BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: September 18, 2018

Title: P18SP00001 FHM Partners, LLC – Foothills Mall Specific Plan Rezoning

Introduction/Background:

The applicant requests a 51-acre rezoning from CB-1 (Local Business) and CB-2 (General Business) zones to the SP (Foothills Mall Specific Plan) zone for a live/work/play and hospitality re-development of the Foothills Mall.

Discussion:

Current CB-1 and CB-2 zoning allows for the existing commercial and retail uses. The proposed specific plan provides the flexibility of a phased re-development of the site, meeting all concurrency standards in each phase and contains the specific development standards for the plan.

Conclusion:

The specific plan conforms to the comprehensive plan designation of the Community Activity Center (CAC) because CAC plans for medium and higher-intensity mixed-uses designed to provide a full range of goods and services, offices, hotels, and medium to higher-density housing.

Recommendation:

Staff recommends approval of the specific plan subject to standard and special conditions (to be incorporated into the specific plan). The Planning and Zoning Commission also recommends approval subject to standard and special conditions (to be incorporated into the specific plan).

Fiscal Impact:

Board of Supervisor District:

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

Department: Development Services - Planning Telephone: 520-724-9000

Contact: Terrill L. Tillman - Principal Planner Telephone: 520-724-6921

Department Director Signature/Date: 8/28/18

Deputy County Administrator Signature/Date: 8/30/18

County Administrator Signature/Date: C. Bahelbury 8/31/18

PIMA COUNTY

DEVELOPMENT SERVICES

TO: Honorable Ally Miller, Supervisor, District 1

FROM: Chris Poirier, Deputy Director
Public Works-Development Services Department-Planning Division

DATE: August 28, 2018

SUBJECT: **P18SP00001 FHM PARTNERS, LLC – FOOTHILLS MALL SPECIFIC PLAN REZONING**

The above referenced Specific Plan Rezoning is within your district and is scheduled for the Board of Supervisors' **TUESDAY, SEPTEMBER 18, 2018** hearing.

REQUEST: For a **rezoning** of approximately 51 acres of the Foothills Mall from the CB-1 (Local Business) and CB-2 (General Business) zones to the SP (Foothills Mall Specific Plan) zone located approximately 450 feet north of the northwest corner of W. Ina Road and N. La Cholla Boulevard.

OWNERS: FHM Partners, LLC
Attn: Ginamarie K Spencer Mendelsohn Oseran & Spencer PLC
2525 W. Broadway Boulevard, Ste. 201
Tucson, AZ 85745

AGENT: Lazarus, Silvyn & Bangs, P.C., Attn: Keri Silvyn
5983 E. Grant Road, Ste. 110
Tucson, AZ 85712

DISTRICT: 1

STAFF CONTACT: Terrill Tillman

PUBLIC COMMENT TO DATE: As of August 28, 2018, staff has received 12 letters of support, 1 letter of concern and 13 letters of protest. Of the public comments received, 1 letter of support and 9 letters of protest were submitted after the Planning and Zoning Commission meeting of August 8, 2018 mostly concerned with traffic and the planned height of 10-stories.

PLANNING & ZONING COMMISSION RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS (TO BE INCORPORATED INTO THE SPECIFIC PLAN DOCUMENT) (9 – 0, Commissioner Bain was absent).

STAFF RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS (TO BE INCORPORATED INTO THE SPECIFIC PLAN DOCUMENT).

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM DESIGNATIONS: The subject property is located outside the Maeveen Marie Behan Conservation Land System (MMBCLS).

TD/TT/ar
Attachments

PIMA COUNTY
DEVELOPMENT SERVICES

BOARD OF SUPERVISORS MEMORANDUM

Subject: P18SP00001

FOR SEPTEMBER 18, 2018 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Chris Poirier, Deputy Director Tom Drazgowski
Public Works-Development Services Department-Planning Division

DATE: August 28, 2018

ADVERTISED ITEM FOR PUBLIC HEARING

SPECIFIC PLAN REZONING

P18SP00001 FHM PARTNERS, LLC – FOOTHILLS MALL SPECIFIC PLAN REZONING
Request of FHM Partners, LLC, represented by Lazarus, Silvyn & Bangs, P.C., for a **rezoning** of approximately 51 acres of the Foothills Mall from the CB-1 (Local Business) and CB-2 (General Business) zones to the SP (Foothills Mall Specific Plan) zone, parcel codes 225-44-315A, 225-44-316B, 225-44-316C, 225-44-317D, 225-44-318B, 225-44-319A, 225-44-319D, 225-44-320A, 225-44-320B, 225-44-320C, 225-44-321D, 225-44-321E, 225-44-321F, 225-44-321G, 225-44-321H, 225-44-321J, 225-44-322B, 225-44-323B, 225-44-324A, 225-44-324C, 225-44-324D and 225-43-018Q located approximately 450 feet north of the northwest corner of W. Ina Road and N. La Cholla Boulevard. The proposed specific plan rezoning conforms to the Pima County Comprehensive Plan Community Activity Center designation. **On motion, the Planning and Zoning Commission voted 9-0 to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS (TO BE INCORPORATED INTO THE SPECIFIC PLAN DOCUMENT)** (Commissioner Bain, was absent). Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS (TO BE INCORPORATED INTO THE SPECIFIC PLAN DOCUMENT).**
(District 1)

Planning and Zoning Commission Public Hearing Summary (August 8, 2018)

Staff presented information from the staff report to the commission with a recommendation of approval with conditions.

A commissioner asked what constitutes a distribution center. Staff replied that distribution centers conduct business within a building and typically have delivery vehicles and trucks outside. Staff discussed whether the use of a distribution center with a retail and entertainment venue are connected.

A commissioner questioned whether the applicants would have to come back before the Board of Supervisors for changes to the Specific Plan. Staff replied that the Specific Plan is planned for all CB-2 uses which are typically retail but does allow for outdoor uses which have been incorporated into the plan. Staff replied that the outdoor uses for the entertainment, gathering places and musical venues are encouraged to make this a live/work/play development and discussed that this is the time for the Commission to consider the proposed uses. Staff clarified that the applicant should not have to come back to the Board of Supervisors because they have built in variety of potential uses with flexible concept plans.

A commissioner questioned the connection to the Loop. Staff replied that the location of the connection that has been discussed is west to Mona Lisa traveling north to and through the Pima County Park or north to Magee Road and Shannon Road connecting to the Canada del Oro by possibly cutting through some common or drainage area within the park. A commissioner asked who would pay for the connection to the loop. Staff replied that it is undetermined at this time.

The applicant's representative presented additional information for the proposed re-development. The applicant discussed the flexibility that has been built into the specific plan and how this infill development opportunity is unique because of the developed environment and existing infrastructure. She discussed that the specific plan lists many policies from the comprehensive plan that support the proposal.

The developer discussed some successful local re-development of strip retail and how they are encouraged to be a part of such a dynamic project that creates a sense of place and a true utilization of the already improved property. Significant research into projects such as Santana Row, Legacy West, Kierland Commons in the corridor of Scottsdale and the Domain in Austin, Texas that demonstrate the successful infusion of the live/work/play and hospitality environments were key in developing the specific plan.

The applicant's representative presented the attached article that discusses designing for the next generation of shoppers and the repositioning of malls to create the urbanized experience along with the potential for addressing the changes of our relationship to vehicles in the future traffic studies that will be completed for the site. She discussed that the grade of the property is lower than the roadway grade which is significant when you consider the height of the structures and presented the pictorials included within the site analysis that demonstrate the height and some of the possible uses. The distribution center use is called "the last mile" and is a 30,000 square-foot structure meant to distribute online purchases to the local neighborhoods. It is not the high intensity, huge trucks coming into the site, it is the last mile, a new concept that does not generate the traffic of a typical distribution center. The signage is unique to the site and included within the specific plan to create a welcoming environment. The specific plan internal signage will not be regulated, but will comply with the outdoor lighting code. The external signage proposes several types of signs, including rooftop signage. Two neighborhood meetings were held which generated mostly support for the project. The initial neighborhood outreach was for properties located within the notification area. The second neighborhood meeting was for the Oracle Heights neighborhood outside the notification area which generated one letter of concern regarding the height.

