



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 vote at its January 6, 2025 Full Board Meeting with 39 members in favor of the recommendation, 1 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: GARDENIA TERRACE

Cafe Location: 826 10TH AVE, NEW YORK, NY, 10019

Application Number:20240529010004

Recommendation Response Deadline: 12/12/2024

NYCDOT Internal Use Only

Roadway Cafe Setup Comments:

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):

Overall recommendation for the cafe setup:

Suggested modifications related to the above referenced application:

Nelly Gonzalez
Community Board Authorizing Name



12/12/24
Date

On 12/10/24 the Business Licenses & Permits Committee voted to recommend approval of this application. This application is subject to ratification by the Full Board on Monday, January 6, 2025.

Restaurant Details

Food Service Establishment Permit (FSEP)

FSEP#: **50055882**

Expiration Date: **09/30/2025**

DOHMH Status: **CURRENT**

Business Legal Name: **CATERED BY PERGOLA LLC**

Assumed Name: **GARDENIA TERRACE**

Business Address: **826 10TH AVE, NEW YORK, NY 10019**

Venue Type: **Restaurant (with bar)**

Last updated from DOHMH: **11/12/2024**

Restaurant Information

Entity Type: **Limited Liability Corporation (LLC)**

Phone: **(212) 334-0489**

Email Address: **Hesham@propelnyc.com**

Secondary Email Address: **MOUTAZ@propelnyc.com**

DOS Information

DOS ID#: **4675503**

Process Name: **GARDENIA TERRACE LLC**

DOS Address: **826 10TH AVENUE, NEW YORK, New York 10019**

NYS Liquor Authority Information

NYSLA Serial No: **1302115**

License Type: **On-Premises**

Name of License: **GARDENIA TERRACE LLC MOUTAZ ALI HESHAM EDRIS**

Title of Representative: **MANAGER**

Name of Certificate Holder: **MOUTAZ ALI HESHAM EDRIS**

User Information

Created By: **hesham edris**

Created On: **5/9/2024 8:14:23 PM**

Modified By: **hesham edris**

Modified On: **8/1/2024 7:55:45 PM**

Business hours

Sun:

12:00 PM- 2:00 AM

Mon:

12:00 PM- 2:00 AM

Tues:

12:00 PM- 2:00 AM

Wed:

12:00 PM- 2:00 AM

Thurs:

