



# **Bounce Sporting Club - Delray Beach**

**Conditional Use Application - Late Night Business**

**Neil M. Schiller, Esq. - December 13, 2021**





# What is Bounce?

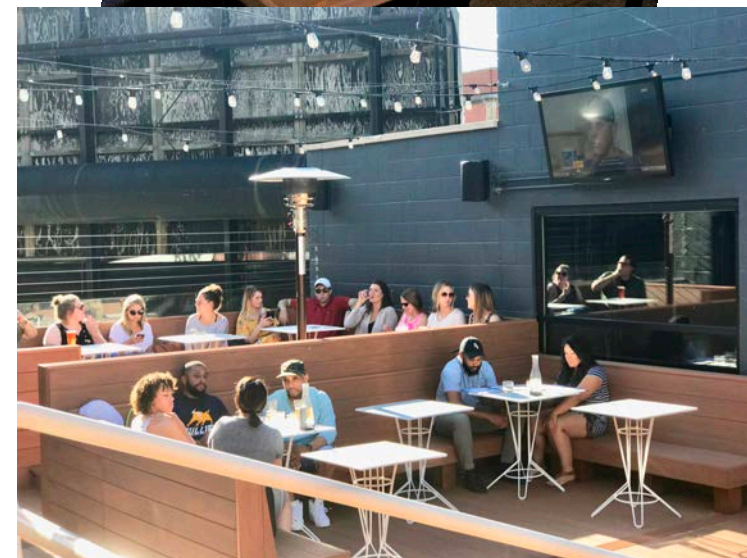
- Upscale sports bar, restaurant and nightclub
- Founded in New York City in 2011
- Expanded to Chicago in 2017
- Bounce Beach Montauk in 2021
  - More restaurant focused
  - Higher food ratios





# Bounce Beach - Delray

- Upscale sports bar and restaurant
  - Different concept than the other two locations:
    - “less party, more restaurant”
    - Reflective of Delray Beach environment (Montauk)
      - what works in Chicago and NY, doesn't work here
  - Bounce Beach - Montauk (MTK)
    - Established in 2021
    - Floor plan was designed to be more of a restaurant like Delray
- Seeks Conditional Use to be open until 2:00 am
  - Late-night sports events
    - UFC, boxing and other pay-per-view events
    - West Coast and international sporting events
- 90% of investment group lives in Delray Beach





# Bounce Beach Montauk

- Established new concept in Summer of 2021
- Focused on the food and the laid back atmosphere
- “We are really trying to step away from that scene (nightclub) and transition to a new demographic that has grown up.” Yosi Benevensti to the NY Times on May 29, 2021
- Bounce Beach Delray is the continuation of that concept



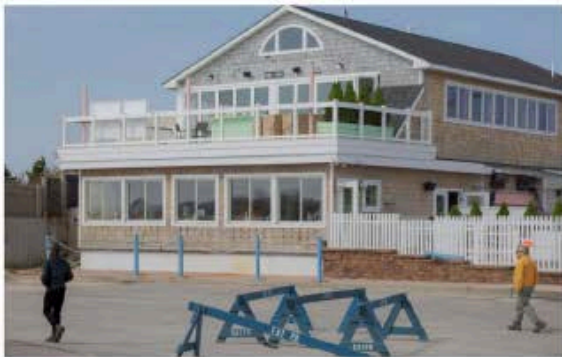


# Bounce Beach Montauk - Press

## The New York Times

### Is the Montauk Party Over?

Dive bars are out. Fine dining is in. Summer shares are scarce. Town leaders are hoping to put the kibosh on the antics of seasons past.



By Alyson Krueger

May 29, 2021

Before 2020, it was impossible to miss a wooden beach bar in Montauk called the Sloppy Tuna. Shoes and shirts were optional. Bikini-clad ladies and shirtless men would guzzle piña colodas on the deck. It was involved in numerous drug arrests and noise complaints.

Now that era has come to an end.

The space reopens this weekend as [Bounce Beach Montauk](#), part of an upscale sports club chain in Manhattan and Chicago. The old grungy surf boards are gone, replaced by shiny pastel ones. Wings and mozzarella cheese sticks are out; coriander crusted yellowfin tuna and prime New York strip steak are in.

And, at least for now, dinner reservations are a must, and dancing is restricted to one's table. "We are really trying to step away from that scene and transition to a new demographic that has grown up," said Yosi Benvenisti, one of the owners.

## VOGUE

TRAVEL

### What's New in the Hamptons? The Restaurants, Hotels, and Stores to Know This Summer

BY ELISE TAYLOR AND LILAH RAMZI

June 7, 2021



Norman Jean Roy, Vogue, 2007

#### Bounce Beach, Montauk

Bounce Beach Montauk opened up with a bang this weekend, hosting events for chic swimwear brand Solid & Striped as well as Bryan Cranston and Aaron Paul's new mezcal brand, Dos Hombres. (The former will host a pop-up there all summer.) With its pastel interiors and beachside location, expect to see Bounce on your Instagram stories again, and again, and *again*.



# Bounce Beach Montauk - Press

## WWD

### GUEST *of a* GUEST

EYE / LIFESTYLE

## Bounce Beach Montauk Is Ready to Rage

Chef Sean Olnowich is helming the beachside location, kicking off Memorial Weekend.

By **Kristen Tauer** on May 28, 2021



Bounce Montauk  
Courtesy

"The phones have been literally ringing off the hook for the past two weeks," says chef Sean Olnowich, several days before kicking off Memorial Weekend out East. "[This summer] is going to be one for the books."

Olnowich is helming the debut of Bounce Beach Montauk, the first Long Island outpost of the popular Flatiron sports bar. Bounce has taken over the prime oceanside location that was formerly home to popular dive bar Sloppy Tuna. This summer, the location is getting an upgrade through craft cocktails, elevated food menu and a slate of buzzy programming.

