Manhattan Community Board 4 All Fields Must Be Completed

Liquor License/Sidewalk Cafe Stipulations Application

CORPORATION NAME			DOING BUSINESS AS (DBA)							
MW Hospit	ality L	LC	Spear	mint	Rhino	Gen	tlemen's	s Club)	
STREET ADDRESS			CROSS STREETS				ZIP CO	DE		
622 West 4'	7th Stre	eet	11th an	d 12tl	n Avei	nues	nues 10036			
OWNER	NAME:	Kathy Vercher		NAME:	Max 1	Bookman	, Esq	Pesetsky and	l Bookman	
(Attach a list of all the people that will	PHONE:	951-371-3788	ATTORNEY REPRESENT		PHONE:	21	2-513-1	988		
be associated listed with the license)	EMAIL:	kvercher@spearmintrhino.c			EMAIL:	ma	ax@pb.l	aw		
	NAME:	Kathy Vercher			NAME:	622	W47 LI	.C c/c	Gary Ostr	roff
MANAGER	PHONE:	951-371-3788	LANDLORD		PHONE:		-519-51			ST-A
	EMAIL:	kvercher@spearmintrhino.	com	-	EMAIL:	gos	troff@k	aneke	ssler.com	
APPLICATION	ON TYP	E (<u>X</u> Liquor License			Unencl	osed S	Sidewalk C	'afe)		
Has applicant owned or managed a similar business?					(YE	5)	NO			
Ŏ New	What is/was	the name and address of establishment?		Spearmint Rhino Gentlemen's Club					1	
	What were the dates applicant was involved with this former premise?					Mulitple locations throughout the US, UK and Australia				
Corp	What is the li	cense # and expiration date?								
Change/Class Change/Removal	Is applicant making any alterations or operational changes?					s	NO			
	If alterations	or operational changes are being made, please descr	ribe/list all change	IS.						
	What is the c	urrent license # and expiration date?								
0	Please list/de	escribe the nature of all the changes and atlach the pl	ans:							
METHOD OI	F OPER	ATION								18.1
TYPE OF ALCOH	IOL	€ Liquor/Wine/Beer & Cider	0	Beer & Ci	der		O Win	e/Beer & C	Cider	
ESTABLISHMEN	Т ТҮРЕ	Restaurant Cabaret C Adult Entertainment Wine Ba		Hotel	⊗ B	ar/Taverr			Establishment nization – Members (Only)
you plan to file?		I he SLA? If yes, when? If no, when do	YES	NO			ıs possit			
	cense estat	? If yes, please attach a diagram of the plishments within a 500 ft. radius of your terest Statement.	ES	NO						
Is the 200 Foot Rule schools and houses		? If yes, please attach a diagram of the that trigger the rule.	YES	NO				¥.		
Has applicant/owne Location of Alcoholi	r(s) read Mo c-Serving E	YES	NO							

		MOND	AY	TUESDAY	¥	w	EDNESDAY	THU	RSDAY		FRIDAY	SA	TURDAY	s	UNDAY
HOURS*	Operation	9am-4	lam	9am-4ar	n	9a	m-4am	9am	-4am	98	ım-4am	9aı	m-4am	9an	n-4am
(Indoor Only)	Kitchen	9am-4	am	9am-4an	n	9a	m-4am	9am	-4am	9:	am-4am	9a	m-4am	9am	ı-4am
only)	Music	9am-4	am	9am-4an	n	9a	m-4am	9am	-4am	9:	am-4am	98	ım-4am	9am	ı-4am
If you plan to have music, what type s Circle all that apply			BACKGRO	UND	9	IVE MUSIC	<	DJ	(UKE BOX		KA	RAOK	E	
							OCCUP	ANCY							
* Private Rooms	(Certificate of Occupancy) Pres		P Prem	laximum # of Persons You Anticipate Number Occupying of Tables nises (Including Employees)			Number of Seats	Number of Service Only Bars		ce	Number Stand-Up E				
INSIDE	Ξ		1.	57	22		59@table 32@PR*	s 1			2		7		
OUTSIDE (Other than sidewalk cafe)	Patio loca the 3rd F			6	í	3	6		0		0		0		
SIDEWALK CAFÉ			N	ΙA	N	Α	NA				-			=i	
How many floors are there? What is the capacity for each floor?						Cellar: 25; 1st Floor: 60; 2nd Floor: 21; 3rd Floor 4th Floor: 17; 5th Floor: 17 Patio: 6									
How frequently v	will the owner(s	s) be at the	estab	lishment?				Dai	ly						
Will there be dar	ncing?							VES	NO	Er	nploye	e O	nly		
Will applicant ha	ve bottle or tab	ole service	for be	verage alcohol?)			ES	NO		1 0				
Will you be hosti	ng private; pro	motional o	r corpo	orate events?				ŒS	NO						
Will outside pron	noters be used	on a regu	lar bas	is? If yes pleas	e descr	ibe.		YES	@						
Will you have a	security plan? I	f, yes plea	se atta	ach.				YES	NO	S	ee Atta	ichi	ment		
Will security plar	be implement	ed?						(YES)	NO	S	ee Atta	chi	ment		
Will State certified security personnel be used?						YES	NO								
Will New York Nightlife Association and NYPD Best Practices be followed?						(ES)	NO								
Will applicant be	using delivery	bicycles?	lf yes,	how many?				YES	(No)						
Will delivery bicy wear attire clearl					stauran	t and	l will staff	YES	(v)						
		-11-1		day when not i				Mot	Appli	001	-1-	_			

