



Current land use of site: (Residential; Commercial; Undeveloped) \_\_\_\_\_

VACANT COMMERCIAL RETAIL STORE

Current condition of site: (Current use, Building; Brush; ect.) \_\_\_\_\_

VACANT RETAIL STORE

Anticipated construction time: \_\_\_\_\_

3 MONTHS

Anticipated increase in number of Employees; Shopper; Residents; ect. \_\_\_\_\_

2-3 EMPLOYEES - NO INCREASE

(SEE ADDENDUM)

Describe proposed use, including primary, secondary uses; ground floor area; height; number of stories for each building. Attach additional 8 1/2" x 11" sheets if required. \_\_\_\_\_

2-STORY BUILDING

FIRST FLOOR: REAL ESTATE OFFICE, FLOORST, RETAIL CLOTHING

SECOND FLOOR: OFFICES

-For residential buildings include number of dwelling units by size. \_\_\_\_\_

N/A

-For non-residential buildings, include total floor area; sales areas; number of automobile and truck parking spaces provided with lease and number of additional parking spaces needed for all employees (employees must obtain merchant parking permits for additional parking spaces needed). \_\_\_\_\_

846 SQ. FT.

NO PARKING SPACES AVAILABLE ON SITE

-Other proposed structures (including shed; garages; ect.) \_\_\_\_\_

N/A

- For all commercial applications, please provide detail on garbage disposal location (dumpster location basement, behind building, etc) and schedule of pickup: \_\_\_\_\_

- GARBAGE/TRASH IS KEPT IN AN ENCLOSED TRASH ROOM ON THE LOWER LEVEL (REAR MUNICIPAL PARKING LOT OFF GARDEN AVE)

- TRASH/GARBAGE REMOVED 5 DAYS A WEEK BY A PRIVATE CARTING COMPANY (ANCHOR CARTING CORP)

Owners Name (Please Print): BARBARA NICHUALS

Owners Signature: BN by LB Date: 1/8/2024



**LEONARD BRANDES**  
**A R C H I T E C T**

**Date:** January 8, 2024

**Planning Board**  
**Village of Bronxville**  
**200 Pondfield Road**  
**Bronxville, New York 10708**

**Project:** **Mimi's Gelato**  
**69 Pondfield Road**  
**Bronxville, New York 10708**  
**Section 4 Block 1 Lot 5-A**

**Subject:** Project Overview Zoning District: Central Business A  
**Application Addendum**

**Proposed Hours of Operation:**

Open to Sales: 11 AM to 10 PM

Note: Hours may be reduced during Winter Season: 11AM to 8 PM

Product (Gelato) Production begins: 8 AM

**Number of Employees:** Three Total maximum at peak hours  
Two employees full time

Per the Village of Bronxville Zoning Code, 310-14/E(6)(a):

Existing Retail Store Requires One parking space per 300 sq. ft.  
Area = 846 sq. ft. = 3 spaces

Parking determination by Planning Board Zoning Code, 310-14/E (1 & 7)

**Garbage/Trash Services:**

Garbage/Trash is kept in a Trash Room on the Lower Level (rear municipal parking lot level off of Garden Avenue)

Anchor Carting Corp., Tuckahoe, NY (private carting)  
Picked up 5 Days a Week.



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**Bronxville, New York 10708**  
**Section 4 Block 1 Lot 5-A**

**Subject:** Project Overview Zoning District: Business A  
Requested Planning Board Waiver  
From 100 Linear Feet from Carry Out Food Establishment

Dear Sirs:

Please accept this application to allow Mimi's Gelato, a 'Carry-out Food Establishment', to be installed at 69 Pondfield Road, waiving the requirement for a 100 linear Foot distance between another permitted 'Carry-out Food Establishment'. The Taco Project at 65 Pondfield Road is 70 linear feet building to building/ 85 linear feet door to door.

**Background:**

The small commercial establishment at 69 Pondfield Road (846 sq. ft.) had it's long history as the Gramatan Travel Bureau and a short history of being a home décor shop, Vadiathan Life & Home. As a small commercial shop on Pondfield Road it is the perfect size for a new Specialty Gelato Shop. A proper 'carry-out food establishment'.

Per the Village of Bronxville Zoning Code, 310-14/A/9a: 'No carry-out food establishment shall be permitted within 100 linear feet of any other carry-out food establishment on the same side of the street.'

The Taco Project at 65 Pondfield Road, which received a 'carry-out food establishment' permit, Grandfathered in from the previous restaurants on that corner of Pondfield and Garden Avenue, is 70 linear feet from our proposed new establishment.

**Request For Waiver from the 100 linear foot Requirement:**

Article III, Section 310-14/A/9(a) states 'that the Planning Board may waive this requirement (100 ft linear separation between Carry-out Establishments) if it determines that such a waiver is appropriate given the particular circumstances of the proposed use and its location.'

The small size of this retail space will be developed per the stated requirements of a Carry-out Food establishment with less than 25% devoted to food preparation, minimum 50% area devoted to sale and display of goods and a maximum of 12 seats 9(b,c,d).

The use at 65 Pondfield Road has long been an eating and drinking establishment and the Taco Project was granted a 'carry-out food establishment' permit. But, as previous food establishments at that space, it does not meet/operate within any of the criteria noted in the Article III, Section 310-14/A/9(b,c,d). 34% devoted to food preparation, only 20% devoted to sale and display of goods and approximately 36 seats total (per website and photos). This is a very popular and successful food establishment and does operate well within its space, but, not a true 'Carry-Out Food Establishment' per Article III, Section 310-14/A/9(a,b,c,d) of the Village of Bronxville Town Code.

We do not believe that our proposed Carry-Out Food establishment would interfere with the 'carry-out' operations of the Taco Project. The small footprint of 69 Pondfield Road lends itself to being a successful Carry-out food establishment.

