



*Planning & Zoning Department*

**BOARD ACTION REPORT – APPEALABLE ITEM**

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**Project Name:** Delray Beach Boxing  
**Project Location:** 2455 Old Dixie Highway  
**Request:** Class III Site Plan Modification for a change of use from motorcycle repair and retail establishment to a gym (boxing facility).

**Board:** Site Plan Review and Appearance Board  
**Meeting Date:** February 24, 2016

**Board Action:**

Approved the Class III Site Plan Modification for Delray Beach Boxing on a vote of 7-0.

**Project Description:**

The modification is for a change of use from a motorcycle retail and repair business to a boxing facility (gym) within the southern portion of the building consisting of approximately 4,200 square feet. No additional square footage or alterations to the hardscaping or landscaping are proposed, thereby not requiring any improvements to the site. A 726 square foot café will be included on the interior to offer food and beverages to the patrons including beer and wine, and will provide seating for 44 patrons.

Staff recommended approval on the Site Plan Modification.

**Board comments:**

The Board commented on whether there will be cooking in the café area, and inquired on the availability of the café and bar to members only or to the general public.

**Public input:**

There was no public comment.

**Associated Actions:** All required actions were taken with the Board's approval.

**Next Action:** SPRAB action is final.



## ITEM BEFORE THE BOARD

The item before the Board is the approval of a Class III Site Plan Modification for **Delray Beach Boxing** located at 2455 Old Dixie Highway, pursuant to Land Development Regulations (LDR) Section 2.4.5(G)(1)(c):

## BACKGROUND

The subject property is located on the east side of Old Dixie Highway, approximately 0.25 miles south of Gulfstream Boulevard and just north of NE 22nd Lane. The 0.78 acre lot contains a one-story, two tenant building constructed in 2003. The property is within the North Federal Highway Overlay District.

On August 22, 1989, the subject property was annexed into the City with a GC zoning designation as part of the North Federal Highway annexations via Ordinance 43-89. In 2001, a Class V Site Plan was approved by SPRAB for the establishment of a retail motorcycle accessory store (Delray Cycle).

On March 20, 2007, a request to rezone the property from GC to AC was approved by the City Commission via Ordinance 09-07. The privately initiated request was submitted for the purpose of permitting motorcycle repairs on site. At that same meeting, the Conditional Use for the motorcycle repair on site was also approved. In 2014, a portion of the building was occupied by a golf cart rental business (Exhilaride).

At its meeting of February 16, 2016, the City Commission approved Ordinance 03-16 to rezone the subject property from Automotive Commercial (AC) to General Commercial (GC). The new owner requested that the property be rezoned back to GC for the purpose of establishing a boxing facility (gym) within the space previously occupied by Delray Cycle.

## PROJECT DESCRIPTION

The subject request is for a change of use from a motorcycle retail and repair business to a boxing facility (gym) within the southern portion of the building consisting of approximately 4,200 square feet. No additional square footage or alterations to the hardscaping or landscaping are proposed, thereby not requiring any improvements to the site. The interior of the existing building, however, will be renovated to accommodate the new business.

The application also notes that the boxing facility will offer food and beverages to its patrons including beer and wine. The proposed floor plan indicates that 726 square feet will be utilized for the café, which is noted as "Doc's Corner" on the plan and includes a "bar area." The café will provide seating for 44 patrons.

The golf cart business (Exhilaride), which is non-conforming with the GC zoning designation, will remain in the northern portion of the building. If this business vacates the property, then a Class III for the new use, inclusive of expansion of Delray Beach Boxing, will be required.

## SITE PLAN ANALYSIS

Pursuant to **LDR Section 2.4.5(F)(5)**, the approving body must make a finding that development of the property pursuant to the site plan will be compatible and harmonious with adjacent and nearby properties and the City as a whole, so as not to cause substantial depreciation of property values.



The following table identifies the zoning designations and uses that are adjacent to the subject property:

	<b>Zoning Designation:</b>	<b>Use:</b>
<b>North:</b>	General Commercial (GC)	Restaurant/Catering/Banquet Hall (Ellie's Diner)
<b>South:</b>	GC	Auto Sales (Aubrey's Auto Sales)
<b>East:</b>	GC	Vacant (Previously retail/Furniture Store)
<b>West:</b>	CF (Community Facilities)	Public Elementary School & City Recreational Facilities

Pursuant to **LDR Section 4.4.9(B)(4)(b), Principal Uses and Structures Permitted**, services and facilities permitted within the GC zoning district include exercise facilities such as gyms and clubs.

The proposed boxing gym is consistent with the GC zoning district as it is a permitted use, which is compatible with the mix of uses immediately adjacent to the property which include auto sales, a restaurant and banquet hall, and a vacant retail facility. The public school (Plumosa School of the Arts) and recreational facilities are to the west, but are separated by right of way consisting of Old Dixie Highway and the FEC Railway. Given the mix of adjacent uses and significant separation from the school and recreational facilities, the proposed use is appropriate and deemed compatible and harmonious, thereby not causing substantial depreciation of property values.

As previously stated, the gym (exercise facility) is a permitted use, as is the accessory café within the building. However, it should be noted that the proposed floor plan does not indicate shower or changing facilities typically provided in such facilities.

**Minimum Parking Requirements:**

Pursuant to **LDR Section 4.6.9(C)(3)(a), General Commercial Uses**, 4.5 spaces per 1,000 square feet of gross floor area is required. The gross square footage of the gym, including the café, is 4,800 square feet, while the gross square footage of the golf cart rental business is approximately 1,200 square feet. The required parking for the site with the proposed change of use is 27 parking spaces, which is the amount located on the site. Therefore, this standard is met.

<b>REQUIRED FINDINGS</b>
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Pursuant to **LDR Section 3.1.1, Required Findings**, prior to the approval of development applications, certain findings must be made in a form which is a part of the official record. This may be achieved through information on the application, written materials submitted by the applicant, the staff report, or minutes. Findings shall be made by the body which has the authority to approve or deny the development application.