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

Community Notification/Relat	ions								
NOTIFICATION:	# 1	A mass ema	A mass email was sent to all of the contacts on the block						
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	# 2	association / organization list provided by the Community							
	# 3		Board on 12/19/2018 - See attached copy of the email						
each please list both the organization and individual you contacted	# 4	Dourd on 12	Total on 12/17/2016 - See attached copy of the chian						
	# 5								
Please provide dates when applicant met w	ith the gre	oups listed above.	See ab	ove					
Who was your contact person at each grou	o you met	with?	See above						
When did applicant post the notice that was	provided	?	12/19/2018						
Where did applicant post the notice that wa	s provide	1 ?	In front of premises						
Will applicant provide owner cell phone nun complaints that arise? Please provide number		5)	ŒS	NO	Kathy @ 909-518-8137			
Will applicant inform the Community Board provide a hyperlink to applicants jobs webp		ts job openings and/or		YES	NO				

BUILDING DESIGN						
State the name and type of business previously located in the space.	Esquire NYC Gentlemen's Club					
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.		NO	Esquire NYC Gentlemen's Club			
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO				
Will applicant have a vestibule within the establishment?	(YES)	NO	"Entrance Lobby" with coat check			
Will applicant use a storm enclosure?	YES	NO				
Will applicant agree not to place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	VES	NO				
Will applicant comply with the NYC noise code?	(VES)	NO				
Will the establishment have any of the following: (circle all that apply)	PATA	noo	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?	É	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?	(YES)	NO				
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	(ES)	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?	ŒS)	NO				
Will the kitchen exhaust system extend to the roof?	YES	NO				
Will the establishment have an illuminated sign?	ŒS	NO				
Will the establishment have a canopy extending over the sidewalk?	VES	NO				
Where will the air conditioner be located? What type is it?	5th	Floor	- Forced Air			
When was the air conditioner installed?	Unl	(now	n			

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ	- 1		
Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	(YES)	NO	
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)?	VES	NO	Existing Patio currently located on the 3rd Floor
Are the floorplans for the outdoor space(s) included?	YES	NO	
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	YES	NO	TBD
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	TBD
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	YES	NO	
Will there be no amplified music, as per the law?	ES	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	Œ	NO	
Will applicant agree to post signs outside asking customers to respect the neighbors'?	YES	NO	
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	VES	NO	*Most Windows blocked for sound control
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	VES	NO	

^{*} Outdoor separation with insulated glass wall on the 3rd floor from roof terrace. There will be sound system insulation in that area. No plans for sound system on open terrace.

Doors to remain closed.

Terrace enclosed on south and east side by brick walls Exposed area is only on West side - no residential exposure.

Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	ŒS	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 21st and March 21st, 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 closes obstruction including construction barricades?	YES	NO

ADDITIONAL STIPULATIONS: (Office Use Only)

Applicant agrees to the following stipulations:

