



Conditional Use Permit Application

Date Received	<u>6/24/2020</u>
By	<u>J. Jerome</u>
Fee	<u>2985</u>
Case #	<u>CUP 01-20</u>
EA #	_____

General Information

APPLICANT Umair Khan ,Kimley Horn & Associates Phone 951-382-0963 Fax _____

Mailing Address 3880 Lemon St. Suite 420 Email Umair.khan@kimley-horn.com

City Riverside State California Zip 92501

REPRESENTATIVE Shea-Michael Anti Phone 951-335-8272 Fax _____

Mailing Address 3880 Lemon St., Suite 420 Email Shea.anti@kimley-horn.com

City Riverside State CA ZIP 92501

PROPERTY OWNER Fernando Tapia Phone 323-201-8500 Fax _____

Mailing Address 7807 Telegraph Road, Suite L&K Email Tapiaf_gafepizza@yahoo.com

City Montebello State CA Zip 92501

Project Information

Project Address Twentynine Palms Highway Assessor Parcel Number(s) 0601-402-15

Project Location Shopping Center on Twentynine Palms Highway and Balsa Avenue

Project Description: _____

Proposed multi-tenant outparcel development to include a Domino's Pizza end cap

located at the northwest corner of Twentynine Palms Highway and Balsa Avenue

Please attach any additional information that is pertinent to the application.

Town of Yucca Valley
Community Development Department
Planning Division
58928 Business Center Dr
Yucca Valley, CA 92284
760 369-6575 Fax 760 228-0084
www.yucca-valley.org

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Environmental Assessment

1. Property boundaries, dimensions and area (also attach an 8 1/2 x 11" site plan):

Please See Attached.

2. Existing site zoning: C-N 3. Existing General Plan designation: C

4. Precisely describe the existing use and condition of the site: _____

The existing use is a Shopping Center surrounded by commercial and residential uses.

5. Existing Zoning of adjacent parcels:

North I South C-MU East C-G West C-C

6. Existing General Plan designation of adjacent parcels:

North I South MU East C West C

7. Precisely describe existing uses adjacent to the site: _____

Please see above and refer to General Plan.

8. Describe the plant cover found on the site, including the number and type of all protected plants: _____

Note: Explain any "Yes" or "Maybe" responses to questions below. If the information and responses are insufficient or not complete, the application may be determined incomplete and returned to the applicant.

Yes Maybe No

9. Is the Site on filled or slopes of 15% or more or in a canyon? (A geological and/or soils Investigation report is required with this application.)
10. Has the site been surveyed for historical, paleontological or archaeological resources? (If yes, a copy of the survey report is to accompany this application.)
11. Is the site within a resource area as identified in the archaeological and historical resource element?
12. Does the site contain any unique natural, ecological, or scenic resources?
13. Do any drainage swales or channels border or cross the site?
14. Has a traffic study been prepared? (If yes, a copy of the study is to accompany this application.)
15. Is the site in a flood plain? (See appropriate FIRM)

Project Description

Complete the items below as they pertain to your project. Attach a copy of any plans submitted as part of the project application and any other supplemental information that will assist in the review of the proposed project pursuant to CEQA.

1. Commercial, Industrial, or Institutional Projects:

- A. Specific type of use proposed: Commercial, Fast Food Restaurant
- B. Gross square footage by each type of use: 32,210 sq ft of lot area
- C. Gross square footage and number of floors of each building: _____
4,000 sq ft building coverage. 1 Story buildings
- D. Estimate of employment by shift: _____
- E. Planned outdoor activities: _____

2. Percentage of project site covered by:

57 % Paving, 12 % Building, 19 % Landscaping, 12 % Parking

3. Maximum height of structures _____ ft. _____ in.

4. Amount and type of off street parking proposed: N/A

5. How will drainage be accommodated? _____
Existing drainage patterns will be maintained. Please see Drainage Study.

6. Off-site construction (public or private) required to support this project: .

N/A

7. Preliminary grading plans estimate _____ cubic yards of cut and N/A due to existing
cubic yards of fill development

8. Description of project phasing if applicable: Will Provide

9. Permits or public agency approvals required for this project: CUP

10. Is this project part of a larger project previously reviewed by the Town? If yes, identify the review process and associated project title(s) _____

11. During construction, will the project: (Explain any "yes" or "maybe" responses to questions below – attach extra pages if necessary.)