**(A) Future Land Use Map:** The subject property has a Future Land Use Map (FLUM) designation of GC (General Commercial) and is currently zoned GC (General Commercial). The proposed GC zoning designation is consistent with the GC Future Land Use Map designation. Based upon the above, positive findings can be made with respect to Future Land Use Map Consistency.

**(B) Concurrency:** As indicated below, a positive finding of concurrency can be made as it relates to the applicable items reviewed below:

**Water & Sewer:** Water and sewer service is currently available to the subject property. The Delray Beach Water Treatment Plant and the South Central County Waste Water Treatment Plant both have adequate capacity to serve the City at build out. An 8" water main and an existing 8" sewer



main exists along the east side of Old Dixie Highway; a fire hydrant is located to the west of property, within the right of way. Based upon the above, positive findings can be made with respect to this level of service standard.

**Traffic:** The applicant has submitted a comparative traffic study based on a boxing gym (fitness center) to utilize 4,800 of the 6,000 square foot building. The balance of the square footage will maintain the golf cart rental business that presently exists. The motorcycle repair use is estimated to generate approximately 42 daily trips, while the boxing gym would generate approximately 198 daily trips, for a difference of 156. The submitted traffic study does not anticipate any major impacts on the surrounding roadway network as a result of this increase. Further, these additional trips will bring more traffic into an area desirable for redevelopment or where existing local or small businesses can be found and supported by the additional visitors to this area.

**Drainage:** There are no current problems anticipated with retaining drainage on site as there are no proposed improvements to the site.

**Solid Waste:** The solid waste generation for vehicle sales and service is 9.2 pounds per square foot per year. The solid waste generation for a recreation building is 11.8 pounds per square foot per year. Thus, there is an increase in solid waste due to the new use. The Solid Waste Authority has indicated that its facilities have sufficient capacity to handle all development proposals until the year 2047. Thus, a positive finding with respect to this level of service standard can be made.

**(C) Consistency:** As described in Appendix B, a positive finding of consistency can be made as it relates to Development Standards for Site Plan Actions, upon Board approval of the requested conditions of approval.

**(D) Compliance With the Land Development Regulations:** As described under the Site Plan Analysis of this report, a positive finding of compliance with the LDRs can be made.

Pursuant to **LDR Section 4.5.7, The North Federal Highway Overlay District: Defined**, the North Federal Highway Overlay District is hereby established as the area bounded by Dixie Highway on the west, the northern City limits on the north, North Federal Highway on the east, and N.E. 14th Street on the south. The regulations established in Section 4.4.9(D) and G(2) shall apply to all GC zoned parcels within the overlay district.

The subject property is located within the North Federal Highway Overlay District, however, it fronts onto Old Dixie Highway, not North Federal Highway. A review of the subject regulations within LDR Section 4.4.9(G)(2) have been conducted with no identified deficiencies of the applicable regulations.

A review of the applicable objectives and policies of the adopted **Comprehensive Plan** was conducted and the following are noted:

**Future Land Use Element, Objective A-1:** Property shall be developed or redeveloped in a manner so that the future use and intensity is appropriate in terms of soil, topographic and other applicable physical considerations; is complimentary to adjacent land uses; and fulfills remaining land use needs.

The proposed change of use will be complimentary to the adjacent land uses, and will provide a new land use which does not presently exist in the North Federal Highway area. There are no associated site improvements or alterations required with the requested change of use.



**Future Land Use Element, Policy C-1.4:** The following excerpt from the Comprehensive Plan pertains to the North Federal Highway Corridor:

The North Federal Highway Corridor is defined as the area bounded by the FEC railroad right-of-way to the west, the easterly boundary of the CRA to the east, NE 4th Street to the south, and the north City limits to the north.

Properties in the corridor that front on Federal Highway primarily contain small-scale, strip commercial development. Many parcels in the area contain vacant or dilapidated structures, substandard parking, and substandard landscaping. The area also contains residential areas identified as “Stabilization” and “Revitalization” on the Residential Neighborhood Categorization Map contained in the Housing Element. Many of the remaining parcels in the area are currently vacant.

Due to those conditions, the North Federal Highway Corridor is hereby identified as a blighted area. The North Federal Highway Redevelopment Plan was approved by City Commission on March 16, 1999. The Plan identified the need for limited rezonings and LDR amendments, along with improvements necessary to accomplish certain redevelopment goals. Future development in the area must be in accordance with the provisions of the Redevelopment Plan.

The North Federal Highway Corridor has seen significant improvements since the adoption of the redevelopment plan with respect to the new development and the rehabilitation of existing buildings and sites. The subject request is not contrary to the goals of the redevelopment plan which speaks of more diverse commercial opportunities, which would be available with the subject change of use.

Based on the above, positive findings with respect to **LDR Section 3.1.1, Required Findings**, can be made.

#### REVIEW BY OTHERS

The **Community Redevelopment Agency** reviewed the subject request at its meeting of February 11, 2016, where the general consensus was to support the request.

Courtesy notices have been sent to the following homeowner’s and/or civic associations:

- La Hacienda Homeowner’s Association
- Kokomo Key Homeowner’s Association
- The Estuary Homeowner’s Association
- Delray Citizen’s Coalition
- Seacrest Homeowner’s Association

Any letters of concern or support regarding the proposal will be provided to the Board.

#### ALTERNATIVE ACTIONS

- A. Continue with direction.
- B. Approve the Class III Site Plan Modification for **Delray Beach Boxing**, located at **2455 North Federal Highway** by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.5(G)(1)(c), Section 2.4.5(B)(5), and Chapter 3 of the Land Development regulations.



- C. Deny the Class III Site Plan Modification for Delray Beach Boxing, located at **2455 North Federal Highway**, by adopting the findings of fact and law contained in the staff report, and finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in Section 2.4.5(G)(1)(c), Section 2.4.5(B)(5), and Chapter 3 of the Land Development regulations.

