



Date

Tracking Number A 500CF-08871

SIDEWALK CAFÉ APPLICATION

SUPPLEMENT H

Ordinance No. 19,029 M.C.S. established rules and procedures for granting of franchises to operate sidewalk cafes on City rights of way. Prior to adoption of this ordinance, sidewalk cafes were prohibited under Section 10-403 and 14-494 of the Code of the City of New Orleans.

One (1) original and two (2) copies of this application with original signatures must be delivered to the Department of Public Works.

Applicant Relation to owner: Self Agent Lessee

Applicant (Contact) Name Christopher G. Young Applicant (contact) Phone 504-915-5953

Owner Name: Gene's Theatre, LLC Owner Phone 225-454-7850

Sidewalk Café Address 715 St. Charles Avenue, New Orleans, LA 70130

Sidewalk Café Hours of Operations 11am-10pm Square Footage of Café 220 (estimate)

Yes No

Are other businesses on the block operating sidewalk cafes? If yes, list the names and addresses.

Herbsaint 701 St Charles Ave., New Orleans, LA 70130
Cibugnu, 709 St. Charles Ave., New Orleans, LA 70130

Yes No

Will the applicant be making alterations or improvements to the sidewalk? If yes, a separate permit must be obtained. Please describe any such repairs below.

Yes No

Do you currently operate any other sidewalk cafes in the City of New Orleans? If yes, then list all of the additional cafes and note whether or not they are franchised.

REQUIRED ATTACHMENTS

- Exhibit A Drawing(s) showing the sidewalk café per the Planning Advisory minimum graphic requirements listed on page 2 (Sample of drawing shown on page 4)
- Exhibit B Proof of insurance valued at a minimum of \$1,500,000 naming the City of New Orleans as an insured for the sidewalk café. For insurance purposes the City of New Orleans address is 1300 Perdido St., New Orleans, LA 70112.
- Exhibit C Copy of the applicant's current occupational license as well as current copies of any Mayorality Permits and Alcoholic Beverage Outlet Licenses, if applicable.
- Exhibit D Pictures, catalog sheets, or drawings of all elements (Chairs, tables, umbrellas, awnings, planters, etc.) of the sidewalk café. (Note: These elements must be substantial and harmonious.)
- Exhibit E Letter from property owner, if different from applicant, in support of the sidewalk café.

REQUIRED FEES

Non-Refundable Application Fees
 For Canal Street between N. and S. Claiborne Avenue and the Mississippi River: \$850.00
 All other areas: \$250.00

Franchise Fees
 \$2 per square foot of sidewalk café due annually.

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MINIMUM GRAPHIC REQUIREMENTS FOR SIDEWALK CAFÉ (FOR ATTACHMENT A)

Any item which is on the following list and which is visible must be shown on the drawing. Dimensions (size and location) if any, must be included: every encroachment should be shown. The applicant must check off each item in the list below as either not being applicable (i.e. it is not visible at the site) or as being shown on the drawing. All items listed here will be confirmed by a city inspector.

Drawings should be submitted in 1:8 scale.

Visible items to be Included on Drawing

VISIBLE ITEM	Not Applicable	Shown
Street lights and utility poles	<input type="radio"/>	<input checked="" type="radio"/>
Parking meters	<input checked="" type="radio"/>	<input type="radio"/>
Tree drip lines* and approximate width (measured 6' above grade), tree grates	<input checked="" type="radio"/>	<input type="radio"/>
Hydrants and fire department connections	<input checked="" type="radio"/>	<input type="radio"/>
Fire escapes: normal and in-use positions	<input checked="" type="radio"/>	<input type="radio"/>
Water fountains	<input checked="" type="radio"/>	<input type="radio"/>
Hose bibbs	<input checked="" type="radio"/>	<input type="radio"/>
Kiosks	<input checked="" type="radio"/>	<input type="radio"/>
Traffic signs, bus zones, taxi stands, bus shelters, etc.	<input checked="" type="radio"/>	<input type="radio"/>
Bollard for sidewalk and windows, including Mardi Gras provision	<input checked="" type="radio"/>	<input type="radio"/>
Doors, windows, handicapped ramps, etc.	<input type="radio"/>	<input checked="" type="radio"/>
Handholes, manholes, clean outs	<input checked="" type="radio"/>	<input type="radio"/>
Transformer vault gratings, sidewalk elevator, etc.	<input checked="" type="radio"/>	<input type="radio"/>
Counter-service windows	<input checked="" type="radio"/>	<input type="radio"/>
Pedestrian paths (unobstructed width of sidewalk)	<input checked="" type="radio"/>	<input type="radio"/>
Sidewalk intersections	<input checked="" type="radio"/>	<input type="radio"/>
Coin telephones	<input checked="" type="radio"/>	<input type="radio"/>
Newspaper racks or stands	<input checked="" type="radio"/>	<input type="radio"/>
Property ingress or egress, including curb cuts	<input checked="" type="radio"/>	<input type="radio"/>
Queuing lines and spaces	<input type="radio"/>	<input checked="" type="radio"/>
Catch Basins	<input checked="" type="radio"/>	<input type="radio"/>
Sidewalk merchants	<input checked="" type="radio"/>	<input type="radio"/>

