

Britney Ramirez, Management Assistant to bramirez@cityofgoleta.org

Regarding: August 2, 2022, Special Parks and Recreation Commission Meeting

Members of the Parks and Recreation Commission

This is to inform you that the recent installation of recreational facilities in the Andamar Open Space (hereinafter Andamar Park) is in direct violation of the Goleta Municipal code section 9.09.040 Disturbing the Peace (Attachment 1).

There are several considerations to be given to homeowners in the immediate area.

Although a notification that the park would be renovate appeared on the Goleta website showing “improvements” to Andamar Park would commence in October of 2021, no adjacent individual homeowners received written notification regarding these improvements.

Where is the CEQA analysis? Had a CEQA study been done it would have determined in advance the significant environmental impacts of this project.

The entrance signs to this open space (Attachment 2) states the park is open from 8:00 AM to sunset. Sunset times vary depending on the season and the park would necessarily have to close earlier in the winter months. However, no enforcement is made for this timing.

In addition to the Noise and Disturbing the Peace issues, currently there are no Park personnel to monitor activity in the park and the police refuse to enforce any of the posted regulations.

Additionally, park signage states that the dogs must be on a leash. Nevertheless, dogs are running around off leash and barking.

People bring their dogs next to my fence, let them bark at my pet animals, urinate on the fence, and disregard the effect it has on me and my neighbors.

Children climb the chain link fence separating my property from Andamar Park and throw sticks and garbage at my animals

There is a marked increase in the flow of visitors (many non-residents of the area) to Andamar Park. This is no longer an open space for the neighborhood as it was intended by the county of Santa Barbara back before Goleta became incorporated.

There has been a substantial increase in the number of cars, and SUVs coming to this open space. Neighbors are unable to safely park their cars. These non-resident visitors are parked so close to my driveway that I can't safely make a turn into it.

The play equipment recently installed in Andamar Park is an Attractive Nuisance drawing very young children along with their siblings and parents or other caretakers. As children will, they squeal, cry, shout at each other and constantly scream, while the parents are on the phone or

talking in conversation with each other. There have been instances of children falling from the equipment and although not severely injured these issues of the City's liability should a serious incident occur. (Attachment 3).

It is this constant level of noise which now interferes with the enjoyment and use of my own property.

Parents bring the children after closing hour and the noise and screaming goes on even after 9:30 PM. In an attempt to mitigate the harm caused to me I tell the parents it is after the hours and the open space is closed. This results in their behavior becoming very defensive, argumentative or confrontational resulting in obscene gestures.

This facility should have been placed in Berkeley Park which is much larger than Andamar Park. It is located behind the Kellogg School and further back from houses. Another ideal location might have been Stow Canyon Park, which has restrooms, hardly any houses and there is a ranger who lives there. There are no bathroom facilities in Andamar Park.

I lived in my house for 46 years peacefully (that goes for my neighbors), until you constructed the recreational facilities in Andamar Park open space.

The noise level which has driven me to anxiety and disturbances. I have a significant disability. When the screaming is going on, being in my house is intolerable. I have to get in my car, go to Goleta beach, and often sleep in my car.

I am not the only resident with these issues. Several residents currently work from home and are now unable to conduct Zoom meetings, either for school or work due to the significant noise level. The attached petition has been signed by seventeen (17) of my neighbors around the park (Attachment 4). Individual statements are also attached (Exhibits 5 and 6).

Remove everything that you have done and return the Andamar Park open space to a passive park or a botanical garden so, that the children learn about a peaceful environment, not screaming and learning about violence.

Given no other recourse by this Commission, unless you remove all the new facilities and return Andamar Park to passive open space, I intend to take legal action against the Parks and Recreation Commission and individual park commissioners who voted to change the use of the passive Andamar Park open space to the present illegal active park.

Respectfully Submitted,

Hersel Mikaelian
625 Dara Road
Goleta Ca. 93117

9.09.040 Disturbing the Peace.

A. Disturbing the Peace—Excessive or Unreasonable Noise. It is unlawful for any person to make, cause or suffer or permit to be made or caused, upon any premises owned, occupied or controlled by him or her in the City, any unnecessary noises or sounds which are physically annoying to persons of ordinary sensitiveness or which are so harsh or so prolonged or unnatural or unusual in their use, time or place as to occasion physical discomfort to the inhabitants of the City, or any number thereof.

