



City of Westlake

Planning and Zoning Department – Staff Report

City Council (8/5/2025)

PETITION DESCRIPTION

PETITION NUMBER: AIPP-2025-01 Westlake Palms (Westlake Landings, Parcel F1)

OWNER: Westlake Palms, LLC

APPLICANT: Cotleur & Hearing

ADDRESS: 4931 SEMINOLE PRATT WHITNEY RD 1000

PCN: 77-40-43-01-17-000-0032

REQUEST: The applicant is requesting approval of a proposed art sculpture installation called “*Fresh Burst*” for the Westlake Palms development.

SUMMARY

The applicant is requesting approval for the installation of a public art sculpture titled “*Fresh Burst*” at a commercial site known as Westlake Palms, located within the Westlake Landings development, parcel F1. On September 3, 2024, the City Council approved a Site Plan (SPR-2024-03) for 10,400 square feet of commercial space, and a Master Sign Plan (MSP-2024-01).

Per Ordinance No. 2021-12, all non-residential projects with vertical construction costs of \$1,000,000 or more must either:

- Contribute 1% of the construction cost to the Art Acquisition Fund; or,
- Provide on-site artwork valued at a minimum of 0.75% of the construction cost.

The applicant has elected to provide on-site artwork. Based on an estimated vertical construction cost of \$1,275,000.00, the required value for the artwork is \$9,375.00. The proposed sculpture is valued at approximately \$12,000.00, exceeding the requirement. The sculpture will be located on the eastern portion of the site.

The subject application was heard by the Arts and Public Places Board on June 24, 2025, and it was recommended approval.

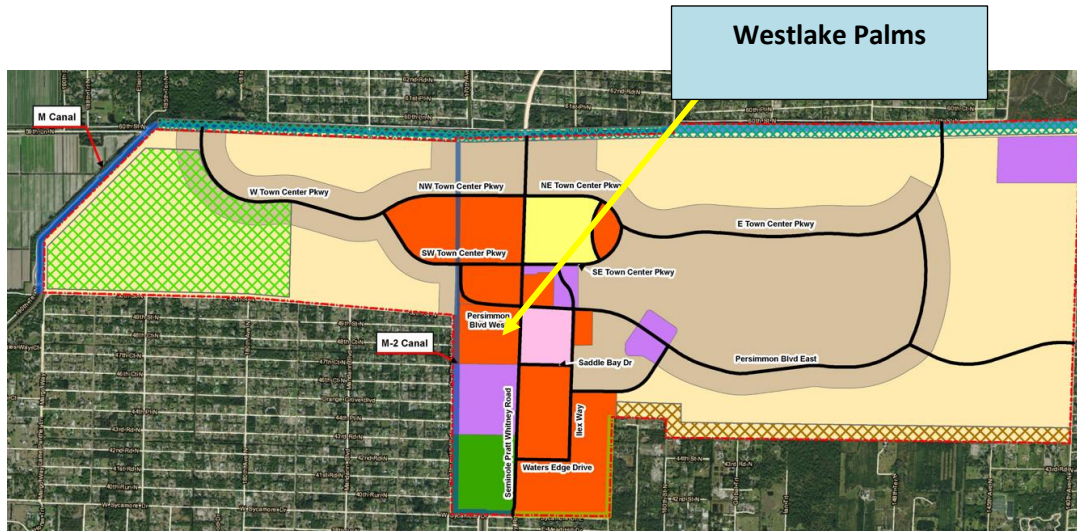
STAFF RECOMMENDATION

Based upon the facts and findings contained herein, **the Planning and Zoning, and Engineering Department** recommend the following condition:

1. A fully executed Maintenance Agreement shall be provided to the City prior to the Certificate of Occupancy (CO) issuance.

PETITION FACTS

- a. Artwork Name: *Fresh Burst*
- b. Artwork Type: Aluminum Sculpture
- c. Artwork Specifications: Five (5) pieces of 0.25" aluminum plate
- d. Artwork Cost: \$12,000.00 (req. 0.75% of vertical construction)
- e. Land Use and Zoning
 - Future Land Use: Downtown Mixed Use
 - Zoning: Mixed Use



STAFF ANALYSIS

Per Chapter 24. Article 24.1. *Art or Artwork means all tangible creations by artists exhibiting the highest quality of skill and aesthetic principles, and includes all forms of the visual arts conceived in any medium, material, or combination thereof, including, but not limited to, painting, sculpture, fountains, engraving, carving, frescos, mobiles, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, artist-designed seating, iconic or placemaking architecture, or other functional art pieces and collaborative design projects between architects and/or landscape architects and artists, together with all hard costs and soft costs such as, but not limited to, design, engineering, permitting, artistic fees, lighting, landscaping, or other aesthetic effects or enhancements integrated with the art and approved by the City Planner. The city council shall not consider for approval art objects which are mass-produced in unlimited quantities.*

Ineligible artwork. The following shall not be considered artwork:

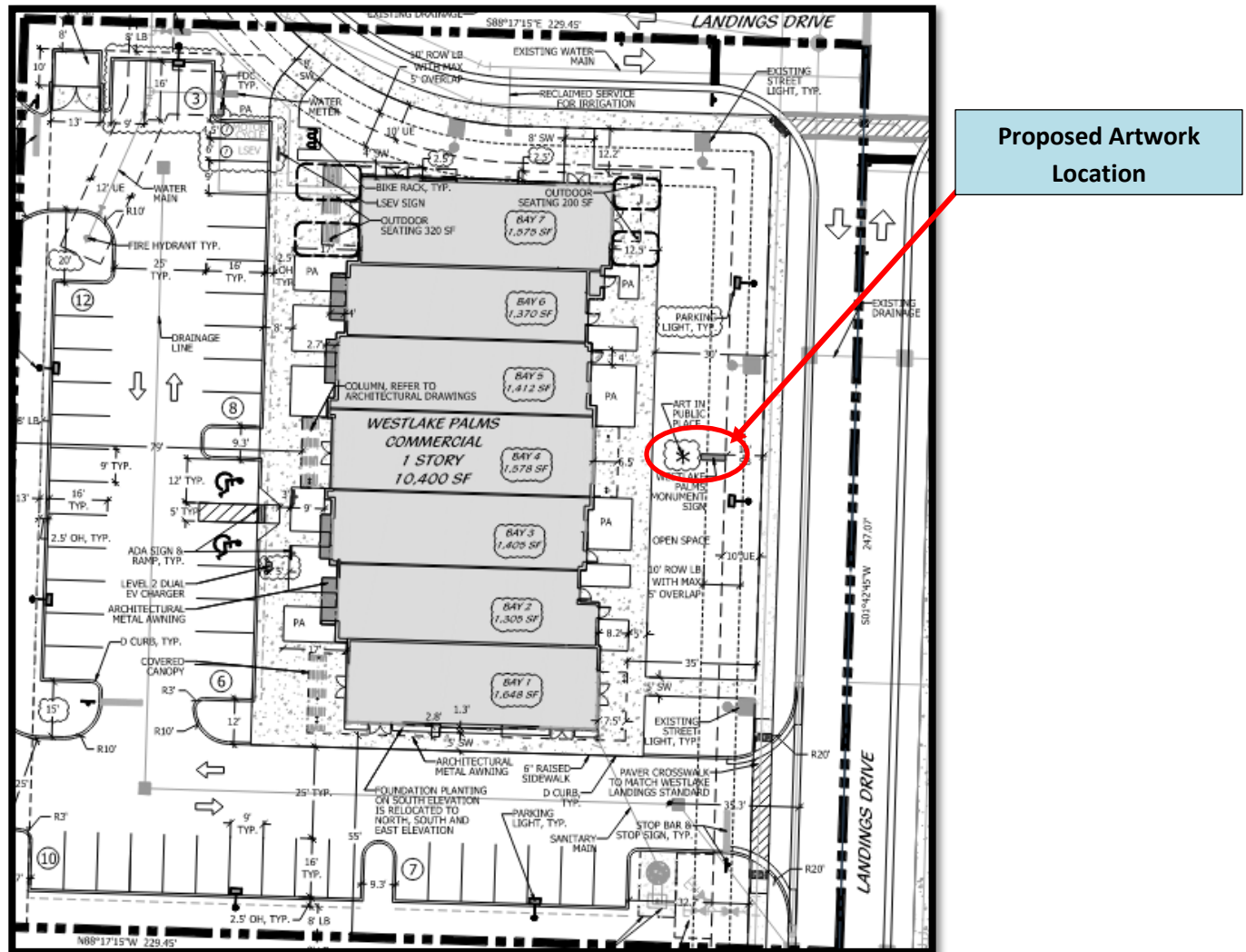
- a. *Art objects which are mass produced or of standard manufacture, such as playground equipment, fountains, statuary elements, signage, maps, corporate logos or other functional elements, unless incorporated into an artwork by an artist commissioned for that purpose.*
- b. *Reproductions, by mechanical or other means, of original artwork, except in the cases of limited editions controlled by the artist, cast sculpture, film, video, photography, printmaking, or other media arts.*

- c. Commercial expression, including design elements related to the visual identity of a developer or occupant of a building such as a logo, trademark iconography, color scheme or theme, even if created by an artist.
- d. Services or utilities necessary to operate and maintain an artwork over time.

BACKGROUND

The subject development, approximately 1.3-acre site, was approved by the City Council on September 3, 2024, (SPR-2024-03), including:

- 10,400 sq. ft. of commercial space
- Seven (7) tenant bays
- 520 sq. ft. outdoor seating area
- Eight (8) waivers approved for signage through MSP-2024-01



The subject application was heard by the Arts and Public Places Board on June 24, 2025, and it was recommended approval.

REVIEW OF ARTWORK

The City zoning code includes the following criteria for reviewing the artwork.

