



PUBLIC ART ADVISORY 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

Meeting:
September 28, 2021

File No. 2021-240 (North)
2021-250 (East)

Application Type: Mural Permit

Applicant: Brian Rosen
Property Owner: Delray HMH, LLC
Address: 240 SE 2nd Avenue
PCN: 12-43-46-16-01-079-0210
FLUM: Commercial Core (CC)
Zoning: Central Business District (CBD)
Adjacent Zoning:

- North: CBD
- West: RM (Medium Density Residential)
- South: CBD
- East: FEC Railroad

Existing Land Use: Warehouse

Item before the Board:

Consideration of two Mural Permit applications (2021-240 and 2021-250) associated with the painting of a mural on the north and east elevations.



Optional Board Motions for Action Item:

Mural One (North Elevation)

1. Move to continue with direction.
2. Move approval of the Mural Permit (2021-240) for the painting of a mural on the north elevation located at **240 SE 2nd Avenue**, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Chapter 8 of the Land Development Regulations.
3. Move denial of the Mural Permit (2021-240) for the painting of a mural on the north elevation located at **240 SE 2nd Avenue**, by finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in Chapter 8 of the Land Development Regulations.

Mural Two (East Elevation)

1. Move to continue with direction.
2. Move approval of the Mural Permit (2021-250) for the painting of a mural on the east elevation located at **240 SE 2nd Avenue**, by finding that the request is consistent with the Comprehensive Plan and meets criteria set forth in Chapter 8 of the Land Development Regulations.

Project Planner:
Jennifer Buce, Planner
buce@mydelraybeach.com

Review Dates:
September 28, 2021

Attachments:
1. Existing Elevations
2. Proposed Rendering



3. Move denial of the Mural Permit (2021-250) for the painting of a mural on the east(elevation located at **240 SE 2nd Avenue**, by finding that the request is inconsistent with the Comprehensive Plan and does not meet criteria set forth in Chapter 8 of the Land Development Regulations.

Background:

The subject property is located on Northeast 2nd Avenue within the Central Business District (CBD) in the Railroad Corridor Sub-district. The property consists of 0.33 acres and is known as Town of Delray LTS 21 to 23 INC BLK 79.

Mural Analysis:

The request before the Board are two mural permits associated with painting the north and east elevation. The murals can be viewed from the public right of way at the pedestrian street level. The murals are being curated and completed by Cody Parker. Cody Parker is a Pittsburg native who has been developing photo realism with extensive use of linear graphics and his art is featured around Delray Beach. The murals comply with **LDR Section 8.5.3 (A)(1)(c) Location:** Murals may be proposed on a **façade** of any building or structure on a property that is not located in a historic district or individually designated on the Local Register of Historic Places but that is located within the **Central Business District (CBD)**.

Pursuant to **LDR Section 8.5.3(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. Therefore, each mural is to be reviewed separately and approved separately.

The proposed mural on the east elevation (2021-250) has a predominant green background and takes on a “tropical theme” with a large parrot in red, flowers in popping colors of pink, blue and orange, birds flying and trees in the background.

The proposed mural on the north elevation (2021-240) continues the “tropical theme” with large vibrant colored flowers in blue, pink, and orange. There is a giant green lizard coming down from the orange flower. Birds are flying in the background with a rope between the trees.

The proposed murals have a unified theme that is carried through on both the north and east elevation. The flowers and the colors are cohesive on of the elevations. The applicant is not proposing any illumination, signage, or text. The coverage of the mural is 100% on each façade which is allowed. The public safety for others is not in any way interfering with pedestrians or motorists, therefore, **LDR Section 8.5.3 Placement and Design requirements has been met.**

Pursuant to LDR Section 8.5.2(A) – Criteria for Board Action: The following criteria shall be considered, by the Public Art Advisory Board (PAAB), in the review of plans for building permits. 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.

Reviewed by Others:

This mural is not located within the DDA or Pineapple Grove District therefore it did not require any additional review.