



STAFF APPROVAL LETTER

21-SA-2010

4th Ave Patio Design Guidelines and Giligins Patio Extension

STEP 1

STAFF APPROVAL NOTIFICATION

This letter is notification that your request has been conceptually approved by Current Planning Services staff.

Additional review and permits may be required. Refer to Final Plan Review Submittal Requirements below.

This approval expires one (1) year from date of approval if a permit has not been issued, or if no permit is required, work for which approval has been granted has not been completed.

PROJECT INFORMATION

LOCATION: 4251 N Winfield Scott Pz
PARCEL: 173-51-070
Q.S.: 17-45
CODE VIOLATION #:

APPLICANT: Lesley Call
COMPANY: Sixty First Place Architects
ADDRESS: 1720 E Indian School Rd Ste L Scottsdale, AZ 85251
PHONE: 480-947-6844

Request: Expansion of existing patio into right of way and create a 4th ave Patio District to identify design guidelines for future patios in the district.

STIPULATIONS

1. Plans submitted for permits shall match those submitted with this approval.
2. Approval is for Planning design and location only, other department codes (Building/Fire/Engineering) will apply throughout the permitting process.
3. The southwest corner of the patio proposed at Giligin's will be reduced by approximately 1-foot and rounded on the corner to provide a minimum of 6 feet of sidewalk between the top of the handicap access ramp to back of the patio.
4. Landscaping for the patio shall match the landscaping plan submitted to City Council on April 5, 2011.
5. If any landscape materials die, the plants will be replaced with the same plants, unless otherwise determined by the Planning Department (Staff Approval may be required).
6. Future proposed patios in the district will require a staff approval if they meet all requirements of the 4th Ave Patio Design Guidelines. Deviations from the design guidelines may require DRB approval.
7. Patios in the ROW will require a lease agreement with the City.

Related Cases: 21-SA-2010, 5-EX-2011, ODLA No. 2011-034-COS

SIGNATURE: _____

DATE APPROVED: 04/06/2011

Bob Hults

STEP 2

FINAL PLAN REVIEW SUBMITTAL REQUIREMENTS

Submit one copy of this approval letter, and a completed Owner/Builder form if applicable, along with the following plan set(s) to the One-Stop Shop 20-day plan review.

- Commercial Addition: ☒ 2 building sets that include existing plan, basic floor plan, and occupancy.
Civil/Landscaping: ☒ 4 complete sets

**POLICY OF THE CITY OF SCOTTSDALE
ON APPEALS OF DEDICATIONS, EXACTIONS, OR ZONING REGULATIONS**

RIGHTS OF PROPERTY OWNER

In addition to other rights granted to you by the U.S. and Arizona Constitution, federal and state law and city ordinances or regulations, you are hereby notified of your right to appeal the following City actions relating to your property:

- 1) Any dedication or exaction which is required of you by an administrative agency or official of the city as a condition of granting approval of your request to use, improve or develop your real property. This appeal right does not apply to a dedication or exaction required as part of a city legislative act (for example a zoning ordinance) where an administrative agency or official has no discretion to determine the dedication or exaction.
- 2) The adoption or amendment of a zoning regulation that creates a taking of property in violation of Arizona and federal court decisions.

APPEAL PROCEDURE

The appeal must be in writing and specify the City action appealed and the date final action was taken, and it must be filed with or mailed to the hearing officer designated by the city within 30 days after the final action is taken. Address the appeal as follows:

Hearing Officer, C/O City Clerk

3939 Drinkwater Blvd.
Scottsdale, AZ 85251

- ❖ No fee will be charged for filing
- ❖ The City Attorney's Office will review the appeal for compliance with the above requirements, and will notify you if your appeal does not comply.
- ❖ Eligible appeals will be forwarded to the hearing officer, and a hearing will be scheduled within 30 days of receipt by the hearing officer of your request. Ten days notice will be given to you of the date, time and place of the hearing unless you indicate that less notice is acceptable to you.
- ❖ The city will submit a takings impact report to the hearing officer.
- ❖ In an appeal from a dedication or exaction, the City will bear the burden of proving that the dedication or exaction to be imposed on your property bears an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development you proposed.
- ❖ In an appeal from the adoption or amendment of a zoning regulation, the City will bear the burden of proving that any dedication or exaction requirement in the zoning regulation is roughly proportional to the impact of the proposed use, improvement, or development, and that the zoning regulation does not create a taking of property in violation of Arizona and federal court cases.
- ❖ The hearing officer must render his decision within five working days after the appeal is heard.
- ❖ The hearing officer can modify or delete a dedication or exaction or, in the case of an appeal from a zoning regulation, transmit a recommendation to the City Council.
- ❖ If you are dissatisfied with the decision of the hearing officer, you may file a complaint for a trial de novo with the Superior Court within 30 days of the hearing officer's decision.

If you have questions about this appeal process, you may contact:

City Manager's Office
3939 Drinkwater Blvd.
Scottsdale, AZ 85251
(480) 312-2422

City Attorney's Office
3939 Drinkwater Blvd.
Scottsdale, AZ 85251
(480) 312-2405

Please be aware that City staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.

SIGNATURE: _____



Staff Approval Application

Submittal Requirements

Project Name: GILIGIN'S PATIO EXPANSION City Staff Contact: Bob Hults

Project Address: 4251 N WINFIELD SCOTT PLAZA, SCOTTSDALE, AZ 85251

Zoning: C-2/P-3 DO: P-2 DO A.P.N.: 173-51-069 Quarter Section: 17-45

Associated References: Project Number: 578 PA-2009 Plan Check Number _____ Case(s) _____

Request: EXPANSION OF EXISTING PATIO INTO RIGHT-OF-WAY

Is there an outstanding Code Enforcement citation or Notice of Compliance? ☐ Yes ☒ No If yes, provide a copy.

Owner: MIKE FIELD Applicant: LESLEY CALL

Company: _____ Company: SIXTY FIRST PLACE ARCHITECTS

Phone: _____ Fax: _____ Phone: 480-947-6844 Fax: 480-947-9518

E-mail: _____ E-mail: LESLEY@SIXTYFIRSTPLACE.COM

Address: 4251 N WINFIELD SCOTT PLAZA, 85251 Address: 7120 E INDIAN SCHOOL RD SUITE L, 85251

Submittal Requirements: Please submit 1 copy of materials requested below. All plans must be folded.