<b>STAFF RECOMMENDATION</b>
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Approve the Class III Site Plan Modification for **Delray Beach Boxing**, located at **2455 North Federal Highway** by adopting the findings of fact and law contained in the staff report, and finding that the request and approval thereof is consistent with the Comprehensive Plan and meets criteria set forth in Section 2.4.5(G)(1)(c), Section 2.4.5(B)(5), and Chapter 3 of the Land Development regulations.



## APPENDIX A

### STANDARDS FOR SITE PLAN ACTIONS

- A. Building design, landscaping and lighting (glare) shall be such that they do not create unwarranted distractions or blockage of visibility as it pertains to traffic circulation.***

Not applicable **X**

Meets intent

Does not meet intent

- B. Separation of different forms of transportation shall be encouraged. This includes pedestrians, bicyclists and vehicles in a manner consistent with policies found under Objectives D-1 and D-2 of the Transportation Element.***

Not applicable

Meets intent

Does not meet intent

- C. Open space enhancements as described in Policies found under Objective B-1 of the Open Space and Recreation Element are appropriately addressed.**

Not applicable

Meets intent

Does not meet intent

- D. The City shall evaluate the effect that any street widening or traffic circulation modification may have upon an existing neighborhood. If it is determined that the widening or modification will be detrimental and result in a degradation of the neighborhood, the project shall not be permitted.***

Not applicable

Meets intent

Does not meet intent

- E. Development of vacant land which is zoned for residential purposes shall be planned in a manner which is consistent with adjacent development regardless of zoning designations.***

Not applicable

Meets intent

Does not meet intent

- F. Property shall be developed or redeveloped in a manner so that the future use and intensity are appropriate in terms of soil, topographic, and other applicable physical considerations; complementary to adjacent land uses; and fulfills remaining land use needs.***

Not applicable

Meets intent

Does not meet intent



- G. Redevelopment and the development of new land shall result in the provision of a variety of housing types which shall continue to accommodate the diverse makeup of the City's demographic profile, and meet the housing needs identified in the Housing Element. This shall be accomplished through the implementation of policies under Objective B-2 of the Housing Element.**

Not applicable ☒

Meets intent ☐

Does not meet intent ☐

- H. The City shall consider the effect that the proposal will have on the stability of nearby neighborhoods. Factors such as noise, odors, dust, traffic volumes and circulation patterns shall be reviewed in terms of their potential to negatively impact the safety, habitability and stability of residential areas. If it is determined that a proposed development will result in a degradation of any neighborhood, the project shall be modified accordingly or denied.**

Not applicable ☐

Meets intent ☒

Does not meet intent ☐

- I. Development shall not be approved if traffic associated with such development would create a new high accident location, or exacerbate an existing situation causing it to become a high accident location, without such development taking actions to remedy the accident situation.**

Not applicable ☐

Meets intent ☒

Does not meet intent ☐

- J. Tot lots and recreational areas, serving children from toddler to teens, shall be a feature of all new housing developments as part of the design to accommodate households having a range of ages. This requirement may be waived or modified for residential developments located in the downtown area, and for infill projects having fewer than 25 units.**

