



**Chandler • Arizona**  
*Where Values Make The Difference*

**MEMORANDUM                      Planning and Development – CC Memo No. 08-104**

**DATE:**            MAY 8, 2008

**TO:**                MAYOR AND CITY COUNCIL

**THRU:**            W. MARK PENTZ, CITY MANAGER *MP*  
                         DOUG BALLARD, PLANNING & DEVELOPMENT DIRECTOR *DB*  
                         JEFF KURTZ, ASSISTANT PLANNING & DEVELOPMENT DIRECTOR *JK*  
                         KEVIN MAYO, ACTING PLANNING MANAGER *KM*

**FROM:**            BILL DERMODY, SENIOR CITY PLANNER *BD*

**SUBJECT:**        UP08-0017 EL RANCHO MARKET

Request:            Use Permit approval to continue conducting outdoor grilling adjacent to an existing grocery store

Location:           1076 North Arizona Avenue  
                         Northwest corner of Ray Road and Arizona Avenue

Applicant:           El Rancho Market, Phillip Vigil

**RECOMMENDATION**

The request is for a Use Permit to continue conducting outdoor grilling adjacent to an existing grocery store. Planning Commission and Staff, finding consistency with the General Plan, recommend approval subject to conditions.

**BACKGROUND**

The subject site is adjacent to the El Rancho Market grocery store located within the Pollack North Park Plaza at the northwest corner of Ray Road and Arizona Avenue. A Use Permit for outdoor grilling was approved in 2007 with a one-year time limit to allow assessment of the parking situation. The request is to continue the outdoor grilling without time limit.

The proposed grilling takes place within two fenced-off parking spaces south of the main grocery store entrance, occupying approximately 400 square feet. The fences are portable metal fences that are removed when grilling does not occur, thereby leaving the spaces to function for parking. The grilling follows all state and local regulations, including provisions for distance from the building and presence of fire extinguishers and a hand-washing sink. Within the fenced grilling area there is also a temporary canopy provided above a preparation table for the workers' benefit. The grilling area does not encroach upon the sidewalk under the colonnade. All food

sales occur inside the grocery store—grilled items are not sold nor picked up outdoors. Grilling occurs Friday, Saturday, and Sunday.

The shopping center, including all pads, requires approximately 389 parking spaces by code while 281 are provided. On days when the grilling occurs, the parking provision is reduced to 279. No tenant vacancies currently exist in the center.

### **DISCUSSION**

Planning Commission and Staff find the proposed outdoor grilling use to be appropriate at this location. The grilling use has not been found to cause any parking or noise disturbances over the past year, but rather adds to the vitality of the center and provides an added benefit to store patrons. The center's parking shortage (according to code) has not been exacerbated by the grilling use, partly because the center relies on high levels of walk-in traffic. Additionally, the grilling is ideally situated between two landscape islands and not in the way of pedestrian flow.

### **PUBLIC/NEIGHBORHOOD NOTIFICATION**

- This request was noticed in accordance with the requirements of the Chandler Zoning Code.
- A neighborhood meeting was held on Monday April 28, 2008 at the Downtown Chandler Community Center. One citizen attended who is in support of the proposal as long as there is no music or other noise associated with it (there is not).
- At the time of this writing, Staff is not aware of any opposition regarding this proposal.

### **RECOMMENDED ACTION**

Planning Commission and Staff, upon finding consistency with the General Plan and Regional Commercial (C-3) zoning, recommend approval of UP08-0017 EL RANCHO MARKET subject to the following conditions:

