

SIDEWALK CAFÉ REQUEST FOR LEASE

CITY OF CEDAR RAPIDS



Submit to:

Public Works Department
Traffic Engineering Division
500 15th Avenue SW
Cedar Rapids, Iowa 52404

Application Fee: \$50.00

INFORMATION PAGE 1
DO NOT RETURN WITH APPLICATION

Application Process

Request for Lease applications, supporting documentation, and application fee are submitted to the Public Works Department, Traffic Engineering Division, 500 15th Avenue SW, Cedar Rapids.

- ❑ Applicants are contacted by the Public Works Department if the documentation is incomplete or additional information is necessary.
- ❑ Fully completed submissions are then distributed to staff from various City Departments for review.
- ❑ When the Request for Lease has met approval of the City Manager, an Agreement of Lease is drafted and forwarded to applicant to obtain the signature of the business and/or property owner.
- ❑ Applicants may then submit a signed Agreement for Lease, proper insurance certificate, and lease fee to the Public Works Department.
- ❑ Upon approval of the insurance certificate and execution of the Agreement for Lease by the City Manager, the Sidewalk Café may be installed only after proper permits and Outdoor Service Area Liquor License (if applicable) are obtained.

Fee Schedule

- ❑ Non-refundable application fee: \$50.00
- ❑ Lease Fee:
 - A. **Core Area** \$10.00
 - The Core Area is defined in Section 32.01.070.F of the Municipal Code.
 - B. **Outside the Core Area** \$5.00 per square foot
 - Based on total sidewalk café area
 - Prorated monthly to reflect a nine-month service season of March through November
 - C. **Downtown Parklet** \$250.00
 - Parklets may only be located in the Downtown SSMID District as defined by Chapter 28 of the Municipal Code.
 - See Section (f) of the administrative guide for specific requirements.

Operational Requirements

- ❑ Sidewalk cafés may operate each day between the hours of six o'clock (6:00) A.M. and twelve o'clock (12:00) midnight. Temporary cafes shall be restored to a normal pedestrian walkway at all other times.
- ❑ Food and beverages must be available for service to patrons in a sidewalk cafe during all hours of operation. Sidewalk cafés shall not operate when the restaurant kitchen is closed.
- ❑ The sidewalk café, as part of a restaurant, must be licensed by the department of public health or its successor.
- ❑ Amplified sound equipment shall not be permitted in Sidewalk Café areas.
- ❑ Sidewalk café areas shall be subject to inspection by the City of Cedar Rapids Fire Department at least annually or at any other time at the discretion of the City.

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- ❑ The sidewalk café shall be responsible for trash removal and must maintain the area in a clean and litter-free manner during all hours of operation.
- ❑ A sidewalk café which serves alcoholic beverages must have at least one employee monitoring the sidewalk café area at all times when customers are being served in the café area.
- ❑ The operation of any sidewalk café shall be in conformity with all other applicable federal, state, and local laws and regulations, including State liquor licensing requirements, if alcoholic beverages are served.

Insurance Requirements

In order for an insurance certificate to be approved by the City's Risk Manager, it must meet the following requirements:

- ❑ Commercial general liability insurance on a per occurrence basis with limits of liability not less than \$2,000,000 per occurrence for Bodily Injury and Property Damage. As a minimum, coverage for Premises, Operations, Products and Completed Operations shall be included.
- ❑ Proof of insurance in the form of a certificate of liability insurance.
- ❑ The business address and phone number of the agent must be clearly indicated on the face of the certificate.
- ❑ All addresses on the certificate should list a street address (not just a P.O. box address).
- ❑ "The City of Cedar Rapids, Iowa and its employees are named as additional insureds" must be specifically indicated on the certificate and include the appropriate additional insured endorsement and the governmental immunity endorsement.
- ❑ The certificates of insurance shall state that the insurance company will provide thirty (30) days written notice prior to cancellation, non-renewal, or material change including reduction of insurance coverage or limits.
- ❑ Proper workers compensation and employers liability, as required by the State of Iowa.
- ❑ Proper dram insurance and State licensing, if alcoholic beverages are served in the sidewalk café area.

****Part I****
ESTABLISHMENT INFORMATION

Sidewalk Café Definition:

A *sidewalk café* is a designated area located within a sidewalk that is contiguous with any side of a property wherein a café or restaurant is located and where food and beverages from the associated restaurant are served to patrons within the area.

Parklet Definition:

A parklet is a type of sidewalk café which is created as a temporary space serving as an extension of the sidewalk. Parklets provide amenities and public space for individuals using the street. The extension typically covers one or more parking spaces located adjacent to the public sidewalk in front of a business to which it is leased. Parklets are constructed and installed by the City in locations as determined by the City. Parklets may be constructed using any combination of planters, barriers, removable platforms or other objects which serve to delineate a pedestrian space apart from the parking aisle and the street.