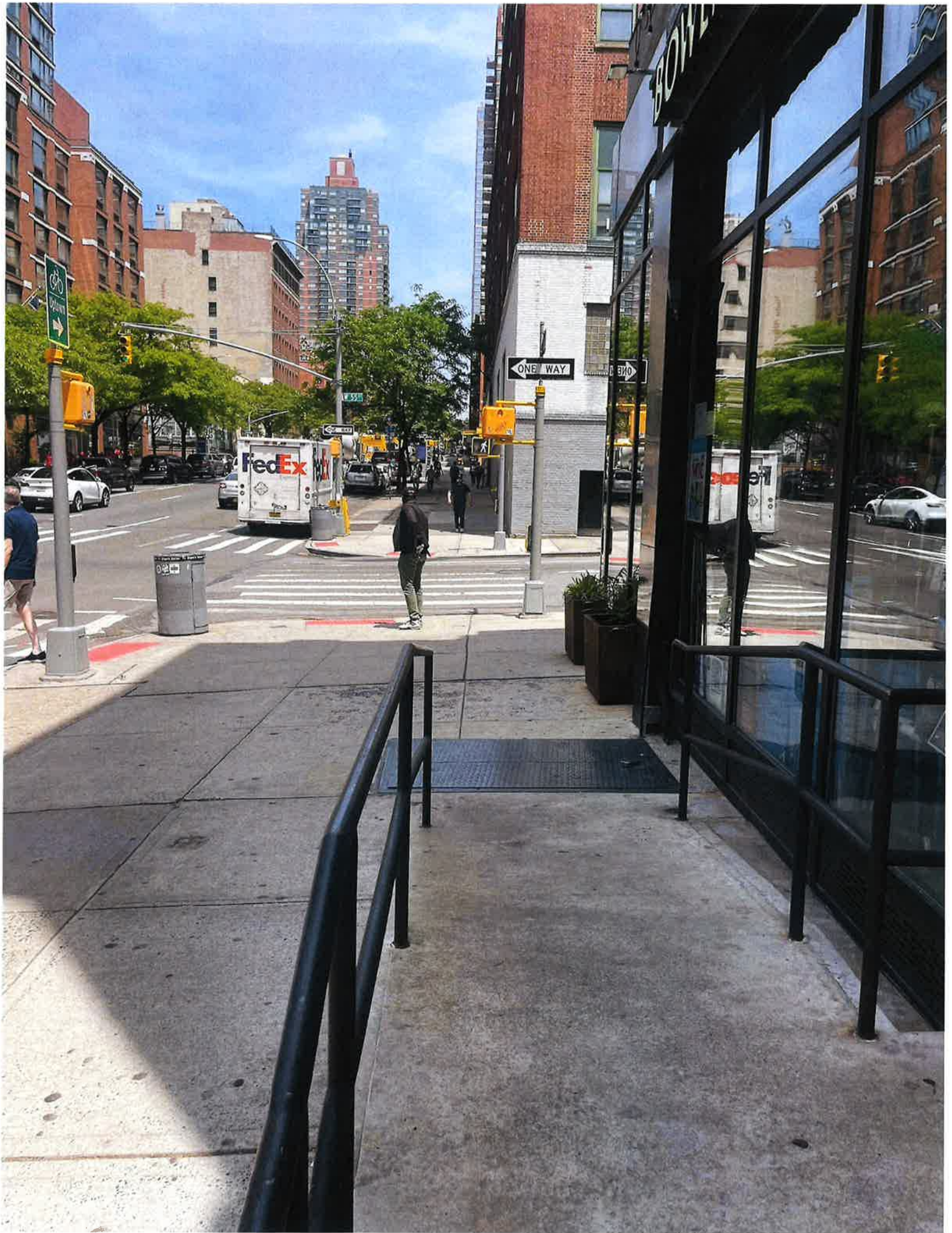
12:00 PM- 2:00 AM

Fri:

12:00 PM- 2:00 AM

Sat:

12:00 PM- 2:00 AM











SECTION 1: Site Plan

- This Site Plan form is required to be uploaded in the "Roadway 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 Permitted Parking Location:

- Identify the Parking Sign in front of or around the area where your roadway setup would be located.
- Roadway cafes can only be placed in:
 - Parking spaces, which include: metered and non-metered spaces, commercial parking, alternate side parking, angled parking, and seasonally restricted parking.
 - Loading areas, including loading only, truck loading, hotel loading, and no parking zones.
 - Floating Parking Lane- a parking lane that is separated from the curb by a protected bicycle lane that is adjacent to the curb.

☐ P1- Parking Space

☐ P2- Loading Area

☐ P3- Floating Parking Lane

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

Length of roadway cafe: 40 feet

Width of roadway cafe: 6 feet



Roadway Cafe Site Plan Form

Applicant Name: Moutaz Ali

Restaurant Name: Gardenia Terrace

FSEP Number: 50055882

Drawing Requirements

Food service establishment frontage shown as:

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

Street names:

- Labels on each street

Sidewalk shown as:

- Line representing street curb

Roadway shown as:

- Width of curbside lane

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:

