

Manhattan Community Board 4

(All Fields Must Be Completed)

CORPORATION NAME		DOING BUSINESS AS (DBA)	
POD TS F&B LLC and Cafe Serafina West 42 LLC as Manager		Pod Times Square	
STREET ADDRESS		CROSS STREETS	ZIP CODE
400 West 42nd Street		W 42nd St & 9th Ave	10036
OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small>	NAME: POD TS F&B LLC	ATTORNEY/ REPRESENTAIVE	NAME: Max Bookman, Esq.
	PHONE: 646-277-0059		PHONE: 212-513-1988
	EMAIL: richard@bdhotels.com		EMAIL: max@pb.law
MANAGER	NAME: Cafe Serafina West 42 LLC	LANDLORD	NAME: 400 Times Square Assoc LLC
	PHONE: 212-776-4140		PHONE: 646-485-6276
	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?	<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"/> Corp Change/Class Change/Removal	What is the 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> Adding live music and Disk Jockey indoors only		
<input type="radio"/> Alteration *MOOP)	What is the current license # and expiration date?	License# 1299766, Expiration Date: 01/31/2024	
	<i>Please list/describe the nature of all the changes and attach the plans:</i> No Other Changes		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input checked="" type="checkbox"/> Liquor/Wine/Beer & Cider <input type="checkbox"/> Beer & Cider <input type="checkbox"/> Wine/Beer & Cider		
ESTABLISHMENT TYPE	<input type="checkbox"/> Restaurant <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input checked="" 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 type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	After CB4 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.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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	7am-4am	7am-4am	7am-4am	7am-4am	7am-4am	7am-4am	7am-4am
	Kitchen	7am-4am	7am-4am	7am-4am	7am-4am	7am-4am	7am-4am	7am-4am
	Music	7am-4am	7am-4am	7am-4am	7am-4am	7am-4am	7am-4am	7am-4am

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 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	136	136 (Common Areas)	26	101	0	1	13
OUTSIDE <i>(Other than sidewalk café)</i>	152	100	18	60	0	1	10

DCA APPROVED UNENCLOSED SIDEWALK CAFÉ

N/A

How many floors are there? What is the capacity for each floor? Floors: 3-28, For 3rd Floor: 136, All others: 50

How frequently will the owner(s) be at the establishment? Weekly

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 N/A

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	<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?	<input checked="" type="radio"/> YES	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.		<input checked="" type="radio"/> YES	NO
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?		<input checked="" type="radio"/> YES	NO

BUILDING DESIGN			
State the name and type of business previously located in the space.	Pod Hotel since 2016		
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	
* Has the applicant/owner(s) read MCB 4 ADA Guidelines Memo?	<input checked="" type="radio"/> YES	NO	
* Is the entrance ADA Compliant?	<input checked="" type="radio"/> YES	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?	<input checked="" type="radio"/> YES	NO	
Will applicant use a storm enclosure?	YES	<input checked="" type="radio"/> 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?	<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?	<input checked="" type="radio"/> YES	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?	<input checked="" type="radio"/> YES	NO	
Will the establishment have a canopy extending over the sidewalk?	<input checked="" type="radio"/> YES	NO	
Where will the air conditioner be located? What type is it?	Roof Chiller w/ fan coils		
When was the air conditioner installed?	2018		

OUTDOOR ITEMS - OTHER THAN SIDEWALK CAFÉ			
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, gazebo or open dining in the parking lane? If yes, which one(s)?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
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?	YES	<input checked="" type="radio"/> NO	As per CB Stips: Sun-Wed: 11pm Thurs-Sat: 12am
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	<input checked="" type="radio"/> NO	
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s) or on the sidewalk?	<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	
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	
*If open dining in the parking lane, will applicant agree to leave the sidewalk free of any furniture?	YES	<input type="radio"/> NO	N/A
*If open dining, will you comply with all NYC DOT guidelines?	YES	<input type="radio"/> NO	N/A
*If open dining, will the installation be year-round?	YES	<input type="radio"/> NO	N/A