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"><input checked="" type="checkbox"/> Completed Application (this form) and Application Fee-- \$ (fee subject to change every July)<input checked="" type="checkbox"/> Context Aerial with site highlighted<input type="checkbox"/> Site Location Map<input type="checkbox"/> Maricopa County Assessor's Parcel Map with site location highlighted<input checked="" type="checkbox"/> Narrative describing nature of request<input checked="" type="checkbox"/> Property Owner's Authorization, or signature below <u>Bob - she will email it to you</u><input type="checkbox"/> Homeowners/Property Owners Association Approval (if applicable).<input checked="" type="checkbox"/> Color Photographs of site- including all areas of change.<input checked="" type="checkbox"/> Site plan indicating extent and location of additions, buildings and other structures, indicate dimensions of existing and proposed structures, sidewalks, or driveways as well as any required setbacks.<input type="checkbox"/> Lighting- provide cut sheets, details, photometric for any proposed lighting. | <ul style="list-style-type: none"><input type="checkbox"/> Cross Sections- for all cuts and fills<input checked="" type="checkbox"/> Floor Plan(s) of additions, alterations, or new structures. The floor plan shall be dimensioned and clearly delineate existing and proposed construction.<input checked="" type="checkbox"/> Landscape Plan indicating location of existing and new plants, location and dimension of paving, a plant palette with names, symbols, sizes, spacing & quantities, and open space/landscaping calculations.<input checked="" type="checkbox"/> Elevation Drawings or Color Photosimulations of new additions, buildings, or other changes with materials and colors noted and keyed to material samples.<input checked="" type="checkbox"/> Material Samples- color chips, awning fabric, glazing, etc.<input type="checkbox"/> Conceptual Grading & Drainage Plan showing existing & proposed drainage flows, channels and retention.<input type="checkbox"/> Copy of Liquor License Application (For all bars/restaurants/patios)<input type="checkbox"/> Airport Vicinity Development Checklist- provided<input type="checkbox"/> Current Title Report<input type="checkbox"/> Other: _____ |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Please Note: After staff review, it may be determined that this request requires approval by the Development Review Board through the public hearing process. If approved at staff level, this approval expires twelve (12) months from date of approval if a permit is required but has not been issued.

Signature _____ Circle One: Applicant Owner

Date 9-25-09

Official Use Only:

Submittal Date: 9-25-09

City Staff Signature: [Signature]

Planning & Development Services Department

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7800

I believe this needs a council approved lease agreement to use the r/w - correct? like trade boom or midspace - correct?

OK to Submit

1/2

1. Which Council Members were met with?
McCullough & Eton

2. Their concerns?

Test case for Craftsmen Court. Bilgins is just extending bar space

Craftsmen Court has not been successful for Tom Anderson.

3. What does the applicant need to do?

- Applicant should contact Eton & McCullough

All other council members: set up little map who we talked to

get neighbor's support.

4. Do we need to recommend denial?

- Downtown office no longer supports
- Craftsmen Court Association
40 members - sizable downtown group. Against these type of patios

5. Realistically, will we be creating these "area plan" in the next few years? Probably not.

Downtown Plan calls for area plans.

6. Discussion item on CC?

The block is dead. we want activation.

Marriott will support.

Written support, but people are better.

We need to activate the block.

Set up a meeting with Mike.
Jim, Rob, Stan,



City of Scottsdale Cash Transmittal

81503

81503
00184212
09/25/09 PLN-16TOP
ARBENHETT Q85DC30041
9/25/2009 11:43 AM
\$82.00

Received From :

SIXTY FIRST PLACE ARCHITECTS
1720 E INDIAN SCHOOL RD STE L
SCOTTSDALE, AZ 85251
480-947-6844

Bill To :

SIXTY FIRST PLACE ARCHITECTS
1720 E INDIAN SCHOOL RD STE L
SCOTTSDALE, AZ 85251
480-947-6844

Reference # 578-PA-2009

Issued Date 9/25/2009

Address 4251 N WINFIELD SCOTT PZ

Paid Date 9/25/2009

Subdivision WINFIELD SCOTT PLAZA UNIT TWO

Payment Type CHECK

Marketing Name

Lot Number

Cost Center

MCR 067-41

County No

Metes/Bounds No

APN 173-51-070

Gross Lot Area 0

Water Zone

Owner Information

NAOS Lot Area 0

Water Type

MIKE FIELD

Net Lot Area

Sewer Type

4251 N WINFIELD SCOTT PLAZA

Number of Units 1

Meter Size

SCOTTSDALE, AZ 85251

Density

QS 17-45

Code	Description	Additional	Qty	Amount	Account Number
3166	SA APPLICATION FEE (CASE)		1	\$82.00	100-21300-44221

SIGNED BY LESLEY CALL ON 9/25/2009

Total Amount

\$82.00

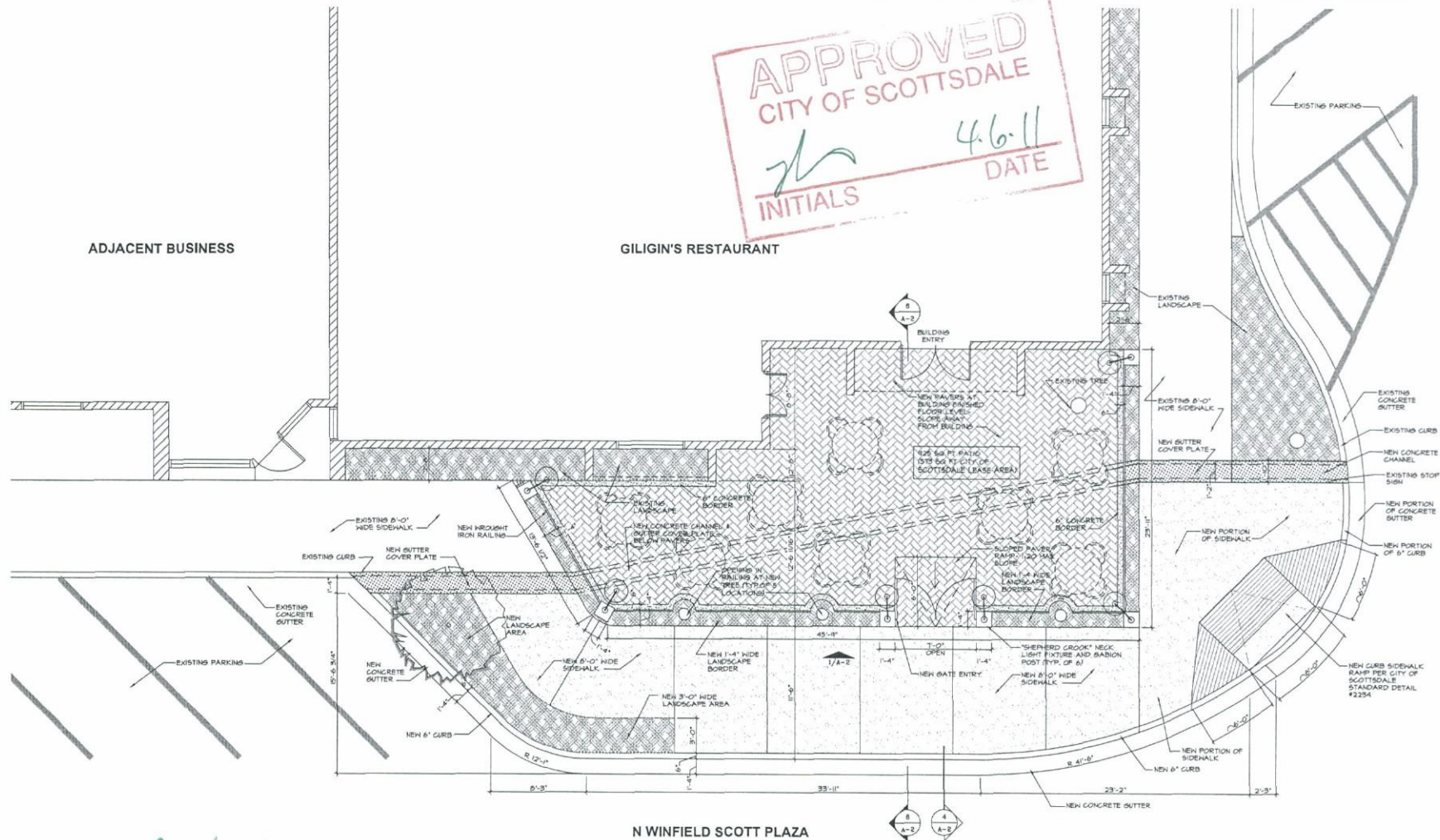
(When a credit card is used as payment I agree to pay the above total amount according to the Card Issuer Agreement.)

