



# DEVELOPMENT SERVICES

BUILDING | HISTORIC PRESERVATION | PLANNING & ZONING

## PPUBLIC ARTS ADVISORY BOARD STAFF REPORT

1876 Dr. Andre's Way

Meeting	File No.	Application Type
April 23, 2024	2023-237 MUR-PAAB 2023-238 2023-239	Mural Permit

Property Owner	Applicant /Agent
JMS Boynton Beach	Neil M. Schiller, Esq., Government Law Group

**Request**  
 Consideration of the installation of three murals on the north elevation (façade 1), west elevation (façade 2a), and east elevation (facade 4) on Building "C" located at 1876 Dr. Andre's Way.

### General Data

**Location:** 1876 Dr. Andre's Way

**PCN:** 12-43-46-18-16-000-0020

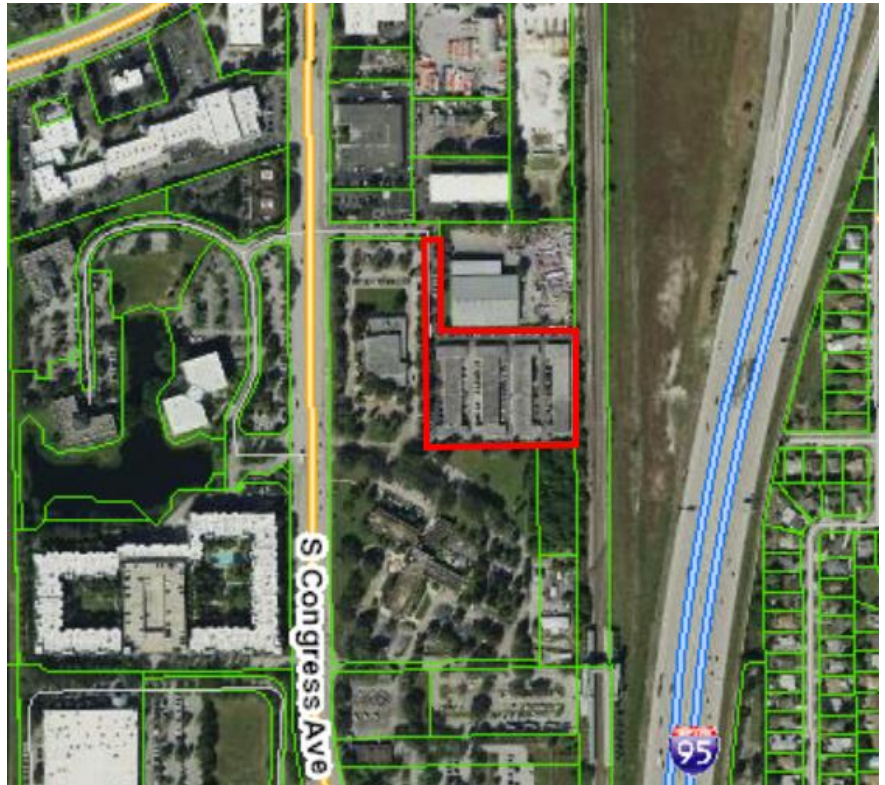
**Property Size:** 3.9 acres

**Land Use Designation:** Congress Avenue Mixed Use (CMU)

**Zoning District:** Mixed Residential Office Commercial

- Adjacent Zoning:**
- North, South, and West – MROC
  - East: Florida Department of Transportation (railroad)

**Existing Use:** Retail



**Background**

The subject property is located off South Congress Avenue just south of West Atlantic Avenue in the Mixed Residential Office and Commercial (MROC) zoning district. The 3.91-acre site features four industrial buildings with associated parking (176 parking spaces). The development history is outlined below.

