



PLANNING AND ZONING BOARD REPORT

PZB Project Number 24-0000021: A mural installation request for the property located at 1715 North Dixie Highway. The property is zoned Mixed Use – Dixie Highway (MU-DH) and has a Mixed Use – East (MU-E) future land use designation.

Meeting Date: November 6, 2024

Property Owner: OAG Investment 5 LLC

Applicant: Reinaldo Padron & Ricardo Hernandez

Address: 1715 North Dixie Highway

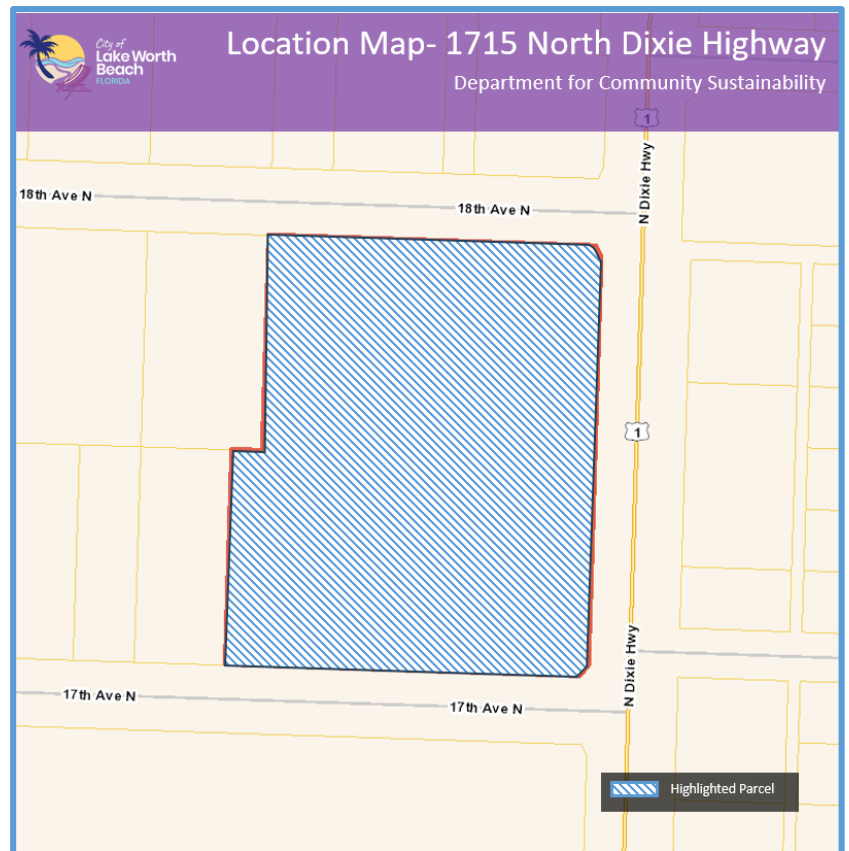
PCN: 38-43-44-16-06-014-0010

General Location: West of North Dixie Highway between 18th Avenue North and 17th Avenue North

Existing Land Use: multi-family and multi-use

Current Future Land Use Designation: Mixed Use – Dixie Highway (MU-DH)

Zoning District: Mixed Use – East (MU-E)



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 and Strategic Plan. The proposed mural is consistent with the Comprehensive Plan and Strategic Plan. The mural is consistent with most of the LDRs, as conditioned, with the exception of the proposed mural location. Therefore, staff is recommending the Board consider the appropriateness of the proposed mural location. If the Board moves to approve the mural, staff-recommended conditions are located on page 4 of this report.

A rendering of the mural is included as **Attachment A**. Additional information including the mural specifications, artist information for Leonardo Moleiro, and a justification statement are included as **Attachment B**.

PROJECT DESCRIPTION

Reinaldo Padron and Ricardo Hernandez, project managers of the Deco Green Mural, are requesting approval for a new mural on the east façade of the building at 1715 North Dixie Highway. The mural will show a colorful scene in the “Graphic Cubism” style. It will be painted using an acrylic coating that is designed to withstand harsh conditions. The subject property is located on the west side of North Dixie Highway between 17th and 18th Avenue North.

PUBLIC COMMENT

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

BACKGROUND

Below is a summary of the property based on Palm Beach Property Appraiser’s records and City records:

Construction: Ordinance 2021-04 was approved in August 2021 for a Mixed-use Urban Planned Development, Development of Significant Impact, Conditional Use Permit, Sustainable Bonus Incentives, Transfer of Development Rights, and Major Site Plan. Construction began in 2022 and is ongoing.

Use: The property’s use will be mixed-use multi-family and commercial.

Code Compliance: There are no active code cases associated with this property.

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.*

Staff Analysis: The proposed mural is located in the MU-DH zoning district, and meets the intent of this criterion.

- *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.*

Staff Analysis: The proposed mural is located on the east (front) façade of two of the buildings, as well as the north and south (side) facades of a third building. The murals on the east (front) facades will face Dixie Highway; the Planning and Zoning Board will need to consider whether the proposed mural locations are appropriate.

- *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.*

Staff Analysis: There are no commercial messages included in the mural.

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(I); 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 an abstract representation of local flora, fauna, and human figures by incorporating vivid colors and abstract forms that symbolize harmony between people and their surroundings. It was designed by the artist Leonardo Moleiro. 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 utilizes will be painted with acrylic coating designed to withstand harsh conditions of busy commercial environments. The required mural removal agreement ensures that any deterioration that is not remedied would require removal of the mural. Therefore, 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 mixed-use 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, 1715 North Dixie Highway, is not applying for a new Conditional Use Permit; therefore, this criterion is not applicable. A Conditional Use Permit was previously approved under Ordinance 2021-04.

CONCLUSION AND CONDITIONS

Staff is recommending the Board consider the appropriateness of the proposed mural location. If the Board moves to approve the mural, staff has drafted conditions of approval for the proposed mural installation request, outlined below:

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1. The applicant shall apply for a City of Lake Worth Beach building permit for the installation of the mural.
2. This approval does not include any physical alterations to the building's exterior aside from mural installation.
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 by the applicant.

BOARD POTENTIAL MOTION:

I MOVE TO APPROVE PZB PROJECT NUMBER 24-00000021 with staff-recommended conditions of approval for **mural** installation for the structure located at **1715 North Dixie Highway**. The application meets the mural criteria based on the data and analysis in the staff report.

I MOVE TO DISAPPROVE PZB PROJECT NUMBER 24-00000021 for **mural** installation for the structure located at **1715 North Dixie Highway**. 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 Mural. The Applicant may appeal the Board's decision to the City Commission.*

ATTACHMENTS

- A. Proposed Mural
- B. Additional Information (mural specifications and justification statement)