A commissioner asked about the reference to an employment base. The developer stated that the employment base would be from corporate offices on site. The commissioner asked about the entertainment venue. The developer discussed the movie theatre as an anchor and the focus of

creating a broad based venue that could include a comedy club, suites with karaoke and gathering spots, children friendly uses. Bowling and laser tag may be a part of the development, but a family friendly focus is embraced. The commissioner asked about night clubs as a use to support the millennial generation and how that integrates with the family friendly environment. The developer discussed that different districts within the plan will separate the types of uses based upon compatibility.

A commissioner asked whether there will be restrictions surrounding the "last mile" concept for the distribution center or will it serve the whole northwest. The developer discussed that the distribution is focused on the proximity of a mile and is not the large delivery vehicles that deliver to the front door.

A commissioner questioned how the phased parking will work. The applicant's representative discussed that the parking will evolve with the phased build-out of the site.

A commissioner asked about how much height will be added from roof top signage. The applicant's representative stated that the maximum number of roof top signage is limited to six with a maximum of 400 square feet.

A commissioner discussed the definition of the internal signage as on-site signs designed and located so as not to be legible from any boundary adjacent to residential uses and arterial roadways, but does not make the connection to roof top signage when it is meant to be seen. The applicant's representative replied that the roof top signs are not considered as internal signage.

A commissioner commented that staff did a good job with describing this project as a customized rezoning plan. The commissioners are accustomed to the very specific design items through the rezoning process and place value in the flexibility of the specific plan for a successful development. The commissioner questioned when the plan goes back to staff. The applicant's representative discussed that the CB-2 uses along with other listed uses will allow development with development packages in each proposed phase. Staff clarified that the specific plan document sets forth the rules of how we are to consider proposed changes and are instructed by the document how potential changes are addressed; for instance, if uses that are not listed are requested, and it fits into the live/work/play proposal, staff my make a determination that the use is acceptable, but if the requested use changes the vision of the plan, staff will require that the plan go back to the Board of Supervisors. The document is regulatory, but flexible.

A commissioner thanked both staff and the developer for considering the wave of the future and the allowance for flexibility and being unafraid to see what works. Staff discussed that we worked in a collaborative fashion with the developer many times to allow the flexibility for the developer to attract many potential end-users.

A commissioner asked about the proposed use of self-storage and how it fits in with the vision of live/work/play and entertainment uses. The developer discussed that if the apartments were built, a section of existing buildings may be broken up into storage rental units as an ancillary use to the project. The applicant's representative discussed that the self-storage development model has changed and looks like an office building with a central entrance with the storage pods contained within. The development standards regulate and plan for uses within buildings. The commissioner discussed that if the market changes, the developer likely would be exploring low overhead and low

maintenance cost uses to utilize the existing development and expressed concern. The developer stated that is not a contemplated major component use, but there could be a building that could have that use. Staff discussed the additional permitted uses and the prohibited uses contained within the specific plan and stated that if self-storage was removed as a permitted use, that removal would be for a stand-alone use, but would not eliminate the self-storage use as a component or incidental use to an apartment building.

A commissioner asked for additional clarification regarding self-storage. The question is will there be a typical model of the single story building with self-storage units and a block wall surrounding the site and is there a way to exclude that? Staff replied that excluding the self-storage use as a permitted use would prevent that scenario. The developer explained that having that scenario is not in the best interest of the property, but if it were to occur it would likely be behind and not a key element of the use of the property.

A commissioner asked if a stand-alone bar would be allowed. The developer replied that more likely, restaurants containing a bar would be the preference, but under the current CB-2 zoning and proposed specific plan a bar would be an allowable use.

The hearing was opened to the public.

Speaker number one can walk to Walmart from her house. She is disappointed that the mall has been through several iterations. She does not know what is going to happen with this development. She discussed that she posted this information to the NextDoor app and that 26 people have replied, 15 stated that 10 stories is too high, 8 said it sounds great, and 3 were on the fence and questioned why the verticality is necessary. She continued to discuss how Northwest Hospital is too high and how the mixed use sites are a new concept across the nation. She agreed that something needs to be done with the mall, but the neighborhood is a middle class neighborhood. There are questions regarding the timing of the development, paving, transient population, crime, property values, and views.

Speaker number two spoke in favor of the request because the outdoor entertainment would be beneficial to families and may increase enrollments into their before and after school programs.

Speaker number three owns a building east of the mall. The concern is for the impact to the local nearby business stating that it seemed to be positive but wondered how many residential units may be located on site.

Speaker number four discussed whether there is planned mitigation for children who would potentially come to Donaldson Elementary School approximately ½ mile south of the specific plan site. She discusses that she cannot get to her home because of the traffic from the school and anticipates that the traffic will be increased by the proposal.

Speaker number five spoke in support of the project and believes that Bourne properties is doing and excellent job at repositioning the mall which is currently in a sad state of affairs. A food hall in this area will be a benefit. He discussed that the street infrastructure improvements support the uses.

Speaker number six spoke in favor of the request and discussed that this is a ground-breaking proposal shifting from the mall environment to a mixed-use has the potential to be a great thing for Northwest Tucson.

The applicant's representative asked the Commission if there were any questions they would like addressed. A commissioner asked about the number of residents. The representative answered that they honestly don't know, but with the phasing of the project, the infrastructure capacity including schools will be analyzed at each phase and a traffic analysis will be required at each phase of development.

The applicant's representative further discussed the roof top signage. They are willing to add a 10-foot height limitation to the final specific plan for any roof top sign on a building greater than two stories.

A commissioner clarified that one of the speakers questioned the 10-story height and trying to understand what uses are allowed. The representative discussed that the three uses are office, hospitality and residential or could be a mixed building of the three. Any uses allowed in the specific plan may be included in the 10-story building on the first two floors.

The public hearing was closed.

Commissioner Maese made a motion to recommend **APPROVAL WITH STANDARD AND SPECIAL CONDITIONS amending the final version of the specific plan to include a 10-foot height limitation on roof top signage on any buildings greater that two stories and to preclude kinetic signage.** Commissioner Matter gave second.

The commission voted to recommend **APPROVAL** of the specific plan (9 – 0, Commissioner Bain was absent) subject to the following standard and special conditions (to be incorporated into the specific plan including the recommended amendment regarding roof top and kinetic signage).

<u>IF THE DECISION IS MADE TO APPROVE THE SPECIFIC PLAN, THE FOLLOWING REQUIREMENTS SHOULD BE MADE CONDITIONS OF APPROVAL. THE FOLLOWING CONDITIONS MAY RESIDE WITHIN THE SPECIFIC PLAN DOCUMENT</u>:

1. Not more than 60 days after the Board of Supervisors approves the specific plan, the owner(s) shall submit to the Planning Director the specific plan document, including the following conditions and any necessary revisions of the specific plan document reflecting the final actions of the Board of Supervisors, and the specific plan text and exhibits in an electronic and written format acceptable to the Planning Division.
2. In the event of a conflict between two or more requirements in this specific plan, or conflicts between the requirements of this specific plan and the Pima County Zoning Code, the specific plan shall apply. The specific plan does not regulate Building Codes.
3. This specific plan shall adhere to all applicable Pima County regulations that are not explicitly addressed within this specific plan. The specific plan's development regulations shall be interpreted to implement the specific plan or relevant Pima County regulations.
4. Transportation conditions:
   A. The traffic study shall be updated with the submittal of each phase of this development within the Specific Plan.

B. The subsequent traffic study updates may identify that improvements may be warranted, such as the installation of a turn lane, signalization or restricted movements to the access points. These improvements may require the dedication of right-of-way.

5. Regional Wastewater Reclamation conditions:
   A. The owner(s) shall construe no action by Pima County as a commitment of capacity to serve any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.
   B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and/or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
   C. The owner(s) shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
   D. The owner(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
   E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
   F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.

6. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and Pima County may enforce this rezoning condition against the property owner.