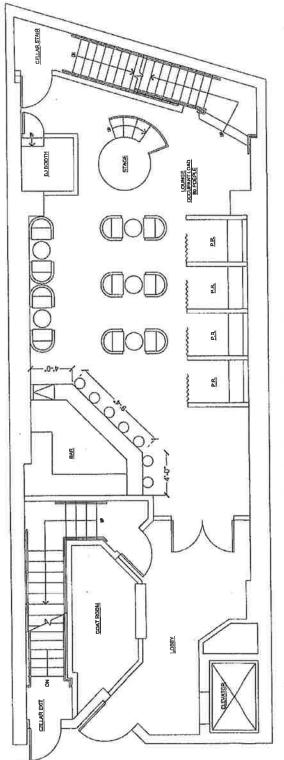
- 1) This will be a cabaret for performer dancing only
- 2) The applicant will employee security personnel New York State licensed quards
- 3) The applicant agrees to follow the best practices as outlined by the New York Nightlife Association which was developed in corporation with the New York City Police Department
- 4) The applicant agrees to no velvet rope waiting line as all arriving patrons will be housed inside the first floor of the establishment
- 5) All signage and lighting will be in accordance with NYC regulations
- 6) The applicant will not distribute advertisement fliers around the exterior of the establishment
- 7) The applicant will not use outside promoters
- 8) The applicant will proactively clean the sidewalk and area immediately outside of the establishment and club-related trash on neighboring properties on W 47th Street between 11th and 12th Avenues
- 9) The applicant agrees to regularly attend meetings of the Midtown North Precinct Community Council, The West 46th Street Block Association and The West 47th/48th Street Block Association as needed

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					
2					
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.					

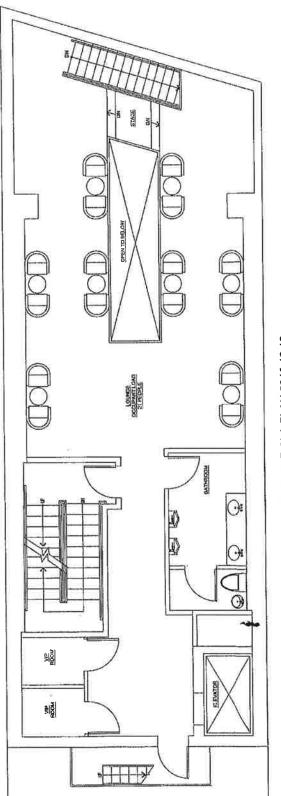
Manhattan Community Board 4 (MCB (MCB4's recommendation is based on a February 6, 2019 full board meeting, with of the recommendation,0 members of abstaining and1 present but not eligit	vote taken at its 31 members voting in favor pposed,1 members	Denial unless all stip operation Denial Appro		nt/owner are part of the method of
CB4 REPRESENTATIVES	- A			
Nelly Gonzalez CB4 Assistant District Manager	Frank Holozubiec CB4 BLP Committee Co-Chair		Yoni Bokser (*B4 BLP Committee (*o-Ch	air
APPLICANT AGREEMENT W	TH THE COMMUNIT	Y	>	
Applicant agrees to these stipulations stipulations are essential prerequisites stipulations incorporated in the methor agreement between MCB4 and applic supersede any oral statements or repr	s to the MCB4 recommendat d of operation of its liquor lice ant and may only be altered	ion regarding this ap ense. The stipulation in writing signed by l	plication. Applicant ags in this application co	rees to have these onstitute the entire
SIGN HERE -	Kathy Vercher	SIGNATURE O	IN LOCAL TO THE PROPERTY OF APPLICANT	12/28/2018 DATE

