

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License Stipulations Application

CORPORATION NAME NYC West Venture, LLC		DOING BUSINESS AS (DBA) Spearmint Rhino Gentlemen's Club	
STREET ADDRESS 637 W 50th Street		CROSS STREETS 11th & 12th Aves	ZIP CODE 10019
OWNER <i>(Attach a list of all the people that will be associated/listed with the license)</i>	NAME: Kathy Vercher	ATTORNEY/ REPRESENTATIVE	NAME: Robert S Bookman, Esq.
	PHONE: 951-371-3788		PHONE: 212-513-1988
	EMAIL: kvercher@spearmintrhino.com		EMAIL: rbookman@pandblegal.com
MANAGER	NAME: Dustin Eckstrom	LANDLORD	NAME: Citigrant Funding Corp
	PHONE: 612-817-7309		PHONE: c/o Jerome Strelow, Esq 212-758-1047
	EMAIL: dustin@mexicueny.com		EMAIL: js@strelow.com
APPLICATION TYPE <i>(Check One)</i>			
<input checked="" type="checkbox"/> New	Has applicant owned or managed a similar business?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
	What is/was the name and address of establishment?	Outside of NY	
	What were the dates applicant was involved with this former premises?	NA	
<input type="checkbox"/> 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="checkbox"/> Alteration	What is the current license # and expiration date?		
	<i>Please list/describe the nature of all the changes and attach the plans:</i>		
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 checked="" type="checkbox"/> Adult Entertainment	<input type="checkbox"/> Wine Bar	<input type="checkbox"/> Dance Club
	<input type="checkbox"/> Hotel	<input type="checkbox"/> Bar/Tavern	<input type="checkbox"/> Catering Establishment
	<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	
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 type="checkbox"/> YES	<input checked="" 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*		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	<i>(Indoor Only)</i>	Operation	9am-4am	9am-4am	9am-4am	9am-4am	9am-4am	9am-4am	9am-4am
		Kitchen	SAA	SAA	SAA	SAA	SAA	SAA	SAA
		Music	SAA	SAA	SAA	SAA	SAA	SAA	SAA
If you plan to have music, what type(s)? (Circle all that apply)			<input checked="" type="checkbox"/> BACKGROUND	<input checked="" type="checkbox"/> LIVE MUSIC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> 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	1,090	343	69	308	1	2	23
OUTSIDE <i>(Other than sidewalk cafe)</i>	200 Rooftop	200	17	59	0	1	11
SIDEWALK CAFÉ	NA	NA	NA	NA			

ENCLOSED
ROOF

ENCLOSED
ROOF

How many floors are there? What is the capacity for each floor?	First Floor: 250, Second Floor: 840 Rooftop: 200	
How frequently will the owner(s) be at the establishment?	General Manager and supporting manager will be on duty.	
Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?	YES	<input checked="" type="checkbox"/>
Will applicant have bottle or table service for beverage alcohol?	<input checked="" type="checkbox"/> YES	NO
Will you be hosting private, promotional or corporate events?	<input checked="" type="checkbox"/> YES	NO
Will outside promoters be used on a regular basis? If yes please describe.	YES	<input checked="" type="checkbox"/>
Will you have a security plan? If, yes please attach.	<input checked="" type="checkbox"/> YES	NO See Attachment
Will security plan be implemented?	<input checked="" type="checkbox"/> YES	NO See Attachment
Will State certified security personnel be used?	<input checked="" type="checkbox"/> YES	NO
Will New York Nightlife Association and NYPD Best Practices be followed?	<input checked="" type="checkbox"/> YES	NO
Will applicant be using delivery bicycles? If yes, how many?	YES	<input checked="" type="checkbox"/> 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	<input checked="" type="checkbox"/>
Where will delivery bicycles be stored during the day when not in use?	No	