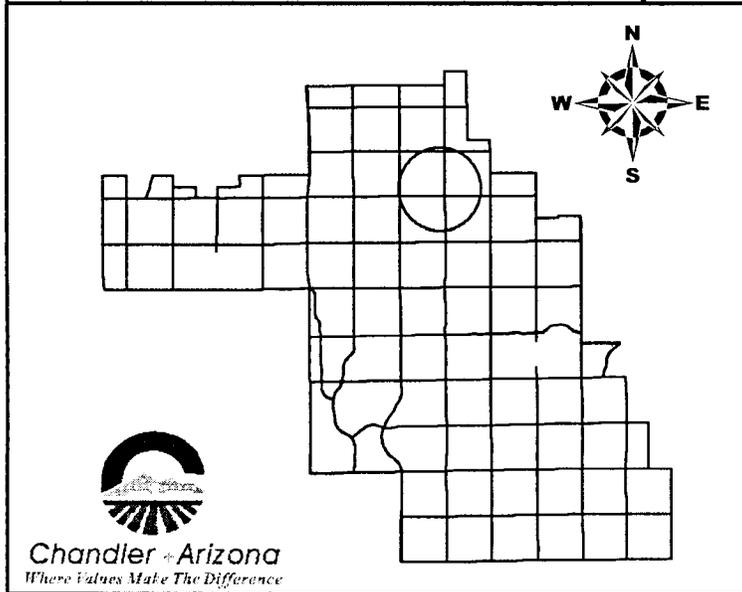
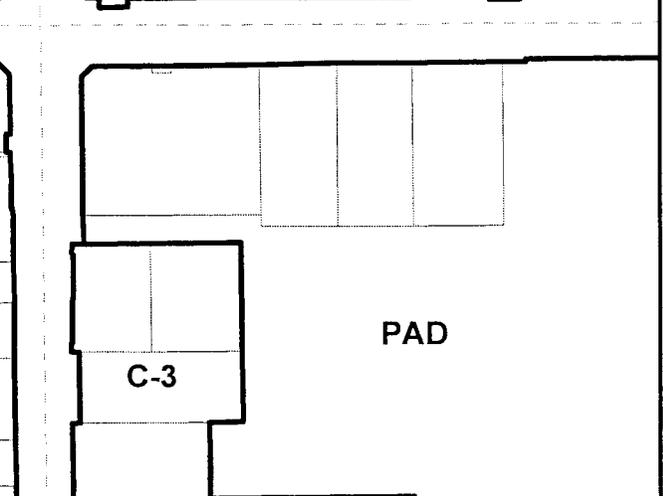
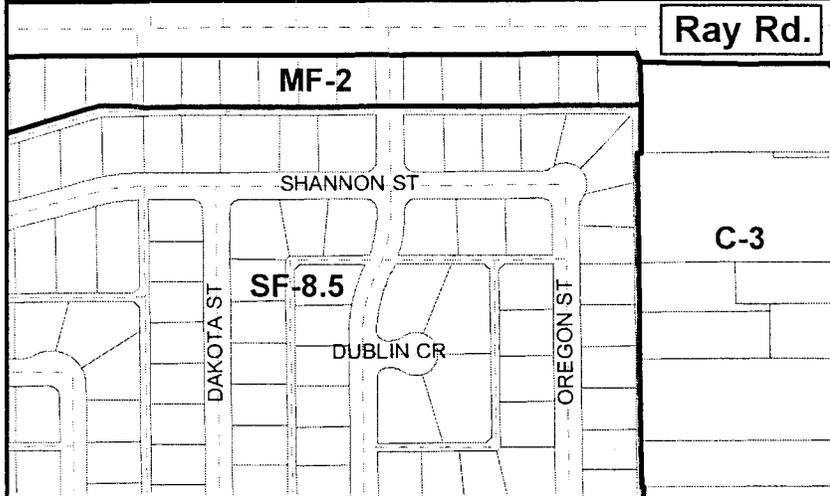
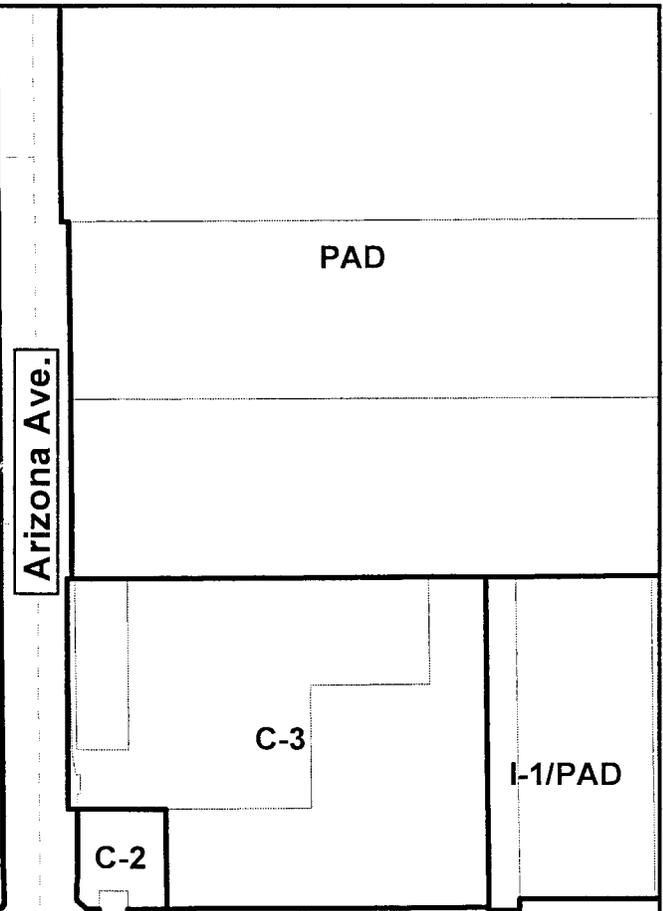
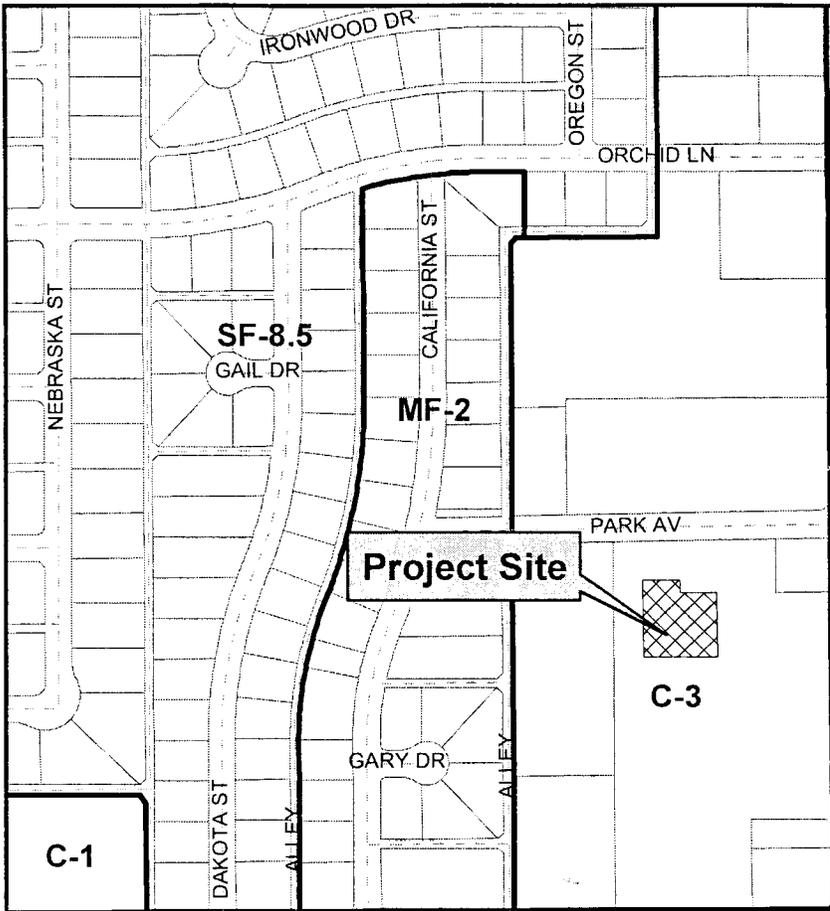
1. Substantial conformance with approved exhibits (Site Plan, Narrative) except as modified by condition herein. Expansion or modification beyond the approved exhibits shall void the Use Permit and require new Use Permit application and approval.
2. The Use Permit is non-transferable to any other location.
3. Food may not be paid for nor picked up outdoors. All transactions must occur inside the store.

