City of La Crosse Outdoor Café Restaurant Recovery Program **Permit Application & Instructions**

The City of La Crosse has created the following Outdoor Cafe program to temporarily allow restaurants, taverns, and tasting rooms to expand their business footprint onto adjacent: public rights-of-way or privately-owned parking facilities or outdoor space if approved by the City of La Crosse. For eligible restaurants, taverns, and tasting rooms this may also include expanded alcohol license premises. All additional fees will be waived for this program.

All administrative approvals are strictly temporary and expire on November 13, 2020. This program may be extended beyond this date upon approval by the Common Council. This program is subject to all local, State and Federal Heath Orders, laws and guidelines.

Application Review Process

The Planning and Development Department will be administering the application process for this program. Depending on the type of Outdoor Café that is being applied for, or if a Liquor License Expansion is also being requested, additional approvals may be needed by the Board of Public Works, the City Clerk's Department, and/or the Common Council.

Completed Applications and the required attachments may be submitted to the Planning and Development Department via electronically to:

Jack Zabrowski

or

Tim Acklin, AICP

zabrowskij@cityoflacrosse.org

acklint@cityoflacrosse.org

Completed Applications and the required attachments may also be mailed or drop off to the Planning and Development Department at 400 La Crosse St, La Crosse, WI 54601. If City Hall is closed to the public applications may be dropped off in the metal drop box located on the north side of City Hall.

IT IS HIGHLY RECOMMENDED THAT APPLICATIONS ARE SUBMITTED ELECTRONICALLY. THIS WILL ENSURE A QUICKER PROCESS OF REVIEW.

If your application requires review by the Board of Public Works for a Street Privilege Permit, applications must be submitted to the Planning & Development Department no later than 5pm on Wednesday to ensure review and action on your application by the following Monday meeting of the Board of Public Works.

Existing Liquor License Expansion requests will be reviewed by the City Clerk's Department. If review is required by the Board of Public Works Department, and the application is approved, applications will then be forwarded to the Clerk's Department for review. Provisional approval may be granted until final action is taken by the Common Council at their next meeting.

Signature may be typed if completing electronically

Date 8.5 . 2020

Application Submittal Checklist

<u>Each application will need the following in order to be considered a complete application and be processed and reviewed:</u>

- 1) A completed and signed application. (EACH PAGE MUST BE SIGNED AND DATED)
- 2) If the applicant is not the owner of the building/property they must attach acknowledgment from the building/property owner that they are aware of this application being submitted to the City.
 - 3) A detailed site plan (drawn by hand or drawn electronically) illustrating the following:
 - a. The location and dimensions of the proposed outdoor seating area in relationship to the building
 - b. The location of property lines and the outdoor seating area.
 - c. Parking lot and driveway locations as well as impact on parking spaces.
 - d. The number of tables/seats and the distances between them.
 - e. Location of fencing. Include description of type and materials.
 - 4) Proof of insurance. (The applicant for a permit to encroach on the public right-of-way shall procure and maintain for the duration of the permit a minimum liability and contractual liability policy in the amount of \$100,000.00 each person, \$300,000.00 each accident for bodily injury and \$100,000.00 for property damage. A certificate of such insurance shall be filed with the City Attorney as part of the application. The insurance shall name the City, its officials, employees and agents as additional insureds. The Board of Public Works may require greater insurance protection on a case-by-case basis.)
 - 5) Photos, attachments, and/or renderings or any other information that will help the City better understand, review and process your application.
 - 6) (OPTIONAL) manufacturer's brochures showing types of tables and seating are helpful and recommended.

<u>IMPORTANT PROGRAM INFORMATION</u>:(Refer to the Program Guidelines for more information)

- 1) The applicant acknowledges that this is a *temporary approval* for outdoor seating and that it will expire/sunset on November 13, 2020, unless approved by the Common Council to extend the program.
- The applicant acknowledges that non-compliance with the required standards, rules, requirements of the program and other existing City Ordinances will result in immediate revocation of your Outdoor Café Permit.
- 3) The applicant acknowledges that they have inspected the Right-of-Way at issue and determined it to be suitable for their needs and accept it "as is" and waive any claims against the City.
- 4) La Crosse Outdoor Café areas may be required to be fenced under this program. Please refer to the program guidelines. Fence or barrier height shall be a minimum of at least 32" in height.
- 5) Access to the La Crosse Outdoor Café area should, where possible, be made from the main entrance of the building (rather than accessible directly from outside).

