

MAINSRING CASA GRANDE, LLC

General Plan Amendment Application

Casa Grande, Arizona
Submitted on June 26, 2015

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Introduction

On August 6, 2007, the City of Casa Grande (the “City”) approved Planned Area Development (PAD) zoning for the Maratea master planned community (“Maratea”), generally located at the southwest corner of Bianco Road and McCartney Road (existing alignment). The Maratea property is legally described on Exhibit “A”, attached hereto (the “Property”). The Maratea PAD called for residential land use, with pockets of the PAD designated as commercial and one office park. See Existing Conditions and Land Use Map, depicting such land use, attached hereto as Exhibit “B”.

Prior to commencement of any construction or other development on the Property, Arizona Public Service Company (“APS”) sought to develop a utility-scale solar power generating facility (the “Solar Facility”) on approximately 217 acres of the Property, as depicted and designated on the Maratea Surrounding Area Map set forth on Exhibit “C” and legally described on Exhibit “D” attached hereto (the “Former Solar Area”). To further the proposed plans for the Solar Facility, Mainspring Casa Grande, LLC, the owner of the Property and applicant herein (the “Applicant”), together with APS, requested that the City designate the Former Solar Area as “Manufacturing/Industry” in the Casa Grande 2020 General Plan (the “2020 General Plan”) which was being considered for adoption at that time. The City granted the request and designated the Former Solar Area of the Property as “Manufacturing/ Industry” in the 2020 General Plan, as shown on the 2020 General Plan Map, attached hereto as Exhibit “E”. Thereafter, the Applicant submitted the amended Maratea, A Planned Area Development Preliminary Development Plan and Guideline, dated May 17, 2010, to replace the northern portion of the PAD plan of 615 residential single-family units with the Solar Facility. On June 21, 2010 the City adopted an ordinance, a copy of which is attached hereto as Exhibit “F”, approving a major amendment to the Maratea PAD, to allow for construction of such Solar Facility, in place of the previously planned 615 residential single-family units.

APS withdrew its proposal to develop the Solar Facility on the Property. As a result, nothing was built on the Former Solar Area and the entire Property remains vacant.

Request

Because development of the Solar Facility is no longer an option, Applicant desires to go back to its residential development plans, as existed prior to the proposal of the Solar Facility. Specifically, regarding the Former Solar Area, Applicant hereby requests that the current General Plan 2020 use of Manufacturing/Industry be amended to the use of Neighborhoods, as set forth on Exhibit “G” attached hereto, the Portion of Maratea Land Use Site Plan. As noted in Exhibit “E”, the surrounding area of the Property is designated residential to the south and east, and along half of the northern border of the Property. To the west and along the remaining half of the northern border, the surrounding area is designated “Manufacturing/Industry”. In that land use area, just north of the Former Solar Area, vacant state-owned land is located. To the east of the Former Solar Area, land that is part of the Asarco Mine facility is located, with settling ponds and mine tailings thereon. Presently, the mine is not operating. In the future however, this entire Manufacturing/Industry land use area appears likely to be used for some form of industrial or

manufacturing business. Accordingly, housing located adjacent to it in the Former Solar Area would serve the population employed thereon and meets the “Community First” vision described in the Plan. Moreover, because the change to Manufacturing/Industry for the Former Solar Area in the 2020 General Plan likely contemplated the specific Solar Facility, now that it is not an option, allowing the land use to revert to residential is in the best interest of the people of the City, as the City had recognized prior to the proposal of the Solar Facility. Accordingly, Mainspring respectfully requests that the General Plan 2020 be amended to change the land use designation for the portion of the Property designated as “Manufacturing/Industry” to “Neighborhoods”.

Conformance with General Plan Amendment Determination Criteria

As is set forth below, this General Plan Amendment application meets all the criteria required for approval as outlined in the Casa Grande General Plan 2020:

1. Describe how the proposed amendment furthers the General Plan Vision.

The “Community First” vision described in the 2020 General Plan will be furthered by the expansion of the use of this Property to allow for more housing in this area. With the Manufacturing/Industry designation adjacent to it, to accommodate employees of that industry, housing in close proximity will be a benefit for the community, as the City had determined prior to the now obsolete proposal of the Solar Facility.

2. Describe how the proposed amendment furthers Smart Growth principles to:

- a. Mix land uses
- b. Take advantage of compact building design
- c. Create a range of housing opportunities and choices
- d. Create walkable neighborhoods
- e. Foster distinctive, attractive communities with a strong sense of place
- f. Preserve open space, farmland, natural beauty and critical environmental areas
- g. Strengthen and direct development towards existing communities
- h. Make development decisions predictable, fair and cost effective
- i. Encourage community stakeholder collaboration in development decisions
- j. Further the sustainable use of resources and materials

To convert the use to “Neighborhoods” will enhance the mix of land uses as was originally contemplated by the City when it approved the Maratea PAD, allowing for as many as 615 residential units on the Former Solar Area. Much of the residential surrounding area is not presently developed, and Applicant is prepared to develop the entire Property as residential in the near future. The expanded neighborhood use will allow for a new range of housing opportunities in the area, particularly for those employed now or in the future in the adjacent Manufacturing/Industry area. Residential development, by its nature, will result in walkable neighborhoods. The neighborhoods would be built within the limits of density and intensity set forth in the 2020 General Plan (See pages 72-73, General Plan); accordingly, open space would be

preserved. The amendment would not reduce any Agriculture area. To allow for more housing by returning the designation to residential, would strengthen the development of the manufacturing and industrial component of the City providing housing adjacent to a manufacturing and industrial area, for potential use by the employees there.

3. Describe how the proposed amendment enhances or has no net impact on future water supplies.

This amendment would simply undo a land use designation which was added to the 2020 General Plan to accommodate the now defunct proposal for the Solar Facility. The use of water in housing is likely less than any eventual industrial use, thus impacting future water supplies to a lesser degree. Accordingly, the amendment should have less effect on future water supplies.

4. Describe how the proposed amendment enhances or has no net impact on mobility and traffic congestion.

The Property is ideally located along the Casa Grande – Maricopa Highway. There is no change to the 2020 General Plan circulation patterns. The Applicant will be required to develop the perimeter roadways to ensure that there will be no net impact on mobility and congestion.

5. Describe how the proposed amendment enhances or has no net impact on the quality or quantity of publicly accessible open spaces and trails.

To convert the land use back from Manufacturing/Industry to residential, would enhance the quantity and quality of publicly accessible open spaces and trails. The 2020 General Plan allows for 80% coverage of the property in Manufacturing/Industry areas (See 2020 General Plan, page 86), whereas it only allows for development coverage in residential areas for sites greater than 160 acres (the Former Solar Area is approximately 217 acres) of up to 12.5% of the “total gross development area at residential densities up to 16 dwelling units per acre”. (See 2020 General Plan, page 72.)

6. Discuss if the proposed amendment will result in a higher net cost to the City or its residents for City Services.

To develop the Property as residential will allow for future employees in the adjacent Manufacturing/Industry area to live close to work, thus reducing City transportation expenses. To have housing in the area would potentially generate more development of commercial as well. A higher net cost to the City or its residents for City Services is not likely. However, residents living in the Former Solar Area would tend to use City Services at a level higher than would be expected under existing uses.

7. Does the proposed amendment require public investment or financing?

Changing this land use designation from Manufacturing/Industry to Neighborhoods does not require any public financing or investment from the public.

8. Describe how the proposed amendment enhances or has no net impact on the natural environment, including air and water quality.

To make housing available to employees of the adjacent Manufacturing/Industry area could prevent long commutes to home, thus reducing pollutants in the air. It would also prevent a potential industrial use that could increase pollution of air or water.

