



MEMORANDUM DATE: August 5, 2020

AGENDA DATE: August 12, 2020

TO: Chair and Members of the Historic Resources Preservation Board

RE: **717 Lake Avenue**

FROM: Jordan Hodges, Senior Preservation Coordinator
Abraham Fogel, Preservation Planner
Department for Community Sustainability

TITLE: **HRPB Project Number 20-00000014:** Consideration of a request for mural installation for the contributing structure located at **717 Lake Avenue**; PCN#38-43-44-21-15-019-0121. The subject property is located in the Downtown (DT) Zoning District and the Old Town Local Historic District.

OWNER: 717 Lake Avenue LLC
Phillip McFillin
900 East Atlantic Avenue Suite 5
Delray Beach, Florida 33483

APPLICANT: Adolfo Galvez Interior Design
Adolfo Galvez
17841 SW 4th Court
Hollywood, Florida 33029

PROJECT DESCRIPTION:

The Applicant, Adolfo Galvez, has submitted a request for a mural installation on the west elevation of 717 Lake Avenue facing South J Street. A portion of the mural will also front Lake Avenue on the north elevation of the structure. A general project description and a rendering of the proposed mural have been included in this report as **Attachment A**. Ruben Ubiera, a Miami-based artist, will complete the mural installation. The title of the mural is "Pancho Villa & the Day of the Dead." It seeks to highlight Pancho Villa, who was a general that played a crucial role during the Mexican Revolution (1910 to 1920). According to the artist, the mural will depict Pancho Villa enjoying his afterlife. In addition, the mural will utilize flowers and vivid colors to convey a friendly atmosphere. The subject property is located in the Downtown (DT) Zoning District and retains a Future Land Use (FLU) of Downtown Mixed Use (DMU).

The application will require the following approval:

1. **Mural:** A request to approve a mural installation for the contributing structure located at 717 Lake Avenue.

STAFF RECOMMENDATION: Staff recommends **approval with conditions** as provided on pages 7-8.

PROPERTY DESCRIPTION

Owner	717 Lake Avenue
General Location	Southeast corner of Lake Avenue and South J Street
PCN	38-43-44-21-15-019-0121
Zoning	Downtown (DT)
Existing Land Use	Restaurant
Future Land Use Designation	Downtown Mixed Use (DMU)



SITE ANALYSIS

Surrounding Properties

The following summarizes the nature of the surrounding properties adjacent to the subject site:

- NORTH:** To the north of subject property, across from Lake Avenue, is a commercial office structure. Similar to the subject property, the parcel is zoned Downtown (DT) and has a future land use designation of Downtown Mixed Use (DMU).
- SOUTH:** To the south of the subject property, is a commercial building with offices, a music venue, and a coffee shop. Similar to the subject property, the parcel is zoned Downtown (DT) and has a future land use designation of Downtown Mixed Use (DMU).
- EAST:** To the east of the subject property is the Lake Worth Playhouse, a community theater. Similar to the subject property, the parcel is zoned Downtown (DT) and has a future land use designation of Downtown Mixed Use (DMU).
- WEST:** To the west of the subject property across from South J Street, is a commercial building with retail. Similar to the subject property, the parcel is zoned Downtown (DT) and has a future land use designation of Downtown Mixed Use (DMU).



Consistency with the Comprehensive Plan

The subject property is located in the Downtown Mixed-Use Future Land Use (FLU) designation and within the Cultural Arts Overlay District. Although murals are not specifically addressed in the Comprehensive Plan, the intent of The Cultural Arts Overlay land use category (Policy 1.1.1.14) is to provide for the establishment of and enlargement of cultural arts related uses within a variety of broader land use categories near the urban core of the city and along the FEC railway corridor within close proximity of the historic downtown. The proposed mural is consistent with the intent of the Cultural Arts Overlay District as it enlarges the cultural arts near the City's downtown.

Arts and Culture Master Plan

The Arts and Cultural Master Plan promotes the Downtown as a destination for the art-related businesses, art and cultural programs and arts-related education. The proposed mural is consistent with the following strategies and actions:

B1: Make efforts to be the community for arts to live

B1.2 Facilitate, promote, and expand the number of physical places for artists to show/perform/display

C1: Make arts and culture more visible in the Downtown

C1.4 Encourage arts and culture groups to take arts and culture "outside" their venues in order to better connect with the Lake Worth community and access new audiences

The proposed mural is located on the side elevation (fronting South J Street) of a structure where public art was previously not installed. The proposal also expands the number of physical places where art is displayed in the public realm.

ZONING ANALYSIS

Staff has reviewed the documentation and materials provided and has outlined the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs) concerning mural installation.

Per LDR Section 23.1-12, a mural is defined as, *"Any picture or graphic design painted on or otherwise applied to the exterior of a building or structure, or to a window."*

LDR Section 23.5-1(e)13 provides standards and requirements for mural installation within the City. With regards to placement and location of murals, generally:

- *Murals shall be permitted in commercial and industrial districts.*
- *Murals shall not be permitted on the fronts of buildings or structures facing Lake Worth Road, Lake Avenue, Lucerne Avenue, Dixie Highway and Federal Highway, except as may be approved by the appropriate Board.*

- *Murals may co-exist with all types of on premises signs. If printed commercial messages are included in a mural, the entire mural shall be considered part of the overall allowable signage permitted by code.*

The Code regulations also require that the design of the mural must meet the requirements of Section 23.2-31(l), which defines community appearance standards and review criteria.