7. Cultural Resources condition: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.

8. Adherence to the specific plan document as approved at the Board of Supervisor's public hearing.
9. Any residential component shall meet the minimum 6 residences per acre (RAC) as applied to the specific area required to support the use, implemented within the appropriate phasing of the specific plan.
10. Flexible combinations of the specific plan conceptual preliminary development plans are encouraged so long as adequate infrastructure to support the phased uses exists for each phase.
11. The maximum height of 120 feet or 10 stories for hospitality, office and/or residential buildings is allowed, except for a parking structure. The first two floors may include any specific plan permitted use. Parking structures may be contained in multi-use buildings with a maximum height of 120 feet. All other buildings are limited to 80 feet in height.
12. Prior to the issuance of any development concept permit, site and/or construction permit, or sign permit, the property owner shall review and provide written approval of the application to Development Services.
13. In the event the subject property is annexed, the property owner shall adhere to all applicable conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
14. The property owner shall execute the following disclaimer regarding Proposition 207 rights: "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

TD/TT/ar
Attachments

cc: FHM Partners, LLC, Attn: Ginamarie K Spencer Mendelsohn Oseran & Spencer PLC
2525 W. Broadway Boulevard, Ste. 201, Tucson, AZ 85745
Lazarus, Silvyn & Bangs, P.C., Attn: Keri Silvyn, 5983 E. Grant Road, Ste. 110
Tucson, AZ 85712
Tom Drzazgowski, Chief Zoning Inspector
P18SP00001 File

BOSTON
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Online vs. In-store: Designing for the Next Generation of Shoppers

By Jeff Gunning, Kyle Jeffrey, and Sarah Kimes
August 6, 2018

Ala Moana Center, Honolulu. (CallisonRTKL)

This article appeared in the Summer issue of Urban Land *on page 62.*

As designers and architects, we often are asked what can be done about the so-called retail apocalypse. After all, brands are closing stores right and left, the list of "dead malls" continues to grow, and we are told that consumer culture is on the decline. The truth is that people are shopping more than ever, but each year they are doing more of it online. With the convenience, competitive pricing, and increasingly experiential process of shopping online, how can retail stores and malls possibly compete? The answer is they cannot. But lest you think we are being defeatist, let us explain how thriving brands are combining their online and brick-and-mortar experiences to keep foot traffic high and regenerating communities in the process.

The Mall

Reports of "the death of the mall" have been greatly exaggerated. There has been—and likely will continue to be—a correction in the shopping center real estate market, but this correction was inevitable. The United States

has 23.5 square feet (2 sq m) of retail space per capita versus the United Kingdom's more balanced 4.6 square feet (0.4 sq m) per capita or even Canada's 16.4 square feet (1.5 sq m) per capita. Something had to give, especially in rural and suburban markets that no longer can support that much retail. But Class A shopping centers, such as Tysons Corner Center in northern Virginia, the King of Prussia Mall near Philadelphia, and Ala Moana Center in Honolulu, Hawaii, are all breaking revenue records. The fact is, the best malls are just getting better.

These malls are not just competing with online retail—they are blowing it out of the water. What the highest-grossing malls have in common is that they are completely rethinking the model, to the point that they can hardly be called malls at all. They have become the de facto heart of communities and offer flexibility, adaptability, and a reason to get out of the house that goes beyond the transaction at the register. This comes down to programming, smart regeneration strategies, and urban planning as much as architecture.

Take Tysons Corner, for example. It is not just a shopping center; it's practically a city. It has Metro mass transit access, an IMAX movie theater, a hotel, office buildings, an outdoor plaza, a children's play area, and every kind of restaurant and retail brand imaginable. Shoppers are not heading to Tysons to pick up a single item—they are spending the entire day there.

The number of traditional anchors in shopping malls has diminished in recent years, and that has opened the door to new ways to anchor a retail environment.

The malls that are renovating and repositioning rather than closing down are considering all kinds of options that never would have been considered as "anchors" in the past. Everything is on the table nowadays. Food plays a big part in many of these concepts, including grocery store/food hall hybrids like a Wegmans or Whole Foods or a true food hall concept like Eataly. Community-based ideas also are coming up more frequently, like a seasonal or monthly rotation of pop-up concepts, or social/community spaces where people can take a class, play games, or just hang out.
And some shopping centers are expanding into other commercial sectors, with developers considering condominiums and serviced apartments or coworking concepts to anchor retail centers.

These moves toward mixed-use development and a more diverse program are in line with overall demographic and preference shifts, since the trendiest, most affluent suburban communities are the ones that also offer the best of city living, such as urban amenities, walkability, and transit links. For residents and office workers, it means having amenities and activities right at their doorstep. For the shopping center owner, it means a built-in customer base that can activate community spaces during times that would typically mean lower traffic.

Hyatt Regency at Tysons Corner, Virginia. It has Metro mass transit access, an IMAX movie theater, a hotel, office buildings, an outdoor plaza, a children's play area, and every kind of restaurant and retail brand imaginable. Shoppers are not heading to Tysons to pick up a single item—they are spending the entire day there. (©RTKL/David Whitcomb)

And what of the future? It is pretty bright for retail. Gen Z—the oldest members of which are turning 22 this year—are actually more likely to choose in-person shopping over online shopping, compared with the millennials who preceded them, according to research by IBM and reported on the website Marketing Land. If that trend holds true and shopping centers can do enough to encourage customer loyalty, then it could signal very good news for mall owners, developers, and tenants. In fact, according to PwC, almost two-thirds of teens age 13 to 16 say they prefer the mall over other types of stores. Could we be looking at a new heyday for the mall? Maybe, but it will happen only if shopping center owners continue to diversify and give people a reason to visit.

The Store

The mall must evolve to become an even better host to its main attraction: the stores. The program of a shopping center, planning for demographic changes, and leasing to the right mix of retailers for the location are all major drivers of a shopping center's success. Today's retailers are focused on brand exposure, layered experiences, and customer service.

Savvy retailers no longer distinguish between in-store versus online retail—a sale is a sale. The goal is to offer customers an omnipresent experience. That means offering a similar experience in store, on mobile devices, and online.

If you cannot compete with the convenience of online shopping, you have to make sure that the in-person experience is not to be missed. Gen Z, the next generation of customers, prioritizes touch and access to products, so visual merchandising is key, along with picking the right soundtrack. They also strongly prefer visible price tags to avoid awkward conversations at the cash register and the disappointment of finding out they cannot afford something they really want, according to a study by retail consultant Fitch.

Cosmetics retailer Sephora was one of the first adopters of these concepts and the results are obvious. Step into any of the retailer's locations on a weekend and you are bound to see a line at the register. Look more closely at Sephora's website, digital products, and online advertising and you will see a data-driven company on the cutting edge of retail. And in terms of merchandising, what's not to love? Everything is hands-on and inviting, and the travel-size items that line the queue to the register are a touch of genius to increase sales at checkout.

With things like search tools that help users find their perfect product, filters that let customers digitally "try on" makeup, and an online community of reviewers to rival Amazon's, it is no wonder that Sephora is one of the retail brands doing exceptionally well in a time of store closures and Chapter 11 announcements.

The literal multimillion-dollar question is, then, how can other stores make money when they are competing with Amazon? The answer is: data. Stores that do not have a seamless and robust connection between their in-store presence and online presence risk wasting precious resources on inventory and warehousing issues, not to mention losing major market-share opportunities. Instead of trying to use brick-and-mortar tactics to compete with online-only retailers, stores should try to beat online retailers at their own game, using data and the best technology and research at their disposal to strip waste from their warehousing systems and make inventory as efficient as possible.

We see that strategy in stores like Target, where sales are still strong, but the retailer is moving into smaller, more urban spaces because that is where the money is. Target's smaller stores drive more profit per square foot than their larger locations do, and they receive a greater number of weekly visits from customers. Focusing on groceries, clothing, and accessories, and choosing locations in urban areas and college towns, Target is a retailer that understands the brick-and-mortar business inside and out. While many of the retailer's competitors are downsizing their corporate presence, Target plans to open 35 new small-footprint stores this year.

There are a lot of other bright spots on the in-store retail horizon. Companies that started out entirely online, like Untuckit, Everlane, Bonobos, and Casper, with one Warby Parker to rule them all, are not just opening one or two novelty locations—they have collectively announced hundreds of new locations for 2018. Brick-and-mortar cannot thrive without online shopping, and vice versa. The bottom line is that consumers are savvier than ever and are quick to figure out which brands cannot meet their needs and move on.