9. Describe how the proposed amendment enhances or has no net impact on the rural character of the City.

Located along the Casa Grande-Maricopa Highway, a housing development should cause little or no impact on the rural character of the City and certainly should cause less impact than the potential use that could result from leaving the Former Solar Area designated as Manufacturing/Industry. No Agriculture use would be reduced. Moreover, residential development here could create a buffer zone between the industrial area to the East and the open neighborhood areas to the West. Finally, the Former Solar Area was approved as a site for 615 residential units prior to the now obsolete proposal of the Solar Facility. Accordingly, the City had already determined that such land use would not adversely impact the rural character of the City.

10. Describe how the proposed amendment results in the creation of jobs for Casa Grande residents.

The Solar Facility would have provided very few jobs for Casa Grande residents. By providing the opportunity for housing adjacent to the Manufacturing/Industry area, it could attract business to the adjacent Manufacturing/Industry area, serving as an incentive for employees that housing is nearby. In addition, the construction of residences would require installation of water, sewer, electrical and other facilities, bringing these improvements to the area for use by the adjacent Manufacturing/Industry area, adding to incentive for businesses to locate there. Finally, construction and maintenance of the residential uses would provide employment.

11. Describe how the proposed amendment provides enhanced educational opportunities for Casa Grande residents.

Though housing in of itself does not provide educational opportunities, it does allow for people to reside in the City who can provide such opportunities. In addition, agreements between Maratea and local school districts will assist in the development of educational facilities.

12. Discuss how the specific goals, policies and strategies are furthered by the proposed amendment.

The City already had previously determined that a residential designation for the entire Property was appropriate prior to the now obsolete proposal for the Solar Facility. Accordingly, the Neighborhoods designation fits into the goals, policies and strategies carefully reviewed by the City. Some of the specific goals and policies that the City may have considered and may be enhanced by this amendment are listed below.

Enhancement of General Plan Goals and Policies

Goal C-4.1: Respect Casa Grande’s Desert Environment and Landscape.

Policy C-4.1.1: Minimize new development impacts on the natural desert landscape.

Policy C-4.1.7: Preserve rural areas and undeveloped natural environments.

A Neighborhoods designation likely would result in less impact on the natural desert landscape than a manufacturing or industry use, in particular because the area which could be developed with structures under this type of use is so much smaller; much more open space would remain. (See #5, above). In addition, no reduction of the Agriculture use area would result.

Goal C-4.5: Protect Casa Grande’s unique historic and natural features.

Policy C-4.5.2: Protect public views of the Casa Grande and Sacaton Mountains surrounding parkland, open flat agricultural landscape, and public open spaces.

A Neighborhoods designation for these 217 acres would create less obstruction to views than a number of manufacturing uses. Again, much open space would remain and houses would be much more limited in height than any number of industrial structures.

Goal C-4.7: Support a wide variety of housing choices in Casa Grande.

Policy C-4.7.1: Encourage variety in neighborhood design and development patterns.

Policy C-4.7.2: Provide areas that are transit and pedestrian friendly.

Applicant will have its own unique residential design and patterns of development, approved by the City, which would enhance the variety of housing in the City. Because of the close proximity of the Former Solar Area to Manufacturing/Industry, the development as a neighborhood would make transit for employees of those adjacent areas highly convenient.

Goal C-4.10: Plan for an interconnected City.

Policy C-4.10.1: Maintain or exceed expected level of service provision throughout the City.

Strategy: All new development and redevelopment proposals shall be required to include all required infrastructure, including roadways, utilities and public services, prior to occupancy of the project.

A new development proposal for the entire Property as residential will allow for the City to require increased infrastructure which will result in increased level of services for the City.

Goal C-6.1: High quality parks, trails and open spaces are located throughout Casa Grande.

Policy C-6.1.1: Require safe and adequate trails and open spaces to be provided as a part of all subdivisions and Master Planned Communities.

Open spaces will be preserved if the Property is entirely designated as Neighborhoods because any proposed residential development previously included and will include such open spaces in order to meet City approval.

Goal C-8.1: Preserve the natural environment and scenic resources within the Planning Area by ensuring environmentally compatible development, and protecting environmentally sensitive areas.

Policy C-8.1.1: Promote development that is compatible with, protects, and enhances scenic views and the natural environment.

Strategy: Adopt development and landscape guidelines and standards that encourage the use of native vegetation and appropriate irrigation systems.

Policy C-8.1.2: Protect and preserve sensitive landforms, vegetation, plants, and natural and wildlife habitats to ensure their long-term biological viability.

Policy C-8.1.3: Protect City residents and visitors from environmental hazards.

With a Neighborhoods designation, much more of the Former Solar Area of the Property would be subject to City requirements to protect views and plant native vegetation because so much less of the Property would be potentially covered in improvements. (See #5, above.) Moreover, industrial environmental hazards would be reduced in the general area if less of the land were designated Manufacturing/Industry.

Conclusion

This General Plan Amendment is necessary to restore the planned use of the entire Property which was altered by the prospect of a solar generating facility. Unfortunately, the Solar Facility did not happen and is no longer an option. Applicant plans to develop the entire Property as residential if this amendment is approved and the 217 acres that is now designated as Manufacturing/Industry is changed to Neighborhoods. This will allow significant development for housing. Such housing could be used by employees of the adjacent Manufacturing/Industry area and would be subject to City approval which can incorporate the goals and policies of the City as set forth in the 2020 General Plan. This request meets all of the criteria required for approval of a Major General Plan Amendment as well as enhances specific goals and policies outlined in the 2020 General Plan.

EXHIBIT A

Legal Description of Maratea

[See Attached]



Legal Description Asarco Overall

Job No. 05-093

Revised: August 14, 2006
May 30, 2006

A portion of Section 4, Township 6 South, Range 5 East, of the Gila and Salt River Meridian, Pinal County, Arizona, being more particularly described as follows:

BEGINNING at an Aluminum Cap at the southeast corner of said Section 4, from which a Brass Cap at the south quarter corner of said Section 4 bears $N89^{\circ}47'46''W$ (an assumed bearing), along the south line of the Southeast Quarter of said Section 4, for a distance of 2642.77 feet; thence $N89^{\circ}47'46''W$, along said south line, for a distance of 1438.79 feet to a point on the northeasterly right-of-way line of the Maricopa-Casa Grande Highway; thence $N53^{\circ}47'22''W$, along said northeasterly right-of-way line, for a distance of 3133.49 feet to a point on the west line of the East Half of the Southwest Quarter of said Section 4; thence $N00^{\circ}04'03''W$, along said west line, for a distance of 797.19 feet to a point on the south line of the Northwest Quarter of said Section 4; thence $N89^{\circ}48'13''W$, along said south line, for a distance of 1092.98 feet to a point on the northeasterly right-of-way line of said Maricopa-Casa Grande Highway; thence $N53^{\circ}47'22''W$, along said northeasterly right-of-way line, for a distance of 278.87 feet to a point on the west line of the Northwest Quarter of said Section 4; thence $N00^{\circ}06'07''W$, along said west line, for a distance of 2629.64 feet to a point on the south line of the Southeast Quarter of Section 33, Township 5 South, Range 5 East; thence $N89^{\circ}58'34''E$, along said south line, for a distance of 13.76 feet to the southwest corner of Section 34, Township 5 South, Range 5 East; thence $N89^{\circ}59'50''E$, along the south line of the Southwest Quarter of said Section 34, for a distance of 2610.16 feet to the south quarter corner of said Section 34; thence $N89^{\circ}59'18''E$, along the south line of the Southeast Quarter of said Section 34, for a distance of 2609.36 feet to the southeast corner of said Section 34; thence $S89^{\circ}53'57''E$, along the south line of the Southwest Quarter of Section 35, Township 5 South, Range 5 East, for a distance of 31.53 feet to the northeast corner of said Section 4; thence $S00^{\circ}17'26''E$, along the east line of the Northeast Quarter of said Section 4, for a distance of 2672.33 feet to a point on the north line of the South 140.00 feet of the Northeast Quarter of said Section 4; thence $N89^{\circ}48'13''W$, along said north line, for a distance of 2638.42 feet to a point on the west line of the Northeast Quarter of said Section 4; thence $S00^{\circ}09'49''E$, along said west line, for a distance of 140.00 feet to the center of said Section 4; thence $S89^{\circ}48'13''E$, along the north line of the Southeast Quarter of said Section 4, for a distance of 1978.71 feet to a point on the west line of the East 660 feet of the Southeast Quarter of said Section 4; thence $S00^{\circ}15'05''E$, along said west line, for a distance of 150.00 feet to a point on the south line of the north 150 feet of the Southeast Quarter of said Section 4; thence $S89^{\circ}48'13''E$, along said south line, for a distance of 660.02 feet to a point on the east line of the Southeast Quarter of said Section 4; thence $S00^{\circ}15'05''E$, along said east line, for a distance of 2489.88 feet to the POINT OF BEGINNING.