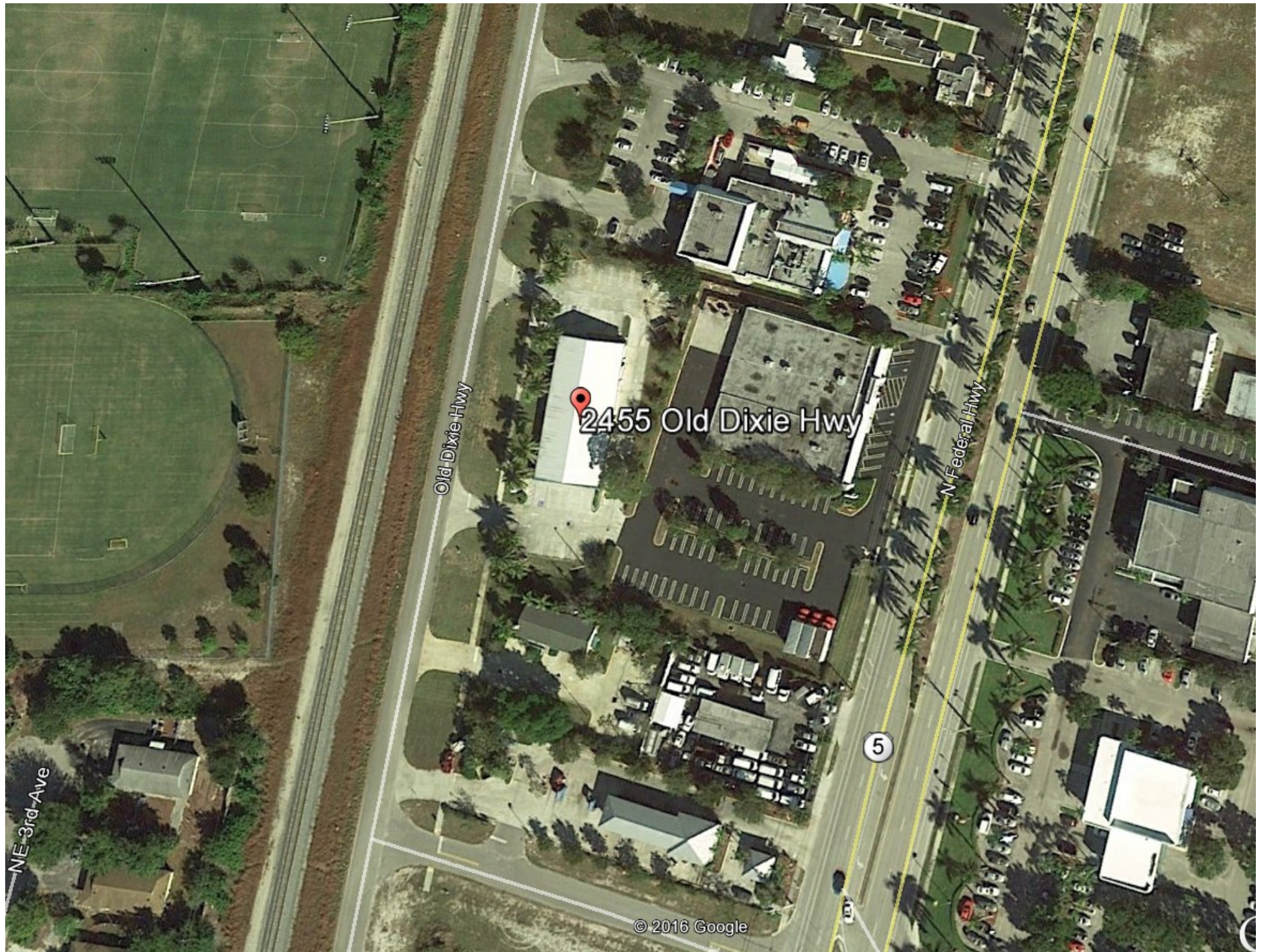
Not applicable ☒

Meets intent ☐

Does not meet intent ☐



2455 Old Dixie Highway, Delray Beach Boxing





2455 Old Dixie Highway, Delray Beach Boxing

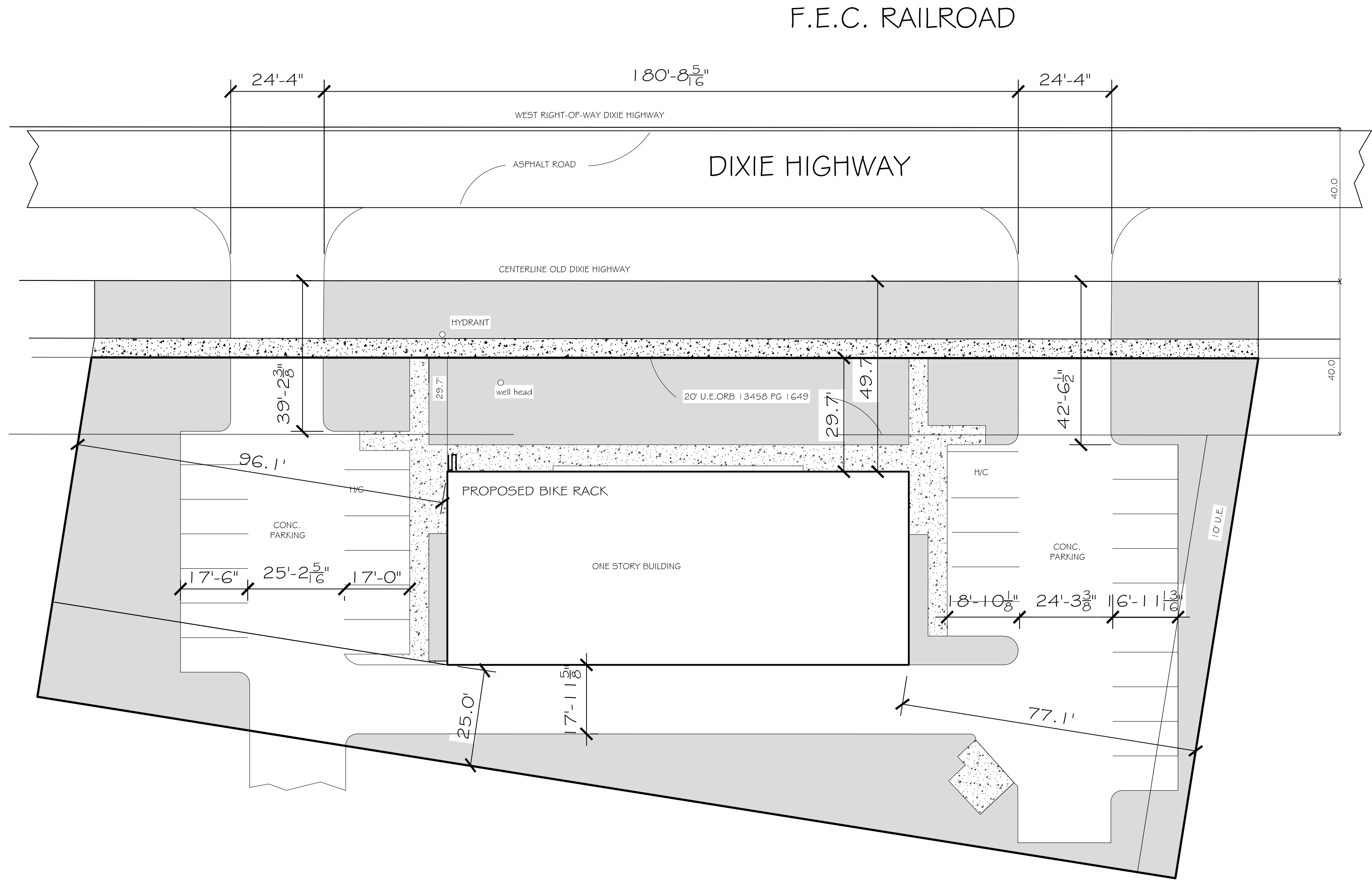




2455 Old Dixie Highway, Delray Beach Boxing  
Views from North Federal Highway







GENERAL NOTES:

1. THE EXISTING DUMPSTER & DUMPSTER ENCLOSURE SHALL REMAIN. (no detail provided)
2. ALL EXISTING PARKING SPACES ARE (DOUBLE-STRIPPED) PER DELRAY STANDARDS EXISTING STRIPING & EXISTING BUMPER BLOCKS TO REMAIN (no detail provided)
3. ADD NEW BIKE-RACK WHERE INDICATED (MINIUM 3-BIKES) (detail below)

PROJECT DATA		
TOTAL SITE AREA:	33,975 SQFT (0.78AC)	100% OF SITE AREA
GROUND FLOOR AREA:	5,592 SF	16.5% of SITE
TOTAL FLOOR AREA:	5,592 SF	16.5% of SITE
PARKING/ PAVED AREA:	13,322 SF	39% of SITE
SIDEWALK AREA:	1,872 SF	5.5% of SITE
OPEN SPACE AREA:	13,189 SF	39% of SITE
WATER BODIES AREA:	0 SF	0% of SITE
# RESIDENTIAL DWELLING UNITS:	0	
DWELLING UNITES PER ACRE	0	

