _____ feet ☐ S27- Siamese Connection _____ feet
☐ S23- Curb Cut _____ feet

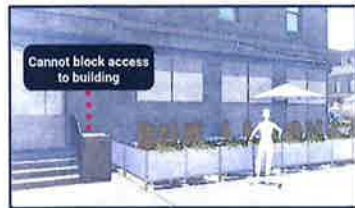
Elements with minimum 3 feet clearance from sidewalk cafe:

☐ S28- Elevated Train Infrastructure _____ feet ☐ S29- Transformer Vault _____ feet

Elements with minimum 1 foot 6 inches clearance from sidewalk cafe elements:

☐ S30- Vent Infrastructure: _____ inches ☐ S31- Manholes _____ inches
utility vent poles, vent
grates, subway grates

☐ Check this box if none of the objects listed above are within 15 feet of the proposed setup.



SECTION 3: Material Requirements

- Please indicate which of the following materials will be part of your sidewalk cafe by checking the box next to the category. If applicable, please confirm the materials comply with the Dining Out NYC requirements by checking the box next to the associated requirement.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding materials.

Materials Checklist:

Required

☒ Perimeter Demarcation (All of the following must be met)

- ☒ Perimeter demarcation must be clear and visible by using a lightweight and removable self-supporting base wall, railing, planter, fence, or stanchion and rope.
- ☐ Maximum height is 2 feet 6 inches (excluding planting(s)).
- ☐ Not affixed to the sidewalk.

Optional- Only check the material categories you intend to use in your sidewalk cafe

☐ Furnishings (if using, the first two below must be met)

- ☐ Lightweight and easily movable.
- ☐ Not affixed to the sidewalk.
- ☐ Check here if you plan to place tables/chairs on top of a cellar or basement door. If so, please complete the [Cellar or Basement Door Certification](#).

☐ Awnings Physically Attached to the Building (if using, all of the following must be met)

- ☐ Minimum 8 feet height from the ground and does not exceed 10 feet height.
- ☐ Easily removable, comprised of fire-grade and wind resistant materials.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ Complies with the New York City Building Code. Please note that this may require additional permits from DOB, and/or approval from the Landmarks Preservation Commission (LPC) as applicable.

☐ Overhead Coverings/ Umbrellas (if using, all of the following must be met)

- ☐ Minimum 7 feet height from the ground and does not exceed 10 feet height.
- ☐ Easily removable, comprised of fire-grade and wind resistant materials.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ The umbrella/overhead covering has a weighted base and any supports are not affixed to the sidewalk.
- ☐ Any support structures are of sufficient size and strength, made of durable materials, and free of defects.

☐ Lighting and Electrical Connections (if using, all of the following must be met)

- ☐ Any lighting is outdoor rated, properly secured, and lightweight.
- ☐ Connection is directly connected to ground floor restaurant's power source and within the perimeter of the cafe.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ Does not exceed 10 feet in height.
- ☐ Not attached to any City property, including street trees.
- ☐ Electrical work complies with the applicable requirements set forth in DOT's rules and the New York City Electrical Code. Please note that this may require additional permits from DOB or FDNY, and/or approval from the Landmarks Preservation Commission (LPC) as applicable.