### **PROPOSED MOTION**

Move to approve UP08-0017 EL RANCHO MARKET Use Permit for outdoor grilling subject to the conditions recommended by Planning Commission and Staff.

### **Attachments**

1. Vicinity Map
2. Site Plan
3. Floor Plan
4. Staff Photos of Grilling (set up, but not in use)
5. Applicant Neighborhood Meeting Letter & Supplemental Narrative

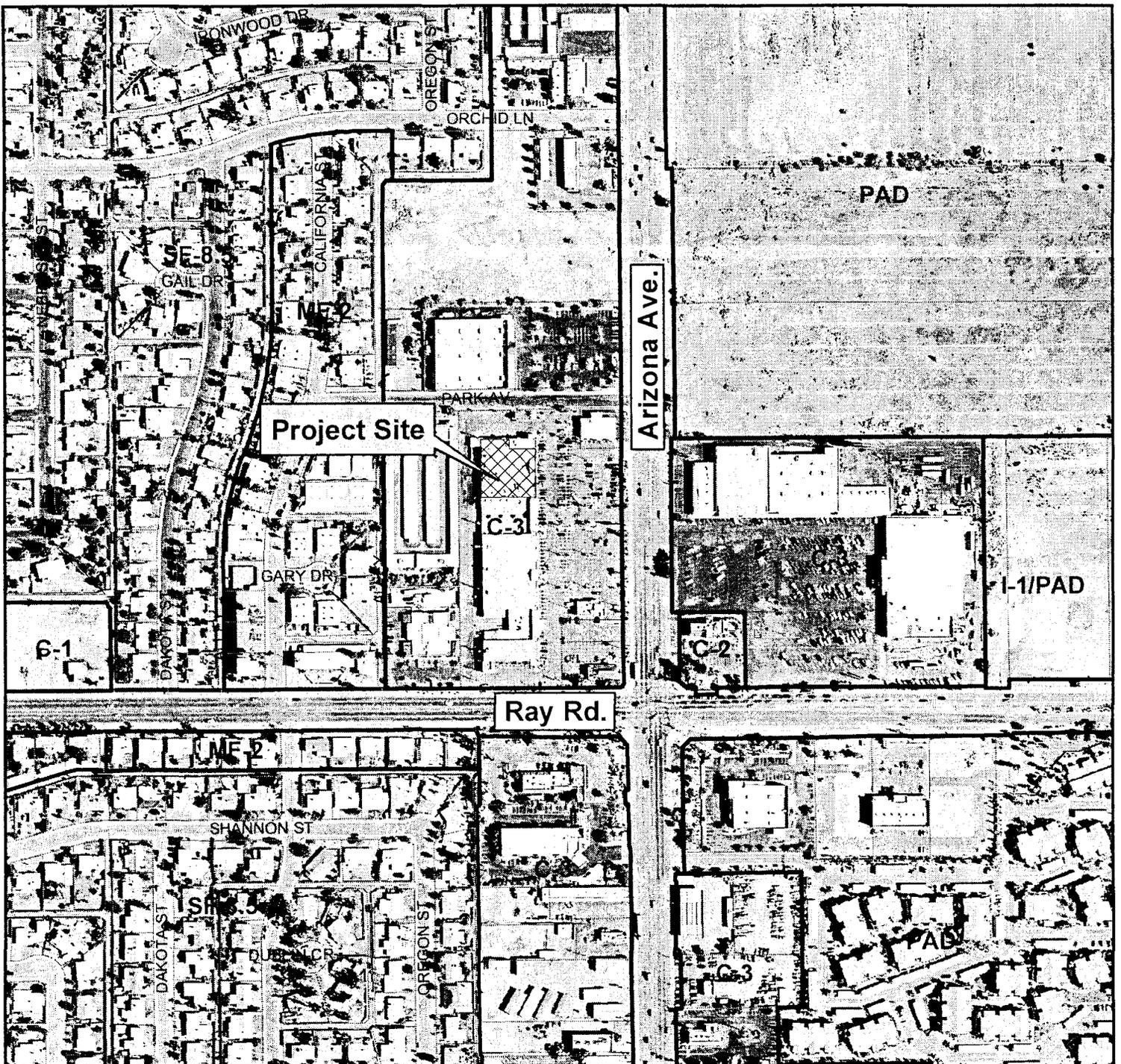


**Vicinity Map**



UP08-0017

El Rancho Market

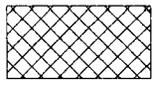
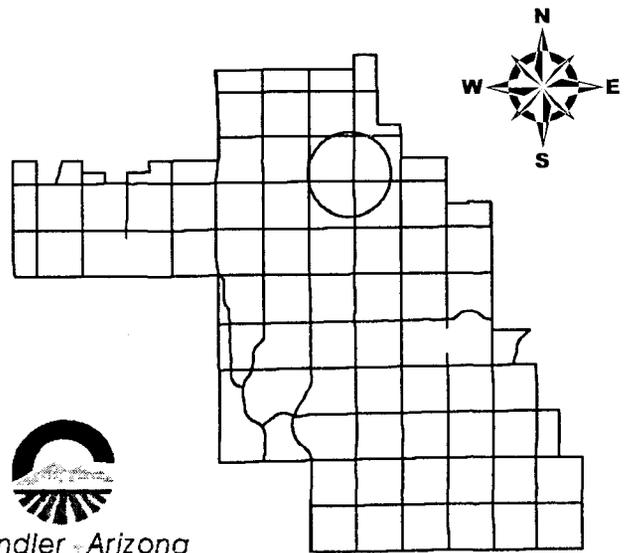


Arizona Ave.

Project Site

Ray Rd.

