



DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

PUBLIC ARTS ADVISORY BOARD STAFF REPORT

The Maxwell

Meeting	File No.	Application Type
August 26, 2025	2024-153-MUR-PAAB	Mural Permit Application
Property Owner	Applicant /Agent	
306 NE 2 nd Avenue LLC	Carter Van Voris	

Request

Consideration of the installation of a mural on the west façade of The Maxwell development located at 306 NE 2nd Street

General Data

Location: 306 NE 2nd Street

PCN: 12-43-46-16-01-090-0250

Property Size: 0.856 acres

Land Use Designation: Commercial Core (CC)

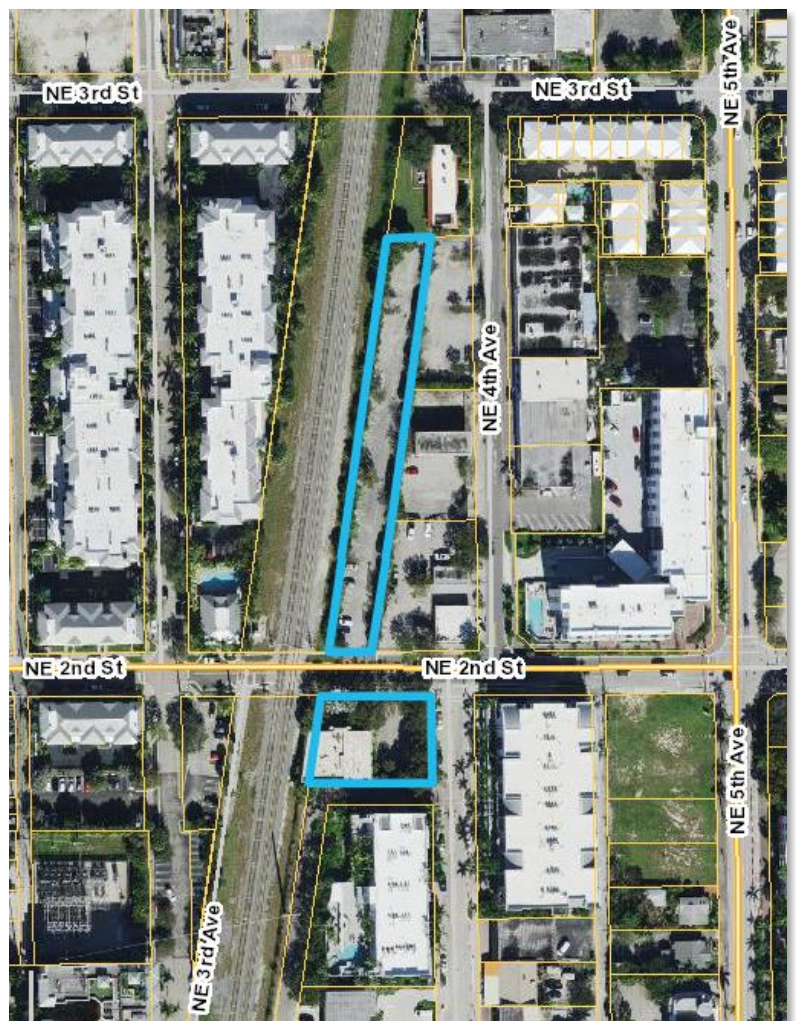
Zoning District: Central Business District (CBD) – Central Core and Railroad Corridor Sub-districts

Adjacent Zoning:

- **North:** CBD – Railroad Corridor and Community Facilities (CF)
- **South:** CBD – Central Core
- **East and West:** CBD – Central Core and Railroad Corridor

Existing Use: Commercial

Approved Use: Mixed-use; Commercial and Multi-family Residential



Background

The development, approved by City Commission on July 8, 2025 (Resolution No. 128-25) is a four-story, mixed-use building that includes 23 multi-family residential units and 2,651 square feet of ground floor retail space, located on an infill site in the CBD. The development totals 45,247 square feet of gross floor area and is surrounded on the three sides (NE 2nd Street, NE 4th Avenue, and Railroad Street) with street frontages and one side abutting the Florida East Coast (FEC) railway.

- **NE 2nd Street:** retail storefronts, a covered arcade, and a residential lobby.
- **Corner of NE 2nd Street and NE 4th Avenue:** public civic open space (forecourt)
- **NE 4th Avenue & Railroad Street:** stoop frontages for residential units
- **FEC Railway:** applicant has requested a mural on this facade



Description of Request

LDR Section 2.1.8(E)(5), Duties, powers, and responsibilities. Board Actions

The following duties, powers, and responsibilities shall be carried out by the Public Art Advisory Board: The Board shall take action on all requests for the installation of murals on property not located within a historic district or on any individually designated site listed on the Local Register of Historic Places.