We believe the requested use and relief are within the guidelines within Article III, Section 310-14/A/9(a) and that a waiver would be appropriate.

1. No undesirable change will be produced in the character of the neighborhood and will not be a detriment to nearby properties by granting of this variance.
2. The waiver for relief from the 100 linear ft. separation between carry out food establishments sought by the applicant is appropriate since the operations of the Taco Project is not similar to the proposed Gelato Store.
3. The request is not substantial for the neighborhood.
4. The proposed development will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. The difficulty in developing this property is self-creating. No other carry-out food establishments are within 100 linear feet towards the south of this property. The door to door between the proposed Gelato and Taco Project is 85 feet.

Thank you for your time and consideration.

Leonard Brandes, AIA

VILLAGE OF BRONXVILLE  
Department of Buildings  
200 Pondfield Road  
(914) 337-7338  
(914) 337-0158 (Fax)

## PLAN REVIEW COMMENTS

**APPLICATION NUMBER:** ALT 005-24  
**DATE RECEIVED:** January 4, 2024  
**LOCATION:** 69 Pondfield Road  
**SBL:** 4./1/5.A-1-1  
**APPLICANT NAME:** Leonard Brandes, AIA

**DESCRIPTION OF WORK :** Convert existing retail store to a Carry Out frozen food establishment. 846 sq. ft. Produce and sell fresh Gelato with Crepes & Belgium Waffles. Interior seating for 12 maximum. New Accessible Restroom.

DISAPPROVED January 8, 2024, FOR THE FOLLOWING:

Your revised application for a permit on the above location has been reviewed and a permit may not be issued at this time for the reasons indicated below.

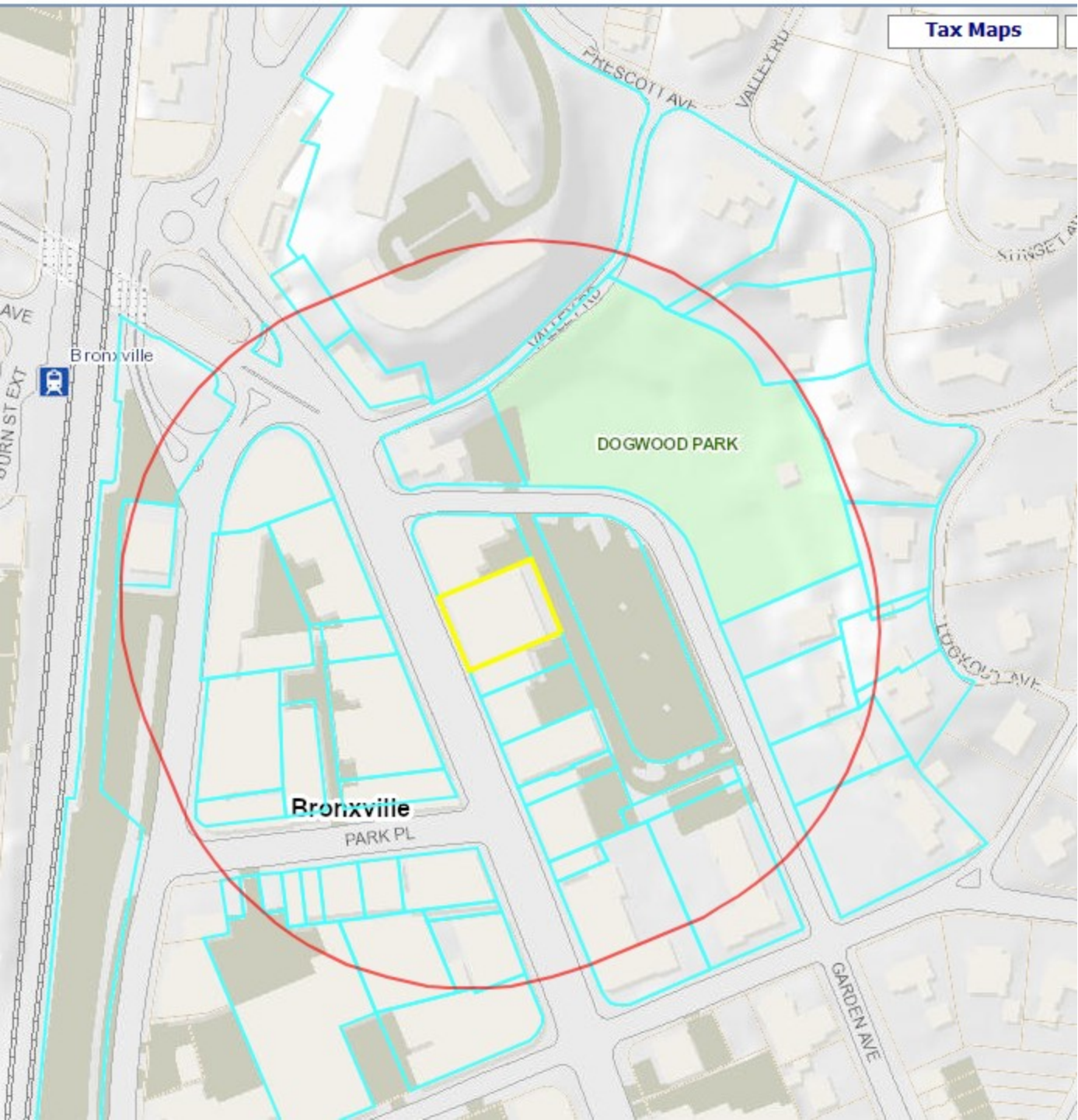
### **ZONING CODE REVIEW** (Section Numbers refer to Village Code of 1981)