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

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 * See below	# 1	Manhattan Community Board No. 4	
	# 2	Clinton Block Association	
	# 3	West 44th Better Block Assn.	
	# 4	HK5051 Block Assn.	
	# 5	West 47/48th Block Assn.	
Please provide dates when applicant met with the groups listed above.		March 2017	
Who was your contact person at each group you met with?			
When did applicant post the notice that was provided?		3/20/2017	
Where did applicant post the notice that was provided?		In front of premises and within the block	
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.		<input checked="" type="checkbox"/>	NO
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicant's jobs webpage?		<input checked="" type="checkbox"/>	NO
			Kathy Vercher (909) 518-8137

- #6 West 45th Block Assn.
- #7 West 46th Block Assn.
- #8 West 55th Block Assn.
- #9 MTN Precinct
- #10 Friends of Pier 84

BUILDING DESIGN		Eden Ballroom, LLC - Dance Hall/ Night Club		
State the name and type of business previously located in the space.		with Topless Entertainment		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Eden Ballroom, LLC
Do you plan any changes to the existing façade? If yes, please describe.		YES	<input checked="" type="checkbox"/>	
Will applicant have a vestibule within the establishment?		YES	<input checked="" type="checkbox"/>	
Will applicant use a storm enclosure?		YES	<input checked="" type="checkbox"/>	
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="checkbox"/> YES	<input type="checkbox"/> NO	
Will applicant comply with the NYC noise code?		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> 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="checkbox"/> YES	<input type="checkbox"/> 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="checkbox"/> YES	<input type="checkbox"/> 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="checkbox"/> YES	<input type="checkbox"/> 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="checkbox"/> YES	<input type="checkbox"/> NO	
Will the kitchen exhaust system extend to the roof?		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Will the establishment have an illuminated sign?		YES	<input checked="" type="checkbox"/>	
Will the establishment have a canopy extending over the sidewalk?		YES	<input type="checkbox"/> NO	TBD
Where will the air conditioner be located? What type is it?		Roof		
When was the air conditioner installed?		2014		

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFE			
Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	<input checked="" type="checkbox"/>	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="checkbox"/>	NO	Rooftop currently exists
Are the floorplans for the outdoor space(s) included?	<input checked="" type="checkbox"/>	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="checkbox"/>	
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	<input checked="" type="checkbox"/>	
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	YES	<input checked="" type="checkbox"/>	
Will there be no amplified music, as per the law?	<input checked="" type="checkbox"/>	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	<input checked="" type="checkbox"/>	NO	
Will applicant agree to post signs outside asking customers to respect the neighbors?	<input checked="" type="checkbox"/>	NO	
Will applicant agree to train staff to encourage a peaceful environment?	<input checked="" type="checkbox"/>	NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	<input checked="" type="checkbox"/>	NO	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="checkbox"/>	NO	

OUTDOOR ITEMS – SIDEWALK CAFÉ

NOT APPLICABLE

Has the applicant/owner(s) read MCBA 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 café?	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 closes obstruction including construction barricades?	YES	NO	

ADDITIONAL STIPULATIONS: (Office Use Only)

- Prior stips will be repeated:
- No amplified sound when rooftop windows are open
- Will follow recommendation of sound report
- Limited sound will be controlled by sound engineer on site
- Will address complaints as they arise.
 - employees will be directed to do the same
- If after repeated complaints it is not possible to address concerns, will reconsider use of outdoor space
- The applicant agrees to never use outside promoters
- The applicant will not distribute advertisement fliers around the exterior of the establishment
- The applicant agrees to follow the best practices as outlined by the New York Nightlife Association, which was developed in cooperation with the New York City Police Department
- To ensure that neighbors are not negatively impacted by sound emanating from the sidewalk in front of the establishment due to the gathering of people, the applicant's security personnel will monitor the area and encourage patrons to either enter the establishment or leave the area
- There will be no French doors or windows that open to the street front
- Kitchen exhaust will exit through ventilation above the highest floor of surrounding buildings and be constructed in a manner to not disturb neighboring residents or offices. Additionally, it will be compliant with NY DOB code.
- Applicant will never install a storm vestibule enclosure as they have the double door 'soundtrap' vestibule
- The applicant will proactively clean the sidewalk and area immediately outside of the establishment and club-related trash on neighboring properties