DCA APPROVED UNENCLOSED SIDEWALK CAFÉ	Not Applicable		
Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	YES	NO	
Will applicant be applying for a sidewalk café now or in the future?	YES	NO	
Is applicant in this application seeking to include a sidewalk café in its liquor license?	YES	NO	
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	YES	NO	
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?	YES	NO	
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	YES	NO	
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk cafe?	YES	NO	
Will applicant mark the perimeter of the café on the sidewalk?	YES	NO	
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	YES	NO	
Will the sidewalk café not provide standing space for drinking or smoking?	YES	NO	
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	YES	NO	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	YES	NO	
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	
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	
If open dining is in the parking lane, will applicant agree to remove its sidewalk café?	YES	NO	

ADDITIONAL STIPULATIONS: (Office Use Only)

- Access to 3rd Floor outdoor space will be only thru room that does not have music
- All live music and DJ will cease no later than 1 a.m. Sunday to Wednesday and 2 a.m. Thursday to Saturday
- There will be no music or amplified sound in the third floor or 28th floor outdoor spaces
- Third Floor outdoor space will be closed and vacated of patrons no later than 11 p.m. Sunday to Wednesday and 12 a.m. on Thursday to Saturday
- Capacity of third floor outdoor space will not exceed 80 patrons at any time
- 28th Floor outdoor space will not open to the public

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
May 4, 2022 full board meeting, with 39 members voting in favor
of the recommendation, 0 members opposed, 0 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



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



Richard Born
PRINT NAME OF APPLICANT


SIGNATURE OF APPLICANT

3/21/22
DATE

ANTIPASTI

GUACAMOLE ITALIANO 14
tomato & basil, house-made tortilla chips

CROSTINI DI SERAFINA 15
mozzarella, Prosciutto Di Parma, country bread

CALAMARI 15
fried calamari with our homemade spicy tomato

CARCIOFI ALLA GIUDEA 18
crispy Roman artichokes with arugula salad

MEATBALLS 18
Serafina's famous meatballs, Parmigiano Reggiano

CAPRESE ALLA BURRATA 19
served with cherry tomatoes
add: Prosciutto Di Parma +5

CHARCUTERIE 24
parmigiano reggiano, Prosciutto Di Parma and Prosciutto Cotto

EGGPLANT PARMIGIANA 17/24
baked eggplant, fior di latte mozzarella, tomato, fresh basil

INSALATE

ARUGULA E PARMIGIANO 15
baby arugula, cherry tomatoes, shaved Parmigiano Reggiano

SERAFINA CAESAR SALAD 17
gem lettuce with lemon parmigiano vinaigrette

SERAFINA CHICKEN SALAD 19
free range chicken breast, seasonal greens, sun dried tomatoes, raisins, pine nuts

COBB SALAD 22
grilled chicken, Prosciutto Di Parma, avocado, tomato, gorgonzola

add: chicken +8 • shrimp +10

PRIMI

TAGLIOLINI FUNGHI PORCINI 23
fresh ribbon pasta with porcini mushrooms

PENNE ARRABBIATA 18
spicy tomato sauce & basil

CACIO E PEPE 22
Pecorino Romano, cracked black pepper

RAVIOLI 22
spinach and ricotta, tomato, basil

CANNELLONI 24
crepe pasta, ricotta, tomato, Parmigiano Reggiano

RISOTTO CHAMPAGNE 25
carnaroli rice with Parmigiano Reggiano
add: truffles +10

PIZZA

available in traditional round or 2 foot-long pala

PIZZA MARGHERITA round 21 / pala 26
tomato, mozzarella, basil & olives

CACIO & PEPE round 22 / pala 26
mozzarella, Pecorino Romano, black pepper

BIANCA round 23 / pala 27
mozzarella, fontina, baby arugula and shaved parmigiano reggiano