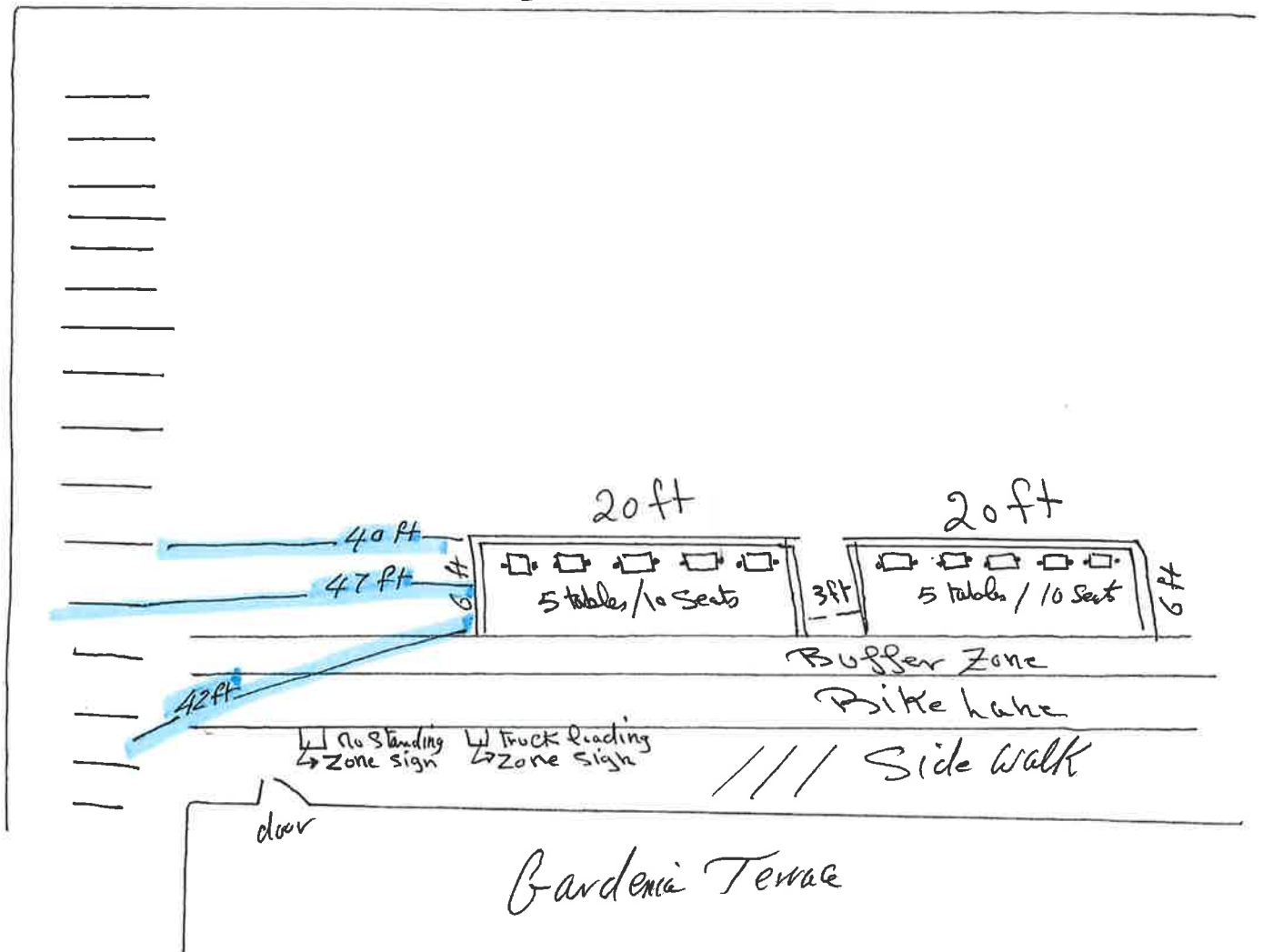
- Lines or symbols
- Distance from cafe perimeter
- Labels

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

- Symbols representing the location within the setup

North arrow

102 AV



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 roadway cafe:

☐ R01- Subway Stair: Open End _____ feet ☒ R02- Fire Hydrant 40 feet

Elements with minimum 10 feet clearance from roadway cafe:

☐ R03- Subway Elevator Entrance _____ feet ☐ R05- MTA Curb Cut _____ feet
☐ R04- FDNY Curb Cut _____ feet

Elements with minimum 5 feet clearance from roadway cafe:

☐ R06- Curb Cut 55 feet ☐ R11- CitiBike/Bike Share Station _____ feet
☐ R07- Emergency Exit Hatch _____ feet ☐ R12- Bike Corral _____ feet
☐ R08- Subway Stair: Closed End _____ feet ☐ R13- Micromobility Station _____ feet
☐ R09- Subway Elevator: Non-Entry _____ feet ☐ R14- Drainage Infrastructure _____ feet
☐ R10- Bus Stop Pole:
Non- Approaching Side _____ feet

Elements with minimum 3 feet clearance from roadway cafe:

☐ R15- Elevated Train Infrastructure _____ feet ☐ R16- Transformer Vault _____ feet

Elements with minimum 1 foot and 6 inches clearance from roadway cafe:

☐ R17- Vent Infrastructure:
utility vent poles, vent
grates, subway grates _____ feet ☐ R18- Manholes _____ inches

Elements with minimum 6 inches clearance from roadway cafe:

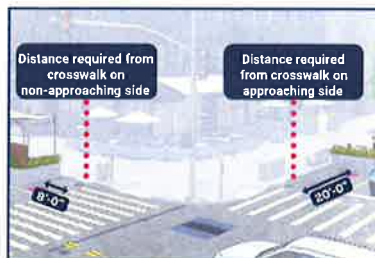
☐ R19- Thermoplastic Marking _____ feet

Roadway cafe distance from crosswalks:

☐ R20- Adjacent to
non-approaching side of
crosswalk
(min. 8 foot distance) _____ feet

☒ R21- Adjacent to
approaching (stopping)
side of crosswalk
(min. 20 foot distance) 35 feet

☐ R22- No crosswalk present
(maintain 20 feet from
curb line of intersecting
street) _____ feet



☐ 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 roadway cafe by checking the box next to the category. If applicable, please confirm the materials comply with the Dining Out NYC requirements.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding materials.