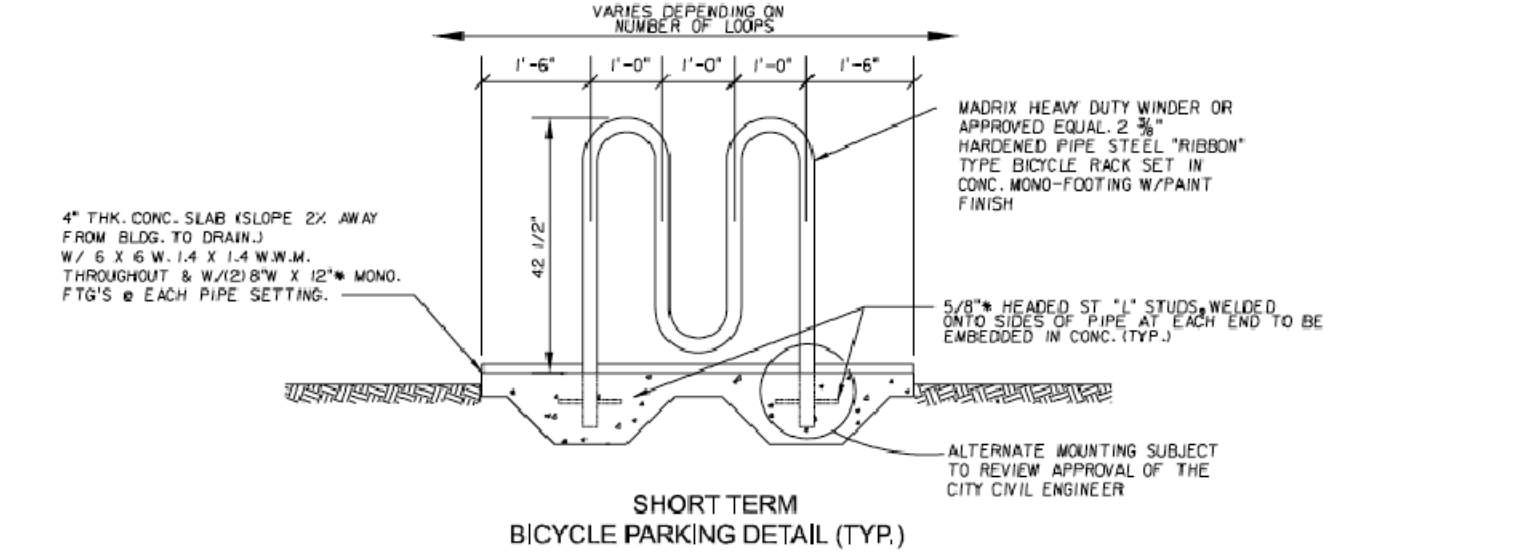
PARKING SPACES REQUIRED PER LDR SECTION 4.6.9 (c)(3)(a)  
GENERAL COMMERCIAL USE (BOXING GYM) 4.5 SPC/1,000 SF = 27 SPACES  
ANCILARY (MEMBER ONLY) FOOD/BEVERAGE INCLUDED ABOVE = 0 SPACES

PARKING SPACES PROVIDED:	
STANDARD (ALL 9'X18')	25
PARALLEL (ALL 9'X20.3')	0
HANDICAP (10'X20' W/ ACCESS)	2
TOTAL PROVIDED:	27 (COMPLIES)

DEVELOPMENT STANDARDS LDR SECTION 4.3.4											
ZONE GC	MIN. LOT SIZE (SF)	MIN LOT WIDTH (FT)	MIN LOT DEPTH (FT)	MAX LOT COVER (%)	MIN PERIMETER BUFFER (FT)	MIN OPEN SPACE (%)	(WEST) MIN FRONT SETBACK (FT)	(SOUTH) MIN SIDE INTR. (FT)	(NORTH) MIN SIDE INTR. (FT)	(EAST) MIN REAR SETBACK (FT)	MAX BUILDING HEIGHT (FT)
REQUIRED	NA	NA	NA	NA	0	25	15	10	10	10	48
PROVIDED	33,975	303.7'	69.45'	62.5%	0	37.5%	29.7'	96.1'	77.1'	25.0'	16'

\*abandoned r/w add's 20' to front of property

EXISTING BUILDING(S) (NO-CHANGE TO EXTERIOR)  
\* MEAN BLDG HEIGHT (BTW TIE-BM & RIDGE) 16' (EAVE=12' RIDGE=20')