Together with the following described property:

Page 1 of 2

EPS Group, Inc. • 2150-1 S. Country Club Dr., Suite 22 • Mesa, AZ 85210
Tel (480) 503-2250 • Fax (480) 503-2258

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BEGINNING at a Brass Cap at the south quarter corner of said Section 4, from which an Aluminum Cap at the southeast corner of said Section 4 bears $S89^{\circ}47'46''E$ (an assumed bearing), along the south line of the Southeast Quarter of said Section 4, for a distance of 2642.77 feet; thence $N00^{\circ}09'49''W$, along the west line of the Southeast Quarter of said Section 4, for a distance of 444.37 feet to a point on the southwesterly right-of-way line for the Union Pacific Railroad; thence $S53^{\circ}47'22''E$, along said southwesterly right-of-way line, for a distance of 755.88 feet to a point on the south line of the Southeast Quarter of said Section 4; thence $N89^{\circ}47'46''W$, along said south line, for a distance of 608.61 feet to the **POINT OF BEGINNING**.

An area containing 517.5765 acres, more or less.

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EPS Group, Inc. • 2150-I S. Country Club Dr., Suite 22 • Mesa, AZ 85210
Tel (480) 503-2250 • Fax (480) 503-2258

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EXHIBIT B

Existing Conditions and Land Use Map

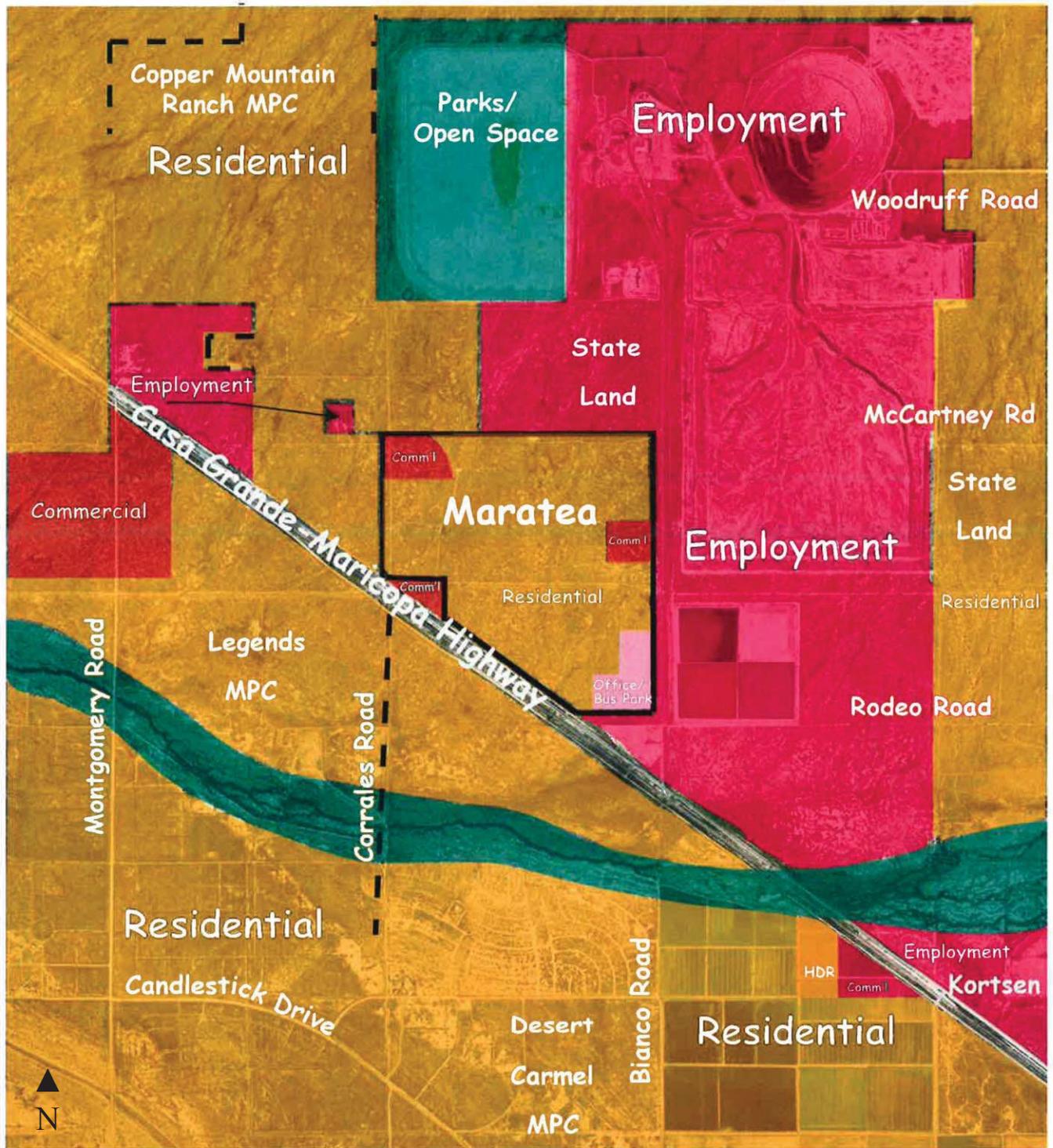


EXHIBIT C

Maratea Surrounding Area Map
(Depicting location of Former Solar Area and surrounding land use)

