

**CITY OF TEMPE
DEVELOPMENT REVIEW COMMISSION**

**Meeting Date: 9/8/2020
Agenda Item: 3**

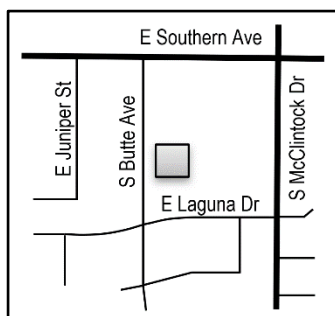
ACTION: Request a Use Permit to allow a tire store for DISCOUNT TIRE COMPANY, located at 1709 East Southern Avenue. The applicant is Architectural Resource Team.

FISCAL IMPACT: N/A

RECOMMENDATION: Staff – Approve, subject to conditions

BACKGROUND INFORMATION: DISCOUNT TIRE COMPANY (PL190191) is proposing to add two (2) service bays to their existing four (4) service bay facility in McClintock & Southern Plaza, located on the southeast corner of East Southern Avenue and South McClintock Drive in the PCC-1, Planned Commercial Center Neighborhood District. The store began operations in November of 1972 which at the time had a zoning classification of PSC-1, Planned Shopping Center District, and permitted tire stores. Since then, the zoning has been reclassified to PCC-1 and now requires a use permit to operate a tire store. As a result, the applicant is requesting a use permit to expand the tire store use. On August 26, 2020, the Board of Adjustment granted DISCOUNT TIRE COMPANY (PL190191) a variance to increase the maximum lot coverage from fifty percent (50%) to seventy-five percent (75%). Should the use permit be approved, the project will require a Minor Development Plan Review for the proposed site, landscape, and building elevation modifications. The request includes the following:

ZUP200019 Use Permit to allow a tire store.



Property Owner	Reinalt Thomas Corp
Applicant	Quoc Truong, Architectural Resource Team
Zoning District	PCC-1
Site Area	25,744 s.f.
Building Area	19,136 s.f.
Lot Coverage	74.3% (50% max. allowed)
Building Setbacks	18'-10" front, 0' north side, 0' south side, 0' rear (0', 30', 30', 30' min. required)
Landscape Area	1.4% (15% min. required)
Vehicle Parking	5 spaces (64 min. required)
Bicycle Parking	2 spaces (2 min. required)
Hours of Operation	8 a.m. to 6 p.m., M-F; 8 a.m. to 5 p.m., Sa; and Closed, Su

ATTACHMENTS: Development Project File

STAFF CONTACT(S): Lee Jimenez, Senior Planner (480) 350-8486

Department Director: Chad Weaver, Community Development Director

Legal review by: N/A

Prepared by: Lee Jimenez, Senior Planner

Reviewed by: Steve Abrahamson, Principal Planner

COMMENTS

DISCOUNT TIRE COMPANY (PL190191) is considered a legal non-conforming development pursuant to the City of Tempe Zoning and Development Code Section 3-503, Legal Non-Conforming Development, which states that all developments may be maintained but shall not be re-erected, relocated, or replaced unless brought into compliance with the zoning code. The provided landscape coverage and setbacks are considered legal non-conforming. Required parking is provided by five (5) on-site spaces and fifty-nine (59) off-site spaces through a cross-access and parking agreement with McClintock & Southern Plaza 2. Although the tire store has been in operation since 1972, the store was never issued a use permit since none was required at the time in the original zoning district (PSC-1, Planned Shopping Center District). However, a use permit is required today to operate a tire store in the PCC-1 zoning district; hence, why the use permit is requested for the proposed tire store expansion.

PUBLIC INPUT

The applicant complied with neighborhood meeting requirements for their variance application. During the process, a total of two (2) comments were received by the applicant and staff from the same neighborhood members. The comments cited no concern about the building addition but rather from the expansion of the tire store, particularly, the noise generated from the service bays. As a result of the comments, the applicant hired an acoustical consultant to conduct a noise analysis to determine the impacts of the existing and expanded use of the tire store operations. Both the email comments and the noise study are provided in the attachments section of the staff report.

USE PERMIT

The proposed use requires a Use Permit to allow a tire store in the PCC-1 zoning district.

Section 6-308(E) Approval criteria for Use Permit (*in italics*):

1. *Any significant increase in vehicular or pedestrian traffic*; the proposed tire store use expansion will increase the volume of customers but is not expected to significantly increase vehicular or pedestrian traffic.
2. *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat or glare at a level exceeding that of ambient conditions*; the applicant hired an acoustical consultant to conduct a noise study which found a potential 1.8 decibel noise increase to the closest residential property (the apartments) which, according to the acoustical consultant, is considered virtually an imperceptible increase. The study also found that the potential noise increase to the homes to the south is theoretically 3.6 decibels (a 3-decibel increase is subjectively classified as “barely” or “just” perceptible). Since the maximum noise for each service bay is not constant, the more likely increase to the homes to the south is approximately 1.8 decibels (a virtually imperceptible increase).
3. *Contribution to the deterioration of the neighborhood or to the downgrading of property values, which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the city’s adopted plans or General Plan*; the proposed tire store use expansion does not conflict with any of the goals, objectives, or policies identified in the City’s adopted plans or General Plan.
4. *Compatibility with existing surrounding structures and uses*; the proposed tire store use expansion is designed to match the existing building, and the use is consistent with existing tire store which has been in operation for almost 48 years.
5. *Adequate control of disruptive behavior both inside and outside the premises which may create a nuisance to the surrounding area or general public*; the proposed expansion is an extension of the existing tire store use which has been in operations for almost 48 years and is not expected to cause disruptive behavior.

REASONS FOR APPROVAL:

Based on the information provided by the applicant, the public input received, and the above analysis staff supports the requested Use Permit. This request meets the required criteria and will conform to the conditions.

SHOULD AN AFFIRMATIVE ACTION BE TAKEN ON THIS REQUEST, THE FOLLOWING NUMBERED CONDITIONS OF APPROVAL SHALL APPLY, BUT MAY BE AMENDED BY THE DECISION-MAKING BODY.

CONDITION(S) OF APPROVAL: (Non-standard conditions are identified in bold)

EACH NUMBERED ITEM IS A CONDITION OF APPROVAL. THE DECISION-MAKING BODY MAY MODIFY, DELETE OR ADD TO THESE CONDITIONS.

1. The Use Permit is valid only after a Building Permit has been obtained, the required inspections have been completed, and a Final Inspection has been passed. As part of the Building Permit process, on-site storm water retention may be required to be verified or accomplished on this Site.
2. The Use Permit is valid for the plans as submitted within this application. Any additions or modifications may be submitted for review during the building plan check process.
3. Hours of operation to begin no earlier than eight o'clock in the morning (8:00 a.m.) and end no later than six o'clock in the evening (6:00 p.m.), daily.
4. All rear exit doors require a security vision panel. Details to be approved through Building Safety Plan Review.
5. Provide bicycle parking racks per City of Tempe Public Works Department bicycle rack detail T-578 standard.

CODE/ORDINANCE REQUIREMENTS:

THE BULLETED ITEMS REFER TO EXISTING CODE OR ORDINANCES THAT PLANNING STAFF OBSERVES ARE PERTINENT TO THIS CASE. THE BULLET ITEMS ARE INCLUDED TO ALERT THE DESIGN TEAM AND ASSIST IN OBTAINING A BUILDING PERMIT AND ARE NOT AN EXHAUSTIVE LIST.

USE PERMIT:

- The Use Permit is valid for **DISCOUNT TIRE COMPANY** and may be transferable to successors in interest through an administrative review with the Community Development Director, or designee.
- The use permit approval shall be void if the use is not commenced or if an application for a building permit has not been submitted, whichever is applicable, within twelve (12) months after the use permit is granted or within the time stipulated by the decision-making body.
- The decision-making body, upon finding that the applicant has not taken corrective actions to resolve issues related to the permit/approval and that a continuation of the permit/approval is not in the interest of the public health, safety and general welfare, can revoke the permit/approval after providing written notice of its intentions to the holder of the permit.
- Specific requirements of the **Zoning and Development Code (ZDC)** are not listed as a condition of approval but will apply to any application. To avoid unnecessary review time and reduce the potential for multiple plan check submittals, become familiar with the ZDC. Access the ZDC through <http://www.tempe.gov/zoning> or purchase from Development Services.
- **SITE PLAN REVIEW:** Verify all comments by all departments on each Preliminary Site Plan Review. If questions arise related to specific comments, they should be directed to the appropriate department, and any necessary modifications coordinated with all concerned parties, prior to application for building permit. Construction Documents submitted to the Building Safety Division will be reviewed by planning staff to ensure consistency with this Design Review approval prior to issuance of building permits
- All business signs shall receive a Sign Permit. Contact sign staff at 480-350-8435.

