

JUL 12 2023

Planning & Building Services

July 11, 2023

TO: Zoning Administrator and Staff

FROM: Amber Macdonald, Ukiah resident and lessee of pasture on Burke Hill Rd.

RE: Mendoza Administrative Permit for 4800 Burke Hill Drive parcel

Dear Zoning Administrator and staff,

I am respectfully requesting this administrative permit to hold large wedding and other outdoor events at 4800 Burke Hill Drive be denied. This property is legally owned by Yasmin Mendoza-Lopez with day-to-day operations overseen by her partner Octavio "Tito" Quintero. There are many intentional misrepresentations to blatant lies on her application.

Per the "Staff Report"

- States the applicant has listed that they've planted trees, which will serve as a noise barrier. Note, there are very small trees, about 8 to 10, planted along a small section in the southwest corner of the property, and died shortly after being planted. The majority of the south side of their property, which shares the longest length with a resident/neighbor, has no trees and the current fencing there (wood and metal panels) are decaying and falling over onto the neighbor's property.
- Reports that be projected maximum of 400 people, that only 40 parking spots would be needed. Most cars can only accommodate 5 people at most, so 40 spots x 5 people/vehicle = 200 people. Where are the other 200 people parking?
- The proposed parking actually is 8 horse pastures (since added after the aerial image provided shows) with various fencing mediums (mostly metal fencing, and some t-posts, wire, and electric cord). There are also above ground pipes for irrigation, which the owner uses). During the rainy months, and often for another few months beyond, two of the arenas and all of the horse pasture (intended for parking) is flooded and not even usable for horses. If it can't support a 1,000lb animal, how would it be suitable for cars and 400 people walking around?
- Structures include: three barn structures, a horse arena, a small shed, and a single-family residence. In addition to the staff report, there are two additional horse arenas, a modular "home", and the owner has also installed two storage containers behind on of the barns.

Misrepresentations in application:

- Neighbors are not "accustomed to loud events in the arena". Neighbors are used to quiet residences and agricultural/livestock uses of property. In fact, of the 10 neighboring parcels, at least 8 use their parcel as a home with agricultural/livestock use, 7 for horses. The next two layers of neighbors on all sides also have horses, chickens, vineyards, and/or orchards. The only loud events the neighbors are accustomed to are from Rivino Winery, which are done by 9pm. Please note, despite being over 1 mile away, many trees from multiple properties, and 4 lanes of

highway traffic, the noise carries to Burke Hill Rd. Neither trees nor Hwy 101 traffic are “noise barriers”.

- There are not trees lining the majority of the south end of 4800 Burke Hill Drive, and there is nothing preventing dust from their horse boarding business and activities from getting carried over to the neighboring residences.
- The applicant lists she has been in the wedding industry for the past 25 years but she is in her early thirties. The math doesn't add up and/or her family condoned illegal child labor practices.
- Description is completely false about surrounding properties, there are many single-family, occupied residences surrounding 4800 Burke Hill Drive. These residences are clear from Hwy 101, and more so from 4800 Burke Hill Drive.
- They have lied about a second modular home that is on the south side of their property, along the property line, and is not the required distance of 50 feet from the south neighbor's property line.
- Lists will rent portable toilets for events, but they have had one on-site 24/7 for months already – not what people want to look out from their homes every day.
- States “NA” in regards to #21, asking to list additional permits needed. They have done a lot of major construction, building new decks in the side of hill, digging on both sides of a hill for retaining walls, a new large concrete patio in their backyard, and relocation of the roundpen/“horse arena” to the corner and have built a permanent concrete space with permanent built-in concrete seating walls, and a fountain.
- Lists no exterior lights will be added – how will they see during the evenings for their events without exterior lights?
- Lists will not convert land currently or previously used for agriculture to another use, but later states “existing horses on the premises will be moved to their new ranch. We intend to use the premises to continue hosting events and weddings.” She's contradicted herself, and in looking at all materials, it seems she IS looking to covert current and previous ag land to another purpose.
- Lists “N/A” for off-street parking, so where are 400 attendees going to park?

The map the applicant drew has many fraudulent representations:

- “Event/arena” listed is really small (<50 ft) round-pen with wood panels that are about 6 feet tall. The area inside this could potentially fit up to 3 very cramped round dining tables, and the “noise barrier trees” are behind this in the southwest corner.
- The “lemonade stand” is actually a modular building, equivalent in size to a single-wide home. This is clear on the aerial image provided in the application packet.
- There is not, and never was, an “Existing Garage” behind the single-family residence. Mendoza-Lopez has recently converted a backyard into a patio area, installing a new large concrete patio and two gazebos.
- A third barn is missing
- The two metal shipping containers are missing
- Everything listed as “parking” is actually 8 irrigated horse pastures, and two riding arenas, most of which is flooded and not usable for horses during the rainy months, and a few months after as this is the terminus of the neighborhood's draining system, and therefore the last to dry out.
- There are not two entrances/exits, just one singular ingress/egress point

I believe these facts paint a clear picture of fraudulent representation and misstatements by the applicant. This is a primarily residential/livestock use neighborhood, and cannot handle the adverse impact a 400 person event 10 times a year would create. This is primarily an area of horse owners and we need this area to stay quiet for their safety and wellbeing.

Furthermore, the applicant and her partner have stated to a group where I was present, they don't intend to get the required ABC permit for these events. They've already demonstrated a disregard for County process, performing many major construction projects without permits. They've since obtained some permits, but not for all the work being done. The applicant's partner, Tito, also installed a heavy chain and lock on their neighbor's gate, preventing me access from attending to my animals during an emergency, and I had to wait for the property owner to arrive, call the Sheriff's Office, and await a surveyor to prove to the Deputy Sheriff that the property was in fact hers. When the Deputy contact Tito, which we observed from the neighboring property with the lock, it appeared he was uncooperative. The Deputy returned, stated Tito admitted that he placed the chain and lock, refused to remove it per the Deputy's order. The property owner had to finally cut the lock in the Deputy's presence.

There seems to be a sense of entitlement by Yasmin and Tito, and a clear disregard for laws and regulations. I ask that this permit application be denied, as they've intentionally lied in so many different ways, and are not showing to have good intentions or be good neighbors. Past behavior is the best indicator of future behavior, and based on what's been shown – they will be nothing but a nuisance. What happens when more than 10 events occur annually? The fact this permit is set for 10 years leaves little recourse for the rest of the neighborhood. The revenue collected from this application will cost the County many times over when increased calls for service and complaints are made to many County departments if this is granted. Don't destroy a rural residential area to collect a few dollars of income – it is not worth it.

Thank you for your time and consideration.

Respectfully,

Amber Macdonald