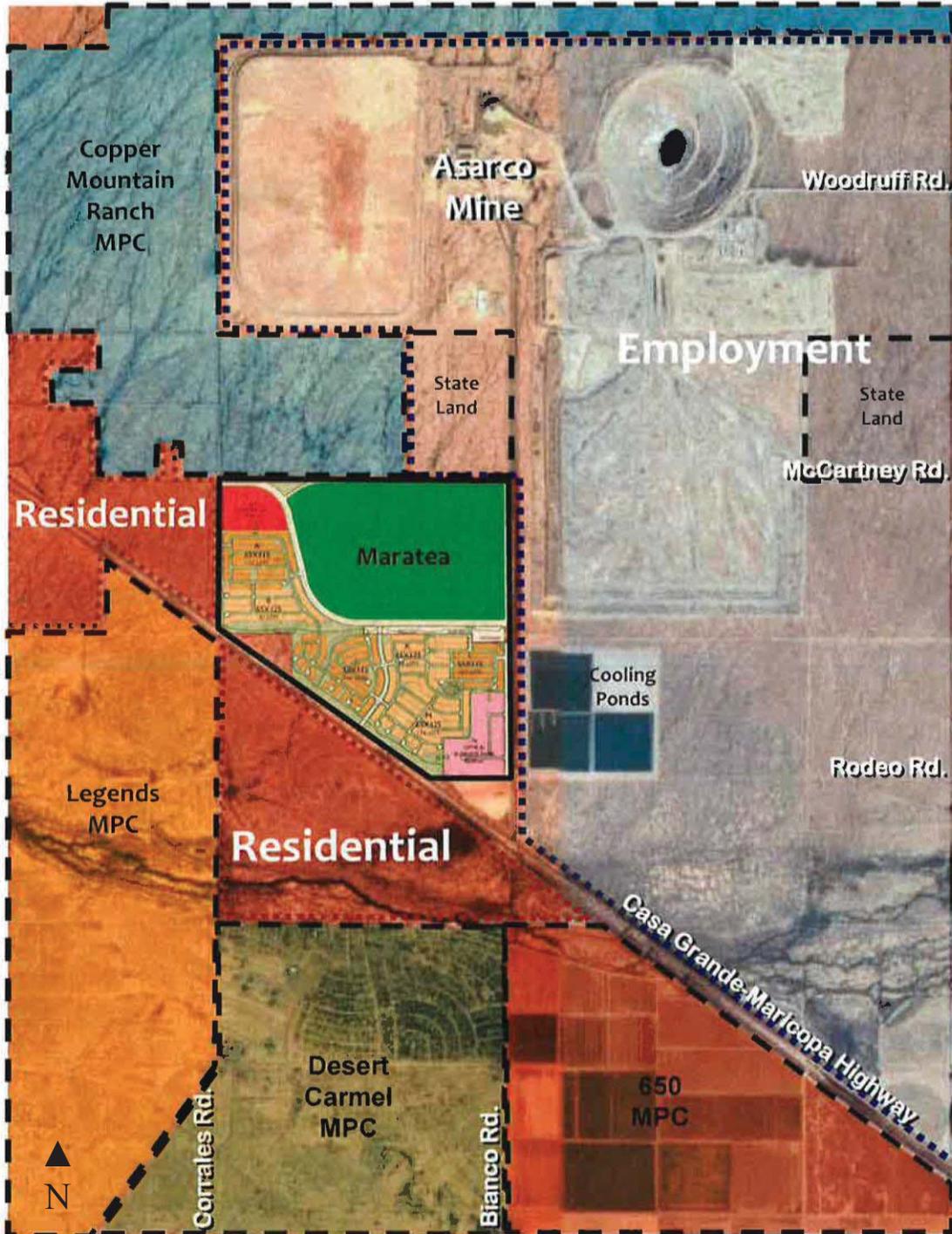


EXHIBIT D

Legal Description of Former Solar Area

[See Attached]

Legal Description Maratea Solar Project

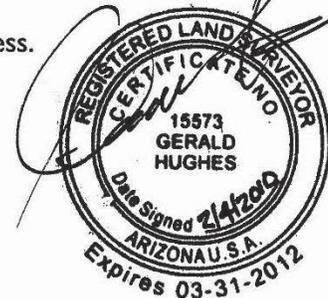
Job No. 05-093

February 3, 2010

A portion of the North Half of Section 4, Township 6 South, Range 5 East, of the Gila and Salt River Meridian, Pinal County, Arizona, being more particularly described as follows:

BEGINNING at a railroad spike at the northeast corner of said Section 4, from which a railroad spike at the east quarter corner of said Section 4 bears $S00^{\circ}17'26''E$ (an assumed bearing) at a distance of 2812.34 feet; thence $S00^{\circ}17'26''E$, along the east line of the Northeast Quarter of said Section 4, for a distance of 2,532.33 feet to the northerly line of the proposed McCartney Road right of way; thence $N89^{\circ}48'13''W$, along said northerly line, for a distance of 2,744.92 feet to the beginning of a curve, concave to the northeast, the center of which bears $N00^{\circ}11'47''E$ at a distance of 930.00 feet; thence northwesterly, along the arc of said curve and along said northerly line, through a central angle of $76^{\circ}31'30''$ for a distance of 1,242.12 feet to a point of tangency; thence $N13^{\circ}16'42''W$, along said northerly line, for a distance of 1,278.43 feet to the beginning of a curve, concave to the southwest, the center of which bears $S76^{\circ}43'18''W$ at a distance of 820.00 feet; thence northwesterly, along the arc of said curve and along said northerly line, through a central angle of $52^{\circ}52'44''$ for a distance of 756.79 feet to a point on the north line of the Northwest Quarter of said Section 4 which is coincident with the south line of the Southeast Quarter of Section 33, Township 5 South, Range 5 East; thence $N89^{\circ}59'50''E$, along said south line and not tangent to said curve, for a distance of 1,753.36 feet to a GLO brass cap at the south quarter corner of said Section 34; thence $N89^{\circ}59'18''E$, along the South line of the Southeast Quarter of said Section 34, for a distance of 2,609.36 feet to a GLO brass cap at the southeast corner of said Section 34 and the southwest corner of Section 35, Township 5 South, Range 5 East; thence $S89^{\circ}53'57''E$, along the south line of the Southwest Quarter of said Section 35, for a distance of 31.53 feet to the POINT OF BEGINNING.

An area containing 9,466,602 square feet or 217.3233 acres, more or less.

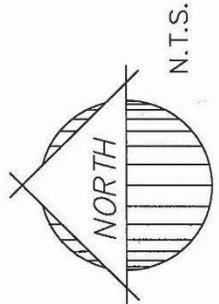
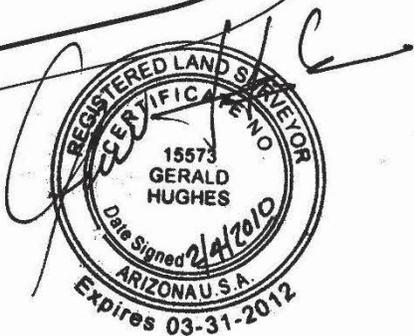
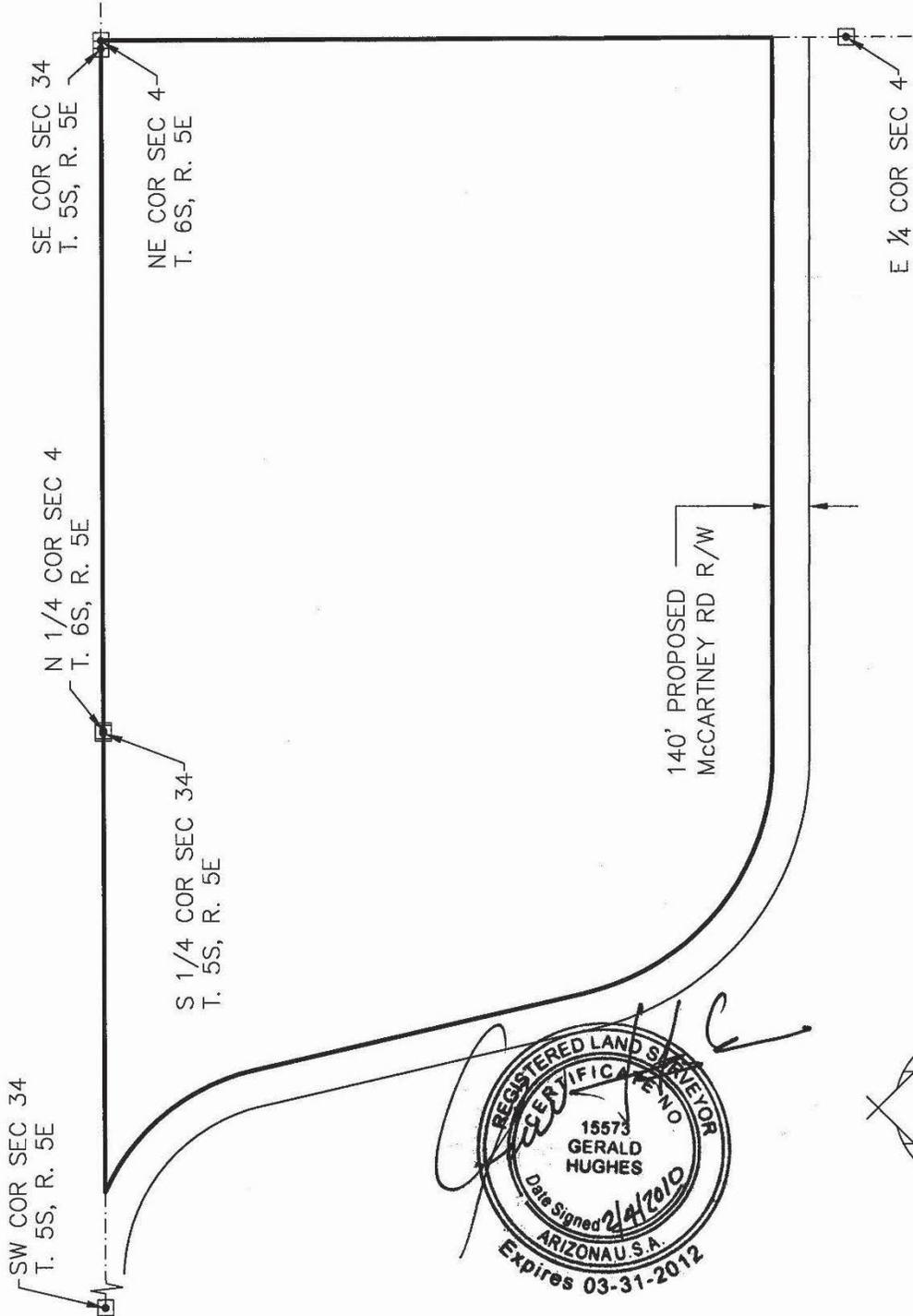


