



April 6, 2020

Mr. Chris Chung
 Urban Planner
 City of Garden Grove
 11222 Acacia Parkway
 Garden Grove, CA. 92840

Dear Mr. Chung:

PURPOSE OF ZONING

It is our understanding that the purpose of city zoning ordinances is to divide a city into various uses that are separate from one another while maintaining and clustering similar land uses within zones that are compatible and uniform as to limit conflicts of use of surrounding properties.

When the City of Garden Grove initially considered the Conditional Use Permit for MAP Sports Facility to use an existing facility as an indoor sports center in an industrial park zone, we noted our objection as the use was incompatible to the surrounding area.

Our objections were ignored and the CUP was granted. The reasoning was that by limiting the hours of operation to hours and days that would not conflict with industrial users nearby and by requiring staggered time of events to eliminate the possibility of parking overflow from one group to another, that these measures would mitigate the incompatibility issues with surrounding properties.

EVIDENCE OF INCOMPATIBILITY/VIOLATION OF CUP

Now that MAP Sports Facility has been operating in the area, I write to shed some insight on the challenges we have faced and provide some anecdotal evidence of the incompatible use.

In the past, we have filed complaints with Garden Grove's Code Enforcement Departments when things have been dangerous and difficult for us to conduct our daily work, but to no avail.

City's FINDINGS AND REASONS 2.a. *"...will operate during hours when the surrounding businesses are closed. The indoor sports facility will be compatible with the neighboring properties and have no adverse effect upon the health, peace, comfort, or welfare of persons working in the surrounding are."*

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Map will operate during the evening, 6:00 p.m. to 10:00 p.m. Monday through Friday..."

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MAP Sports Facility has been operating outside the operating hours limitations of the Conditional Use Permit. We see events taking place in early afternoon during weekdays, well before 6:00 p.m. We see schools coming on the property as early as 3:00 p.m.

Garden Grove Planning Commission Minute Excerpt Dated November 3, 2011

Commissioner Pak asked staff to clarify the entrances. Staff responded that a new curb cut would occur on Lampson Avenue.

To date, we are unaware of a Lampson Avenue ingress/egress being utilized. Please see photo below taken recently. Perhaps the incentive for disuse of the Lampson Avenue ingress/egress may be the possibility of patrons entering the site without paying the toll. The entrance is generally chained off during operating hours.



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“To minimize any potential parking issues, the conditions of approval require the applicant to adhere to scheduling a 30-minute interval between league games on any given court.”

EXHIBIT “A” CONDITIONS OF APPROVAL

Item 12. *“A prominent, permanent sign stating “NO LOITERING IS ALLOWED ON OR IN FRONT OF THE PREMISES.”*