FUNGHI round 23 / pala 27
tomato, mozzarella and mushrooms

PROSCIUTTO DI COTO round 23 / pala 27
Italian cooked ham, mozzarella, black pepper

BUFFALO MOZZARELLA round 24 / pala 28
San Marzano, tomato, basil

PEPPERONI round 24 / pala 28
tomato, mozzarella

TARTUFO NERO round 31 / pala 35
our secret recipe, a bouquet of Italian cheeses & black truffle

add: mushroom +5 • Prosciutto Di Parma +5 • pepperoni +5 • buffalo mozzarella +5 • truffles +10

SECONDI

SALMONE AL FORNO 28
hidden fjord salmon with herbs, fingerling potatoes

BRANZINO AL CARTOCCIO 33
cooked in parchment, white wine, cherry tomatoes, fingerling potatoes

OVEN ROASTED CHICKEN 25
organic chicken, rosemary lemon, fingerling potatoes

STEAK & FRITES 29
grilled free-range double r ranch sirloin, fries

SERAFINA BURGER 24
wagyu beef, mozzarella or gorgonzola, avocado, caramelized onions & french fries

IL VEGETARIANO 33
roasted spaghetti squash, radicchio, piemonte, hazelnuts

SIDES

ITALIAN BROCCOLI 9 • FRENCH FRIES 9 • FINGERLING POTATOES 9 • TRUFFLE FRIES 14

DESSERT

AFFOGATO 12

vanilla gelato, espresso
add: amaro +5

LEMON SORBETTO 14

A lemon from capri filled with lemon sorbetto
served in the natural fruit shell

TARTUFO AL CIOCCOLATO 14

zabaione cream center surrounded by chocolate gelato,
topped with cocoa powder

CHOCOLATE SENSATION* 14

7 chocolate layers with hazelnut cream & hazelnut crunch,
served with fresh whipped cream

IL TIRAMISU* 14

lady fingers, mascarpone, espresso & cocoa dusting on top.
just like grandma used to make, maybe better

GELATI & SORBETTI

one scoop 4, two scoops 8, three scoops 10
vanilla, chocolate, mixed berry, strawberry, pistachio

*contains hazelnut & peanut oil

BEVANDE DOLCI 17

SICILIAN 75

house made limoncello, lemon, sage, moscato

THYME TO GO

tequila, green chartreuse, luxardo

UP ALL NIGHT

madagascar vanilla infused vodka, espresso,
mr. black coffee liquor, shaved dark chocolate

➤ All cocktails made with love, house infused syrups, tinctures and spirits ⇐

COFFEE & TEA

COFFEE	3.50	MACCHIATO	4.25
DECAF COFFEE	3.50	ICED COFFEE	4.00
ESPRESSO	4.25	HOT CHOCOLATE	4.50
DOUBLE ESPRESSO	5.50	TEA	6.00
CAPPUCCINO	4.50	english breakfast, mint,	
LATTE	4.25	chamomile, earl grey, green tea	



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

424 W 33rd Street, Suite 580 New York, NY 10001

tel: 212-736-4536

<https://cbmanhattan.cityofnewyork.us/cb4/>

JEFFREY LEFRANCIOS
Chair

JESSE BODINE
District Manager

PUBLIC NOTICE

Business Licenses and Permits Committee
will discuss an application submitted by

POD TS F&B LLC & POS TS F&B Major Management LLC 400 W 42nd Street

A Method of Operation Change Application

DATE:	Tuesday, April 12, 2022
TIME:	6:30 PM
PLACE:	<u>Video/Phone Conference Registration:</u> <u>https://zoom.us/webinar/register/WN_66-6SX3vS_6HVC2bBstV3A</u>

We invite you to attend this meeting and learn more about this application.
Alternately, you may email your comments by 12 p.m. Monday, April 11, 2022 or
for more information, please email Assistant District Manager Nelly Gonzalez
negonzalez@cb.nyc.gov.

Posted according to the Administrative Code of the City of New York section 10-119. Please do not remove until after the above meeting date.