*drip line is equivalent to the tree's canopy

SIDEWALK CAFÉ CHECKLIST (areas other than Canal Street)

- Is the location of the proposed sidewalk cafe adjacent to the a validly licensed standard or cafeteria restaurant? Yes No N/A
- Will a minimum of 4 ft wide unobstructed pedestrian path provided at all times? Yes No N/A
- Will a minimum of 5 ft of unobstructed clearance be provided between fire escapes/exits and all elements of the sidewalk cafe? Yes No N/A
- Will a minimum of 5 ft of unobstructed clearance be provided between seating and any building edge located on a corner? Yes No N/A
- Will a minimum of 10 ft of unobstructed clearance be provided between Fire Department sprinklers/standpipes and any element of the sidewalk café? Yes No N/A
- Will a 15 ft minimum be provided between fire hydrants and any element of the sidewalk café? Yes No N/A
- Will a minimum of 20 ft of unobstructed clearance be provided between all public transit poles or CPNC Stand (e.g. Taxi Stands, bus stops, limo zones, etc.) and any element of the sidewalk cafe? Yes No N/A
- Will a single row of seating (tables) be located adjacent to the wall of the building? (Multiple rows are not permitted) Yes No N/A
- Are all awnings, umbrellas, and other elements made of fire retardant material? Yes No N/A

This list applies to sidewalk cafes on streets OTHER THAN CANAL STREET, or portions of Canal Street outside the DDD area/ (DDD is area bounded by Claiborne Avenue, Pontchartrain Expressway, and Iberville St.)



Date _____
 Tracking Number _____

SIDEWALK CAFÉ APPLICATION

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N/A

SIDEWALK CAFÉ CHECKLIST (for **Canal Street only**, from Claiborne Avenue to the Mississippi River)

- Is the location of the proposed sidewalk cafe adjacent to the a validly licensed standard or cafeteria restaurant? Yes No N/A
- Are sidewalks at the proposed location a minimum of 10 ft wide? Yes No N/A
- Will a minimum of 6 ft wide unobstructed pedestrian path provided at all times? (Note: The Director is authorized to require a wider pedestrian path, as circumstances dictate.) Yes No N/A
- Will a minimum of 5 ft of unobstructed clearance be provided between fire escapes/exits and all elements of the sidewalk cafe? Yes No N/A
- Will a minimum of 5 ft of unobstructed clearance be provided between seating and property lines on the sides of the location? (This does not include the property line bordering on the sidewalk.) Yes No N/A
- Will any element of the sidewalk cafe extend more than 8 ft from the edge of a property line adjacent to the sidewalk? Yes No N/A
- Will a minimum of 10 ft of unobstructed clearance be provided between Fire Department sprinklers/standpipes and any element of the sidewalk café? Yes No N/A
- Will a 15 ft minimum be provided between fire hydrants and any element of the sidewalk café? Yes No N/A
- Will a minimum of 20 ft of unobstructed clearance be provided between all public transit poles or CPNC Stand (e.g. Taxi Stands, bus stops, limo zones, etc.) and any element of the sidewalk café? Yes No N/A
- Are all awnings, umbrellas, and other elements made of fire retardant material? Yes No N/A

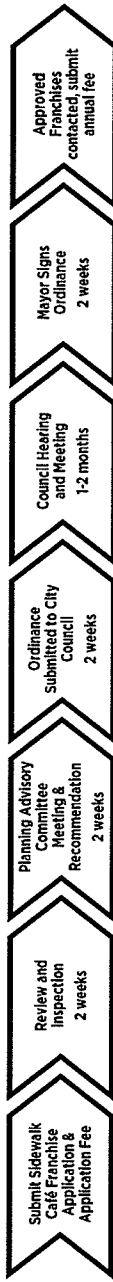
ACKNOWLEDGEMENTS

I certify that the above information is true and correct to the best of my knowledge. I understand that the City of New Orleans is authorized to suspend or revoke a permit or license issued under the provisions of its Municipal Code whenever a permit or license is issued in error or on the basis of incorrect, inaccurate or any false statement or misrepresentation, or in violation of any ordinance or regulation or any of the provisions of the City of New Orleans Municipal Code, the Comprehensive Zoning Ordinance, the International Construction Code or International Fire Code as adopted by the City of New Orleans. Fines and penalties for misrepresentation of material facts will be assessed in accordance with City of New Orleans ordinances and State of Louisiana Revised Statutes.