1. Exhibition and experience of the artist

According to the submitted artist statement, Mr. Mark Fuller has over 30 years of experience in kinetic structures, compression-tension cable structures, and static free-standing elements for public places installed across Florida, California, Washington, and New Jersey. Please see enclosed list of art installations.

2. The ability of the artist to complete the project within a specified schedule

The artist is qualified and able to complete the project within schedule. The artist possesses extensive experience and specializes in design and execution.

3. The compliance with the standards of this Chapter.

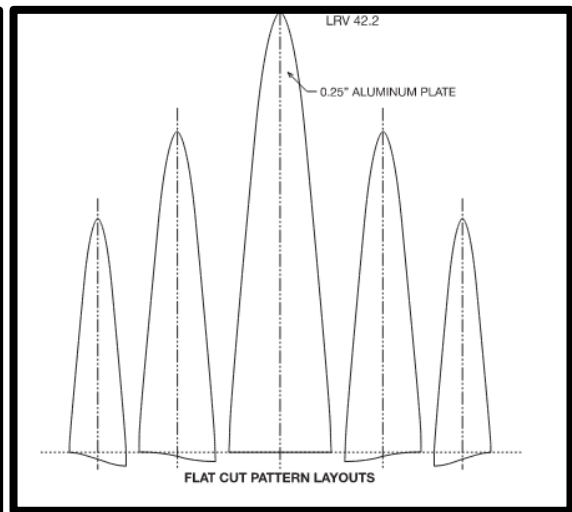
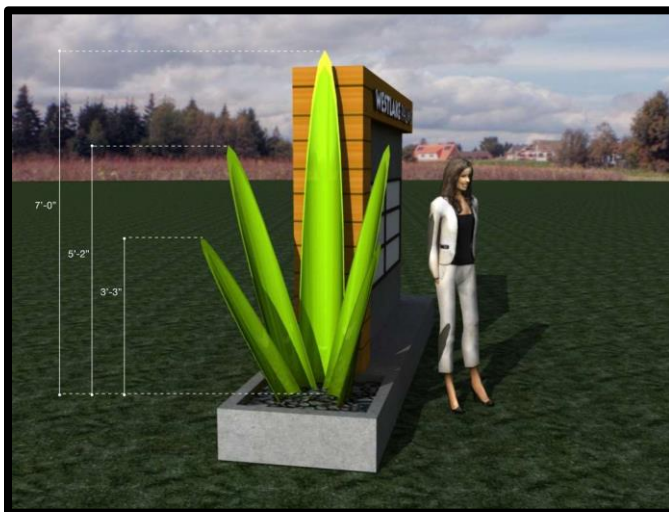
The proposed sculpture meets the requirements of the Art in Public Places program and complies with all zoning and landscaping standards.

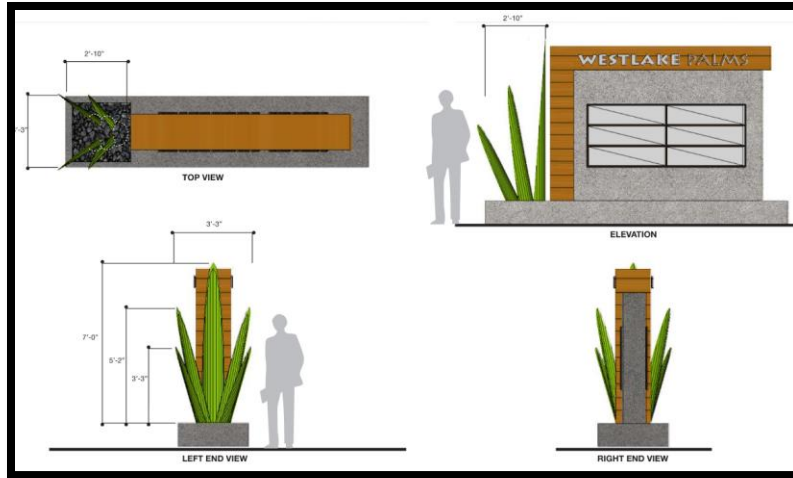
STANDARDS FOR THE ARTWORK

a. Display

The sculpture, *Fresh Burst*, is fabricated from 0.25-inch aluminum plate and painted with a durable acrylic polyurethane finish. According to the artist statement, it represents “a vibrant new beginning that is figuratively the City of Westlake. Finished in a vibrant lime green it is representative of new life emerging from seed. “*Fresh Burst*” pays homage to the forward-looking spirit found in all new endeavors.”

The artwork integrates a monument sign constructed from 3/16” aluminum, which has been incorporated into the revised Master Signage Plan to accommodate the sculpture.





b. Integration

The sculpture will be located at the eastern side of the property and is integrated with the landscape design as follows:

- A green barrier composed of Podocarpus
- Groundcover of Ficus vaccinioides at the sculpture base



FINAL REMARKS

The subject application AIPP-2025-01, will be heard by the City Council on August 5, 2025.