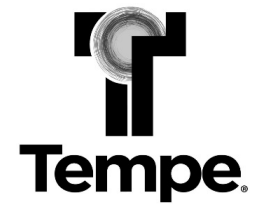
- Any intensification or expansion of use shall require a new Use Permit.
- All required permits and clearances shall be obtained from the Audit and Licensing Division of the City of Tempe prior to the Use Permit becoming effective.
- All required Federal, State, County, and Municipal permits, licenses, and clearances shall be obtained, or the Use Permit is void.

HISTORY & FACTS:

July 11, 1968	City Council approved a General Development Plan for BASHAS PLANNED SHOPPING CENTER, located on the southwest corner of East Southern Avenue and South McClintock Drive in the PSC-1, Planned Shopping Center District.
February 12, 1970	City Council approved a General Plan of Development for BASHAS SHOPPING CENTER, UNIT 2, located on the southwest corner of East Southern Avenue and South McClintock Drive in the PSC-1, Planned Shopping Center District.
September 23, 1971	City Council approved a General Plan of Development for BASHAS SHOPPING CENTER, UNIT 3, located on the southwest corner of East Southern Avenue and South McClintock Drive in the PSC-1, Planned Shopping Center District.
January 27, 1972	City Council approved an Amended General Plan of Development for BASHAS SHOPPING CENTER, UNIT 3, located on the southwest corner of East Southern Avenue and South McClintock Drive in the PSC-1, Planned Shopping Center District.
November 1, 1972	Building Inspection Department issued a certificate of occupancy for DISCOUNT TIRE COMPANY, located at 1709 East Southern Avenue in the PSC-1, Planned Shopping Center District.
January 8, 1976	City Council approved an Amended Final Plan of Development for BASHAS SHOPPING CENTER, located on the southwest corner of East Southern Avenue and South McClintock Drive in the PSC-1, Planned Shopping Center District.
April 10, 2003	City Council approved an Amended General and Final Plan of Development consisting of 96,932 s.f. on 8.31 net acres for WALGREENS (SGF-2002.83 / REC02084), located at 1745 East Southern Avenue in the PCC-1, Planned Commercial Center Neighborhood District.
August 16, 2007	City Council approved an Amended Final Subdivision Plat consisting of one (1) lot on 1.390 net acres for MCCLINTOCK & SOUTHERN PLAZA (PL060533 / SBD06016 / REC06068), located at 1717 East Southern Avenue in the PCC-1, Planned Commercial Center Neighborhood District.
May 15, 2008	City Council approved a Final Subdivision Plat consisting of two (2) lots on 2.96 net acres for MCCLINTOCK & SOUTHERN PLAZA 2 (PL080045 / SBD08005 / REC08008), located at 1709 East Southern Avenue in the PCC-1, Planned Commercial Center Neighborhood District.
August 26, 2020	Board of Adjustment granted a variance to increase the maximum lot coverage from fifty percent (50%) to seventy-five percent (75%) for DISCOUNT TIRE COMPANY (PL190191), located at 1709 East Southern Avenue in the PCC-1, Planned Commercial Center Neighborhood District.

ZONING AND DEVELOPMENT CODE REFERENCE:

Section 3-202 Permitted Uses in Commercial and Mixed-Use Districts
 Section 6-308 Use Permit



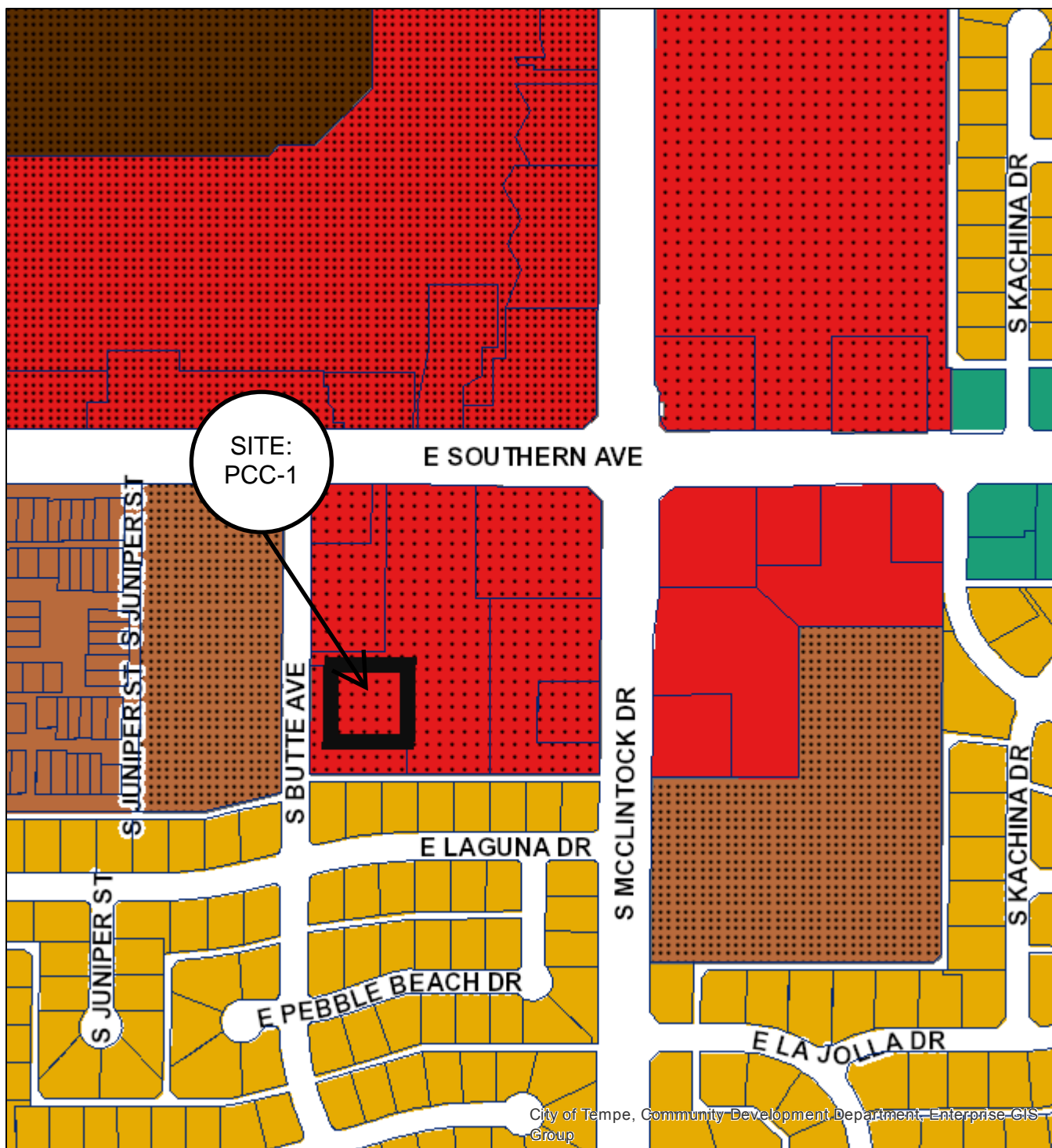
DEVELOPMENT PROJECT FILE
for
DISCOUNT TIRE COMPANY
(PL190191)





ATTACHMENTS:

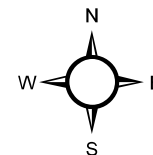
1. Location Map
2. Aerial
3. Letter of Explanation
- 4-5. Site Plan
6. Building Elevations
7. Floor Plan
- 8-11. Site Context Photos
- 12-17. Noise Study
- 18-20. Public Input

Discount Tire

PL190191



- | | |
|--|--|
|  Commercial Shopping and Services (CSS) |  Single-Family Residential (R1-6) |
|  Planned Commercial Center Neighborhood (PCC-1) |  Multi-Family Residential (R-2) |
|  Planned Commercial Center General (PCC-2) |  Multi-Family Residential Limited (R-3) |
|  Residential/Office (RO) |  Multi-Family Residential High (R-5) |

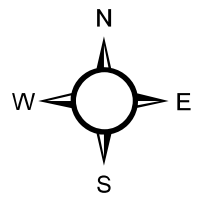


Discount Tire

PL190191



Aerial Map



City of Tempe, AZ
Community Development Department
Planning Division
31 East 5th St, Garden level
Tempe, AZ 85281
P: 757.664.6565

TRANSMITTAL

March 24th, 2020

DATE

Use Permit Application

ATTENTION

19505 – AZP 05 – Tempe, AZ
Letter of Explanation (Revised)

RE:



ARCHITECTURAL
RESOURCE
TEAM

Principals:

Doug McCord, AIA, LFA, LEEDap

Dev Pawar, AIA, EDAC, LFA, LEEDap

Erica Quintana

To whom it may concern,

At the time the store began operations in 1972, the use was permitted by right in the PSC-1 zoning district. However today's code requires us to apply for a use permit. We are proposing a 1,376 exterior addition to the existing building which would accommodate the growing operational requirements of the Discount Tire store and allow the business to meet consumer demand. The existing operational hours will not be effected by this expansion and will retain its usual hours from 8am to 6pm. Additionally the number of employees will also remain the same.