Yes Maybe No

- A. Emit dust, ash, smoke, fumes or odors?
- B. Alter existing drainage patterns?
- C. Create a substantial demand for energy or water?
- D. Discharge water of poor quality?
- E. Increase noise levels on site or for adjoining areas?
- F. Generate abnormally large amounts of solid waste or litter?
- G. Use, produce, store, or dispose of potentially hazardous materials such as toxic or radioactive substances, flammable or explosives?
- H. Require unusually high demands for such services as police, fire, sewer, schools, water, public recreation, etc.
- I. Displace any residential occupants?

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Owner/Applicant Authorization

Applicant/Representative: I/We have reviewed this completed application and the attached material. The information included with this application is true and correct to the best of my/our knowledge. I/We further understand that the Town may not approve the application as submitted, and may set conditions of approval. Further, I/We understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records. This application does not guarantee approval or constitute a building permit application. Additional fees may be required depending on additional administrative costs.

Name: Shea-Michael Anti

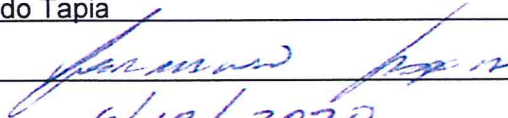
Signature: 

Date: 06/19/2020

Property Owner: I/We certify that I/We are presently the legal owner(s) of the above described property (If the undersigned is different from the legal property owner, a letter of authorization must accompany the form). Further, I/We acknowledge the filing of this application and certify that all of the above information is true and accurate. I/We understand that I/We are responsible for ensuring compliance with conditions of approval. I/We hereby authorize the Town of Yucca Valley and or/its designated agent(s) to enter onto the subject property to confirm the location of existing conditions and proposed improvements including compliance with applicable Town Code Requirements. Further, I/We understand that all documents, maps, reports, etc., submitted with this application are deemed to be public records. This application does not guarantee approval or constitute a building permit application. Additional fees may be required depending on additional administrative costs. I am hereby authorizing

_____ to act as my agent and is further authorized to sign any and all documents on my behalf.

Name: Fernando Tapia

Signature: 

Dated: 6/19/2020

Conditional Use Permit Application Submittal Requirements

Initial Submittal Requirements	# Required
Completed and Signed Applications and Filing Fee	1
Signed completed Project Description and Existing Conditions Letter	1
Signed completed Environmental Information form	1
Signed Agreement for Cost Recovery	1
Site Plan (See Section A)	15
Preliminary Grading and Drainage Plan (Section B)	15
Building elevations, including a minimum of one (1) color set	15
Materials Board	1
Preliminary Landscape Plans	15
Photometric Plan	15
Exterior Lighting Cutsheets	1
Native Plant Plan	15
Biological Assessment	4
8 1/2 x 11 reductions of all plans	1
Signed surrounding property owners list certification	1
Surrounding Property Owners Mailing List and labels	2
Surrounding properties radius map showing project site	1
Preliminary Title Report within 60 days of application date	1
Grant Deeds for all involved properties	1
Detailed slope analysis if project contains any slopes of 15 percent or greater	15
Applicable utility service availability letter	1
Utility Plan including location and capacity	15
Water purveyor service letter or ground water report prepared and signed by a registered civil engineer	1
Signed Hazardous Waste Site Statement	1
Signed statement indicating method of sewage disposal and if Regional Water Quality Control Board approval is required	1
Geologic Report if project located within a special studies zone	4
Air Quality and Greenhouse Gas Inventory/Analysis	4
Traffic Study/Analysis prepared by a registered Civil Engineer	4
Preliminary Soils and Geotechnical Report, unless waived by TE	4
Drainage Study/Analysis prepared by a registered Civil Engineer	4
Underlying Conditions of Approval (if applicable)	1
Copy of underlying Recorded Map and Environmental Constraints Sheet (if applicable)	1
Planned Development Document (if applicable)	15
Specific Plan (if applicable)	15
All maps, plans, special studies, reports, etc. submitted in hard copy as part of this application are also to be delivered electronically, by CD, flash drive or email at time of submittal.	1
<p><i>Please note that each project and each property are unique. Some projects may not require the submittal of each item listed above at time of submittal. Some circumstances may require items not included on the above list. Please contact Planning Staff if you have any questions.</i></p>	

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Plan Preparation and Guidelines

All plans shall be drawn on uniform sheets no less than 24" X 36" (or as approved by the Community Development Department). All plans must be collated, stapled and folded as close as possible to 8 ½" x 11" notebook size. All plans shall be clear, legible and accurately scaled. The site plan, preliminary landscape plan, photometric plan, building elevations and native plant plan should all be at the **same** scale and shall be consistent with each other.

