

Cluff, Bryan

From: Margo Conley [MConley@glimcher.com]
Sent: Tuesday, November 23, 2010 9:11 AM
To: Margo Conley; Cluff, Bryan
Cc: THERESA MORSE
Subject: RE: SQ Live Entertainment
Attachments: image001.png; image002.png

Hi Bryan,

How are you? I just left you a voicemail message. I hope all is well. Just wanted to get back to you regarding the CUP application. I would recommend that either if we put a number on the Quad Occupancy, that it not less than 1,500. Or state that in the event that the Quad would be closed to the other shoppers that we would need a special event permit not to exceed 2,000 occupants.

Please give me a call and we can review.

Thank you,
Margo D. Conley
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Phone: (614)887-5691
Fax: (614) 621-9331
Cell: (614)205-5224

From: Margo Conley
Sent: Sunday, November 21, 2010 1:10 PM
To: Cluff, Bryan
Cc: THERESA MORSE
Subject: RE: SQ Live Entertainment

Hi Bryan,

Please see my comments in Green. I will be on vacation next week, so please let me know the status of how you would like to proceed. I will be in Scottsdale next week so if we need to meet, please let me know. I could meet you on Wednesday, if needed. Just want to make sure that week keep on track for the December 8th Agenda.

Thank you hope you had a good weekend.
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From: Cluff, Bryan [BCluff@Scottsdaleaz.gov]
Sent: Friday, November 19, 2010 8:06 PM
To: Margo Conley
Subject: RE: SQ Live Entertainment

Margo,

Thank you for your response and revised narrative. Please see my comments below in red.

Thanks,

Bryan D. Cluff, LEED AP
Planner
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Planning, Neighborhood & Transportation
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bcluff@ScottsdaleAZ.gov

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From: Margo Conley [mailto:MConley@glimcher.com]
Sent: Friday, November 19, 2010 1:02 PM
To: Cluff, Bryan
Cc: 'Theresa Morse'
Subject: RE: SQ Live Entertainment
Importance: High

Hello Bryan,

Please see my comments regarding the following stipulations:

- Any tenant that ~~plans on having~~ has more than 10 Live Entertainment Events of the per year will need to fill out a ~~personal~~ their own Operations, Security and Maintenance Plan and submit it to the Planning Department and Police Department for review and approval. This plan will need to be filed with the Landlord and the City of Scottsdale Police Department. Agreed.

This is acceptable, but as long as you know, when a tenant is having Live Entertainment and they have not submitted their own Operations, Security, and Maintenance Plan, the operations plan that you have submitted with this application will be the default operations plan and Glimcher will be the first point of contact. I thought that we were going to continue to work with COS Police and give them a contact list, like we currently do. As long as you are aware of this and you are ok with the "10" number this will be ok. The operations plan is not only for our use, but adds another layer between City enforcement and Glimcher. The tenants having their own plan puts more liability on the tenant, even though Glimcher is still ultimately responsible. Tenant needs to be responsible for their own actions. We can help reforce the code, however; tenants sometime break rules with out LL knowing and they need to be responsible for their actions.

- Any event that is expected to draw more than 2,000 patrons shall require a special event permit. (For an event of 2,000 people we would need 16 restrooms. SQ currently has 16 public restrooms.) Can you send me some info from Nelsen that shows how this was calculated? If the 16 restrooms can accommodate 2000 people,

then how do we account for restrooms for people who are just at Scottsdale quarter shopping or eating when there is also an event in the quad with 2000 people? Bryan, please see Gwen's email below.

Margo,

I called Phoenix Porta Potty. (Tel. 888-891-4591) They use a program that helps them figure out the amount of restrooms to provide depending on the event and if alcohol is served or not. She did give me some basic numbers:

5,000 people at an event with alcohol : 45 restrooms
5,000 people at an event without alcohol: 40 restrooms
4,000 people at an event about: 32 restrooms
2000 people at an event about: 16 restrooms

These numbers tell us that we would need less than what the IBC for occupancy A-5 (amusement parks, events with bleachers) requires which is not an event so doesn't really apply.