TO HAVE WATER METER SET - CALL 480-312-5650 AND REFER TO TRANSMITTAL # 81503

APPROVED
CITY OF SCOTTSDALE
INITIALS *[Signature]* DATE 4.6.11

ADJACENT BUSINESS

GILGIN'S RESTAURANT



2 steps

- 1 - cut off 1-2' from corner

- 2 - stipulate the landscaping as shown on the drawings.



1

FLOOR PLAN

SCALE: 1/4" = 1'-0"

E 4TH AVENUE

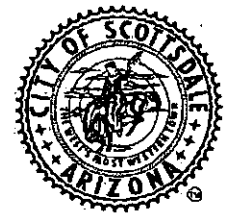
SIXTY FIRST PLACE ARCHITECTS, LTD.
7120 EAST INDIAN SCHOOL, SUITE L
SCOTTSDALE, ARIZONA 85251
PHONE (480) 947-8844 FAX (480) 947-9518

GILGIN'S PATIO
4251 N WINFIELD SCOTT PLAZA
SCOTTSDALE, ARIZONA

PRELIMINARY FLOOR PLAN

DATE	REVISIONS
	00000000
SIXTY FIRST PLACE ARCHITECTS	
JOB NUMBER 09043	
DATE 01/20/11	
SHEET NO. A-1	

CITY COUNCIL REPORT



Meeting Date: April 5, 2011
General Plan Element: *Land Use*
General Plan Goal: *Sensitivity integrate land uses into the surrounding settings*

ACTION

Permanent Extension of Premise for Giligin's 5-EX-2011. To consider forwarding a recommendation to the Arizona Department of Liquor Licenses and Control for a Permanent Extension of Premise for Giligin's

OWNER

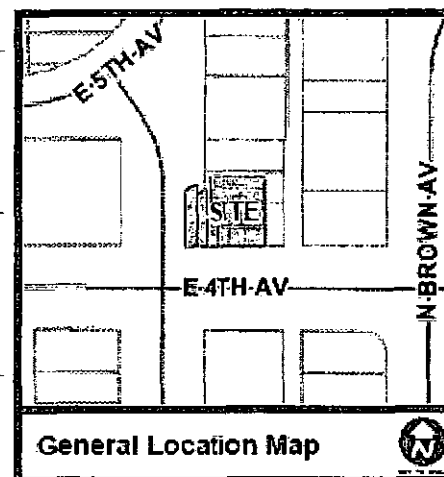
Giligin's LLC

APPLICANT CONTACT

Robert Field

LOCATION

4251 North Winfield Scott Pz.



BACKGROUND

This request is for an Extension of Premise of a Series 6 (bar) liquor license. Giligin's has been operating at this location since 1998.

On December 2, 2010 the Development Review Board reviewed the conceptual 4th Avenue District Patio Design Guidelines submitted by the applicant. The applicant submitted a petition of neighborhood support containing 36 signatures of property and business owners.

APPLICANTS PROPOSAL

Goal/Purpose of Request

This establishment is currently operating with a Series 6 (bar) liquor license and is requesting approval to add a 558 sq. ft. patio. This approval is in conjunction with an outdoor dining

Action Taken _____

license agreement, resolution 8614, 2011-034-COS, that proposed replacing three existing on-street parking spaces with an expanded patio and enhanced sidewalk.

IMPACT ANALYSIS

Current Planning Department

This owner intends to continue to operate this location as a bar.

Outdoor Patio.

The existing patio, on the west side of the building is 367 sq.ft. and does not encroach into the adjacent pedestrian walkway. There is a minimum 8 ft clearance for pedestrian access. There is a proposed patio addition of 558 sq.ft. with this application. A portion of the patio on the west side of the building is on City property and is pending a separate lease agreement. The applicant will remove 3 on-street parking spaces and construct a new 8 ft wide sidewalk, landscape area and expand their existing patio.

Development Information.

This establishment is 3,776 sq. ft. in size, including a 925 sq. ft. patio.

Zoning.

This site is zoned C-2/P-3 DO & P-2 DO (Central Business District / Parking District & Automobile Parking District Downtown Overlay). The Central Business District allows bars as a conditional use. This location was a bar prior to the conditional use permit requirement and is considered non-conforming. The expansion is not large enough to trigger the requirement for a new conditional use permit.

Parking.

The patio expansion does not create additional parking requirements because of the exception for patios to restaurants and bars in the Downtown. Parking is in compliance with the zoning ordinance. Parking is available from the adjacent alley, at the Galleria to the north, and on the streets to the south.

Public Safety

History of past liquor license violations and criminal activity

None noted.

Calls for Service

No Calls for Service at this location.

The applicant has submitted the proper paperwork. There is no information at this time that would prohibit the applicant(s) from obtaining this license.

Major life safety issues

None noted.

Code Enforcement

There are no current cases of code violations at this time in relation to the liquor license.

STATE GUIDELINES FOR CONSIDERING AN APPLICATION

A.R.S. 4-207.01; Rule R19-1-311 Granting a License for an Extension of Premise

A spirituous liquor license shall be issued only after satisfactory showing that the best interest of the community will be substantially served by the issuance of an extension of premise for a series 6 liquor license at a particular licensed location.

