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Sent: Tuesday, August 29, 2023 2:32 PM
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Cc: Michael Johnson <MJ@lakecreekindustrial.com>
Subject: August 29, 2023 City Council Comment - Item 11E - DPR21-00005

Good afternoon,

On behalf of Lake Creek Industrial, LLC (LCI), I am submitting this comment regarding the subject project (SPA21-05267, TPM-38259, DPR21-00005), which will be considered at tonight's City Council meeting.

LCI is processing an application for a Development Plan Review (DPR23-00009) and parcel merger for APNs 314-160-013 and 314-160-014, which is located at the southeast intersection of Nance Street and Nevada Avenue. The westerly property line of LCI's APN 314-160-013 abuts APN 314-160-012, which is part of the subject project under consideration.

The findings of the proposed resolution, specifically Item 1 for Tentative Parcel Map 21-05086 (TMP 38259) and Items 1, 2, and 3 for Development Plan Review 21-00005, indicate that the project is consistent with the applicable Specific Plan, is compatible with abutting properties, and will not be materially injurious to properties or improvements in the vicinity. These findings fail to account for impacts to LCI's property (APN314-160-013; -014) and its planned development as contemplated in DPR23-00009.

Specifically, implementation of the subject project would require an off-site improvement to construct a "knuckle" intersection at Nevada and Nance, since what is shown in the PVCCSP Circulation Element would be amended from a four-way intersection to an "L" shaped two-way intersection (Engineering Condition of Approval 10, "Nance Street is classified as a local (60'/40'). Adequate right-of-way shall be dedicated on Nance Street along the property frontage to accommodate a knuckle per County of Riverside Standard No. 801.")

The PVCCSP Circulation Element shows Nevada as a local street between Harley Knox to the north and Markham Street to the south, resulting in a four-way intersection at Nance Street and Nevada Avenue. However, Nevada Avenue between Nance Street and Markham Street was vacated in 2016 by Street Vacation 14-004-002, approved by Resolution No 4956 Dated January 12, 2016 (Per PM242-64-68). *Source: Duke Warehouse at Patterson Avenue and Nance Street Draft EIR, Figure 1-8 - Tentative Parcel Map 38259, Webb and Associates, March 16, 2022.* There does not seem to be a corresponding amendment to the PVCCSP Circulation Element to reflect this street vacation. The proposed Specific Plan Amendment does not reflect removal of Nevada Street south of Nance, which is along the easterly property line of the subject project.

The corresponding "off-site" improvement to construct the knuckle results in impacts to LCI's property (APN 314-160-013) and would require Prologis to acquire approximately 567 sq ft of

APN 314-160-013. Engineering Condition of Approval 15 addresses this proposed acquisition and requires the developer/property owner to make a good faith effort to acquire required off-site property interests.

A knuckle intersection would not only require property acquisition by the Applicant but could affect LCI's ability to meet the City's objective design standards for DPR23-00009, including but not limited to driveway access to LCI's site and building setbacks. Without consideration by the City for potential modified driveway standards and building setbacks, redesign of the site would result in additional soft costs to LCI during its entitlement phase, add significant delays to design/review/approve such revisions, and reduce the usable square footage of the project site by 3,000-5,000 SF, resulting in long-term impacts to the economic viability of its site.

LCI does not oppose the proposed project and is committed to being a good neighbor with the Applicant.

However, without adequate compensation by the Applicant and potential site plan consideration by the City, acquisition of the northwest corner of LCI's APN 314-160-013 to accommodate the subject project's off-site improvement would be materially injurious to LCI's property. LCI has pro-actively contacted the Applicant several times over the last few weeks but has not to date been able to come to any agreeable terms with the Applicant for the required acquisition. LCI trusts that the Applicant will uphold its obligations under Engineering Condition of Approval 15 to engage in a good faith effort to acquire the required off-site property interest currently held by LCI on APN 314-160-013 and come to a mutually acceptable resolution to all parties.


Kind Regards,

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 [Book time to meet with me](#)