Section A. Site Plan Content

Scale: Engineering scale not to exceed 1"=100'. ✓

The following information shall be included on the plan:

- ◆ Data table formatted in the following order:
 - Assessor's Parcel Number(s) (book, page and parcel number) ✗
 - Legal description ✓
 - Existing and proposed zoning designation ✗
 - Existing and proposed General Plan designation ✗
 - Specific Plan identification and land use designation (if applicable)
 - Existing and proposed land use ✗
 - Total Gross Area: square feet and acres ✗
 - Total Net Area: square feet and acres ✗
 - Approximate earthwork quantities, (CY) include cut and fill (based upon preliminary grading plan) ✗
 - Name of utility purveyors and type of sewage disposal ✗
- ◆ Name, address, phone number, and email of applicant and owner ✗
- ◆ Name, address, phone number, and email of registered civil engineer or licensed Surveyor ✓
- ◆ Graphic scale (with bar scale) and north arrow ✓
- ◆ North arrow (make top of map north) ✓
- ◆ Vicinity map with labeled streets ✓
- ◆ Map number ✓
- ◆ Date plan prepared ✓
- ◆ Revision block indicating date when plan is revised through the development review process ✗ N/A
- ◆ Surrounding information for adjoining properties including zoning and land use ✗
- ◆ Existing topography at least fifty (50) feet beyond project boundary including natural features to be preserved. ✗
- ◆ Existing buildings and traveled ways within the proposed project and within 100 feet of the exterior boundaries. ✗
- ◆ Property lines, dimensions (metes & bounds) and location of adjoining lot lines. ✓
- ◆ The locations, names and existing widths of all highways, streets, or easements that provide legal access to the property. ✓
- ◆ Street(s) dedicated for public right-of-way shall show proposed street names. A list of alternative names shall also be provided. ✓

- ◆ The location of existing wells, cesspools, sewers, culverts, drain pipes, underground structures, or excavated areas within two hundred feet of any portion of the project noting thereon whether or not they are to be abandoned, removed, or remain in operation. ✓
- ◆ The location of all existing and proposed fire hydrants. ✓
- ◆ The location, identification and dimensions of all existing and proposed easements, including rights-of-way, whether public or private. ✗
- ◆ Location of on-site utilities and locations of existing public utilities including sanitary sewers, water mains and storm drains. ✓
- ◆ The locations, names and existing widths of all streets within 100 feet of the property line. ✗ ~~Falsa?~~ NA
- ◆ Proposed street grades with arrows indicating the direction of flow. ✓
- ◆ The widths, approximate grades and curve radii of all new streets within the proposed project, the approximate location of all beginning and ending points of curve of the street centerlines, with street names proposed on map. A separate list of alternative choices in a number proportionate to the number of streets to be named shall be submitted by the developer. NA
- ◆ The approximate location of all areas subject to storm water overflow, inundation or flood hazard (indicate limits of FEMA floodplain and floodway), and the location and direction of flow of each watercourse. - ~~check~~ NA
- ◆ Delineation of special hazard zones (i.e., earthquake faults, liquefaction zones, etc.). - ~~check~~ NA
- ◆ If the site is proposed to be developed in phases, the proposed sequence of phasing shall be provided. NA

Section B. Preliminary Grading Plan Content

Scale: Engineering scale not to exceed 1"=40'. ✓

The following grading information shall be included on the plan:

