

P

Type

Docs

Plans

VPE05-0086

Building Permit Number

370

Street Number

SEBASTOPOL RD

Street Name

Community Code

APN

**COUNTY OF SONOMA**  
**PERMIT AND RESOURCE MANAGEMENT DEPARTMENT**

2550 VENTURA AVENUE, SANTA ROSA, CA 95403-2829  
(707) 565-1900 FAX (707) 565-1103

**Application Fees / Invoice for: UPE05-0086**

**Project Address:** 370 SEBASTOPOL RD ROS  
**Cross Street:** DUTTON AVE

**APN:** 125-172-040

**Description:** USE PERMIT

**Status:** STARTED  
**Printed:** Wednesday, August 03, 2005  
**Initialized by:** TTESCONI  
**Activity Type:** C-USE 501

**Owner:** GAWFCO ENTERPRISES INC  
DBA DC-17 254320  
587 YGNACIO VALLEY RD  
WALNUT CREEK CA 94596

**Applicant:** JOSE CESARES  
P O BOX 8681  
SANTA ROSA CA  
95401

707 235 9492

**Fees:**

Item#	Description	Account Code	Tot Fee	Prev. Pmts	Cur. Pmts
224	VIO. PENALTY FEE (ZONE)	025015-1600	12,138.00	.00	.00
334	EH REVIEW PUB SEW & WAT	025015-3355	153.00	.00	.00
615	PUBLIC ROAD REVIEW	025015-3140	402.00	.00	.00
750	SUSMP PROG DEVELOPMENT	025015-1341	24.00	.00	.00
1131	USE PERMIT LEVEL II	025015 3823	4,046.00	.00	.00
			<b>\$16,763.00</b>	<b>\$0.00</b>	

**Total Fees:** \$16,763.00

**Total Paid:** \$0.00

**Balance Due:** \$16,763.00

Refunds will not be authorized unless circumstances comply with established PRMD refund policy provisions.

When validated below, this is your receipt.

**WITHDRAWN**

PAYMENT RECEIPT \$ 16,763.00
AUG - 3 2005
PERMIT AND MANAGEMENT COUNTY OF SO

# Planning Application

PJR-001

File#: \_\_\_\_\_

JPB05-0086

## Type of Application:

- |   |  |   |  |
|---|--|---|--|
| <input type="checkbox"/> Admin Cert. Compliance | <input type="checkbox"/> Design Review Comm./Ind.  | <input type="checkbox"/> Minor Subdivision            | <input type="checkbox"/> Variance      |
| <input type="checkbox"/> Ag./Timber Preserve    | <input type="checkbox"/> Design Review Residential | <input type="checkbox"/> Mobile Home Zoning Permit    | <input type="checkbox"/> Zone Change   |
| <input type="checkbox"/> Cert. of Compliance    | <input type="checkbox"/> Design Review Signs       | <input type="checkbox"/> Ordinance Interpretation     | <input type="checkbox"/> Zoning Permit |
| <input type="checkbox"/> Cert. of Modification  | <input type="checkbox"/> General Plan Amendment    | <input type="checkbox"/> Second Unit Permit           | <input type="checkbox"/> Other: _____  |
| <input type="checkbox"/> Coastal Permit         | <input type="checkbox"/> Lot Line Adjustment       | <input type="checkbox"/> Specific/Area Plan Amendment |  |
| <input type="checkbox"/> Design Review Admin.   | <input type="checkbox"/> Major Subdivision         | <input checked="" type="checkbox"/> Use Permit        |  |

## Applicant (Contact Person):

Jose Cazares  
Name  
P.O. Box 8681  
Mailing Address  
Santa Rosa CA 95401  
City/Town State/Zip  
(707) 235-94-92 (707) 578-50-65  
Phone Fax  
Jose Cazares 8-03-05  
Signature Date

## Owner, if other than Applicant:

NAZEM AHMADI  
Name  
587 Ygnacio Valley Rd  
Mailing Address  
Walnut Creek CA 95406  
City/Town State/Zip  
(925) 979-0560 Ext #301  
Phone Fax  
Nahmadi 8-03-05  
Signature Date

## Other Persons to be Notified: (Specify: Agent, Lender, Architect, Engineer, Surveyor, Other owner(s))

Name <u>Kristian Segura</u>	Name	Name
Mailing Address <u>2027 FULTON Rd.</u>	Mailing Address	Mailing Address
City/Town State/Zip <u>Santa Rosa Ca. 95403</u>	City/Town State/Zip	City/Town State/Zip
Title	Title	Title
Phone Fax <u>707-849-0917</u>	Phone Fax	Phone Fax

