



Development Services Department

BOARD ACTION REPORT – APPEALABLE ITEM

Project Name: Proper Ice Cream Mural (2019-111)

Project Location: 75 SE 4th Avenue

Request: Class I Site Plan Modification

Board: Site Plan Review and Appearance Board

Meeting Date: June 12, 2019

Board Action:

Approved (5-0 Annie Adkins-Roof and Linda Purdo absent) the Class I Site Plan Modification for architectural elevation changes as presented.

Project Description:

The subject 0.06 acres property is located on the east side of SE 4th Avenue between Atlantic Avenue and SE 1st Street. The property is located in the Central Business District (CBD) within the Central Core (CC) sub-district and has a CC Future Land Use Map (FLUM) designation. The one-story, 705 sf commercial building was constructed in 1950. The existing land use is an ice cream shop (commercial use) known as Proper Ice Cream.

The proposed mural (artwork), already painted on a blank wall (except for the two ice cream cones), is located on the north elevation of the existing building. The subject wall faces a parking lot located to the north of the subject property and is visible from the SE 4th Avenue sidewalk and from the alley located to the east. Per LDR Section 4.4.13(B)(4)(2)(c), design treatments to existing blank walls, such as murals, are recommended in the CBD to increase pedestrian comfort and create visual interest. The proposed mural displays three cartoon images: scientist holding a beaker, pink rabbit holding an ice cream cone, and gray wolf holding an ice cream cone. The background behind the cartoon images is a laboratory. The content of the proposed mural is neutral and does not appear to be offensive or serve as advertisement/signage for the commercial establishment where it is located.

Board Comments:

The Board comments were supportive.

Public Comments:

No members of the public spoke for or against the project.

Associated Actions:

No associated actions.

Next Action:

The SPRAB action is final unless appealed by the City Commission.



SITE PLAN REVIEW AND APPEARANCE BOARD STAFF REPORT

DEVELOPMENT SERVICES DEPARTMENT

100 NW 1ST AVENUE, DELRAY BEACH, FLORIDA 33444

PLANNING & ZONING DIVISION: (561) 243-7040 • BUILDING DIVISION: (561) 243-7200

SITE PLAN REVIEW AND APPEARANCE BOARD

Meeting: June 12, 2019

File No. 2019-111

Application Type: Class I Site Plan Modification

Agent: Mark Gregory / MG Concepts, LLC

Address: 75 SE 4th Avenue

Location: East side of SE 4th Ave, between E. Atlantic Ave and SE 1st St.

PCN: 12-43-46-16-01-101-0112

Property Size: 705 SF

FLUM: CC (Central Core)

Zoning: CBD (Central Business District)

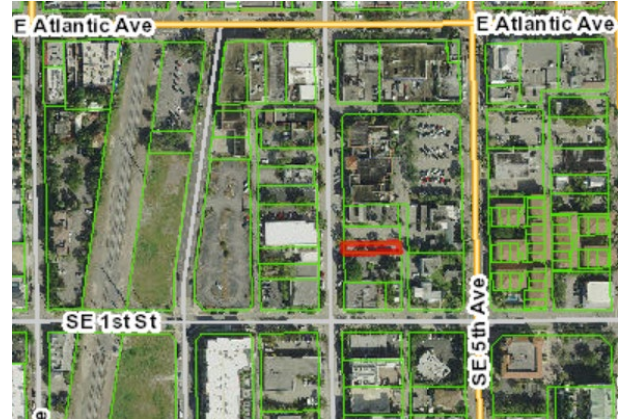
Adjacent Zoning:

- (North) CBD
- (West) CBD
- (South) CBD
- (East) CBD

Existing Land Use: Commercial Use/ Ice Cream Shop

Item before the Board:

Consideration of a Class I Site Plan Modification associated with architectural elevation changes to paint a mural on the north elevation of the existing ice cream shop building.



