

1 **BUSINESS LICNESE & PERMITS COMMITTEE**

Item # 4

2
3 June 6, 2012

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5 Dennis Rosen
6 Chairman
7 New York State Liquor Authority
8 80 S. Swan Street, 9th Floor
9 Albany, New York 12210

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11 **Re: La Buca Rest. Corp. d/b/a Swing 46 Jazz & Supper Club True Blue**
12 *349 West 46th Street (8th/9th)*

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15 Dear Chairman Rosen:

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17 Manhattan Community Board 4 (MCB4) recommends **denial** of a transfer of an on-premise liquor
18 license for **La Buca Rest. Corp. d/b/a Swing 46 Jazz & Supper Club True Blue – 349 W 46th St.**
19 **(8/9)**, **unless** the following stipulation, agreed to by the applicant, is part of the method of operation for
20 this establishment with a capacity of 150, with 48 tables and 112 seats with one stand-up bar seating 15,
21 doors will be kept closed so no sound escapes & no changes to the method of operation.

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24 A signed copy of the questionnaire, stipulations and community agreements are enclosed.

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27 Sincerely,

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30 Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

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Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT		DOING BUSINESS AS (DBA)		
La Buca Rest. Corp		Swing 46 Jazz & Supper Club True Blue		
STREET ADDRESS		CROSS STREETS		
349 W 46 th Street		8 th & 9 th Avenue		
OWNER	NAME: Mohammed Sokel Akhtar	ATTORNEY	NAME: Neil L. Fuhrer	
	PHONE: 646-379-0682		PHONE: 212-681-7888	
	FAX: 917-464-9949		FAX: 212-681-6536	
MANAGER	NAME: Judith Lalor	LANDLORD	NAME: 349-351 West 46 th Street LLC.	
	PHONE: 917-327-8997		PHONE: 516-607-4444	
	FAX: 917-464-9949		FAX: 212-564-0001	
DESCRIPTION OF BUSINESS				
Establishment Type:	<input checked="" type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input checked="" type="radio"/> Other (Explain): Jazz Club			
Method of Operation:	<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input checked="" type="radio"/> Other (Explain): Restaurant Jazz Club			
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
APPLICATION TYPE (check one)	<input type="radio"/> New	Has applicant owned or managed a similar business?	YES	NO
		What is/was the name of establishment?		
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<input checked="" type="radio"/> Transfer	What is the prior license #?	1027844	
		What is the expiration date on the prior license?	October 31, 2012	
		Are you making any alterations or operational changes?	YES	NO
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>		
	<input type="radio"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
<i>Please describe the nature of the alterations and attach the plans</i>				

OPERATIONAL ISSUES									
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	11 a.m. – 12 a.m.	11 a.m. – 12 a.m.	11 a.m. – 12 a.m.	11 a.m. – 12 a.m.	11 a.m. – 130 a.m.	11 a.m. – 130 a.m.	11 a.m. – 12 a.m.	
	Music	830 p.m. - 1130pm	830 p.m. - 1130pm	830 p.m. - 1130pm	830 p.m. - 1130pm	830 p.m. - 1130pm	830 p.m. - 1130pm	830 p.m. - 1130pm	
	Kitchen	12 p.m. – 12 a.m.	12 p.m. – 12 a.m.	12 p.m. – 12 a.m.	12 p.m. – 12 a.m.	12 p.m. – 12 a.m.	12 p.m. – 12 a.m.	12 p.m. – 12 a.m.	
OCCUPANCY	INDOOR				BAR			OUTSIDE	
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Bars	Number of Seats	Number of Tables
	150	150	48	112	0	1	15		
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+	Cellar, Storage, Ground Floor, Rest Room	
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	NO	N/A		
Will applicant have bottle service?					YES	NO	N/A		
Will you be hosting private parties and promotional events?					YES	NO	N/A		
Will outside promoters be used?					YES	NO	N/A		
Will the security plan submitted be implemented?					YES	NO	N/A		
Will State certified security personnel be used?					YES	NO	N/A		
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	N/A		
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	NO	N/A		
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	NO	N/A		
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	N/A		
Will applicant provide contact information to neighbors and respond to complaints that arise?					YES	NO	N/A		
If you plan to have music, what type(s)?			BACKGROUND	LIVE MUSIC	DJ	Jazz			
BUILDING DESIGN									
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	N/A		
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	N/A		
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	N/A		

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	YES	NO	N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	NO	N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A

LOCATION & ZONING			
Primary Zoning District:	R8	Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	NO	N/A
Is a Public Assembly permit required?	YES	NO	N/A
Are your plans filed with DOB?	YES	NO	N/A
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	C.B. 4	
	# 2		
	# 3		

ADDITIONAL INFORMATION: (Applicant Use)

- **There are no changes planned for the operation of the restaurant that has operated for 15 years + at the location**

ADDITIONAL NOTES: (Office Use Only)

ADDITIONAL STIPULATIONS: (Office Use Only)

- **No changes to the method of operation**
- **Will keep doors closed so no sound escapes**