The applicant proposes a mural on the west façade of the approved four-story mixed-use development.

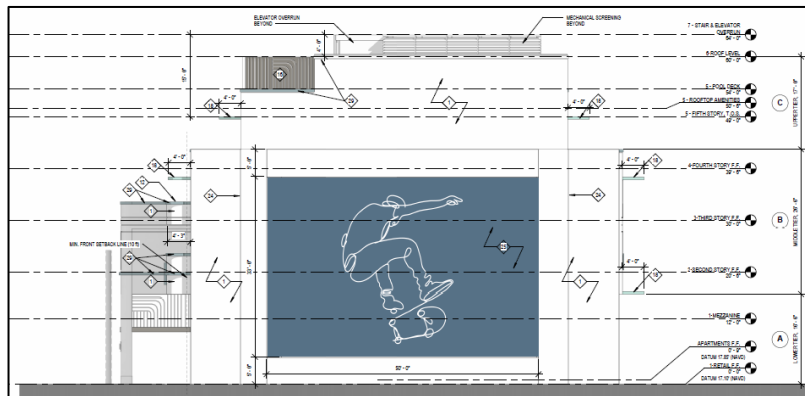
Dimensions: 33 feet high by 50 feet wide (1,650 square feet)

The mural features an abstract line drawing of a skateboarder and is limited to two colors, white for the line drawing and a deep blue for the background.

LDR Section 2.1.8(F), Final Actions.

All decisions may be appealed to the City Commission, pursuant to the procedures of Chapter 2.

The Public Art Advisory Board (PAAB) will take final action on the Mural Permit Application. Final action may be appealed to the City Commission.



Mural Analysis

There are specific criteria for the Board to consider when taking action on mural requests. The following board criteria and technical criteria are listed below.

LDR Section 8.5.2(A) – Criteria for Board Action.

The following guidelines are to be utilized when making a recommendation or acting on a request for the installation of public art, whether located on private or public property: If the following criteria are not met, the application shall be disapproved:

- (1) Whether the proposed public art conforms to the definition of public art;
- (2) Whether the proposed public art is compatible with the neighborhood and not injurious to the neighborhood or otherwise detrimental to the public welfare;
- (3) Whether the proposed public art presents a safety hazard to the public;
- (4) Whether the proposed public art is of exceptional quality and enduring value;
- (5) Whether the proposed public art serves to further the City's goal of promoting cultural diversity;
- (6) Whether the proposed public art is appropriate to the site;
- (7) Whether the proposed public art should be installed at the proposed location on a site or at a different location;
- (8) Whether the proposed public art requires extraordinary maintenance, such as any special servicing due to periodic adjustment, repairing, or repair or replacement of moving parts.
- (9) Whether the proposed public art conforms with all other applicable aspects of the LDRs.

The nine criteria shall be utilized and a positive finding must be made for the Board to approve the requested mural applications, whether located on private or public property.

The following analysis is provided that includes the board criteria listed above, and the technical criteria listed below.

LDR Section 8.5.3(A), Location

Murals may be proposed on a façade, flat top roof, parking deck, perimeter walls or fences, or dumpster enclosures of any building or structure on a property not located in a historic district or individually designated on the Local Register of Historic Places but that:

- (a) **Faces a railroad right-of-way;***
- (b) **Faces Interstate 95;***
- (c) **Is located within the **Central Business District (CBD)**, Community Facilities (CF), Industrial (I), Light Industrial (LI), Mixed Industrial and Commercial (MIC), Mixed Use Residential Office and Commercial (MROC), General Commercial (GC), Planned Commercial (PC), Neighborhood Commercial (NC), Planned Office Commercial (POC), Professional Office District (POD), Open Space and Recreation (OSR), or Special Activities District (SAD) zoning districts.***

The subject property is located within the CBD zoning district and features a single-story building with a warehouse addition towards the rear, fronting the FEC Railway to the west.

LDR Section 8.5.3(B), Design and installation

Each mural shall be designed and installed with techniques and/or materials that do not permanently damage the facade of the building. Murals are also subject to compliance with the applicable requirements of the Florida Building Code any other applicable local, state, or federal regulations.