### Vicinity Map



UP08-0017

El Rancho Market



Chandler - Arizona  
Where Values Make The Difference

CITY OF CHANDLER 3/19/2008

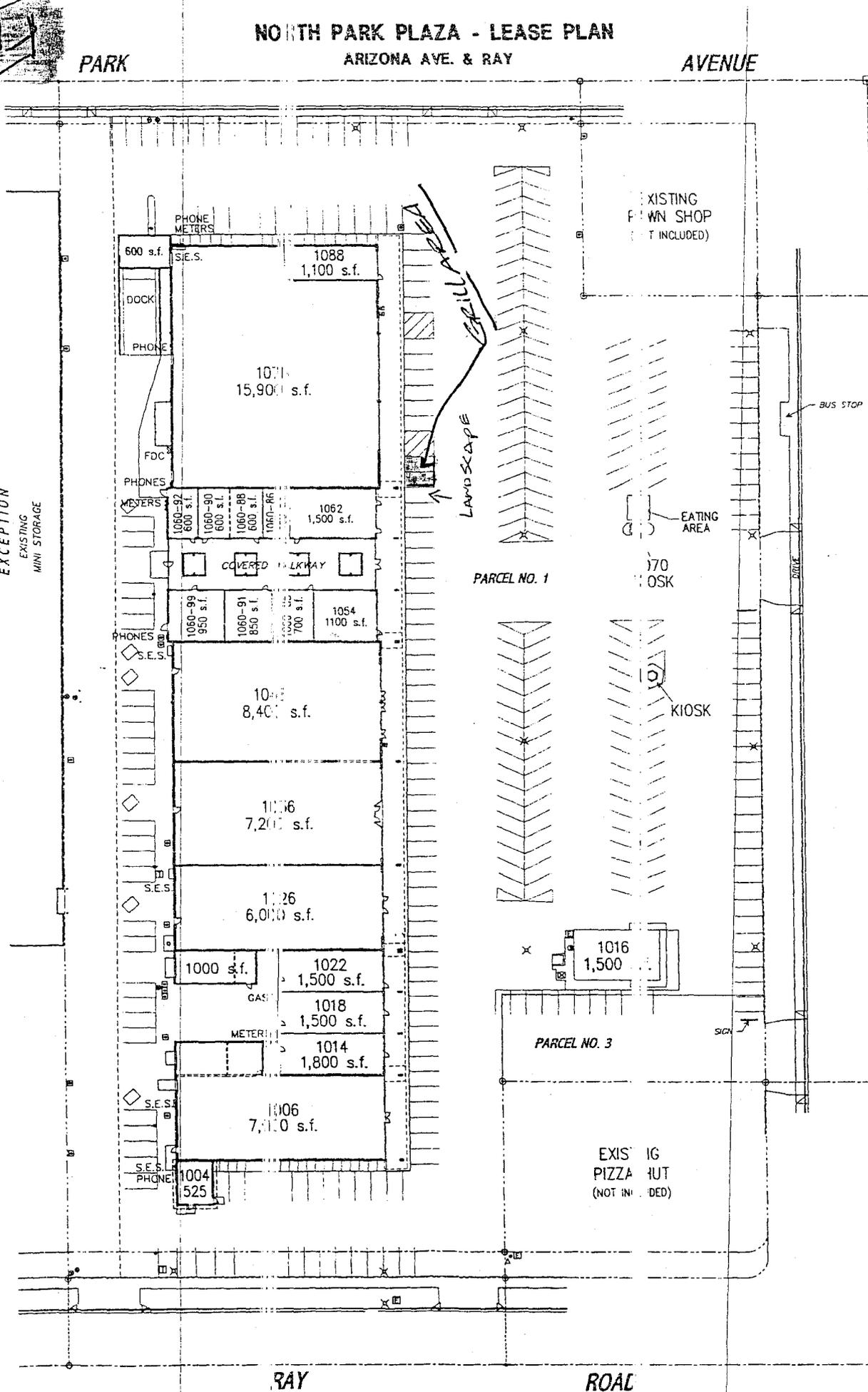
# NORTH PARK PLAZA - LEASE PLAN

ARIZONA AVE. & RAY

AVENUE

PARK

EXCEPTION  
EXISTING  
MINI STORAGE



RAY

ROAD

This center contains approximately 60,775 square feet. All footage shown is approximate, and is subject to change at the sole discretion of the landlord. There are approximately 324 parking spaces. This drawing is not to scale. (02-24)