The Branding

Often, when people think about branding, a retailer's name, logo, tagline, or ad campaigns are what come to mind. Savvy retailers and shopping centers know that, at its core, branding is about establishing a consistent story (throughout every channel) that resonates with shoppers.

You could sell the best products in the world, but in our oversaturated retail environment, most shoppers are going to choose a company they already know and trust. That does not mean they have to be existing customers—recommendations from friends and other influencers can have a major impact on purchase behavior. In fact, the younger consumers are, the less likely they are to trust or even listen to brazen advertising. Instead, they turn to their peers—often when they are in a store—to get real-time feedback on a potential purchase. Having an army of these "brand ambassadors" who recommend your products to their friends is a powerful weapon in any retailer's arsenal. Brands that embrace influencer marketing (see apps such as like to know it on Instagram) are expanding their communities and their peer power beyond basic word of mouth.

While gen Z shoppers may distrust advertising and traditional marketing, trust and transparency are the driving force behind ever more of their purchases. Consumers have almost endless options when it comes to brands, so making them feel good about what they are buying is crucial to making sure they buy again. It is never too

early to capture that loyalty; generation Z may seem too young to feel attachment to a brand, but more than half of that cohort say they trust the brands they grew up with, according to the National Retail Federation.

REI, the outdoor-goods co-op, is an example of a brand doing everything right. It has its in-store design down to an art and a science; it was among the first retailers to use its online and physical stores to complement each other; and it is a brand whose community of customers trusts implicitly because REI also gives back to society. (REI reported that 70 percent of its profits went to the outdoor community in 2016.)

Brands that are thriving understand that for everyday items, the convenience of shopping online may be too big of a draw to overcome. But for clothing and beauty retailers that can tap into the zeitgeist and offer the trendiest items, customers will want to see and touch goods before buying them whenever possible, and the retailers make that opportunity part of their complete brand experience.

To further complicate brand strategy matters, for gen Z and millennials, having access to an item often is better than owning it if they can save time, money, or space. They have been cited many times before, but companies like Airbnb and Uber typify this sharing economy, and they paved the way for other types of consumer brands to follow suit. For example, Rent-the-Runway, which gives people of average income the opportunity to wear high-end fashion, is yet another brand that started online and now has a number of brick-and-mortar storefronts.

Between digital stores opening physical locations and brick-and-mortar going online, the best brands are not stopping at "omnichannel" retail. Generation Z will come to expect "channel-less" retail, the idea that the channel itself should be almost immaterial, working seamlessly for customers and feeding into the same core brand experiences and data platforms. For retailers, the major advantage to this setup is a network that is less costly to maintain and gives them better data, allowing them to give their customers a more tailored, targeted experience. Widespread adoption of channel-less retail will take time, but it will make shopping easier for everyone.

In the end, for retailers to capture the attention of distracted, time-strapped consumers, they have to stand out from the pack. That means getting the programming, store design, and branding just right, and always innovating for the next generation of shoppers.

JEFF GUNNING *is a senior vice president at CallisonRTKL and leads the Baltimore-based firm's commercial practice for North America, including shopping/entertainment, hospitality, and residential.* ***KYLE JEFFREY*** *is a vice president in the firm's retail practice.* ***SARAH KIMES*** *is vice president and leader in the Environments Studio, which specializes in human-centered design and the creation of branded environments. All three practice out of CallisonRTKL's Dallas office. The firm designed Tysons Corner Center and Ala Moana, and REI is a client.*

SHOW COMMENTS

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as of August 28, 2018

One Letter of Support

and

Thirteen Letters of Protest

Submitted after the August 8, 2018 Planning and Zoning Commission Meeting

Terri Tillman

From: Angie Rangel
Sent: Friday, August 24, 2018 12:47 PM
To: Terri Tillman
Subject: FW: Foothills Mall property development

From: CAROL FOSTER [mailto:tucsoncarol@msn.com]
Sent: Friday, August 24, 2018 12:42 PM
To: Angie Rangel <Angie.Rangel@pima.gov>
Subject: Foothills Mall property development

****
This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.
****

Re:
Plan number P18SP00001 FHM Partners. LLC Foothills Mall Specific Plan Rezoning.

I live in Mona Lisa Heights off of Mona Lisa Drive. I am very much opposed to the 10-story height of the proposed apartment buildings. The overall plan is great, but I think that 10-stories is too tall for the area. Mountain views are very important for many of us and are the reason we chose to live in unincorporated Pima County. It is a rural area and not appropriate for high density.

Thank you,
Carol Foster
2648 W Cezanne Circle,
Tucson AZ 85741

520-982-1208

Terri Tillman

From: Angie Rangel
Sent: Monday, August 27, 2018 8:00 AM
To: Terri Tillman
Subject: FW: Foothills Mall Zoning

From: Laurel Wadley [mailto:strawberrystar@sisna.com]
Sent: Saturday, August 25, 2018 11:25 AM
To: Angie Rangel <Angie.Rangel@pima.gov>
Subject: Foothills Mall Zoning

****
This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.
****

Hello Ms Rangel,

I live about 2 ½ miles North of the Foothills Mall and use Walmart, and other stores in that area quite often.

The other day I was talking to the Jewelry Repair man about what was happening with the Mall. He told me a mall with rental space and/or apartments/condos was going to be added to the top of the mall, and it was going to be 10 stories.

I'm not sure if this is really true (the 10 stories), but as a resident of the area, I think making the mall that high would definitely take away from the lovely views we have toward the West (especially sunsets). There are no other structures in the area that is that high, and I feel it would stand out like a sore thumb.

Thanks you for listening to my concerns.

Laurel Wadley
8867 N Majestic Mountain Dr,
85742

Terri Tillman

From: Angie Rangel
Sent: Monday, August 27, 2018 11:02 AM
To: Terri Tillman
Subject: FW: Foothills Mall Redevelopment Plan # P18SP00001

From: Jeffrey Thompsen [mailto:jeffrey_thompsen@hotmail.com]
Sent: Monday, August 27, 2018 10:59 AM
To: Angie Rangel <Angie.Rangel@pima.gov>
Subject: Foothills Mall Redevelopment Plan # P18SP00001

****
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Ms Rangel,

I am writing to you today to express my concern and reservation about the proposed rezoning and redevelopment of the Foothills Mall site with FHM Partners LLC. While I do favour the redevelopment of the Mall into a mixed-use project, I am concerned with the high-density aspect of it, in particular the building heights proposal of 2 to 3 10-story buildings.

As someone who has lived in the Casas Adobes area since 1989, I say with conviction that one of the best things about Casas Adobes and one of the things that makes it an attractive place to live in Tucson is the determination of the public to limit heights of buildings so that everyone may enjoy our beautiful mountain views of the Tortolitas and Catalinas. I fear that ten-story buildings in this area will destroy that enjoyment and lead to an overall decline in quality of life for its residents to the benefit of those seeking high-density living. I'm all for renovation but let's not eliminate the beauty of the area in the process.

Several of the surrounding properties such as the Catalina Canyon Apartments are topped and capped at three stories. I would encourage that any redevelopment on site be limited to 3 or at most 5-stories so as to better blend in with the surrounding neighborhood aesthetics. A 10-story building would seem quite gaudy in the context of the area. Furthermore, I would encourage Pima County when considering this project to ban rooftop signage displays as an unnecessary element that exacerbates already encroaching elements of light pollution.

Kind Regards,
Jeffrey Thompsen
jeffrey_thompsen@hotmail.com
(520) 360-1250

Terri Tillman

From: Angie Rangel
Sent: Monday, August 27, 2018 8:00 AM
To: Terri Tillman
Subject: FW: Foothills Mall Zoning

From: Laurel Wadley [mailto:strawberrystar@sisna.com]
Sent: Saturday, August 25, 2018 11:25 AM
To: Angie Rangel <Angie.Rangel@pima.gov>
Subject: Foothills Mall Zoning

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Hello Ms Rangel,

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The other day I was talking to the Jewelry Repair man about what was happening with the Mall. He told me a mall with rental space and/or apartments/condos was going to be added to the top of the mall, and it was going to be 10 stories.

