



Conditional Use Permit Application

Date Received	_____
By	_____
Fee	_____
Case #	_____
EA #	_____

General Information

APPLICANT Joshua Village 2022 LLC Phone 718-541-3523

Mailing Address 146 N Highland Ave Email moisce@embelmanagement.com

City Los Angeles State CA Zip 90036

REPRESENTATIVE Detlef Diercks Phone (913) 341-2466

Mailing Address 8826 Santa Fe Drive, Suite 304 Email DDiercks@ddg.bz

City Overland Park State KS Zip 66212

PROPERTY OWNER Joshua Village 2022 LLC Phone 718-541-3523

Mailing Address 146 N Highland Ave Email moisce@embelmanagement.com

City Los Angeles State CA Zip 90036

Project Information

Project Address 57590 Twentynine Palms Highway Assessor Parcel Number(s) 0595-271-36-00

Project Location Pad site in front of Vons.

Project Description: New ground up freestanding single tenant restaurant building with pick up lane and outdoor dining patio.

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

Environmental Assessment

1. Property boundaries, dimensions and area (also attach an 8 ½ x 11" site plan):

Attached

2. Existing site zoning: C-N

3. Existing General Plan designation: Commercial

4. Precisely describe the existing use and condition of the site: grocery, retail, banking, restaurant

5. Existing Zoning of adjacent parcels:

North R-S-5 South C-G East C-G West C-MU

6. Existing General Plan designation of adjacent parcels:

North Residential South Commercial East Commercial West Commercial

7. Precisely describe existing uses adjacent to the site:

North Vacant Land and Single Family Homes

South Vacant Land and Commercial

East Multiple Fast Food

West Bank and Commercial

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

Existing asphalt parking lot with 2 existing joshua trees to be preserved

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 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: Restaurant with Pick Up Lane and Patio
- B. Gross square footage by each type of use: 2,325
- C. Gross square footage and number of floors of each building: 2,325
- D. Estimate of employment by shift: 8
- E. Planned outdoor activities: Patio dining

2. Percentage of project site covered by:

Paving 60 % Building 27 % Landscaping 13 % Parking 23 %

3. Maximum height of structures 20'-8"

4. Amount and type of off street parking proposed: 6 on pad plus shared site parking

5. How will drainage be accommodated? _____
Drainage will be accommodated by draining the site into the existing concrete valley gutter and paved parking lot

6. Off-site construction (public or private) required to support this project:
Offsite construction within public Right-of-Way (Town of Yucca Valley) for ADA access

7. Preliminary grading plan estimate of cut and fill Cut=140 CU YDS - Fill=100 CU YDS
Net=10 CU YDS (Export)

8. Description of project phasing if applicable: N/A

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

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

Yes Maybe No

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

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.

Signature: _____

Name: Detlef Diercks

Date: _____

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 Todd Siegel

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

Signature: _____

Name: Moisce Belinow

Date: 6/10/22

The Town of Yucca Valley is hereby granted release to copy and reproduce electronically, in whole or in part, drawings and all other materials submitted with this development application including phone numbers, addresses and e-mail addresses, for the Town's regulatory, administrative, and legal functions, including sharing of information with other governmental entities and for compliance with the California Public Records Act (CPRA). If any of these statements cannot be affirmatively acknowledged, please inform the planner before submitting a development application.

Signature: _____

Name: Moisce Belinow

Date: 6/10/22

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: _____

Applicants Name **Detlef Diercks** _____

Applicant's Signature _____

Date: _____

(Please print)

Conditional Use Permit Application Submittal Requirements

Initial Submittal Requirements	# Required
Completed and Signed Applications and Filing Fee	1
Project Description and Existing Conditions Letter	1
Signed completed Environmental Information form	1
Signed Agreement for Cost Recovery	1
Signed Hazardous Waste Site Statement	1
Preliminary Title Report within 60 days of application date	1
Grant Deeds for all involved properties	1
Site Plan (See Section A)	5
Floor Plans	5
Building elevations, including a minimum of one (1) color set	5
Preliminary Grading and Drainage Plan (Section B)	5
Detailed slope analysis if project contains any slopes of 15 percent or greater	5
Preliminary Landscape Plans	5
Native Plant Plan	5
Photometric Plan	5
Exterior Lighting Cutsheets	1
Utility Plan including location and capacity	5
Materials Board	1
8 1/2 x 11 reductions of all plans	1
Applicable utility service availability letters	1
Water purveyor service letter or ground water report prepared and signed by a registered civil engineer	1
Signed statement indicating method of sewage disposal and if Regional Water Quality Control Board approval is required	1
Signed surrounding property owners list certification	1
Surrounding property owners mailing list and labels	2
Surrounding properties radius map showing project site	1
Underlying Conditions of Approval (if applicable)	1
Copy of underlying Recorded Map and Environmental Constraints Sheet (if applicable)	1
Planned Development Document (if applicable)	2
Specific Plan (if applicable)	2
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
Upon review of the initial submittal, the Town will determine which of the following studies will be required for the project:	
Air Quality and Greenhouse Gas Inventory/Analysis	2
Archaeological Survey	2
Biological Report to include Native Plant Inventory and Focused Desert Tortoise	2
Geological Report, if property is located within an Alquist Priolo zone	2
Geotechnical/Soils Report	2
Hydrology Report prepared by a registered Civil Engineer	2
Noise Study	2
Traffic Study/Analysis prepared by a registered Civil Engineer	2
<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>	