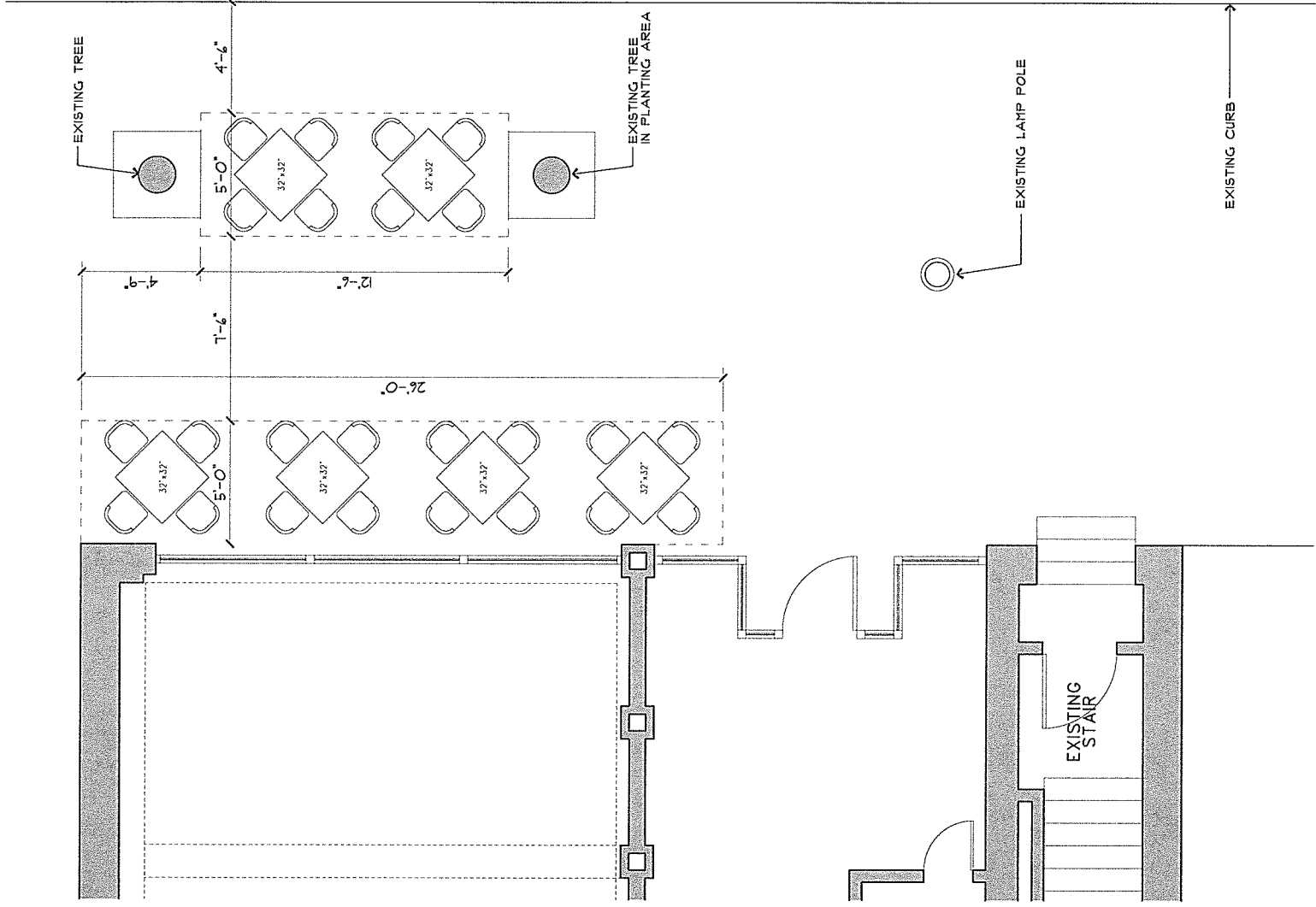
I acknowledge that I have read and the relevant Municode Municipal Code (Chapter 146, Article VI, Division 4 - Sidewalk Cafes and Chapter 146, Article VI, Division 4.1 - Sidewalk Cafes, Except Canal between North and South Claiborne Avenue and the River available at http://www.municode.com/Library/LA/New_Orleans) for the creation for sidewalk cafes and agree to abide by all requirements.

