

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE SITE DESCRIBED HEREIN (CASE Z-47-25-1) FROM PSC (APPROVED PSCOD) (PLANNED SHOPPING CENTER DISTRICT, APPROVED PLANNED SHOPPING CENTER OVERLAY DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 6.00-acre site located 210 feet east of the northeast corner of 43rd Avenue and Bell Road in a portion of Section 34, Township 4 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from PSC (Approved PSCOD) (Planned Shopping Center District, Approved Planned Shopping Center Overlay District) to "PUD" (Planning Unit Development) to allow retail and commercial uses.

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. An updated Development Narrative for the Howard's Ace Hardware PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped September 29, 2025, as modified by the following stipulations.
 - a. Front Cover: Add "City Council adopted: November 19, 2025"
 - b. Page 8, Section D1.e Development Standards: Revise as follows:

"The maximum building height shall be twenty-five (25) feet for any structure seventy-five (75) feet from a residential district. Such height may be increased by one (1) foot for each additional three (3) feet from the residence district beyond seventy-five (75) feet to a maximum of fifty-six (56) feet."
 - c. Page 9, Section D2.b. Landscape Standards: Revise as follows:

"Existing landscaping shall be in accordance with the existing approved landscape plan (Exhibit 4).

When site improvements, new development, or building alterations exceed 2,000 square feet, from what is depicted on the site plan included as Exhibit 2, new landscaping improvements shall be designed and installed in accordance with Section 623 and Section 507 Tab A.II.A.3.

Utility Conflict Resolution: Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment."
 - d. Page 10, Section D4.b Parking Standards: Revise as follows:

"Surface or structured parking lots are permitted.

For surface parking and parking garages, the combined depth of the parking space and the aisle width shall equal 60 feet for a double loaded aisle and 42 feet for a single loaded aisle."

- e. Page 14, Section G1: City Enforced Standards: add the following language:
- “• A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
 - The project will incorporate recycling as part of its waste management program.”
2. When site improvements, new development, or building alterations exceed 2,000 square feet, from what is depicted on the Exhibit 2 Site Plan in the PUD Narrative, the Bell Road right-of-way shall be brought up to the standards including:
- a. Dedication of right-of-way totaling a minimum of 70 feet for the north half of Bell Road.
 - b. Detached sidewalk per the Streetscape Standards Section of the PUD Narrative.
 - c. Incidental right-of-way improvements to bring adjacent rights-of-way up to City of Phoenix standards.
3. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
4. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
5. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
6. Prior to final site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County

Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 19th day of November, 2025.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Ed Zuercher, City Manager

Exhibits:

- A – Legal Description (5 Pages)
- B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-47-25-1

PARCEL NO. 1 (APN 207-18-589A):

PARCEL 1 OF LOT SPLIT OF LOT 2, ALBERTSON'S AMENDED, AS RECORDED IN BOOK 597 OF MAPS, PAGE 2, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, OF SAID ALBERTSON'S AMENDED, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF LOT 337, DESERT PINES UNIT FOUR, AS RECORDED IN BOOK 204 OF MAPS, PAGE 16, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 11 MINUTES 54 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 1, ALBERTSON'S AMENDED, A DISTANCE OF 217.91 FEET TO THE NORTHEAST CORNER OF SAID LOT 1, ALBERTSON'S AMENDED, SAID POINT BEING THE NORTHWEST CORNER OF SAID LOT 2, ALBERTSON'S AMENDED, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 11 MINUTES 54 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, ALBERTSON'S AMENDED, A DISTANCE OF 97.52 FEET;

THENCE SOUTH 00 DEGREES 44 MINUTES 44 SECONDS EAST, A DISTANCE OF 298.77 FEET; THENCE SOUTH 89 DEGREES 15 MINUTES 16 SECONDS WEST, A DISTANCE OF 21.33 FEET;

THENCE SOUTH 00 DEGREES 55 MINUTES 38 SECONDS EAST, A DISTANCE OF 371.39 FEET TO THE SOUTH LINE OF SAID LOT 2, ALBERTSON'S AMENDED, SAID LINE ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF BELL ROAD;

