

RESOLUTION NO 10-26

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REVERSING THE PLANNING AND ZONING BOARD'S RECOMMENDATION TO DENY A LEVEL 4 SITE PLAN APPLICATION WITH ARCHITECTURAL ELEVATIONS, LANDSCAPE PLAN AND CONDITIONAL USE REQUEST TO ALLOW A 4,207 SQUARE FOOT CAR WASH AT 14145 SOUTH MILITARY TRAIL AS MORE PARTICULARLY DESCRIBED HEREIN; APPROVING A CONDITIONAL USE TO ALLOW AN AUTOMATIC CAR WASH; APPROVING A LEVEL 4 SITE PLAN WITH ARCHITECTURAL ELEVATIONS AND LANDSCAPE PLAN FOR SAID PROPERTY; PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Andella Holdings, LLC, ("Owner") is the owner of a parcel of land measuring approximately 0.99 acres located at 14145 South Military Trail ("Property"), as more particularly described in Exhibit "A"; and

WHEREAS, Owner designated Bradley Miller, AICP, of Urban Design Studio and Fazio Consulting, LLC ("Applicant"), to act as its agent regarding the Property; and

WHEREAS, the Property is zoned General Commercial ("GC"); and

WHEREAS, the City of Delray Beach, Florida ("City"), received an application (File Nos. 2025-109-SPR-LV4 and 2025-110-USE-PZB) requesting approval of a Level 4 Site Plan, Architectural Elevations, Landscape Plan, and a Conditional Use to construct of a 4,207 square foot car wash ("Application"); and

WHEREAS, pursuant to Section 4.4.9 (D)(2) of the Land Development Regulations of the City of Delray Beach ("LDR"), wash establishments or facilities for vehicles are permitted as a conditional use within the GC zoning district; and

WHEREAS, LDR Section 2.4.6(A)(5) requires the approving body to make findings establishing the conditional use will not:

- (a) Have a significantly detrimental effect upon the stability of the neighborhood within which it will be located; nor
- (b) Hinder development or redevelopment of nearby properties; and

WHEREAS, pursuant to LDR Section 2.4.6(A)(3)(c), a conditional use requires consideration at a public hearing before the Planning and Zoning Board and a recommendation for approval in order to be considered by the City Commission; and

WHEREAS, on November 17, 2025, the Planning and Zoning Board voted 5 to 2 to deny the

Application; and

WHEREAS, on November 25, 2025, pursuant to Article 2.5(C), the Applicant filed an appeal of the decision of the Planning and Zoning Board; and

WHEREAS, on February 3, 2026, the City Commission considered the Level 4 Site Plan, Architectural Elevations, Landscape Plan, and Conditional Use request to construct a 4,207 square foot car wash at a public hearing and has considered the respective findings set forth in the Comprehensive Plan and Land Development Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. The foregoing recitals are hereby incorporated herein by this reference and are approved and adopted.

Section 2. The City Commission grants the appeal filed by the Applicant and reverses the decision of the Planning and Zoning Board.

Section 3. The City Commission makes positive findings that the requested conditional use (1) will not have a significantly detrimental effect upon the stability of the neighborhood within which it will be located and (2) will not hinder development or redevelopment of nearby properties.

Section 4. The City Commission approves the conditional use request to allow a car wash to operate at the Property.

Section 5. The City Commission approves the Level 4 Site Plan, Architectural Elevations, and Landscape Plan by finding that the project is consistent with the Comprehensive Plan and meets the respective criteria and findings as set forth in the Land Development Regulations.

Section 6. The City Clerk, or designee, is directed to send a certified copy of this Resolution to Bradley Miller, AICP, of Urban Design Studio, at 610 Clematis Street, Ste. CU-02, West Palm Beach, FL 33401.

Section 7. All resolutions or parts of resolutions in conflict herewith shall be and hereby are repealed.

Section 8. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the _____ day of _____, 2026.

ATTEST:

Alexis Givings, City Clerk

Thomas F. Carney, Jr., Mayor

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney

Exhibit “A”
LEGAL DESCRIPTION

LOTS 1 THROUGH 4, INCLUSIVE, BLOCK 2, “ROCKLAND PARK”, AS PER THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 24, PAGE 23.

LESS THE FOLLOWING:

A PORTION OF LOT 1, AS DESCRIBED IN THE RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 3362, PAGE 9, PALM BEACH COUNTY RECORDS.

ALSO LESS THE FOLLOWING:

A PORTION OF LOT 1, AS DESCRIBED IN THE RIGHT-OF-WAY WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 5692, PAGE 1978, PALM BEACH COUNTY RECORDS.

SAID LANDS SITUATE IN THE CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA AND CONTAIN 43,109 SQUARE FEET (0.990 ACRES), MORE OR LESS.