Applicant Signature *Carp* Date 6/25/14

PROCESS SUMMARY



THE PLANS AND DESIGNS CONTAINED HEREIN ARE SUBJECT TO PROTECTION UNDER THE AIA GENERAL CONDITIONS AND CANNOT BE USED, REPRODUCED, OR CHANGED IN ANY WAY WITHOUT THE EXPRESSED WRITTEN PERMISSION OF PECOT & COMPANY ARCHITECT.



PROPOSED SIDEWALK SEATING PLAN
SCALE: 1/4" = 1'-0"

SHEET NUMBER: A1-1	PECOT & COMPANY ARCHITECTS 300 RUE BEAUREGARD, BLDG. D, LAFAYETTE, LOUISIANA 70508 (337) 264-1874 • FAX (337) 214-5000 • E-MAIL: pec@pecotarchitect.com	JOB# 2012040
DATE: 01/21/14	GENE'S THEATRE 715 ST. CHARLES ST NEW ORLEANS, LA 70130	



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
6/19/2014

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.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER		CONTACT NAME: Caleb Kestner	
Landry Harris & Co., LLC		PHONE (A/C No. Excl): (337)266-2150	FAX (A/C No.): (337)266-2151
P.O. Box 2456		E-MAIL ADDRESS: caleb.kestner@lh-co.com	
600 Jefferson St., Suite 200		INSURER(S) AFFORDING COVERAGE	
Lafayette LA 70502-2456		INSURER A: Peerless Insurance Company	NAIC # 24198
INSURED		INSURER B: Retailers Casualty Insurance	10718
Trader Gene's, Inc. and Gene's Theatre, LLC		INSURER C: Hudson Specialty Insurance	37079
dba: Gene's Bar & Theatre		INSURER D:	
715 St. Charles Ave.		INSURER E:	
New Orleans LA 70130		INSURER F:	

COVERAGES CERTIFICATE NUMBER: 13-14 & 14-15 Master REVISION NUMBER:

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 SUBR INSR LWD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY					
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY		CBP 4685327	10/11/2013	10/11/2014	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 15,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					
<input checked="" type="checkbox"/>	POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC					
	AUTOMOBILE LIABILITY					
<input type="checkbox"/>	ANY AUTO					
<input type="checkbox"/>	ALL OWNED AUTOS					
<input type="checkbox"/>	HIREN AUTOS					
<input type="checkbox"/>	SCHEDULED AUTOS					
<input type="checkbox"/>	NON-OWNED AUTOS					
<input checked="" type="checkbox"/>	UMBRELLA LIAB					
<input type="checkbox"/>	EXCESS LIAB					
A	DED <input checked="" type="checkbox"/> RETENTION \$ 10,000		CU 8809773	10/11/2013	10/11/2014	EACH OCCURRENCE \$ 2,000,000 AGGREGATE \$ 2,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY					
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	N/A		3/1/2014	3/1/2015	E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below					
C	Liquor Liability		HSLL 16022	10/11/2013	10/11/2014	Each Common Cause \$ 1,000,000 Aggregate \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
City of New Orleans is named as an additional insured on the General Liability where required by written contract. General Liability is underlying policy on the Umbrella Liability.

CERTIFICATE HOLDER	CANCELLATION
City of New Orleans 1300 Perdido St. New Orleans, LA 70112	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE

**City of New Orleans
OCCUPATIONAL LICENSE**

LICENSE NO: 235010

DATE ISSUED: February 11, 2014

DATE EXPIRES: December 31, 2014

Issuance of this occupational license is a receipt for payment of said tax and entitles the recipient to operate a business at the location shown, provided said business is operated within the confines of the application thereof, and does not violate any city or state criminal, health or zoning laws.

