

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License Stipulations Application

CORPORATION NAME		DOING BUSINESS AS (DBA)	
Catered By Pergola LLC		Gardenia Terrace	
STREET ADDRESS		CROSS STREETS	ZIP CODE
826 10th Ave		55th & 54th st	10019
OWNER <i>(Attach a list of all the people that will be associated/listed with the license)</i>	NAME: Magdy Aziz	ATTORNEY/ REPRESENTATIVE	NAME: Martin P. Mehler
	PHONE: 646-506-5957		PHONE: 212-962-4688
	EMAIL: Magdy.Aziz@live.com		EMAIL: Mehlerbuscemi@aol.com
MANAGER	NAME: Hesham Edris	LANDLORD	NAME: Jim Eustace
	PHONE: 917-754-5406		PHONE: 917-952-1825
	EMAIL: Hesham@propelnyc.com		EMAIL: WSM822@aol.com
APPLICATION TYPE <i>(Check One)</i>			
<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"/> Transfer	What is the prior license # and expiration date?		
	Is applicant making any alterations or operational changes?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	<i>If alterations or operational changes are being made, please describe/list all changes.</i>		
<input type="radio"/> Alteration	What is the current license # and expiration date?	1298911	
	<i>Please list/describe the nature of all the changes and attach the plans:</i>	Upgrading to Full Liquor License	
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input checked="" type="checkbox"/> Liquor/Wine/Beer <input type="checkbox"/> Beer <input type="checkbox"/> Wine & Beer		
ESTABLISHMENT TYPE	<input checked="" type="checkbox"/> Restaurant <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input type="checkbox"/> Bar/Tavern <input type="checkbox"/> Catering Establishment <input type="checkbox"/> Adult Entertainment <input type="checkbox"/> Wine Bar <input type="checkbox"/> Dance Club <input type="checkbox"/> Sports Bar <input type="checkbox"/> Club (Fraternal Organization - Members Only)		
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
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.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	

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

HOURS* <i>(Indoor Only)</i>		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am
	Kitchen	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am
	Music	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am	11am-2am

If you plan to have music, what type(s)? (Circle all that apply)

BACKGROUND
 LIVE MUSIC
 DJ
 JUKE BOX
 KARAOKE

OCCUPANCY

	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 Stand-Up Bar
INSIDE	75	50	14	32	1		6
OUTSIDE <i>(Other than sidewalk café.)</i>							
SIDEWALK CAFÉ			<i>N/A</i>				

How many floors are there? What is the capacity for each floor?	1	
How frequently will the owner(s) be at the establishment?	During all Business Hours	
Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?	YES	<input checked="" type="radio"/> NO
Will applicant have bottle or table service for beverage alcohol?	YES	<input checked="" type="radio"/> NO
Will you be hosting private, promotional or corporate events?	YES	<input checked="" type="radio"/> NO
Will outside promoters be used on a regular basis? If yes please describe.	YES	<input checked="" type="radio"/> NO
Will you have a security plan? If, yes please attach.	YES	<input checked="" type="radio"/> NO
Will security plan be implemented?	YES	<input checked="" type="radio"/> NO
Will State certified security personnel be used?	YES	<input checked="" type="radio"/> NO
Will New York Nightlife Association and NYPD Best Practices be followed?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will applicant be using delivery bicycles? If yes, how many?	YES	<input checked="" type="radio"/> 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 <i>N/A</i>
Where will delivery bicycles be stored during the day when not in use?		