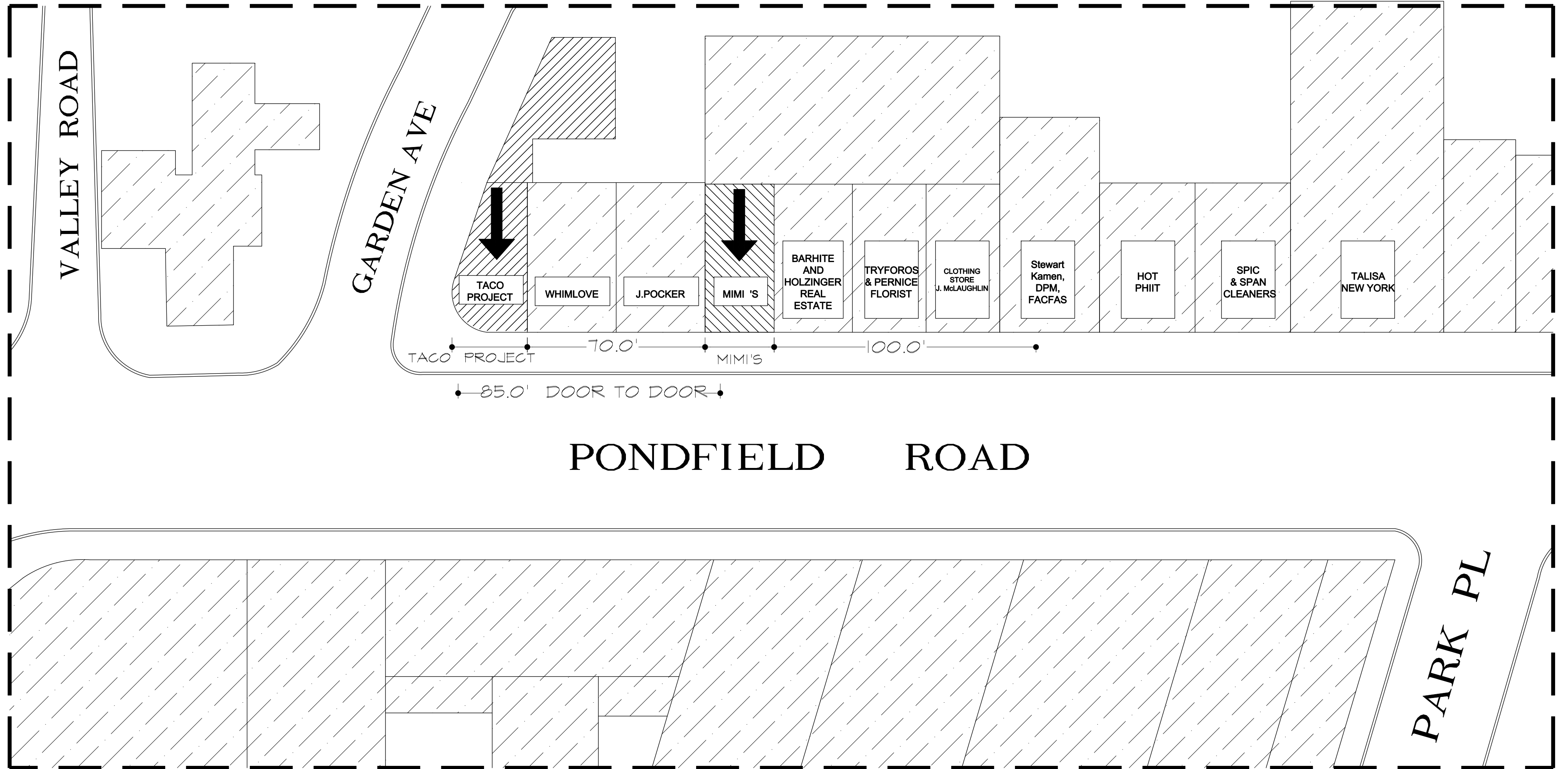
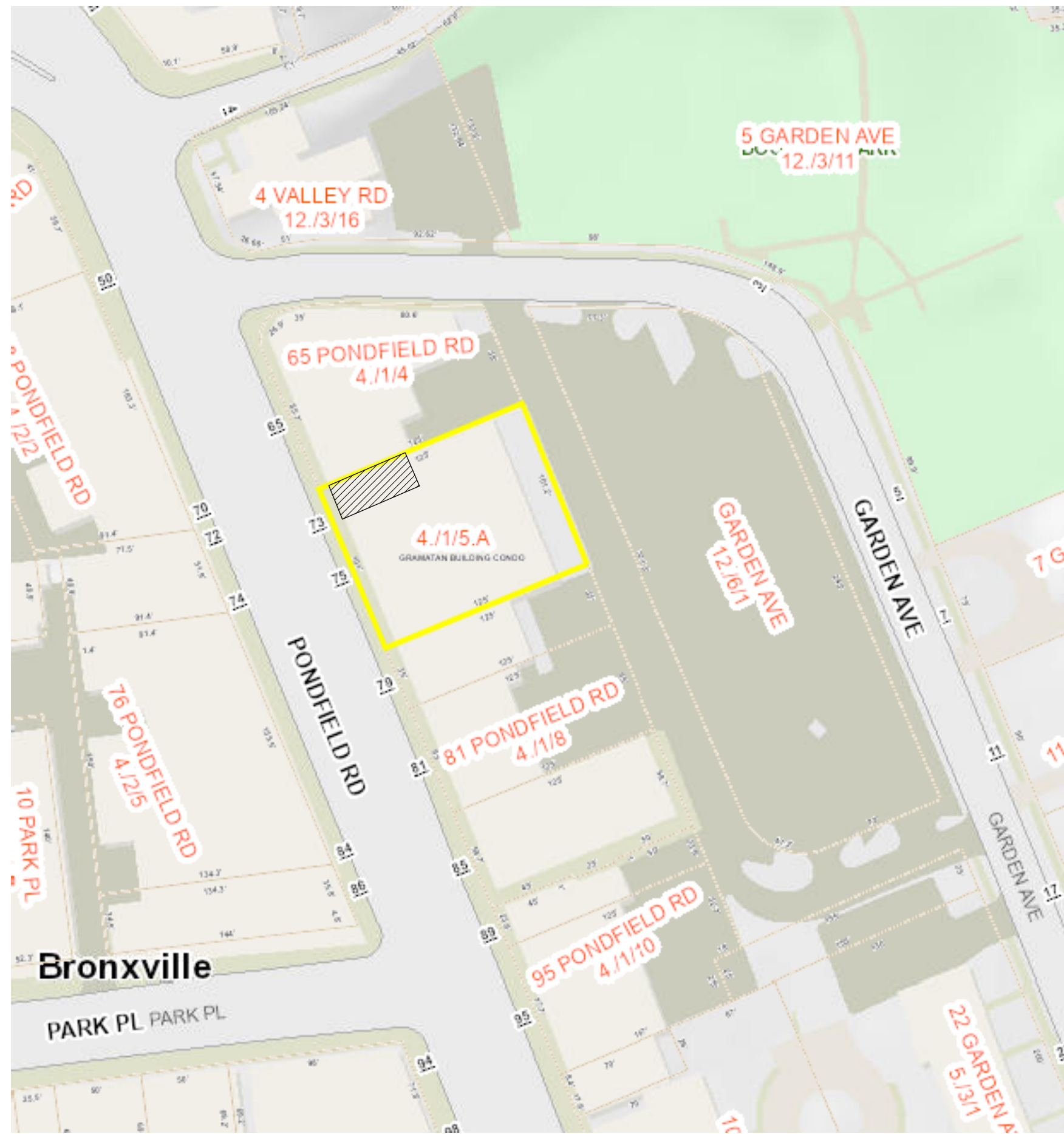
Zoning Review - Plans dated as received 1/2/24