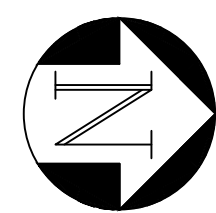
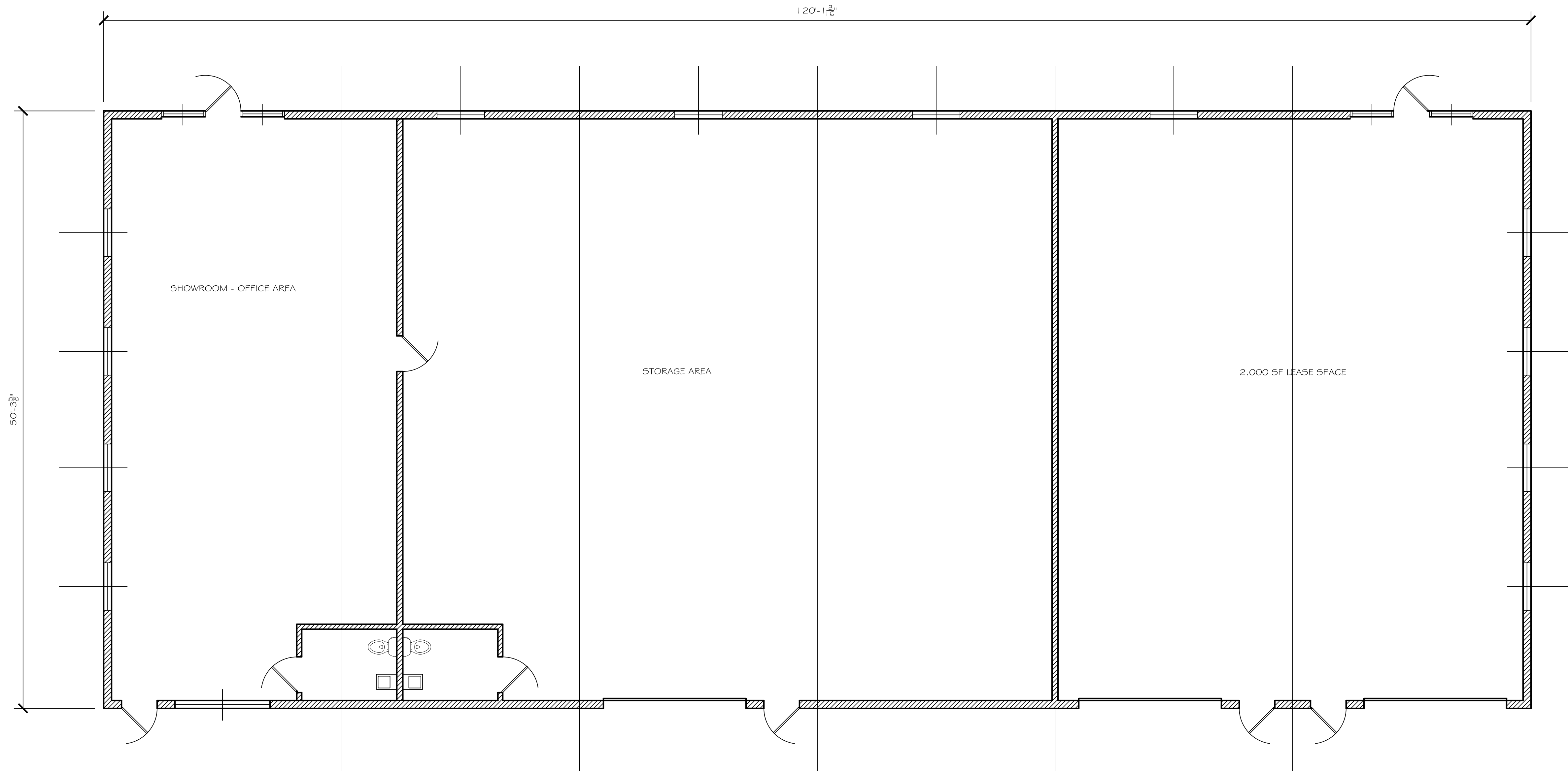


CLASS III SITE PLAN, Change of use to:  
**DeLray Beach Boxing**  
2455 Old Dixie Hwy  
DeLray Beach Florida, 33483

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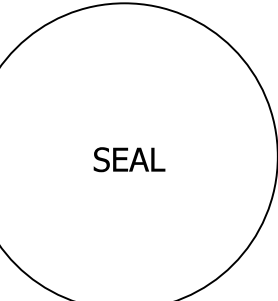
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CHECKED BY: B.K.  
REVISIONS:





EXISTING (AS-BUILT) FLOOR PLAN  
3/16" = 1'-0"

PROPOSED FLOOR PLAN (TO FOLLOW)



Steven W Siebert  
AR0017834



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CLASS III SITE PLAN, Change of Use fo:  
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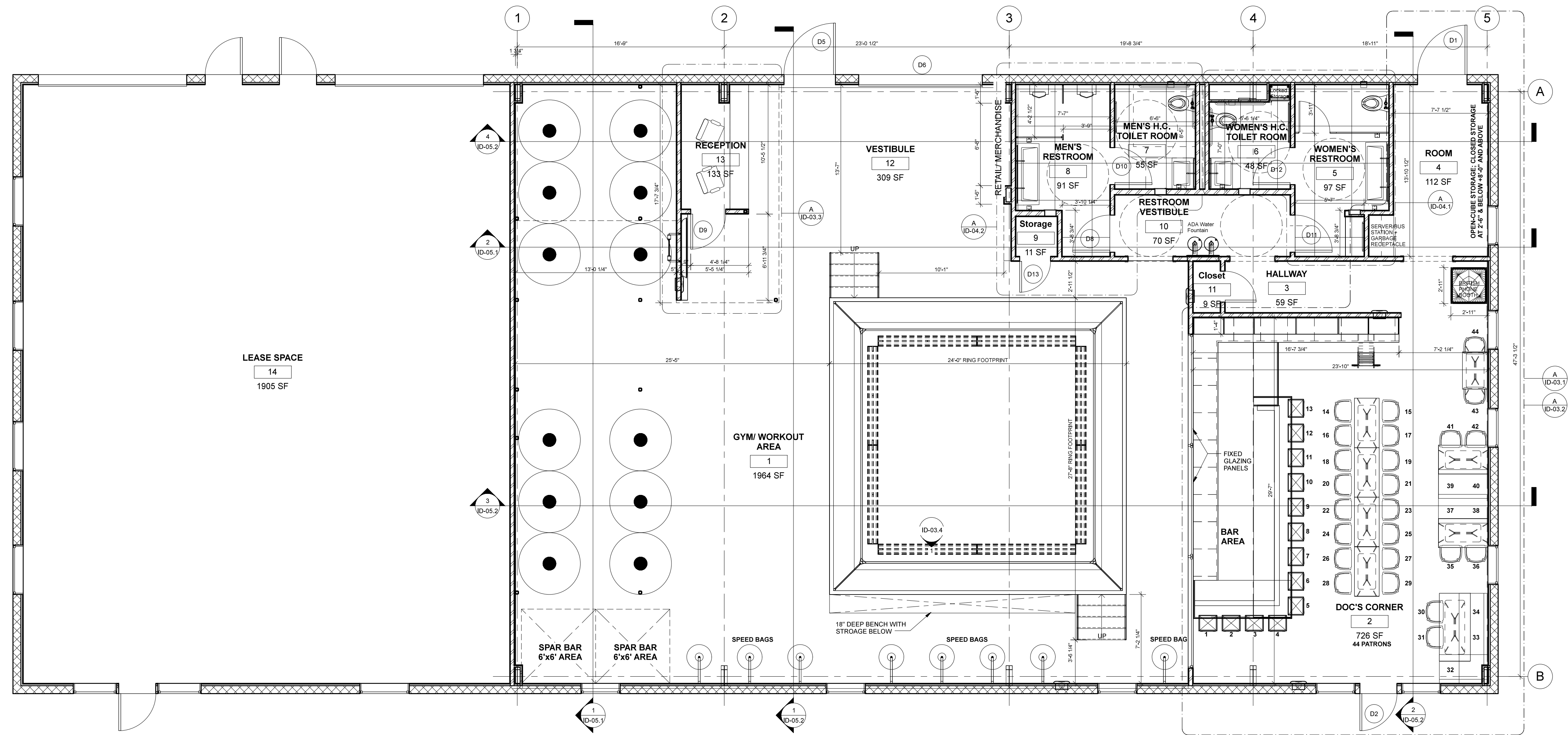
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AS BUILT FLOOR PLAN