I'm not sure if this is really true (the 10 stories), but as a resident of the area, I think making the mall that high would definitely take away from the lovely views we have toward the West (especially sunsets). There are no other structures in the area that is that high, and I feel it would stand out like a sore thumb.

Thanks you for listening to my concerns.

Laurel Wadley
8867 N Majestic Mountain Dr,
85742

Terri Tillman

From: Angie Rangel
Sent: Monday, August 20, 2018 2:23 PM
To: Terri Tillman
Subject: FW: Support for Foothills Mall rezoning

Categories: Red Category

From: Dan [mailto:kanilas@gmail.com]
Sent: Monday, August 20, 2018 2:21 PM
To: Angie Rangel <Angie.Rangel@pima.gov>
Subject: Support for Foothills Mall rezoning

****
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Hello Angie,

Just wanted to drop you a quick note in support of the plan moving forward at the Foothills Mall, after I saw some controversy on Nextdoor about it with your email posted. I own a home right near by at Orange Grove and Mona Lisa, and I think that the rezoning plan is the best thing that can happen to the area, taller buildings included. It offers the site a second chance at maintaining relevance by expanding into a food/retail/entertainment property that isn't really offered anywhere else in town.

Thanks for your time,
Daniel Roper

Terri Tillman

From: Angie Rangel
Sent: Monday, August 20, 2018 2:37 PM
To: Terri Tillman
Subject: FW: Plan number P18SP00001 FHM Partners. LLC Foothills Mall Specific Plan Rezoning.

Categories: Red Category

From: Donna Richardson [mailto:drichards65@hotmail.com]
Sent: Monday, August 20, 2018 2:36 PM
To: Angie Rangel <Angie.Rangel@pima.gov>
Subject: Plan number P18SP00001 FHM Partners. LLC Foothills Mall Specific Plan Rezoning.

****
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Hi Angie,

I am writing regarding Plan number P18SP00001 FHM Partners. LLC Foothills Mall Specific Plan Rezoning.

As a homeowner who lives quite close to this planned rezoning, I am writing to let you know I oppose this planned rezoning. It would mean a lot more traffic with no added benefit to any of the homeowner's in this area. Apartments decrease the value of homes and typically add more crime and more problems to the area.

Please reconsider the approval of this construction!

Thank you for any help you can be to homeowners in this area!

Donna Richardson

Terri Tillman

From: Angie Rangel
Sent: Monday, August 20, 2018 1:59 PM
To: Terri Tillman
Subject: FW: Foothills mall building height

Categories: Red Category

From: AngKev [mailto:AngKev2013@comcast.net]
Sent: Monday, August 20, 2018 1:57 PM
To: Angie Rangel <Angie.Rangel@pima.gov>
Subject: Foothills mall building height

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Howdy,
Regarding Plan number P18SP00001 FHM Partners. LLC Foothills Mall Specific Plan Rezoning. I love the plans but would like to see the height of the buildings lowered from 10 stories max to about 6 or less. I think there'd be greater acceptance from the community if the height was to change.
Thank you
Andrew "Kevin" Bourque

Sent from my iPhone, Kevin

Terri Tillman

From: Angie Rangel
Sent: Monday, August 20, 2018 1:59 PM
To: Terri Tillman
Subject: FW: Foothills Mall Rezoning

Categories: Red Category

From: LORRAINE SIMON [mailto:lsimon321@comcast.net]
Sent: Monday, August 20, 2018 1:54 PM
To: Angie Rangel <Angie.Rangel@pima.gov>
Subject: Foothills Mall Rezoning

****
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RE: Plan number P18SP00001 FHM Partners. LLC Foothills Mall Specific Plan Rezoning

I am late in being aware of the proposed rezoning for the Foothills Mall. I am saddened that this mall, that has been a part of my life for the past 29 years that I have lived in the area, is being turned into either a hotel and/or apartments. It's not like we aren't already overcrowded in this area to begin with. Now we need to bring in more people to an already congested area.

I understand the rezoning has already been approved. That being the case, I ask you to please consider lowering the height of the 10-story buildings to be erected on the Foothills Mall site.

Thank you very much.

Lorraine Simon

Resident - Casas Adobes West

Terri Tillman

From: Angie Rangel
Sent: Tuesday, August 21, 2018 7:36 AM
To: Terri Tillman
Subject: FW: Foothills mall

-----Original Message-----
From: William Schmitt [mailto:will_schmitt@hotmail.com]
Sent: Monday, August 20, 2018 7:41 PM
To: Angie Rangel <Angie.Rangel@pima.gov>
Subject: Foothills mall

****
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I wanted to chime in on the foothills mall redevelopment. Ten stories tall is way too much. It would stick out like a sore thumb in this area. I don't think there is another building above 3 stories in this area. Five or six stories would be far less intrusive, but would still provide plenty of business space. Please do not go ahead with this project as currently planned.

Will & Kendra Schmitt
1500 W Daybreak Circle

Terri Tillman

From: Angie Rangel
Sent: Tuesday, August 21, 2018 7:36 AM
To: Terri Tillman
Subject: FW: Three 10 story structure on foothill mall pad

-----Original Message-----
From: Phares K. Weis III [mailto:pkweis@me.com]
Sent: Monday, August 20, 2018 7:03 PM
To: Angie Rangel <Angie.Rangel@pima.gov>
Subject: Three 10 story structure on foothill mall pad

****
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When I bought my home in 1977 I did so because I did not want to live downtown. No one wanted to live in the Northwest, now they want to bring the downtown to the suburbs and I believe that diminishes the value of my home which I have grown for 41 years...sure times change, but I haven't and suggest I would find high-rise construction to be offensive...

PK WEIS
1307 West Dawn Drive
Tucson, AZ

Terri Tillman

From: Angie Rangel
Sent: Tuesday, August 21, 2018 10:51 AM
To: Terri Tillman
Subject: FW: Plan number P18SP00001 FHM Partners. LLC Foothills Mall Specific Plan Rezoning.

-----Original Message-----
From: Rachel [mailto:rachel.mobley@comcast.net]
Sent: Tuesday, August 21, 2018 10:50 AM
To: Angie Rangel <Angie.Rangel@pima.gov>
Subject: Plan number P18SP00001 FHM Partners. LLC Foothills Mall Specific Plan Rezoning.

****
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****

I would like to go on the record to state that the Foothills Mall redevelopment that proposes two to three 10 story mixed use buildings with minimal parking for this area is preposterous. The size of the buildings would block the views and invade neighborhood privacy. Furthermore, I doubt there will be an insurgance of high paying companies that will rent space and hire high wage millenials that would live in the housing and frequent the shops and businesses located on the property. That is what would be needed to make this plan viable and attractive. "Build it and they will come" is not a good business plan.
I could go on about personal concerns about this redevelopment plan for Foothills Mall but the link below summarizes many of them better than I can elaborate.

https://www.paloaltoonline.com/blogs/p/2016/04/23/misuse-of-mixed-use-development

Regards,
Rachel Mobley
2257 W Rapallo Way
Tucson, Az 85741

Sent from XFINITY Connect Application

Terri Tillman

From: Angie Rangel
Sent: Tuesday, August 21, 2018 2:48 PM
To: Terri Tillman
Subject: FW: Plan # P18SP00001

From: Cass McGinty [mailto:cass614@gmail.com]
Sent: Tuesday, August 21, 2018 2:39 PM
To: Angie Rangel <Angie.Rangel@pima.gov>
Subject: Plan # P18SP00001

****
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****

Re: FHM Partners LLC Foothills Mall Specific Plan Rezoning.

Dear Ms. Rangel,

I am very unhappy and concerned with the proposed plan to put two to three 10-story high buildings on the Foothills Mall site. Nothing else in the neighborhood is that tall and it would be a blight on the horizon. Hard to believe it's really needed. Please advise.