- ◆ Title Block
 - Name, address, phone, and email address of applicant, owner, and engineer ✗
- ◆ Legend, north arrow, bar and graphic scale ✓
- ◆ Data Table ✗
 - Assessor's Parcel Number(s)
 - Project Name
 - Legal Description (i.e. Tract/Parcel Map and lot(s)/parcel(s))
 - Approximate earthwork quantities (CY)
 - Date and Source of Topography (should be current)
- ◆ Preliminary pad elevations ✓
- ◆ Minimum 1-foot contour interval ✓
- ◆ Drainage facilities ✗
- ◆ Existing and proposed easements, property lines, rights-of-way ✗
- ◆ Overall cut and fill cubic yards (quantity to be called out on the plan)
- ◆ Vicinity map, bar and graphic scale ✓
- ◆ Existing and proposed improvements within and 50' beyond the site boundaries (label those proposed to remain or to be removed)
- ◆ Shade pavement areas and fill slopes 3:1 or steeper ✗
- ◆ Streets; typical cross-sections to show existing and proposed improvements, utilities, right-of-way, etc. **NA**
- ◆ Limits of FEMA floodplain and floodway - *check*
- ◆ Delineate open space areas
- ◆ Delineation of special hazard zones (i.e., earthquake faults, liquefaction zones, etc.) - *check*

Agreement to Pay All Development Application Fees

In accordance with Town Council Resolution 04-38 the Town collects certain fees based on the actual cost of providing service. The application deposit for this project (as indicated below) may not cover the total cost of processing this application. I/We are aware that if the account has 25% or less remaining prior to completion of the project, staff will notify the undersigned in writing, of the amount of additional deposit required to complete the processing of the application, based on Staff's reasonable estimate of the hours remaining to complete this application process.

Further, I understand that if I do not submit the required additional deposit to the Town within 15 business days from the date of notification by the Town, the Town will cease processing of the application and/ or not schedule the project for action by the Planning Commission or Town Council until the fees have been paid.

Any remaining deposit will be refunded to me at time of closeout after I have submitted any required approved project plans and forms, including signed conditions of approval, or upon my written request to withdraw the application.

As the applicant, I understand that I am responsible for the cost of processing this application and I agree that the actual costs incurred processing this application will be paid to the Town of Yucca Valley.

Deposit Paid: \$ 2,985.00

Applicants Name Shea-Michael Anti

Applicant's Signature 

Date: 06/18/2020

(Please print)



Property Owners Mailing List

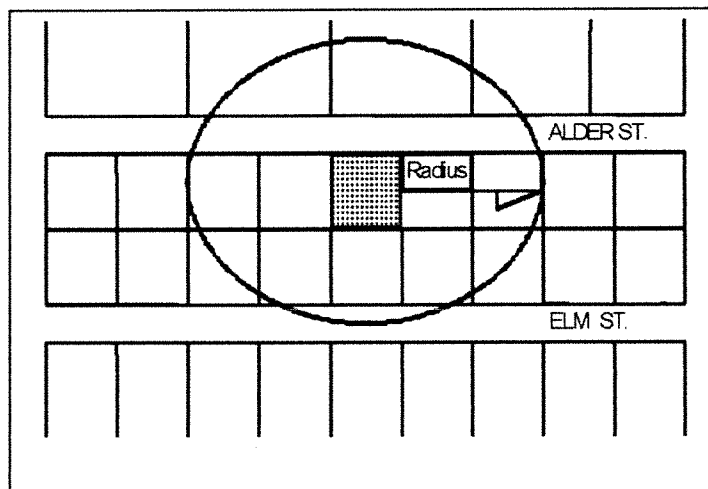
All applications that are subject to a Public Hearing require the applicant to submit a list of property owners who own property contiguous to and within 300 feet of the project site. This process is required by Section 83.010330 of the Development Code to notify residents and property owners in the immediate vicinity. Staff will send public notices to these individuals informing them of the proposed project and scheduled public hearings.

The surrounding property owner information must be obtained from the most current San Bernardino County Assessor's roll or shall be prepared and verified by a title company doing business in San Bernardino County. A County Assessor's office is located at 63665 29 Palms Hwy in Joshua Tree. The general telephone number for the Assessor's office is 760-366-1420.

MATERIALS REQUIRED:

- Two (2) sets of adhesive labels containing the mailing address of the owner(s), applicant(s) and of all surrounding property owners, including vacant properties. Mailing labels must contain: Assessor's Parcel Number, property owners name, address and zip code.
- One (1) copy of the labels sheets.
- One (1) radius map showing the subject property and all surrounding properties. The appropriate radius shall be drawn from the exterior boundaries of the subject property as shown in the sample below. The scale of the radius map shall be large enough to clearly show all surrounding properties.
- One (1) electronic copy of all submitted materials.