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*

- No outdoor sidewalk space will be used for queuing of patrons waiting to enter the establishment. Applicant stated cueing will occur inside so there will be no velvet rope lines
- The applicant will make a concerted effort to hire employees from the community
- Applicant will provide 24 hour contact details to CB4 and pertinent community representatives
- Applicant will arrange for representatives to regularly attend Precinct Council, Block Association and Community Board meetings to address and resolve any community problems that may arise from this establishment

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:

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

Denial Approval

CB4 REPRESENTATIVES

Nelly Gonzalez
Nelly Gonzalez
CB4 Assistant District Manager

Frank Holozubiec
Frank Holozubiec
CB4 BLP Committee Co-Chair

Burt Lazavik
Burt Lazavik
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 →

Kathy Vercher
PRINT NAME OF APPLICANT

Kathy Vercher
SIGNATURE OF APPLICANT

3/28/17
DATE

Kathy Vercher

4/18/17

Proximity Report for Location:

March 27, 2017

637 W 50 St, New York, NY, 10019

* 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
ADRIATIC WINE & LIQUOR LLC	714 10TH AVENUE	1475 ft
CELLAR 53 WINE & SPIRITS INC	785 10TH AVE	1615 ft
VERITAS STUDIOS INC	527 W 45TH ST	1655 ft
WEST 54 LIQUORS LLC	453 W 54TH ST	2120 ft
GRAND CRU WINE & SPIRITS INC	560 11TH AVE	2130 ft
GRACE WINE & SPIRITS INC	610 10TH AVENUE	2185 ft
501 WEST 57 LIQUORS INC	501 W 57TH ST	2300 ft

Churches within 500 Feet

Name	Approx. Distance
------	------------------

Schools within 500 Feet

Name	Address	Approx. Distance
------	---------	------------------

On-Premise Licenses within 750 Feet

Name	Address	Approx. Distance
EDEN BALLROOM LLC	637 W 50TH ST	280 ft
HDV MANHATTAN LLC	639 641 W 51ST STREET	350 ft
KIER HOOK WEST INC	714 11TH AVE	585 ft
KD 714 INC	714 11TH AVE	595 ft
CARNIVAL CORPORATION	711 12TH AVE	710 ft
CRYSTAL CRUISES LLC	711 12TH AVE	725 ft

Pending Licenses within 750 Feet

Name	Address	Approx. Distance
Z LIVE INC	605 W 48TH ST	665 ft
CRYSTAL CRUISES LLC	711 12TH AVE	725 ft
AIDA CRUISES GERMAN BRANCH OF COSTA CROCIERE SPA	711 12TH AVE	740 ft

Unmapped licenses within zipcode of report location

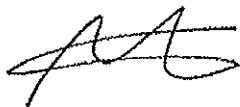
Name	Address
------	---------

Certificate of Occupancy

CO Number: 121327153T014

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

A.	Borough: Manhattan	Block Number: 01098	Certificate Type: Temporary
	Address: 637 WEST 50TH STREET	Lot Number(s): 11	Effective Date: 02/10/2017
	Building Identification Number (BIN): 1080995		Expiration Date: 05/11/2017
		Building Type: Altered	
This building is subject to this Building Code: Prior to 1968 Code			
<i>For zoning lot metes & bounds, please see BISWeb.</i>			
B.	Construction classification:	3	(Prior to 1968 Code designation)
	Building Occupancy Group classification:	A-2	(2014/2008 Code)
	Multiple Dwelling Law Classification:	None	
	No. of stories: 2	Height in feet: 36	No. of dwelling units: 0
C.	Fire Protection Equipment: Standpipe system, Fire alarm system, Sprinkler system, Fire Suppression system		
D.	Type and number of open spaces: None associated with this filing.		
E.	This Certificate is issued with the following legal limitations: None		
Outstanding requirements for obtaining Final Certificate of Occupancy:			
There are 18 outstanding requirements. Please refer to BISWeb for further detail.			
Borough Comments: None			