"Our focus is a lot of things from local farms here in terms of produce, a lot of fish dishes," says Olnowich, who's been coming to the area since childhood and has worked with many restaurants in the area, including Rocco's A La Playa and The Surf Lodge. Dishes on the menu at Bounce Montauk include Korean-style mussels with kimchi, local catch fish tacos, and lobster rolls with "beach spice." The restaurant will also run a dedicated lobster roll take-out bar on the water for easy snacking.

## RIP Sloppy Tuna, But Say Hello To Bounce Beach Montauk!

by Guest of A Guest · May 13, 2021



The, well, sloppy days of The Sloppy Tuna are officially over - but fear not, this Montauk beachfront staple has received a serious upgrade!

**Bounce Beach Montauk** will make its grand debut this Memorial Day Weekend, and it's definitely not a dive bar. The new sure-to-be hot spot will offer brunch, lunch and dinner services with James Beard Honoree Chef Sean Olnowich at the helm (Jameson infused French Toast or locally sourced Coriander Crusted Yellow-Fin, anyone?) and a stellar drinks menu featuring crafted cocktail pouches you can easily bring with you to the beach.

Oh, and get this! - they'll even have a Lobster Roll Take-Out window just steps from the sand *and* a first of its kind Swimsuit Take-Out Bar stylishly stocked by Solid & Striped.

Honestly, what else could you possibly need/want out East?!

To fête their opening weekend, Bounce already has a stylish pack of sports stars and celebs on board to celebrate. Friday, Bachelors (as in *The Bachelors*) Tyler Cameron and Matt James will be hosting an invite-only party. Saturday will see a similarly exclusive brunch hosted by Dos Hombres Mescal with appearances by two exciting guest bartenders. And finally, on Sunday, models and fashion favorites will be hosted by Solid & Striped (who designed the Bounce staff uniforms) for a laid back brunch on the ocean deck.

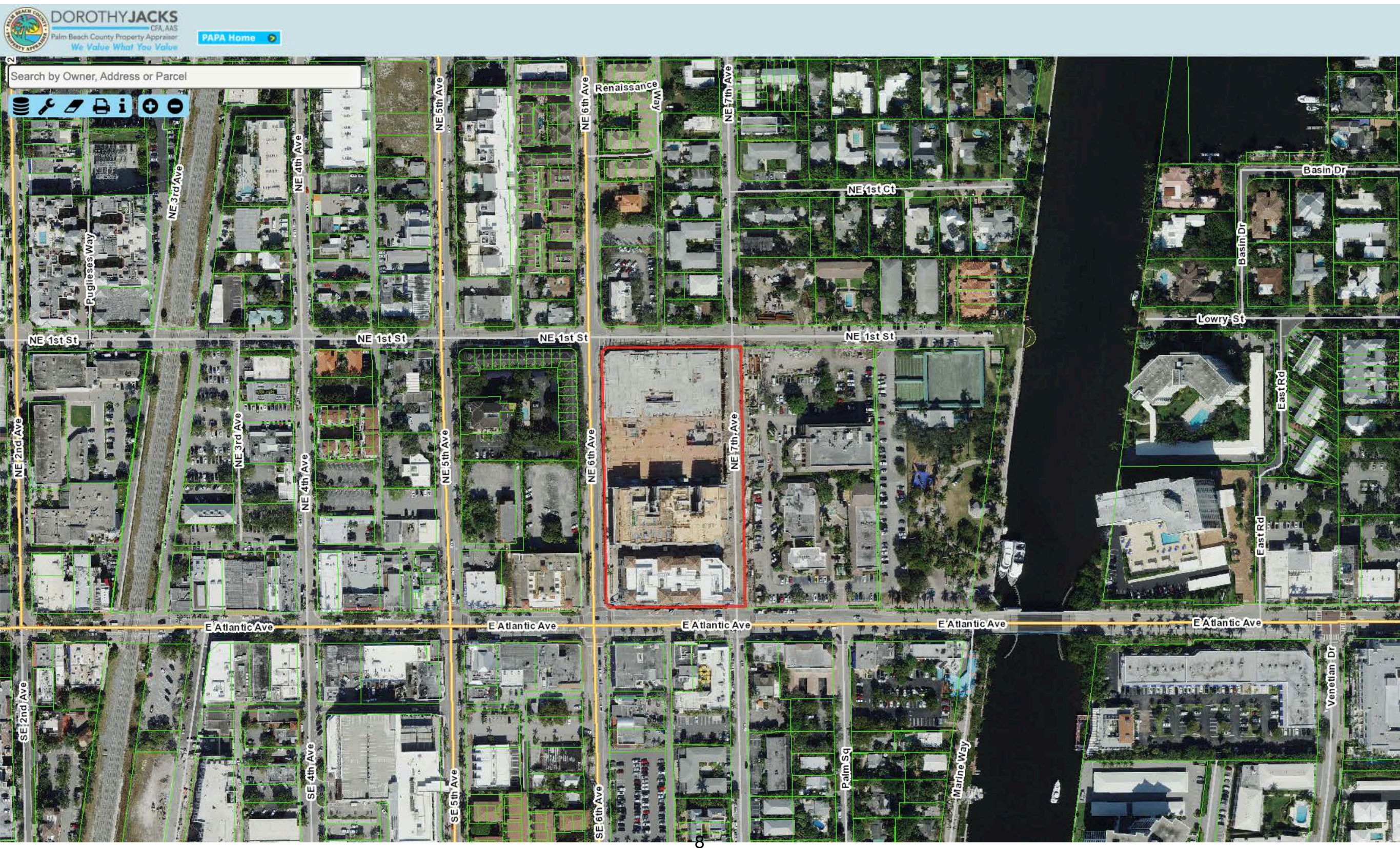
Get ready for those summer days and summer nights!