PIATZERIA PIZZA
 PARAMOUNT HOTEL
 THE LIBRARY BAR
 PARAMOUNT BAR
 PARKING LOT
 OFFICE BUILDING
 TRAFFIC LIGHTS
 ABANDON BUILDING
 APT. BUILDING
 PARKING LOT
 RISTORANTE LA RIVISTA
 BROADWAY JOE
 FIORENTINA TUSCAN STEAK
 BAR BETTA
 PARKING LOT
 RESTAURANT & BAR
 DON'T TELL MAMA
 SUSHI OF GARI

SWING 46 NORTH

OFFICE
 BECCO
 LATTANZI
 HOUSE OF BREWS
 FIRE BIRD
 THE RITZ
 POMMAIRE
 HOURGLASS TAVERN
 YUM YUM TOO THAI COOKING
 TRAFFIC LIGHTS
 GALAXY DINER
 APT. BUILDINGS
 ST. CLEMENTS EPISCOPAL CHURCH
 SUNDRA AIR BRUSH TANNING
 DAVID RYAN SALON
 NEW YORK BODYWORK EXPRESS
 APT. BUILDINGS

LA BUCA Restaurant Caffe
 349 West 46 St
 NYC

500 FT
 LEFT
 500 FT
 200 FT

200 FT
 RIGHT
 500 FT

RICHARD ROGERS THEATRE
 IMPERIAL THEATRE
 PERSONA DES ARTISTES
 PARKING LOT
 TRAFFIC LIGHTS
 BRESSERIE ATHENE
 ST. LUKES THEATRE
 ST. LUKES LUTHERN CHURCH
 B. SMITH
 ORSO
 JOE ALLEN
 BRAZIL RESTAURANT
 O'FLAHERTY'S
 SANGRIA 46
 LE RIVEGE
 DAROSINA
 MESON SEVILLE
 BURLON STREET BAR & GRILL
 OCHA JAPANESE CUISINE
 APT. BUILDING

SWING 46 SOUTH

APT. BUILDINGS
 SMYRNA TURKISH CUISINE
 THAI CUISINE
 TRAMONTI
 LITTLE TOWN NYC
 DECON BROIDES TAVERN
 AIS SUSHI
 YUM YUM TOO THAI CUISINE
 TRAFFIC LIGHTS
 ZEN PALATE
 REAL STATE OFFICE
 SPEEDY CLEANERS
 APT. BUILDINGS
 214 HOTEL
 HOURS TOO
 APT BUILDING
 NAILS
 PLAY GROUND

200 FT
 500 FT

SWING 46

Jazz and Supper Club

Call to reserve 212 . 262 . 9554

All Dishes Carefully prepared with only the Freshest Ingredients

ZAGAT Award of Distinction

Appetizers

Variety of Soups Made Fresh Daily 8-12

Organic Mixed Field Greens 10

tomatoes and cucumber, homemade sage vinaigrette

Caesar Salad 10

with chicken or shrimp add \$5

Beet Salad 14

roasted beets, goat cheese, rocket arugula

Swing Salad 14

tri color salad with arugula, endive, radicchio
walnuts, strawberries, homemade bleu cheese dressing

Grilled Asparagus 14

with softened goat cheese and a balsamic glaze

Mini Beef Wellington 14

filet mignon in puff pastry with a cabernet demi glaze

Shrimp Cocktail with a Twist 14

poached, chilled shrimp, spicy cocktail sauce

Coconut Shrimp 14

with a zesty orange marmalade dip

Crab Cake 12

lime, ginger and yellow pepper coulis

Prince Edward Island Mussels 14

white wine, garlic and herb seafood broth
served with a toasted garlic crostini

Portobello Mushroom 14

roasted red peppers, baby arugula
goat cheese and homemade vinaigrette

Almond Crusted Calamari 11

roast chili and tomato salsa

* Additional Price Fixed Menu Available*
3 Delicious Courses \$25 before 7:30pm

1940's "Swing Era Music" Dining ~ Dancing ~ Cocktails

Relax and Enjoy a Romantic Fun Filled Evening

Specials

A selection of daily specials available from your server

Entrees

Rib Eye Steak 36

marinated harvest of chopped herbs, cabernet demi glaze
creamed spinach, roasted red bliss potatoes

Choice Filet Mignon 32

drizzled with a 14 year aged balsamic vinegar
sautéed fresh vegetables, roasted red bliss potatoes

Angus Hanger Steak 27

cabernet demi glaze, yukon gold mashed potatoes,
sautéed vegetables and onion cracklings

BBQ Ribs 29

sweet potato fries

Maple Glazed Double Cut Pork Chop 30

oven roasted butternut squash puree, garlic spinach
apple and pear chutney

Roast Half Chicken 25

marinated roast chicken, mash potatoes,
sautéed vegetables, natural chicken gravy

Orecchiette Pasta 24

spinach, Italian sausage, pine nuts, pesto cream sauce

Vegetarian Pasta Primavera 18

sautéed vegetables, garlic, herbs, tomato basil marinara

Rigatoni and Shrimp 25

creamy rich garlic sauce with basil and tomato

Salmon Filet 26

sesame seared salmon filet, teriyaki ginger sauce,
rice and fresh sautéed vegetables

Prince Edward Island Mussels 24

white wine, garlic, herb and seafood broth

Seared Scallops with Bacon 26

crisp scallops, bacon, horseradish mash potatoes

Pan Seared Red Snapper 27

sautéed fresh vegetables over basmati rice

Subject: 1



John Akhtar