

RESOLUTION NO. 237-25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE TO ALLOW A PET GROOMING SERVICE AT 5048 WEST ATLANTIC AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES AND THE COMPREHENSIVE PLAN OF THE CITY OF DELRAY BEACH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, KP DELRAY LLC, (“Owner”) is the owner of a parcel of land measuring approximately 6.34 acres located at 5024 W. Atlantic Avenue (“Property”); and

WHEREAS, the Property is zoned Planned Commercial (“PC”) and within the shopping center known as Delray Landings; and

WHEREAS, 5048 W. Atlantic Avenue is a commercial bay located within the Delray Landings shopping center, as more particularly described in Exhibit “B”; and

WHEREAS, the Owner designated Erica Hurst as the agent (“Agent”) for Woof Gang Bakery and Grooming (“Applicant”); and

WHEREAS, Applicant submitted a conditional use application (File No.) to allow a pet services establishment at the Property; and

WHEREAS, pursuant to Section 4.4.12(D)(1) of the Land Development Regulations of the City of Delray Beach (“LDR”), pet services are permitted as a conditional use, subject to LDR Section 4.3.3(W), within the PC 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, LDR Section 4.3.3(W) establishes conditional use criteria for domestic animal services, requiring the conditional use to adhere to the following:

- (1) Hours of operation are limited to 7:00 a.m. to 8:00 p.m., except for veterinary clinics providing emergency services; and

- (2) Domestic animal service facilities shall be fully enclosed with solid core doors and walls sufficiently insulated to minimize noise and odor detection from outside the facility. If frequent, habitual, or long continued animal sounds are plainly audible from adjacent properties, the building is not considered sufficiently insulated; and
- (3) Outside activities and services are limited to drop-off and necessary outdoor walks of animals in direct control of a person by means of a leash or cord. Pursuant to Section 4.6.6, any other outside use requires approval through the conditional use process specifically determining the outside aspects of the use are appropriate; and
- (4) Pet services that are limited as an accessory use by the zoning district must be accessory to an approved domestic animal service; and
- (5) On-site disposal of carcasses is prohibited; and
- (6) *Parking Requirements.* The minimum number of parking spaces required shall be determined by the gross floor area. Facilities offering a mix of domestic animal services shall provide parking spaces based on the cumulative use designation of each area.
 - (a) Pet services and veterinary clinics shall provide 4.5 spaces per 1,000 square feet.
 - (b) Pet hotels and animal shelters shall provide one space per 300 square feet.
 - (c) Common areas within a facility offering a mix of domestic animal services shall calculate parking spaces based on the use requiring the least amount of parking spaces.

WHEREAS, at its meeting on November 17, 2025, the Planning and Zoning Board ~~voted to~~ to recommend approval of the conditional use to the City Commission; and

WHEREAS, on November 18, 2025, the City Commission considered the conditional use request and the respective findings as set forth in the 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 makes positive findings that the requested conditional use will not have a significantly detrimental effect upon the stability of the neighborhood within which it will be located and will not hinder development or redevelopment of nearby properties.

Section 3. The City Commission approves the conditional use request to allow a pet services

establishment at the Property.

Section 4. The City Clerk, or designee, is directed to send a certified copy of this Resolution to Woof Gang Bakery & Grooming at 5048 W. Atlantic Avenue, Delray Beach, FL 33484.

Section 5. All resolutions or parts of resolutions in conflict herewith shall be and hereby are repealed.

Section 6. This Resolution shall be effective immediately upon adoption.

PASSED AND ADOPTED in regular session on the _____ day of _____, 2025.

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

LOT 2 OF THE DELRAY COMMONS BURGER KING REPLAT AS RECORDED IN PLAT BOOK 138, PAGE 37 OF THE OFFICIAL RECORDS OF PALM BEACH COUNTY, FLORIDA.

EXHIBIT "B"
LOCATION MAP