Let me know if I can be of further assistance.

gwen jarick

- Any event that requires off-site parking shall require a special event permit. Off-site parking shall be any parking that is not located in the Scottsdale Quarter parking garages or on-street parking that is located on Scottsdale Quarter property.
- In the Quad if an event that requires fencing or blocking access and/or egress in/out of the Quad area or streets, shall require a special event permit.
- Any event that will be serving alcohol shall obtain the appropriate City and State approvals and permits for each event.
- Any event that will utilize tents and/or generators shall obtain all permits and approvals required by the City. (Would this be for any tent or shading??) This will be for any tent that meets the criteria outlined in the special event forms.
- If an event has vendors that will be selling any type of product, a list of the proposed vendors shall be submitted to the City's Tax and Licensing Department to verify that all required licenses are in place.

I have also attached the revise narrative for your review. Please give me a call if you have any questions.

Please give me a call on my cell next week so I know that we are on tract for the December 8th Agenda. Thank you!

Thank you,
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From: Cluff, Bryan [mailto:BCluff@Scottsdaleaz.gov]
Sent: Wednesday, November 17, 2010 11:49 AM
To: Margo Conley
Subject: RE: SQ Live Entertainment

Please see comments in **Bold Blue**.

Thanks,

Bryan D. Cluff, LEED AP
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From: Margo Conley [mailto:MConley@glimcher.com]
Sent: Wednesday, November 17, 2010 9:31 AM
To: Cluff, Bryan
Subject: RE: SQ Live Entertainment

Please see my comments in Green.

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From: Cluff, Bryan [mailto:BCluff@Scottsdaleaz.gov]
Sent: Wednesday, November 17, 2010 11:16 AM
To: Margo Conley
Subject: RE: SQ Live Entertainment

Margo,

Please see my comments below yours in red. The designated Live Entertainment area in the quad needs to leave pedestrian circulation open along the east and west sides for through traffic. See the attached showing the highlighted areas. The occupancy should be recalculated based on that.

I spoke with Detective John Miller yesterday regarding the Operations, Security, and Maintenance Plan. He is ok with the one you have submitted for the site in general, but agrees that it is a good idea to have each tenant submit their own

Operations, Security, and Maintenance Plan for their space when they decide to have Live Entertainment. This will help us keep track of who has LE and who doesn't, and also help with enforcement if there is ever an issue. I am thinking this would be for tenants who want to have LE on a regular basis, probably not for tenants who may want to have a special event a few times a year (like a retailer). I will draft up another stip addressing this. **So would every retailer fill one of these out? I think this should be only for tenants who plan to have LE on a regular basis (like prime bar or narcisse or dominick's). Maybe we can come up with a number i.e.: Any tenant who will have LE more than 5 times a year shall submit a OSM plan.**

Thanks,

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From: Margo Conley [mailto:MConley@glimcher.com]
Sent: Wednesday, November 17, 2010 7:13 AM
To: Cluff, Bryan
From: 'THERESA MORSE'
Subject: RE: SQ Live Entertainment

Hi Bryan,

Thank you for the Stips and Narrative revisions. Please see my comments below in Blue.

Sincerely,
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From: Cluff, Bryan [mailto:BCluff@Scottsdaleaz.gov]
Sent: Tuesday, November 16, 2010 7:21 PM
To: Margo Conley
Subject: SQ Live Entertainment

 Margo,

Here are some criteria/stipulations that are intended to help clarify what constitutes a special event. The occupancy number will be based on the number of patrons that requires additional restrooms, additional parking, or max occupancy (whichever is less). There are also a few other items that may trigger a special event permit.