- 1) Plans detail the distance to the closest carry out food establishment - as 70'. As per 310-14 A (9) (a) a waiver is being requested for the 70 foot distance proposed as opposed to the required 100 feet distance to another carry out food establishment.
- 2) Occupancy previously was for retail establishment; proposed use is for a carry out food establishment; as per 310-26 **application is referred to the planning board for an amended site plan approval.**
- 3) prior to approval from the planning board and the ZBA, plans to be approved for fire code compliance by the Eastchester Fire Department

This document constitutes a final administrative determination by the Building Inspector denying your application for the reasons set forth above. Section 7-712(a) of the New York State Village Law provides that any appeal of this decision must be filed within 60 days of the date hereof with the Zoning Board of Appeals of the Village of Bronxville.

  
\_\_\_\_\_  
Paul Taft  
Building Inspector





LOCATION MAP

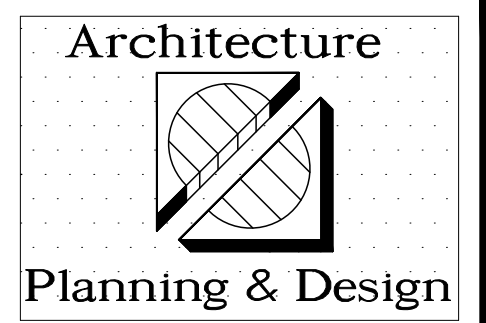
SCALE 1/4" = 1'-0"

ZONING INFORMATION	
SECTION NO. 4	BLOCK: 1 LOT: 5A
-----ZONING DISTRICT: BUSINESS A -----	

**Leonard H. Brandes • ARCHITECT**

TWO SPENCER PLACE  
SCARSDALE  
914-472-8421

SUITE 12  
NEW YORK 10583  
NCARB Certified



REVISIONS		
No.	Date	Revisions

Drawn By: E.B. SQ

Project: MIMI'S BRONXVILLE  
PROPOSED ALTERATIONS  
69 PONDFIELD RD  
BRONXVILLE, NEW YORK

Dwg. Title:  
LOCATION MAP

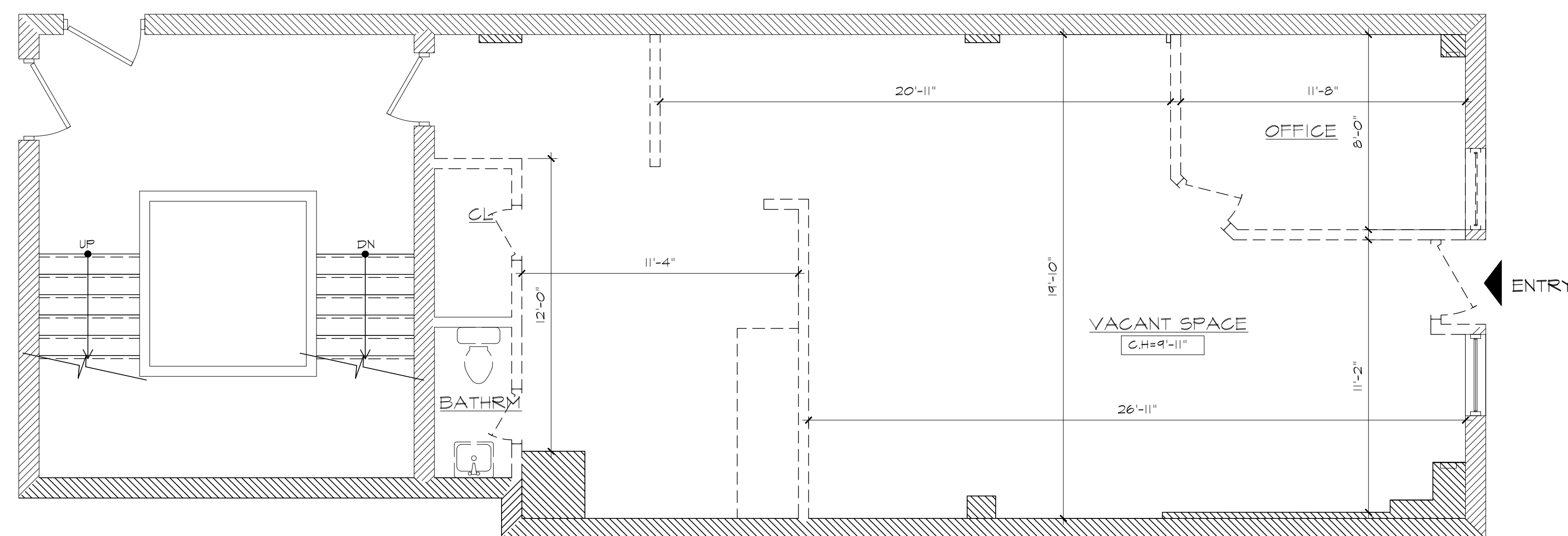
Drawing No.