**AB.1**  
SHEET NO.





**PROPOSED FLOOR PLAN**  
3/16" = 1'-0"

SEAL

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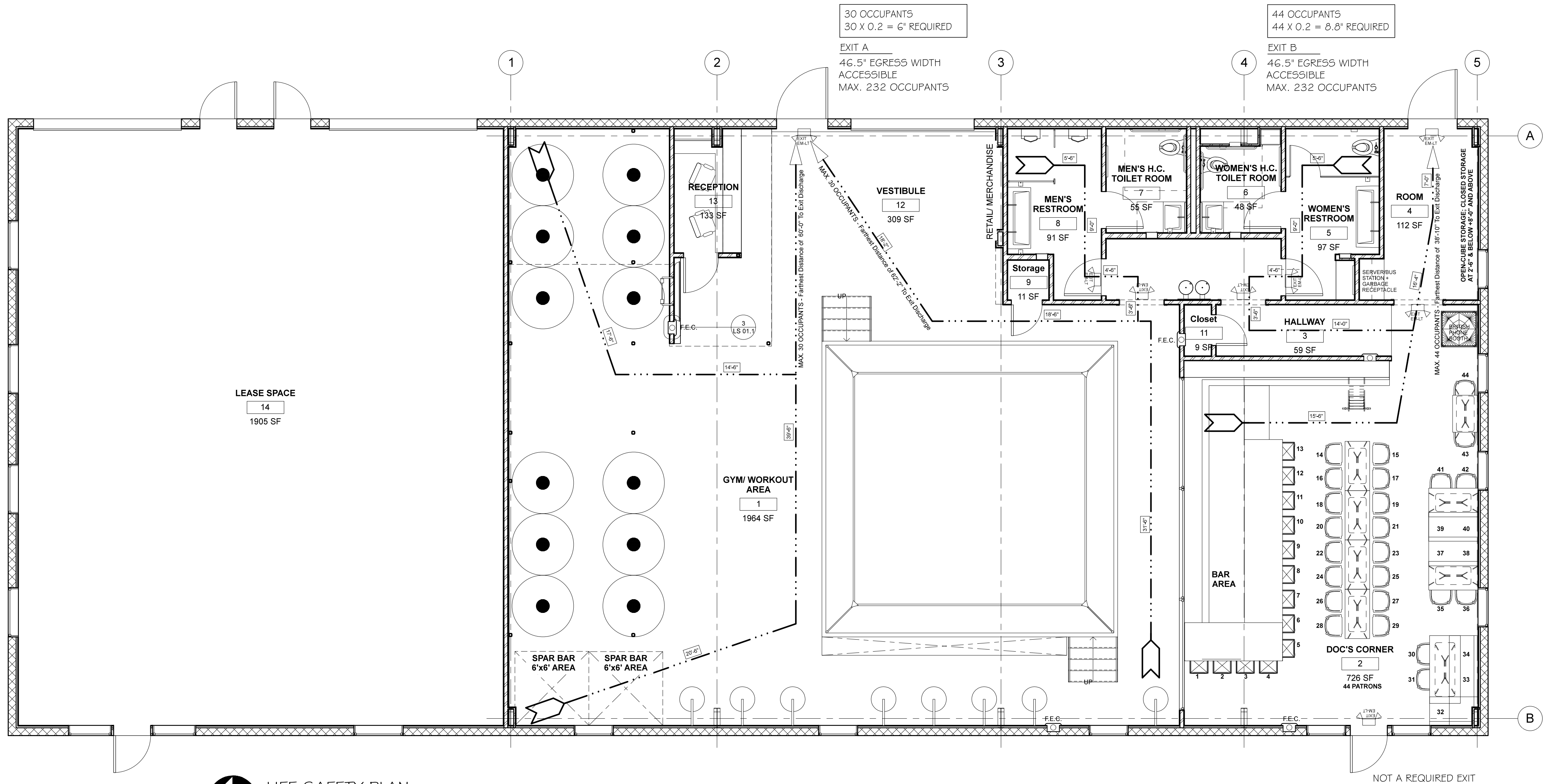
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FLOOR PLAN  
**A1.2**  
SHEET NO.





**LIFE SAFETY PLAN**  
3/16" = 1'-0"

LIFE SAFETY INFORMATION

**Occupancy Classification** = Group A (Assembly)  
**Use Classification** = Non-Separated Mixed Use : A2 (Juice Bar w/ Beer and Wine License)  
A3 (Gym - No Spectator Seating)  
**Incidental Areas** = None  
**Life Safety Classification** = A-C Occupant Load - Greater than or equal to 50, Less than or equal to 300.