We don't foresee and significant change in the quality of life in the general vicinity as the proposed addition increases the building footprint by only 5% and the location of the addition would be at the South which faces the back lot of the commercial complex. This location is far away from the main commercial thoroughfares and any increase in emission of odor, dust, gas, noise, vibration, smoke, heat or glare would be negligible and would be propagate in an area with the least human activity. There will no adverse effects to the residences to the south as the garage bay doors will be facing west and any adverse effects to the apartments to west would be negligible.

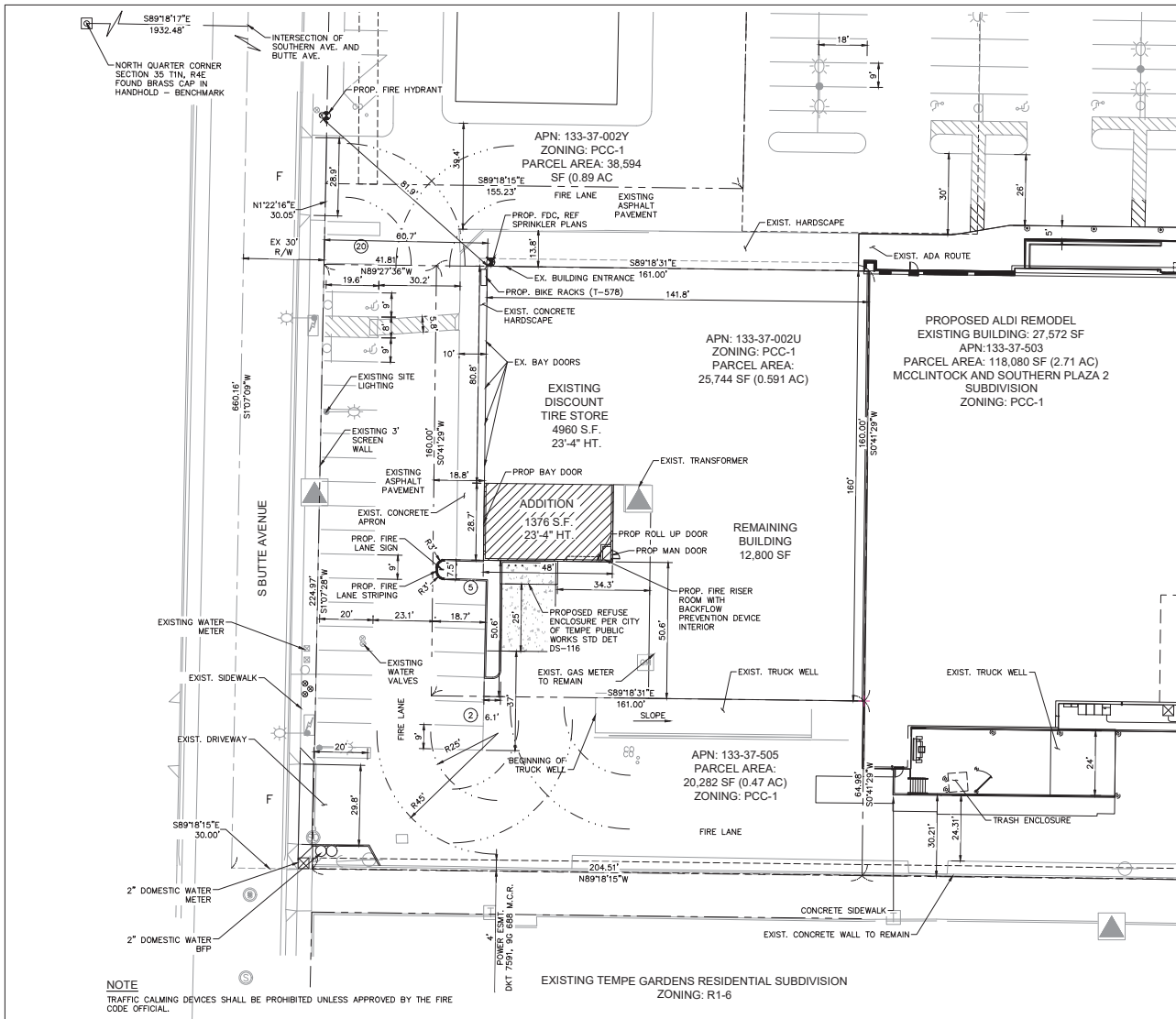
This addition will not impede upon existing fire lanes and vehicular circulation and would be compatible with the existing context as the adjacent commercial properties utilize this area for loading and off-loading. Furthermore, some landscape improvements have been added to improve the quality of life in the area of the property.

Sincerely,

Applicant: Quoc Truong
Architectural Designer
Architectural Resource Team
qtruong@art-team.com
480-463-0549

Architectural Resource Team, Inc.
1055 E Indian School Rd.
Phoenix, AZ 85014
V | 602.307.5399

www.art-team.com



CIVIL ENGINEER

KIMLEY-HORN AND ASSOCIATES, INC.
1001 W SOUTHERN AVE. SUITE 131
MESA, ARIZONA 85210
TEL: (480) 207-2666
FAX: (602) 944-7423
CONTACT: STERLING MARGETTS, PE
EMAIL: STERLING.MARGETTS@KIMLEY-HORN.COM

LEGAL DESCRIPTION

A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 4 EAST, GILA AND SALT RIVER BASE MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 35; THENCE SOUTH 1°07'30" WEST 660.00 FEET ALONG THE EAST LINE OF SAID SECTION 35; THENCE NORTH 89°18'15" WEST 455.75 FEET PARALLEL TO THE NORTH LINE OF SAID SECTION 35; THENCE NORTH 0°41'45" EAST 65.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°18'15" WEST 161.00 FEET; THENCE NORTH 0°41'45" EAST 160.00 FEET; THENCE SOUTH 0°41'45" WEST 160.00 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 0.5914 ACRES.

PROJECT DATA

ADDRESS: 1709 E. SOUTHERN AVE.
TEMPE, ARIZONA 85282
(APN: 133-37-002U)

EX. ZONING: PCC-1
PROP. USE: RETAIL TIRE STORE
PROP. NET/GROSS LOT AREA: 25,744 SF (0.591 AC)
BUILDING AREA:
EXISTING TIRE STORE 4,960 SF
ADDITION TIRE STORE 1,376 SF
EXISTING REMAINDER 12,800 SF
TOTAL AREA 19,136 SF
BUILDING HEIGHT: 23' 4" PARAPET (35' MAX)
CONSTRUCTION TYPE: 2-B
OCCUPANCY CLASSIFICATION: S-1 (NON-SEPARATED)
SPRINKLERS/FIRE ALARMS PROVIDED
LOT COVERAGE: 74.3% (19,136 SF / 25,744 SF) (50% MAX)
LANDSCAPE COVERAGE MIN: 15% OF SITE
LANDSCAPE AREA: 359 SF
LANDSCAPE COVERAGE: 1.4% (359 SF / 25,744)*
*DENOTES EXISTING LEGAL NON-CONFORMING

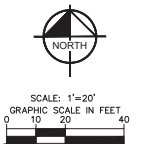
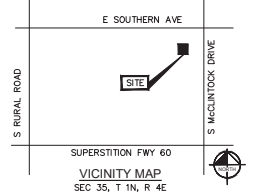
SETBACKS:	REQUIRED	PROVIDED
FRONT (WEST) BUILDING WALL	0'	18.8'
PARKING	20'	0*
SIDE (NORTH) BUILDING WALL	30'	0*
SIDE (EAST) COMMON WALL	0'	0'
REAR (SOUTH) BUILDING WALL	30'	0*