5Y-001

JANUARY 04, 2024

MIMI'S BRONXVILLE





EXISTING / DEMO FLOOR PLAN

SCALE 1/4" = 1'-0"

DEMO SCHEDULE	
SYMBOL	DESCRIPTION
[Hatched Box]	EXISTING WALL TO REMAIN
[Box with Dashed Lines]	EXISTING PARTITION TO REMAIN
[Box with Solid Dashed Lines]	EXISTING PARTITION TO BE REMOVED
[Box with Dotted Lines]	EXISTING ITEM TO BE REMOVED

WALL SCHEDULE	
SYMBOL	DESCRIPTION
[Hatched Box]	EXISTING WALL TO REMAIN
[Box with Dashed Lines]	EXISTING PARTITION TO REMAIN
[Box with Vertical Lines]	NEW 1 5/8" X 3 5/8" 16 GAGE METAL STUD PARTITION, STUDS SPACED AT 16" O.C. WITH 5/8" GYPSUM BOARD EACH SIDE (U.O.N.)
[Box with Horizontal Lines]	NEW 1 5/8" X 3 5/8" 16 GAGE METAL STUD PARTITION, STUDS SPACED AT 16" O.C. WITH 5/8" GYPSUM BOARD EACH SIDE (U.O.N.) /V 3 1/2" THICK SOUND ATTENUATION BLANKETS BETWEEN STUDS.

\* ALL GYP. BD. TO BE 5/8" (U.O.N.) INSTALLED W/ SCREENS (TYP.).

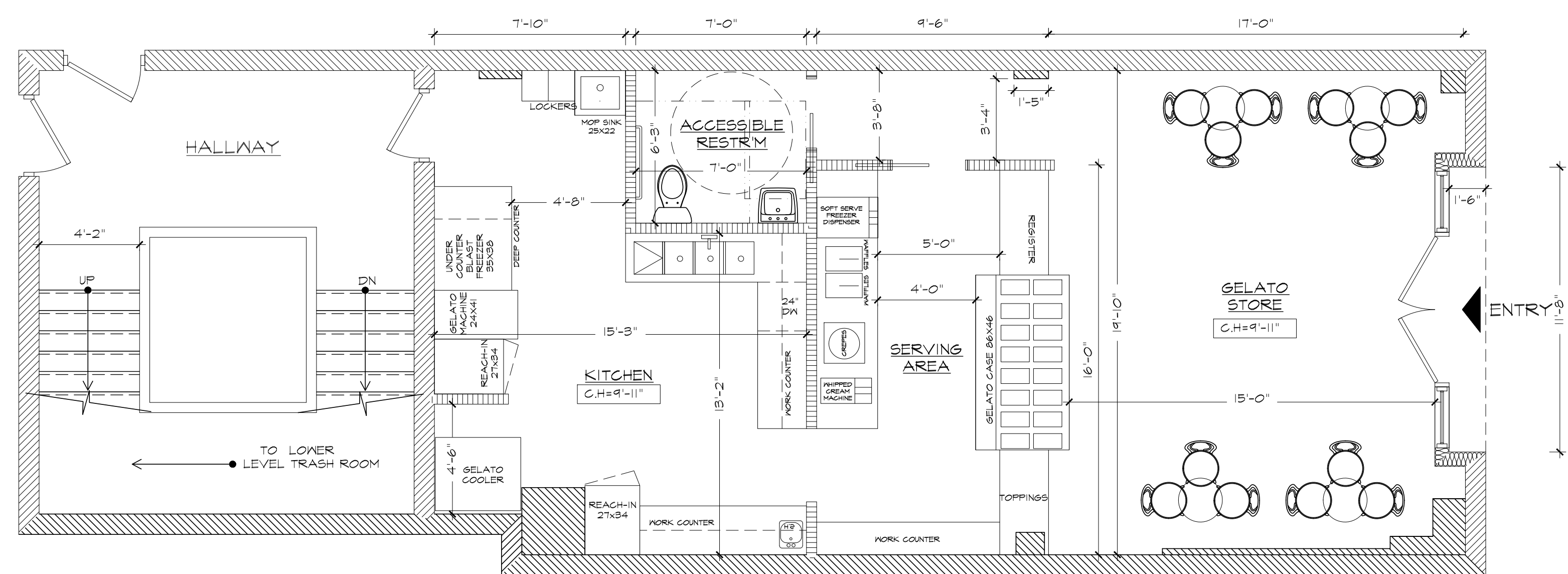
- ABBREVIATIONS:**
- |                             |                                  |
|-----------------------------|----------------------------------|
| T.M.E. - TO MATCH EXISTING. | T.B.S. - TO BE SELECTED.         |
| TYP. - TYPICAL.             | U.O.N. - UNLESS OTHERWISE NOTED. |
| T.O.M. - TOP OF WALL.       | V.I.F. - VERIFY IN FIELD.        |
| E - ELEVATION               | VERT. - VERTICAL                 |
| HOR. - HORIZONTAL           | BET. - BETWEEN.                  |
| O.H. - OVER HANG.           |                                  |
- STRUCTURAL NOTES:**
- PROVIDE TEMPORARY SUPPORT AS REQ'D.
  - PROVIDE NO. HDR. AT NEW DR.'S & WIN.'S. SEE PLAN FOR DIMENSIONS.
- CONTRACTOR NOTES:**
- ALL FLASHING TO BE 20oz COPPER.
  - REINSULATE, PLUMB. & LEVEL WALLS, CLG.'S. & FLR.'S AS REQ'D.
  - PATCH & PAINT WALLS/ CLG.'S THROUGHOUT AS REQ'D.
  - PATCH/ PROVIDE NEW FLR'NG. AS REQ'D. (SEE PLAN THIS PAGE).
  - CONTRACTOR TO PROVIDE ALL NECESSARY BLOCKING FOR FRAMING AT BATHS, ACCESSORIES/ CABINETS, ETC. AS REQ'D.
  - ALL CLOSETS TO RECEIVE NEW CLOSET POLE & NO. SHELF (U.O.N.).
  - ALL DUCT WORK TO BE SHEET METAL ONLY /V CAULKING AROUND JOINTS. PROVIDE CONTROL DAMPERS.
  - ALL PIPING TO BE INSULATED.
  - DUCT WORK TO HAVE FIRE DAMPERS AS REQ'D BY CODE.
  - FLEX DUCT TO BE NO MORE THAN 6'-0" (U.O.N.).