THENCE SOUTH 89 DEGREES 11 MINUTES 54 SECONDS WEST ALONG SAID SOUTH LINE OF LOT 2, ALBERTSON'S AMENDED, A DISTANCE OF 84.97 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2, ALBERTSON'S AMENDED;

THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID LOT 2, ALBERTSON'S AMENDED, THE FOLLOWING 7 COURSES;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 222.02 FEET; THENCE SOUTH 89 DEGREES 14 MINUTES 09 SECONDS WEST, A DISTANCE OF 186.71 FEET;

THENCE NORTH 00 DEGREES 45 MINUTES 51 SECONDS WEST, A DISTANCE OF 113.97 FEET;

THENCE NORTH 89 DEGREES 14 MINUTES 09 SECONDS EAST, A DISTANCE OF 199.47 FEET;

THENCE NORTH 00 DEGREES 41 MINUTES 16 SECONDS WEST, A DISTANCE OF 202.24 FEET;

THENCE SOUTH 89 DEGREES 18 MINUTES 44 SECONDS WEST, A DISTANCE OF 8.66 FEET;

THENCE NORTH 00 DEGREES 32 MINUTES 55 SECONDS WEST, A DISTANCE OF 131.92 FEET TO THE POINT OF BEGINNING.

ALSO KNOWN AS PARCEL 1, LOT SPLIT FOR LOT 2, ALBERTSON'S AMENDED, AS RECORDED IN BOOK 1130 OF MAPS, PAGE 38, OFFICIAL RECORDS, MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2 (APN 207-18-589B):

PARCEL 2 OF LOT SPLIT OF LOT 2, ALBERTSON'S AMENDED, AS RECORDED IN BOOK 597 OF MAPS, PAGE 2, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, OF SAID ALBERTSON'S AMENDED, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF LOT 337, DESERT PINES UNIT FOUR, AS RECORDED IN BOOK 204 OF MAPS, PAGE 16, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 11 MINUTES 54 SECONDS EAST ALONG THE NORTH LINE OF SAID ALBERTSON'S AMENDED, A DISTANCE OF 315.43 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 11 MINUTES 54 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 2, ALBERTSON'S AMENDED, A DISTANCE OF 77.67 FEET;

THENCE SOUTH 00 DEGREES 44 MINUTES 44 SECONDS EAST, A DISTANCE OF 163.65 FEET;

THENCE NORTH 89 DEGREES 15 MINUTES 16 SECONDS EAST, A DISTANCE OF 17.00 FEET;

THENCE SOUTH 00 DEGREES 44 MINUTES 44 SECONDS EAST, A DISTANCE OF 119.79 FEET;

THENCE NORTH 89 DEGREES 15 MINUTES 16 SECONDS EAST, A DISTANCE OF 23.23 FEET;

THENCE SOUTH 00 DEGREES 44 MINUTES 44 SECONDS EAST, A DISTANCE OF 46.28 FEET;

THENCE SOUTH 89 DEGREES 12 MINUTES 39 SECONDS WEST, A DISTANCE OF 8.93 FEET;

THENCE SOUTH 00 DEGREES 48 MINUTES 05 SECONDS EAST, A DISTANCE OF 340.37 FEET TO THE SOUTH LINE OF SAID LOT 2, ALBERTSON'S AMENDED, SAID LINE ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF BELL ROAD;

THENCE SOUTH 89 DEGREES 11 MINUTES 54 SECONDS WEST ALONG SAID SOUTH LINE OF LOT 2, ALBERTSON'S AMENDED, A DISTANCE OF 129.45 FEET;

THENCE NORTH 00 DEGREES 55 MINUTES 38 SECONDS WEST, A DISTANCE OF 371.39 FEET;

THENCE NORTH 89 DEGREES 15 MINUTES 16 SECONDS EAST, A DISTANCE OF 21.33 FEET;

THENCE NORTH 00 DEGREES 44 MINUTES 44 SECONDS WEST, A DISTANCE OF 298.77 FEET TO THE POINT OF BEGINNING.