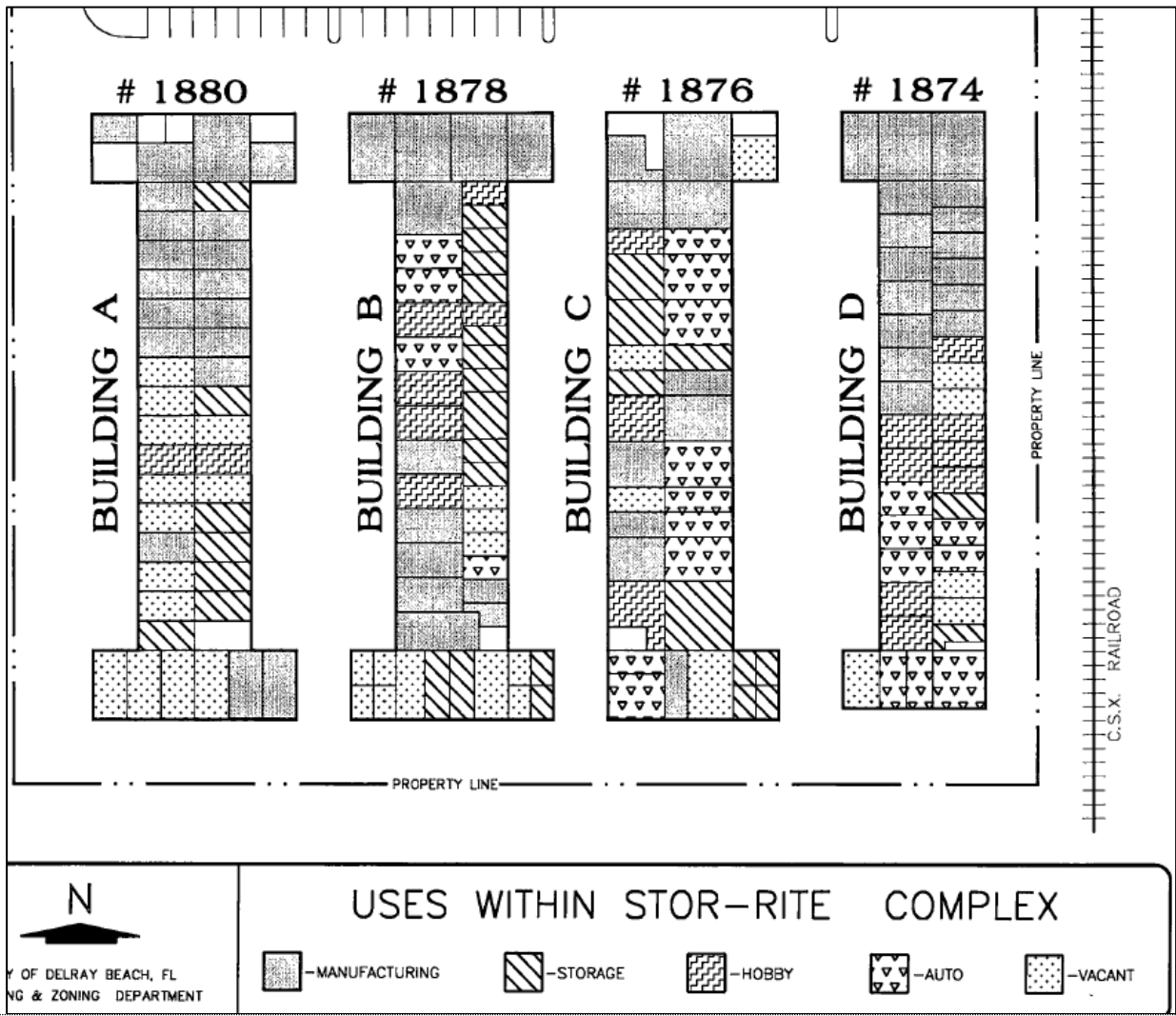
**1979:** The City Commission approved a final plat for a two-lot subdivision. Lot 1 received a Conditional Use for the McEwen Lumber Company. Additionally, a site plan approval for Stor-All Warehouse Center Industrial Park to develop a four-building office/warehouse complex (building A–D) totaling 65,075 square feet. Construction of these buildings occurred between 1981 and 1985.

**1984:** A site plan modification was approved to reduce the footprint of Building D from 18,000 square feet to 12,935 square feet. All four buildings are single-story structures.

**1990:** The Citywide rezoning changed the zoning designation from Light Industrial (LI) to Mixed Industrial and Commercial (MIC).

