



Legislation Details (With Text)

File #: 19-685 **Version:** 1 **Name:**

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File created: 6/21/2019 **In control:** City Commission

On agenda: 7/9/2019 **Final action:** 7/9/2019

Title: RESOLUTION NO. 127-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE PURSUANT TO LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES, AND THE COMPREHENSIVE PLAN, TO ALLOW THE ESTABLISHMENT OF A NEIGHBORHOOD AUTOMOTIVE RENTAL FACILITY AT 14802 S. MILITARY TRAIL; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

Sponsors: Development Services Department

Indexes:

Code sections:

Attachments: 1. Agenda Cover Report, 2. Enterprise Conditional Use - Resolution No. 127-19, 3. Enterprise Conditional Use - Staff Report, 4. Enterprise Conditional Use - Site Plan, 5. Enterprise Conditional Use - Floor Plan and Elevations, 6. Enterprise Conditional Use - Proposed Use Description

Date	Ver.	Action By	Action	Result
7/9/2019	1	City Commission	approved	

TO: Mayor and Commissioners
FROM: Timothy Stillings, Development Services Director
THROUGH: Neal de Jesus, Interim City Manager
DATE: July 9, 2019

RESOLUTION NO. 127-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE PURSUANT TO LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES, AND THE COMPREHENSIVE PLAN, TO ALLOW THE ESTABLISHMENT OF A NEIGHBORHOOD AUTOMOTIVE RENTAL FACILITY AT 14802 S. MILITARY TRAIL; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

Recommended Action:

Review and consider Resolution No. 127-19: A Conditional Use request to allow a Neighborhood Automotive Rental Facility at 14802 S. Military Trail, with the following conditions:

1. A Class III Site Plan Modification shall be approved prior to establishment of the proposed use;
2. The establishment shall operate and comply with the special regulations associated with the Conditional Use request per LDR Section 4.3.3(C).
3. Clarification of the proposed on-site method of disposal of the water runoff generated from the car wash shall be approved by the City Engineer prior to a board action associated with the Site Plan Modification.
4. Signage shall be provided indicating that customer pick-up and drop-off of vehicles is not allowed in the rear.

Background:

The subject property is located on the southeast corner of West Atlantic Avenue and South Military Trail within the Bed Bath & Beyond Plaza, also known as Delray West Plaza. The property is located in the Planned Commercial (PC) zoning district within the Four Corners Overlay District, and it has a General Commercial (GC) Future Land Use Map (FLUM) designation. The 8.4 acres site was developed as a commercial shopping center in 1981, prior to its annexation into the City of Delray Beach in 1989. The existing development consists of 89,375 sf of commercial space including three existing buildings and the recently redeveloped outparcel. A Neighborhood Automotive Rental Facility is allowed as a Conditional Use within the Four Corners Overlay District subject to the requirements of Section 4.3.3(C) of the Land Development regulations (LDRs). Currently, Enterprise Rent-A-Car has an office within the shopping center but cannot store rental vehicles on-site without an approved conditional use for a Neighborhood Automotive Rental Facility.

As fully described in the attached staff report, positive findings can be made with respect to Land Development Regulations Sections 2.4.5(E)(5)(Conditional Use Findings), 4.3.3(C)(Special Regulations), Chapter 3(Performance Standards) and the policies of the Comprehensive Plan, subject to the conditions as listed in the staff report and an additional condition recommended by the Planning and Zoning Board: signage shall be provided indicating that customer pick-up and drop-off of vehicles is not allowed in the rear.

The Planning and Zoning Board reviewed the request at its meeting on June 10, 2019 and a recommendation to approve the Conditional Use was made on a 5-0 vote.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

N/A

Timing of Request:

The conditional use must be approved prior to site plan consideration by the Site Plan Review and Appearance Board.