CARRY OUT FOOD ESTABLISHMENT NOTES

TOTAL AREA OF LEASED SPACE: 846 SQ. FT.		
AREA	PERCENTAGE ALLOWED	PERCENTAGE PROPOSED
MAX. PREPARATION AREA	25% = 212 SQ. FT.	24% = 202 SQ. FT.
MINIMUM DISPLAY AREA	50% = 423 SQ. FT.	51% = 430 SQ. FT.
MAX. SEATING AREA	12 SEATS	12 SEATS

EMERGENCY FIXTURE SCHEDULE

- [Symbol] EMERGENCY PULL STATION CONNECTED TO FIRE EMERGENCY SYSTEM
- [Symbol] EMERGENCY EXIT SIGNAGE WITH FLOOD LIGHTS AND EMERGENCY BATTERY BACKUP
- [Symbol] STROBE EMERGENCY LIGHT/HORN CONNECTED TO FIRE EMERGENCY SYSTEM
- [Symbol] SMOKE DETECTOR WITH INDICATOR LIGHT, CEILING MOUNTED, CONTINUOUS POWER FEED TO BE CONNECTED TO ALARM SYSTEM
- [Symbol] HEAT DETECTOR WITH INDICATOR LIGHT, CEILING MOUNTED, CONTINUOUS POWER FEED TO BE CONNECTED TO ALARM SYSTEM
- [Symbol] CARBON MONOXIDE DETECTOR WITH INDICATOR LIGHT, MOUNTED 5'-6" AFF, CONTINUOUS POWER FEED TO BE CONNECTED TO ALARM SYSTEM
- [Symbol] FIRE EXTINGUISHER, CLASS "ABC", HAND-HELD, GROSS WEIGHT LESS THAN 40 POUNDS, TO BE INSTALLED NOT MORE THAN 5 FT ABOVE FLOOR



PROPOSED FLOOR PLAN

SCALE 1/4" = 1'-0"