Optional Board Motions for Action Item:

1. Move to continue with direction.
2. Move approval of the Class I (2019-111) Site Plan Modification for architectural elevations changes for **Proper Ice Cream at 75 SE 4th Avenue**, as amended, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Sections 2.4.5(G), 2.4.5(I)(5), 4.6.18(E), and Chapter 3 of the Land Development Regulations.
3. Move denial of the Class I (2019-111) Site Plan Modification for architectural elevations changes for **Proper Ice Cream at 75 SE 4th Avenue**, by adopting the findings of fact and law contained in the staff report, and finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in Sections 2.4.5(G), 2.4.5(I)(5), 4.6.18(E), and Chapter 3 of the Land Development Regulations.

Background:

The subject 0.06 acres property is located on the east side of SE 4th Avenue between Atlantic Avenue and SE 1st Street. The property is located in the Central Business District (CBD) within the Central Core (CC) sub-district and has a CC Future Land Use Map (FLUM) designation. The property is described as Lot 11 (less north 43ft and west 8.17 ft. of SE 4th Ave. right-of-way) Block 101 as shown on Plat of Original Town of Linton, according to the Plat Book 1 Page 3 of the Palm Beach County. The one-story, 705 sf commercial building was constructed in 1950. The existing land use is an ice cream shop (commercial use) known as Proper Ice Cream.

The subject application was presented to the Site Plan Review and Appearance Board (SPRAB) on May 22, 2019. Action by the Board was moved to another meeting as direction to make changes to the proposal was provided by the Board.

Assessment:

The proposed mural will be an improvement to the existing property, in general it will contribute to the image of the City, and it will be architecturally harmonious with the surrounding areas. The criteria set forth in Section 4.6.18(E) is met.

Project Planner:

Debora Slaski; SlaskiD@mydelraybeach.com,
561-243-7040

Review Dates:

SPRAB Board 6/12/19

Attachments:

1. Proposed Renderings



Project Description:

- Introduction of a mural (artwork) on the north elevation.

Architectural Elevation Analysis:

LDR Section 4.6.18(E) – Criteria for Board Action: The following criteria shall be considered, by the Site Plan Review and Appearance Board (SPRAB), in the review of plans for building permits. If the following criteria are not met, the application shall be disapproved:

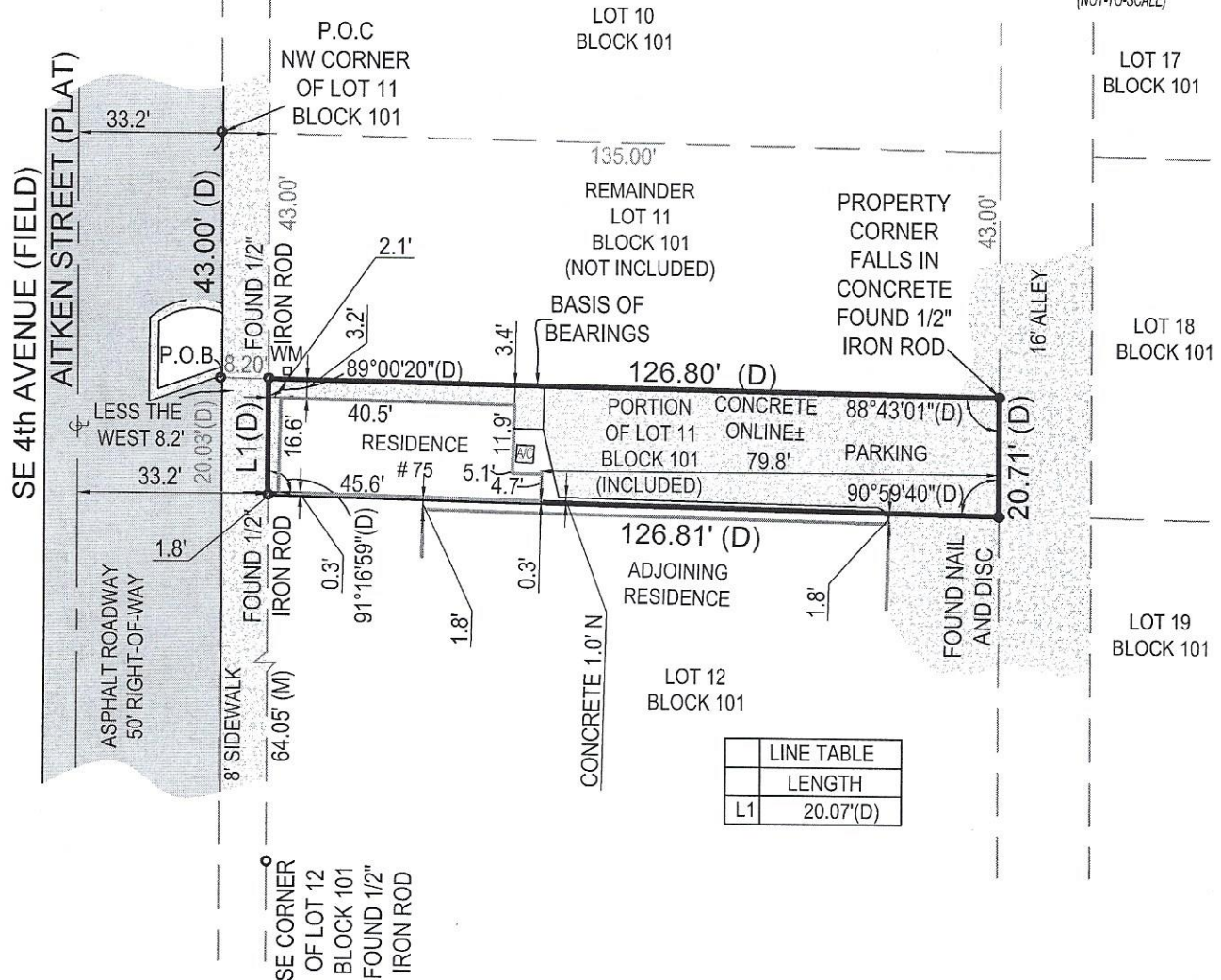
1. The plan or the proposed structure is in conformity with good taste; good design, and in general contributes to the image of the City as a place of beauty, spaciousness, harmony, taste, fitness, broad vistas, and high quality.
2. The proposed structure, or project, is in its exterior design and appearance of quality such as not to cause the nature of the local environment or evolving environment to materially depreciate in appearance and value.
3. The proposed structure, or project, is in harmony with the proposed developments in the general area, with the Comprehensive Plan, and with the supplemental criteria which may be set forth for the Board from time to time.

The proposed mural (artwork), already painted on a blank wall (except for the two ice cream cones), is located on the north elevation of the existing building. The subject wall faces a parking lot located to the north of the subject property and is visible from the SE 4th Avenue sidewalk and from the alley located to the east. Per LDR Section 4.4.13(B)(4)(2)(c), design treatments to blank walls, such as murals, are recommended in the CBD to increase pedestrian comfort and create visual interest. The proposed mural displays three cartoon images: scientist holding a beaker, pink rabbit holding an ice cream cone, and gray rat holding an ice cream cone. The background behind the cartoon images is a laboratory. The content of the proposed mural is neutral and does not appear to be offensive or serve as advertisement/signage for the commercial establishment where it is located.

Review by Others:

The proposed mural was reviewed by the Downtown Development Authority (DDA) on May 13th, 2019. The DDA Board recommended approval of the proposal.

75 SE 4th AVENUE, DELRAY BEACH, FL 33483

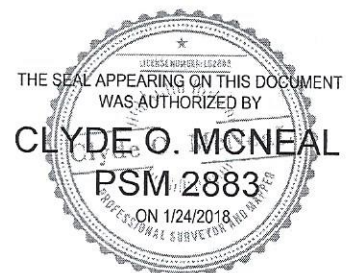


SHEET 1 OF 2 (SKETCH OF SURVEY) - SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION, AND OTHER SURVEY RELATED DATA. SURVEY IS NOT COMPLETE WITHOUT ALL SHEETS

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SURVEYING, LLC.

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NexgenSurveying.com



Images



Aerial View



Blank Wall



Mural Painted on wall
without ice cream cones