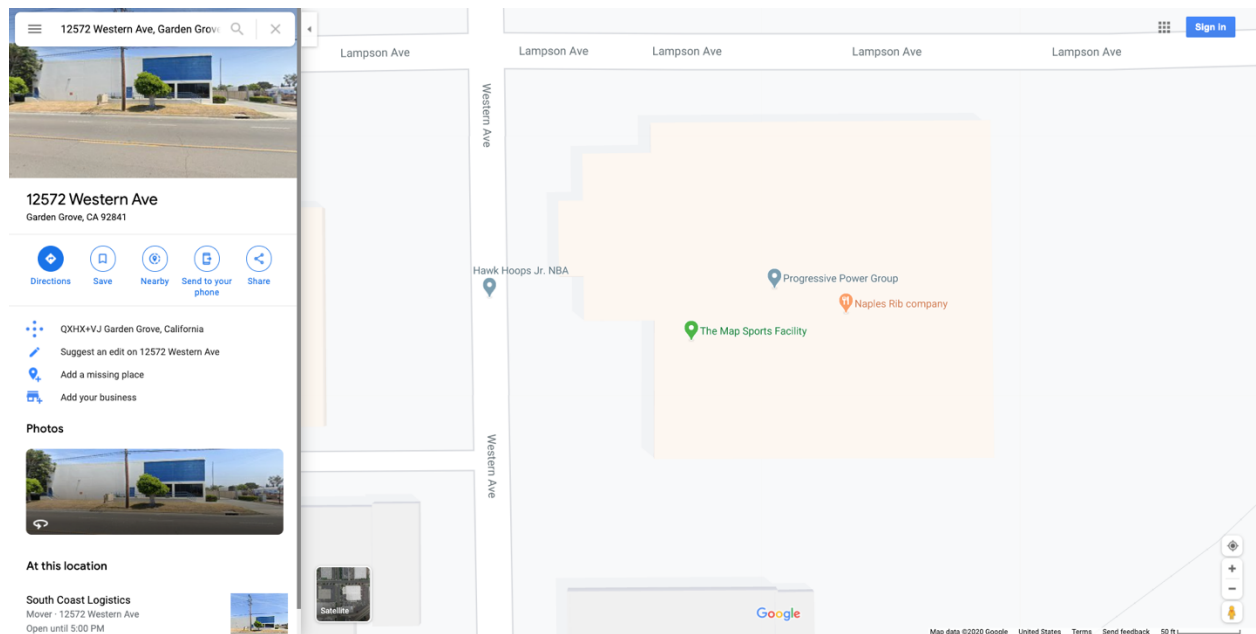
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Conditions were put in place to ensure that proper staggering of events and the “No Loitering” clause would preclude parking issues on site.

The reality is that parking has been and continues to be an issue. From time to time, we also see catering taking place in the parking lot with BBQ grills. In fact, if you search on Google Maps 12572 Western Avenue, Garden Grove and zoom in, you will see markers by Google for Hawks Hoop Jr. NBA, The MAP Sports Facility, Progressive Power Group and Naples Rib Company. I presume Naples Rib Company may be marked as Google Location Services identified their cell phones using this facility frequently.

Food service on site invites patrons to stay longer than their designated game time, in turn, creating insufficient parking on site for the day.



As patrons come on site, often times, there is a que to enter the sports facility that spills out beyond their property and on to North Bound Western Avenue as well as the median lane heading South, this creates challenges for our trucks and trailers to enter and exit our property during normal business hours.

We believe part of the reason for the que spilling onto Western Avenue is that MAP Sports Facility charges for parking. Collecting parking toll takes time and requires drivers to wait while the cars in front are allowed access. The charging of parking toll has also created unintended consequences that affect the safety of our property. We're

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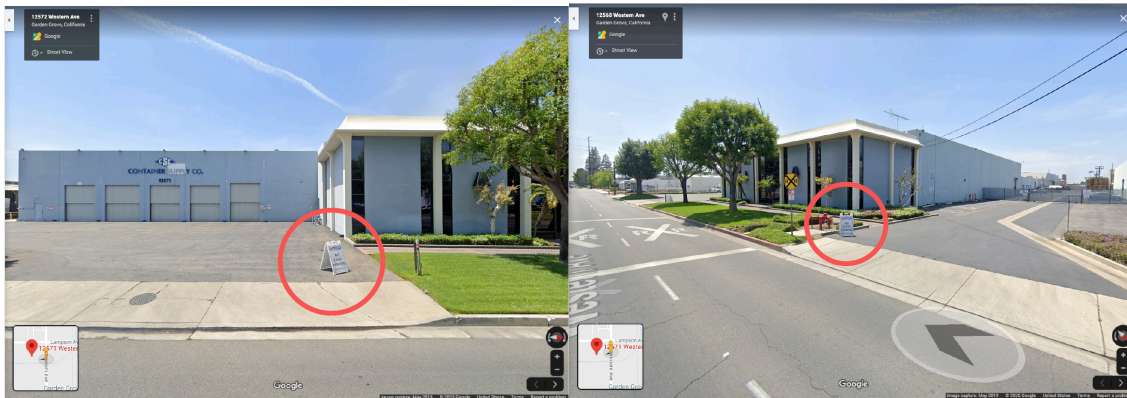
not opposed to charging a parking fee, but perhaps if the fee were collected at the door and not at the parking entry point, this may help relieve the spillover.