COUNCIL OPTIONS & STAFF RECOMMENDATION

Council Options

The City Council has the option of recommending approval, denial or no recommendation to the Arizona Department of Liquor Licenses and Control.

Staff Recommendation

The City of Scottsdale staff has conducted a review and advises that the license request meets the criteria imposed for determining that the community's best interest is substantially served by the issuance of the liquor license if the associated Lease Agreement is approved.

Next Steps

The City Council's recommendation of approval, denial or no recommendation will be forwarded to the Department of Liquor Licenses and Control for their consideration. If approved, the proposed addition will be permanently added to the licensed are of the establishment.

RESPONSIBLE DEPARTMENT(S)

Planning, Neighborhood and Transportation Division
Public Safety Division
Economic Vitality Division

STAFF CONTACTS (S)

Bob Hults, Associate Planner, rhults@scottsdaleaz.gov
Planning, Neighborhood and Transportation Division

Tom Henny, Commander Downtown Patrol District, thenny@scottsdaleaz.gov
Public Safety Division

Malcom Hankins, Code Enforcement Manager, mhankins@scottsdaleaz.gov
Economic Vitality Division

APPROVED BY

Tim Curtis, AICP, Current Planning Director
312-4210 tcurtis@scottsdaleaz.gov

Connie Padian, Administrator
312-2664, cpadian@scottsdaleaz.gov

ATTACHMENTS

- #1: Aerial Map
- #2: Close-up Aerial Map
- #3: Application
- #4: Floor Plan
- #5: District Boundary
- #6: District Guidelines



Current Planning Services
7447 E. Indian School Rd.
Scottsdale, AZ 85251

Development Review Board Study Session Memorandum

Item No. 1
Topic: 4th Avenue Patios 578-PA-2009
Action Requested: DRB consensus on Staff Approval
Meeting Date: December 2, 2010
From: Bob Hults, Associate Planner
Through: Steve Venker, Development Review Board Liaison

Applicant Request:

This is a request by one property owner for approval of an outdoor dining patio extending into the City street right-of-way at the northeast corner of E. 4th Ave. and N. Winfield Scott Plaza. The patio proposal will set guidelines for other patios in the vicinity if they are proposed in the future. A real estate lease agreement will be required to allow the patio within the right-of-way. Comments from the Development Review Board regarding the design or configuration of the patios will be forwarded to the City Council as part of their review of the lease agreement.

As proposed, new patio paving, sidewalk, and landscape area will replace a total of three angled parking spaces along Winfield Scott Plaza adjacent to Giligin's. The patio extension will not negatively impact the pedestrian or vehicular circulation because a new 8-foot wide sidewalk will be constructed and the improvements will not extend into the driving lane. A new storm water gutter will be installed under the patio with removable pavers for maintenance, and will be maintained by the property owner.

In an effort to activate the street scene with simple yet high-quality treatments, the patio improvements are intended to be an extension of the sidewalk grade and will be constructed with concrete pavers. The edge of the patio will have a 1-foot wide planter area, then a new 8-foot wide sidewalk, and a 3-foot wide planter area to buffer the sidewalk from the street. Decorative fencing will be provided around the patio areas, with durable tables and chairs, with optional accent lighting and umbrellas. The concept and design will mimic the Craftsman Court patios.

Attachments:

1. Project Narrative
2. Improvement Plan



September 25, 2009

To: Bob Hults
Associate Planner
City of Scottsdale
Planning & Development Services Department

Re: Giligin's Patio Expansion
4251 North Winfield Scott Plaza
Scottsdale, AZ 85251

This request is for a patio expansion for Giligin's restaurant located on the northeast corner of Winfield Scott Plaza and 4th Avenue. This expansion would increase the existing 367 sf patio to 1096 sf with 670 sf of this being leased area from the City of Scottsdale.

The demolition proposed in the right-of-way would include removal of a portion of the existing sidewalk, curb, gutter, and hardscape along this corner. We also propose the elimination of three existing parking spaces. The existing Giligin's patio would be removed while salvaging the existing landscape.

Proposed construction would include new curb and gutter, a new 3'-0" wide landscape buffer, and new 8'-0" wide sidewalk. In order to maintain the existing water flow from Winfield Scott Plaza to 4 Avenue, a new gutter drain is proposed to run under the new patio and sidewalk. The new paver patio would be framed with a landscape border, wrought iron railing, and gabion posts.

ATTACHMENT #1

ADJACENT BUSINESS

GILGIN'S RESTAURANT

N WINFIELD SCOTT PLAZA



1 FLOOR PLAN
SCALE: 1/4" = 1'-0"

E 4TH AVENUE

SIXTY FIRST PLACE ARCHITECTS, LTD.
1183 EAST MAIN SCHOOL SUITE L
SCOTTSDALE, ARIZONA 85251
PHONE (480) 847-8844 FAX (480) 847-3518

GILGIN'S PATIO
4251 N WINFIELD SCOTT PLAZA
SCOTTSDALE, ARIZONA

PRELIMINARY FLOOR PLAN



DATE	REVISIONS
09/15/09	1
09/15/09	2
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SHEET NO. A-1

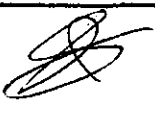

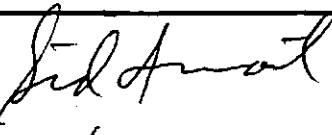
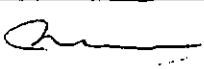
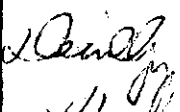
ATTACHMENT #2

PETITION OF NEIGHBOR SUPPORT OF GILIGIN'S PATIO REMODEL AND EXTENSION:

Dear Scottsdale City Council and Planning Department,

The Field's have met with me and described their proposal of remodeling Giligin's patio and extending the new portion into and on City of Scottsdale Property and re-configuring the sidewalk. The Field's had explained that this extension would use three City of Scottsdale public parking spaces and that additional private spaces would be provided by them. I am in support of the Field's proposal to enhance their building and the neighborhood with this project.

