

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License/Sidewalk Cafe Stipulations Application

CORPORATION NAME		DOING BUSINESS AS (DBA)	
Gardenia Terrace LLC		Gardenia Terrace Restaurant	
STREET ADDRESS		CROSS STREETS	ZIP CODE
826 10th Ave., NY, NY 10019		54th and 55th Sts.	10019
OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small>	NAME: Hesham Edris	ATTORNEY/ REPRESENTAIVE	NAME: Martin P. Mehler
	PHONE: 917-754-5406		PHONE: 212-962-4688
	EMAIL: hesham@propehnyc.com		EMAIL: mehlerbuscemi@aol.com
MANAGER	NAME:	LANDLORD	NAME:
	PHONE:		PHONE:
	EMAIL:		EMAIL:
APPLICATION TYPE (<input checked="" type="checkbox"/> <i>Liquor License</i> <input type="checkbox"/> <i>Unenclosed Sidewalk Cafe</i>)			
<input type="radio"/> New	Has applicant owned or managed a similar business?		YES 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/Removal	What is the license # and expiration date?		
	Is applicant making any alterations or operational changes?		YES NO
	<i>If alterations or operational changes are being made, please describe/list all changes.</i>		
<input checked="" type="radio"/> Alteration	What is the current license # and expiration date?		1302115, 7/31/21
	<i>Please list/describe the nature of all the changes and attach the plans:</i>		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input checked="" type="radio"/> Liquor/Wine/Beer & Cider <input type="radio"/> Beer & Cider <input type="radio"/> Wine/Beer & Cider		
ESTABLISHMENT TYPE	<input checked="" type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Bar/Tavern <input type="radio"/> Catering Establishment <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Club (Fraternel Organization – Members Only)		
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?	YES	NO	no after cb meeting
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.	YES	NO	yes
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	YES	NO	no
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	YES	NO	yes

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

		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
HOURS* <i>(Indoor Only)</i>	Operation	11am-2am seven days a week						
	Kitchen	11am-2am seven days a week						
	Music	11am-2am seven days a week						
If you plan to have music, what type(s)? (Circle all that apply)			<u>BACKGROUND</u>	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
INSIDE	74	74	26	55	0	1	9
OUTSIDE <i>(Other than sidewalk café)</i>	n/a						
DCA APPROVED UNENCLOSED SIDEWALK CAFÉ	14 4	14	6	14			

How many floors are there? What is the capacity for each floor?	1	
How frequently will the owner(s) be at the establishment?	daily	
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	

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			
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	West 55th Block Association	
	# 2	Hudson Yards Hells Kitchen Association	
	# 3	Midtown North Pct Council	
	# 4	300 W 55th St. St.	
	# 5	West 47th St. Association	
Please provide dates when applicant met with the groups listed above.	sent by email 4/30/2021		
Who was your contact person at each group you met with?	1-Gorman, 2-Benfalto, 3 Mudd, 4 Loeb, 5-Bogues		
When did applicant post the notice that was provided?	4/29/21		
Where did applicant post the notice that was provided?	on the entrance door		
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	YES	NO	yes 917-754-5406
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	YES	NO	yes

BUILDING DESIGN			
State the name and type of business previously located in the space.	the within licensee		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	the within licensee
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	no
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	no
Will applicant have a vestibule within the establishment?	YES	NO	yes
Will applicant use a storm enclosure?	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 applicant comply with the NYC noise code?	YES	NO	yes
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	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	n/a
Will the kitchen exhaust system extend to the roof?	YES	NO	yes
Will the establishment have an illuminated sign?	YES	NO	no
Will the establishment have a canopy extending over the sidewalk?	YES	NO	no
Where will the air conditioner be located? What type is it?	roof top, Split units, Figutsv		
When was the air conditioner installed?	2017		

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	no
Are the floorplans for the outdoor space(s) included?	YES	NO	n/a
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	YES	NO	n/a
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	n/a
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s) or on the sidewalk?	YES	NO	n/a
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 or according to guidelines

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	already obtained
Is applicant in this application seeking to include a sidewalk café in its liquor license?	YES	NO	already on the license
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	YES	NO	yes
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?	YES	NO	yes
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	YES	NO	yes
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk cafe?	YES	NO	yes
Will applicant mark the perimeter of the café on the sidewalk?	YES	NO	yes
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	YES	NO	yes
Will the sidewalk café not provide standing space for drinking or smoking?	YES	NO	yes
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 st and March 21 st , and any other day when it rains or snows?	YES	NO	yes
Will applicant use umbrellas?	YES	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	yes text here
If open dining is in the parking lane, will applicant agree to remove its sidewalk café?	YES	NO	yes

ADDITIONAL STIPULATIONS: (Office Use Only)

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


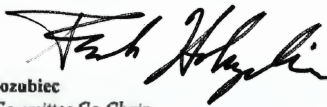

ADDITIONAL STIPULATIONS: (Office Use Only), *Continued*

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.