B. Factors Used in Determining Whether a Violation Has Occurred. The factors which shall be considered by the City in determining whether to issue a citation for a violation and whether a violation of this section has occurred shall include, but not be limited to, the following:

1. The volume of the noise, music, or related sound;
2. The intensity of the noise, music, or related sound;
3. The continuousness or repetitive nature of the noise, music, or related sound;
4. Whether the nature of the noise, music, or related sound is unusual for the area in which it occurs;
5. Whether the origin of the noise, music, or related sound is natural or unnatural to the area in which it occurs;
6. The volume and intensity of the background noise or sound, if any;
7. The proximity of the noise, music, or related sound to residential sleeping facilities or to overnight accommodations, such as hotels and motels;
8. The proximity to offices, places of business or other areas where work is known to be carried on, of the noise, music, or related sound;
9. The nature and zoning of the area within which the noise, music, or related sound emanates;
10. The time of day or night the noise, music, or related sound occurs and the relationship of this time to the normal activities of the area in which it occurs and in relation to the other factors listed in this subsection;
11. The duration of the noise, music, or related sound;
12. Whether the noise, music, or related sound is recurrent, intermittent, or constant;
13. Whether the noise, music, or related sound is produced by a commercial or a noncommercial activity;
14. Whether the person or business responsible for the noise, music, or related sound has been previously recently warned that complaints have been received about the noise, music, or related sound and such person or business has failed to reduce it to an appropriate level. (Ord. 12-17 § 2)

PARK HOURS - 8 AM to SUNSET
CITY OF GOLETA MUNICIPAL CODE 12.15.090

DOGS REQUIRED ON LEASH
CITY OF GOLETA MUNICIPAL CODE 12.15.470

PLEASE CLEAN UP AFTER YOUR PET
CITY OF GOLETA MUNICIPAL CODE 12.15.530

NO
MOTOR
VEHICLES
CITY OF GOLETA MUNICIPAL CODE 12.15.440

NO SMOKING



NO FUMAR



Andrew
JUN 2022



Petition for removal of all active recreational facilities from Andamar Open Space and Return to Passive Park

Whereas, the recent installation of active recreational facilities in this neighborhood park has eliminated the ability of the undersigned neighbors to enjoy the peace and tranquility of our homes, and

Whereas, Andamar park is intended to be a neighborhood park and the new facilities have transformed it into a regional park, and

Whereas, the new facilities have increased traffic and parking in our neighborhood such that we are unable to park in front of our own homes, and

Whereas, The children's loud screams are unbearable and violate *Municipal Code 9.09.040 Disturbing the Peace: Excessive or Unreasonable Noise*. It is unlawful for any person to make, cause or suffer or permit to be made or caused, upon any premises owned, occupied or controlled by him or her in the City, any unnecessary noises or sounds which are physically annoying to persons of ordinary sensitiveness or which are so harsh or so prolonged or unnatural or unusual in their use, time or place as to occasion physical discomfort to the inhabitants of the City, or any number thereof, and,

Whereas, You have failed to comply with the California Environmental Quality Act (CEQA). If you want to intensify the use of this park you must comply with CEQA. You must close the park and begin by completing an Initial Study including 24 hours noise study, traffic study, parking issues, etc., and, address the CEQA Guidelines listed below:

XIII. Noise:

a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?

XVI Recreation:

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Therefore we the undersigned demand that you immediately remove all the non-compliant active recreational improvements and return Andamar Park to its former passive park status.

Name	Address	E-mail
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<u>Thomas Nelson</u>	<u>695 Andamar Way</u>	
<u>Norma N. Nelson</u>	<u>695 Andamar Way</u>	
<u>H. Car</u>	<u>695 Andamar Way</u>	

Name	Address	E-mail
ZACH LEE PAULICK	699 ANDAMAR WAY	zacklee@gmail.com
Sydney Lee Paulick	699 Andamar Way	octobersydney@gmail.com
Leah Lee Paulick	699 Andamar Way	leahsba@gmail.com
Dr. Michel MAILLARD	625 Dara Rd	michelcmaillard@gmail.com
DAVID HARPER	680 ARUNDEL RD.	DCLH2@AOL.COM
Scott Vahey	672 Arundel Rd	svahey@scottvahey.com
Lana HIRASHIMA	662 Arundel Rd	ehirashima@verizon.net
Marret Krebs	663 Arundel Rd.	marretkrebs@gmail.com
William Krebs	663 Arundel Rd.	WillK@seawingscharters.com
Kyle Krebs	663 Arundel Rd.	KKrebs@gmail.com
Vicki Busby	671 Arundel Rd	Busbyvecox.net
Sung So Kim	690 Andamar Way	sskim.post@gmail.com
Martha De Leon	648 Dara Rd	martha_deleon1118@hotmail.com
Jeff Mandrell	648 Dara Rd	jeff10mandrell@gmail.com
HERSEL MIKAEILIAN	625 DARA RD.	HERSELO2AOL.COM

Attach

Leah Lee-Paulick
699 Andamar Way
Goleta, CA 93117

May 27, 2022

City of Goleta

RE: Playground at Andamar Park

To the City of Goleta,

My family lives at 699 Andamar Way which backs up to Andamar Park. The installation of the new full-blown playground has been extremely disruptive. Let's start with the noise. There is constant yelling and screaming from dozens of kids at a time, or cries from whaling toddlers who are getting hurt on the giant structure that they shouldn't even be on. We can hear the commotion even with our doors and windows closed. There are different playgroups here throughout the morning and early afternoon, and then once school is out, all the school age kids are here. There are large birthday parties every weekend with no one monitoring the noise levels and the kids are literally screaming and the parents don't care. There is no reprieve. I work from home and can't participate in live Zoom meetings anymore because of the noise. People are also not adhering to the "Park closes at sunset" sign and they stay until after dark.