PROJECT DESCRIPTION: THE PROJECT WILL CONSIST OF 1,376 SF OF BUILDING ADDITION AND 955 SF OF INTERIOR RENOVATION OF THE EXISTING DISCOUNT TIRE CENTER.
LANDSCAPE: EXISTING LANDSCAPING TO REMAIN AND BE RESTORED AS NECESSARY
UTILITIES: ADDITION OF FIRE LINE SERVICE, FIRE HYDRANT, AND RELOCATION OF ELECTRICAL LINE TO TRANSFORMER.
RETENTION: NO CHANGES TO THE EXISTING DRAINAGE ON SITE ARE ANTICIPATED

PARKING SUMMARY - DISCOUNT TIRE SITE

REQUIRED PARKING RATIO	1 SPACE PER 300 SF	19,136 SF/300 SF = 64 SPACES
INDIVIDUAL PARKING:	REQUIRED	PROVIDED
STANDARD	62	5 (57 PROVIDED OFF-SITE*)
ACCESSIBLE PER ADA	2	0 (2 PROVIDED OFF-SITE*)
TOTAL PARKING	64	5 (59 PROVIDED OFF-SITE*)
REQUIRED BICYCLE PARKING	1 SPACE PER 10,000 SF, 2 SPACE MIN	19,173 SF/10,000 SF = 2 SPACES
BICYCLE PARKING:	REQUIRED	PROVIDED
	2	2

* OFF-SITE PARKING PROVIDED WITH MASTER SITE PLAN RECORDED IN MARICOPA COUNTY DOCKET 9923, PAGE 117.



DISCLAIMER:	NO.	REVISION	DATE
THIS DRAWING IS AN INSTRUMENT OF SERVICE AND THE PROPERTY OF DISCOUNT TIRE COMPANY AND SHALL REMAIN SUCH. THE USE OF THIS DRAWING SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH IT WAS PREPARED. PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH.			

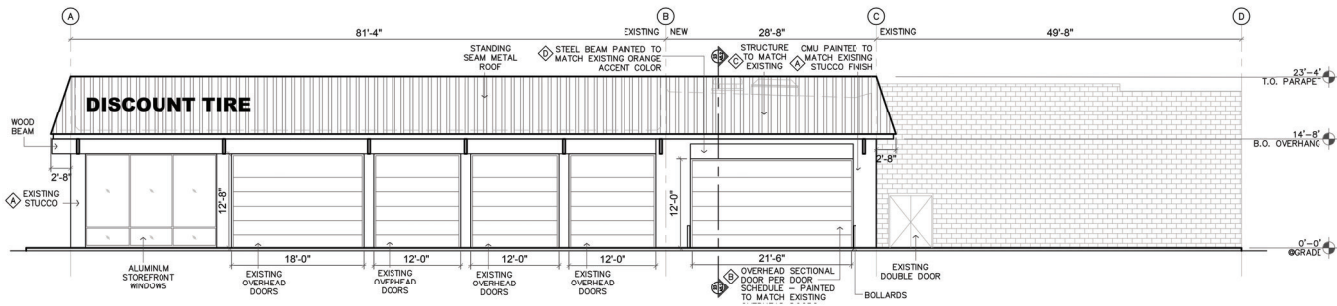
Kimley»Horn
1001 WEST SOUTHERN AVE, SUITE 131
MESA, ARIZONA 85210 (480) 207-2666



AZP 05
SWC OF SOUTHERN AVENUE
AND MCLINTOCK DRIVE
TEMPE, ARIZONA

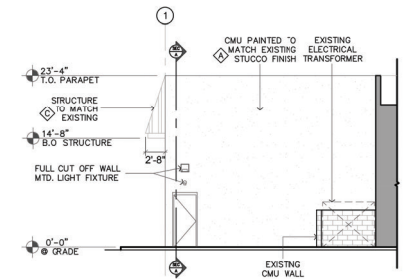
JOB NUMBER:
PROJECT MANAGER:
STERLING MARGETTS, P.E.
DRAWN BY:
BMC
REVIEWED BY: DATE:
STM 5/28/2020

SHEET TITLE:
SITE PLAN
SHEET DESIGNATION:
SP1
SHEET NUMBER:
1 OF 2



WEST ELEVATION

SCALE: 1/8" = 1'-0"



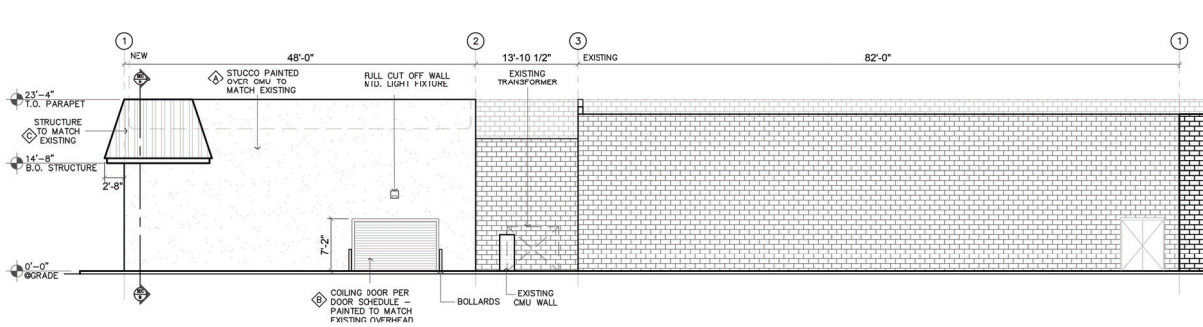
EAST ELEVATION

SCALE: 1/8" = 1'-0"



NORTH ELEVATION

SCALE: 1/8" = 1'-0"

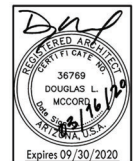


SOUTH ELEVATION

SCALE: 1/8" = 1'-0"

FINISH LEGEND

- COLOR / PAINT NOTES:**
- ◇ SW 774E "GREEN EARTH", STUCCO PAINTED OVER CMU TO MATCH EXISTING STUCCO WALL
 - ◇ SW 616S "CONNECTED GRAY", PAINT TO MATCH EXISTING OVERHEAD SECTIONAL DOORS
 - ◇ SW 789S "CUPOLA YELLOW", PAINT TO MATCH EXISTING STANDING SEAM METAL ROOF.
 - ◇ SW 280I "ROOKWOOD TERRACOTTA", PAINT TO MATCH EXISTING OVERHEAD SECTIONAL DOORS



REV. 1
 DATE: 05.09.2019
 JOB No.: AZP 05
 DRAWN BY: QT



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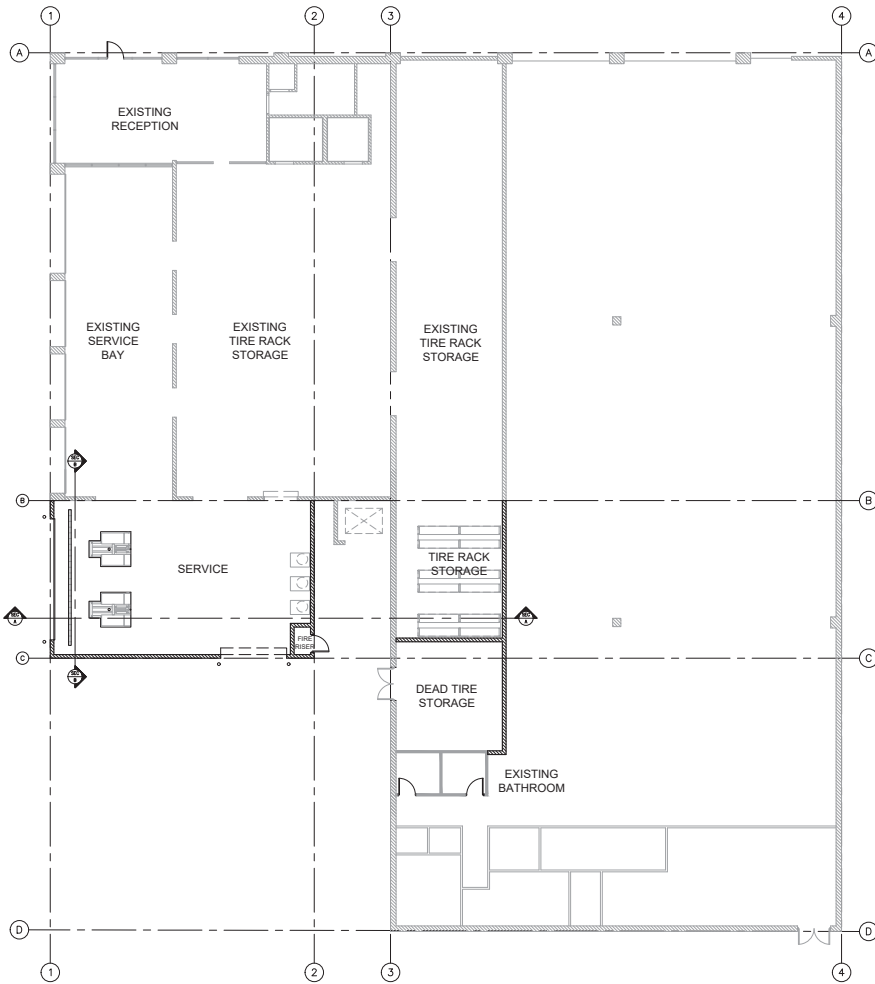
CONCEPTUAL ELEVATIONS