# Request

- Applicant seeks a conditional use permit as a late night business
  - Residential is located within a 300' straight line route
- (VV) 24-Hour or Late Night Businesses: [Amd. Ord. 41-01 8/7/01]
  - (1) *Purpose and intent:* The purpose and intent of the regulations of this section are: [Amd. Ord. 41-01 8/7/01]
    - (a) To promote the health, safety and general welfare of the citizenry; [Amd. Ord. 41-01 8/7/01]
    - (b) To provide conditions upon the use of 24-Hour or late night businesses in order to minimize impacts upon residentially-zoned properties from such uses. [Amd. Ord. 41-01 8/7/01]
  - (2) *Requirements:* Unless otherwise specified, the following regulations shall apply to 24-Hour or late night businesses: [Amd. Ord. 41-01 8/7/01]
    - (a) *Conditional use:* Any 24-Hour or late night business located or proposed to be located within a 300-foot straight line route from any residentially-zoned property shall obtain a conditional use permit from the City for the operation of such use. The distance shall be measured from the nearest point of the property on which the 24-Hour or late night business is or will be located to the nearest point of a residentially-zoned property. [Amd. Ord. 41-01 8/7/01]
    - (b) *Conditions:* In addition to complying with [Section 2.4.5\(E\)](#) of the Land Development Regulations, all other applicable regulations, and with any conditions imposed through the conditional use process, the following conditions shall apply to all 24-Hour or late night businesses which meet the requirements of subsection (2)(a): [Amd. Ord. 41-01 8/7/01]
- Code expressly allows for this Late-Night use irrespective of the entertainment district
  - So each use can be judged on its own and conditioned appropriately