Thank You,

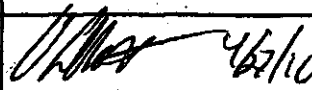
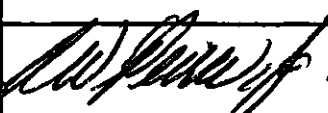

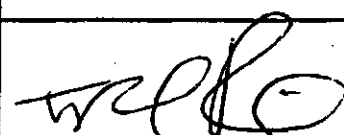
	Your Name	Business Name and Address	Business Phone	Signature and Date
1	Ratipak Changrarn	Touch of Thai 7217 E. 4 th Ave. Scottsdale AZ 85251	(480)-947 9500	 4/27/10
2	JAMES VALADEZ	Philadelphia Sandwich Co. 7158 E 5 th Ave ST. B	480- 970- 1102	 4/27/10
3	Sid Ismail	Flag World & Sports 4260 N. Scottsdale Rd	480 668-3953	 4-27-2010
4	Enrico Schmid	My Big Fat Greek Restaurant 4218 N. Scottsdale Rd	480- 949-8900	Enrico Schmid 4-27-2010
5	Richard Mullan	ALCORN BOOKS 4242 N. Scottsdale	480- 946 1969	 4-27-2010
6	Dean Gregory	Village Locksmith II	480 946 4349	 4/27/2010

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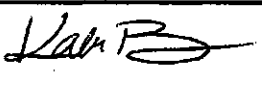
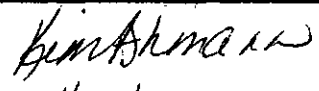

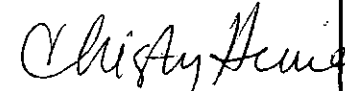
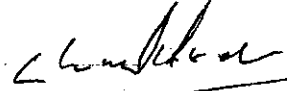
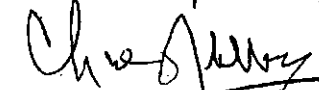
	Your Name	Business Name and Address	Business Phone	Signature and Date
7	Adam Ledbetter	2417 Real Estate.	480-839 0303	 4/6/10
8	Bob Veirce	SCOTTSDALE AREA ASSN. OF RETIRED	480-945- 2651	
9	tremel Daniel	Mustang Sallys bike rentals 4207 N Scottsdale rd	480- 941-3065	
10	tremel Daniel	mustang sally mini mart	480 941-3065	
11	Erin Fischer Erin Fischer	4205 N. Scottsdale Rd More + More Jewelry Designs	(480) 944-1267	Erin Fischer
12	Angela Moore	4251 N Winefield Scott Plaza Eyelash power	480 234 5776	Angela Moore April-27-10

PETITION OF NEIGHBOR SUPPORT OF GILIGIN'S PATIO REMODEL AND EXTENSION:

Dear Scottsdale City Council and Planning Department,

The Field's have met with me and described their proposal of remodeling Giligin's patio and extending the new portion into and on City of Scottsdale Property and re-configuring the sidewalk. The Field's had explained that this extension would use three City of Scottsdale public parking spaces and that additional private spaces would be provided by them. I am in support of the Field's proposal to enhance their building and the neighborhood with this project.

Thank You,

	Your Name	Business Name and Address	Business Phone	Signature and Date
1 3	Kalea BRISBIN	Kalibri 4251 N. WINFIELD SCOTT SCOTT. AZ. 85251	480 440 2457	 04-27-10
1 4	Kim Ahmann	Salon Synergy 4025 N Brown Scottsdale AZ 85251	480 941 2417	 4/27/10
1 5	NEWTON HENDERSON III DDS	4232 N. BROWN AVE. STE: A SCOTTSDALE, AZ 85251	(480) 659- 8811	 4/27/2010
1 6	Christy Hermann	Soul Healing Therapy 4251 N. Winfield Scott Scd. AZ. 85251.	480 388 0058	 04-27-10.
1 7	Chandler Mptz	4251 N. Winfield Scott Plaza Scottsdale AZ 85251.	602. 518 0320	 04/27/10
1 8	CHARLES HILBERG	4154 N. BROWN SCOTTSDALE 85251	480- 292- 1591	 4/25/10

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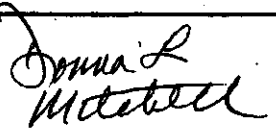
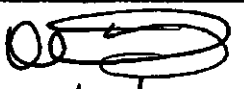

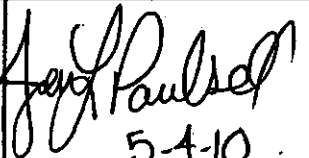

	Your Name	Business Name and Address	Business Phone	Signature and Date
1 9	KAREN DANIELSEN	4301 N. Winfield Scott Plaza Scottsdale, AZ 85251	480/ 545- 1362	K. Danielson 4/28/10
2 0	DANIEL D GORDON	4447 4240 N. BROWN Scotts. 85251	602 840- 8900	blu... 4/28/10
2 1	Kym Barbarell	Planned Brokerage Solutions 4256 N. Brown Ave # D Scottsdale, AZ 85251	480- 429-4733	Kym Barbarell 480-429-4733 4/28/2010
2 2	Maggie Guiragossian	Maggie's European Sh... 4256 N. Brown Ave # G Scotts, AZ 85251	602- 679- 7500-	Maggie Guiragossian 4/28/2010
2 3	Abbie Hughes	Bank USA 4253 N. Scottsdale Rd Scottsdale Az 85251	480- 481- 3434	Abbie Hughes 4-29-10
2 4	Janet H.F	Hynet Place 7300 E. 3rd Ave Scottsdale Az 85251	(480) 423- 9944	Janet H.F 5/3/10

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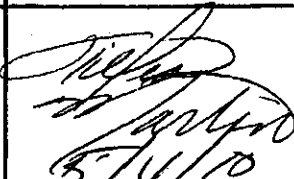
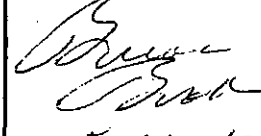
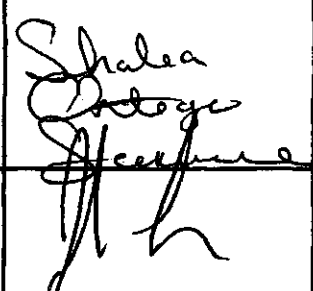
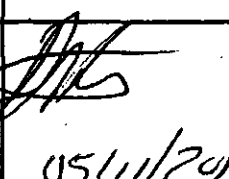
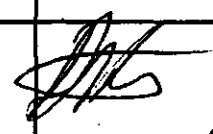
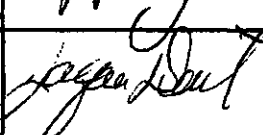
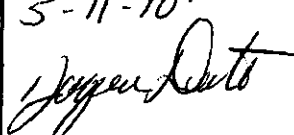
	Your Name	Business Name and Address	Business Phone	Signature and Date
2 5	Joe Kanevsky	Metrotech Advertising 4243 N. Brown Ave Scottsdale, AZ 85251	480 946-1900	 5/4/10
2 6	DONNA L Mitchell	DONNA L MITCHELL CPA 4225 N BROWN AVE SCOTTSDALE AZ 85251	480 945-0635	 5-4-10
2 7	MICHAEL KERNLEY	GLOBAL CABLEING CONCEPTS 4220 N. BROWN AVE SCOTTSDALE AZ 85251	480 990-7100	 5/4/10
2 8	DWANE R EGGER	DWANE R. EGGER, CPA/PTA 4236 N. BROWN AVE SCOTTSDALE, AZ 85251	480 745 1611	 5-4-10
2 9	Jeni Paulsel	SES Properties 4221 & 4231 N Brown Ave 815 Winfield Scott Plaza Scottsdale AZ 85251	480-949 9989	 5-4-10
3 0	Bryan CHITTENDEN	Shinjery! Samurai Combo 4302 N. Scottsdale Scottsdale AZ 85251	480-941- 4460	 5-4-10