Sample Vicinity/Radius Map





SURROUNDING PROPERTY OWNERS LIST CERTIFICATION
(To be submitted with application)

I, _____, certify that on _____ the attached property owners list was prepared by _____ pursuant to the requirements of the Town of Yucca Valley. Said list is a complete compilation of the owner(s), applicant(s) and representative of the subject property and all owners of surrounding properties within a radius of _____ feet from all exterior boundaries of the subject property and is based on the latest equalized assessment rolls of the San Bernardino County Assessor's Office dated _____. I further certify that the information filed is true and correct to the best of my knowledge; I understand that incorrect and erroneous information may be grounds for rejection or denial of the development application.

Signed: _____

Print Name: _____ Date: _____

Please note certification to be
mailed in.

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Developer Disclosure Statement

This portion of the application must be fully completed and signed by the applicant. If not fully completed and signed, the application will be deemed incomplete.

Address of subject property: Twentynine Palms Highway

Cross street: West of Twentynine Palms Highway and Balsa Avenue

Date this Disclosure Statement is completed: 06/18/2020

Name of Applicant: Umair Khan, Kimley-Horn and Associates

The Applicant is a:

- Limited Liability Company (LLC)
- Partnership
- Corporation
- None of the above

Information for LLC, Partnership, Corporation

Name _____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

State of Registration _____

Managing member(s), General Partner(s) officer(s)

Name _____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

Attach additional sheets if necessary

Agent for Service of Process

Name Kimley-Horn & Associates Phone 951-382-0963 Fax _____

Mailing Address 3880 Lemon St. Suite 420 Email umair.khan@kimley-horn.com

City Riverside State CA Zip 92501

For Corporations, Shareholder with Fifty Percent or More Share or Controlling Shareholder

Name _____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

The Owner is a:

- Limited Liability Company (LLC)
- Partnership
- Corporation
- None of the above

Information for LLC, Partnership, Corporation

Name _____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

State of Registration _____

Managing member(s), General Partner(s) officer(s)

Name _____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

Attach additional sheets if necessary

Agent for Service of Process

Name _____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

For Corporations, Shareholder with Fifty Percent or More Share or Controlling Shareholder

Name _____ Phone _____ Fax _____

Mailing Address _____ Email _____

City _____ State _____ Zip _____

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The Party in escrow is a (if property is in escrow):

- Limited Liability Company (LLC)
- Partnership
- Corporation
- None of the above

Information for LLC, Partnership, Corporation

Name _____ Phone _____ Fax _____
 Mailing Address _____ Email _____
 City _____ State _____ Zip _____
 State of Registration _____

Managing member(s), General Partner(s) officer(s)

Name _____ Phone _____ Fax _____
 Mailing Address _____ Email _____
 City _____ State _____ Zip _____

Attach additional sheets if necessary

Agent for Service of Process

Name _____ Phone _____ Fax _____
 Mailing Address _____ Email _____
 City _____ State _____ Zip _____

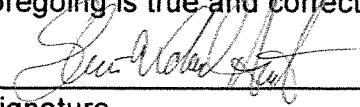
For Corporations, Shareholder with Fifty Percent or More Share or Controlling Shareholder

Name _____ Phone _____ Fax _____
 Mailing Address _____ Email _____
 City _____ State _____ Zip _____

For any deeds of trust or other liens on the property (other than real property tax liens) please state the following:

- A. Name of beneficiary of the deed of trust or lien _____
- B. Date of the deed of trust or lien. _____

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on the date and location set forth below



 Signature

Print Name: Shea-Michael Anti

Title: Representative for Owner

Date of signing: 06/18/2020

Location: _____

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Hazardous Waste and Substance Sites

Government Code Section 65962.5 requires each applicant for any development project to consult the State List of Hazardous Waste and Substance Sites. Based upon the list, the applicant/representative is required to submit a signed statement to the Town of Yucca Valley indicating whether the project is located on a site which is included on the list before the Town accepts the application as complete. If the project is listed by the State as a hazardous waste or substance site, the applicant must fully describe on the "Environmental Information Form" the nature of the hazard and the potential environmental impact. Attached is a standard statement for the applicant to sign.