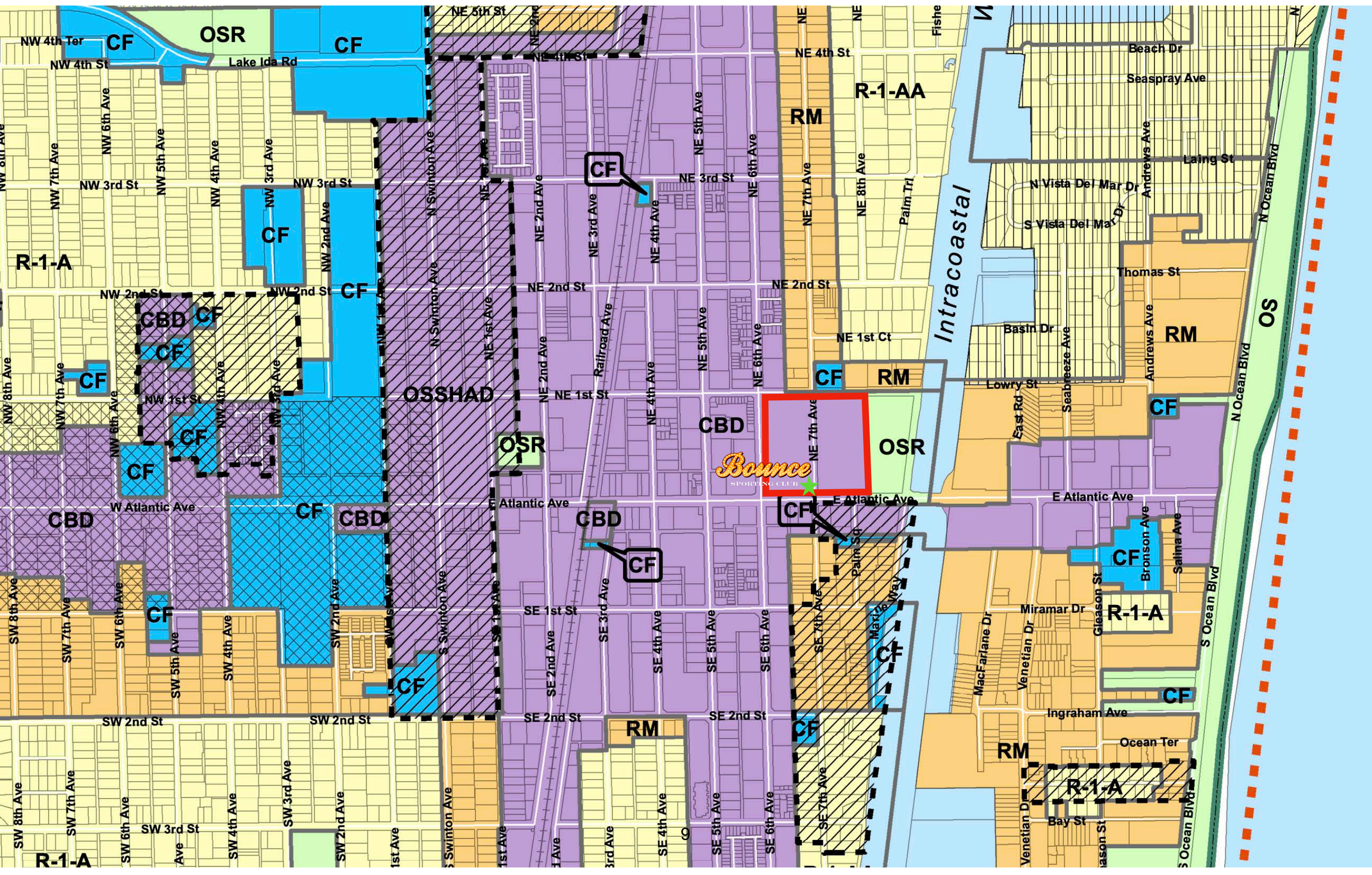


# Aerial



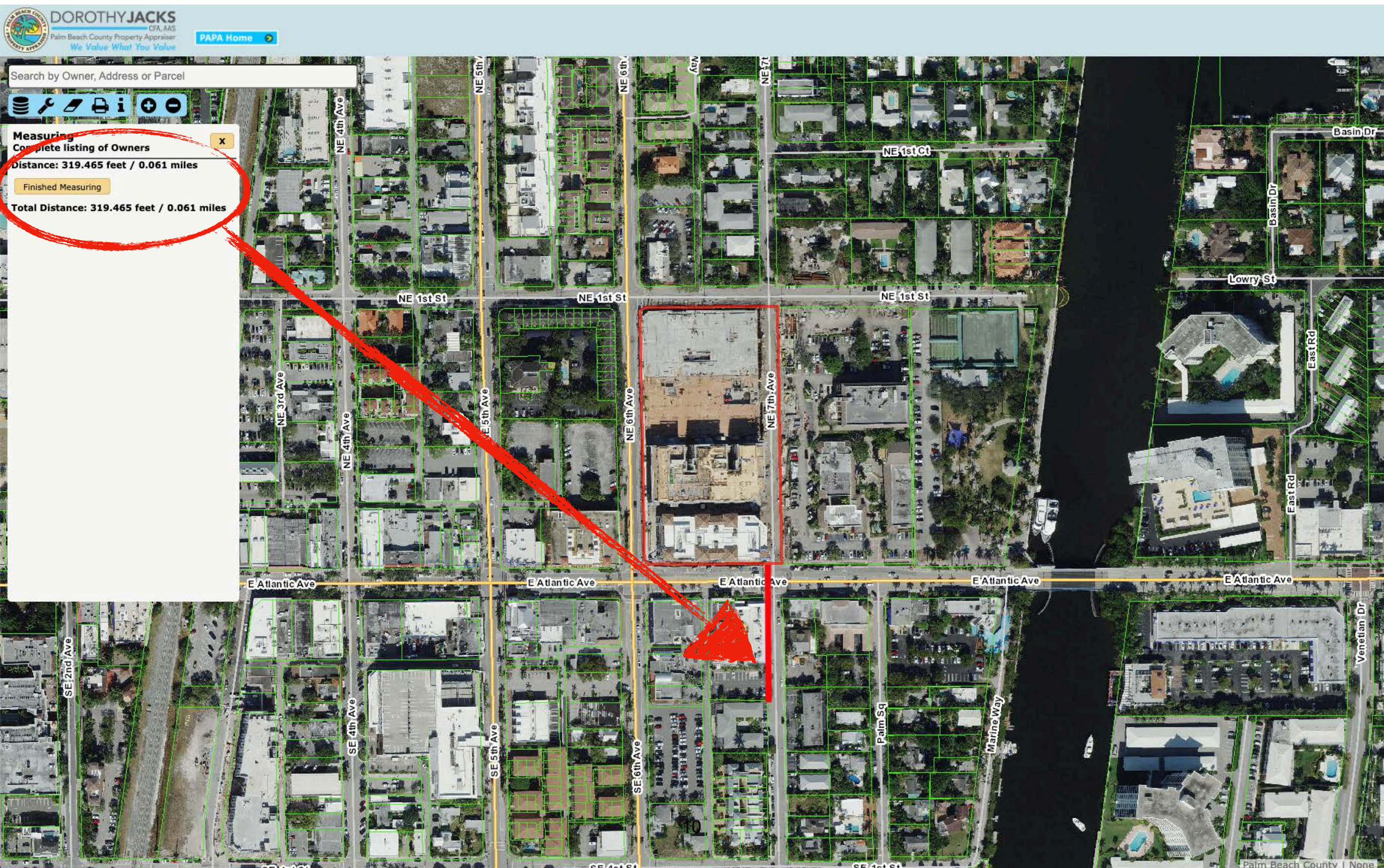


# Zoning Map



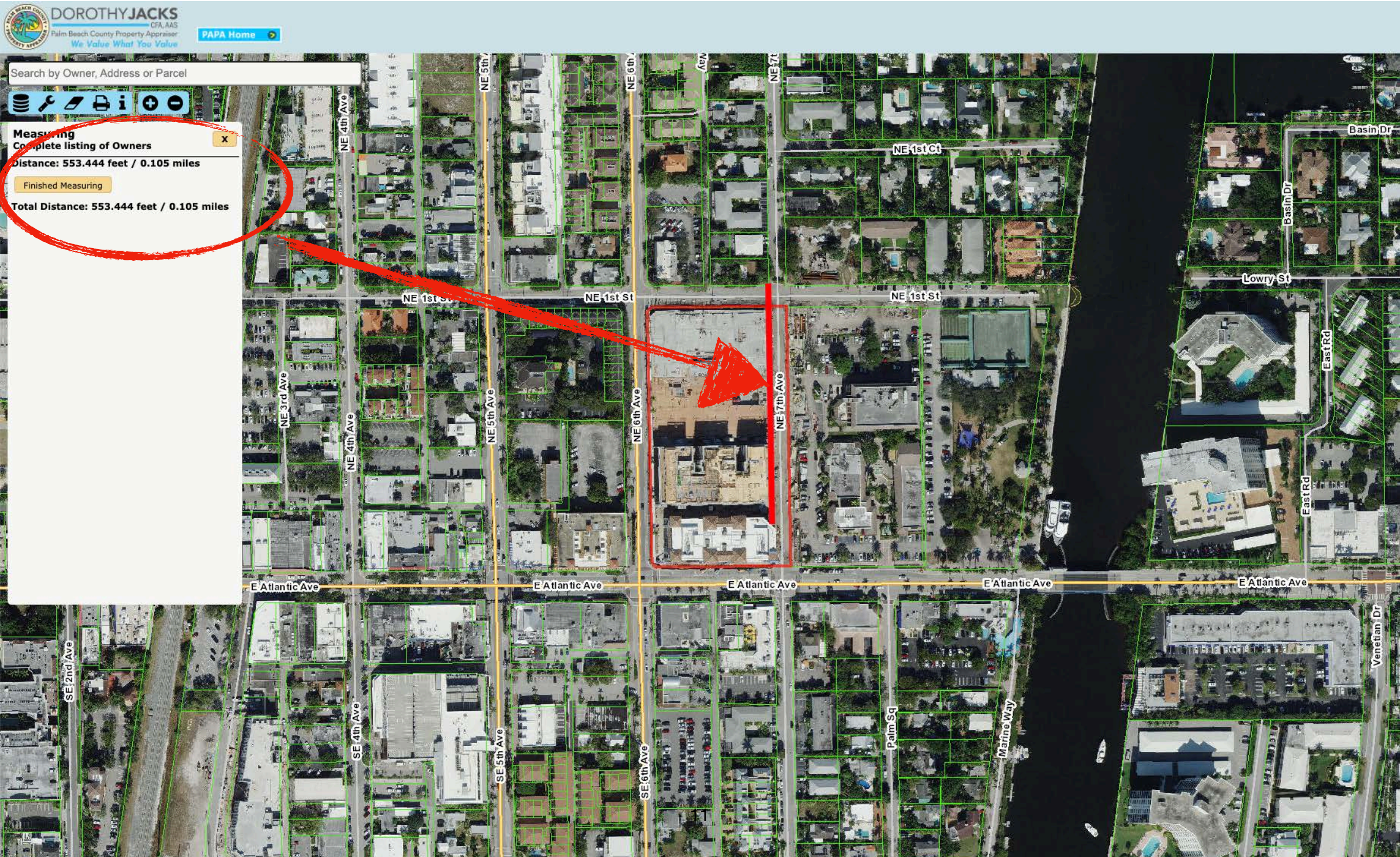


# Distance to Residentially Zoned Property to South





# Distance to Residentially Zoned to North



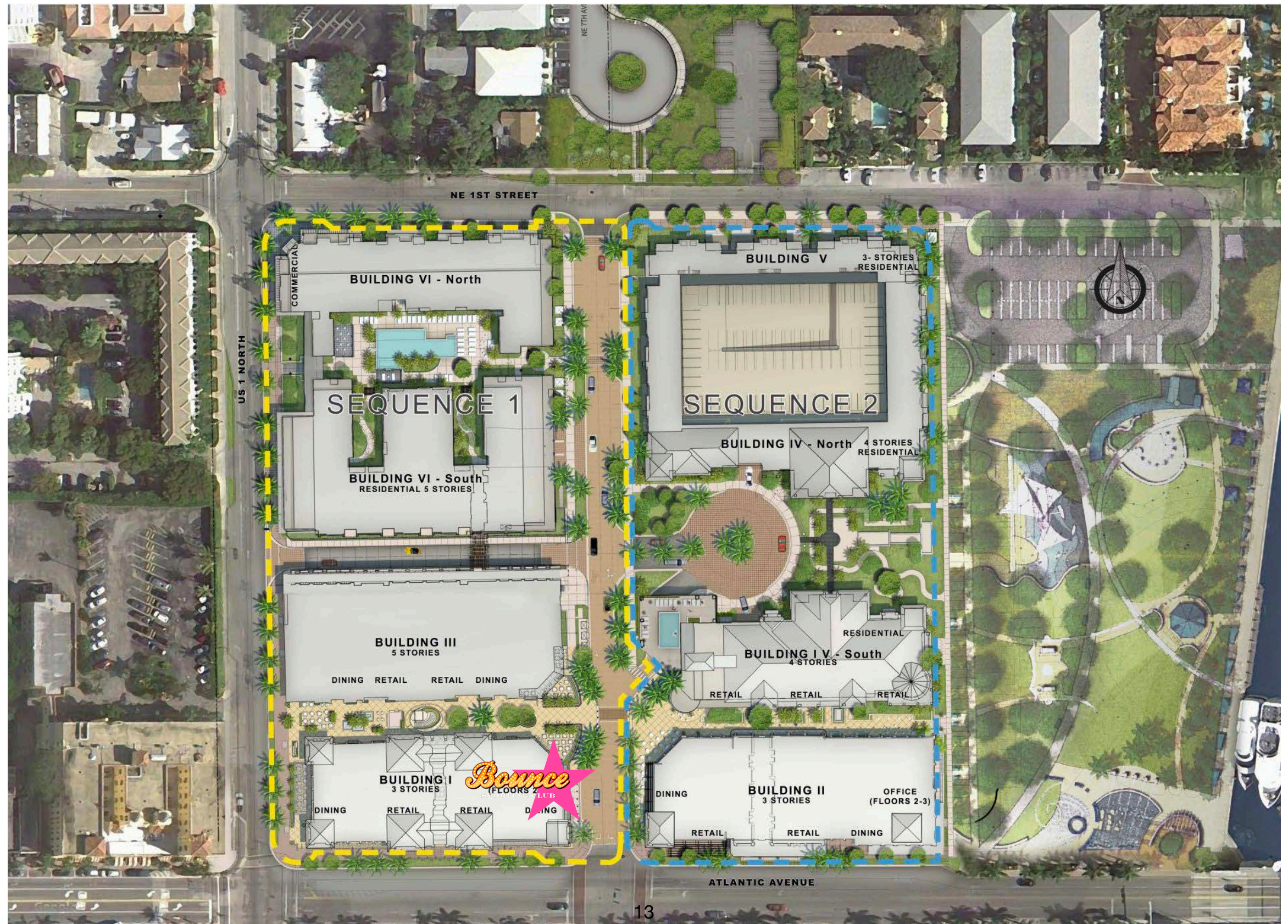


# Location of Bounce in Atlantic Crossing



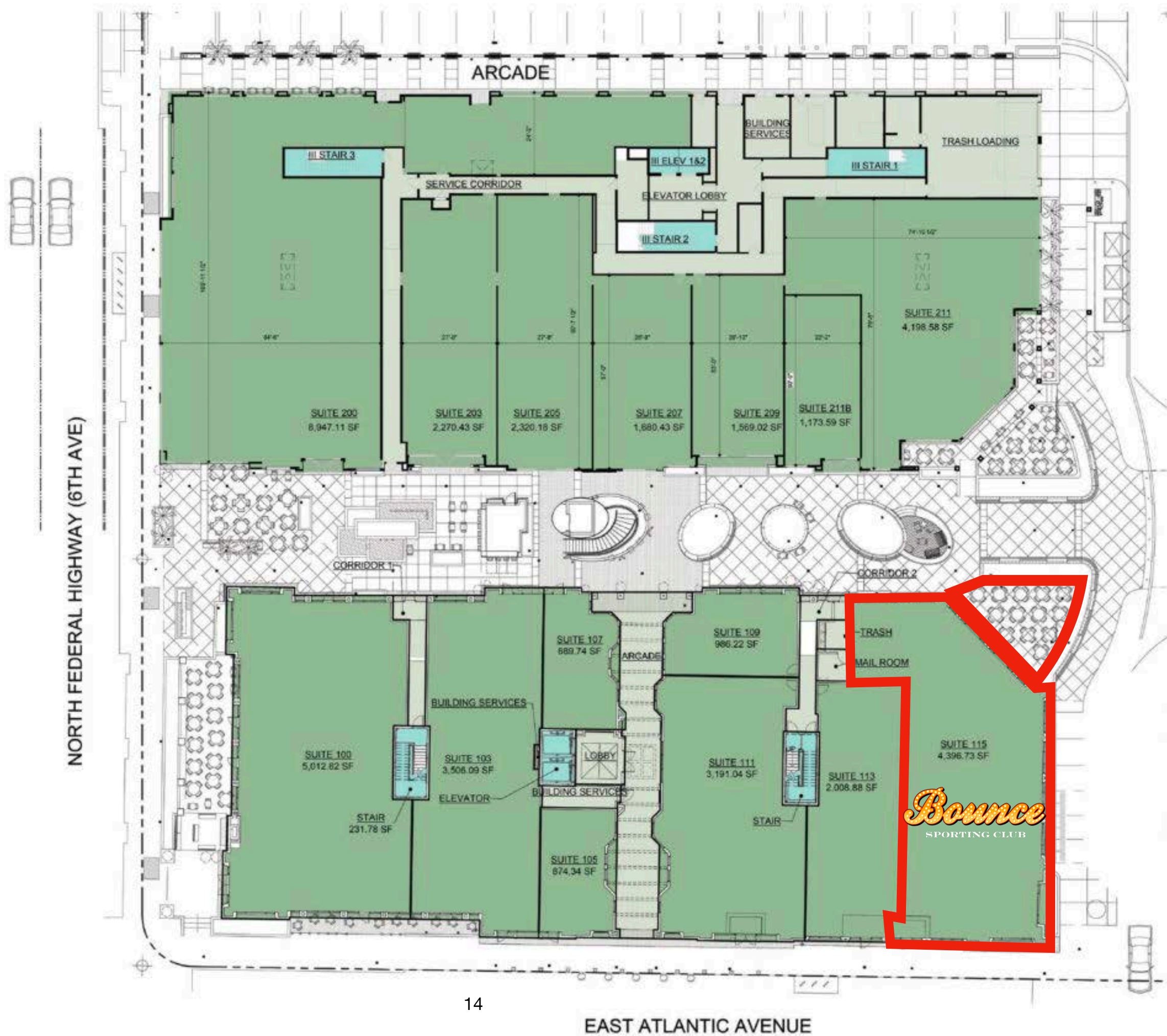


# Atlantic Crossing Site Plan





# Site Plan





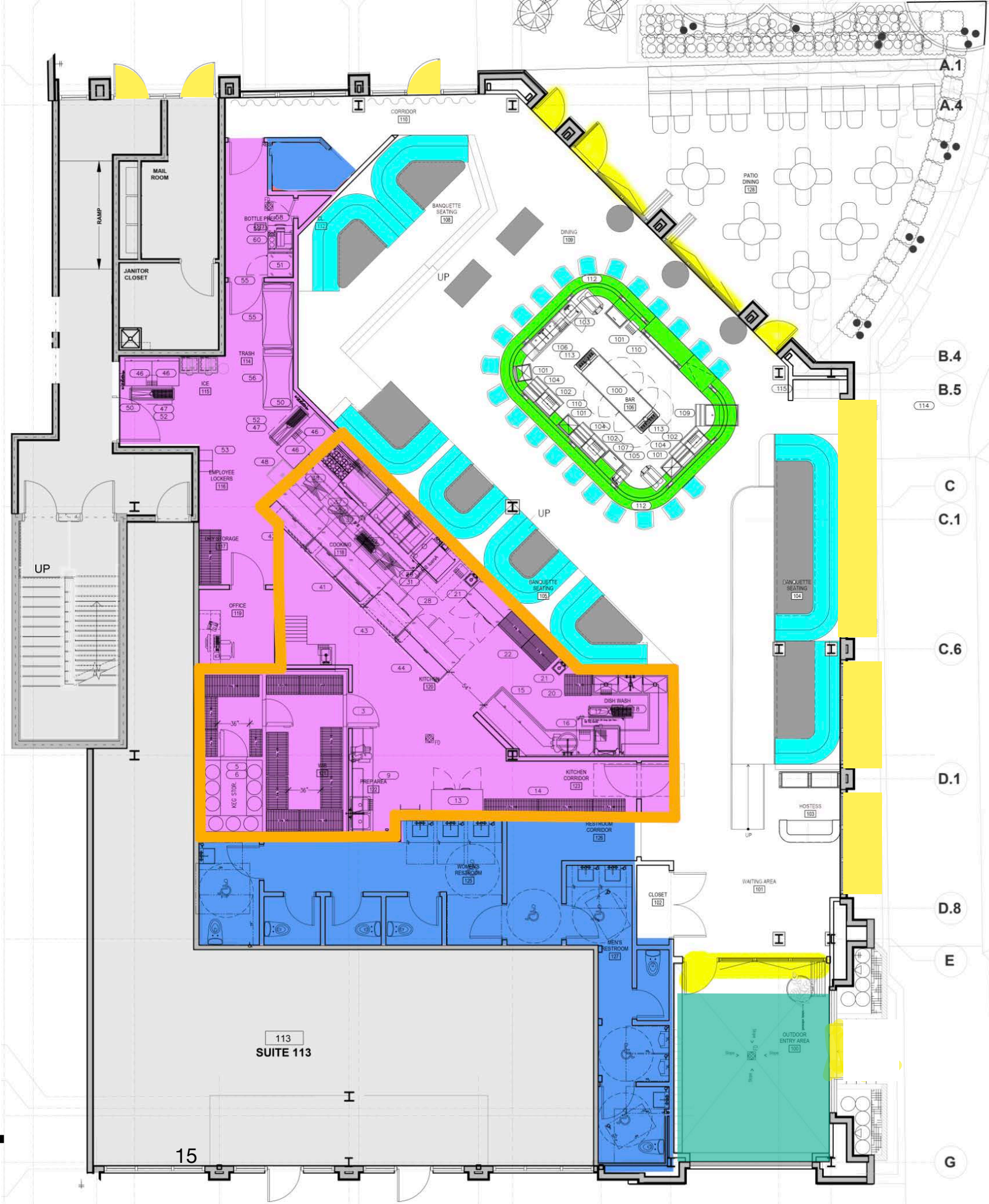
# Bounce

## Floor Plan

Key:

-  Seating
-  Tables
-  Bar
-  Restrooms
-  Kitchen
-  Back of house
-  Doors & windows
-  Enclosed foyer

**4,396.76 SF TOTAL**





# Required Findings

## LDR Sec. 4.3.3(VV)(c)

- Use is consistent with the Housing Element Policy HOU 1.1.12
  - *Atlantic Crossing was approved with a multitude of uses (including restaurants) which demonstrates compatibility with adjacent neighborhoods*