Borough Commissioner

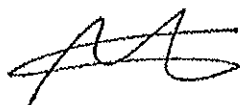


Commissioner

Certificate of Occupancy

CO Number: 121327153T014

Permissible Use and Occupancy						
All Building Code occupancy group designations below are 2008 designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
ME Z		100	A-2		12A	BATHROOMS - ACCESSORY TO EATING AND DRINKING ESTABLISHMENT WITH ENTERTAINMENT AND DANCING
001	10	OG	M		6, 6	STORES
001	250	OG	A-2		12A	EATING AND DRINKING ESTABLISHMENT WITH ENTERTAINMENT AND DANCING
002	840	120	A-2		12A	EATING AND DRINKING ESTABLISHMENT WITH ENTERTAINMENT AND DANCING
RO F	200	120	A-2		12A	EATING AND DRINKING ESTABLISHMENT WITH ENTERTAINMENT AND DANCING AND ACCESSORY USES - STAIR, ELEVATOR BULK HEADS AND MECHANICAL EQUIPMENT
NOTE: ON GROUND FLOOR: NO CHANGE IN EXISTING OCCUPANCY COUNT FOR STORES. CO#49566 UG:6 - STORE OCCUPANCY IS 10 PEOPLE. (EXISTING) UG: 12A - EATING AND DRINKING ESTABLISHMENT WITH ENTERTAINMENT AND DANCING OCCUPANCY IS 250 PEOPLE. (NEW) TOTAL GROUND FLOOR OCCUPANCY IS 260 PEOPLE.						
END OF SECTION						



Borough Commissioner



Commissioner

END OF DOCUMENT

NEXT PAGE 121327153/014 2/10/2017 12:40:59 PM

STARTERS

BONELESS CHICKEN STRIPS 9

Chicken tenders with your choice of dipping sauce. Available in med / hot Honey BBQ / Lemon Pepper

CHICKEN WINGS

8PC 11 12PC 15 20PC 22

Jumbo chicken wings served with your choice of dipping sauce. Available in med / hot / Honey BBQ / Lemon Pepper



BEEF SLIDERS 10

3 Mini burgers with melted cheddar cheese, tomato and pickles on a Hawaiian roll

"STREET" TACOS

CHICKEN 9 BEEF 10

3 Classic DNG tacos served with shredded cheese, house made pico de gallo and your choice of meat

BASKET OF FRIES

FRENCH FRIES 6.50

SIDEWINDER STEAK FRIES 7.50

NACHOS 12

Tortilla chips topped with black beans, nacho and cheddar cheese, salsa, pico de gallo, jalapeños, guacamole and sour cream

SAMPLER 17.50

Buffalo wings, chicken strips, DNG sliders and a classic cheese quesadilla

QUESADILLA

CHEESE 7.50 CHICKEN 9.50

STEAK 10.50

Classic quesadilla filled with Monterey cheese and served with sour cream and salsa

CHIPS AND GUACAMOLE 8

Crispy tortilla chips served with guacamole & your choice of pico de gallo or spicy salsa

SALAD

GARDEN SALAD

STANDARD 6 CHICKEN 8

Spring mix lettuce with tomato and your choice of dressing

Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of foodborne illness, especially if you have a medical condition.

SANDWICHES

AND BURGERS

Served with your choice of French fries or sidewinder steak fries for \$1 more



THE BASIC BURGER

BASIC 9 CHEESE 10 BACON 10.50

Gourmet 8oz. burger topped with tomato, onion, lettuce and pickles on a brioche bun

FRISCO BURGER 11

Classic patty melt 8oz. burger with parmesan, Swiss, cheddar cheese and tomato, then topped with grilled onions. Served on sourdough bread with Thousand Island dressing.