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Tel (480) 503-2250 • Fax (480) 503-2258

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BIANCO ROAD



05-093	Project: Maratea Solar Project Legal Exhibit	 Geps group, Inc. Engineers, Planners & Surveyors 2045 S. Vineyard, Ste. 101, Mesa, Arizona 85210 Phone (480) 503-2250 Fax (480) 503-2258

EXHIBIT E

Casa Grande 2020 General Plan Map
(depicting Former Solar Area)

Casa Grande 2020 General Plan

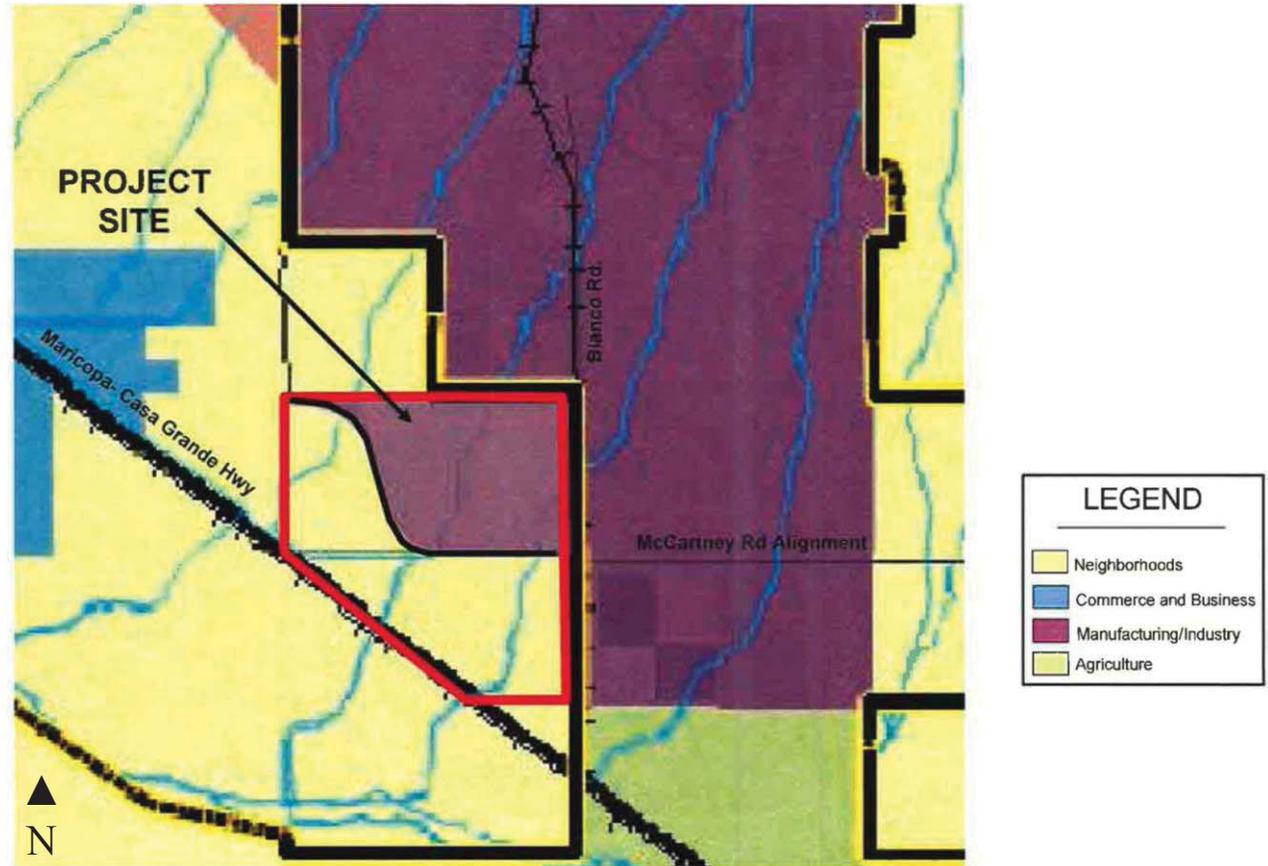


EXHIBIT F

City Ordinance
(Amending Maratea PAD to allow for Solar Facility)

[See Attached]

ORDINANCE NO. 1178.309.1

AN ORDINANCE OF THE COUNCIL OF THE CITY OF CASA GRANDE, ARIZONA, APPROVING A MAJOR AMENDMENT TO MARATEA, CASA GRANDE PLANNED AREA DEVELOPMENT (PAD) ADOPTED FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF BIANCO ROAD AND MCCARTNEY ROAD (ALIGNMENT), CASA GRANDE, ARIZONA.

WHEREAS, on August 6, 2007, the City of Casa Grande approved Planned Area Development zoning for the Maratea master planned community; and

WHEREAS, due to its proximity to employment and industrial uses, portions of the Maratea community were designated as Industrial/Manufacturing in the Casa Grande General Plan 2020; and

WHEREAS, the owners/developers of the Maratea master planned community desire to amend the zoning to allow the location of utility-scale solar power generation in a discrete section of the Maratea planned area development; and

WHEREAS, the City of Casa Grande is currently working toward the establishment of standards for the location of solar facilities within the City limits; and

WHEREAS, although most proposed locations for such uses would benefit greatly from waiting until completion of such standards before permitting use of solar within a Planned Area Development; due to its unique location near additional power-generating facilities, its proximity to existing power lines to distribute electricity into the grid, its designation as appropriate for Industrial/Manufacturing uses in the City's General Plan 2020, and the limited period of time provided to utilize the facility as a utility-scale solar plant, it appears that permitting utility-scale solar power generation within the Maratea Planned Area Development upon the conditions and stipulations set forth below would be in the best interest of the City Of Casa Grande;

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Casa Grande, Arizona, as follows:

Section 1. Authorization for Major Amendment to PAD Zoning:

P.A.D. Zoning is amended by approving a major amendment to the Maratea, Casa Grande, Planned Area Development (PAD) on property generally located at the southwest corner of Bianco Road and McCartney Road (alignment) (also known as a portion of Pinal County Section 4, Township 6 South, Range 5 East of the Gila & Salt River Meridian), Casa Grande, Arizona, as set forth in the application and PAD Addendum submitted and on file with the City's

Planning Department. The legal description is as provided in Exhibit A (attached hereto and incorporated herein by this reference).