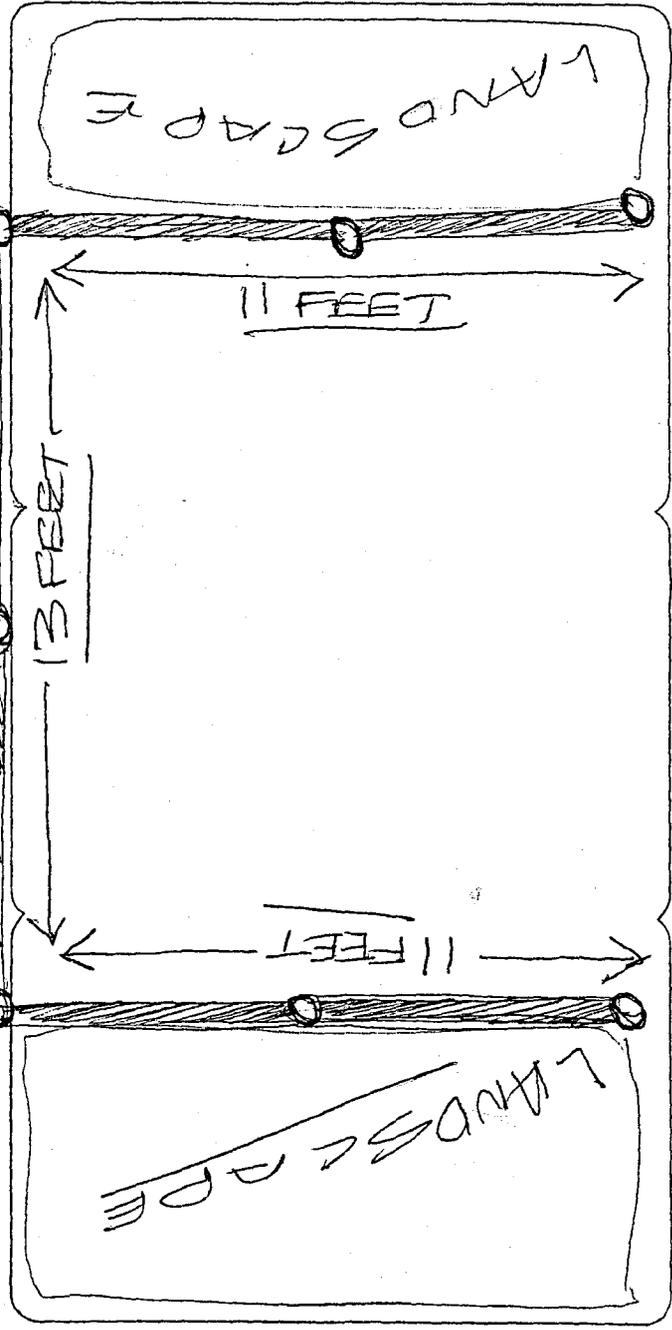
EXHIBIT

HYON

16' TYPICAL  
TYPICAL  
HEIGHT 7' 4" FEET  
BRANDS

EXHIBIT 2

HYON



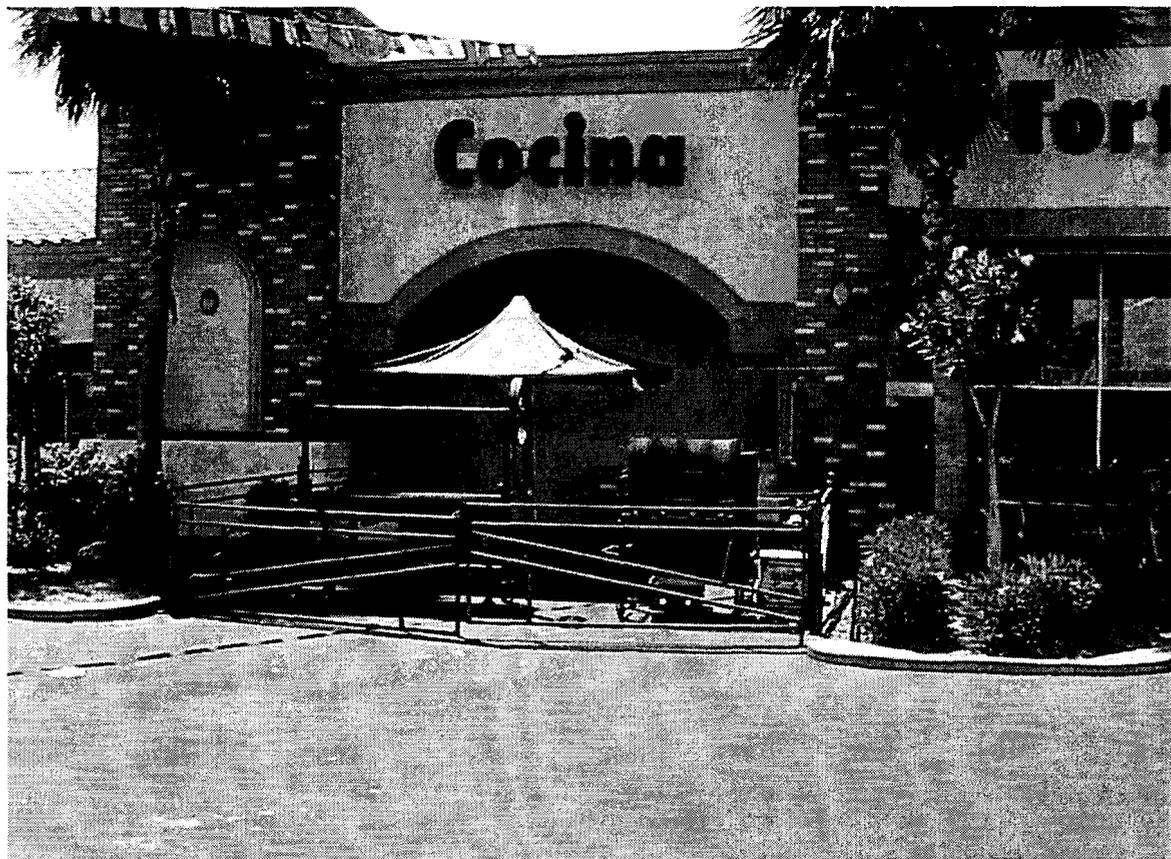
Atty:  
DAENON  
BREWER

WEST

FENCE MATERIAL

6 POST

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## El Rancho Market of Chandler

1076 North Arizona Avenue  
Chandler, Arizona 85225  
T-480-792-1414  
F-480-792-1415

[phillipv@elranchomarket.net](mailto:phillipv@elranchomarket.net)

### Special Conditions:

1. El Rancho has installed proper approval hand wash station. El rancho Market has permit for said applied Out Door Grilling.
2. Perimeter is fenced and protection from persons or traffic from entering grilling area.
3. El Rancho seeks the Business opportunity to grow the stores business and increase traffic flow into the Plaza. Sales increase, City tax Revenue increase, employment opportunity, and fair market trade within competition with neighboring markets.
4. The out door grilling area is well ventilated, barricaded and is confined. Adequate space is provided and all safety precautions are in place prior to start up. Grilling is conducted outdoors and sales transactions are made indoors where the consumer picks up cooked product. All sales register a receipt of sale for goods received and sales are processed for accountability.
5. Photographs are attached for reference.
6. Food protection in place, temperature, food handling procedures reviewed weekly. Food service workers are certified by the state of Arizona. Fire department approved.

El Rancho Market of Chandler Inc.  
1076 North Arizona Avenue  
Chandler, Arizona 85225

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 This is our second request as we are entering our second year with this proposed event. Thank you in advance for taking the time to help us advance in our sales builder projects.