ALSO KNOWN AS PARCEL 2, LOT SPLIT FOR LOT 2, ALBERTSON'S AMENDED, AS RECORDED IN BOOK 1130 OF MAPS, PAGE 38, OFFICIAL RECORDS, MARICOPA COUNTY, ARIZONA.

PARCEL NO. 3 (APN 207-18-589C):

PARCEL 3 OF LOT SPLIT OF LOT 2, ALBERTSON'S AMENDED, AS RECORDED IN BOOK 597 OF MAPS, PAGE 2, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 1, OF SAID ALBERTSON'S AMENDED, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF LOT 337,

DESERT PINES UNIT FOUR, AS RECORDED IN BOOK 204 OF MAPS, PAGE 16,
OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 11 MINUTES 54 SECONDS EAST ALONG THE
NORTH LINE OF SAID ALBERTSON'S AMENDED, A DISTANCE OF 393.10 FEET TO
THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 11 MINUTES 54 SECONDS EAST
ALONG THE NORTH LINE OF SAID LOT 2, ALBERTSON'S AMENDED, A DISTANCE
OF 276.97 FEET TO THE NORTHEAST CORNER OF SAID LOT 2, ALBERTSON'S
AMENDED, SAID POINT BEING ON THE WESTERLY LINE OF LOT 395 OF SAID
DESERT PINES UNIT FOUR;

THENCE SOUTH 00 DEGREES 00 MINUTES 06 SECONDS EAST ALONG THE
EASTERLY LINE OF SAID LOT 2, ALBERTSON'S AMENDED, SAID LINE BEING THE
WESTERLY LINE OF LOTS 395 THROUGH 398, SAID DESERT PINES UNIT FOUR,
A DISTANCE OF 266.66 FEET TO THE NORTHEASTERLY CORNER OF LOT 3,
SAID ALBERTSON'S AMENDED;

THENCE ALONG THE COMMON LINE OF LOTS 2 AND 3, ALBERTSON'S
AMENDED, THE FOLLOWING 7 COURSES;

THENCE NORTH 45 DEGREES 42 MINUTES 58 SECONDS WEST, A DISTANCE OF
103.35 FEET;

THENCE SOUTH 89 DEGREES 18 MINUTES 44 SECONDS WEST, A DISTANCE OF
44.42 FEET;

THENCE SOUTH 00 DEGREES 41 MINUTES 16 SECONDS EAST, A DISTANCE OF
196.02 FEET;

THENCE SOUTH 89 DEGREES 14 MINUTES 09 SECONDS WEST, A DISTANCE OF
61.04 FEET;

THENCE SOUTH 00 DEGREES 45 MINUTES 51 SECONDS EAST, A DISTANCE OF
226.23 FEET;

THENCE SOUTH 89 DEGREES 14 MINUTES 09 SECONDS WEST, A DISTANCE OF
38.37 FEET;

THENCE SOUTH 00 DEGREES 45 MINUTES 51 SECONDS EAST, A DISTANCE OF
54.59 FEET TO THE SOUTH LINE OF SAID LOT 2, ALBERTSON'S AMENDED, SAID
LINE ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF BELL ROAD;

THENCE SOUTH 89 DEGREES 11 MINUTES 54 SECONDS WEST ALONG SAID
SOUTH LINE OF LOT 2, ALBERTSON'S AMENDED, A DISTANCE OF 24.90 FEET;

THENCE NORTH 00 DEGREES 48 MINUTES 05 SECONDS WEST, A DISTANCE OF 340.37 FEET;

THENCE NORTH 89 DEGREES 12 MINUTES 39 SECONDS EAST, A DISTANCE OF 8.93 FEET;

THENCE NORTH 00 DEGREES 44 MINUTES 44 SECONDS WEST, A DISTANCE OF 46.28 FEET;

THENCE SOUTH 89 DEGREES 15 MINUTES 16 SECONDS WEST, A DISTANCE OF 23.23 FEET;

THENCE NORTH 00 DEGREES 44 MINUTES 44 SECONDS WEST, A DISTANCE OF 119.79 FEET.