This major amendment is subject to applicant/owner's compliance with all applicable law and ordinances, as well as the following conditions:

1. Future development of the site shall be in accordance with the amended Maratea Planned Area Development (PAD) Development Guide (as filed with the City Planning and Development Department), all applicable City codes and ordinances, and all conditions required by the Planning and Zoning Commission and/or City Council. Project shall fully comply with the City's Residential Design Standards for Planned Area Developments.
2. A PAD Plat shall not be required for this PAD. All plats shall comply with the City Subdivision regulations.
3. Traffic and engineering reports for the site are subject to the review and approval of the City Engineer at the time of Platting and/or Major Site Plan.
4. Driveway alignments, ingress/egress points, rights-of-way widths, and internal roadway circulation plans shall be subject to the review and approval of the City Engineer.
5. Final phasing of all on-site and off-site improvements for the subject PAD shall be subject to the review and approval as part of the Major Site Plan or Platting submittal, whichever ever comes first. Should only a portion of the area designated for the solar energy generating facility be developed as such, the phasing plan shall specifically address the development of the remaining portions.
6. Final grading and drainage reports must be submitted to the Engineering Department for their review and approval prior to any development of the site.
7. Final drainage reports and plans, meeting the approval of the City Engineer, are required prior to the approval of any Final Subdivision Plats and/or Major Site Plans for this project.
8. The maximum height of the utility solar electrical generating facility structures, as measured from the highest point of the structure to the adjacent finished grade, shall be twenty (20) feet.
9. The Major Site Plan for the utility-scale solar electrical generating facility shall specifically address appropriate reflectivity mitigation, visual buffering/screening (especially adjacent to rights-of-ways and existing or future non-solar facility uses), and the location of any potential substations or ancillary structures.

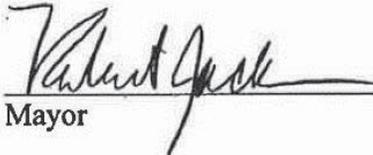
10. Applicant will comply with all applicable laws and regulations that pertain to the solar use.
11. The PAD amendment area shall be limited to exclusive use by a utility-scale solar electrical generating facility or the land uses set forth in the original Maratea PAD.
12. Use of the PAD amendment area as a utility-scale solar electrical generating facility is expressly conditioned on the developer/applicant obtaining the required Major Site Plan, site development permits, and building permits for the utility solar electrical generating facility no later than December 31, 2012.
13. Should any portion of the PAD amendment area be developed or used as a utility-scale solar electrical generating facility, no residential development or other uses permitted under the original Maratea PAD shall be allowed within the PAD amendment area while solar facilities are in use or remain in place. If any portion of the PAD amendment area is developed as a residential use or other use permitted under the original Maratea PAD prior to development as a utility-scale solar electrical generating facility, the PAD amendment area shall not be allowed to be developed as a utility-scale solar electric generating facility.
14. The utility-scale solar electrical generating facility shall utilize the existing 69 kv electrical transmission lines located along the eastern boundary of Bianco Rd. A new overhead extension of said lines may be constructed to the eastern border of the solar facility solely to connect the utility-scale solar electrical generating facility to the existing 69 kv lines. Any additional electrical transmission facilities shall be located underground.
15. The applicant shall obtain the approval of the Casa Grande Airport Administration indicating that the utility-scale solar electrical generating facility will not interfere with the airport Instrument Landing System or create reflectivity problems.
16. If the use of the site as a utility-scale solar electrical generating facility is discontinued for a period of at least twelve (12) months, all equipment and appurtenances shall be removed by the facility owner and the site restored to a condition as approved by City Planning as part of the demolition process.
17. Developer shall dedicate a full one hundred forty (140) feet of right of way for the area designated as McCartney Road along the general alignment depicted in the PAD. Developer shall be responsible to build a half street improvement along McCartney Road, or such greater improvement as may be required pursuant to an approved traffic study, as well as provide other roadway dedications and improvements as forth in the City Code and the City's approved Small Area Transportation Plan dated July 2, 2007, including

Bianco Road. Phasing of the street improvements shall be done in accordance with the approved traffic study.

Section 2. Operative Date:

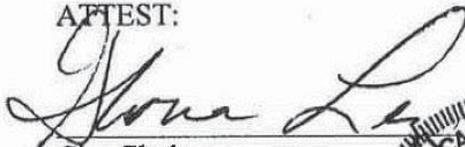
The effective date of this Ordinance shall be July 20, 2010.

PASSED AND ADOPTED by the Mayor and Council of the City of Casa Grande, Arizona, this 21st. day of June, 2010.



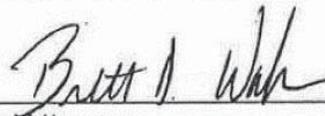
Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney



PZ O-Major PAD Amendment for Maratca



Legal Description Asarco Overall

Job No. 05-093

Revised: August 14, 2006
May 30, 2006

A portion of Section 4, Township 6 South, Range 5 East, of the Gila and Salt River Meridian, Pinal County, Arizona, being more particularly described as follows:

BEGINNING at an Aluminum Cap at the southeast corner of said Section 4, from which a Brass Cap at the south quarter corner of said Section 4 bears N89°47'46"W (an assumed bearing), along the south line of the Southeast Quarter of said Section 4, for a distance of 2642.77 feet; thence N89°47'46"W, along said south line, for a distance of 1438.79 feet to a point on the northeasterly right-of-way line of the Maricopa-Casa Grande Highway; thence N53°47'22"W, along said northeasterly right-of-way line, for a distance of 3133.49 feet to a point on the west line of the East Half of the Southwest Quarter of said Section 4; thence N00°04'03"W, along said west line, for a distance of 797.19 feet to a point on the south line of the Northwest Quarter of said Section 4; thence N89°48'13"W, along said south line, for a distance of 1092.98 feet to a point on the northeasterly right-of-way line of said Maricopa-Casa Grande Highway; thence N53°47'22"W, along said northeasterly right-of-way line, for a distance of 278.87 feet to a point on the west line of the Northwest Quarter of said Section 4; thence N00°06'07"W, along said west line, for a distance of 2629.64 feet to a point on the south line of the Southeast Quarter of Section 33, Township 5 South, Range 5 East; thence N89°58'34"E, along said south line, for a distance of 13.76 feet to the southwest corner of Section 34, Township 5 South, Range 5 East; thence N89°59'50"E, along the south line of the Southwest Quarter of said Section 34, for a distance of 2610.16 feet to the south quarter corner of said Section 34; thence N89°59'18"E, along the south line of the Southeast Quarter of said Section 34, for a distance of 2609.36 feet to the southeast corner of said Section 34; thence S89°53'57"E, along the south line of the Southwest Quarter of Section 35, Township 5 South, Range 5 East, for a distance of 31.53 feet to the northeast corner of said Section 4; thence S00°17'26"E; along the east line of the Northeast Quarter of said Section 4, for a distance of 2672.33 feet to a point on the north line of the South 140.00 feet of the Northeast Quarter of said Section 4; thence N89°48'13"W, along said north line, for a distance of 2638.42 feet to a point on the west line of the Northeast Quarter of said Section 4; thence S00°09'49"E, along said west line, for a distance of 140.00 feet to the center of said Section 4; thence S89°48'13"E, along the north line of the Southeast Quarter of said Section 4, for a distance of 1978.71 feet to a point on the west line of the East 660 feet of the Southeast Quarter of said Section 4; thence S00°15'05"E, along said west line, for a distance of 150.00 feet to a point on the south line of the north 150 feet of the Southeast Quarter of said Section 4; thence S89°48'13"E, along said south line, for a distance of 660.02 feet to a point on the east line of the Southeast Quarter of said Section 4; thence S00°15'05"E, along said east line, for a distance of 2489.88 feet to the POINT OF BEGINNING.