El Rancho Market is asking the City of Chandler Planning & Development department for grating of a use permit in order to better develop their existing business by having a grill outside store front.

El Rancho Market has been in business 11 years and has occupied business at Pollack's North Park Plaza since early 2004. El Rancho Market has a fun and festive retail marketplace with food court and wishes to grill outdoors at the store front on Friday's, Saturday's and Sunday's at 10am until 7pm. weekly.

El Rancho Market plan and guideline are documented and is in compliance with Maricopa County Environmental Services Department. Use of one outdoor Grill and protective canopy are in place as well as portable sinks and food handler's certification. The sales for the grilled items will be conducted indoors.

El Rancho was permitted to use temporary use permit until 12/31/2006 and was very successful but neighborhood services sought business to have a Use Permit. Application is now pending review with the Planning and Development Department.

Should you wish to contact any City of Chandler Planner on any question, queries, comments or concerns please feel free as we hope to expedite as soon as possible. Our Planner Bill Dermody can be reached at 480-782-3000.

El Rancho Market wishes to hold a meeting with its neighbors and discuss any issues and answer questions as to the market being granted a "use Permit". Monday the 9th of April, 2007 at 5:30 pm at Chandler Downtown Community Center Bldg. Room 101.

El Rancho Market of Chandler Contacts:

Jorge Rascon, Owner  
Elizabeth Rascon, Vice President  
Phillip Vigil, Manager 480-792-1414

Thank you in advance for your time and attention to our request and to this regard.

Sincerely,

Phillip A. Vigil