## Project Information:

370 Sebastopol Rd Santa Rosa CA 95407  
Address(es) City/Town  
125-177-040  
Assessor's Parcel Number(s) Acreage  
Project Description: Mobile food Vendor - taco truck at Valero gas station

Site Served by Public Water?  yes  no Site Served by Public Sewer?  yes  no Number of new lots proposed 0

DO NOT WRITE BELOW THIS LINE - To Be Completed by PRMD Staff

Planning Area: 5 Supervisorial District: 5 Current Zoning: C2 General Plan Land Use: GC  
Specific Plan: South Santa Rosa S.P. Land Use: \_\_\_\_\_ Needs CEQA Review?  yes  no

### Commercial/Industrial Uses: (Enter numbers where applicable)

Bldg. sq. ft. Existing: \_\_\_\_\_ Proposed: \_\_\_\_\_; Existing Employees: \_\_\_\_\_ New Employees: \_\_\_\_\_

### Residential Uses: (Enter numbers where applicable)

New Single Family Homes: \_\_\_\_\_ New Multi-Family Units: \_\_\_\_\_ New Second Units: \_\_\_\_\_  
New Manufactured Homes: \_\_\_\_\_ New Units For Sale: \_\_\_\_\_ New Units For Rent: \_\_\_\_\_ Density Bonus Units: \_\_\_\_\_

Violation?  yes  no; Application resolve planning violation?  yes  no; Penalty applicable?  yes  no; Civil Penalty Factor \_\_\_\_\_

Previous Files: DR 85 11527 7752 ADR 04 0063

Application accepted by NICK CHASE Date 8/03/05

## Sonoma County Permit and Resource Management Department

2550 Ventura Avenue ♦ Santa Rosa, CA ♦ 95403-2829 ♦ (707) 565-1900 ♦ Fax (707) 565-1103

# Use Permit - Supplemental Application Information

PJR-022

Existing use of property: gas station

Acreage: \_\_\_\_\_

Existing structures on property: \_\_\_\_\_

Proximity to creeks, waterways and impoundment areas: none

Vegetation on site: none

General topography: \_\_\_\_\_

Surrounding uses to (Note: An adjoining road is not a use.) North: \_\_\_\_\_ South: \_\_\_\_\_  
East: \_\_\_\_\_ West: \_\_\_\_\_

New structures proposed (size, height, type): \_\_\_\_\_

Number of employees: Full time: \_\_\_\_\_ Part time: 2 Seasonal: \_\_\_\_\_

Operating days: Mon<sup>thru</sup> Sun Hours of operation: 11am to 11pm

Number of vehicles per day: Passenger: 2 Trucks: 35

Water source: \_\_\_\_\_ Sewage disposal: \_\_\_\_\_

Provider, if applicable: \_\_\_\_\_ Provider, if applicable: \_\_\_\_\_

New noise sources (compressors, power tools, music, etc.): \_\_\_\_\_

Grading required: Cut Max: N/A Fill Max: N/A

Fill area: N/A Approx. total yds: N/A

Vegetation to be removed: \_\_\_\_\_

Will proposal require annexation to a district in order to obtain public services:  
Yes \_\_\_\_\_ No X

Are there currently any hazardous materials (chemicals, oils, gasoline, etc.) stored, used or processed on this site? Yes \_\_\_\_\_ No X

Will the use, storage, or processing of hazardous materials occur on this site in the future if this project is authorized? Yes \_\_\_\_\_ No X

Fire safety information (existing/proposed water tanks, hydrants, emergency access and turnaround, building materials, etc): \_\_\_\_\_

# Indemnification Agreement

PJR-011

"As part of this application, applicant agrees to defend, indemnify, release and hold harmless the County, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or the adoption of the environmental document which accompanies it. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in conjunction with the approval of this application, whether or not there is concurrent passive or active negligence on the part of the County. If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect."

Jose Lazares  
Applicant

M. Almon  
Property Owner (if other than applicant)

8-3-05  
Date

UPEOS-0086  
File No.

**NOTE:** The purpose of the Indemnification Agreement is to allow the County to be held harmless in terms of potential legal costs and liabilities in conjunction with permit processing and approval.