Together with the following described property:

EPS Group, Inc. • 2150-1 S. Country Club Dr., Suite 22 • Mesa, AZ 85210
Tel (480) 803-2250 • Fax (480) 803-2258
S:\Projects\050505-0930 Legal Services\05050931 D Overall\050506.dwg

P & Z APPROVED
Date: 4/11/2010
Case #: 10-00014

BEGINNING at a Brass Cap at the south quarter corner of said Section 4, from which an Aluminum Cap at the southeast corner of said Section 4 bears S89°47'46"E (an assumed bearing), along the south line of the Southeast Quarter of said Section 4, for a distance of 2642.77 feet; thence N00°09'49"W, along the west line of the Southeast Quarter of said Section 4, for a distance of 444.37 feet to a point on the southwesterly right-of-way line for the Union Pacific Railroad; thence S53°47'22"E, along said southwesterly right-of-way line, for a distance of 755.88 feet to a point on the south line of the Southeast Quarter of said Section 4; thence N89°47'46"W, along said south line, for a distance of 608.61 feet to the POINT OF BEGINNING.

An area containing 517.5765 acres, more or less.

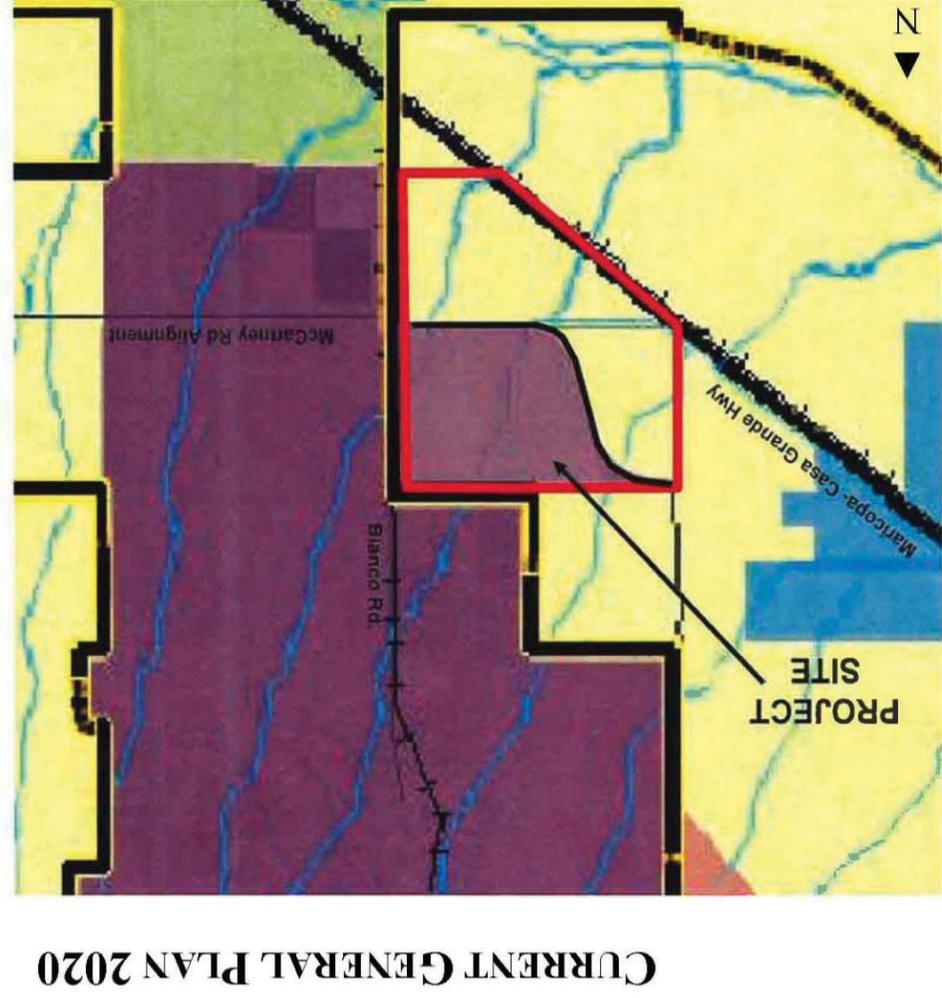
Page 2 of 2

EPS Group, Inc. • 2150-I S. Country Club Dr., Suite 22 • Mesa, AZ 85210

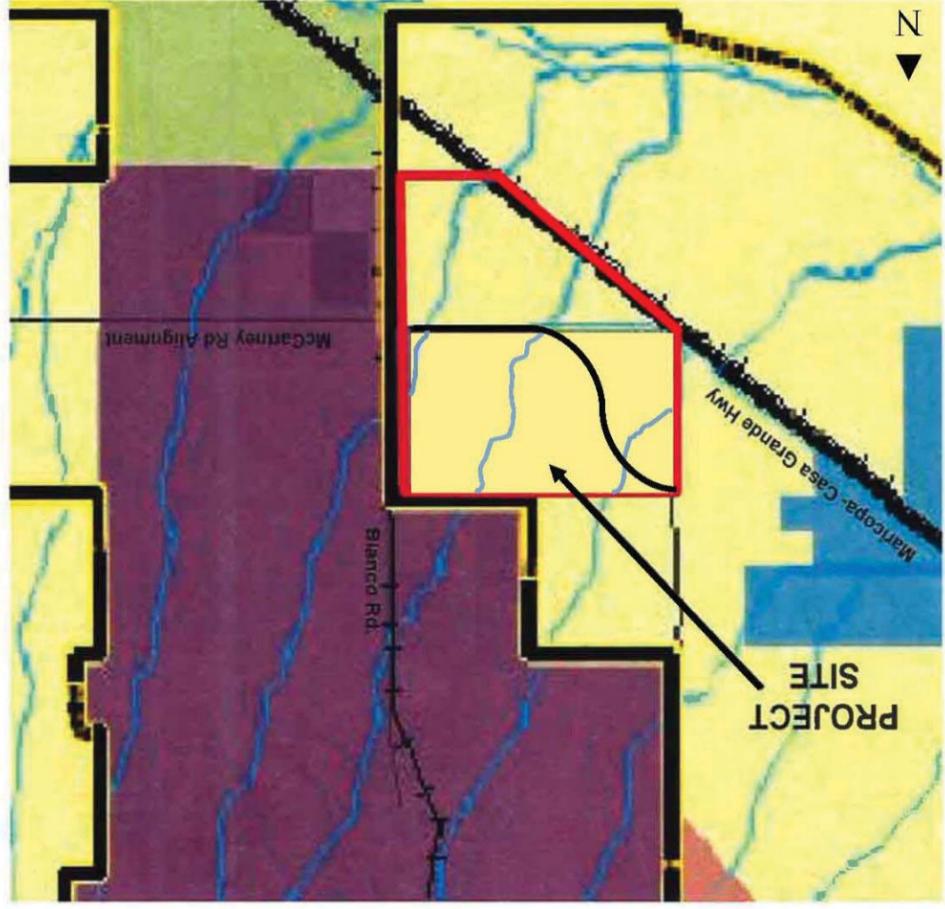
Tel (480) 503-2250 • Fax (480) 503-2258

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EXHIBIT G
PORTION OF MARATEA LAND USE SITE PLAN
(THE FORMER SOLAR AREA)