- Security Plan adequately protects safety of patrons, residents and nearby patrons
  - *Bounce will have a multi-faceted security approach*
- Buffering is adequate to minimize effects of noise on surrounding uses and nearby residential properties and to act as a visual buffer from surrounding uses and nearby residential properties
  - *Proposed buffering techniques combined with the existing environment will minimize effects of noise*
  - *Proposed conditions of approval will also buffer anticipated noise*



# Security Plan

- Minimum of six security personnel Fridays, Saturdays, special events and holidays after 10:00 pm
  - Will hire off-duty Delray Beach Police to assist security staff from 11:00 pm to 2:00 am Fridays, Saturdays, special events and holidays
- Installation of 34 individual security cameras with 100% coverage
  - Ability to review footage on-demand
- Internal and external lighting at all entrances/exits
  - Motion sensors activated after hours
- Benefits of the CPTED requirements of Atlantic Crossing
- Bounce has standard operating procedures and handbooks to train its staff



# Buffering

- Acoustically treated walls and windows
- Heavy curtains specifically to attenuate sound
- Proposed Conditions:
- Patio will close at midnight every night of the week
  - Doors/windows will be shut to the patio
  - Foyer will be used for ingress/egress after midnight
    - No live music permitted after midnight
- Existing environment provides buffering



- 2) **Buffering:** A 24-hour or late night business shall provide adequate buffering to minimize the effects of noise and to act as a visual buffer to the property from nearby residential districts.

As discussed above, the configuration of the Atlantic Crossing development provides buffering from the residentially zoned properties to the north, and separation from the