Manhattan Community Board 4 (MCB4) recommends:
(MCB4's recommendation is based on a vote taken at its
June 2, 2021 full board meeting, with 44 members voting in favor
of the recommendation, 0 members opposed, 2 members
abstaining and 0 present but not eligible)

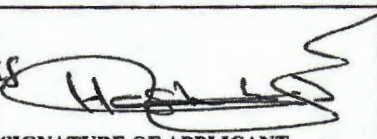
Denial unless all stipulations agreed to by applicant/owner are part of the method of operation
 Denial Approval

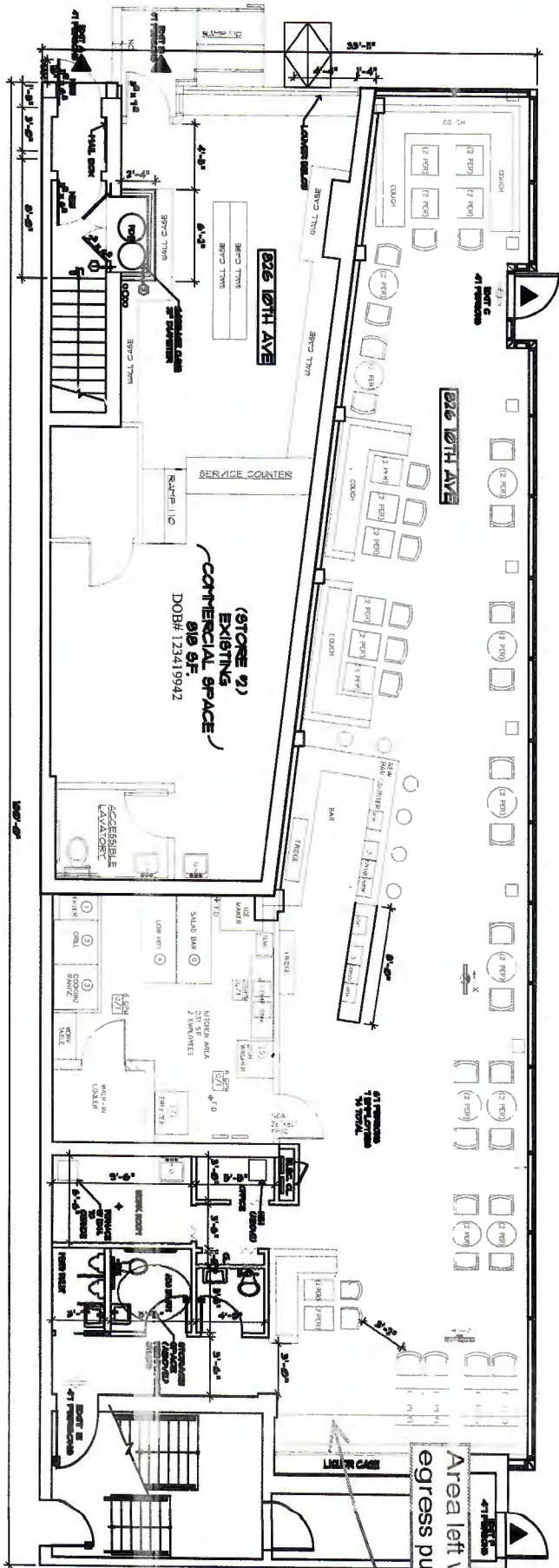
CB4 REPRESENTATIVES

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

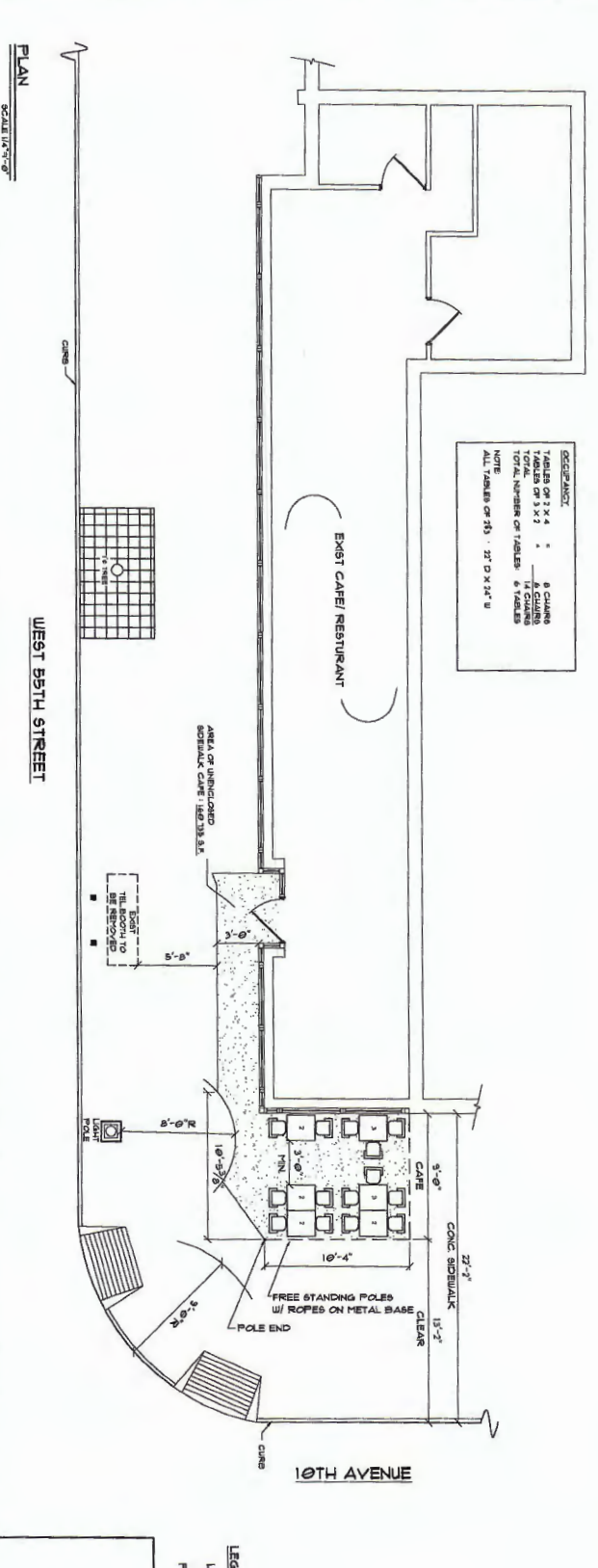
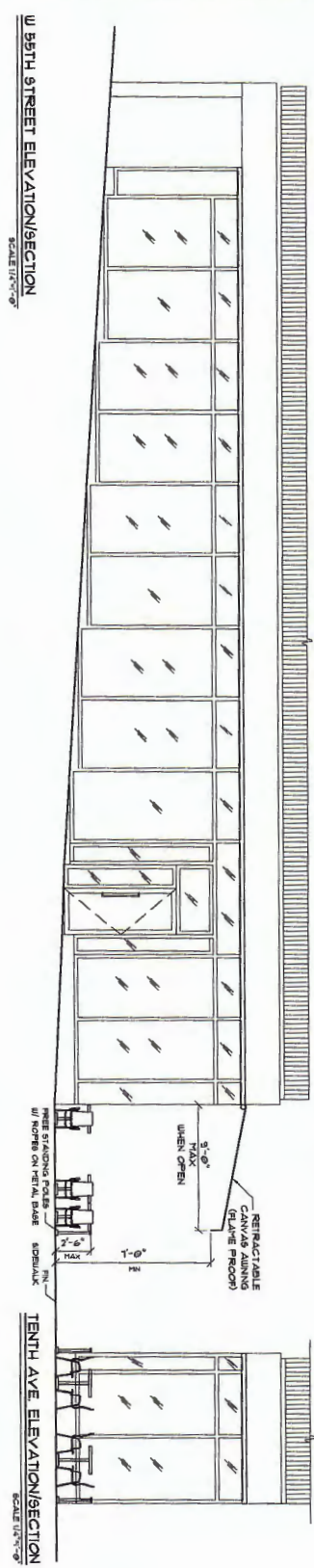
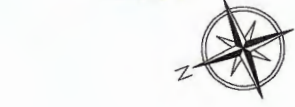
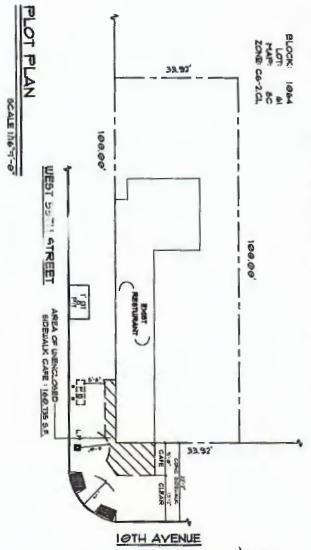
Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of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