TURKEY AVOCADO 9.50

Sliced turkey, Swiss cheese, fresh avocado, onions, tomato and lettuce, served on sourdough or in a flour tortilla wrap

CHICKEN SALAD WRAP 9.50

Grilled chicken breast in a flour tortilla wrap with lettuce, tomato and your choice of ranch or blue cheese

FLATBREAD Pizzas

BBO CHICKEN 10.50

Crispy flatbread topped with BBO sauce, grilled chicken, mozzarella cheese and red onions

PEPPERONI 10.50

Crispy flatbread topped with tomato sauce, mozzarella cheese and pepperoni

ENTRÉES

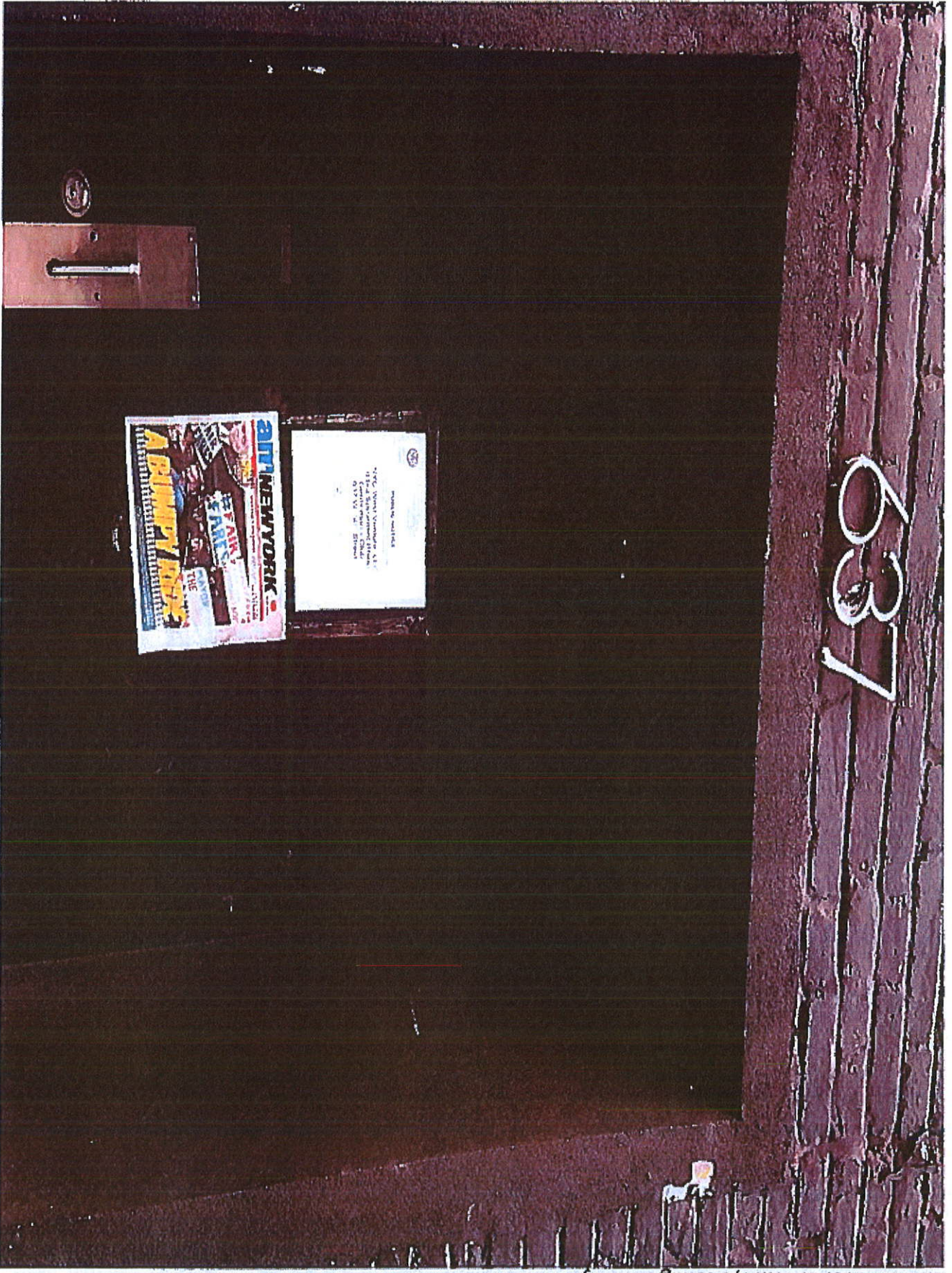


CHICKEN BURRITO 9.50

Flour tortilla filled with chicken, bacon, rice, beans, salsa and cheese served with French fries or sidewinder fries for \$1 more

8OZ. STEAK 12.50

8oz. marinated steak served with French fries or sidewinder fries for \$1 more



Exterior door of venue, Posting Monday 3.20.2017:

CABARET LIQUOR LICENSE
SERIAL #: 1272794
COUNTY: NEW YORK

EFFECTIVE DATE: 10/17/2016
EXPIRATION DATE: 8/31/2018
CERTIFICATE #: 782598

NEW YORK STATE LIQUOR AUTHORITY



THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGES PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

METHOD OF OPERATION

DANCE HALL/NIGHT CLUB SERVING BEER CIDER WINE & LIQUOR

Cabaret - Live Music; Patron Dancing; ~~Topless Entertainment~~

FILING FEE \$90.00
LICENSE FEE \$4,352.00

EDEN BALLROOM LLC
SPACE NY
637 W 50TH ST
NEW YORK NY 10019

Vincent G. Bradley
Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

Certificate No. R782598

From: **Holozubiec, Frank** fholozubiec@kirkland.com
Subject: Re: NYC Venture LLC, d/b/a Spearmint Rhino
Date: April 14, 2017 at 1:28 PM
To: Linda Ashley ashleyli@aol.com
Cc: Morgan McLean morgan@mclean-services.com



Thanks, Ashley.

Frank

Frank Holozubiec

KIRKLAND & ELLIS LLP
601 Lexington Avenue, New York, NY 10022
T +1 212 446 4892 M +1 917 842 0961
F +1 212 446 4900

frank.holozubiec@kirkland.com

