



## HISTORIC RESOURCES PRESERVATION BOARD REPORT

**HRPB Project Numbers 24-00100097 and 24-00000012:** Consideration of a Certificate of Appropriateness (COA) and planning/zoning application for installation of a mural at 601 Lake Avenue. The subject site is zoned Downtown (DT) and has a future land use designation of Downtown Mixed Use (DMU). The subject property is also a contributing resource in the Old Town Historic District.

**Meeting Date:** June 12, 2024

**Owner/Applicant:** Cultural Council for Palm Beach County

**Address:** 601 Lake Ave

**PCNs:** 38-43-44-21-15-021-0191

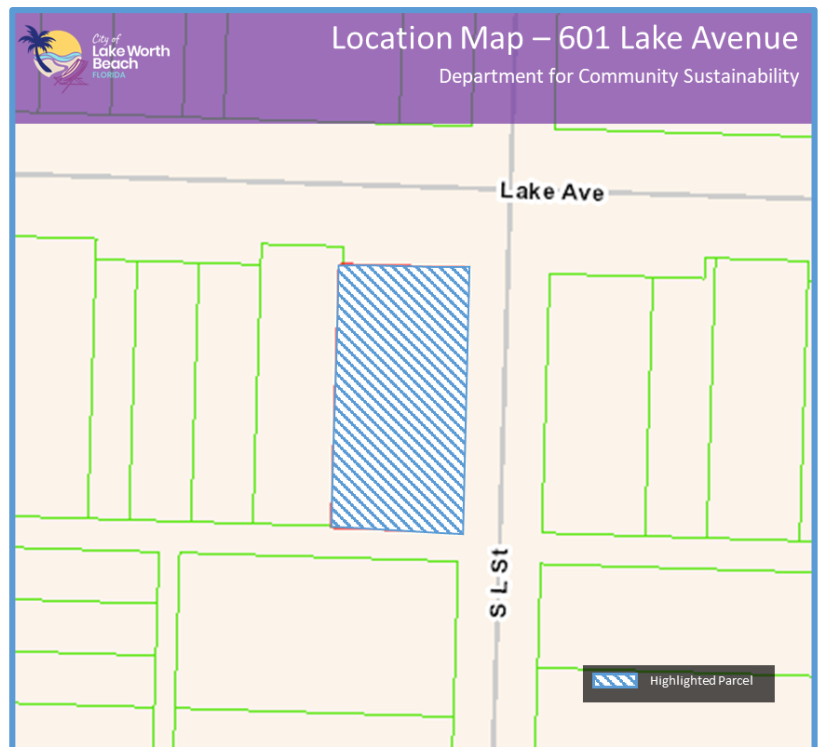
**General Location:** Southwest corner of Lake Avenue and South L Street

**Existing Land Use:** Arts Non-profit

**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. The proposed mural designs are consistent with the Comprehensive Plan, Strategic Plan, and LDRs as conditioned. Therefore, staff recommends **approval with conditions**. Renderings of the mural designs, artist credentials, and a justification statement are included as **Attachment A**.

## PROJECT DESCRIPTION

The Cultural Council for Palm Beach County is requesting approval for mural installation on the rear (south) façade of the building at 601 Lake Avenue; this request includes both a planning/zoning application and a Certificate of Appropriateness (COA) application. There are three (3) finalists for the mural design, with each design responding uniquely to the Cultural Council's Request for Qualifications focused on themes such as healing, unity, connections, wellness, belonging, nature, and/or tranquility. Following a period of public feedback on the finalist designs, the Council's selection committee will select the final artist and mural design on June 28, 2024. The HRPB has been asked to review and approve all three finalist designs prior to the selection committee's final decision. The subject property is located in the Downtown (DT) zoning district and has a Future Land Use (FLU) designation of Downtown Mixed Use (DMU).

## PUBLIC COMMENT

At the time of publication, staff has not received any letters of support or opposition for this application.

## BACKGROUND

In 2017, artist Eduardo Kobra painted the "I Have a Dream" mural on the rear (south) elevation of the Cultural Council building as part of the CANVAS art festival. Over time, the mural has faded; due to the nature of the mural application, the original mural cannot be easily restored, nor is it economically feasible for the Council to bring the original artist and his team back to Florida to create a new mural.

In March 2024, the Cultural Council launched a Request for Qualifications in search of a new Palm Beach County-based artist to create a new mural for the building at 601 Lake Avenue. Continuing the previous mural's theme of unity, the RFQ instructed artists to propose designs focused on healing, unity, connections, wellness, belonging, nature, and/or tranquility. Three finalists were chosen on April 26<sup>th</sup>, and their artwork will be on display for public feedback before the Council's selection committee makes their decision on June 28, 2024.