Thanks,

Catherine C. McGinty
8861 N Majestic Mountain Dr.
Tucson, AZ 85742

Terri Tillman

From: Angie Rangel
Sent: Wednesday, August 22, 2018 3:23 PM
To: Terri Tillman
Subject: FW: Plan No. P18SP00001 FHM Partners, LLC Foothills Mall Specific Plan Rezoning

From: Sandy Williams [mailto:sand2will@gmail.com]
Sent: Wednesday, August 22, 2018 3:19 PM
To: Angie Rangel <Angie.Rangel@pima.gov>
Subject: Plan No. P18SP00001 FHM Partners, LLC Foothills Mall Specific Plan Rezoning

****
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We live in the neighborhood across from the Foothills Mall and are very concerned about the height of the proposed new buildings. We have lived in the neighborhood since 1977. It is a quiet, peaceful neighborhood with lots of mountains and deserts.

Regarding the above plan, we do not believe that the proposed height of ten stories is appropriate for our neighborhood and the general area. Buildings of that height will greatly disrupt the atmostphere in this long-established area. We are also very concerned that this could lead to further developments of similar size.

Please reconsider the current plan.

Thank you,

Harry & Sandy Williams
7618 North Sultan Place
Tucson, AZ

Phone: (650) 804-9181

Terri Tillman

From: Angie Rangel
Sent: Thursday, August 23, 2018 12:52 PM
To: Terri Tillman
Subject: FW: Foothills Mall Re-development

From: Ian Masterson [mailto:ianztrk@pacbell.net]
Sent: Thursday, August 23, 2018 8:14 AM
To: Angie Rangel <Angie.Rangel@pima.gov>
Subject: Foothills Mall Re-development

****
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****

Dear Ms Rangel,

My name is Ian Masterson, my address is 1969 W Placita Colima, Tucson, 85704.

I have just learned of the plans for the re-development of The Foothills Mall.

While I am very happy to see such interest in re-developing the area, I believe the possibility of up to three buildings 120 feet high should be reconsidered. After looking at Viewshed 3 and driving by the location, I believe these buildings will be visible from my yard.

I would request this proposal is re-examined with the intention of reducing the maximum height restriction to 80 feet. Even then, these buildings will not be in keeping with the remainder of the neighborhood but it seems unrealistic to restrict the height further.

Thank you for your consideration,

Kind regards,

Ian Masterson

PIMA COUNTY

DEVELOPMENT SERVICES

MEMORANDUM

DATE: July 31, 2018

TO: The Planning & Zoning Commissioners

FROM: Terrill L. Tillman, Principal Planner

SUBJECT: P18SP0001 FHM Partners, LLC – Foothills Mall Specific Plan Rezoning

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Attached is an additional concept plan and an updated Department of Transportation comment letter. The concept plan demonstrates the potential for four additional driveways along La Cholla Boulevard with some re-design of internal access drives. The proposed driveways will be restricted to right-in, right-out and will be required to meet minimum driveway separation at the time of development. No additional median cuts along La Cholla will be permitted and updated traffic studies for each phase of the proposed development will ensure compliance with the standards. The concept plan will be incorporated into the Foothills Mall Specific Plan and Department of Transportation comments will be incorporated into staff's report to the Board of Supervisors.

One additional revision to the Administration section of the Specific Plan was made on pdf page 44 as requested by staff. Language was added to clarify that fees will be collected if an appeal to the interpretation of the Specific Plan is requested. The page will be amended and incorporated into the Specific Plan submitted to the Board of Supervisors. The revision (in blue) is as follows:

The Specific Plan shall be administered by the Pima County Planning Official, and all implementation decisions shall be based on the purpose of the Specific Plan. If a conflict arises between the Specific Plan and the PCZC, the Specific Plan shall control. If the Specific Plan is silent on any issue, and the PCZC is consulted, the purpose and intent of the Specific Plan shall control the Planning Official's decision whether and how to apply the PCZC. Appeals of any Planning Official interpretation of this Specific Plan may be made to the Board of Supervisors within 30 days of the date of the interpretation. A fee in accordance with adopted Pima County Development Services Department Fee schedule for an "Appeal of an Interpretation" and an "Advertised Public Hearing" must accompany any such appeal. The Specific Plan will not result in the modification or change of any existing County-adopted building codes.

PIMA COUNTY
DEVELOPMENT SERVICES

DATE: July 27, 2018

TO: Terri Tillman, Principal Planner

FROM: Lauren A. Ortega, P.E., Deputy Director

SUBJECT: **FHM Partners, LLC – La Cholla Boulevard Specific Plan P18SP00001**

The existing Foothills Mall development generates approximately 14,160 trips per day. This proposed project will add approximately 19,500 new external vehicle trips per day based upon the potential tenants including office, multi-family residential and hotel along with the existing uses of retail, restaurant and theatre.

La Cholla Boulevard is a four-lane north/south Medium Volume Arterial north of Magee Road and a six-lane High Volume Arterial south of Magee Road. It has a posted speed limit of 45 MPH with a capacity of 53,910 ADT. Current traffic count is 27,000 ADT. Ina Road is a four-lane east/west High Volume Arterial east and west of La Cholla Boulevard. It is designated as a Major Scenic Route. The posted speed limit is 45 MPH with a capacity of 35,820. The current traffic count is 28,000 ADT.

Currently, there are six existing driveway access points to the Foothills Mall. Three on Ina Road and three on La Cholla Boulevard. Of the six access locations, only one is signalized at La Cholla Boulevard and Foothills Mall Drive. Two access locations, the western access on Ina Road and the second access north of Ina Road on La Cholla Boulevard permit full access movements. The other three access lcoations provide right-in, right-out movements due to the raised medians on Ina Road and La Cholla Boulevard. The applicant proposes to utilize the existing driveway access points and may add up to 4 new driveways along La Cholla. Any new access driveways along La Cholla would be restricted to right-in, right-out only. All driveways will need to meet minimum driveway spacing requirements and no additional median cuts along La Cholla will be permitted. The traffic impact study prepared for this Specific Plan acknowledges that as the mall develops, several access points may require augmentation (i.e. restricted to right-in, right-out only, construction of a turn lane). As redevelopment occurs, updated traffic studies shall be conducted to ensure that any transportation impacts will be properly mitigated. Should subsequent traffic studies identify that the improvements to the access points be warranted, such as the installation of a turn lane, signalization or restricted movements, dedication of right-of-way may be required to accommodate the construction of such improvements.

The Department of Transportation recommends the following conditions:

1. The traffic study shall be updated with the submittal of each phase of this development within the Specific Plan.
2. The subsequent traffic study updates may indicate that improvements may be warranted, such as the installation of a turn lane, signalization or restricted movements to the access points. These improvements may require the dedication of right-of-way.

PIMA COUNTY
DEVELOPMENT SERVICES

SPECIFIC PLAN
PLANNING AND ZONING COMMISSION
STAFF REPORT

HEARING DATE	June 27, 2018
CASE	P18SP00001 Foothills Mall Specific Plan
SUBREGION	Catalina Foothills
DISTRICT	1
LOCATION	The property is located 450 feet north of the northwest corner of Ina Road and La Cholla Boulevard
ACREAGE	51 (+/-) acres
REQUEST	Specific Plan for Redevelopment of the Foothills Mall
OWNER	FHM Partners, LLC
AGENT	Lazarus, Silvyn, and Bangs, P.C. Kerry Silvyn

APPLICANT'S PROPOSED USE

The applicant proposes a Specific Plan rezoning on approximately 51 acres of the Foothills Mall to redevelop the site as a mixed-use live/work/play multi-modal destination that includes entertainment, housing, office, retail, and hotel uses. In addition, the specific plan allows all CB-2 (General Business) uses and a distribution center. A maximum height of 80 feet is allowed except for residential, hospitality, and office uses that will allow 120 feet/10 stories.

APPLICANT'S STATED REASON

This Property is unlike any other in unincorporated Pima County. It is uniquely situated to take advantage of existing infrastructure and established surrounding commercial and high-density/multi-family residential developments, which are components that undeveloped properties on the urban periphery do not have. Pima Prospers emphasizes that sustainable growth should occur in areas with existing infrastructure. This Property has the major infrastructure in place: roadways, water, sewer and drainage facilities to immediately support a multitude of opportunities and mix of uses.

STAFF REPORT SUMMARY

Staff recommends **APPROVAL** of the proposed Foothills Mall Specific Plan. The plan adheres to the Community Activity Center Comprehensive Plan land use designation and Regional Plan Policies by promoting a balance of housing, employment, shopping, walkability, bikability and plans for efficient use of existing infrastructure.