residential portion of the development. The residentially zoned properties to the south are separated and buffered by East Atlantic Avenue and the buildings fronting the street in the CBD zoned properties.



# Conditional Use vs. Expanding Entertainment District

## Conditional Use:

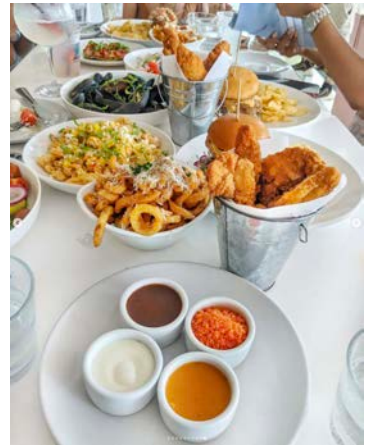
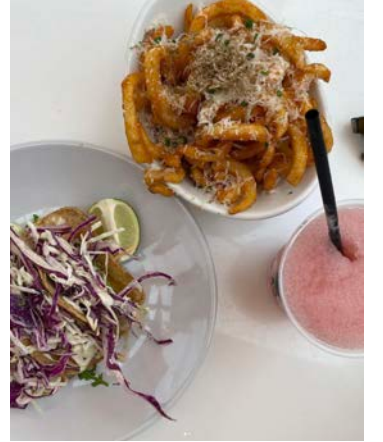
- City can set narrowly tailored conditions to impact the noise
- A conditional use permit can be rescinded by the City for non-compliance or other issues
- Conditional use permit would be specific for the business and not a whole area

## Entertainment District:

- No opportunity to set conditions
- City does not have as much leverage:
  - Enforcing the noise ordinance vs. rescinding a conditional use permit
- Changing the Entertainment District covers a much bigger area and has more impacts on Residential than the requested conditional use permit