**1997:** The City Commission granted a Conditional Use to convert four bays totaling 1,500 square feet located at the northeast corner of the site to accommodate a stone cutting facility. Furthermore, the City Commission approved an amendment to the MIC zoning district regulations, reclassifying automobile paint, body, and repair shop from a permitted use to a Conditional Use.

**1998:** An additional 9,785 square feet received Conditional Use approval for the establishment of automobile paint, body, and repair shops.



In 2019 the current property owner acquired the four-story buildings with a vision to transform them into Delray's next hub for local businesses, galleries and restaurants which are permitted uses within the MROC zoning district. To attract the public to the "off the beaten path" unique mix of businesses known as "The Andre Design District", a series of murals were commissioned.

However, These murals were initially painted without prior approval through the established mural permit process. In 2022, the site received code enforcement action for the painting of the murals without approval through the mural permit process. Additionally, painting of murals was not permitted in the MROC zoning district.

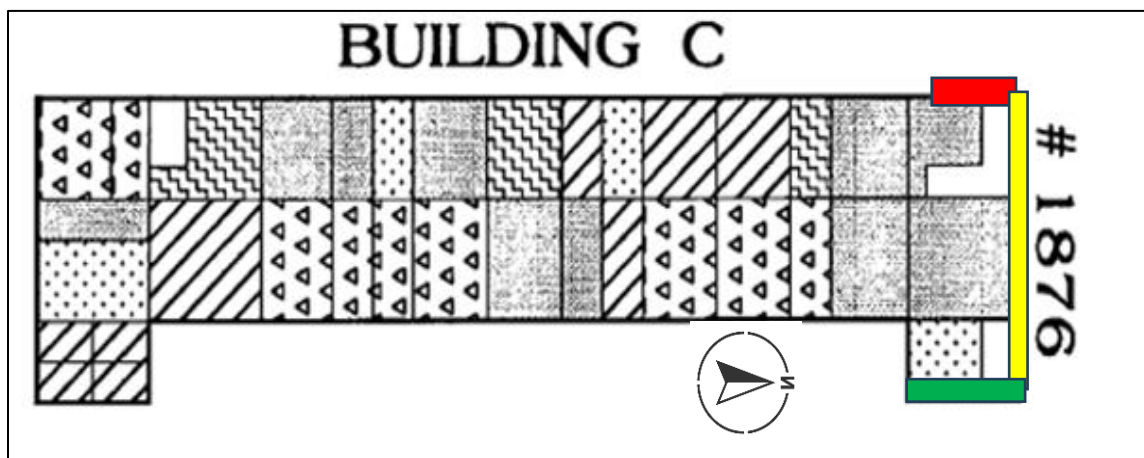
Recognizing the artistic merit and potential for the Andre Design District, the City Commission passed Ordinance 22-20 in 2022. This ordinance expanded the permitted zoning districts for mural creation, paving the way for a more streamlined approval process. There are approximately 35 murals adorning the buildings, each corresponding to a specific tenant space within the multi-bay warehouse layout.

It's important to note that a Code Case regarding these murals remains open until they all receive formal approval through the Public Arts Advisory Board (PAAB).

### Description of Request

The murals are located on Building "C" on the north (façade 1 yellow), west (façade 2a red), and east (facade 4 green) depicted below and is internal to the site and cannot be seen from the major throughfare of South Congress Avenue.

The mural is the creation of Denny Graff, an established artist with experience in graffiti art, murals, acrylic painting, and design. His work can be found in prominent locations like Orlando and Wynwood. The artist began as a graffiti artist on the streets. He is known for his unique ability to blend urban grit with contemporary art. For a comprehensive Biography, refer to the attached description.