1709 E. SOUTHERN AVE.
 TEMPE, AZ 85282



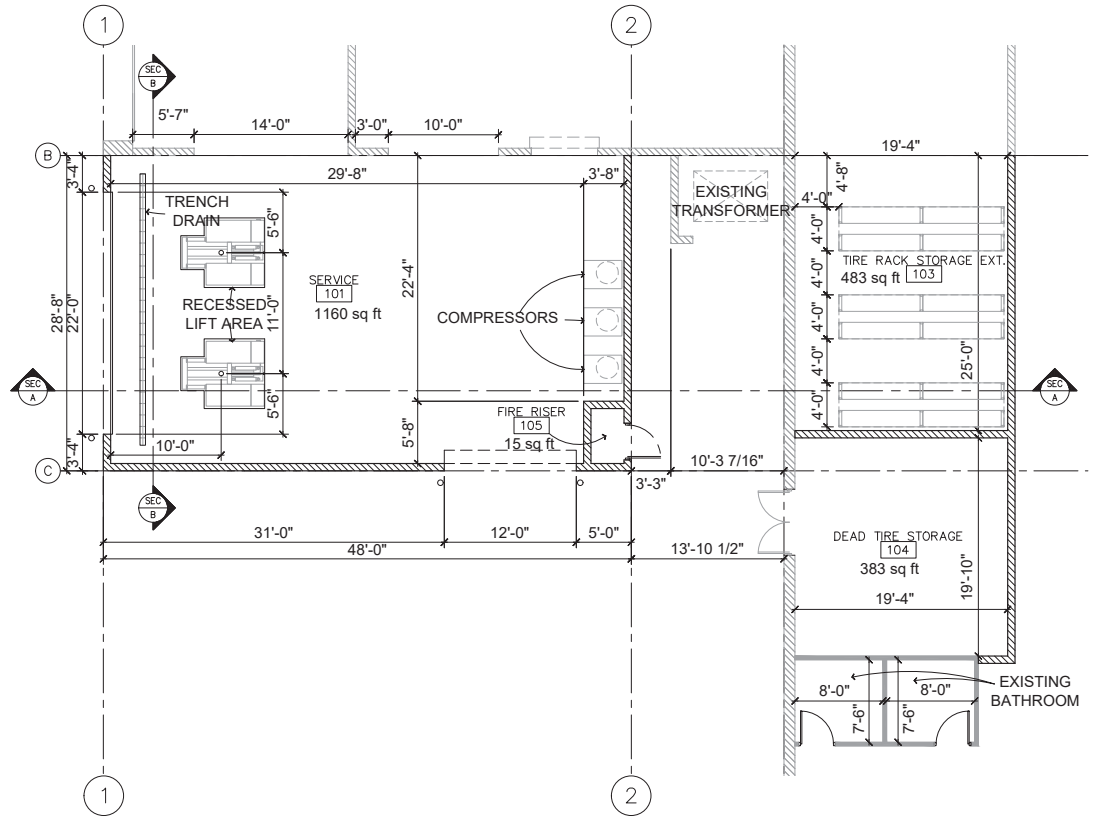
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 phoenix, az 85014
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Sheet No.



NEW 8" x 8" x 16" CMU WALL
EXISTING CMU WALL

NORTH
FLOOR PLAN
SCALE: $\frac{3}{32}'' = 1'-0''$



NORTH
FLOOR PLAN - ENLARGED
SCALE: $\frac{3}{16}'' = 1'-0''$

REV. 0
DATE: 06/01/2020
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CONCEPTUAL FLOOR PLANS
1709 E SOUTHERN AVE, TEMPE, AZ 85282

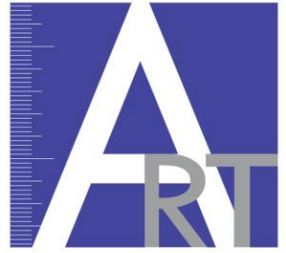


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phoenix, az 85014
602-307-5399 | v
www.artteam.com

Sheet No.

Discount Tire Store
AZP 05 - Tempe, Arizona
address: 1709 E Southern Ave
Tempe, AZ 85282

Context Photos



ARCHITECTURAL
RESOURCE
TEAM

Principals:

Doug McCord, AIA, LFA, LEEDap

Dev Pawar, AIA, EDAC, LFA, LEEDap

Erica Quintana

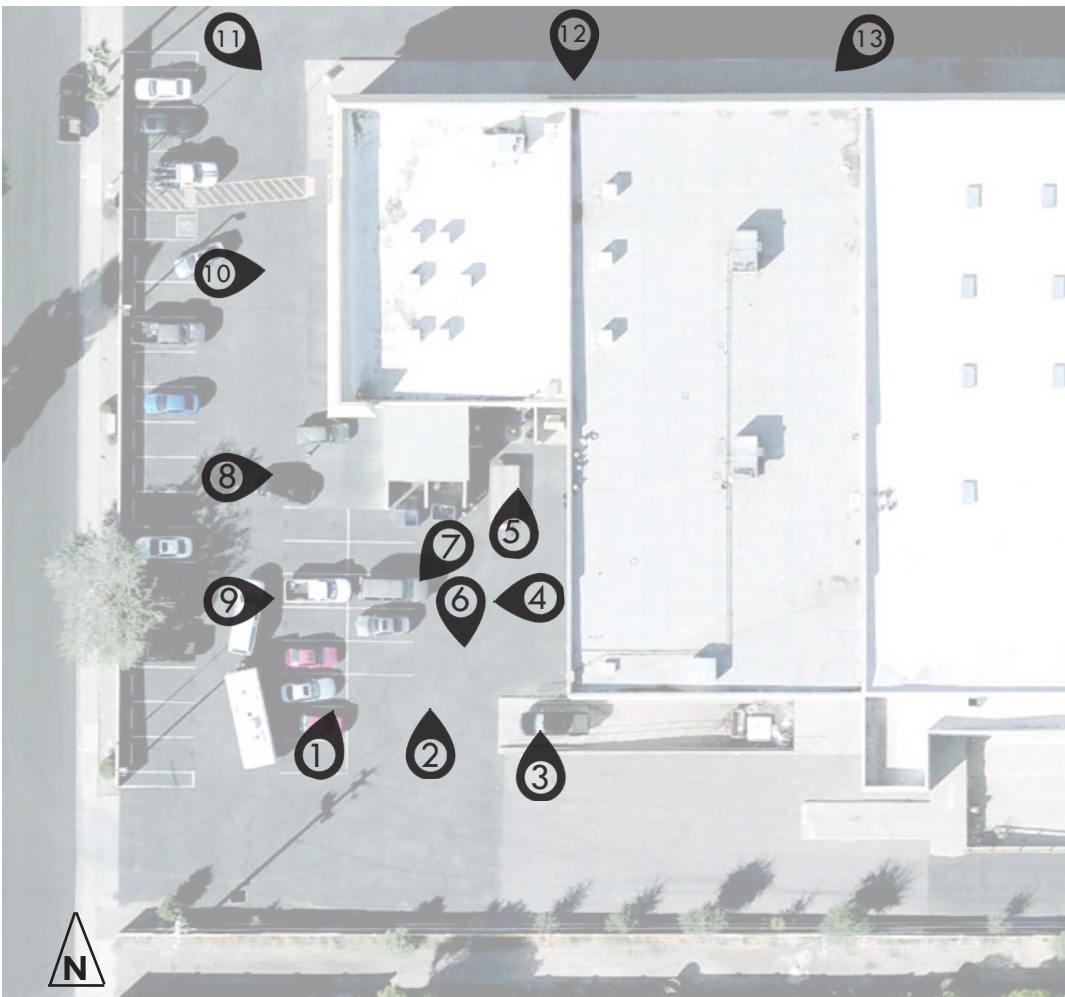


Photo Location Map

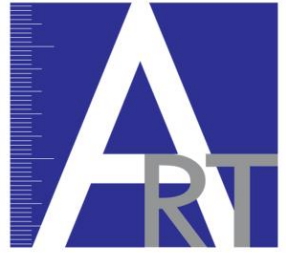
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Phoenix, AZ 85014
V | 602.307.5399

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Just.