An additional unintended issue with charging a toll is that families wanting to avoid paying a parking toll now park on our facility and walk across Western Avenue. Others simply use our parking and shipping dock facility as a drop off point for kids to be dropped off and run across Western Avenue, creating a very dangerous situation both for the children running across a busy street as well as for the drivers along the North/South bound Western Avenue. This also creates a hazardous situation for us on our site as we have cars, trucks and fork lifts operating on our facility.

To add salt to the wound, when we have asked patrons of MAP Sports Facility to not park on our facility, they often times are belligerent and refuse to move. We have tried to call for a tow truck, but they are unwilling to come as they have requirements they must meet to tow a car from a private property.

MAP Sports Facility staff place DO NOT PARK signs in front of our parking lot on weekends, but that is not effective. Not only is it not effective, but the fact that they place a sign on our property to control their use is not a reasonable solution. It happens every weekend. In point of fact, photographs from Google Maps are attached to demonstrate the frequency of this practice.

The photographs below is from Google Maps when you enter 12571 Western Avenue, Garden Grove.



In a cursory review of comments found on Yelp for MAP Sports Facility, patrons also park north of the site on public streets to avoid paying the parking toll. The issue is that when they park north of the site in the nearby side streets, there are no pedestrian sidewalks along Western Avenue leading to the side streets where these patrons park. They end up walking through private parking lots. Again, this area's design is for an industrial use, not an indoor sports facility.

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Below is a comment on Yelp suggesting free parking North on Western as well as a photo from Google Maps on the Western Avenue/Lampson Avenue corner where it appears a family is walking across Western Avenue and there are no sidewalks north of the intersection.

Christy M.
San Gabriel, CA
1257 friends
492 reviews
7473 photos
Elite '2020

12/31/2018
1 photo 15 check-ins

I come here a lot for basketball tournaments, and especially when my younger brother had games here regularly.

Most people that complain about how expensive it is here is because their kid(s) participate in a traveling basketball team, or for whatever other league they are involved in. Don't get mad at the facility, when you wanted to participate in tournaments here. They're just the location chosen.

I think \$12 parking is bogus, but you are paying for convenience to park on site for the facility. I believe it's cash only, too. I'm not sure if there are proper in n out privileges, since the parking spaces are limited, and there may not be any availability for when you come back. I've gone to facilities hosting tournaments where it's free parking, \$5, \$7, \$10, and have even paid up to \$25 just for convenience of parking on site. \$12 is such a random number, but I guess it could be worse =/ **There is free parking off Western headed North though if you wanted to save a few bucks.** But anticipate coming much earlier before all the parking spots are filled up.

The other fee people complain about is having to pay an additional fee to go into the facility to be a spectator for whatever sport is going on. This fee is towards the tournament of whatever league you're watching/supporting, and the parking fee is contributed towards the actual facility.

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PREVIOUS PARKING STUDY'S CREDIBILITY

The initial parking study used to approve the original CUP was inadequate. The assumption that each court would require 20 parking stalls was flawed as demonstrated

in the challenges we see. Most patrons likely drive individually and a two teams playing on a court likely have more than 20 players at any given time. The addition of 78 stalls will certainly help, but will taking stalls away from the adjacent 60,000 SF building allow

for proper parking demand load if the adjacent building were operating in full capacity? The adjacent building appears empty now, but once it is occupied, the parking demand for this building will rise. Does the new parking demand study account for the PPG office area on the North West side of the sports facility?