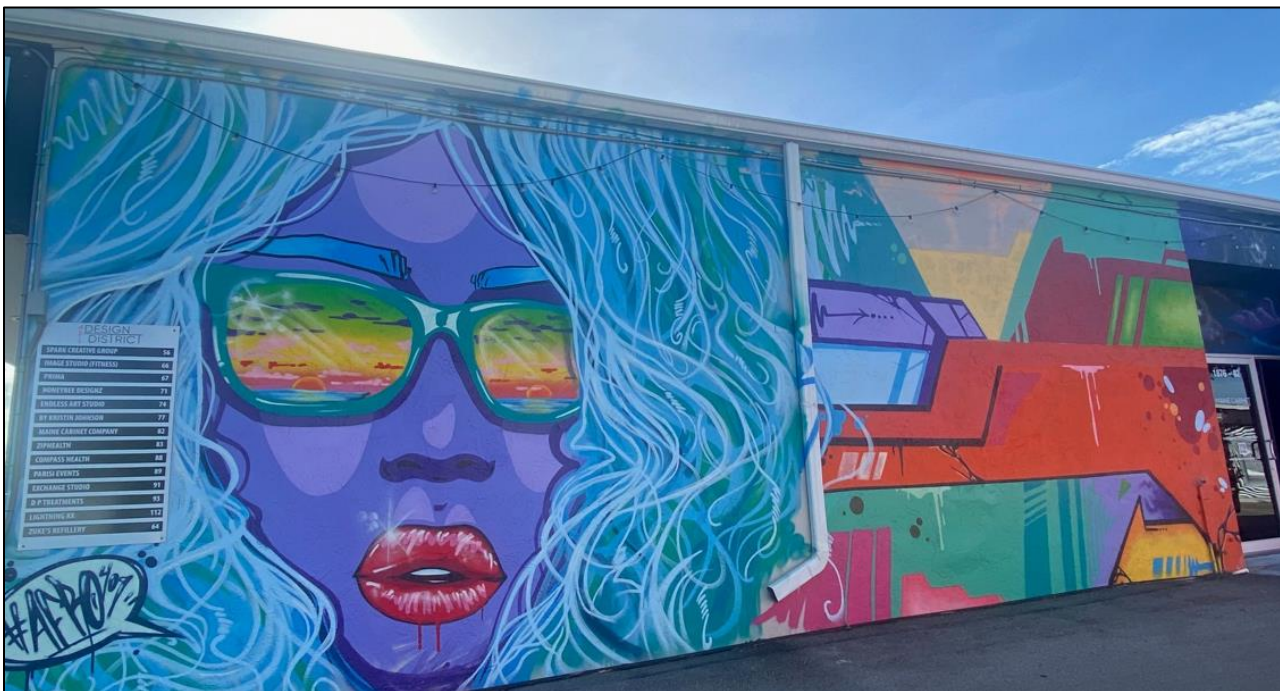
### Facade 1 (North Elevation)

The mural below is on the north elevation depicted in yellow for Building “C” and is 90 feet wide by 12 feet high for a total of 1,080 square feet and covers 100% of the façade, painted in varying colors including green, yellow, red, blue, red, and brown and is of geometric forms and designs.



### Facade 2 (West Elevation)

The mural above is on the west elevation depicted in red for Building “C” and is 12 feet high by 30 feet wide for a total of 360 square feet and covers 100% of the façade of the tenant space, painted with a woman in blue with rainbow lensed sunglasses and red lips. There are additional geometric shapes in orange, red, yellow, pink, green and blue. While the colors of the image of the women and the geometric shapes are cohesive, the board should consider whether the above mural is consistent with LDR 8.5.3(C) (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.



### **Façade 4. (East Elevation)**

The mural below is located on the east elevation of Building “C” and is 12 feet high by 30 feet wide for a total of 360 square feet and covers 100% of the building façade. The mural represents a “strong” woman in varying colors of red, yellow, blue, orange, white. The word: Delray Beach” is painted in red, white, and blue that represents the American Flag. The mural is replica of a famous painting curated by Frida Kahlo which represents equality between men and women.



#### **Mural Analysis**

The murals are on a façade wall elevation within the MROC zoning district. Pursuant to LDR Section 8.5.3 (A); *murals may be located on a façade, flat roof, parking deck, perimeter wall or fences, or dumpster enclosure of any building structure on a property not located in a historic district or individually designated on the Local Register of Historic Places and 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*

LDR 8.5.3(C) *Placement and Design requirements; All murals must meet the following requirements:*

- *Coverage, size, and scale.*
- *Mural limitations.*
- *Mural text size*
- *Signage and commercial messaging*
- *Illumination*
- *Preservation and maintenance*
- *Public safety*
- *Compliance with laws*

Each of the three proposed murals covers 100 percent of the tenant space façade elevation without obstructing any window openings or doors.