LOCATION & ZONING		
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="radio"/> NO
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO
Are your plans filed with DOB?	<input checked="" type="radio"/> YES	NO

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	
	# 2	
	# 3	
	# 4	
	# 5	
Please provide dates when applicant met with the groups listed above.		
Who was your contact person at each group you met with?		
When did applicant post the notice that was provided?		
Where did applicant post the notice that was provided?		
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	YES	<input checked="" type="radio"/> NO
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	YES	<input checked="" type="radio"/> NO

BUILDING DESIGN			
State the name and type of business previously located in the space.	N/A		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	<input checked="" type="radio"/> NO	
Do you plan any changes to the existing façade? If yes, please describe.	YES	<input checked="" type="radio"/> NO	
Will applicant have a vestibule within the establishment?	YES	<input checked="" type="radio"/> NO	
Will applicant use a storm enclosure?	YES	<input checked="" type="radio"/> NO	
Will applicant not place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	<input checked="" type="radio"/> YES	NO	
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> 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?	<input checked="" type="radio"/> YES	NO	
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?	<input checked="" type="radio"/> 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	<input checked="" type="radio"/> 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?	<input checked="" type="radio"/> YES	NO	
Will the kitchen exhaust system extend to the roof?	<input checked="" type="radio"/> YES	NO	
Will the establishment have an illuminated sign?	YES	<input checked="" type="radio"/> NO	
Will the establishment have a canopy extending over the sidewalk?	YES	<input checked="" type="radio"/> NO	
Where will the air conditioner be located? What type is it?	Roof		
When was the air conditioner installed?	Oct 2016		

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFE		
Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)?	<input checked="" type="radio"/> YES	<input type="radio"/> NO Sidewalk <i>SNH</i>
Are the floorplans for the outdoor space(s) included?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will there be no amplified music, as per the law?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
If amplified sound is played inside the establishment, will windows and doors be closed?	<input checked="" type="radio"/> YES	<input type="radio"/> NO <i>N/A</i>
Will applicant agree to post signs outside asking customers to respect the neighbors'?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will applicant agree to train staff to encourage a peaceful environment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	<input type="radio"/> NO

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OUTDOOR ITEMS -- SIDEWALK CAFE		
Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will applicant be applying for a sidewalk café now or in the future?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Is applicant in this application seeking to include a sidewalk café in its liquor license?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk café?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will applicant mark the perimeter of the café on the sidewalk?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will the sidewalk café not provide standing space for drinking or smoking?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will all furniture be stored inside between December 21 st and March 21 st , and any other day when it rains or snows?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Will applicant use umbrellas?	<input checked="" type="radio"/> YES	<input type="radio"/> 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?	<input checked="" type="radio"/> YES	<input type="radio"/> NO

NOT AS THIS TIME

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ADDITIONAL STIPULATIONS: (Office Use Only)

- Will submit update floor plans by 2/24/17 (new plans attached)
- This application does not extend to any sidewalk cafe
- Applicant will install a kitchen vent precipitator and keep it clean

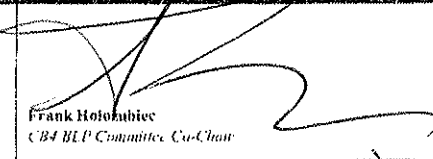
To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

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Manhattan Community Board 4 (MCB4) recommends:

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


Nelly Gonzalez
CB4 Assistant District Manager


Frank Hotozubiec
CB4 BLP Committee Co-Chair


Burt Lazarin
CB4 BLP Committee Co-Chair

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.