Materials Checklist:

Required

☒ Barriers (All of the following must be met)

- ☒ Maintained on all sides of the cafe except the side fronting the ground floor restaurant.
- ☒ Not permanently affixed to the roadway.
- ☒ 30-42 inches tall (excluding planting), and at least 4 inches in width.
- ☒ Barriers are interconnected with each other.
- ☒ Any cladding over the barriers is securely fastened or affixed.
- ☒ Minimum 4 inches wide reflective strip on each barrier on the outward facing side.
- ☒ Water-filled with a minimum of 150 pounds per linear foot of barrier length.

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

☐ Flooring (if using, all of the following must be met)

- ☐ Durable, lightweight, easily removable, mold-resistant, elevated from the ground level to allow for drainage, and removable to allow for cleaning.
- ☐ Flush with the curb line (except if located on a slope, be flush to the greatest extent feasible), and compliant with applicable accessibility requirements.
- ☐ Maintains a 6 inch covered channel between curb and base of flooring to allow for drainage.

☐ Furnishings (if using, all of the following must be met)

- ☐ Lightweight and easily movable.

☐ Vertical Screenings (if using, all of the following must be met)

- ☐ Located between the barrier and 6 feet above the cafe base or floor.
- ☐ Located on the roadway facing side, does not extend beyond the perimeter of the roadway cafe, and is not affixed to the outward facing side of barriers.
- ☐ Easily removable, comprised of non-opaque, fire-grade, and wind resistant materials.
- ☐ If within 50 feet of any regulatory or warning signs, does not exceed 46 inches in height.

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

- ☐ Minimum of 7 feet and maximum of 10 feet from the base or floor of the roadway cafe.
- ☐ Has a weighted base and any support structures are not affixed to the outward facing side of barriers, are of sufficient size and strength, made of durable materials, and free of defects.
- ☐ Easily removable, comprised of fire-grade and wind resistant materials.
- ☐ If within 50 feet of any regulatory or warning signs, does not exceed 46 inches in height.

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

- ☐ Any lighting is outdoor rated, properly secured, and lightweight.
- ☐ At least 14 feet above sidewalk, and 18 feet above roadway.
- ☐ 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.



FDNY

www.nyc.gov/fdny
KEVIN F. WOODS
Chief of Operations
Bureau of Operations

October 31, 2024

NYC Department of Transportation
Attn: Ms. Lauren Antonelli
55 Water Street
New York, NY 10041

Re: **Establishment Reviewed:** Gardenia Terrace
826 10th Avenue
Manhattan, NY 10019

Introduction

Gardenia Terrace's proposed Roadway Café would front on the south side of W. 55th Street, due east of the W. 55th Street and 10th Avenue intersection.

Per NYCDOT:

- The roadway is approximately 26.5' wide (curb to bike lane).
 - The floating parking lane on the south side of the street is 7.5' wide.
 - Applicant is proposing a 6' wide structure.
 - If implemented, the emergency travel lane remaining would be 13' wide.

Findings

FDNY City Planning issued a memo titled '*NYCDOT's Dining Out NYC Program*', dated 7.30.24, which provides recommended safety practices. The proposed Roadway Café is not in compliance as outlined:

<u>Criteria from memo: NYCDOT's Dining Out NYC Program</u>	<u>FDNY City Planning Comments</u>
1.1 The FDNY does not encourage the implementation of such variances (Roadway Cafés that propose reducing the emergency travel lane width to less than 15' (feet).	The proposed Roadway Café would reduce the emergency travel lane to 13'.

Conclusion

The proposed Roadway Café would present an obstruction that has potential to negatively impact firefighting operations. However, the FDNY Bureau of Operations has determined this impact to be minimal, and thus with coordination with local units the FDNY has no objection this street design implementation. The applicant is to reach out to Battalion 9, Engine 40, Ladder 35, at (bat009@fdny.nyc.gov, eng040@fdny.nyc.gov, lad035@fdny.nyc.gov) prior to occupancy of the Roadway Café and provide the opportunity for familiarization. Considerations offered by the administrative company shall be incorporated if feasible.

Very truly yours,


Kevin F. Woods
Chief of Operations