Section 23.2-31(l) – Review/Decision

- 1) The plan for the proposed structure or project is in conformity with good taste, good design, and in general contributes to the image of the city as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas and high quality.

Staff Analysis: The mural appears to portray good taste and design, contributing to the artistic aesthetics of the City. The mural was designed and will be executed by Miami-based artist Ruben Ubiera. According to the artist, the mural will depict aspects of Mexican beauty and history.

- 2) The proposed structure or project is not, in its exterior design and appearance, of inferior quality such as to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.

Staff Analysis: The mural does not appear to be of inferior quality and is subject to the mural removal agreement, which requires the Applicant to continuously maintain the mural for the duration of its existence.

- 3) The proposed structure or project is in harmony with the proposed developments in the general area, with code requirements pertaining to site plan, signage and landscaping, and the comprehensive plan for the city, and with the criteria set forth herein.

Staff Analysis: The mural is located within the Old Town Local Historic District, which is comprised of a mix of commercial, residential, and public uses. The portion of the mural fronting South J Street, appears to be in harmony with the surrounding properties in the general vicinity.

Pursuant to LDR Section 23.5-1(e)(13)(B): *“Murals shall not be permitted on the fronts of buildings or structures facing Lake Worth Road, Lake Avenue, Lucerne Avenue, Dixie Highway and Federal Highway, except as may be approved by the appropriate Board.”*

A portion of the mural will front Lake Avenue on the north elevation of the structure. A “calavera”, which is representation of a human skull is featured on this portion of the mural. Murals fronting Lake Avenue may be allowed at the Board’s discretion.

- 4) The proposed structure or project is in compliance with this section and 23.2-29, as applicable.

Staff Analysis: Not applicable. Section 23.2-29 refers to the conditional use permit process, and this request for a mural installation does not require a conditional use permit.

HISTORIC PRESERVATION ANALYSIS

The National Park Service and Secretary of the Interior's Standards have very specific criteria regarding the treatment of historic materials. Specifically, Standard 2 and 6 is applicable for mural installations:

Standard 2 - The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

Standard 6 - Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

It is the analysis of Staff that the project as proposed is generally compatible with the review criteria set forth in the City's Land Development Regulations, Historic Preservation Ordinance, Section 23.5-4.

Historic commercial structures often utilized murals on the side and rear elevations in downtown commercial core areas in order to advertise products or to add artistic beauty and interest within the downtown. Murals on the front of structures in historic commercial downtowns are atypical. The primary facades of these structures were typically reserved for stand-alone signage and large storefront windows.

The west elevation of the structure, where the largest portion of the mural is proposed, is a secondary façade and is a historically appropriate location for a mural. Although sparse in architectural detailing, remaining character-defining features on this facade include vertical engaged columns and the recessed corner entryway. The mural, as proposed, generally does not obscure the engaged columns, but elements of the mural's design do partially overlap with the columns. Staff recommends that the mural be installed as depicted, so that the painting does not completely obscure these architectural elements that characterize the building.



Rendering of proposed mural installation | West Facade



Rendering of proposed mural installation | Northwest Corner

PUBLIC COMMENT

At the time of publication of the agenda, Staff has received no public comment.

CONCLUSION: Based on the data and analysis in this report, staff recommends approval with conditions, listed below, to allow retroactive alterations to the previously approved mural installation.

Conditions of Approval:

- 1) This approval does not include any physical alterations to building's exteriors aside from paint application. No paint shall be applied to any windows, doors, shutters, or architectural elements not illustrated in the renderings. The engaged columns shall not be completely obscured by the mural, as illustrated in the renderings.
- 2) Prior to the mural being installed, the applicant shall apply for a City of Lake Worth Beach building permit.

- 3) The artist signature location and dimensions of the signature block shall be depicted on the mural rendering at permitting, subject to Staff review. The signature block of the mural shall not exceed 24"x24" (4 sq. ft.).
- 4) Prior to the building permit approval, a Mural Removal Agreement shall be entered between the applicant and the City of Lake Worth Beach for each mural. This removal agreement shall be recorded with The Clerk and Comptroller of Palm Beach County.
- 5) Unless a time extension is granted in accordance with Code, this application shall expire one year from Historic Resources Preservation Board Approval.
- 6) The sidewalk shall be protected from paint during the installation process.

POTENTIAL MOTION:

I MOVE TO **APPROVE** HRPB Project Number 20-00000014 with staff recommended conditions of the request for a mural installation on the contributing structure located at **717 Lake Avenue**, based upon the competent substantial evidence provided in the staff report and pursuant to the City of Lake Worth Beach Land Development Regulations.

I MOVE TO **DENY** HRPB Project Number 20-00000014 REVISION the request for a mural installation on the contributing structure located at **717 Lake Avenue**, because the Applicant has not established by competent substantial evidence that the request is consistent with the City of Lake Worth Beach Land Development Regulations.

ATTACHMENTS:

- A. Mural Application
- B. Current Photos