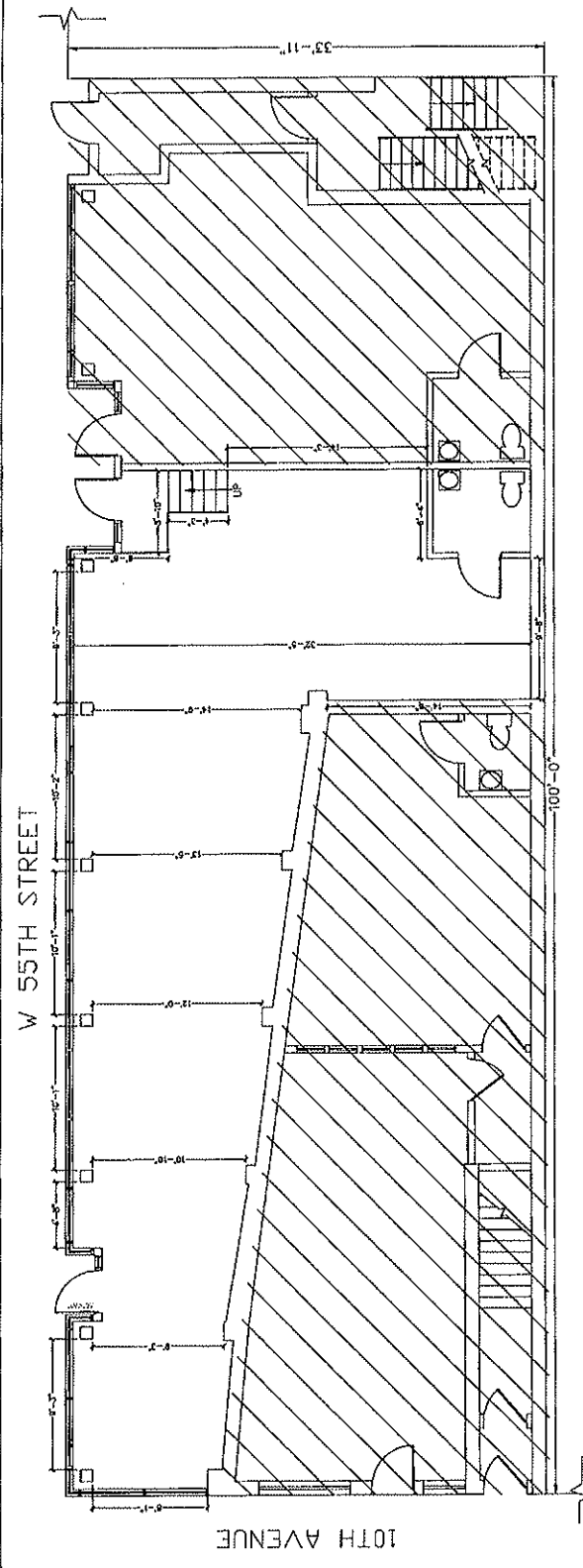
Magdy Aziz
PRINT NAME OF APPLICANT


SIGNATURE OF APPLICANT

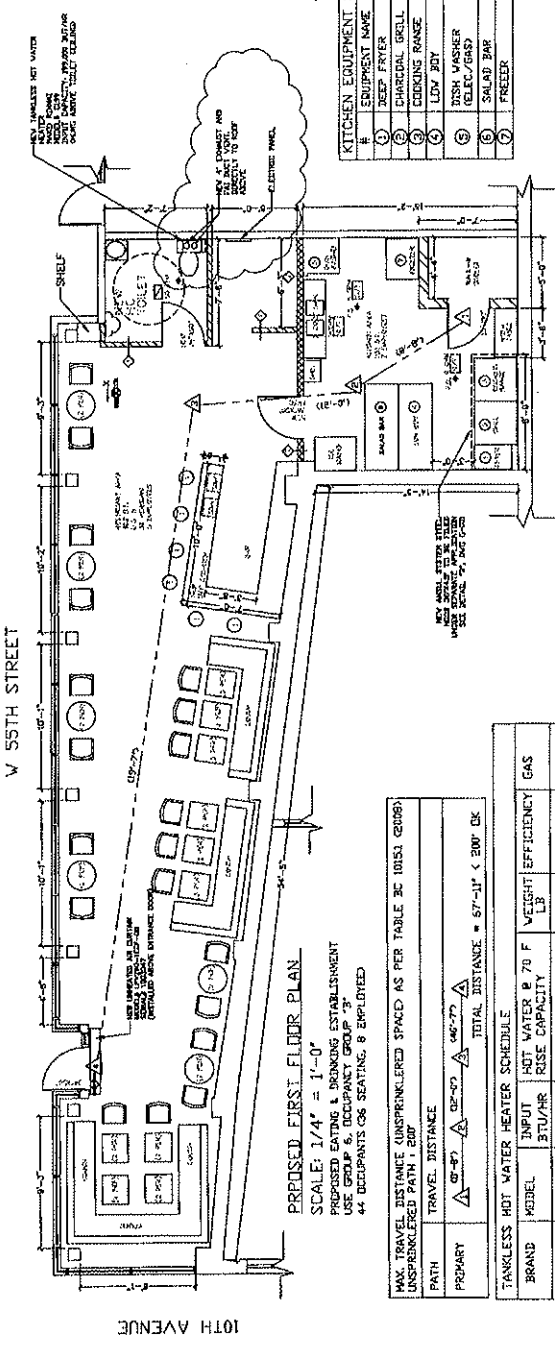
1/28/17
DATE

 2/14/2017

*New plans submitted 2/21/17



EXISTING FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



PROPOSED FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

PROPOSED EATING & DRINKING ESTABLISHMENT
USE GROUP 6, OCCUPANCY GROUP "3"
44 OCCUPANTS 68 SEATING, 8 EMPLOYEES

MAX. TRAVEL DISTANCE (UNSPRINKLERED SPACES AS PER TABLE BC 1085.1 GROUP)
UNSPRINKLERED PATH: 200'

PATH	TRAVEL DISTANCE
PREPARY	67'-07" △ 67'-07" △ 67'-07" △
TOTAL DISTANCE	= 67'-11" < 200' OK

TANKLESS HOT WATER HEATER SCHEDULE

BRAND	MODEL	INPUT BTU/HR	HOT WATER @ 70 F RISE CAPACITY	WEIGHT EFFICIENCY LB	GAS
RINNAI	C199	199,900	5.5	61.7	LP

NET WATER WITH HEATING AND MAINTENANCE DEMAND. BE PROVIDED TO SYSTEMS AND/OR POINTS OF USE. THE WATER CIRCULATING PUMP SHALL BE PROVIDED TO MAINTAIN PRESSURE AND FLOW THROUGH THE SYSTEM WHEN THE SYSTEM IS NOT IN USE.

KITCHEN EQUIPMENT SCHEDULE

#	EQUIPMENT NAME	MANUFACTURER	CAPACITY	MODEL #
1	DEEP Fryer	PICCO	105,000 BTU/HR	442-019-005