Parking has become a problem. This is a cul de sac with already limited parking and if there is a car in front of our mailbox, there is a chance we won't get our mail delivered that day.

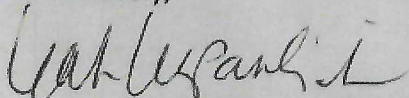
There is litter and belongings left daily. Shoes, lunch boxes, you name it. Candy wrappers and paper coffee cups blow into my yard. The trash is also always overflowing. The city is not keeping up with flow of park-goers. I would estimate over 100 people visit this park now daily.

Back when Andamar Park was an "open space," it was mostly quiet with a few regular families that would come and enjoy the sandbox, slide and swings. Some neighbors would bring their dogs. During the day when it was quiet, Blue Heron's would come and hunt gophers. I haven't seen a single Blue Heron here since the playground was installed.

This playground was placed in the middle of our back yards. We can't enjoy a single meal or phone call. There is no peace and quiet and groups are constantly shuffling in and out, from morning until after dark. This playground is fit for an elementary school, not an "open space." It's total chaos. Also, there used to be a neighbor in an electric wheelchair that would bring her 2 dogs to the open space on a leash. I haven't seen her since the installation of the playground.

I respectfully request that someone get a handle on this situation that is out of control, or remove the elementary school sized playground from the Andamar Park "open space."

Sincerely,



Leah Lee-Paulick

805-637-1852

leahsba@gmail.com

Attach 6
June 1st
2022

City of Goleta,

I am writing this letter regarding the new park in my neighborhood. Andamar Park sits between two quiet, suburban neighborhoods and used to be a nice open space for dogs to run around, and had a small play ground for children. Ever since the City of Goleta put in a newer, bigger playground in our small park, it has been chaos. Our neighborhood that was once clean, quiet, and not heavily trafficked is the complete opposite.

I live on Andamar way, my house backs up to the park. At all hours of the day there are kids screaming SO LOUD I can still hear them with my windows closed. They are screams so loud and high-pitched I often think they are in trouble, or hurt themselves. ~~There~~

I am a student at Santa Barbara City College and do most of my studies at home. It has become very difficult to focus and concentrate on my lectures and readings with screaming children constantly distracting me.

Another issue I feel the need to be addressed is the traffic influx in our neighborhood. Not only are there cars coming in and out constantly, but people who are going to the park often take the spots of residents in that neighborhood, or block the driveways of my house and others, and block mailboxes. This is complete disrespect of the residents in this neighborhood.

It is to my logical understanding that a small park, tucked in a neighborhood, with no available parking, should only be accessed by the residents of that neighborhood, or those in a walking distance of the park.

The last thing I would like to address is the trash issue in the park. There is a trash can, but no body uses it. People leave food, lunchboxes, items of clothing, ect. which is all blown all over the park and into our yard, for us to clean up. Majority of the trash consists of starbucks coffee cups (from adults, thank you parents) and

lost clothing & water bottles that have been sitting at the park unclaimed for a month and no body picks it up.

I understand the park is a fun place for children, but can you make an effort to make it a more enjoyable environment for the surrounding residents?

The current play structure is fit for an elementary school, or kids world, but not in a quiet suburban neighborhood. We would like the structure taken down and return our park to what it was.

We would really appreciate something being done about this issue.

Sincerely,

Sydney Lee-Paulick

May 29, 2022

City of Goleta

RE: Andamar Park

Dear City of Goleta,

You really dropped the ball on this one. I am furious at the building of Andamar Park "Kids World." It has destroyed our once quiet neighborhood. The reason I moved to the Goodland was it had a community that still cared about open space and not trying to cover it in concrete. I am no longer able to see the resident blue heron feed on the gophers or hear the sounds of the chickens and crows. Instead, it's "recess" 24/7. The incessant screams last from early morning until after dusk. This isn't a "neighborhood" park anymore. These were intended to ride a bike, push a stroller through or take a walk. Instead, the minivans come in droves taking our parking and blocking mailboxes. (Our wonderful USPS drivers will not deliver if the mailbox is blocked.) There are no restrooms here and in no way can accommodate the hundreds of people that frequent now. Instead, they urinate on the perimeters.

Now let me get to the real point of this letter. The signage on this monstrosity seems to imply that it was built in the name of physical fitness and our youth. You took away their space to run and play. No more soccer, no more baseball, no more kites, no frisbees, no more picnics (without earplugs.) Instead, they scream and bang on the metal poles.

Signed,

Another disgruntled Goodland resident