For the year ending December 31, 2014, the person or firm named hereon is hereby licensed to pursue the occupation of **1126 - Drinking Places (Alcoholic Beverages)**

TAXPAYER : GENE'S THEATRE LLC
DBA: GENE'S THEATRE

ACCOUNT NO: 102924584

BUSINESS LOCATION 715 ST CHARLES AVE

AMOUNT: \$50.00

INTEREST: \$0.00

PENALTY \$0.00

TOTAL:

Not \$50.00. Foster
DIRECTOR OF FINANCE

Romy S. Foster
COLLECTOR OF REVENUE

THIS PERMIT IS NOT TRANSFERABLE

CITY OF NEW ORLEANS
DEPARTMENT OF FINANCE
BUREAU OF REVENUE
NORMAN S. FOSTER
Director of Finance



PERMIT NO: 24393
DATE ISSUED: 02/11/2014
DATE EXPIRES: 12/31/2014

MAYORALTY PERMIT

Consistent with Chapters 14, 30, 34, 42, 110, and 130 of the Code of the City of New Orleans, permission is hereby granted the recipient to engage in the activity listed below. This permit is not good on any neutral ground, public park, public square or on the lakefront. Permittee shall comply with all city, state and federal regulations and laws.

GENE'S THEATRE LLC
dba GENE'S THEATRE
3930 FLOYDE DR
BATON ROUGE, LA 70808
ACCOUNT NO:

102924584

BUSINESS LOCATION:
BUSINESS DESCRIPTION:

715 ST CHARLES AVE

8255 Music for Entertainment,Dancing/No Admission Charge

PERMIT FEE: \$300.25
PROCESSING FEE: \$0.00
OTHER FEES: \$0.00
INTEREST: \$2.00
PENALTY: \$60.00

TOTAL: \$362.25

City of New Orleans

ALCOHOLIC BEVERAGE PERMIT

THIS PERMIT MUST BE PUBLICLY DISPLAYED

PERMIT NO: **C.O.P.
53896**

DATE ISSUED: **April 23, 2014**
DATE EXPIRES: **May 31, 2015**

HIGH CONTENT ONLY

TO SELL, OFFER FOR SALE, HANDLE OR DISTRIBUTE ALCOHOLIC BEVERAGES OF ANY ALCOHOLIC CONTENT IN EXCESS OF 6% BY VOLUME

TAXPAYER: **GENE'S THEATRE LLC**
DBA: **GENE'S THEATRE**
ACCOUNT NO: **102924584**
BUSINESS LOCATION: **715 ST CHARLES AVE**

PROCESSING FEE: **\$1,000.00**
PERMIT FEE: **\$500.00**
POLICE CHARGE: **\$0.00**
PENALTY: **\$0.00**
TOTAL: **\$1,500.00**

Notaries J. Foster
DIRECTOR OF FINANCE
Romy Schmal
COLLECTOR OF REVENUE

THIS PERMIT IS NOT TRANSFERABLE

City of New Orleans

ALCOHOLIC BEVERAGE PERMIT

THIS PERMIT MUST BE PUBLICLY DISPLAYED

PERMIT NO: **C.O.P.
53897**

DATE ISSUED: **April 23, 2014**
DATE EXPIRES: **May 31, 2015**

BEER ONLY

TO SELL, OFFER FOR SALE, HANDLE OR DISTRIBUTE ALCOHOLIC BEVERAGES OF ANY ALCOHOLIC CONTENT NOT IN EXCESS OF 6% BY VOLUME

TAXPAYER: **GENE'S THEATRE LLC**
DBA: **GENE'S THEATRE**
ACCOUNT NO: **102924584**
BUSINESS LOCATION: **715 ST CHARLES AVE**

PROCESSING FEE: **\$0.00**
PERMIT FEE: **\$135.00**
POLICE CHARGE: **\$0.00**
PENALTY: **\$0.00**
TOTAL: **\$135.00**

Notaries J. Foster
DIRECTOR OF FINANCE
Romy Schmal
COLLECTOR OF REVENUE

THIS PERMIT IS NOT TRANSFERABLE



715 St. Charles, LLC
2800 Johnston Street
Lafayette, Louisiana 70503
Telephone: (225) 454-7850
E-Mail: genetodaro@gmail.com

June 25, 2014

Department of Public Works
City of New Orleans
1300 Perdido Street, 6th Floor
New Orleans, Louisiana 70112

RE: Sidewalk Café Application
Gene's Theatre, LLC
d/b/a Marcello's
715 St. Charles Avenue

To Whom It May Concern:

Please accept this letter in support of the Sidewalk Café Application for Gene's Theatre, LLC, as referenced above.

Should you have any questions or require additional information, please do not hesitate to contact me at (225) 454-7850. Thank you very much for your assistance with this matter.

Very truly yours,

715 St. Charles, LLC

BY: 
Eugene J. Todaro, Jr., Manager