2	CHARCOAL GRILL	BRANDS PROBE	125,000 BTU/HR	BRCC09-24365
3	COOKING RANGE	GENERAL TRICE	25,000 BTU/HR	555-032
4	LOW BOY	GENERAL TRICE	19 AFS	747-146
5	DISH WASHER (ELECT/GRS)	NEUBERT	25,000 BTU/HR	AMS
6	SALAD BAR	ENTREE		S-61
7	FREEDER	ENTREE	23 CU. FT.	CF-1

ARCHITECT: JXZ DESIGN CONSULTING LLC
JINPO KIM
559 GRAND STREET, NEW YORK, NY 10022
EMAIL: JINPO@JXZDESIGN.COM TEL: 212-213-6227

OWNER: [REDACTED]

PROJECT ADDRESS: 826 10th AVENUE, NEW YORK, NY 10019

LOCATION PLAN: [REDACTED]

REVISION: # DATE REMARK

SCOPE OF WORK: ALTERATION TO CONVERT FIRST FLOOR STORE INTO EATING AND DRINKING ESTABLISHMENT

DRAWING TITLE: EXISTING FIRST FLOOR PLAN AND PROPOSED PARTIAL FIRST FLOOR PLAN

DATE: APR 13, 2016
DRAWN BY: [REDACTED]
CHECKED BY: [REDACTED]
SCALE: 4 OF 7
JOB NO: A-003.04

SINGER

ADDITIONAL STIPULATIONS: (Office Use Only), Continued

- Will submit up-to-date
FLOOR PLAN BY 2/24/17

- THIS APPLICATION DOES NOT
EXTEND TO ANY
SOFTWARE CASES.

- Applicant will install a
HEAVY DUTY VENT PRECIPITATOR
AND KEEP IT CLEAN.

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