⊠ Signature ☐	Date	8.5.2020
Signature may be typed if completing electronically		

<u>IMPORTANT PROGRAM INFORMATION CONTINUED</u>:(Refer to the Program Guidelines for more information)

- 6) La Crosse Outdoor Café outdoor seating areas should have an emergency exit that meets applicable fire codes.
- 7) Per Section 2-292 of the Municipal Code those businesses wanting to participate in this program will not permitted to do so if any money or debt is owed to the City.
- 8) Under no circumstances is this program intended to promote gatherings or social spaces. It is intended to allow food & beverage patrons to be seated in accordance with physical distancing requirements to increase capacity. Tables shall be separated by at least 6' and should be set for groups no larger than six.
- 9) In no way can the overall capacity (inside + outside) exceed the establishment's overall permitted occupancy. No vertical drinking is allowed.
- 10) No vertical drinking or standing will be allowed in any version or part of this program, non-compliance will result in immediate revocation of your Outdoor Café Permit.
- 11) The applicant has inspected the right-of-way (ROW) at issue and determined it to be suitable for their needs and accept it "as is" and waive any claims against the City.
- 12) The Planning & Development Department or the Board of Public Works may suspend or revoke any permit issued hereunder and order the removal of any encroachment placed in the right-of-way upon ten days' notice. The permit holder shall have a reasonable time, not to exceed five days, in which to file a written request with the City Planning and Development Department to be heard in said manner, and show cause why the proposed actions should not be taken. However, an encroachment may be removed without prior notice or opportunity to be heard where it constitutes an immediate danger in the public health, safety or welfare, where it is not in conformance with representations made in the application, where the certificate of insurance has expired or where placed within any right-of-way without a permit or contrary to the provisions of the permit or this article. In such cases, an opportunity for a post-removal hearing shall be provided.
- 13) Applicant will be required to remove any snow from their approved outdoor dining area.
- 14) Hours of Operation for the Outdoor Café is only permitted between the hours of 7am-11pm.
- 15) Propane tanks are not allowed to be stored within the building or within 10ft of an entrance door to the Building. Must be installed per Fire Code.

Questions on this process may be directed to the Planning and Development Department

Tim Acklin, AICP acklint@cityoflacrosse.org 608-789-7391

Jack Zabrowski zabrowskij@cityoflacrosse.org 608-789-8676

Signature may be typed if completing electronically

__ Date

Date 8.5.2020

Application

ESTABLISHMENT AND OWNER INFORMATION					
Business Name THE Clow					
Business Address					
100 SED St. S. CALROSSE ZIT SYGOI					
Name of Business Owner (LLC, Corp., etc) The old CROW LACROSSE, 12C					
Phone Number 68 881 6555 Email Plan 55336 hotmail.com					
Name of Property Owner (if different than above)					
Phone Number (108) 784 . 1355 Email phil Qaddis law. com					
Does this business currently hold a City of La Crosse liquor license? 4ES					
If yes, answer questions below. If no, skip to CHOOSE TYPE OF OUTDOOR CAFÉ.					
If YES answered above, will you be requesting an expansion of premises to the current Liquor License?					
(Requires provisional approval by the City Clerk and approval by the Common Council)					
✓ YES □ NO (If NO skip to CHOOSE TYPE OF OUTDOOR CAFÉ)					
= 110 (III TO SIMP TO CITOUSE THE OF OUTDOOK CAPE)					
Please specify how you want to expand your current Liquor License.					
Into adjacent Right-of-Way (public sidewalk, on-street parking spaces, street, public plazas)					
Into existing business or adjacent off-street parking lot or open space.					
a state of adjucent on street parking lot of open space.					
CHOOSE TYPE OF OUTDOOR CAFÉ (see program guide for definitions)					
Street Café (Requires Board of Public Works Approval of a Street Privilege Permit)					
Sidewalk Café (Requires Board of Public Works Approval of a Street Privilege Permit)					
☐ Sidewalk Café (Requires Board of Public Works Approval of a Street Privilege Permit)					
Urban City Plaza (Requires Board of Public Works Approval of a Street Privilege Permit)					
☐ Café Zone (Requires Board of Public Works Approval of a Street Privilege Permit)					
☐ Outdoor Dining on Adjacent Private Parking Lot or Outdoor Space					
SITE/PROJECT DESCRIPTION					
Please describe the proposed outdoor seating area details below.					
Number of tables in proposed outdoor seating area: 5-6 4-100 [ASCES]					
Number of seats in proposed outdoor seating area: 20-24					
Existing inside seating capacity: 200 0 100%					
Your existing building capacity will apply across All continues the day					
Your existing building capacity will apply across ALL seating areas through the use of this permit. Number of bathroom fixtures: 7					
Number of onsite, off-street parking spaces for your business currently:					
training spaces for your business currently:					
PERMIT FEES					
There are no fees for this application.					
APPLICANT SIGNATURE					
I hereby make an application for an Outdoor Café Permit as detailed above. I agree to abide by the					
requirements of all City Ordinances and State laws. I understand that the approval of a La Crosse					
Outdoor Cafe Restaurant Recovery Area Permit is conditional and that the permit can be revoked or					
suspended at any time. I agree to apply for any and all building permits that may be needed in the					
construction of this La Crosse Outdoor Café Restaurant Recovery Area.					
∑ Signature					
Signature may be typed if completing electronically					