THENCE SOUTH 89 DEGREES 15 MINUTES 16 SECONDS WEST, A DISTANCE OF 17.00 FEET;

THENCE NORTH 00 DEGREES 44 MINUTES 44 SECONDS WEST, A DISTANCE OF 163.65 FEET TO THE POINT OF BEGINNING.

ALSO KNOWN AS PARCEL 3, LOT SPLIT FOR LOT 2, ALBERTSON'S AMENDED, AS RECORDED IN BOOK 1130 OF MAPS, PAGE 38, OFFICIAL RECORDS, MARICOPA COUNTY, ARIZONA.

ORDINANCE LOCATION MAP

EXHIBIT B

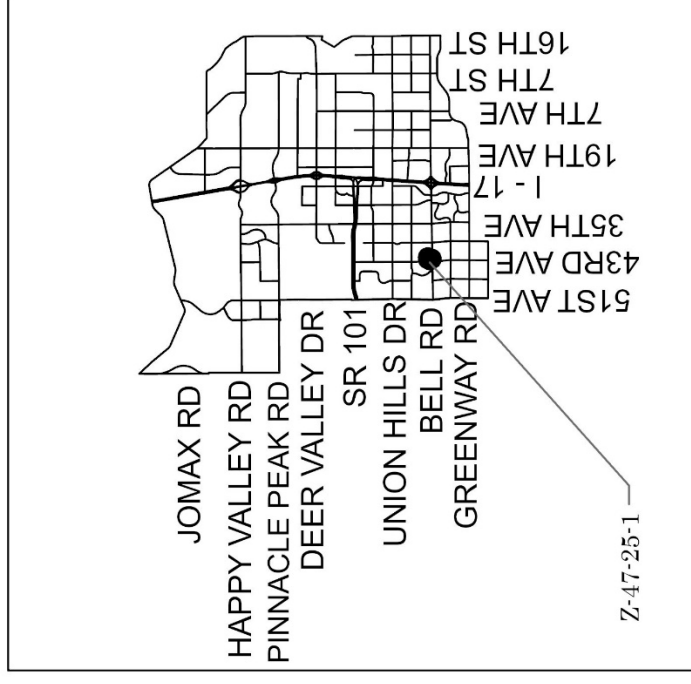
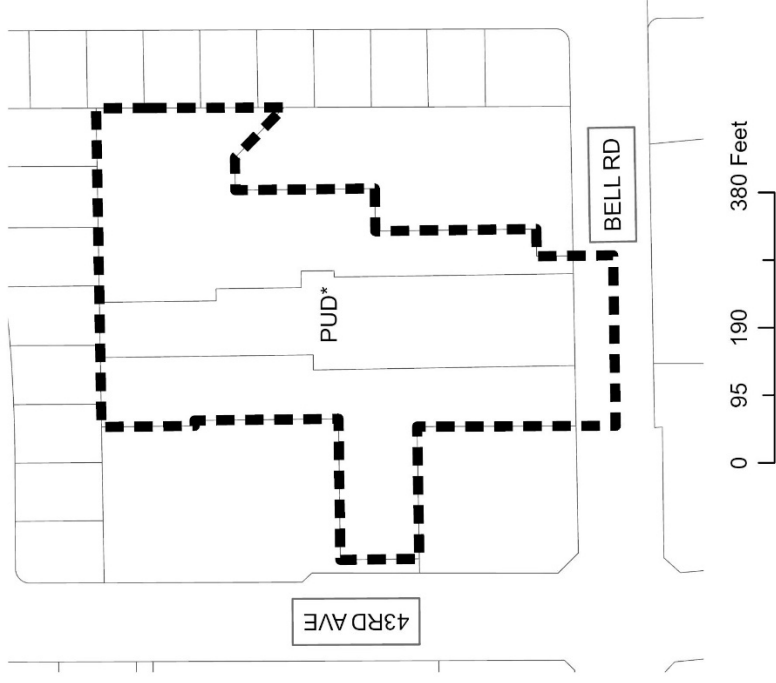
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-47-25-1

Zoning Overlay: N/A

Planning Village: Deer Valley



NOT TO SCALE



Drawn Date: 10/21/2025