

**SITE PLAN REVIEW AND APPEARANCE BOARD
STAFF REPORT**

Applicant: Delray Beach Boxing, LLC,
Matt Fronzaglia

Project Name: Delray Beach Boxing

Project Locations: 2455 Old Dixie Highway

ITEM BEFORE THE BOARD

The item before the Board is a recommendation to the City Commission regarding a Waiver request to LDR section 4.6.7(E)(7) to allow two flat wall signs not facing a dedicated street frontage located at 2455 Old Dixie Highway.

PROJECT DESCRIPTION

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.

At its meeting of February 24, 2016, the Site Plan Review and Appearance Board approved a Class III site plan modification 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, 726 square feet will be utilized for a café, which is noted as "Doc's Corner".

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.

The waiver request is to allow two flat wall signs; the south elevation and north elevation, which do not face a dedicated street frontage. The applicant would like to place identical signs "Delray Beach Boxing" which are illuminated 3.1 x 14.3 (44.3 square feet) in red channel letters on the façade underneath the gable roof. There is an existing monument sign on Old Dixie Highway that is 13 feet tall with a sign area of 60 square feet.

WAIVER ANALYSIS

Pursuant to **LDR Section 4.6.7 (E)(7), Design Standard Matrix**, standards are set forth for various types of signs when located in various zoning districts or defined by use.

In the GC zoning district, one wall sign per business facing a dedicated street frontage is allowed. The applicant has applied for two wall signs facing an interior parking lot, therefore requiring a waiver to LDR section 4.6.7(E)(7).

Pursuant to **LDR Section 2.4.7(B)(5), Waivers: Findings**, the granting body shall make findings that,

- (a) Shall not adversely affect the neighboring area;
- (b) Shall not significantly diminish the provision of public facilities;
- (c) Shall not create an unsafe situation; and
- (d) Does not result in the grant of a special privilege that the same waiver would be granted under similar circumstances on other property for another applicant or owner.

The applicant has provided a justification for the waiver in the attached letter.

The granting of this waiver will not adversely affect the neighboring area, diminish the provision of public facilities and is not creating an unsafe situation. The signage helps identify the building from Old Dixie Highway. The signs would not be considered a special privilege in that similar signage has been approved for other business in Delray. Burger King Restaurant located at 1820 S. Federal Hwy was granted similar waivers in April of 2016. The former owner Delray Cycle previously placed signage on the north and south elevation. According to building records, a permit was not applied for in order to install these signs properly.

The sign that is requested on the North elevation is not permissible at this time as Delray Boxing does not occupy this portion of the building. Exhilaride, a golf cart business occupies the northern portion of the building. Therefore, it should be a condition of approval that the waiver request includes administrative approval of the northern sign once Exhilaride has vacated the premises and Delray Boxing has been approved through SPRAB for a class III new use to expand the facility. In the event that Exhilaride or the Northern tenant space is not converted to the gym the signage requested on the north will not be allowed.

Based on the above, positive findings can be made with respect to LDR Section 2.4.7(B)(5).

ALTERNATIVE ACTIONS

- A. Board Discretion.
- B. Move approval of the recommendation to the City Commission regarding waiver request to LDR Section 4.6.7(E)(7), Design Standard Matrix, to allow the wall signs facing the south and north elevations (interior parking lot) located at **2455 Old Dixie Highway** for

Delray Beach Boxing based upon positive findings, pursuant LDR Section 2.4.7(B)(5) with the condition the north elevation signage will not be installed until the applicant has been approved for a Class III - new use.

- C. Move denial of the recommendation to the City Commission regarding waiver request to LDR Section 4.6.7(E)(7), Design Standard Matrix, to allow two wall signs to face an interior parking lot located at **2455 Old Dixie Highway** for **Delray Beach Boxing** based upon a failure to make positive findings, pursuant LDR Section 2.4.7(B)(5).

STAFF RECOMMENDATION

Move approval of the recommendation to the City Commission regarding waiver request to LDR Section 4.6.7(E)(7), Design Standard Matrix, to allow the wall signs facing the south and north elevations (interior parking lot) located at **2455 Old Dixie Highway** for **Delray Beach Boxing** based upon positive findings, pursuant LDR Section 2.4.7(B)(5) with the condition the north elevation signage will not be allowed until the applicant has been approved for a Class III – new use.

Report Prepared by: Jennifer Buce, Assistant Planner

Attachments:

Justification letter
Sign Elevations
Photographs
Location Map