CURRENT GENERAL PLAN 2020



PROPOSED LAND USE

PROJECT NAME: PORTION OF MARATEA

LOCATION: SOUTHWEST CORNER OF BIANCO ROAD AND EXISTING ALIGNMENT OF MCCARTNEY ROAD

AREA ≈ 217.3233 ACRES / 9,466,602 SQUARE FEET

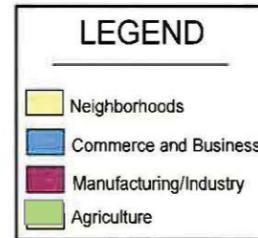
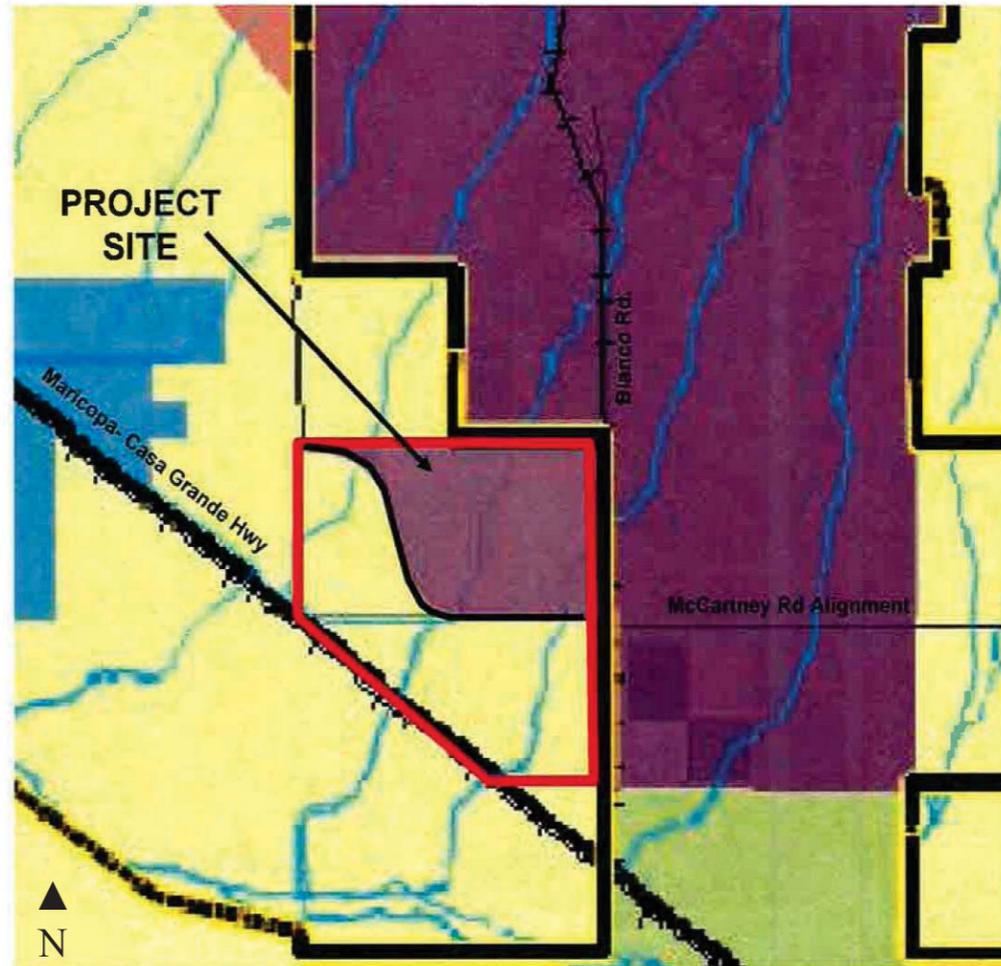
CURRENT ZONING: PAD

CURRENT LAND USE 2020 GP: MANUFACTURING/INDUSTRY

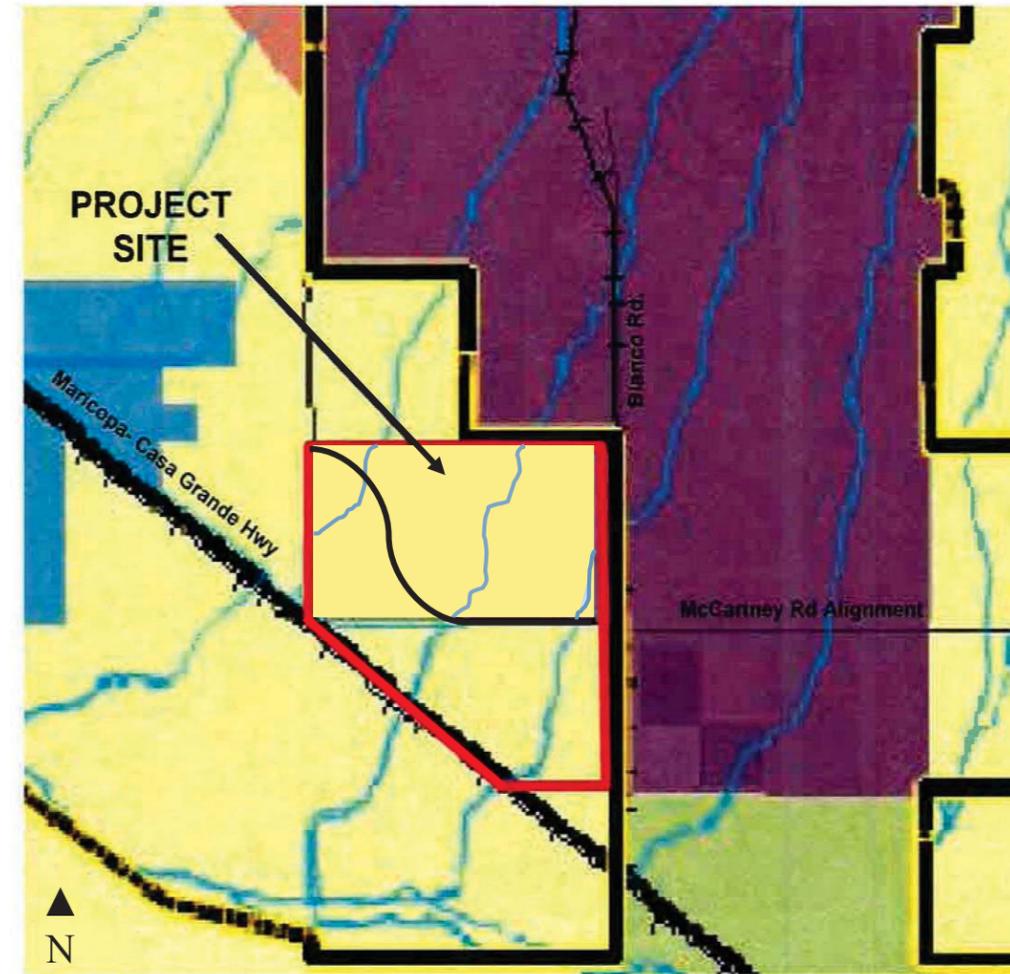
PROPOSED LAND USE: NEIGHBORHOODS

PORTION OF MARATEA LAND USE SITE PLAN
(THE FORMER SOLAR AREA)

CURRENT GENERAL PLAN 2020



PROPOSED LAND USE



PROJECT NAME: PORTION OF MARATEA

LOCATION: SOUTHWEST CORNER OF BIANCO ROAD
AND EXISTING ALIGNMENT OF MCCARTNEY ROAD

AREA ≈ 217.3233 ACRES / 9,466,602 SQUARE FEET

CURRENT ZONING: PAD

CURRENT LAND USE 2020 GP: MANUFACTURING/INDUSTRY

PROPOSED LAND USE: NEIGHBORHOODS