$3x + fee$

3000K

3594  
4084

78678

Level 2

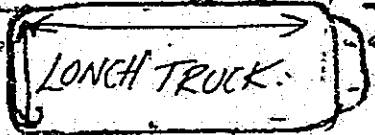
3x Level 2 fee

1x credit  
OF

\$ 11K +/-

7500

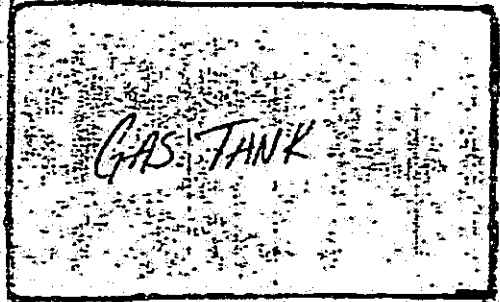
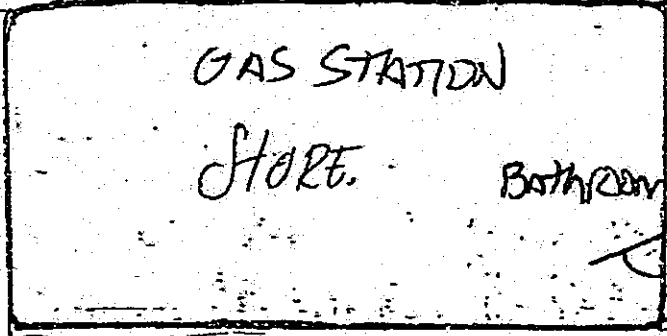
PARKING



35' +/-

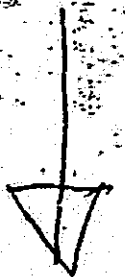
location

PARKING



DUTTON AVE.

North



SEBASTOPOL RD.