PETITION OF NEIGHBOR SUPPORT OF GILIGIN'S PATIO REMODEL AND EXTENSION:

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Thank You,

	Your Name	Business Name and Address	Business Phone	Signature and Date
3 1	Tillea Martin	Careerbuilder.com	602 325 6050	 5/14/10
3 2	Branda Buck	Fry Investment Company	602 946- 6551	 5-10-10
3 3	Shalea Oreaga Sarracino	Gilbert Oreaga	(480) 941- 9281	 5/11/10
3 4	Joshua Levine	Loco PaTron	602 363 6507	 5/11/10
3 5	AKWASI Oppong	Maximum male Salon	480 970 9170	 05/11/2010
3 6		Salon Anna	602 211 5607	5-11-10 

4th Avenue Patio Dining In Right of Way – Design Guidelines and Requirements

General –

Each approved sidewalk patio shall not block access to Fire Department connections, City sewers, City water works, gas valves, ADA access, general pedestrian egress or exits from the adjacent buildings. Patios shall not impede required storm runoff diversion and collection systems.

A clear zone of 3' shall be required at any vertical improvement adjacent to a parking stall to provide for car door swing and pedestrian access to the sidewalk.

If an outdoor use area offers alcoholic beverage service, such use operator shall be duly licensed by the State Liquor Board and shall conform to the requirements of such license

Applicants shall submit plans, elevations, manufacture cut sheets, photographs and samples adequate for staff approval of the following, but not limited to prior to installation:

- Patio site plan identifying all existing conditions and proposed improvements.
- Elevations of all vertical components proposed.
- Patio fencing details materials and colors
- Proposed landscaping plan including any pots and planters proposed
- A landscape maintenance agreement and contract specifying maintenance schedule and plant replacement plan.
- An employee parking policy and enforcement plan
- All patio furniture – (tables, chairs, umbrellas, planters, pots etc.)
- A lighting plan and fixture cut sheets
- All proposed signage including menu boards as permitted by ordinance
- Any other documentation requested by the City of Scottsdale



In the event that any standards pertaining to outdoor patio dining standards herein conflict with any other City ordinances, codes or policies, the zoning administrator shall determine the controlling regulation. State and county requirements supersede any requirements by the City.

Relation to Pedestrian Way Clear Zone –

The pedestrian way clear zone between existing business building facade/ barrier / fencing frontage and the front face of curb along the entire business frontage shall remain unobstructed (with the exception of existing covered walkway columns) at all times. No permanent or moveable objects (such as service carts, magazine or periodical racks / dispensers, trash receptacles, etc.) shall be permitted in the pedestrian way. Cueing for entry and waiting for restaurant establishment shall not be permitted in the pedestrian way clear zone and shall be provided for internally within the existing restaurant establishment.

Fencing / Area Enclosures –

All outdoor patio dining shall be delineated as described in the approved plans. The design of any fencing system shall be subject to approval by the planning department and shall meet all state requirements for alcohol consumption (if alcoholic beverages are to be served.)

Wrought iron fencing should not exceed 3 feet in height and should be designed so that beverage glasses or other serving items are not allowed to be placed on the top rail. Fencing design should also discourage pedestrian seating opportunities on the top rail.

Corner and intermediate decorative masonry or concrete piers are encouraged. Piers should be no higher than 4'-6" and should reflect the thematic of the restaurant architecture, or that of 4th Avenue District Streetscape. Piers may also have decorative accent down lighting (see lighting section) placed on top or internal (dining area) sides of the piers. Decorative lighting is subject to planning department review. At the discretion of the planning department's review, pier mounted accent lighting may extend above the total pier height maximum stated above. Pier lighting should not extend to overhead area lighting. Pier caps should be sloped (similar to a hipped roof) or rounded to prevent beverage glasses or other serving elements being placed on the piers.

Banners, promotional advertisements and signage are prohibited and shall not be placed or hung from any component of the area enclosure.

Gates if required by state liquor board shall not swing into the sidewalk / pedestrian way clear zone. Gates are prohibited adjacent to vehicular travel lanes.

Fencing systems shall be maintained, finished and kept in good repair at all times.

Landscaping –

All existing streetscape landscaping shall be protected and maintained during the construction period and protected during the operation period. Any damage to the existing streetscape landscape shall require the applicant to replace in-kind in a mature state any damaged or destroyed plant materials (including street trees).

Applicant shall submit for approval a landscape plan for all planter areas, planter boxes, and potted plants. The proposed landscaping should complement the 4th Avenue District streetscape thematic. All planting areas shall be planted with seasonal blooming or ornamental evergreen live plant and shall be maintained by the applicant / restaurant operator year round. Dead plants must be removed and replaced immediately.

Landscape irrigation shall be the responsibility of the applicant / restaurant operator. If an extension of the existing streetscape landscape irrigation is permitted in writing by the General Manager or his designee of the Community Services Department of the City, the applicant shall submit irrigation plans for approval to that department prior to installation. If such an extension is not permitted, the applicant / operator shall be required to regularly hand water all plants from the restaurant's water system, or develop plans for approval for an automatic irrigation system that originates from the restaurant's water system.

Outdoor Furniture –

Furnishings shall not encroach beyond the permitted outdoor use area, or overhang pedestrian or vehicular circulation paths.

All outdoor area furnishings shall be maintained in a safe and clean condition.

All outdoor use areas shall be maintained in an attractive, clean (free from spills, litter, and other debris) and safe manner.

Furniture shall not be secured to sidewalks, lampposts, streetlights, trees or any other public street furniture.

The operator shall be responsible for the proper maintenance of the café area at all times, including properly disposing of all trash generated by the operation.

Tree grates shall be cleaned regularly.

Outdoor use area furnishings shall be removed immediately upon the permanent closure of the associated business.

Tables and Chairs –

The design of all tables and chairs should complement the existing character of the 4th Avenue streetscape enhancements.

Tables and chairs shall match and shall be primarily made of safe, sturdy, durable materials such as wrought iron, steel or cast aluminum. All furniture shall be commercial grade and manufactured for outdoor commercial use.

Table cloths (if used) shall be brought indoors nightly and shall be cleaned on a regular basis. No vinyl tablecloths are permitted. Tables with or without table cloths must be kept clean at all times.

Tables shall comply with ADA standards for height and clearance.

All aisle clearances shall meet ADA Standards.

Small round, square or rectangular tables that seat 2 to 4 people are recommended.

Umbrellas –

Individual canvas or other non-vinyl umbrellas are permitted.