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ARCHITECTURAL
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Dev Pawar, AIA, EDAC, LFA, LEEDap

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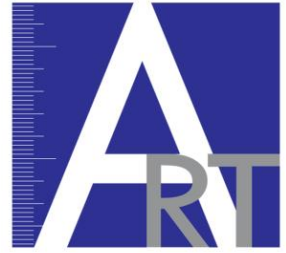
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ARCHITECTURAL
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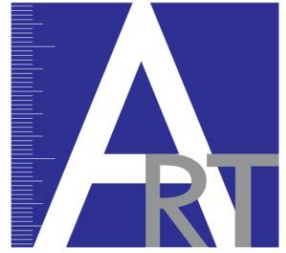
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Phoenix, AZ 85014
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11



ARCHITECTURAL
RESOURCE
TEAM

Principals:

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Dev Pawar, AIA, EDAC, LFA, LEEDap

Erica Quintana



12



13

Architectural Resource Team, Inc.
1055 E Indian School Rd.
Phoenix, AZ 85014
V | 602.307.5399

www.art-team.com

Just.



Architectural Resource Team
Attn: Quoc Troung
1055 E Indian School Rd
Phoenix, AZ 85014

August 24, 2020

Dear Quoc,

ACS has been asked to assess the potential noise impact from the proposed expansion of the Discount Tire (1709 E Southern Ave, Tempe) to the neighboring residential properties.

TECHNICAL TERMS:

Ambient- Typical background noise associated with a given environment excluding the specific noise under investigation and the transient noise from isolated identifiable sources.

Decibel - A unit for measuring the intensity of sound. The human hearing range is from 0 dB (the theoretical threshold of audibility) to 130 dB (the average pain threshold). {The sound pressure level in decibels is equal to 10 times the logarithm (to the base 10) of the ratio between the pressure squared divided by the reference pressure squared. The reference pressure used in acoustics is 20 microPascals.}

dBA - Sound pressure level expressed in decibels, filtered or weighted at the various frequencies to approximate the response of the human ear.

Changes in Intensity Level, dBA	Changes in Apparent Loudness
1	Almost imperceptible
3	Barely/Just noticeable
5	Clearly noticeable
10	Twice (or half) as loud

TEMPE NOISE STANDARDS:

Sec. 20-6. - Allowable noise levels.

a) *It is unlawful for any person to create any noise which would cause the noise level measured at either the property line or the area of the property affected by the noise emission to exceed the following community noise standards:*

<i>Zone</i>	<i>Time</i>	<i>Noise Standard dB(A)</i>
<i>Residential</i>	<i>10:00 p.m.—7:00 a.m.</i>	<i>45</i>
	<i>7:00 a.m.—10:00 p.m.</i>	<i>55</i>

b) *If the ambient noise level in any zoning district is measured and found at any time to be in excess of the community noise standards described in subsection (a) of this section, then the actual ambient noise level will be the community noise standard.*

e) *A noise level which exceeds the community noise standard by five (5) dB(A) or more, when measured at the affected area, the nearest property line, or, in the case of multiple-family residential buildings, when measured anywhere in one (1) dwelling unit with respect to a noise emanating from another dwelling unit or from common space in the same building, shall be deemed a prima facie violation of this chapter.*

ACS has been informed that the hours of operation are 8am-6pm. Therefore, the daytime noise limit (55 dBA) would apply.

SITE EXPANSION:

ACS has been informed that the proposed expansion will increase the 4 cars capacity to 6 cars. The new service bay will be south of the existing bays. (See attached Site Plan). ACS has also been informed that the compressor(s) will be enclosed in its own space. This will reduce (likely eliminate) the potential compressor noise impact to the neighbors.

FINDINGS:

Ambient Noise - Ambient noise level measurements were performed per the City of Tempe requirements. The measurements were performed at The Gallery Apartments directly across the street from the site. (Location “A” on the Measurement Location exhibit):

Day/Time	Ambient		
	Minimum	“Average”	Maximum
Sunday (8/9/20) ~11am	40.6 dBA	55.7 Leq(15)	77.3 dBA
Tuesday (8/11/20) ~7pm	42.9 dBA	66.6 Leq(15)*	93.8 dBA*
Tuesday (8/18/20) ~7pm	45.3 dBA	54.7 Leq(15)	73.0 dBA

*NOTE: The 8/11 measurements should not be valid due to one excessively loud (94 dBA) vehicle.

Although the “average” ambient noise level was approximately 55.7 Leq (not including the 94 dBA vehicle), any time a single vehicle passed this area (on Butte Ave) the noise level was 58-70 dBA at the apartments. The majority of the single car events exceeded 63 dBA. Buses (which passed by every few minutes) measured 73-75 dBA.

Potential Noise Level Change Due to the Expansion

The potential noise level from the expansion (2 service bays) will be less than the existing operation (4 services bays). When added to the existing operation, the combined potential noise level will increase by a virtually imperceptible amount to the closest residential properties.

Distance – In general, the noise level will decrease by 6 decibels for every doubling of the distance (or increase by 6 decibels for every halving of the distance). The new bay will not be any closer to The Gallery Apartments (to the west). There will be no increase in the noise level due to distance from these apartments.

The new bay will be closer to the single-family homes to the south. The distance to the closest home will decrease from approximately 162’ (currently) to approximately 132’ (proposed). This would increase the potential noise impact by 1.8 decibels. However, these homes are protected by the orientation of the bays. The bay doors open to the west. The homes to the south are shielded by the exterior wall of the building. Additionally, these homes are shielded by the property-line wall and their own wall.

Increased Number of Noise Sources – In general, the noise level increases by 3 decibels for every doubling of the power (number of noise sources - assuming they are the same noise level). Therefore, the overall/average noise level could increase by as much as 1.8 decibels by increasing the number of noise sources from 4 to 6. However, since the equipment in a tire shop is typically only used for a few seconds at a time (and rarely exactly simultaneously), the maximum noise should not change due to the expansion.

Combined Increase – The potential noise increase to the apartments is 1.8 decibels. This is a virtually imperceptible increase. The potential noise increase to the homes to the south is theoretically 3.6 decibels (approximately “barely” or “just” perceptible). However, since the maximum noise for each service bay is not constant, the more likely increase to the homes to the south is approximately 1.8 decibels.

NOISE MITIGATION OPTIONS:

For other tire shop noise studies, the “blaster” was the noisiest piece of equipment. Typically, the “blaster” is located within the service bays. At this location, the “blaster” is located in the back room – substantially reducing the potential noise impact. Additionally, ACS has been informed that the compressor(s) will be enclosed in their own space. This will reduce (likely eliminate) the potential compressor noise impact to the neighbors.

To help protect the apartments to the west, consider raising the height of the property-line barrier wall. However, it is my understanding that a higher wall might not be allowed by the City.

I am not aware of any other feasible and effective noise mitigation options.

CONCLUSIONS:

- The potential noise increase to the closest residential property (the apartments) is 1.8 decibels. This is a virtually imperceptible increase.
- The potential noise increase to the homes to the south is theoretically 3.6 decibels (a 3-decibel increase is subjectively classified as “barely” or “just” perceptible). However, since the maximum noise for each service bay is not constant, the more likely increase to the homes to the south is approximately 1.8 decibels (a virtually imperceptible increase).