PUBLIC COMMENT

As of June 15, 2018, staff has received three letters in support of the specific plan.

COMPREHENSIVE PLAN AND REGIONAL PLAN POLICIES

The land use designation of the subject site is Community Activity Center (CAC) and no special or area rezoning policies apply to the site.

CAC designates medium and higher intensity mixed use districts to provide a full range of goods and services; office and medical uses; hotels; research and development opportunities; educational and institutional uses and compatible medium to higher density housing. Large centers may include a regional mall and be located on major arterial roadways with access to public transportation. All centers will have direct pedestrian and bicycle access to surrounding neighborhoods and range from 25 up to 100 acres or more depending on the area served and services provided. The minimum residential gross density is 6 residences per acre (RAC) and there will be no maximum established by the specific plan.

The use is supported by many Comprehensive Plan Regional Policies referenced within the specific plan, a few are listed below:

- Support a balance of housing, employment, shopping, recreation and civic uses
- Further expansion of economic development goals;
- Recognize in the unincorporated County the dominant suburban growth pattern within the metropolitan area and the dominant rural growth pattern outside of the metropolitan area
- Promote the integrated and efficient use of infrastructure and services
- Require all mixed-use developments to incorporate design elements for walkability, bikeability and access to work, school, services, infrastructure, and healthy foods
- Support urban development patterns that exhibit the physical design characteristics of pedestrian-oriented, store front-style retail and encourage physical activity, alternative transportation, social interaction and activation of the public realm where appropriate

SURROUNDING LAND USES/GENERAL CHARACTER

North:	CB-2	Big Box Walmart/Restaurants/Bank/Personal
South:	CB-1	Restaurant/Walgreens/Medical Offices/Bank
East:	CB-1/TR	Strip Shopping Center/Albertson's Grocery/Office Condominiums
West:	TR/CB-1	Multi-Family Apartments

The general area contains a commercial hub surrounded by a mix of high-density and low-density residential uses with available recreational opportunities within the Omni Tucson National Golf Resort, Northwest YMCA and the Chuck H. Huckelberry Loop. Pima Community College and Donaldson Elementary School are located nearby.

PREVIOUS REZONING CASES ON PROPERTY

Two previous rezonings for portions of the site were approved. Some of the rezonings overlapped areas previously rezoned and extended beyond the subject site. Case Co9-73-158 from SR (Suburban Ranch) to TR (Transitional), CB-1 (Local Business) and CB-2 (General Business) approved on February 5, 1978 and case Co9-77-027 was approved May 16, 1977 from TR to CB-2 zone.

PREVIOUS REZONING CASES IN GENERAL AREA

Recent activity:

Rezoning case P17RZ00004 – N. La Cholla Boulevard Rezoning for SR (Suburban Ranch) and CR-1 (Single Residence) zones to the CR-4 (Mixed-Dwelling Type) zone located approximately ½ mile north of the subject rezoning. The 6.5-acre rezoning was approved by the Board of Supervisors, January 16, 2018 for apartments and a 25-lot single family residential development.

Rezoning case P15RZ00009 – N. La Cholla Boulevard Rezoning for TR (Transitional) to the CB-2 (General Business) zone located approximately ¼ mile north of the subject rezoning. The

.88- acre rezoning was approved by the Board of Supervisors February 2, 2016 for restaurants and CB-1 uses.

Past activity:
Every property in the vicinity has been rezoned from the original SR zoning except for the Pima County owned properties. The residential rezonings in the 1960's were predominantly for CR-1 (Single Residence) lower density properties that were subsequently subdivided. Along the major transportation corridor of La Cholla Boulevard beginning south of Ina Road to Magee Road, commercial rezonings to the TR, CB-1 and CB-2 from the late 1960's thru the mid 1980's occurred resulting in the intensely developed commercial uses. Along the arterial street of Ina Road from Shannon Road to east of La Cholla Boulevard, rezonings to TR and CB-1 resulted in high-density apartments, office condominiums and commercial services.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM (MMBCLS)
The subject property is located outside the Maeveen Marie Behan Conservation Lands System.

PLANNING REPORT
Staff supports the request because the subject rezoning area is a previously developed, under-utilized 620,000-square-foot shopping mall with existing infrastructure in place to support the proposed uses. The mall includes the recently renovated Harkins movie theatre, massive paved parking areas and bus transit stops along the adjacent major thoroughfares with existing sidewalk systems for pedestrian and bicycle access.

Malls are faced with the consumer preference shift to online retail sales and newer competition that provides experience driven mixed-use forms of entertainment, dining, shopping, office, densified residential uses, hotels, outdoor streetscapes and open-air spaces connecting landscaped pedestrian and bicycle access to meet the shifting values of today's urban-oriented generation. The Millennials, the largest generation since the Baby Boomers, are choosing the inclusive, innovative and highly diverse urban mixed-use environment over the single-family environment. The proposed, phased specific plan demonstrates sensitivity towards the generational trends and the need to respond to the potential slow death that malls nationwide are undergoing. Defunct properties create community blighted areas ripe for unsavory activity.

The specific plan has been planned for the utmost in development flexibility to keep up with consumer and generational trends looking into the future. The phased development will occur over a period of 15 to 20 years as developers attract potential users to the site. The framework for the experience driven center is existing with the Harkins Theatre. Existing buildings may be demolished or re-purposed. Densification of the site will have regional economic impacts achieved through structural verticality. New staggered height, mixed-use buildings are planned for the site with the potential for 120-foot, 10-story vertical height buildings to maximize existing infrastructure. Staggered heights, staggered buildings with mixed-uses and interesting design elements are planned to create an aesthetically pleasing play and stay destination. Paved areas may be converted to other uses through innovative building and landscaping design and parking may be located below or above a mixed-use building. Signage is addressed within the specific plan and will be unique to the mall and will enhance the site by creating a "sense of place" for the potential end-users and community. Opportunities for additional forms of connectivity to the Chuck H. Huckelberry Loop are planned, potentially connecting the strip of County owned land lying east of Wal-Mart to a platted pedestrian access easement to the north which connects to Magee Road, approximately 400 feet away. Several iterations of the conceptual preliminary development plan with visual context are provided within the specific plan for reference. Any combination of the plans or similar iterations will be allowed under the administration of the plan. Access to the site will remain unchanged, but may be augmented in the future due to increased

trip generation. Each phase of the development requires a traffic impact study to identify when improvements may be warranted, such as the installation of a turn lane, signalization or restricted movements to the access points. These improvements may require the dedication of right-of-way (Rezoning conditions 2A-B). Consideration of on-demand transportation services such as Uber and Lyft could potentially reduce the on-site parking demand. Bufferyards with lush vegetation exist on the property. Changes to the bufferyards are possible, depending upon future build out and will be evaluated at the time of development.

Arizona Growing Smarter Acts is implemented on the site through public and private cooperation to efficiently develop and encourage the use of community infrastructure; and by providing a range of housing, employment and other essential services with safe environments to enjoy.
The re-development and regeneration of the site will naturally remedy the current homeless camp in the wash, making the site and adjacent neighborhoods impacted by the current conditions of the property, safer.

Concurrency of Infrastructure:
Concurrency of infrastructure exists to serve the proposed development:

CONCURRENCY CONSIDERATIONS		
Department/Agency	*Concurrency Considerations Met: Yes / No / NA*	*Other Comments*
TRANSPORTATION	Yes	No objection, subject to conditions
FLOOD CONTROL	Yes	No objection, subject to conditions
WASTEWATER	Yes	No objection, subject to conditions
PARKS AND RECREATION	Yes	No comment
WATER	Yes	No comment

TRANSPORTATION REPORT
The existing Foothills Mall development generates approximately 14,160 trips per day. This proposed project will add approximately 19,500 new external vehicle trips per day based upon the potential tenants including office, multi-family residential and hotel along with the existing uses of retail, restaurant and theatre.