# Food is important to *Bounce*





# Food is important to *Bounce*



## D I N N E R M E N U

### SHARE

**CHARRED SHISHITO PEPPERS† 14**  
CURRY LIME SALT

**EDAMAME† 12**  
CITRUS PONZU, TOGARASHI PEPPER

**LOCAL BURRATA† 19**  
ZEBRA TOMATOES, PICKLED ONION,  
CELERY WATER, ALEPPO PEPPER

**MUSSELS 21**  
KIMCHI, BACON, GOCHUJANG BROTH

**CORNMEAL CRUSTED CALAMARI 23**  
LIME SRIRACHA AIOLI, PINEAPPLE SALSA, QUESO FRESCO

**YELLOWFIN TUNA TARTARE TOSTADA\*† 22**  
AVO, SEAWEED, TOGARASHI, SOY, GINGER

**CLASSIC FRIED CHICKEN TENDERS 17**  
TOSSED IN YOUR CHOICE OF SAUCE  
HOUSE BUFFALO - FLAMIN' HOT CHEETOS - KOREAN BBQ

**2 BITE SLIDERS\* 18**  
DEBRAGGA BLEND, CARAMELIZED ONIONS, BSC SAUCE

**BAJA CHICKEN TACOS† 18**  
SMOKED CHILI MAYO, QUESO FRESCO, AVO

**BLACKENED FISH TACOS† 21**  
LOCAL CATCH, CABBAGE SLAW, CILANTRO LIME AIOLI, AVO

### SIDES

**CURLY FRIES 10**

**TRUFFLE CHEESE CURLY FRIES 12**

**HEIRLOOM CARROTS† 12**  
LABNEH, ZA'ATAR, PISTACHIOS

**MINI MAC 15**  
SHELLS, 3 CHEESE, TRUFFLE

### NO SUBSTITUTIONS

OUR FISH AND SEAFOOD ARE SUPPLIED FROM SUSTAINABLE AND POLE-AND-LINE CAUGHT SOURCES IN LOCAL MONTAUK WATERS. BASED ON SEASONALITY, NATURAL AND ORGANIC PRODUCE IS SUPPLIED BY LOCAL FARMS E.G., BALSAM, GOOD WATER, SATUR, ETC.

†GLUTEN FREE \*CONSUMING RAW OR UNDERCOOKED MEATS, POULTRY, SEAFOOD, SHELLFISH OR EGGS MAY INCREASE YOUR RISK OF FOODBORNE ILLNESS.

### BETWEEN BREAD

SUB LETTUCE WRAP +3 SUB GF BUN +4

**LOBSTER ROLL 36**  
BEACH SPICE, GREEN ONION, CELERY

**BEACH BURGER\* 21**  
DOUBLE QUARTER POUNDERS, AMERICAN CHEESE,  
GRIDDLED ONIONS, BSC SAUCE

**IMPOSSIBLE BURGER 23**  
LTO, PICKLES, VEGAN SAUCE, "CHEDDAR"

### PLATES

**LOCAL CATCH M/P**  
STRAIGHT OFF THE MONTAUK DOCKS!

**BLUE CRAB "SHELLS" 38**  
LUMACHE, CHARRED TOMATO, CORN, CHILIES, LEMON

**PRIME NY STRIP\*† 45**  
LOCAL GREENS, CHIMICHURRI

**HEIRLOOM CAULIFLOWER† 29**  
GREEN CURRY, COCONUT MILK, CASHEWS, HERBS

### GREENS

ADD LOBSTER SALAD +25, TUNA\* +15, CHICKEN +10

**WATERMELON SALAD† 17**  
PURPLE RADISH, OLIVE, GOAT CHEESE CREAM, RICOTTA SALATA

**FARM LETTUCES AND SPROUTS† 17**  
HEIRLOOM TOMATO, FENNEL, SEEDS, LEMON TAHINI DRESSING

**GEM CAESAR\*† 18**  
PICKLED ANCHOVIES, SMOKED CHILI, PARMESAN FRICO, PECORINO

MAKE A RESERVATION  
[BOUNCEBEACH@BRANDITGRP.COM](mailto:BOUNCEBEACH@BRANDITGRP.COM)  
FOLLOW US ON INSTAGRAM  
@BOUNCEBEACHMTK  
#BORN2BOUNCE





# You Spoke... We Listened

- ***Concerned about noise?***

- Condition the Use to Close the patio at midnight every night
- Condition the Use to Close all doors and windows at midnight every night
- Condition the Use to designate the Foyer will be used for sole ingress/egress from Bounce after midnight
- Condition the Use to stop live music after midnight

- ***Concerned about the operation?***

- Not a nightclub - restaurant, bar and lounge (Bounce Beach)
  - Not enough space for a dance floor
  - Much of the seating is permanent
- Not a live music venue, performances will be rare and short
- Reservations are strongly encouraged



# Proposed Conditions of Approval

- **Close patio at midnight every night**
  - All outdoor activities will end at midnight
- **Close all windows and doors every night at midnight**
  - This will limit the potential for noise to escape
- **After midnight, Bounce will use its primary entrance, The Foyer, for all ingress and egress from the space**
  - This also limits noise
  - Creates a good security checkpoint for patrons
- **No live music played after midnight**



# Conclusion

- Meet all of the criteria to approve the Conditional Use
- Bounce Beach - Delray concept = more restaurant
- Proposed conditions of approval will:
  - Reduce noise and sound emanating from the use
  - Close the patio at midnight every night
  - Keep sound, noise, patrons interior after midnight every night
- Design of floor plan aimed to minimize the escape of noise
  - Interior foyer, insulated walls, triple-layer curtains, accessible doors and windows
- Abundance of security resources to keep patrons safe and keep noise inside
- Bounce must comply with the noise ordinance, even if CU approved
- Please vote to **APPROVE**





# *Bounce*

SPORTING CLUB