LDR Section 8.5.3(C), Placement and Design requirements

All murals must meet the following requirements:

- (1) **Coverage, size, and scale.** Murals shall be proportionate in size and scale to the building facade. A mural may cover 100 percent of the wall, provided it does not paint over windows.*
- (2) **Façade features.** Murals shall be positioned on the façade in a manner that respects architectural features. Murals shall not cover windows or mask architectural details in a manner that detracts from the architecture of the building.*
- (3) **Mural limitations.** Each facade or surface of a building or accessory structure shall have only one mural. A consistent image or theme may continue across contiguous walls; however, each facade or surface included in the mural shall require a separate mural permit.*
- (4) **Mural text size.** The mural shall be predominantly pictorial, with text limited to no more than 5 percent of the proposed mural size, **except for text used to create the graphic.***
- (5) **Signage and commercial messaging.** Signage and commercial messaging in murals are regulated in accordance with Section 4.6.7.*
- (6) **Illumination.** Murals may be illuminated only by indirect lighting. Any proposed illumination shall be accompanied by a photometric plan as set forth in Section 2.4.3(B)(17) that demonstrates compliance with Section 4.6.8. Illumination shall not continue after 11:00 pm. Internal illumination, blinking lights, and flashing lights are prohibited.*
- (7) **Preservation and maintenance.** Applicants must provide a preservation and maintenance plan for the proposed mural.*
- (8) **Public safety.** Mural faces may not have any moving or animated parts, or any other electronic movements. Murals may not be illuminated in such a manner so as to cause glare or to impair the vision of motorists or otherwise distract motorists and interfere with their ability to safely operate their vehicles.*
- (9) **Compliance with laws.** Murals must comply with all applicable laws, rules and regulations of the federal, state and county governments. Any proposed amendments to this section must be consistent with applicable federal, state and county laws and ordinances in effect at the time of such amendment.*

Pursuant to **LDR Section 4.4.13(F)(4)(e), Treatment of Blank Walls**, blank walls shall not exceed a length of 50 feet or 20% of the length of the building façade. Walls must receive two or more special design treatments. The development proposed the following design treatments for the façade facing the FEC Railway: small indentations with a minimum depth of eight inches; and a public art mural.

Appendix A of the LDR defines **Public Art** as “a means of artwork or works of art including, but not limited to sculptures, integrated architectural or landscape architectural work, community art, digital media installations, or murals....”

Appendix A of the LDR defines a **Mural** as “an original, one-of-a-kind unique mosaic, painting, or graphic art or combination thereof (including collage effects) that is professionally applied to aesthetically enhance the exterior of a building or accessory structure such as a dumpster enclosure, fence, or site wall, that does not contain any brand name, product name, letters of the alphabet spelling or abbreviating the name of any product, company, profession, or business, or any logo, trademark, trade name, or other commercial message.”

The proposed mural is an abstract line drawing of a skateboarder, no proposed text or logos. The mural will be comprised of tile, plaster and grout. The wall is setback zero feet, and permission from the FEC will be required to place the necessary equipment to install the mural within the FEC Railway property. The applicant has confirmed a maintenance plan with the artist for the first year after installation, and the artist, Galera Collective, has stated that the maintenance contract must be reworked after the first year. Galera Collective’s comprehensive biography is provided as an attachment for PAAB review.

The **Always Delray Comprehensive Plan**, specifically the objectives and policies in the Neighborhoods, Districts, & Corridors and Healthy Community elements, highlights the importance of allowing public art, preserving and increasing access to cultural resources.

Objective NDC 2.6 Improve City Corridors

Improve the appearance and function of visually prominent or distressed corridors in Delray Beach.

Overall, the proposed mural complies with all applicable regulations of the City of Delray Beach. The Board shall consider whether this proposed public art reflects the exceptional quality and enduring value that further serves the City’s goal of promoting cultural diversity. The Board shall further consider if the site is an appropriate location and compatible with the neighborhood or shall it be at a different location and determinantal to the public welfare.

OBJECTIVE HCE 3.6 Design & Social Interaction

Encourage new developments to promote social interaction through site design.

Policy HCE 3.6.3

Encourage the provision of public art and preserve and increase access to cultural resources.

Optional Board Actions

- A. Move approval, of the **Mural Permit** (2024-153) for the mural on the west façade of **The Maxwell** development located at **306 NE 2nd Street**, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Chapter 8 of the Land Development Regulations.
- B. Move approval, as amended, of the **Mural Permit** (2024-153) for the mural on the west façade of **The Maxwell** development located at **306 NE 2nd Street**, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Chapter 8 of the Land Development Regulations.
- C. Move denial, of the of the **Mural Permit** (2024-153) for the mural on the west façade of **The Maxwell** development located at **306 NE 2nd Street**, by finding that the request is inconsistent with the Comprehensive Plan and meets criteria set forth in Chapter 8 of the Land Development Regulations
- D. Postpone