The murals are not illuminated, nor will it compromise public safety, and they fully comply with the applicable laws, rules, and regulations of federal, state and county governments. The applicant has submitted a preservation and maintenance plan for each of the murals that outlines the commitment to keeping the murals in Optimal condition.

In addition to the technical criteria provided above, there are specific criteria to be considered when reviewing a mural request. Pursuant to **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.

Public Art is defined 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, that are: located in the public right-of-way; on City owned property; located on structures that are located in the public right-of-way or on City owned property; or located on private property and funded by the City.” The mural is located on private property within the Congress Avenue Corridor and is visible to pedestrian traffic as well as motor vehicle traffic within the property limits and will add value to the area. The vision of the Congress Avenue Corridor is to offer new development and redevelopment with a mix of businesses and housing. Beatification projects are a necessity to attract diverse people to live, work and play. The location of the mural is not injurious to the neighborhood, nor does it present a safety hazard to the public. The collection of murals painted throughout the site are unique to each tenant bay and serve to further the City's goal of cultural diversity. A Maintenance Plan is submitted by the applicant for preservation of the artwork.

**Policy NDC 1.4.9**

Analyze the existing land use and zoning designations of Commerce and Congress Avenue Mixed Use assigned to property along the Congress Avenue Corridor for the purpose of accommodating a balanced mix of commercial, industrial, office, and residential uses with a cohesive aesthetic for the corridor.

**Optional Board Actions**

**Façade 1**

- A. Move approval, of the Mural Permit (2023-237) to paint a mural on the north elevation of Building “C” located at **1876 Dr. Andre's Way**, 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 (2023-237) to paint a mural on the north elevation of Building “C” located at **1876 Dr. Andre's Way**, 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 Mural Permit (2023-237) to paint a new mural on the north elevation of Building “C” located at **1876 Dr. Andre's Way**, by finding that the request is not consistent with the Comprehensive Plan and does not meet the criteria set forth in Chapter 8 of the Land Development Regulations
- D. Postpone

**Façade 2**

- A. Move approval, of the Mural Permit (2023-237) to paint a mural on the west elevation of Building “C” located at **1876 Dr. Andre’s Way**, 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 (2023-237) to paint a mural on the west elevation of Building “C” located at **1876 Dr. Andre’s Way**, 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 Mural Permit (2023-237) to paint a new mural on the west elevation of Building “C” located at **1876 Dr. Andre’s Way**, by finding that the request is not consistent with the Comprehensive Plan and does not meet criteria set forth in Chapter 8 of the Land Development Regulations
- D. Postpone

**Façade 4**

- A. Move approval, of the Mural Permit (2023-237) to paint a mural on the west elevation of Building “C” located at **1876 Dr. Andre’s Way**, 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 (2023-237) to paint a mural on the west elevation of Building “C” located at **1876 Dr. Andre’s Way**, 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 Mural Permit (2023-237) to paint a new mural on the west elevation of Building “C” located at **1876 Dr. Andre’s Way**, by finding that the request is not consistent with the Comprehensive Plan and does not meet the criteria set forth in Chapter 8 of the Land Development Regulations.
- D. Postpone

Denny Graff, a dynamic and multi-talented graffiti artist, muralist, acrylic painter, and designer hailing from the vibrant city of Orlando, Florida. With a passion for color and a knack for transforming spaces, Denny Graff has become a prominent figure in the urban art scene.

From the bustling streets of Orlando to the expansive walls of Wynwood, Denny Graff's work is a fusion of bold graffiti styles and intricate acrylic techniques. His murals are not just paintings; they are stories told through a spray can, capturing the essence of street culture with every vibrant line and curve.

Denny Graff began his artistic journey on the streets, armed with nothing but spray cans and a vision to bring art to unexpected places. His graffiti is a testament to their roots - raw, expressive, and unapologetically bold. As he evolved, so did their medium, embracing acrylics to bring a new depth and texture to his work.