On Apr 14, 2017, at 1:26 PM, Linda Ashley <ashleyli@aol.com> wrote:

Dear All: Morgan McLean came before The West 44th Street Better Block Association & presented his business plan for the before mentioned establishment.
We have no objection awarding a Liquor License to this business.
Ashley, Chair The W44 BB A.

Sent from my iPod

On 2017-04-14, at 5:26 AM, Morgan McLean <morgan@mclean-services.com> wrote:

Dear Neighbors,

I am the Community Liaison representing the Spearmint Rhino Gentlemen's Club, which is applying for a liquor license in the location currently called SPACE — for which I am also the Community Liaison. Spearmint Rhino will be replacing the venue known as SPACE.

SPACE is currently licensed with a New York State full liquor license (since 2014) with no complaints at the HK5051 block association, the CB4 office, or Midtown North Precinct. As of June 2016, SPACE is also licensed for adult entertainment usage.

Over the last month or two, I have attended many of the block association meetings in Hell's Kitchen to review the proposed new enterprise Spearmint Rhino.

We are currently scheduled to appear before CB4 on Tuesday, April 18, 2017 at 6:30 pm. The meeting will be held at the Green Room of the Yotel New York, 570 10th Avenue, on the 4th floor.

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

The information contained in this communication is confidential, may be attorney-client privileged, may constitute inside information, and is intended only for the use of the addressee. It is the property of Kirkland & Ellis LLP or Kirkland & Ellis International LLP. Unauthorized use, disclosure or copying of this communication or any part thereof is strictly prohibited and may be unlawful. If you have received this communication in error, please notify us immediately by return email or by email to postmaster@kirkland.com, and destroy this communication and all copies thereof, including all attachments.