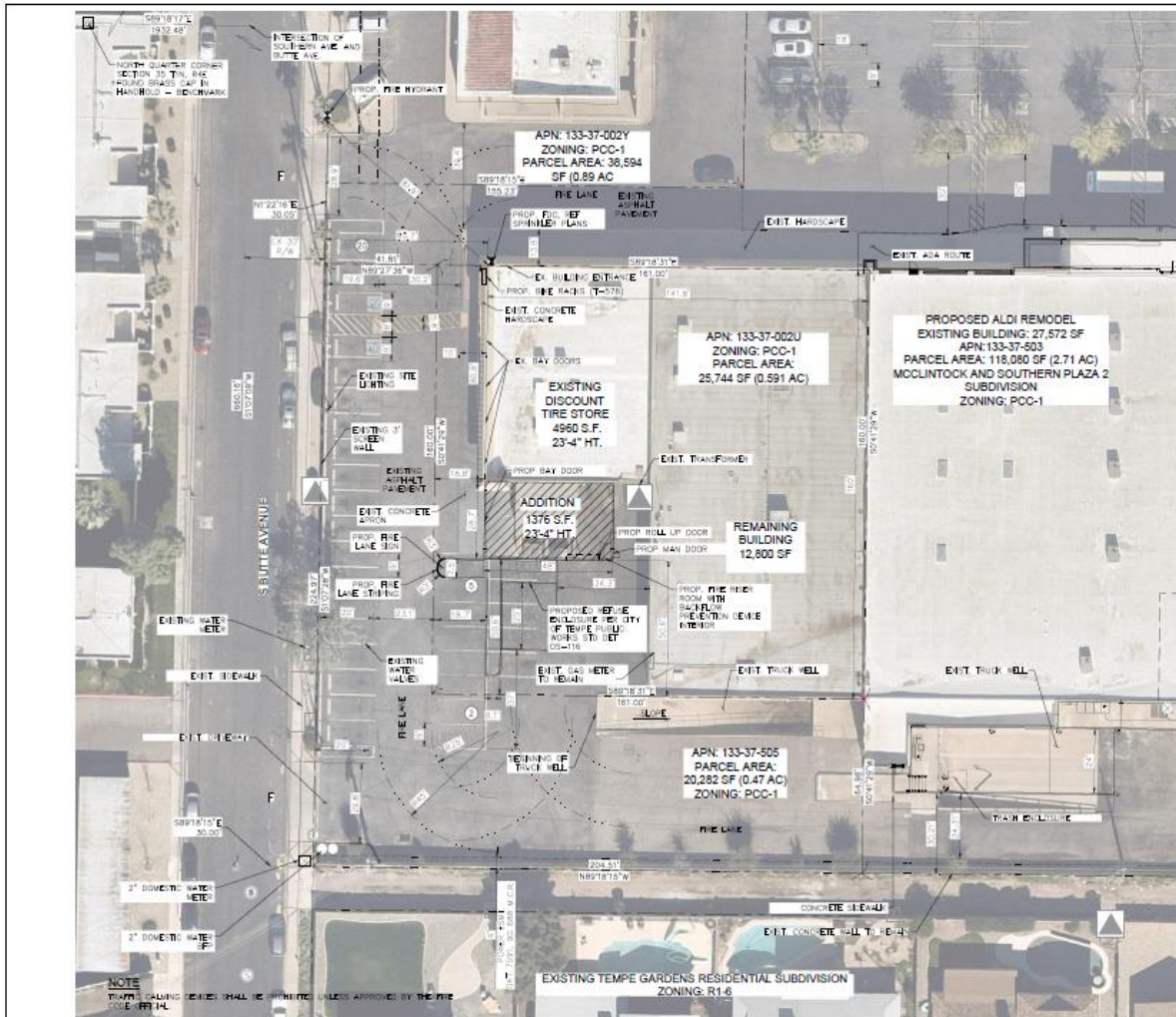
Please contact me if you have any questions or need additional information.

Respectfully,



Tony Sola
Acoustical Consulting Services

Site Plan



CIVIL ENGINEER

KIMLEY-HORN AND ASSOCIATES, INC.
 1001 W. SOUTHERN AVE. SUITE 131
 MESA, ARIZONA 85210
 TEL: (480) 207-2888
 FAX: (602) 944-7423
 CONTACT: STEVEN MARGRETT, P.E.
 EMAIL: STEVEN.MARGRETT@KIMLEY-HORN.COM

LEGAL DESCRIPTION

A PORTION OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 4 EAST, GILA AND SALT RIVER BASE MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 35; THENCE SOUTH 107°30' WEST 660.00 FEET ALONG THE EAST LINE OF SAID SECTION 35; THENCE NORTH 89°15' WEST 405.75 FEET PARALLEL TO THE NORTH LINE OF SAID SECTION 35; THENCE NORTH 01°40' EAST 650.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°15' WEST 161.00 FEET; THENCE NORTH 01°40' EAST 180.00 FEET; THENCE SOUTH 01°40' WEST 180.00 FEET TO THE TRUE POINT OF BEGINNING. CONTAINS 0.5914 ACRES.

PROJECT DATA

ADDRESS: 1309 E. SOUTHERN AVE
 TEMPE, ARIZONA 85282
 (APN:133-37-002U)

EX. ZONING: PCC-1
PROP. USE: RETAIL THE STORE
PROP. NET/GROSS LOT AREA: 25,744 SF (0.591 AC)

BUILDING AREA:
 EXISTING THE STORE 4,980 SF
 ADDITION THE STORE 1,376 SF
 EXISTING GARAGES 25,800 SF
TOTAL AREA: 18,136 SF

BUILDING HEIGHT: 23' 4" PARAPET (30' MAX)
CONSTRUCTION TYPE: 2-B
OCCUPANCY CLASSIFICATION: S-1 (NON-SEPARATED)
SPRINKLERS/FIRE ALARMS PROVIDED:
LOT COVERAGE: 74.3% (18,136 SF / 25,744 SF) (50% MAX)
LANDSCAPE COVERAGE MIN: 15% OF SITE
LANDSCAPE AREA: 359 SF
LANDSCAPE COVERAGE: 1.4% (359 SF / 25,744)

***NOTES EXISTING LEGAL NON-CONFORMING**

SETBACKS	REQUIRED	EXISTING
FRONT (WEST)	0'	18'5"
BUILDING WALL	0'	0'
PARKING	20'	0'
SIDE (NORTH)	30'	0'
BUILDING WALL	30'	0'
SIDE (EAST)	0'	0'
COMMON WALL	0'	0'
REAR (SOUTH)	30'	0'
BUILDING WALL	30'	0'

***NOTES EXISTING LEGAL NON-CONFORMING**

PROJECT DESCRIPTION:

THE PROJECT WILL CONSIST OF 1,376 SF OF BUILDING ADDITION AND 300 SF OF INTERIOR RENOVATION OF THE EXISTING DISCOUNT THE STORE.

LANDSCAPE:

EXISTING LANDSCAPING TO REMAIN AND BE RESTORED AS NECESSARY.

UTILITIES:

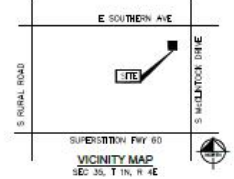
ADDITION OF FIRE LINE SERVICE, FIRE HYDRANT, AND RELOCATION OF ELECTRICAL LINE TO TRANSFORMER.

RETENTION:

NO CHANGES TO THE EXISTING DRAINAGE ON SITE ARE ANTICIPATED.

PARKING SUMMARY - DISCOUNT THE STORE

REQUIRED PARKING RATIO	1 SPACE PER 300 SF	18,136 SF/300 SF = 60 SPACES
INDIVIDUAL PARKING STANDARD	REQUIRED: 62	PROVIDED: 64
ACCESSIBLE PER ADA	REQUIRED: 2	PROVIDED: 0 (2 PROVIDED OFF-SITE)
TOTAL PARKING	64	64 (59 PROVIDED OFF-SITE)
* OFF-SITE PARKING PROVIDED WITH MASTER SITE PLAN RECORDED IN MARICOPA COUNTY DISTRICT 9923, PAGE 117.		
REQUIRED BICYCLE PARKING	1 SPACE PER 10,000 SF, 2 SPACE MIN	18,136 SF/10,000 SF = 2 SPACES
BICYCLE PARKING	REQUIRED: 2	PROVIDED: 2



