



## Cover Memorandum/Staff Report

File #: 25-130

Agenda Date: 2/18/2025

Item #: 7.B.

**TO: Mayor and Commissioners**  
**FROM: Anthea Giannotes, Development Services Director**  
**THROUGH: Terrence R. Moore, ICMA-CM**  
**DATE: February 18, 2025**

RESOLUTION NO. 17-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE TO ALLOW A RECREATIONAL ESTABLISHMENT AT 14406 SOUTH MILITARY TRAIL, 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. (QUASI-JUDICIAL / PUBLIC HEARING)

### **Recommended Action:**

Review and consider a Conditional Use request to allow a +/- 2,423 square-foot Recreational Establishment (Children's Indoor Playground) located at 14406 South Military Trail.

### **Background:**

The subject property, 14406 South Military Trail, is a +/- 2,243 square-foot commercial space within the Shoppes of Delray, generally located at 14400 South Military Trail. The property is zoned General Commercial (GC) and has a Land Use Map (LUM) designation of General Commercial (GC).

The applicant is requesting Conditional Use approval to establish a recreational establishment (children's indoor playground) known as "Candy Wonderland". Pursuant to LDR Section 4.4.9(D)(11), recreational establishments are permitted in the GC zoning district, subject to Conditional Use approval. Although the LDR does not specifically list a children's indoor playground, recreational establishments are listed such as bowling alleys, gymnasium, health spas, miniature golf courses, and skating rinks are listed, and an indoor children's playground is considered to be similar to these uses.

All business operations will take place indoors and the business hours are proposed to be 9am to 7pm, Monday through Thursday, and 9am to 9pm, Friday through Sunday. No exterior changes are proposed.

Pursuant to LDR Section 2.4.6(A)(5), Establishment of a Conditional Use: Findings, in addition to provisions of Chapter 3, the City Commission must make findings that 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.

Generally, the surrounding commercial uses include restaurants, retail sales, a liquor store, medical and professional offices, a pet grooming service, and retail and personal service establishments, which are permitted in the GC Zoning District. The shopping center is surrounded by commercial uses to the north and south, agricultural use to the east, and multi-family use to the west.

The applicant is required to obtain building permits for the interior alterations to the commercial space.

The attached Planning and Zoning Board (PZB) staff report provides a full analysis of the request.

On January 27, 2025, the Planning and Zoning Board recommended approval of the conditional use request by a vote of 5 to 1.

**City Attorney Review:**

Resolution No. 17-25 is approved as to form and legal sufficiency.

**Funding Source/Financial Impact:**

Not applicable.

**Timing of Request:**

Resolution No. 17-25 will be effective immediately upon adoption.