The State list of Hazardous Waste and Substance Sites (which is annually updated) may be reviewed at the following web site address:

http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm

Attachment: Hazardous Waste Site Statement



HAZARDOUS WASTE SITE STATEMENT

I have been informed by the Town of Yucca Valley of my responsibilities, pursuant to California Government Code Section 65962.5, to notify the Town as to whether the site for which a development application has been submitted is located within an area which has been designated as the location of a hazardous waste site by the Office of Planning and Research, State of California (OPR).

I am informed and believe that the proposed site, for which a development application has been submitted, is not within any area specified in said Section 65962.5 as a hazardous waste site.

I declare under penalty of perjury of the laws of the State of California that the foregoing is true and correct.

Dated: 06/19/2020

Shea-Michael Anti

Applicant/Representative printed name

Applicant/Representative signature

Special Studies

In order to ensure a project will comply with applicable local, State and Federal requirements, special studies or reports may be required for a project. These special studies can include biological, hydrologic, soils, geotechnical, noise, photometric, traffic, etc. Some of these studies are valid for a limited period of time. The following information is intended to provide some basic information on the types of studies that may be necessary based upon the project

Biological:

A General Biological Assessment is typically required for projects that have seen little or no disturbance. The report generally includes a focused tortoise survey and burrowing owl habitat assessment. The desert tortoise is protected under both state and federal law. The burrowing owl is listed as a species of special concern by the state Fish and Game Department. Together this study helps to evaluate the site and recommend mitigation measures to help avoid impacts to biological resources if required.

Additional information on the Desert Tortoise can be obtained from the following website:<http://www.deserttortoise.org/documents/2010DTPre-projectSurveyProtocol.pdf>

Additional information on the Burrowing Owl can be obtained from the following website:<http://www.dfg.ca.gov/wildlife/nongame/docs/boconsortium.pdf>

The studies are valid for a period of one year. If a project is in the planning process and the report expires prior to the start of construction it is possible that an update will be required.

Native Plant Plans: Should your site be enriched with native plants, including but not limited to joshua trees, mojave yuccas, or junipers a native plant plan is required to be submitted with your project. The plan shall include an inventory of the size, health, and condition of the plant. Recommendations for the plant can include relocate, protect in place or destroy. It is encouraged to incorporate as many plants as possible back into the project landscaping.

Traffic: When it is anticipated that a project will have an impact on traffic circulation or a project is expected to generate in excess of 50 average daily trips (ADTs) then a traffic study is likely required. These reports can range from a simple one page letter prepared by a traffic engineer to complex traffic studies depending on the scope of the project.

Hydrology: The project shall provide retention for the incremental storm flows generated during the worst case 100 year storm event plus an additional 10% minimum, and 20% incremental retention is desired. A hydrology study shall be provided detailing the retention amounts required.

Geotechnical/Soils Report: This study evaluates what type of soils occur onsite and makes recommendations for construction on the site. These are required to be submitted with the final grading plans.

Photometric Analysis: A photometric analysis evaluates lighting to be installed on the site and predicts the intensity of the light and locations on the site. Additionally, lighting cut sheets of all proposed exterior lights shall be submitted.

Geotechnical/Fault Hazard Investigation: If any portion of your site is in an Alquist-Priolo Special Study, area fault trenching approved and coordinated with the Town and San Bernardino County Geologist, is required. The trenching is to determine the location of any faults on the site. The consultants, in conjunction with the County Geologist will determine if there are any restrictions that must be imposed for construction on the site.

Noise: A noise study or acoustical analysis may be required for different reasons. One example is if the project is expected to generate large amounts of noise that could impact surrounding neighbors, businesses, etc. Another example is if a nearby roadway may be generating noise in excess of acceptable standards and mitigation to protect the future occupants is required.

Air Quality Assessment: Larger projects and/or those that involve the movement of significant amounts of earth, or will have an impact on air quality are required to provide an air quality assessment. This assessment will recommend mitigation measures to reduce the impacts to less than significant levels.

Greenhouse Gas Inventory: In order to comply with state requirements, many projects are required to prepare and submit a greenhouse gas emissions inventory. The study will look at both short and long term impacts the project will have on Greenhouse gas and make recommendations to reduce any impacts to levels which are less than significant.