## ANALYSIS

### Consistency with the Comprehensive Plan and Strategic Plan

Both the Future Land Use Element and the Economic Development Element of the City's Comprehensive Plan have 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 program." 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."

#### **Section 23.5-1(e)(13) – Murals:**

- B. Murals shall be permitted in commercial and industrial districts. Other than trompe l'oeil architectural embellishments, 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. In all other districts, murals shall be evaluated on a case-by-case basis in relation to their surroundings and environment.

**Analysis:** The proposed mural is located in the Downtown zoning district, which provides for a mix of commercial and residential uses. The mural will be located on the south (rear) elevation of the building and will not face Lake Avenue.

- C. 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 proposed mural designs.

**Section 23.2-31(l) – Community Appearance Criteria:** All site development, structures, buildings or alterations to site development, structures or buildings shall demonstrate proper design concepts, express honest design construction, be appropriate to surroundings, and meet the following 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 proposed mural designs generally appear to be of good taste and good design. The mural designs respectively feature people gathered in a unitive circle, diverse figures interacting in nature, and blooming flowers. The mural designs meet the intent of the City's Comprehensive and Strategic Plans 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 murals are designed by Craig McInnis, Trinity Rivard, and Jhonattan and Samantha Arango, all of whom are local Palm Beach County artists. The proposed murals appear to be of a sufficient quality as to not 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 residential buildings, and the proposed designs generally appear to be in harmony with murals that exist elsewhere in the City.

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

**Analysis:** Not applicable; the subject property is not applying for a Conditional Use Permit.

**Section 23.5-4(k) – Guidelines for Alterations and Additions:** In approving or denying applications for certificates of appropriateness for alterations and additions, the city shall consider the following additional guidelines:

- A. Is every reasonable effort being made to provide a compatible use for a property that requires minimal alteration of the building, structure or site and its environment, or to use the property for its originally intended purpose?

**Analysis:** Not applicable; no change of use is proposed for the property/structure in the subject application.

- B. Are the distinguishing original qualities or character of a building, structure or site and its environment being destroyed? The removal or alteration of any historic material or distinctive architectural features shall be avoided whenever possible.

**Analysis:** The installation of a new mural on the rear (south) elevation of 601 Lake Avenue will not destroy or remove any distinguishing original qualities, character, or distinctive architectural features of the historic building.

- C. Is the change visually compatible with the neighboring properties as viewed from a primary or secondary public street?

**Analysis:** 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, as the primary facades of these structures were typically reserved for signage and were not ornamented with murals so that the architectural details on the storefront facades could be readily visible. The proposed mural will be installed on the rear (south) elevation of the structure at 601 Lake Avenue, facing the adjacent alley and the Cultural Council's Art and Wellness space. Staff contends that the mural location is appropriate for the Old Town Local Historic District and is visually compatible with neighboring properties as viewed from South L Street.

- D. When a certificate of appropriateness is requested to replace windows or doors the HRPB or development review officer, as appropriate, may permit the property owner's original design when the city's alternative design would result in an increase in cost of twenty-five (25) percent above the owner's original cost. The owner shall be required to demonstrate to the city that:
1. The work to be performed will conform to the original door and window openings of the structure; and
  2. That the replacement windows or doors with less expensive materials will achieve a savings in excess of twenty-five (25) percent over historically compatible materials otherwise required by these LDRs. This factor may be demonstrated by submission of a written cost estimate by the proposed provider of materials which must be verified by city staff; and
  3. That the replacement windows and doors match the old in design, color, texture and, where possible, materials where the property is significant for its architectural design or construction.
  4. If the applicant avails himself of this paragraph the materials used must appear to be as historically accurate as possible and in keeping with the architectural style of the structure.

**Analysis:** Not applicable; the subject application does not include window or door replacement.

## CONCLUSION AND CONDITIONS

The proposed mural designs are appropriately located on the south façade of 601 Lake Avenue; are in conformity with good taste and design; and are in harmony with the surrounding area as required by and consistent with the City's Land Development Regulations. Therefore, staff recommends approval of the application with the conditions outlined below.

### **Conditions of Approval:**

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. The applicant shall record this removal agreement with the Clerk and Comptroller of Palm Beach County.

## BOARD POTENTIAL MOTION:

I MOVE TO APPROVE HRPB Project Numbers 24-00100097 and 24-00000012 with staff-recommended conditions for **mural** installation for the structure located at **601 Lake Avenue**. The application meets the mural criteria based on the data and analysis in the staff report.

I MOVE TO DISAPPROVE HRPB Project Numbers 24-00100097 and 24-00000012 for **mural** installation for the structure located at **601 Lake Avenue**. The project does not meet the mural criteria for the following reasons [Board member please state reasons.]

**Consequent Action:** *The Historic Resources Preservation 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 Designs, Artists Credentials, and Justification Statement
- B. Application Package