# COUNTY ASSESSOR'S PARCEL MAP

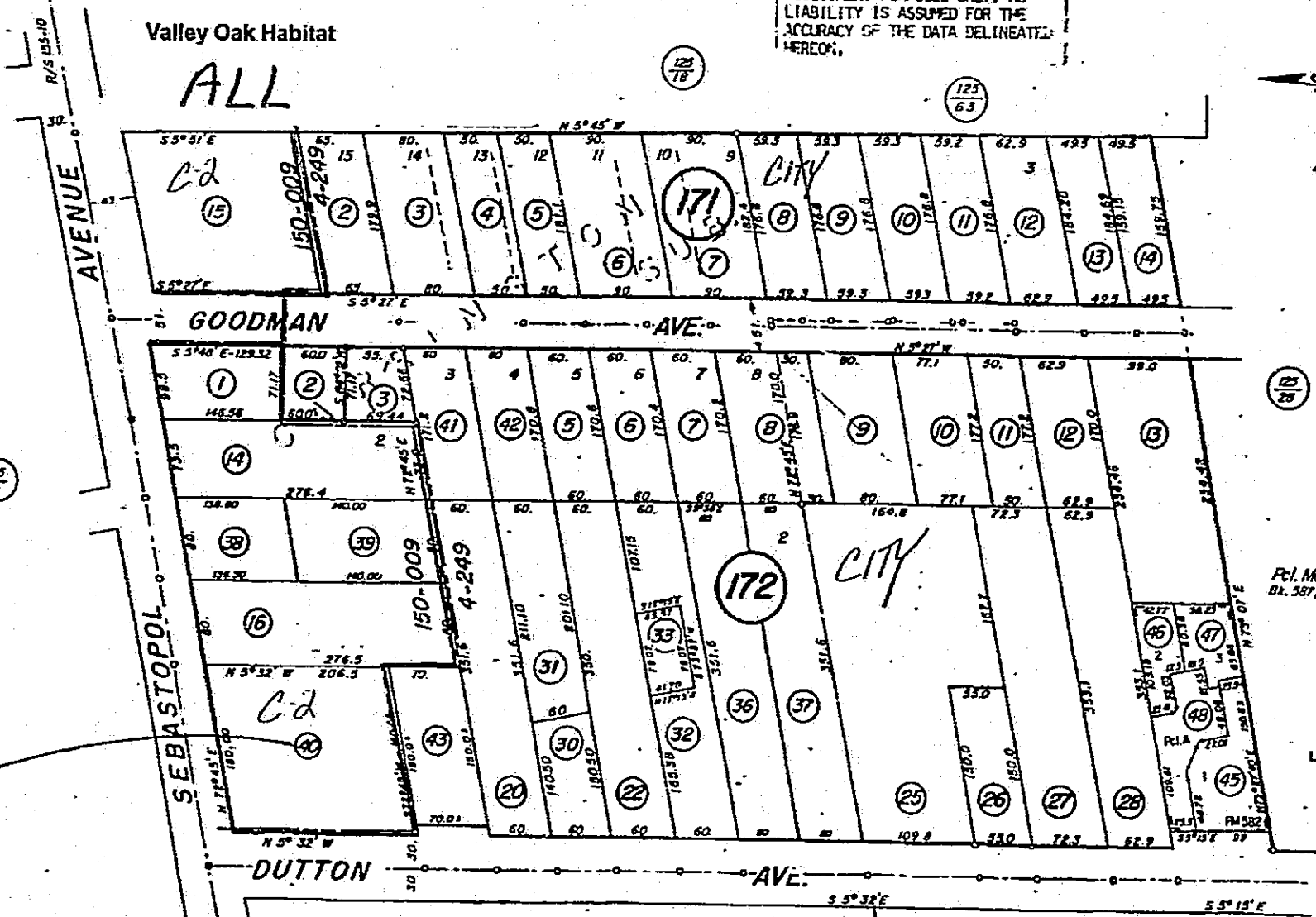
TAX RATE AREA  
150-009  
4-249

125-17

NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA DELINEATED HEREON.

Valley Oak Habitat

ALL



SITE

Pct. Map No. 582  
Bk. 387, Pgs. 1-4, Rec. U-19-98

REVISED  
10-8-79  
10-12-83-43  
LSL 4-6-92-15(17)(44)  
R-3-98-48(72) R

C. N. CARRINGTON'S SUBDIVISION  
ROSELAND, Part of Block A

Assessor's Map Bk. 125 Pg. 17  
125-23  
Sonoma County, Calif.

2-9-05

## Proposal letter

My name is Jose Cazares.

I'm applying for the Use permit to

operate my business "Los Magos" taco truck

located on the Valero gas station at the

address 370 Sebastopol Rd. Santa Rosa, CA 95407.

Monday thru Sunday from 11:00 am to 11:00 pm

I would like to have the permit to sell

my food like tacos, tortas, burritos, Quesadilla,

and sodas. To include outdoor seating

consisting of two benches located

under temporary awning.

Customers can use

gas station bathroom.

NSZ

José Cazares



**COUNTY OF SONOMA**  
**PERMIT AND RESOURCE MANAGEMENT DEPARTMENT**

2550 Ventura Avenue, Santa Rosa, CA 95403-2829  
(707) 565-1900 FAX (707) 565-1103

August 25, 2005

Jose Cazares  
P O Box 8681  
Santa Rosa CA 95401

Re: UPE05-0086; 370 Sebastopol Road., Santa Rosa; APN(S): 125-172-040  
Zoning: C2 (Retail Business and Service)

The Project Review Division of the Sonoma County Permit and Resource Management Department has reviewed your Use Permit application for a mobile food vendor pursuant to Government Code Section 65943. The Use Permit application, which was received on August 3, 2005, has been found to be incomplete. The following must be provided in order to complete the application:

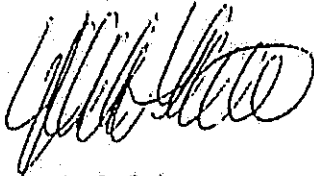
1. Supplemental Application Information. All information required on the Supplemental Application Information form was not provided. Please complete form (enclosed), providing all required information, and return to the Project Review Division. Additionally, please reevaluate the number of vehicles expected during the 12 hours of operation (the estimation of two passenger vehicles per day appears to be unreasonably low).
2. Site Plan. Please provide an accurate site plan (8 1/2" x 11") clearly showing:
  - All parking spaces existing on property (include dimensions of typical parking space and aisle width)
  - Foot print of existing building (include dimensions).
  - Proposed location of food vending truck, including distance to property lines, structures and parking spaces.
  - Dimensions and location of outdoor seating area (include distance to nearest property lines).
  - Location and dimensions of trash enclosure.
3. Utility Certificate. A Utility Certificate or waiver from the City of Santa Rosa is required for all new uses. Please provide verification (i.e. copy of receipt) that an application for a Utility Certificate has been submitted to the City of Santa Rosa.
4. Sound Study. A sound study is required due to the proposed hours of operation and proximity of residential uses.
5. Lighting Plan. Please submit specifications (cut sheets) of any exterior lighting and indicate proposed location of lighting fixtures. (Note: Lighting should be fully shielded and directed downward to prevent glare and light trespass.)
6. Elevations. Illustrations or photos of the proposed mobile food vehicle, canopy and outdoor furniture (please provide dimensions and colors).
7. Existing Business. Please provide information regarding existing commercial operation (Valero service station and mini-market):
  - Hours and days of operation. **6AM - MIDNIGHT SAT & SUN**
  - Square footage of existing structure. **6AM - 11PM WEEKDAYS**

