

PLANNING AND ZONING BOARD REPORT

PZB Project Number 22-0000020: Request by Joseph Lallave for the approval of a previously installed mural with two components located on the west and the south faces of the building at 604 Lake Avenue. The subject site is zoned Downtown (DT) and has a future land use designation of Downtown Mixed Use (DMU). The subject site is also within the Community Redevelopment Agency (CRA) district.

Meeting Date: November 2, 2022

Property Owner: Lucerne Ave Development LLC

Applicant: Joseph Lallave

Address: 604 Lake Avenue

PCNs: 38-43-44-21-15-509-0100

General Location: East 600 block of Lake Avenue

Existing Land Use: Vacant Commercial

Current Future Land Use Designation: Downtown Mixed Use (DMU)

Zoning District: Downtown (DT)

Location Map



RECOMMENDATION

The documentation and materials provided with the application request were reviewed for compliance with the applicable guidelines and standards found in the City of Lake Worth Beach Land Development Regulations (LDRs) and for consistency with the Comprehensive Plan. Staff recommends that the Board review the proposed mural installation and make determination of consistency with these standards. Photos of the mural are included as **Attachment A**. Additional information including the artist credentials for Eduardo Mendieta and a justification statement are included as **Attachment B**.

PROJECT DESCRIPTION

Joseph Lallave, business owner of Cana Bar & Grill, is requesting approval for a previously installed mural with two components located on the west and the south faces of the building at 604 Lake Avenue. The existing mural features images of individuals dancing and playing music painted in sepia tones. The subject property is located in the Downtown (DT) zoning district and retains a Future Land Use (FLU) designation of Downtown Mixed Use (DMU). The existing land use of the subject building is vacant commercial.

PUBLIC COMMENT

At the time of publication of the agenda, staff has not received written public comment.

BACKGROUND

The mural was previously installed on the western and southern building elevations and features dancers and musicians in sepia tones. The mural faces Lake Avenues (southern elevation) and John Rice Way (western elevation).

ANALYSIS

Consistency with the Comprehensive Plan and Strategic Plan

The City's Comprehensive Plan, including in both the Future Land Use Element and the Economic Development Element, has multiple goals, objectives and policies encouraging the arts and economic development through arts and cultural activities. The City's Strategic Plan Pillar III.D is to "Inspire arts and culture through City through events and programs." Murals in general are consistent with both the Comprehensive Plan and Strategic Plan.

Consistency with the City's Land Development Regulations

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 regard 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.*

Analysis: The Planning and Zoning Board is tasked in LDR Section 23.5-1(e)13 with determining the appropriateness of the mural component facing the Lake Avenue. Mural fronting major thoroughfares are not permitted unless reviewed and approved by the appropriate Board. The LDRs also require that the design of the mural be consistent with the requirements of Section 23.2-31(I), which specifies community appearance review criteria. The criteria are listed below, and include staff's response to each criterion.

Lake Worth Beach Code of Ordinances, Land Development Regulations Section 23.2-31(l); Community Appearance criteria:

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.

Analysis: The mural installation generally appears to be of good taste and good design. It illustrates several images of individuals dancing in sepia tones. The mural is consistent with the intent of the City's Comprehensive Strategic Plan to enhance the character of Lake Worth Beach and to inspire arts and culture throughout the City.

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.

Analysis: The proposed mural installation combination was painted by Eduardo Mendieta for this project. The proposed mural appears to be of a high quality, and is not anticipated to cause harm to the local environment.

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.

Analysis: The surrounding area of the subject property includes a mix of commercial and retail buildings, and the mural installation generally appears to be in harmony with murals that exist elsewhere in the City.

4. The proposed structure or project complies with this section and 23.2-29, as applicable.

Analysis: The subject property, 604 Lake Ave, is not applying for a Conditional Use Permit. Therefore, this criterion is not applicable.

CONCLUSION AND CONDITIONS

Staff is recommending that the PZB discuss the proposed mural installation combination is appropriately located on the western building façade fronting John Rice Way and southern building façade fronting Lake Avenue; is in conformity with good taste and design; and is in harmony with the Downtown core area as required by and consistent with the City's Land Development Regulations. Staff has drafted conditions of approval of the proposed mural installation request. The conditions are outlined below:

Planning and Zoning

1. The applicant shall apply for a City of Lake Worth Beach building permit for the installation of all murals included within PZB 22-00000020.
2. This approval does not include any physical alterations to building exteriors aside from paint application.
3. Prior to the approval of the building permit, a mural removal agreement shall be entered between the applicant and the City of Lake Worth. This removal agreement shall be recorded with The Clerk and Comptroller of Palm Beach County.

BOARD POTENTIAL MOTION:

I MOVE TO APPROVE PZB PROJECT NUMBER 22-00000020 for **mural** installation for the structure located at **604 Lake Ave**. The application meets the mural criteria based on the data and analysis in the staff report.

I MOVE TO DISAPPROVE PZB PROJECT NUMBER 22-00000020 for **mural** installation for the structure located at **604 Lake Avenue**. The project does not meet the mural criteria for the following reasons [Board member please state reasons.]

Consequent Action: *The Planning & Zoning Board's decision will be final decision for the Murals. The Applicant may appeal the Board's decision to the City Commission.*

ATTACHMENTS

- A. Proposed Murals
- B. Additional Information (Artist credentials and justification statement)