Property Owners Mailing List

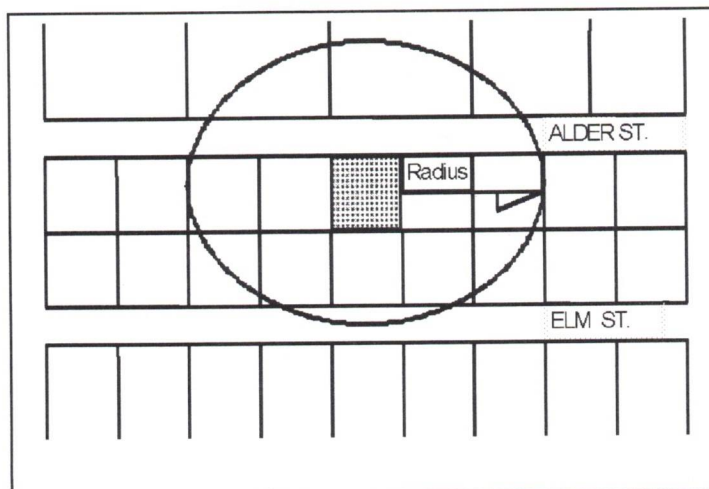
All applications that are subject to a Public Hearing require the applicant to submit a list of property owners who own property contiguous to and within 300 feet of the project site. This process is required by Section 83.010330 of the Development Code to notify residents and property owners in the 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: _____

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: 57590 Twentynine Palms Hwy

Cross street: _____

Date this Disclosure Statement is completed: 06/10/2022

Name of Applicant: Joshua Village 2022 LLC

The Applicant is a:

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

Information for LLC, Partnership, Corporation

Name Joshua Village 2022 LLC

Phone 718-541-3523

Mailing Address 146 N Highland Ave

Email moisce@embelmanagement.com

City Los Angeles

State CA Zip 90036

State of Registration California

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

Name Moisce Belinow

Phone 718-541-3523

Mailing Address 146 N Highland Ave

Email moisce@embelmanagement.com

City Los Angeles

State CA Zip 90036

Attach additional sheets if necessary

Agent for Service of Process

Name Moisce Belinow

Phone 718-541-3523

Mailing Address 146 N Highland Ave

Email moisce@embelmanagement.com

City Los Angeles

State CA Zip 90036

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

Name _____

Phone _____

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 Joshua Village 2022 LLC

Phone 718-541-3523

Mailing Address 146 N Highland Ave

Email moisce@embelmanagement.com

City Los Angeles

State CA Zip 90036

State of Registration CA

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

Name Moisce Belinow

Phone 718-541-3523

Mailing Address 146 N Highland Ave

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City Los Angeles

State CA Zip 90036

Attach additional sheets if necessary

Agent for Service of Process

Name Moisce Belinow

Phone 718-541-3523

Mailing Address 146 N Highland Ave

Email moisce@embelmanagement.com

City Los Angeles

State CA Zip 90036

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

Name _____

Phone _____

Mailing Address _____

Email _____

City _____

State _____ Zip _____

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 Joshua Village 2022 LLC

Mailing Address 146 N Highland Ave

City Los Angeles

State of Registration CA

Phone 7185413523

Email moisce@embelmanagement.com

State CA Zip 90036

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

Name Moisce Belinow

Mailing Address 146 N. Highland Ave

City Los Angeles

Phone 7185413523

Email moisce@embelmanagement.com

State CA Zip 90036

Attach additional sheets if necessary

Agent for Service of Process

Name _____

Mailing Address _____

City _____

Phone _____

Email _____

State _____ Zip _____

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

Name _____

Mailing Address _____

City _____

Phone _____

Email _____

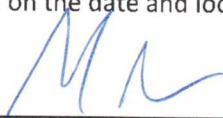
State _____ Zip _____

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. 5/05/2022

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 Moisce Belinow

Title: Manager of Joshua Village 2020 LLC

Date of signing 6/10/22

Location: Los Angeles, CA

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: 06/10/2022

Moisce Belinow, Manger of Joshua Village 2022 LLC

Applicant/Representative printed name


Applicant/Representative signature

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.