



Legislation Text

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TO: Mayor and Commissioners
FROM: Anthea Gianniotis, Development Services Director
THROUGH: Terrence R. Moore, ICMA-CM
DATE: September 6, 2022

RESOLUTION NO. 120-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE TO ALLOW A DOMESTIC ANIMAL SERVICES FACILITY OFFERING PET SERVICES AND A PET HOTEL AT 355 NORTH CONGRESS AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO 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).

Recommended Action:

Review and consider Resolution No. 120-22, a request for Conditional Use approval for Wanderlust Dogs to allow a Domestic Animal Services facility offering Pet Services including day care and pet grooming, and a Pet Hotel at 355 North Congress Avenue.

Background:

The conditional use request is to establish a domestic animal services facility offering pet services (grooming, bathing, and daytime boarding) and a pet hotel (overnight boarding) at 355 North Congress Avenue. The subject property is developed with two single-story buildings constructed in 2019 and has been vacant since their completion. Building 1, located on North Congress Avenue, consists of five bays and 14,895 square feet. Building 2, the smaller of the two buildings is 2,996 square feet in area. The proposed Wanderlust Dogs facility will occupy 12,358 square feet in Bays 1-4 in Building 1.

The property has a Land Use Map (LUM) designation of Commerce (CMR), and a zoning designation of Mixed Industrial & Commercial Use (MIC). The facility will offer daycare, pet grooming only to the animals on site and a pet hotel. No outside use area is proposed. All activities are to be conducted inside except for drop off and pick up. The pet hotel is provided with "sleep cubbies" with security cameras, climate control, and HD speakers to ensure the overnight pet guest are calm, and beds, cot, and blankets. At least one attendant will be on site 24 hours per day.

Pursuant to **LDR Section 2.4.5 (E)(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;*
- b) *Hinder development or redevelopment of nearby properties.*

A full an analysis of the findings is provided in the attached Planning and Zoning Board staff report.

The requirements of **LDR Section 4.3.3(W), *Domestic animal services*** have generally been met. However, the applicant has requested a Special Parking Reduction, pursuant to **LDR Section 4.6.9 (F)(1), *Special provisions***, as the minimum parking has not been met. 27 parking spaces are located on site pursuant to the site plan approved for the industrial / warehouse use and constructed in 2019. The proposed domestic animal services uses require a total of 56 parking spaces. Although research was conducted on parking requirements in nearby municipalities for similar services, during the drafting of Ordinance No. 17-21, staff recognizes that a much lower rate has been determined to be sufficient at other daytime and overnight boarding facilities within the city. A full analysis of the parking is provided in the staff report.

Pursuant to LDR 4.6.9(F)(1) Special provisions. When, upon receipt and acceptance of special documentation, it is conclusively demonstrated that a reduced number of parking spaces will accommodate a specific use, the body which acts on the attendant site plan may reduce the parking requirements accordingly. The applicant has provided a full analysis of parking demand (attached). The only exterior change proposed to the site plan is the additional of the required generator, which can be approved administratively. Therefore, the City Commission is considered the acting body relative to the special parking reduction.

The Planning and Zoning Board recommended approval by a vote of 6 to 0 at its August 15, 2022, meeting.

City Attorney Review:

Resolution No. 120-22 is approved as to form and legal sufficiency

Funding Source/Financial Impact:

N/A

Timing of Request:

Resolution No. 120-22 will be effective immediately, if approved