SIGN HERE →	Heshan Edris PRINT NAME OF APPLICANT	 SIGNATURE OF APPLICANT	4/27/21 DATE
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PROPOSED 1ST FLOOR PLAN
 SCALE: 3/8" = 1'-0"

Existing Side Walk Cafe Plans



DISCREPANCY:
 TABLES OF 2 X 4 : 8 CHAIRS
 TABLES OF 2 X 3 : 4 CHAIRS
 TOTAL NUMBER OF TABLES & TABLES : 12
 NOTE: ALL TABLES OF 2'0\"/>

LEGEND
 L.P. LIGHT POLE
 T. TREE
 P.B. PHONE BOOTH

PROJECT:	UNENCLOSED SIDEWALK CAFE
215-33 40TH AVE, DAYSCOE NY 10061	
OWNER: CALIBRE BY FERRELLA LLC	
DATE:	08/11/11
DRAWN BY:	KJC
CHECK BY:	
DATE:	08/11/11
SCALE:	1/8\"/>

GARDERIA

Gardenia Terrace


Dinner, Lunch Specials · Closed

826 10th Ave, New York, NY 10019

(212) 334-0489

Menu About

 Search menu

 Closed. Next delivery is Saturday at 2:00pm. Next takeout is Saturday at 3:00pm.

Popular menu items

Menu powered by Grubhub

Lamb Slider

Roasted tomatoes, rosemary, homemade seasoning, fries.

\$14.00

Chicken Shawarma Wrap

Slow cooked, marinated chicken, tahini.

\$14.00

French fries

\$7.00

Starters

Gardenia Sampler

Baba ghanoush, tzatziki, olive tapenade.

\$12.00

Humuus

Chickpeas, tahini, garlic, lemon, olive oil.

\$10.00

Categories

Baba Ganoush

Slow roasted eggplant, tahini, garlic.

\$10.00

Spicy Mousaka

Eggplant, green and red bell pepper, cumin.

\$10.00

Falafel

Fava beans and chick peas mix, tahini, baby greens.

\$14.00

Lentil Soup

Yellow chickpeas, cumin, grilled pita.

\$10.00

Grilled Chicken Wings

Yogurt sauce, paprika.

\$12.00

Lamb Slider

Roasted tomatoes, rosemary, homemade seasoning, fries.

\$14.00

Stuffed Grape Leaves

Rice, parsley, tzatziki.

\$12.00

Feta Tasting

Kalamata olives, rosemary, green and red peppers.

\$12.00

Meatballs

Ground beef, onion, cinnamon, tzatziki, tomato sauce

\$14.00

Salads

Black Tuscan Kale

Red radicchio, grapes, Pecorino Romano cheese roasted pine nuts, Meyer lemon dressing.

\$12.00

Quinoa Kale

Avocado, cherry tomatoes, baby kale, bell pepper, feta cheese.

\$12.00

Brussel sprout caesar

Shaved brussels, fried bread crumbs, homemade caesar dressing, brussel chips

\$14.00

Watermelon salad

Feta cheese, fennel seeds ,mint lemon dressing

\$12.00

Octopus Sallad

Fingeling potato,tomato,argula,red onion,pesto,house dressing

\$16.00

Wraps

Falafel Wrap

Baby greens, tahini.

\$12.00

Shawarma lamb/beef Wrap

Slow cooked marinated lamb and beef, Tahini

\$14.00

Chicken Shawarma Wrap

Slow cooked, marinated chicken, tahini.

\$14.00

Shrimp Wrap

Marinated and pan fried, tahini.

\$16.00

Large Plates

Shawarma Plater

Slow cooked lamb and beef, tahini, turmeric rice.

\$20.00

Mix Kebab

Chicken, lamb, kofta, or mixed rice, baby greens, tahini.

\$26.00

Gardenia chef bolognese

Marinated ground beef, Romano cheese.