25 M/H/W - Boenien Same table configuration as 3rd St Sugarah ANMIN B/OVER HAWE -BARRIER ENTER 9.

OP ID: JS

100,000

500,000

669,100 468,400

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 08/05/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

	KEI KEULKINATU OKI KODOULA, MID III ULKII IOKIL II ULBILA										
If	SUB	RTANT: If the certificate holder is ROGATION IS WAIVED, subject ertificate does not confer rights to	to th	ne tei	rms and conditions of th	e polic ch end	cy, certain po lorsement(s)	olicies may :	•		
PRODUCER 608-783-5206						CONTACT Steven J. Fleis					
Fleis Insurance Agency Inc. 1824 E. Main Street					PHONE (A/C, No, Ext): 608-783-5206 FAX (A/C, No): 608-78				608-7	33-5209	
P O Box 537			E-MAIL ADDRESS: sfleis@fleisinsurance.com								
Onalaska, WI 54650 Steven J. Fleis				INSURER(S) AFFORDING COVERAGE				NAIC #			
				INSURER A: Midwest Family Mutual				23574			
INSU	RED	v La Crosse LLC				INSURE	R B :				
319	Vlain	Street, Suite 404				INSURE	RC:				
La C	ross	e, WI 54601				INSURE	R D :				
						INSURE	RE:				
						INSURER F:					
CO	/ER	AGES CER	TIFIC	CATE	NUMBER:				REVISION NUMBER:		
IN CE	THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.										
INSR LTR		TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER		POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMIT	s	
Α		COMMERCIAL GENERAL LIABILITY						,	EACH OCCURRENCE	\$	1,000,000
		CLAIMS-MADE OCCUR	Х				03/02/2020	03/02/2021	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$	100,000
	X	Business Owners							MED EXP (Any one person)	\$	1,000
									PERSONAL & ADV INJURY	\$	1,000,000
	GEN	'L AGGREGATE LIMIT APPLIES PER:							GENERAL AGGREGATE	\$	2,000,000
	X	POLICY PRO- LOC							PRODUCTS - COMP/OP AGG	\$	2,000,000
		OTHER:								\$	
Α	AUT	OMOBILE LIABILITY							COMBINED SINGLE LIMIT (Ea accident)	\$	1,000,000
		ANY AUTO					03/02/2020	03/02/2021	BODILY INJURY (Per person)	\$	
		OWNED SCHEDULED							BODILY IN ILIRY (Per accident)	¢	

HIRED AUTOS ONLY NON-OWNED AUTOS ONLY \$ 1,000,000 Х UMBRELLA LIAB X OCCUR **EACH OCCURRENCE** 03/02/2020 03/02/2021 1,000,000 **EXCESS LIAB** CLAIMS-MADE AGGREGATE DED X RETENTION\$ 10000 WORKERS COMPENSATION AND EMPLOYERS' LIABILITY X PER STATUTE 03/02/2020 03/02/2021 100,000

BUILDING PROPERTY

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) 100 3RD ST S & 236 MAIN ST La Crosse, WI 54601 Outdoor Cafe

N/A

CERTIFICATE HOLDER		CANCELLATION
City of La Crosse	CITYLA1	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
400 La Crosse St La Crosse, WI 54601		AUTHORIZED REPRESENTATIVE fine of the state

ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)

If yes, describe under DESCRIPTION OF OPERATIONS below

E.L. EACH ACCIDENT

E.L. DISEASE - EA EMPLOYEE

E.L. DISEASE - POLICY LIMIT