**International Plumbing Code (IPC) Table 403.1, 403.2, & 419.2**

**Water Closets Male**  
• Required minimum number of Water Closets required = 1 per 75 for the first 1,500 and 1 per 120 for the remainder exceeding 1,500.  
• Provided = 1

**Urinals**  
• Provided = 2

**Lavatories Male**  
• Required minimum number of Lavatories required = 1 per 200.  
• Provided = 2

**Water Closets Female**  
• Required minimum number of Lavatories required = 1 per 200.  
• Provided = 2

**Lavatories Female**  
• Required minimum number of Water Closets required = 1 per 150.  
• Provided = 2

**Maximum Exit Access Travel Distance**

Required (Without Sprinkler) = 200Ft  
Required (With Sprinkler) = 250Ft

**Maximum Distance to Exit Discharge From Any Area Within Occupancy = 62Ft. 2in.**

LEGEND

- EXIT LIGHT/ EMERGENCY LIGHT COMBO FIXTURE
- COMMON PATH OF EGRESS TRAVEL TO EXIT DISCHARGE
- F.E.C. FIRE EXTINGUISHER CABINET

REFER TO ELECTRIC DWGS FOR EXACT LIGHTING INFORMATION & LOCATION



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LIFE SAFETY PLAN


**LS.1**





SEAL

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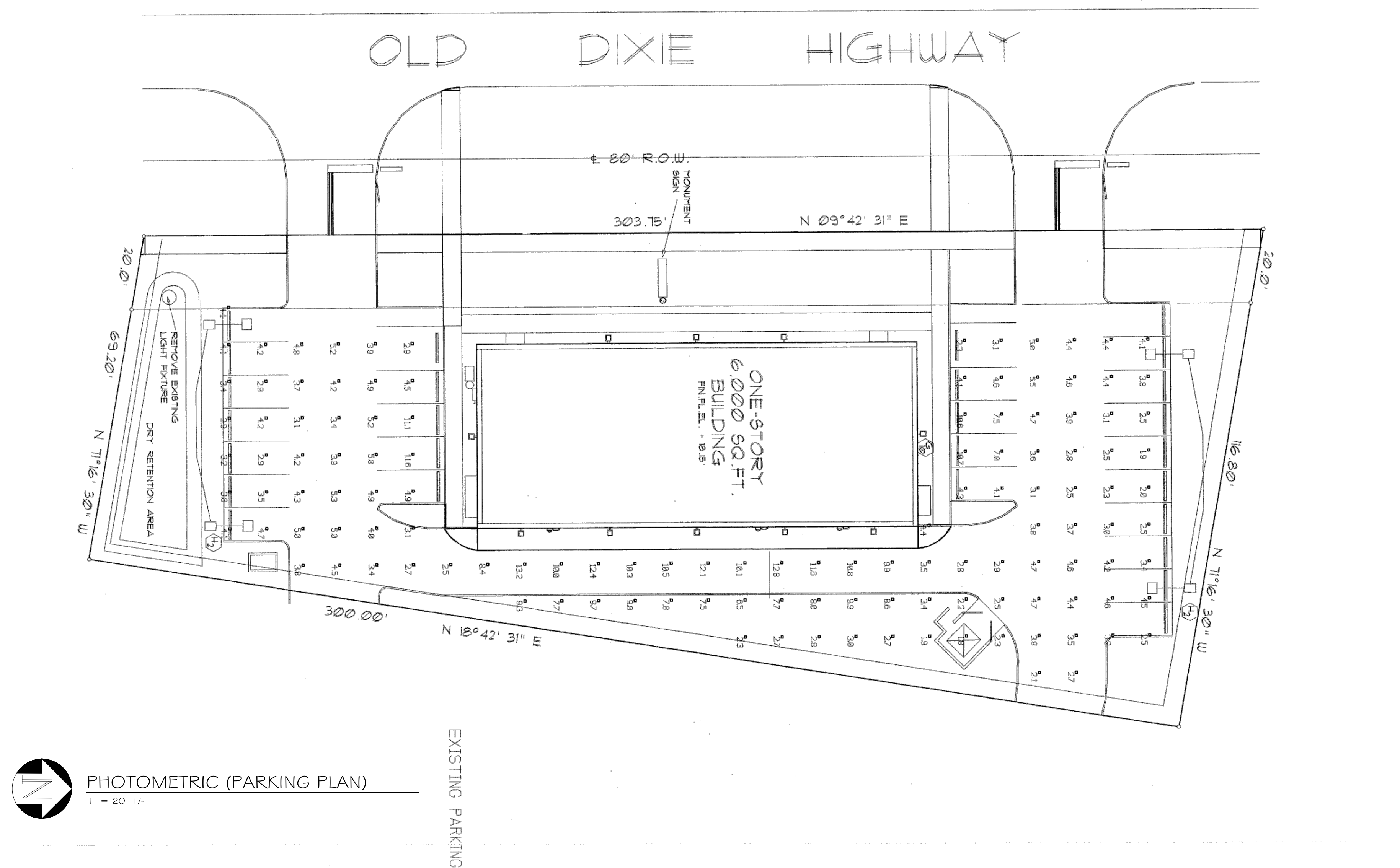
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REVISIONS:

PHOTOMETRIC PLAN

## AS.2

SHEET NO.



NOTE: ALL EXISTING POLE AND BUILDING LIGHTS ARE  
EXISTING (NO PROPOSED CHANGE) - detail NOT provided

## AS.2





EXISTING (FRONT) WEST ELEVATION  
NOT TO SCALE



EXISTING (REAR) EAST ELEVATION  
NOT TO SCALE



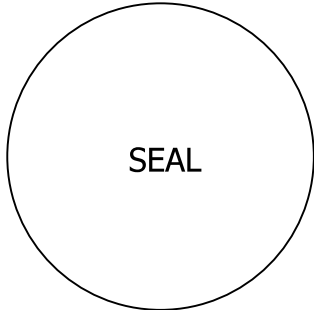
EXISTING DUMPSTER ENCLOSURE  
NOT TO SCALE



EXISTING (NORTH) SIDE ELEVATION  
NOT TO SCALE



EXISTING (SOUTH) SIDE ELVATION  
NOT TO SCALE



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PROJECT NO.: 15-071  
DATE: 8.10.15  
DRAWN BY: S.W.S.  
CHECKED BY: B.K.  
REVISIONS:

COLOR ELEVATIONS

A.2

SHEET NO.