The purpose of a Conditional Use Permit is to place conditions that would allow incompatible uses within a zone with conditions that would help mitigate impacts to surrounding properties. By approving the current application to extend the allowance of operation for Monday – Friday 8:00 a.m. to 11:00 p.m. and weekends from 8:00 a.m. – 10 p.m., the few mitigations measures that were already proven to be ineffective in making the use more compatible with surrounding users, would be completely removed and the problems we have faced would continue to exacerbate. This would also create a precedence that negates the purpose of requiring a Conditional Use Permit. In essence, the changes being made are effectively allowing MAP Sports Facility to be fully within its right to operate its business alongside the industrial users nearby during the same operating time without limitation, short of allowing operations to extend to 24/7.

Staff Report Supporting Amendment No. A-162-11 to amend Title 9 of the City of Garden Grove Municipal Code to allow Indoor Sports Facility uses in M-P Zone subject to approval of a Conditional Use Permit.

“The amendment will allow a limited number of ‘indoor sports facility’ uses to share space with the regular ‘industrial’ uses. The ‘indoor sports facility’ uses will not operate at the same time as regular business hours, rather operating after-hours on weekday evenings and on the weekend.”

The current application to extend the operating hours to Monday – Friday 8:00 a.m. to 11:00 p.m. is in direct contrast to the staff report that “indoor sports facility” uses will not operate at the same time as regular business hours, rather operating after-hours on weekday evening and on the weekends.

Some additional questions and comments:

- Does the facility provide adequate rest room stalls? In reviewing the previous floor plan with 8 courts, the number of stalls seemed insufficient.
- Does PPG continue to operate the 8,000 SF of office space exclusively at the front of the site along with the warehouse space of 7,000 SF?

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- Does MAP Sports have the proper approval and permit to operate a food service on site? Below is a comment from a patron of MAP found on Yelp. It would appear that MAP has a Snack Bar, Acai Republic Bar and a Tacos/Burritos/Quesadilla bar outside the facility.

The restrooms are a hit or miss. Some days it's kept pretty clean, other days I see the same toilet clogged for 8+ hours without being fixed. The restrooms are usually restocked in a timely manner from what I've experienced.

themapsports.com

The MAP Sports Facility workers are generally pretty friendly and helpful if you need anything. During the summer it's hot AF here without proper ventilation. There's vents, but it feels worse than a sauna in there. But during the winter, it's also cold AF. So it fluctuates.

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Snack bar is over priced, so I almost never buy anything there. They usually had the Acai Republic bar there, which is a healthier and delicious option of food/snacks. They weren't there when I was recently, so not sure if that's still available. The Tacos/Burritos/Quesadillas bar outside the facility is good, and the workers there are friendly too. Pricy though, \$8 each plate? Meh. But it's a much better and filling deal vs paying \$5.95 inside the snack bar for a slice of pizza and soda.

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Useful 8 Funny 5 Cool 7

5/4/2019

Where do I start.

The facility is dated in comparison to other facilities hosting AAU tournaments. Unfortunately, with the closure of Next Level, the Map is the only thing in town (literally).

- Furthermore, it was our understanding that spectators were not allowed as part of the CUP per **Exhibit "A" Conditions of Approval, Item 9**, "There shall be no tournaments, competitions, or other special events that draw spectators." What we see as a nearby property owner and what we read in numerous Yelp reviews by patrons paint a different picture. Are spectators allowed?

If this application were to be approved, as a property owner impacted by the current use with its current limitations, we ask the City to recognize that removing the current limitations will create additional impact on the surrounding users and that the City will provide appropriate mitigation measures to ensure that MAP's use does not impede on our operation and the safety of our employees. We further ask the City to create a mechanism by which we would be allowed to quickly call on a tow truck service to

remove cars that are trespassing on our property. Should the problems continue to exist, we ask the City to review the conditions and use of the subject property and to amend the conditions as necessary.

Best regards,


Spencer Hurtt
President/CEO

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