In order to be eligible to construct a sidewalk café, an establishment must meet all of the criteria below to be considered a restaurant, as defined by City Code. Please indicate if your establishment complies with the following:

- Serves meals prepared on the premises and provides meal service to each floor of the premises which is open to the public while the kitchen is open. YES ___ NO ___
- Has a food service menu from which customers may order. (Provide copy). YES ___ NO ___
- Has an employee whose primary duty is the preparation of food and an employee whose primary duty is to serve food to customers. YES ___ NO ___
- Has a kitchen equipped with some or all of the following: a stove, a grill or broiler, and a food refrigeration unit with a capacity in excess of twenty (20) cubic feet. YES ___ NO ___
- Operates the restaurant service during at least sixty percent (60%) of the hours that the business is open to the public. YES ___ NO ___
- Holds itself out to be a restaurant and advertises itself as a restaurant, if it advertises (Provide copy). YES ___ NO ___

Business Owner: _____

Doing Business As: _____ Phone # _____

Establishment Street Address: _____

Contact Person: _____ Phone # _____

Email address: _____

Mailing Address: _____

Property Owner (if different): _____

****Part II****
DESIGN SUBMITTAL REQUIREMENTS

A. INTERIOR DIAGRAM

Submit an Interior diagram that specifically shows restrooms, including the fixtures, exits/entrances, seating area, bar, and the kitchen which shall be separate from the bar and equipped with a stove, griddle, grill or broiler, and a food refrigeration unit with a capacity in excess of twenty (20) cubic feet.

Occupant load is required to determine that existing exits are conforming and to confirm that the number of restroom plumbing fixtures are adequate to accommodate the existing and proposed occupants. Therefore, based on the Interior Diagram, the occupant load shall be calculated as follows:

Length of Bar: _____ l.f. ÷ 2' = _____ occupant load
Booths**: _____ l.f. x 12 ÷ 24" = _____ occupant load
Dining Area: _____ s.f. ÷ 15 = _____ occupant load
Kitchen Area: _____ s.f. ÷ 200 = _____ occupant load
Sidewalk Café Area: _____ s.f. ÷ 15 = _____ occupant load
Dance Floor Area: _____ s.f. ÷ 7 = _____ occupant load

Total Occupant Load: = _____ ÷ 2 = _____ (total # of male and female occupants). Refer to Part VII-Information Page for fixture requirements based on occupant load.

** The occupant load shall be based on one (1) person for each twenty-four inches (24") of booth length.

B. TYPE OF FENCING

Please indicate the type of delineation proposed for the sidewalk café:

_____ *Temporary Fencing* - fencing removed each evening.
See Paragraph C-1 & C-2 below

_____ *Anchored Fencing* - fencing bolted to pavement/brick surface.
See Paragraph C-1 & C-3 below

_____ Parklet with attached fencing provided.

C. EXTERIOR DIAGRAM

1. *All Fencing Types* - Exterior diagram must be accurate to the one-tenth of a foot (1/10') and contain the following information within the drawing:

- a. Dimensions of sidewalk café and any openings within café and premise (i.e. entrances/exits).
- b. Location of sidewalk café in relation to the premise and area amenities such as adjacent buildings, back of curb line, property line, benches, planters, trash receptacles, etc.
- c. Visible utility fixtures with brief description.
- d. An unobstructed sidewalk of at least five feet (5'), measured from the outer edge of the café area to the nearest street amenity, such as a tree grate, parking meter, bench, or other object.

- e. If café is located on a street corner, the area defined by the building lines extended to the street must be shown, as the café may not be situated within this area.
 - f. Alleyways, to show that the sidewalk café is no closer than ten feet (10').
 - g. Location of tables and chairs within the sidewalk café indicating that all exits are clear.
2. *Temporary Fencing* - In addition to 1. above, exterior diagram must contain the following information within the drawing:
 - a. Temporary delineation must be done in an effect manner that is clearly visible to pedestrians.
 - b. Fencing height will be limited to three feet (3').
 3. *Anchored Fencing* - **The diagram must be drawn by a professional engineer or architect.** In addition to 1. above, exterior diagram must contain the following information within the drawing:
 - a. Schematic design of anchored fencing, including proposed type and design of fence material, height of fence, anchoring system and location of anchors.
 - b. Detail of proposed gates, if applicable, including location, size and design.
 - c. Detail of how anchoring system will be maintained during winter months while fencing is removed to temporarily eliminate holes within the sidewalk which can pose a hazard to pedestrians.

D. PICTORIAL SAMPLES

Submit pictorial samples of all proposed sidewalk café amenities, such as tables, chairs, umbrellas, and fencing for approval.

****Part III** SIGNATURE**

Please note that submission of an application that does not contain accurate information shall be grounds for rejection of the request for lease.

I am an authorized representative of the establishment requesting permission to construct a sidewalk café within public right-of-way. All information contained within the application is an accurate representation of the establishment's existing conditions and of the proposed sidewalk café.

Applicant Signature

****Part IV****
APPLICATION SUBMITTAL CHECKLIST

The following is a summary of items that are to be submitted as part of the Sidewalk Café Request for Lease Application:

- _____ Request for Lease Application Packet (Signed)
- _____ Menu Sample (See Part I)
- _____ Advertisement Sample (See Part I)
- _____ Interior Diagram (See Part II)
- _____ Exterior Diagram (See Part II)
- _____ Pictorial Samples of All Amenities (See Part II)
- _____ Check Payable to City Treasurer. (See Information Page 1)

Please note that if any of the above items are missing or deficient in any manner according to the instructions, the application will be considered incomplete and will not be forwarded to City Staff.

Each application will be reviewed on its own merit and is site specific