Cazares/UPE05-0086  
August 25, 2005  
Page 2

8. Signage. Illustration or photo of all proposed signage (please provide dimensions). Indicate where sign would be located.
9. Power Source. Please provide a description of the truck's power source.
10. Customer Count. Please provide an estimate of the number of customers that are served each day by the mobile food vendor business. **70-80 CUST PER DAY**

Once the above information has been received by our office, the project packet will be sent out on referral to relevant county divisions and government agencies for review and comment.

I can be reached at (707) 565-2138 should you have any questions or need to schedule an appointment.



Yolanda G. Solano  
Project Planner

c: Ahmadi Nazem

cc: Yolanda Solano

LAW OFFICES OF

PERRY, JOHNSON, ANDERSON

MILLER & MOSKOWITZ LLP

438 First Street, 4<sup>th</sup> Floor, Santa Rosa, CA 95401  
P.O. Box 1028, Santa Rosa, CA 95402

**RECEIVED**  
APR 10 2006  
County Counsel  
COUNTY OF SONOMA

April 7, 2006

- William D. Anderson
- John E. Johnson\*
- Malcolm T. Manwell
- Michael G. Miller
- Lawrence A. Moskowitz\*
- Leslie R. Perry
- D. Anthony Wheeldin
- Burton H. Fohrman
- Roger J. Illsley
- Daphne A. Beletsis
- Eric J. Koenigshofer
- Scott A. Lewis
- Mary Jane Schneider
- Marla D. Keenan
- Anne C. D'Arcy
- Mark W. Hostetter
- Glenda R. Carvalho

Linda Schiltgen, Esq.  
Office of the Sonoma County Counsel  
575 Administration Drive  
Santa Rosa, CA 95403

Re: José Casares, 990 Sebastopol Road, Santa Rosa  
File: VPL 04-0430

Dear Ms. Schiltgen:

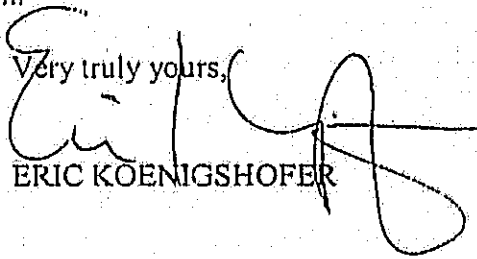
I met yesterday with my client, José Casares, and he desires to enter into a settlement agreement consistent with the terms you and I discussed. Specifically, on execution of a settlement agreement between my client and the County of Sonoma, my client will withdraw his application for a Use Permit for a Mobile Food Vending Business at 370 Sebastopol Road, Santa Rosa (UPE 05-0086). Upon execution of the settlement agreement, County of Sonoma will refund to José Casares \$11,252.44. The County will retain from funds on deposit \$5,510.56 (\$4,000 penalties; \$1,510.56 abatement costs).

In addition to the requirement that my client withdraw the Use Permit Application, my client also agrees that he will refrain from operating a mobile food vending business on the subject property.

As we discussed in our recent telephone conversation, I will be happy to prepare the details of a settlement agreement for execution. In order to expedite that process, I'm sure that your office has a document on file with all the standard provisions required by the County in such a case. I would appreciate receiving by e-mail, mail or fax a generic draft in order to facilitate my effort.

Upon final execution of the settlement agreement, it is requested that the refund check be issued as payable to José Casares and Perry, Johnson, Anderson, Miller & Moskowitz LLP, and conveyed to this office.

Thank you for your time and attention.

Very truly yours,  
  
ERIC KOENIGSHOFER

\*Certified Specialist  
Family Law,  
The State Bar of California  
Board of Legal Specialization

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