MIMI'S SCARSDALE

Leonard H. Brandes • ARCHITECT

TWO SPENCER PLACE  
SCARSDALE  
914-472-8421

SUITE 12  
NEW YORK 10583  
NCARB Certified

Architecture  
Planning & Design

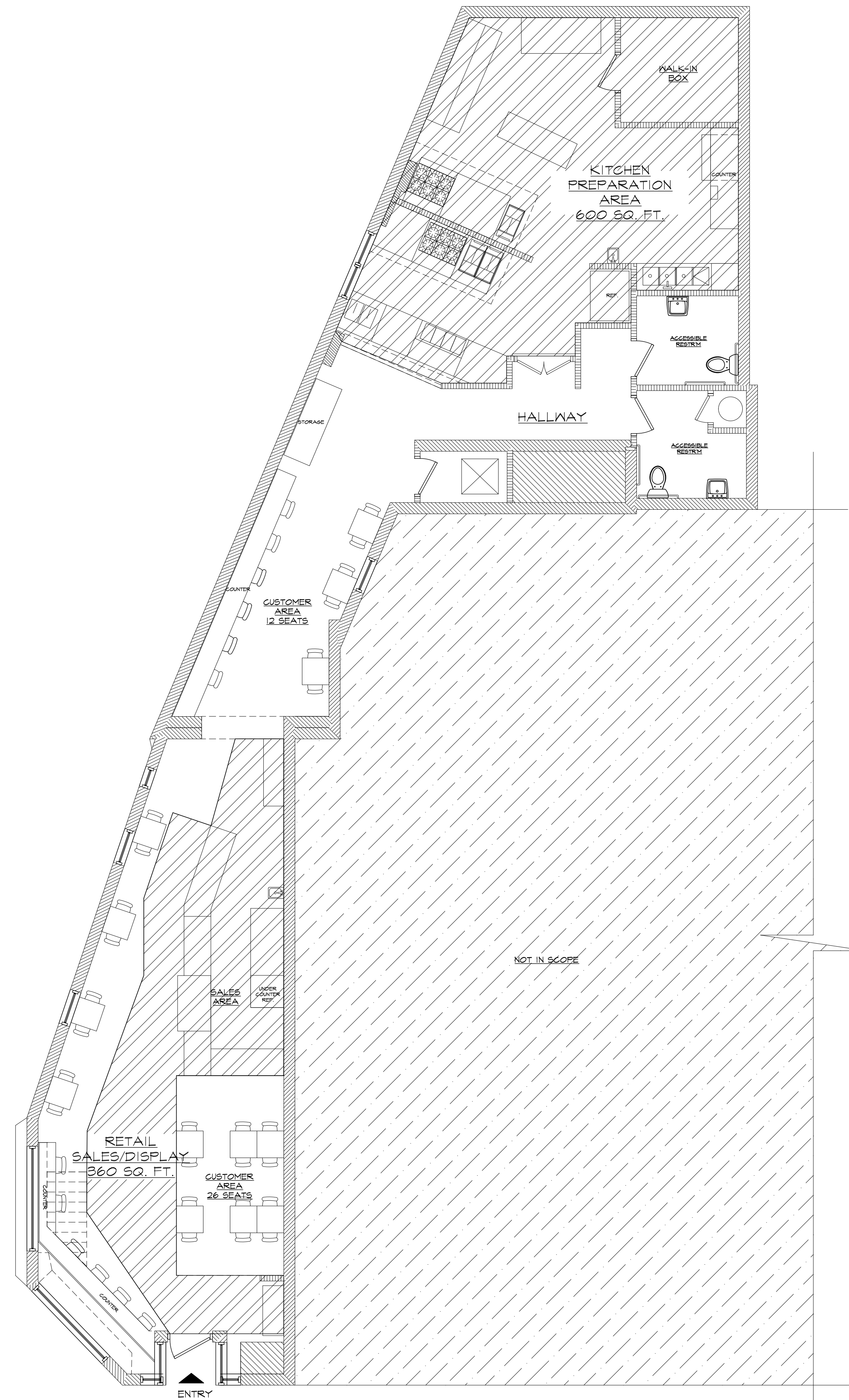
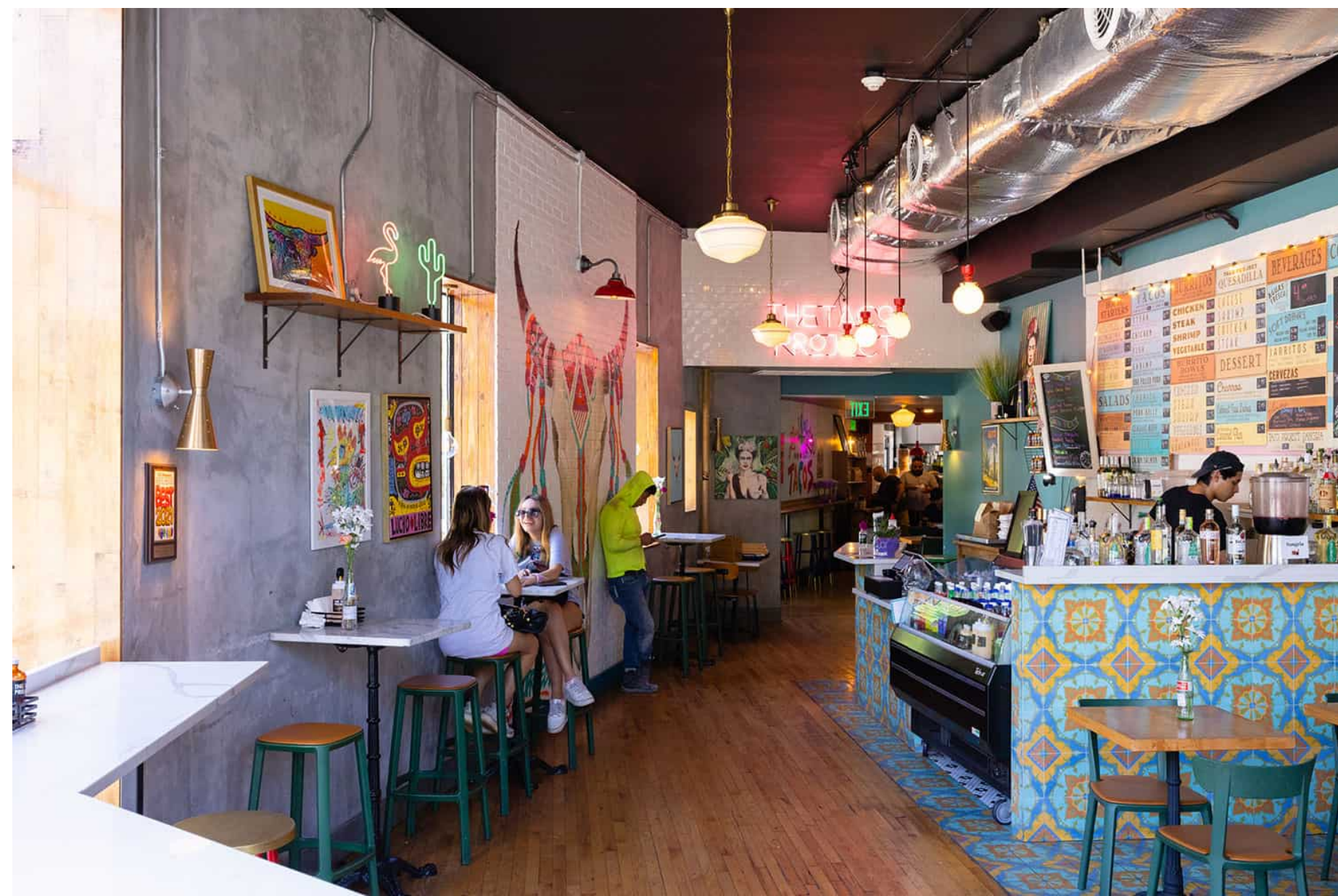
REVISIONS		
No.	Date	Revisions