In the world of design, Denny Graff is known for his unique ability to blend urban grit with contemporary aesthetics. His designs, whether for apparel, posters, or branding, are infused with the same energy and color that make street art so captivating.

With each mural, Denny Graff aims to not only beautify spaces but also to inspire and provoke thought. His work is a dialogue with the community, a visual feast that encourages viewers to question, interpret, and connect.

Denny Graff continues to push the boundaries of urban art, leaving a trail of awe-inspiring murals and designs in their wake. In the ever-changing landscape of street art, Denny Graff stands out as not just an artist, but as a visionary, constantly redefining what it means to create art in the urban jungle.

You may see Denny Graff's work throughout Wynwood, Miami, Orlando, and Tampa.

@dennygraff407



# Mural Maintenance Plan for the Andrea Design District

## Introduction:

Murals play a vital role in enhancing the visual appeal and cultural identity of the city of Delray. To ensure the longevity and vibrancy of these artistic assets, a comprehensive mural maintenance plan is essential. This plan outlines the strategies, responsibilities, and procedures for maintaining and preserving our murals. All existing and future murals are coated with a final layer of natural penetrating clear water based concrete and masonry water repellent sealer with UV protection.

## Goals:

Preservation: Maintain the original artistic intent and visual quality of murals.

Longevity: Extend the lifespan of murals through proactive maintenance.

Documentation: Record mural conditions, repairs, and maintenance activities.

## Mural Maintenance Procedures:

### 1. Regular Inspections:

Conduct biannual visual assessments of all murals within the city limits.

Identify signs of fading, chipping, cracking, vandalism, and other damage.

Document the condition of each mural, including location, artist's name, and date of creation.

### 2. Immediate Repairs:

Address minor issues promptly, such as touch-ups for small areas of fading or damage.

Repair any vandalism or graffiti within 72 hours of identification.

### 3. Annual Maintenance:

Schedule annual cleaning and maintenance for all murals to remove dirt, dust, and pollutants.

Use gentle cleaning methods and appropriate products to avoid damaging the mural's surface.

Reapply a protective clear coat or sealant to safeguard murals against environmental factors.

#### **4. Restoration and Conservation:**

Collaborate with experienced mural restoration specialists for extensive repairs.

Maintain a database of skilled artists who can assist with restoration.

Use social media, city websites, and local media outlets to highlight mural maintenance efforts and showcase completed projects.

#### **5. Documentation and Record-Keeping:**

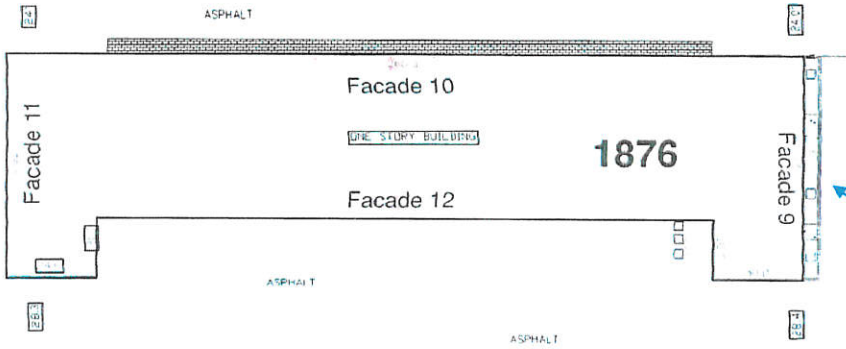
Maintain an up-to-date inventory of all murals, including photographs and descriptions.

Create a digital archive of mural history, maintenance records, and restoration projects.

#### **Conclusion:**

By implementing this mural maintenance plan, the Andrea Design District can ensure that its vibrant and diverse collection of murals remains a source of pride and inspiration for residents and visitors alike.

Regular upkeep, community engagement, and strategic collaborations will contribute to the long-term preservation.



Façade 9 Mural  
90' Wide X 45" Tall



DESIGN  
DISTR



@DENNYGRAFF/07

