

Hecate Grid LLC
621 W Randolph St
Chicago, IL 60661



Via Email

May 20, 2024

Yu Tagai
Assistant City Engineer
City of Lake Elsinore
130 South Main Street
Lake Elsinore, CA 92530

Request to Modify/Remove Condition of Approval 65 & 66 for the Ortega BESS Project

Project: PA 2021-26/CDR 2021-12

Project location: 29970 Camino Del Norte, APN: 377-200-045

Dear Yu,

Ortega Grid LLC, on behalf of the Ortega BESS project, is formally requesting the removal or modification of Conditions of Approval (COA) #65 and #66. These conditions, approved on August 19, 2022, require the project to construct street improvements along the property's frontage. For your convenience, Conditions 65 and 66 are provided below:

IMPROVEMENTS

65. Applicant shall be responsible to design and construct the half-width street improvements along the property's frontage on Camino del Norte such that the ultimate right-of-way width conforms to the General Plan Circulation Element. Camino del Norte is classified as a Secondary Highway.
 - Improvements include, but are not limited to road pavement widening, curb, gutter, sidewalk, signing and striping, street lighting (LS-2B system), and driveway.
 - Applicant shall be responsible to relocate the culvert headwall and overhead power poles (as approved by the utility provider) for the construction of the ultimate road widening.
66. Project will be responsible to design and install streetlights along the property's frontage. Streetlight system shall be designed as LS-2B system. Streetlight plans shall include details such as location, pole and luminaire type, and pull box design. Streetlight plans shall be included as part of the Street Improvement Plans.

The Ortega BESS project team, in collaboration with the City of Lake Elsinore Engineering Department and Southern California Edison (SCE), has had several discussions regarding the proposed street improvements. The recommendations from these discussions formed the basis for the Road Widening and Striping improvement plan, which was approved by Remon Habib, City Engineer on August 3, 2023.

During the development of this plan, the City and SCE identified several constraints that hinder the immediate installation of these improvements. Below are the key constraints identified if Conditions 65 and 66 are required:

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- Completing the full-width improvements per Condition 65 would misalign the width of Camino del Norte, as well as the curb, gutter, and sidewalk alignments of the adjacent improved property to the north (storage facility and landscaped hillside)
- Developing this small frontage without extending the roadway's entire length would create a potential traffic hazard near the project driveway
- A partial widening would result in an unsightly and potentially dangerous differential in pavement and striping conditions for an unknown period. These conditions would persist until a full widening by the City or external partners is completed
- Until the full build-out is complete, Camino del Norte would have varying lane widths, disjointed curb and gutter cuts, misaligned power poles, and abrupt changes in adjacent landscaped areas and sidewalk transitions
- A partial widening would indefinitely increase traffic delays and congestion on Camino del Norte until the full build-out is completed
- Any new street lights and/or sidewalk improvements would misalign with the existing light, curb, gutter, and sidewalk to the north of the project from Ohana Circle and would likely need demolition and relocation once the full Camino del Norte widening is complete
- The partial widening would necessitate the removal of two SCE utility poles. SCE stated that relocating these poles would adversely affect the transmission/distribution infrastructure and may cause service outages to surrounding customers
- If Conditions 65 and 66 are enforced, SCE would need to install taller, potentially more unsightly steel transmission poles
- A partial widening may also require pole realignment at Ohana Circle and additional poles to the north if the full build-out of Camino del Norte is not completed in one phase

To mitigate these issues, Ortega Grid LLC proposes to make a payment to the City in lieu of undertaking the street improvements. A third-party engineer has prepared a cost estimate to install the future build-out of Camino del Norte, amounting to \$405,015.30, which is attached for your review and consideration.

By accepting this payment, the City would have the flexibility to use the funds to complete the full build out of Camino Del Norte at later date. This approach allows the City to ensure the street improvements reflect its long-term plan, while also enabling Ortega Grid LLC to fulfill its obligations under the Conditions of Approval.

We kindly request that your team review the attached documents to support this exception and let us know if there are further requirements to support the City Council meeting on May 28, 2024 at 7pm. We look forward to your approval.

Best Regards,
DocuSigned by:

A handwritten signature in black ink that reads "Andrew Fowler". The signature is written in a cursive, slightly slanted style.

Andrew Fowler

Vice President, EPC

Attachments: Ortega BESS Street Improvement Plan + Future Road widening Estimate