THE PROPERTY OF THE PROPERTY O

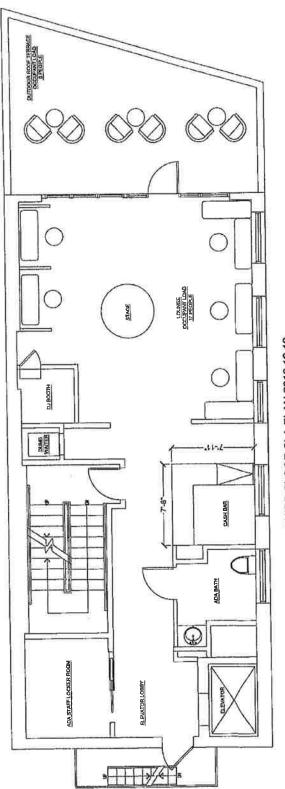


FIRST FLOOR SLA PLAN 2018.12.19

JUNE INGANIN ARCHITECTIS

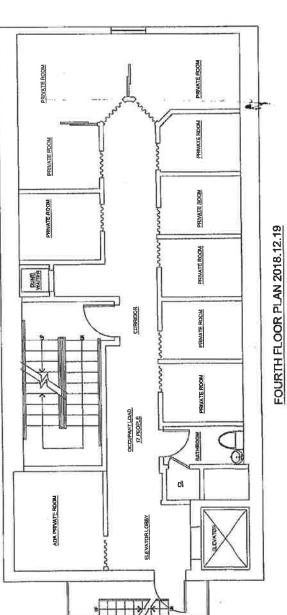


SECOND FLOOR SLA PLAN 2018.12.19



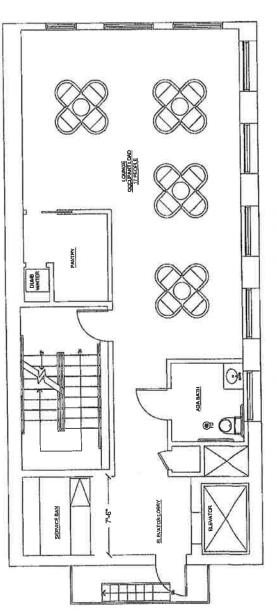
THIRD FLOOR SLA PLAN 2018.12.19

REFERENCE ARCHITECTS



SCHOOL SC

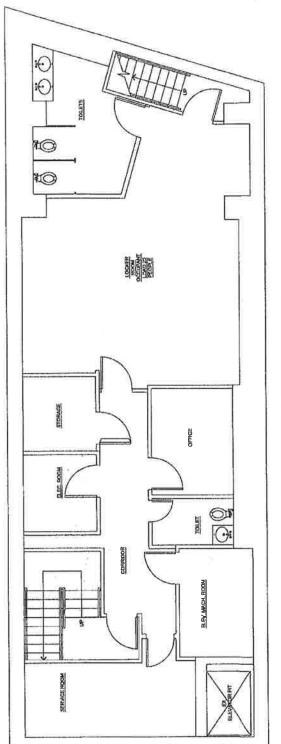
MERINANN SECTIONS



— .e-.9 ----/

FIFTH FLOOR SLA PLAN 2018.12.19

PACE SINGLE AND CHATTERS OF STATES



CELLAR FLOOR SLA PLAN 2018.12.19

Proposed Menu 622 West 47th Street *

Appetizers:

Wings: teriyaki, buffalo, or classic fried chicken seasoned

Onion Rings

Loaded waffle fries with bacon, cheese, and seasoned sour cream

Nachos

Mozzarella Sticks

House Special Salsa or Dip

SECURITY PLAN PROCEDURES

FOR 622 WEST 47th STREET

 Licensed, Trained Security Guards on premises during operating hours to ½ hour after closing

Procedures:

- Check in with manager and check out security two way radio and ear piece
- Check perimeter of location and remove any litter or debris
- · Make note of any damage to property and or vandalism and report it directly to the manager on duty
- Greet patrons
- Busure they have ID and check their DOB with company provided ID scanner
- · Enforce dress code
- Security may search any and all patrons (no weapons, drugs, alcohol permitted to be brought on the premises by patrons)
- · Encourage patrons to enter/exit quietly
- Encourage patrons to utilize the establishment's valet parking area
- · Maintain order at the location, encourage safety
- Patrol parking area utilized by patrons and while doing so keep the areas free of trash and report to management any concerns they may have
- Discourage loitering on the exterior of premises and the surrounding properties at all times
- Provide supervised security staff-assisted escorts especially at closing, from the location to the patrons' vehicles
- Report to management any patrons that security feel may be intoxicated
- Communicate with other security to discuss any concerns security may have concerning patrons or any other issues
- Maintain appropriate level of security personnel and at key positions within the establishment
- Discuss with manager any concerns or issues reported to them by any other security guard
- Make sure bottled water is available for departing patrons
- Take steps necessary to prevent departing patrons who appear to be intoxicated from driving, including
 observing patrons as they are walking them to their car and actively encouraging the alternate use of
 designated sober drivers and/or calling a taxi cab or driving service and or providing the patrons the names
 of nearby hotels for an overnight stay
- Maintain crowd control as patrons exit the premises
- Closed circuit TV's shall be placed in appropriate locations and monitored to ensure more effective security procedures
- Security personnel shall be familiar with evacuation procedures

All security personnel share the same duties and responsibilities as they will rotate positions throughout their shifts, and as other security personnel are rotated in for the last evening shift.

At the end of the last evening shift, an appropriate number of security personnel will maintain a presence on the exterior of the premises and perform the duties described above.

622 W 47 St, New York, NY, 10036

* This report is for informational purposes only in aid of identifying establishments potentially subject to 500 and 200 foot rules. Distances are approximated using industry standard GIS techniques and do not reflect actual distances between points of entry. The NYS Liquor Authority makes no representation as to the accuracy of the information and disclaims any liability for errors.