Drawn By: E.B. SO

Project. MIMI'S BRONXVILLE  
PROPOSED ALTERATIONS  
69 FONFIELD RD  
BRONXVILLE, NEW YORK

Dwg. Title:  
EXISTING & PROPOSED FLOOR PLAN

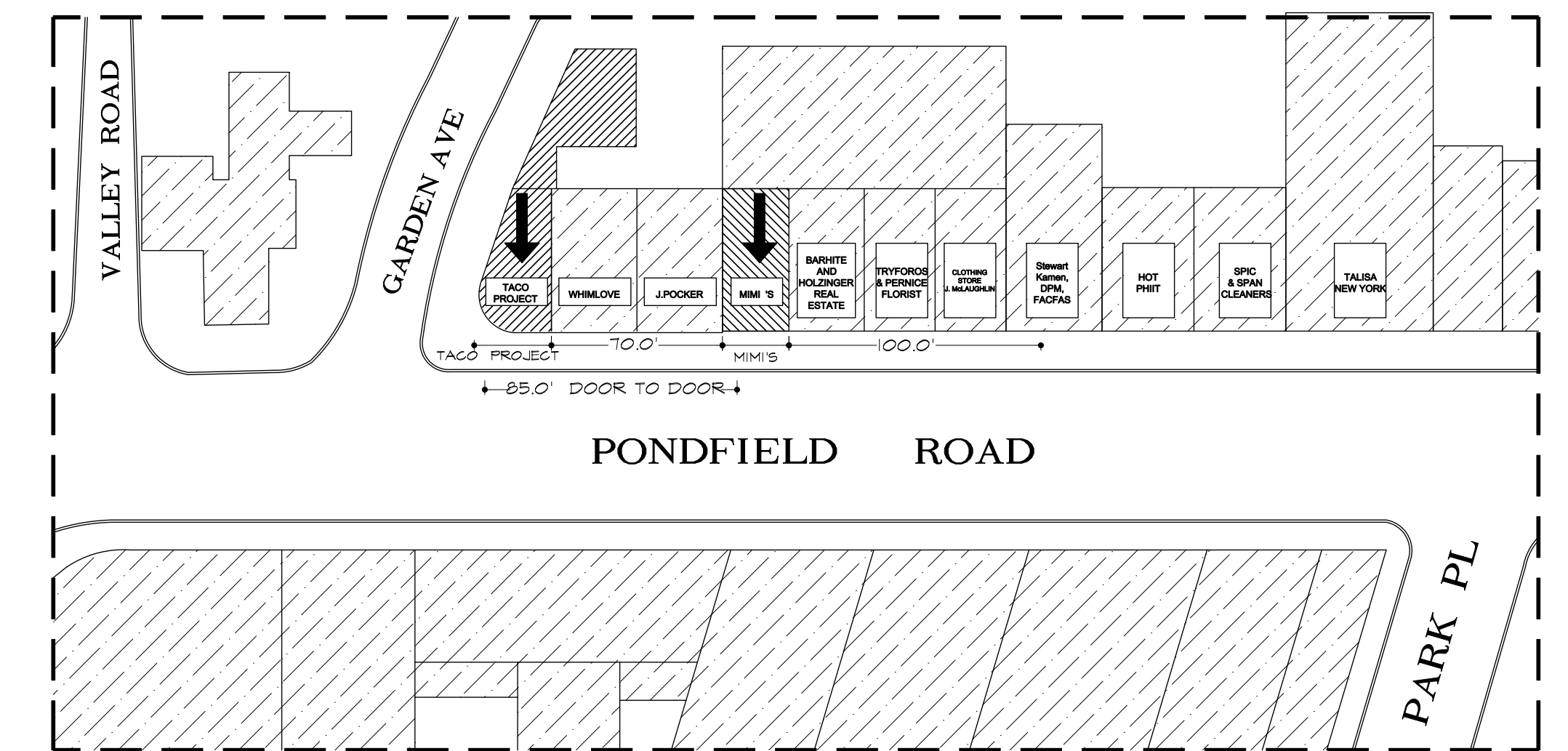
Drawing No.  
A-101  
JANUARY 04, 2024



**CARRY OUT FOOD ESTABLISHMENT NOTES**

TOTAL AREA OF LEASED SPACE: 1,791 SQ. FT.

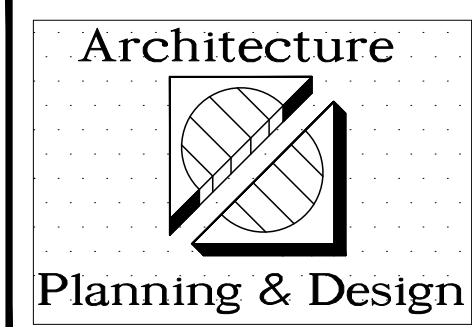
AREA	PERCENTAGE ALLOWED	ACTUAL PERCENTAGE
MAX. PREPARATION AREA	25% = 448 SQ. FT.	34% = 600 SQ. FT.
MINIMUM DISPLAY AREA	50% = 896 SQ. FT.	20% = 360 SQ. FT.
MAX. SEATING AREA	12 SEATS	36 SEATS



**Leonard H. Brandes • ARCHITECT**

TWO SPENCER PLACE  
SCARSDALE  
914-472-8421

SUITE 12  
NEW YORK 10583  
NCARB Certified



**REVISIONS**

No.	Date	Revisions

Drawn By: EB SQ

Project: **MIMI'S GELATO**  
EXISTING PLAN @ TACO PROJECT  
65 PONFIELD RD  
BRONXVILLE, NEW YORK

Dwg. Title:  
EXISTING PLAN, TACO PROJECT

Drawing No.  
**1P-001**  
JANUARY 04, 2024

MIMI'S BRONXVILLE