La Cholla Boulevard is a four-lane north/south Medium Volume Arterial north of Magee Road and a six-lane High Volume Arterial south of Magee Road. It has a posted speed limit of 45 mph with a capacity of 53,910 ADT. Current traffic count is 27,000 ADT. Ina is a four-lane east/west High Volume Arterial east and west of La Cholla Boulevard. It is designated as a Major Scenic Route. Its posted speed limit is 45 mph with a capacity of 35,820. The current traffic count is 28,000 ADT.

The applicant proposes to utilize the six existing driveway access points to the Foothills Mall: three on Ina Road and three on La Cholla Boulevard. Of the six access locations, only one is signalized at the La Cholla Boulevard and Foothills Mall Drive. Two access locations, the western access on Ina Road and the second access north of Ina Road on La Cholla Boulevard, permit full access movements. The other three access locations provide right-in, right-out movements due

to the raised medians on Ina Road and La Cholla Boulevard. The traffic impact study prepared for this Specific Plan acknowledges that as the mall develops, several access points may require augmentation (e.g., restricted to right-in, right-out only, construction of a turn lane). As redevelopment occurs, updated traffic studies will be conducted to ensure any transportation impacts will be properly mitigated. Should subsequent traffic studies identify that improvements to the access points be warranted, such as the installation of a turn lane, signalization or restricted movements, dedication of right-of-way may be required to accommodate the construction of such improvements.

The Department of Transportation has no objection to the request subject to rezoning conditions #4A-B.

FLOOD CONTROL REPORT
Regional Flood Control District has no objection or recommended conditions.

WASTEWATER RECLAMATION REPORT
The rezoning area is within the PCRWRD service area and is tributary to the Tres Rios Water Reclamation Facility via the Canada del Oro Interceptor. Capacity for the proposed development is currently available in the 12" public sewer G-81-017, downstream from manhole 2459-03 (Type I 2018-15, dated January 26, 2018).

PCRWRD has no objection to the proposed rezoning request subject to the addition of rezoning conditions #5A-F.

ENVIRONMENTAL PLANNING REPORT
Environmental Planning has no objection subject to rezoning condition #6.

CULTURAL RESOURCES REPORT
Cultural Resources has no objection to this request subject to the addition of conditions #7.

NATURAL RESOURCES, PARKS AND RECREATION REPORT
Natural Resources, Parks and Recreation has no comment.

UNITED STATES FISH AND WILDLIFE SERVICE REPORT
US Fish and Wildlife have no comment.

WATER DISTRICT REPORT
Metro Water District has no comment.

FIRE DISTRICT REPORT
Northwest Fire District has no comment.

IF THE DECISION IS MADE TO APPROVE THE SPECIFIC PLAN, THE FOLLOWING REQUIREMENTS SHOULD BE MADE CONDITIONS OF APPROVAL. THE FOLLOWING CONDITIONS MAY RESIDE WITHIN THE SPECIFIC PLAN DOCUMENT:

1. Not more than 60 days after the Board of Supervisors approves the specific plan, the owner(s) shall submit to the Planning Director the specific plan document, including the following conditions and any necessary revisions of the specific plan document reflecting the final actions of the Board of Supervisors, and the specific plan text and exhibits in an electronic and written format acceptable to the Planning Division.
2. In the event of a conflict between two or more requirements in this specific plan, or conflicts

between the requirements of this specific plan and the Pima County Zoning Code, the specific plan shall apply. The specific plan does not regulate Building Codes.

3. This specific plan shall adhere to all applicable Pima County regulations that are not explicitly addressed within this specific plan. The specific plan's development regulations shall be interpreted to implement the specific plan or relevant Pima County regulations.
4. Transportation conditions:
   A. The traffic study shall be updated with the submittal of each phase of this development within the Specific Plan.
   B. The subsequent traffic study updates may identify that improvements may be warranted, such as the installation of a turn lane, signalization or restricted movements to the access points. These improvements may require the dedication of right-of-way.
5. Regional Wastewater Reclamation conditions:
   A. The owner(s) shall construe no action by Pima County as a commitment of capacity to serve any new development within the rezoning area until Pima County executes an agreement with the owner(s) to that effect.
   B. The owner(s) shall obtain written documentation from the Pima County Regional Wastewater Reclamation Department (PCRWRD) that treatment and conveyance capacity is available for any new development within the rezoning area, no more than 90 days before submitting any tentative plat, development plan, preliminary sewer layout, sewer improvement plan, or request for building permit for review. Should treatment and / or conveyance capacity not be available at that time, the owner(s) shall enter into a written agreement addressing the option of funding, designing and constructing the necessary improvements to Pima County's public sewerage system at his or her sole expense or cooperatively with other affected parties. All such improvements shall be designed and constructed as directed by the PCRWRD.
   C. The owner(s) shall time all new development within the rezoning area to coincide with the availability of treatment and conveyance capacity in the downstream public sewerage system.
   D. The owner(s) shall connect all development within the rezoning area to Pima County's public sewer system at the location and in the manner specified by the PCRWRD in its capacity response letter and as specified by PCRWRD at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan, or request for building permit.
   E. The owner(s) shall fund, design and construct all off-site and on-site sewers necessary to serve the rezoning area, in the manner specified at the time of review of the tentative plat, development plan, preliminary sewer layout, sewer construction plan or request for building permit.
   F. The owner(s) shall complete the construction of all necessary public and/or private sewerage facilities as required by all applicable agreements with Pima County, and all applicable regulations, including the Clean Water Act and those promulgated by ADEQ, before treatment and conveyance capacity in the downstream public sewerage system will be permanently committed for any new development within the rezoning area.
6. Environmental Planning condition: Upon the effective date of the Ordinance, the owner(s)/developer(s) shall have a continuing responsibility to remove buffelgrass (*Pennisetum ciliare*) from the property. Acceptable methods of removal include chemical treatment, physical removal, or other known effective means of removal. This obligation also transfers to any future owners of property within the rezoning site; and Pima County may enforce this rezoning condition against the property owner.
7. Cultural Resources condition: In the event that human remains, including human skeletal remains, cremations, and/or ceremonial objects and funerary objects are found during excavation or construction, ground disturbing activities must cease in the immediate

vicinity of the discovery. State laws ARS 41-865 and ARS 41-844, require that the Arizona State Museum be notified of the discovery at (520) 621-4795 so that cultural groups who claim cultural or religious affinity to them can make appropriate arrangements for the repatriation and reburial of the remains. The human remains will be removed from the site by a professional archaeologist pending consultation and review by the Arizona State Museum and the concerned cultural groups.

8. Adherence to the specific plan document as approved at the Board of Supervisor's public hearing.
9. Any residential component shall meet the minimum 6 residences per acre (RAC) as applied to the specific area required to support the use, implemented within the appropriate phasing of the specific plan.
10. Flexible combinations of the specific plan conceptual preliminary development plans are encouraged so long as adequate infrastructure to support the phased uses exists for each phase.
11. The maximum height of 120 feet or 10 stories for hospitality, office and/or residential buildings is allowed, except for a parking structure. The first two floors may include any specific plan permitted use. Parking structures may be contained in multi-use buildings with a maximum height of 120 feet. All other buildings are limited to 80 feet in height.
12. Prior to the issuance of any development concept permit, site and/or construction permit, or sign permit, the property owner shall review and provide written approval of the application to Development Services.
13. In the event the subject property is annexed, the property owner shall adhere to all applicable conditions, including, but not limited to, development conditions which require financial contributions to, or construction of infrastructure, including without limitation, transportation, flood control, or sewer facilities.
14. The property owner shall execute the following disclaimer regarding Proposition 207 rights. "Property Owner acknowledges that neither the rezoning of the Property nor the conditions of rezoning give Property Owner any rights, claims or causes of action under the Private Property Rights Protection Act (Arizona Revised Statutes Title 12, chapter 8, article 2.1). To the extent that the rezoning or conditions of rezoning may be construed to give Property Owner any rights or claims under the Private Property Rights Protection Act, Property Owner hereby waives any and all such rights and/or claims pursuant to A.R.S. § 12-1134(I)."

Respectfully Submitted,

Terrill L. Tillman
Principal Planner

c: Lazarus, Silvyn & Bangs, P.C., Attn: Keri Silvyn, 5983 E. Grant Rd., Ste. 290, Tucson, AZ 85712