- Any event that is expected to draw more than 2,000 (this number subject to change based on further research of occupancy requirements) patrons shall require a special event permit. I had Nelsen create the following exhibit. I think we could change this number to 5,433 occupants. Event Area - landscape areas = 27,163 SF. Standing Room only = 5,433 occupants. Please see the attached exhibit. I have Nelsen working on the RR information too. I should have that for you today. If you want this number to be 5,433, it needs to be demonstrated that the site can handle this many patrons for an event without needing additional parking and/or restrooms. With only 2,400 parking spaces on site, I don't know how you can provide parking for 5,433 people... Let's wait to hear from Nelsen and I will propose something new.
- Any event that requires off-site parking shall require a special event permit. Agree
- Any event that requires additional public restrooms (portajons) shall require a special event permit. (Not sure of this number? Can we keep it general without a number? Nelsen is working on this for me.) we will see what Nelsen comes up with...
- If admission is charged or the event is advertised to the general public, a special event permit shall be required. Bryan, I do not agree with this stip. There may be tenant events that charge or request donations, that would not necessary be a special event. Also, we advertise events/sales all the time, would that require a special event permit? I would remove this stip from the list. I understand that there may be an event at some point where someone wants to charge admission. This is not saying you cannot do it, it is only saying that if you do this you need to get a special event permit. So if Prime Bar wants to charge a cover charge they will need a special Event Permit? Does an event that is charging admission fall in line with the types of activities we are envisioning for this Live Entertainment Use Permit? I am not sure why it matters if tenants are charging. Charging for entry should have nothing to do with a Live Entertainment or Special Event. I thought LIVE entrainment permit has to do with amplifying sound? Based on your narrative it sounds like these types of events are set apart. Our concern is that when you start charging admission, then other things come into play such as barricades and fencing to make sure the general public does not enter. Then the fire dept needs to get involved to verify occupancy and egress. We can discuss further... This happens daily and there has never been an issue, again not sure what this has to do with Live Entertainment. I was just at Prime Bar this weekend and there was a line to get in and they had up stanchions. Does this qualify for a special event permit? The above discussion is related to the Quad only. Sorry I did not specify. Individual tenants can do whatever they want as long as it is within their enclosed building. Their spaces are already regulated by the existing maximum occupancy of their space.

I agree with the advertising part, I'll take that out. Thank you!

- Any event that requires fencing shall require a special event permit. Bryan, does this include stanchions? I think this should be removed as well. We use barricades and stanchions on a daily basis to monitor/secure the shopping center crowd. We want to continue to keep our location controlled and secure. This is not intended to include stanchions that are used for general crowd control not related to a live entertainment event. For example, a grand opening like Apple may need to use stanchions for the line, and that would be ok. This would be only for an event in the quad that is closing off a portion or all of the quad. I can make the language more specific. If we close down streets or the quad we would need to go an apply for special events permit. Yes.

- Any event that will be serving alcohol shall obtain the appropriate City and State approvals and permits for each event. Agree.
- Any event that will utilize tents and/or generators shall obtain all permits and approvals required by the City. What if we have a tenant event in the quad that would need shading? We might put up tents. Also, what if a tenant needs a generator to create power in the tenant? Lights and Such. **If an event will have tents or generators, the fire department needs to get involved. There will be permits required for the tents and generators in any case. A special event permit may or may not be required depending on the event. So how is this determined? You will need to get the appropriate approvals for the tents and generators regardless. Whether it needs a special event permit or not could follow the same criteria we are discussing. Or if we want to make it less gray, we could say a special event permit will be required for tents and generators since you will need to get our approval for the tents and generators anyway.**
- If an event has vendors that will be selling any type of product, a list of the proposed vendors shall be submitted to the City's Tax and Licensing Department to verify that all required licenses are in place. Agree.

This is just brainstorming, so let me know what you think. If there are other criteria that you think should be added or if you think any of these are not acceptable let me know.

Also take a look at the attached narrative with some mark ups. Mostly typos/clarifications. I will modify the narrative, once I hear back from Nelsen regarding the RR areas.

Thank you again for your help. I will touch base with you this morning at some point.

Thanks,

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