\$16.00

Chicken shawarma plater

slow cooked marinated chicken, tahini, turmeric rice

\$18.00

Shrimp Barley Risotto

Zucchini, leeks, parmesan, mango, pineapple

\$22.00

Grilled Atlantic salmon

French green lentil, ragu, fennel, crispy parsnips

\$28.00

Flatbread

White Mushroom

Mozzarella, garlic, wild mushrooms
\$16.00

Margherita

Tomato, basil, mozzarella

\$16.00

Pineapple Jalapeno

Bell pepper, zucchini, red onion, tomato, mozzarella

\$16.00

Sides

French fries

\$7.00

Roasted Mushrooms

\$5.00

avocado

\$4.00

Grilled chicken kebab

\$6.00

Lamb

\$7.00

Roasted Artichoke

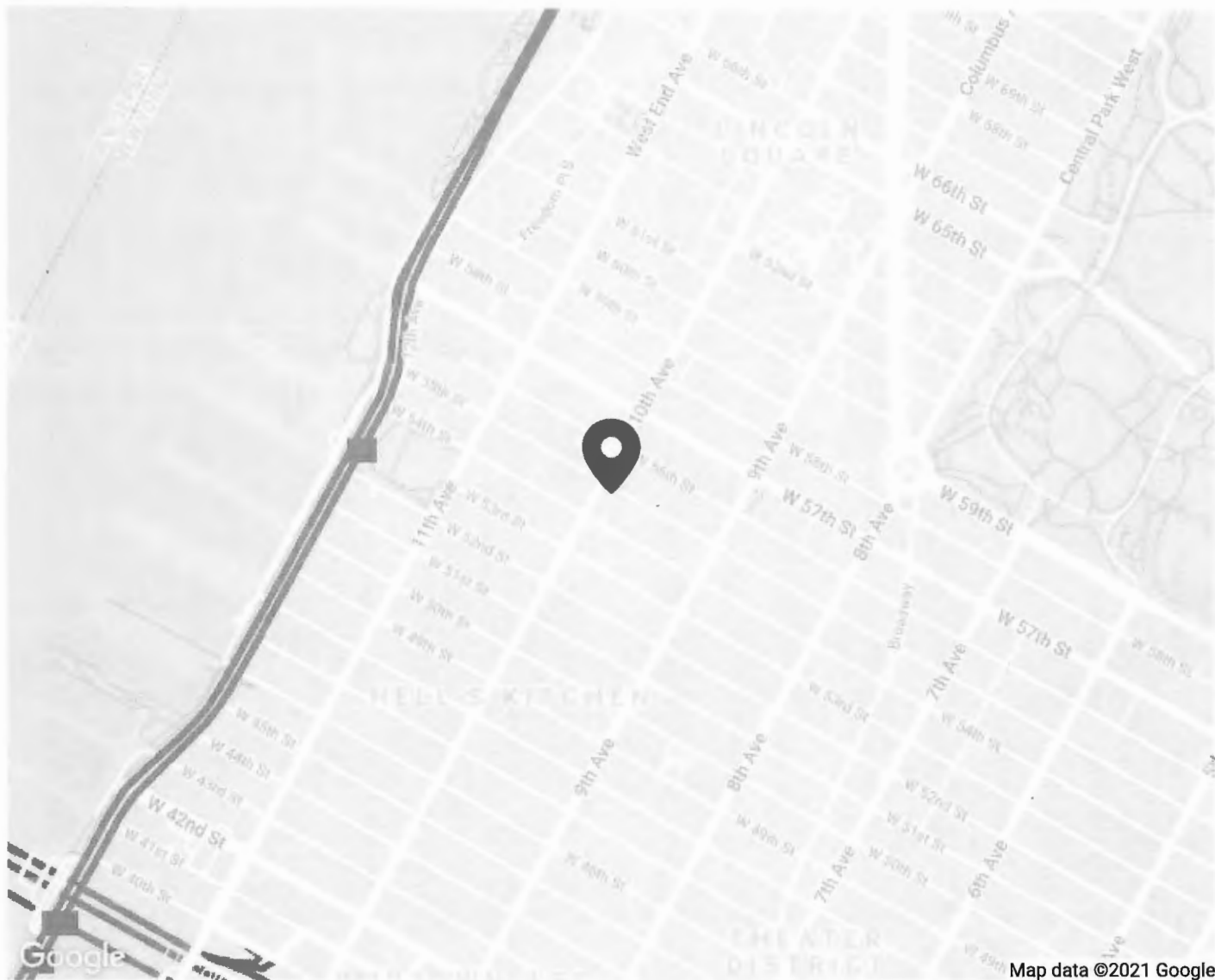
(cold or hot)

\$5.00

Asparagus

\$6.00

About Gardenia Terrace



📍 826 10th Ave, New York, NY 10019

Dinner, Lunch Specials, Mediterranean, Salads, Wraps

📞 (212) 334-0489

📅 Pickup hours: 3:00 PM - 9:30 PM [View all](#)

🚚 Delivery hours: 2:00 PM - 9:30 PM [View all](#)

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PCS
KGS
KGS
6

TYL:	100
WC:	8
WC:	8.5
DICR:	6







