

From: [gaustad](#) [REDACTED]
To: -- City Clerk; [Kevin McDonnell](#)
Cc: -- [City Council](#)
Subject: Public Comment
Date: Sunday, September 10, 2023 11:19:22 PM

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Dear Mayor McDonnell and City Council members,

My name is Robert Gaustad, and I am a former restaurant owner in Petaluma. I am writing in support of Heather Kratt and her Floodway project at the corner of Petaluma Blvd N, and Stony Point Road. I have to say I'm amazed that her attempts to turn an ugly, blighted property on the northern gateway to Petaluma into a much-needed gourmet food truck location has been met with such negative force by the city of Petaluma. I realize that the property is in a floodway, but Heather's plan from day one was to have a completely mobile business. So, in the case of a rare flood, the lot would be 100% empty when that flood hit, just like it was this past January. Her lot, empty because she had spent hundreds of hours cleaning debris such as hypodermic needles, sanitary napkins, empty food containers, clothing, and more, was one that didn't send pollutants back into the river when the flood receded.

I was amazed she didn't immediately get a use permit for her business. Instead, she was dismissed out of hand and told that nothing could be done on that lot, because it's in a floodway. Well, that may be the case, technically, but as we all know, that entire intersection, and surrounding businesses such as the two polluting gas stations to the east are also in the floodway. Yes, I realize you call it the floodplain to the east of Stony Point, but let's be honest here, they flood when the river floods. And when the gas stations flood, and the flood waters recede, they carry with them gas, oil, rubber, and other pollutants. And none of those businesses seem to make any mitigating moves when a flood occurs. Heather's plan, from day one, was to have an empty, clean lot, if a flood occurs. I find it disingenuous that the city of Petaluma has such concerns over one small lot to the exclusion of every other lot in the area that floods. I also find it strange that the city does absolutely nothing about the river itself. You might want to take a look at the spare tires and other debris that litter the river and contribute to flooding during days of heavy rain. A little dredging and shaping would go a long way towards mitigating any future floods. Don't blame Heather's lot for the failure to try to attempt any future flooding.

What the lot needs, instead of just sitting empty and ugly at the gateway to our city, is a steward who will take care of every square foot of that lot, so when we get another rare flood, it will send nothing back into the river. Without that steward, it just devolves back into the sad looking place it's always been. One interesting thing about that lot is someone in the past spent a good deal of money installing four driveway entrances onto the lot, along with sidewalks. No information has yet been found regarding that development, but I assume permits were pulled and proper procedures were followed. They look like driveways that a gas station would build. It's interesting that the driveways were allowed to be built, but Heather can't put a few mobile food trucks on the lot.

I was at Heather's appeal before the planning commission, and I have to say I was appalled at some of the responses Heather got. Comments such as global warming will cause more extreme weather patterns (any educated person knows that) and flooding in our city; a lot in a floodway cannot be developed; somehow if she's allowed a permit to do business, it will cause higher insurance premiums for those living in mobile homes near the river, were all irrelevant. She wants to do ZERO development. When she tried to explain that she could have a completely mobile business with mobile restrooms, sinks, solar lighting, ADA compliant walkways, and such, she was met with total skepticism. Why? I can't figure out how such a simple, elegant plan could be dismissed so fully. It's almost as if Petaluma doesn't want to support food trucks, and small businesses. For some reason, the city can't understand that she doesn't want to or need to do development. Yet every response to her as always stated that she can't do development. It's a classic Catch-22. The city insists she needs to develop some unknown stuff on the lot (she doesn't), yet the city won't allow her to develop (she doesn't want to) the lot. It makes zero sense and seems to just be an irrelevant excuse to deny her a permit.

During that planning commission meeting, she was told that her lot was eligible for a 60-day permit, and that she could apply for that. Since it's virtually impossible for a business to stay in business only open for 60 contiguous days, Heather didn't want to do that. But then she realized that after buying the lot for hundreds of thousands of dollars (the lot was zoned Floodway, and C1, with the C1 designation conveniently removed after she was first turned down for the permit), spending thousands more, along with hundreds of hours of labor cleaning the lot, she decided to apply for that 60-day permit. The planning department, in keeping with their lack of respect for her and her proposed business, completely ignored her application. It's sitting there just waiting for someone to process it. Is this really the type of city government you want to have, treating small businesses with such disdain? I'm sure you don't need to be reminded that city employees, even those who actually work for a private, for-profit company, answer to the city's residents. But small businesses are always at a disadvantage because they have little money to fight for their rights, while big businesses always seem to get what they want. Maybe it's because big businesses bring in more tax dollars so the small businesses are looked upon as second class citizens.

There are many Petaluma residents who are anxious to see this lot up and running, for many reasons. First, right now it's empty and ugly. Second, there are very few places where residents can find gourmet food trucks in Petaluma, and this lot is the perfect place to put a few. This helps small businesses survive, will bring tax dollars into the city, and provide a quick gourmet meal for residents on the go who don't want to sit inside a restaurant. Petaluma is a food city. Please don't ignore the many residents who want this to succeed. I urge you to grant her a permit to operate her small business. If she fails to do what she has been promising since day one (she will not fail), to have a completely empty lot if a flood is imminent, you can always cancel the permit. Heather is a woman of her word, an experienced businessperson, and if you grant her the permit, you'll soon understand that this whole floodway concern has been much ado about nothing. If you fail to grant her a permit, you only succeed in killing her dream and, by edict, make her lot worthless. She won't be able to sell it, and she won't be allowed to do anything on the lot. A number of very supportive food loving Petalumans will be very unhappy. Please ignore the insistence from some people that her plan requires development. It most certainly does not.

Regards,

Robert Gaustad