Umbrellas shall be designed for outdoor commercial use and maintained in a clean manner.

Umbrellas shall be secured to tables and secured in such a manner to prevent wind overturn of table and umbrella. Umbrella stands should be compatible with the table and chair furniture or fencing enclosure.

Umbrellas shall have a minimum clearance from grade of seven (7) feet and shall not be allowed to extend (encroach) over the adjacent pedestrian clear zone, parking areas or vehicular travel lanes.

Umbrellas shall be a single solid color and shall not be fluorescent or have a floral or other pattern. Complementary colored accent piping or trim may be approved by the Planning department.

Umbrellas shall be free of brand logos, advertisement, sign messages, etc.

Umbrellas shall be lowered and secured at the close of business each night.

Signs, Banners and Branding –

Signs as defined by the Scottsdale Zoning Ordinance are not permitted in the public Right of Way by Ordinance.

Banner signs, electrical signs, illuminated signs, and other signage is prohibited, unless specifically permitted in the Scottsdale Zoning Ordinance.

Proposed branding that occurs with site furnishings, fencing and decorative features specifically identified with a particular business is strongly discouraged and will be judged on their architectural design merit, context, and their ability to serve the larger community. Any proposed branding features are subject to staff or Design Review Board approval as determined by the zoning administrator. The City strongly urges applicants to exercise self-restraint with respect to advertising and branding. Proposed branding may be determined to meet the zoning ordinance definition of signage and may be disallowed by the zoning administrator.

Lighting & Electrical Power –

Power source and raceways shall require building plan review and shall originate from main restaurant. All conduits shall be incorporated aesthetically into improvements. Exposed conduits and raceways should be avoided. Extension cords and other temporary power sources are prohibited.

Use of streetlight power shall not be allowed without special approval of City building official, City engineer, Zoning administrator and the local utility provider. If streetlight power is allowed, metering, breaker/ shutoff and other electrically hardware may be required by the City and the local utility provider. City reserves the right of requiring aesthetic integration to any such hardware.

Dining areas shall incorporate appropriate lighting consistent with the needs of the activity and safe movement of pedestrians through the space.

Lighting for the purpose of ambience and character shall be submitted to and approved by the City. A subdued approach to lighting is strongly encouraged. Lighting sources shall be shielded from pedestrian and vehicular traffic. Sources of glare should be minimized. Overhead area lighting other than existing street lighting is prohibited.

Low level area accent lighting is permitted subject to City approval. All light sources shall be shielded from pedestrian and vehicular travel. Decorative fixtures

Low level table and internal umbrella lighting is permitted subject to approval.

Table candle lighting is allowed subject to fire department approval. Battery powered table candle lighting is allowed.

Festoon lighting shall not be allowed.

Heating and Cooling –

Portable propane heaters are permitted seasonally within the patio dining area, subject to review by the fire department and building plan review department. Heaters shall be removed and stored out of patio area during summer months. Heater locations shall not impede required isle clearances.

Portable heaters shall be reviewed by the planning department for design compatibility. No advertising or signage may be incorporated into or on portable heaters.

Evaporative or misting cooling system may be allowed with written Planning Department City approval subject to aesthetic design integration, system operating and maintenance plans.

Maintenance –

Maintenance of the patio dining area, pedestrian way clear zone, landscaping and all other associated improvements shall be the responsibility of the applicant / operator.

All elements, furniture, surfaces, sidewalks, enclosures, etc. shall be kept clean and free of all trash and debris. Scheduled cleaning of sidewalks, dining area patio surface etc. by means of power washing shall be done on a minimum quarterly (every 3 months) interval. The applicant / operator should keep all areas in front of the main restaurant clean at all times regardless of the minimum power washing schedule.

Regular spot and dry cleaning methods (mop & broom) should be utilized on sidewalk and dining flooring surfaces continuously during operation hours and at the opening and closing of service.

Applicant / operator shall protect all adjacent properties and improvements during any maintenance efforts.

Landscape, furniture, and other element maintenance – See above related sections.

4th Avenue District Patio Guidelines Development Operating Standards

1. Applicant – Mike Fields (Giligin's).
2. Uses – The intent of the 4th Avenue District is to be a mixed use zone with retail , office and restaurant uses with both being the primary first floor use . Giligin's is seeking approval of extend a patio, but with the revitalization of the downtown area it is anticipated that others may request the same in the future. The goal of having a truly mixed-use downtown is furthered by activation of downtown streets, subject to the city's standards. Giligin's is requesting a revocable outdoor dining license in the right of way.
3. Patio Improvments – Patio and drainage improvements shall be installed as described in the approved plans.
4. Signs – Signage on the café umbrella(s) is limited to the name of the café business and no product advertising will be allowed. The total signage on an umbrella shall not exceed 10% of the area of the umbrella. The maximum letter height is 6 inches and the business logo shall not exceed 1 square foot in area.
5. Employee Parking – All businesses that utilizes any portion of the right of way for outdoor dining shall have a program that encourages employees to use alternative modes such as bus passes, bycycle racks and carpool are encouraged. All employee cars shall be parked in the alley adjacent to the building or at least one block from Giligin's in order to maintain on-street parking for customer use.
6. Access – Pedestrian access shall not be compromised with the public sidewalks being open and unnumbered at all times.
7. Security and Maintenance – The owner of property that have received an outside dining permit in the right of way will provide a security and maintenance plan consistant with the model plan as provided by the City of Scottsdale. Violations of this Plan will be enforceable by the City of Scottsdale Police Officers and/or Code Enforcement employees and may constitute grounds for revocation of the outdoor dining permit.
8. There shall not be amplified sound audible from the leased area during daylight hours up to 7:00 p.m.

9. Overall District Plan – Commitment to working with the City of Scottsdale and all the other property owners in the 4th Avenue District to develop a comprehensive vision for the area.

10. Applicants shall power wash the sidewalk adjacent to it's property every six months beginning June 1, 2011. Applicant shall plant appropriate seasonal plants and maintain the landscape border around the patio.



4th Avenue Patio District Boundary

Hults, Robert

From: Hults, Robert
Sent: Tuesday, January 25, 2011 4:44 PM
To: 'Bob Gutierrez'
Subject: RE: Giligin's Patio

Bob,

I have a meeting with Steve Venker on Thursday to discuss the black bamboo. The main issue is that our water resources ordinance requires landscape area that utilizes plants not on the Az Dept of Water Resources plant list can't exceed more than 10% of the total landscaped area. Also, from what I've read, it is recommended to plant the bamboo 4-5' off center. A lesser concern is the proposed oleanders. They grow fast, and require a lot of maintenance to keep them as small (~3') shrubs. I will discuss this with Steve also, to see if there is a better suggestion (not that it will be required).