Closest Liquor Stores

Name	Address	Approx. Distance
VERITAS STUDIOS INC	527 W 45TH ST	975 ft
GRAND CRU WINE \$ SPIRITS INC	560 11TH AVE	1315 ft
ADRIATIC WINE & LIQUOR LLC	714 10TH AVENUE	1435 ft
GRACE WINE & SPIRITS INC	610 10TH AVENUE	1535 ft
WEST 42 WINE & SPIRITS INC	507 W 42ND ST	1680 ft
460 WINE MARKET INC	460 W 42ND ST	2050 ft
CELLAR 53 WINE & SPIRITS INC	785 10TH AVE	2080 ft

Churches within 500 Feet

Approx. Distance	Name
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Schools within 500 Feet

Name	Address	Approx. Distance
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On-Premise Licenses within 750 Feet

Name	Address	Approx. Distance
WEST 46TH STREET VENTURE LLC	639 W 46TH ST	235 ft
621 EVENTS LLC	621 W 46TH ST	315 ft
653 ELEVENTH AVE LLC	653 11TH AVE	395 ft
MARIN IN NYC LLC	653 11TH AVE	415 ft
LANDMARK TAVERN LLC	626 11TH AVE	510 ft
IMPERIAL CLUB LLC	603 W 45TH ST	515 ft
LEGENDS HOSPITALITY LLC	PIER 86 W 46TH ST & 12TH AVE	585 ft
LEGENDS HOSPITALITY LLC	PIER 86	610 ft
GW MARKET LLC	600 11TH AVE	630 ft

Pending Licenses within 750 Feet

Name	Address	Approx. Distance
660 12TH AVENUE SUBSIDIARY LLC	660 12TH AVE	470 ft
SONNIER & CASTLE BY RHUBARB LLC	554 W 48TH ST	620 ft
LEGENDS HOSPITALITY LLC	PIER 86	645 ft

Unmapped licenses within zipcode of report location

Name	Address
MR BING OF TIMES SQUARE LLC	00 BROADWAY PLAZA
SWEET CHURROS INC	00 BROADWAY PLAZA
LOGANS SANCTUARY LLC	130 132 W 47TH STREET





Posting • Dec 13, 2018













Exterior • Dec 13, 2018



From: Morgan McLean morgan@mclean-services.com Subject: 622 W 47th, Spearmint Rhino Gentlemen's Club

Date: December 19, 2018 at 2:16 PM

To: rjbenfatto@hyhkalliance.org, pgouris@hyhkalliance.org, kathleentreat123@gmail.com, mcgee79@aol.com, Christine Berthet cberthet@me.com, nfo@clintonhousing.org, Joe Restuccia jrestuccia2@clintonhousing.org, rmarcano@clintonhousing.org, eduardozeiger@compuserve.com, mpta@mptenants.com, Ashly Linda Ashley ashleyll@aol.com, twocatsltd@worldnet.atl.net, Rudi_Papiri@timemagazine.com, tangotanner@gmail.com, west45ba@gmail.com, chanawid@gmail.com, AllisonTupper AllisonTupper@verizon.net, Stephen Fanto stephenfanto@gmail.com, Elke Fears aefearshk@earthlink.net, Larry Roberts larrymichaelroberts@gmail.com, jamesbogues@gmail.com, chasmv@hotmail.com, chluderernyc@yahoo.com, nancyroylance@ymail.com, mariagnys@aol.com, ecelnik@actorsfund.org, rpimentel@commonground.org, dsage@commonground.org, buzany@rcn.com, nkyrlacou@yahoo.com, gdclay@att.net, Jean-Daniel Noland jeandaniel@aol.com, john.mudd@usa.net, bill@midtownsouthcc.org, ploeb315@aol.com, west55ba@gmail.com, Bob Minor hk5051@gmail.com, Raul Larios rrlarios@hotmail.com, acernitz@gmail.com, awm3333@me.com, jessbondy@aol.com

Cc: nelly Gonzalez negonzalez@cb.nyc.gov, McLean mclean@mclean-services.com

Dear Neighbors,

I will be the Community Lialson representing the Spearmint Rhino Gentlemen's Club, which is now applying for a liquor license in the location previously licensed as Legs Diamond, at 622 West 47th Street.

More recently, 622 W 47th was granted approval for a 4AM, full on-premise liquor license from CB4 in 2015, for a different entity doing business as Esquire Gentlemen's Club. However, this business never opened its doors.

Like any commercial lease negotiation in New York City, this has been a long process and we look forward to presenting our project to the block associations and local community groups over the next 3 weeks.

Spearmint Rhino is a reputable and experienced professional hospitality operator with locations around the world.

We are currently scheduled to appear before the CB4 Permits & Licensing Committee on Tuesday, January 8, 2019 at 6:30 pm. The meeting will be held at Fountain House, 425 W 47th St, Lower Level.

Please feel free to attend the meeting and/or to contact me beforehand with any questions or comments that you may have.

Regards,

Morgan McLean 917 922 8053