VICINITY MAP
 SEC. 35, T. 1N, R. 4E

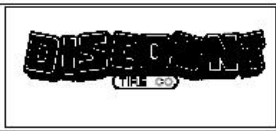


LEGEND
 ○ PARKING SPACE COUNT
 - - - FULL ACCESS DRIVEWAY
 ——— PROPERTY LINE



DATE	DESCRIPTION	BY

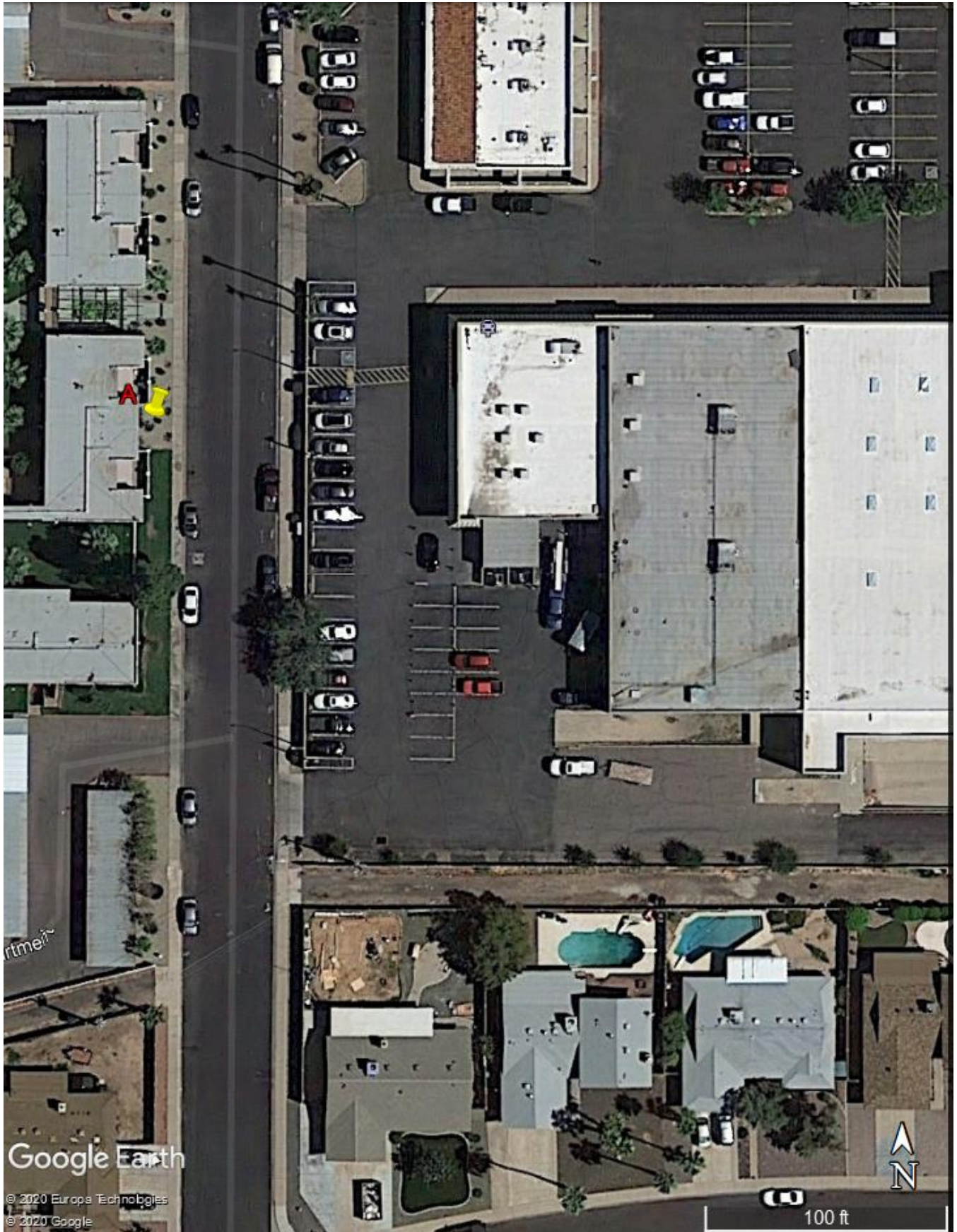
Kimley»Horn
 1001 WEST SOUTHERN AVE. SUITE 131
 MESA, ARIZONA 85210 (480) 207-2888



AZP 05
SWG OF SOUTHERN AVENUE AND MCCLINTOCK DRIVE
 TEMPE, ARIZONA

JOB NUMBER:	
PROJECT MANAGER:	STEVEN MARGRETT, P.E.
DRAWN BY:	SMC
REVIEWED BY:	DATE: 5/28/2020
PROJECT TITLE:	SITE PLAN
SHEET IDENTIFICATION:	SP1
SHEET NUMBER:	1 OF 2

Measurement Location



Jimenez, Lee

From: Pierre Côté <pcote@sheinergroup.com>
Sent: Monday, August 10, 2020 11:23 AM
To: Jimenez, Lee
Cc: Germain Villeneuve (GVilleneuve@livingwellhomes.com)
Subject: RE: File 19505 - AZP 05 - Parcel 133-37-002U

Lee,

To be clear, we have no problem that the building be expanded for the existing usage. Our problem is more with the way they operate and the noise they generate outside of their property.

I also understand that their phone line would be connected to an outdoor speaker, so that every time the phone rings you hear it from our property...

Thanks.

Pierre

From: Jimenez, Lee [mailto:Lee_Jimenez@tempe.gov]
Sent: Monday, August 10, 2020 2:05 PM
To: Pierre Côté
Cc: Germain Villeneuve (GVilleneuve@livingwellhomes.com); Abrahamson, Steve
Subject: RE: File 19505 - AZP 05 - Parcel 133-37-002U

Mr. Cote,

Thank you for your comments. I will add this email to the record.

Sincerely,

Lee Jimenez



LEE JIMENEZ
Senior Planner
Community Development, Planning Division
31 East 5th Street Tempe, Arizona 85281
Direct Phone: 480.350.8486 Email: Lee_Jimenez@tempe.gov
Web: <http://www.tempe.gov/planning>

From: Pierre Côté <pcote@sheinergroup.com>
Sent: Monday, August 10, 2020 11:01 AM
To: Abrahamson, Steve <Steve_Abrahamson@tempe.gov>; Jimenez, Lee <Lee_Jimenez@tempe.gov>
Cc: Germain Villeneuve (GVilleneuve@livingwellhomes.com) <GVilleneuve@livingwellhomes.com>
Subject: RE: File 19505 - AZP 05 - Parcel 133-37-002U

Thanks Steve, I appreciate.

Pierre

From: Abrahamson, Steve [mailto:Steve_Abrahamson@tempe.gov]
Sent: Monday, August 10, 2020 2:00 PM
To: Jimenez, Lee
Cc: Germain Villeneuve (GVilleneuve@livingwellhomes.com); Pierre Côté
Subject: RE: File 19505 - AZP 05 - Parcel 133-37-002U

Good Morning Mr. Côté,

I am forwarding your message to Lee Jimenez who is the Planner of record for the Discount Tire request. Lee will be responding to you and will provide your concerns to the Board of Adjustment at the hearing. Thank you.

Regards,

Steve Abrahamson
Principal Planner

City of Tempe
Community Development
Planning Division
31 East 5th Street
Tempe, AZ 85281

480.350.8359

Steve_abrahamson@tempe.gov



From: Pierre Côté <pcote@sheinergroup.com>
Sent: Monday, August 10, 2020 8:26 AM
To: Abrahamson, Steve <Steve_Abrahamson@tempe.gov>
Cc: Germain Villeneuve (GVilleneuve@livingwellhomes.com) <GVilleneuve@livingwellhomes.com>
Subject: File 19505 - AZP 05 - Parcel 133-37-002U

Steve,

I am not sure you are the right person for this email but I trust you will forward it to the urban planner in charge of that file.

We are writing today concerning an expansion project for a Discount Tire located at 1709 E Southern Avenue – file presented by Architectural Resource Team/Quoc Truong. We are the owners and operators of the 88-unit rental community called The Gallery, located directly across Butte Avenue.

We already suffer from great noise pollution from Discount Tire as they operate with the garage doors open all day. Noise from their high speed drills is constant and is disruptive to our residents – units and balconies fronting Butte Avenue.

We oppose any additional noise that may negatively affect our residents ability to enjoy a peaceful life.

Our property and the residents have already been impacted with the approval of the Clean Freak car wash at 1604 E Southern Avenue last year. The constant loud sound from the vacuum system is disruptive and also hinders our ability to rent our apartments located on Southern Avenue.

We ask that you intervene in this matter and think of the well-being of these residents whom now, more than ever in these pandemic times are at home all day and deserve peace and quiet.

The undersigned and Germain Villeneuve ([REDACTED]) remain available for any questions.

Thanks for your collaboration.



Pierre Côté *Director of Development, Living Well Homes*

Tel: [REDACTED] | Cell: [REDACTED]

Address: 4119 Sherbrooke Street West, Westmount, QC H3Z 1A7

pcote@sheinergroup.com | <http://www.livingwellhomes.com>