Any changes to the landscape materials will likely be in the form of a stipulation to the Staff Approval (changes both you and I will agree on), and we will not ask you to change the plan again for the purpose of saving time on revisions. Plans will need to be updated when submitted for permits.

I've spoke with Kathleen and Stan. Kathleen will coordinate with you to get the graphics she needs for the lease agreement, and Planning needs you to submit for the Extension of Premise (Liquor License) if you have not already. It takes about a month from the time of application to get to City Council. Currently, applications for liquor are being scheduled for the March 1 City Council date. We prefer to have both the lease agreement and EX case go to council on the same date.

I will keep you updated.

Bob Hults

From: Bob Gutierrez [<mailto:bob@sixtyfirstplace.com>]
Sent: Monday, January 24, 2011 9:47 AM
To: Hults, Robert
Subject: Giligin's Patio

Bob, I sent the landscape revisions as requested last Thursdday is it acceptable? If so will we receive some sort of notification? We would like to submit CD's the end of this week. I've talked to Stan Siegle and I need to get that process off the dime. Has he contacted you yet?

Robert L. Gutierrez (Bob)

Sixty First Place Architects

480-947-6844

Bamboo Ranch

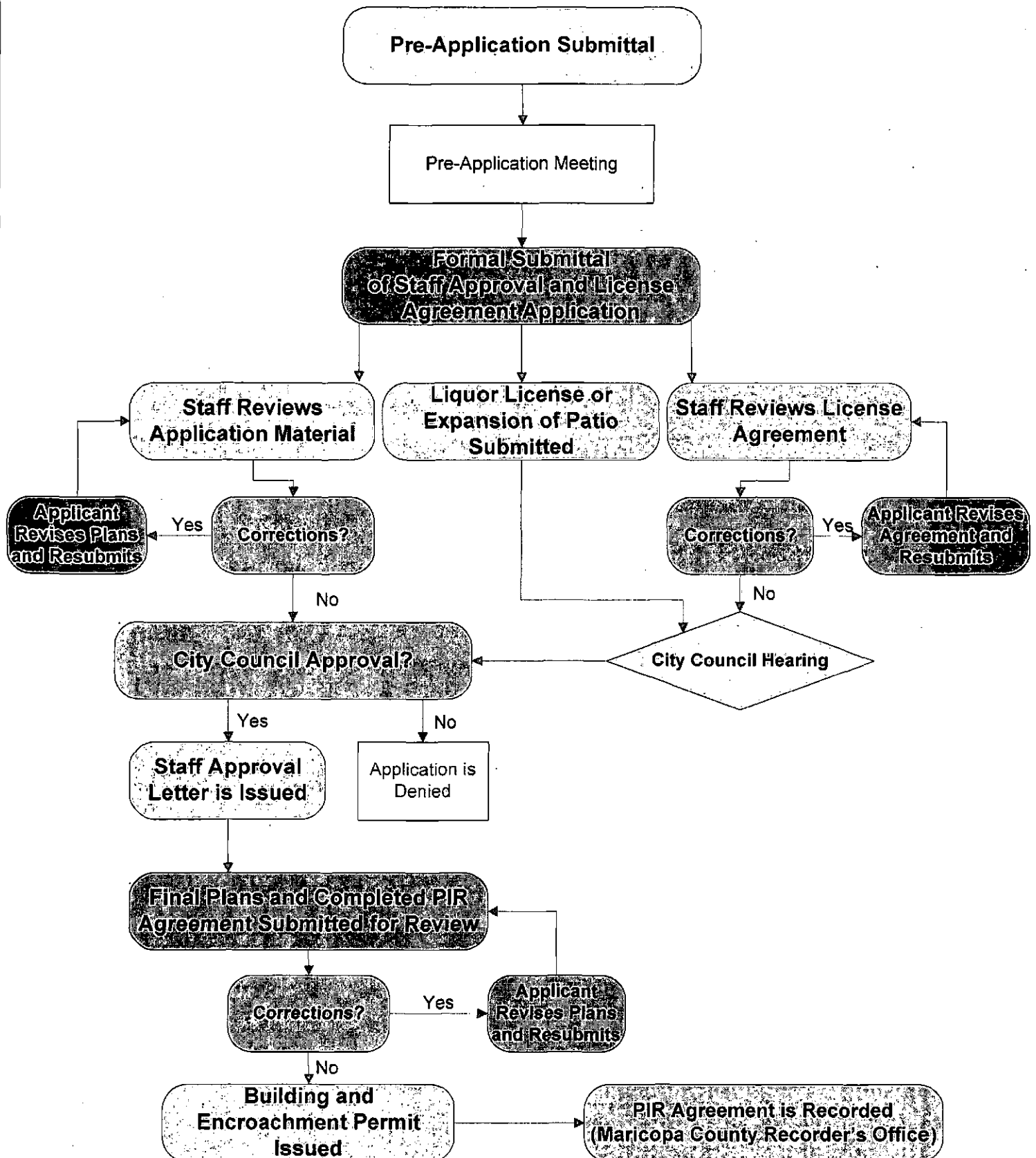


ATTACHMENT 1



Sidewalk Patios in Public Right-of-Way

Approval Process Flowchart



Planning and Development Services Department

7447 E Indian School Road, Ste 105, Scottsdale AZ 85251 ♦ Phone: 480-312-7000 ♦ Fax: 480-312-7088



Neighboring Businesses in support of Gilgin's patio extension:

- 1 - Touch of Thai
- 2 - Philadelphia Sandwich Co.
- 3 - Flag World and Sports
- 4 - My Big Fat Greek Restaurant
- 5 - Alcuin Books
- 6 - Village Locksmith Inc.
- 7 - 24/7 Real Estate
- 8 - Scottsdale Assn. of Realtors
- 9 - Mustang Sally's Bike Rentals
- 10 - Mustang Sally's Mini Mart
- 11 - Moore and Moore Jewelry
- 12 - Eyelash Power
- 13 - KalBri
- 14 - Salon Synergy
- 15 - Newton Henderson III, DDS
- 16 - Soul Healing Therapies
- 17 - Salon Krome
- 18 - Charles Ahlberg
- 19 - Christian Science Reading Room
- 20 - David Gordan
- 21 - Planned Brokerage Solutions
- 22 - Maggie's European Skin Care
- 23 - Bank USA
- 24 - HYATT Place
- 25 - Metrotech Advertising
- 26 - Donnal Mitchell, CPA
- 27 - Global Cabling Concepts
- 28 - Duane R. Eggen, CPA
- 29 - SES Properties
- 30 - Stingray! and Samurai Cowboy
- 31 - CarrerBuilders.Com
- 32 - Fry Investment Company
- 33 - Gilbert Ortega
- 34 - Loco Patron
- 35 - Maximum Male Salon
- 36 - Salon Anna
- 37 Thru 51 - Met with or notified