



**MINUTES
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD REGULAR MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, NOVEMBER 02, 2022 -- 6:00 PM**

ROLL CALL and RECORDING OF ABSENCES: Present were: Juan Contin, Chairman; Mark Humm, Edmond LeBlanc and Zade Shamsi-Basha. Absent: Evelin Urcuyo; Alexander Cull; Daniel Walesky. Also present: Rosy Escobar, Community Planner; Scott Rodriguez, Principal Planner; Erin Sita, Asst. Director for Community Sustainability; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA

Motion: M. Humm moved to accept agenda as presented; Z. Shamsi-Basha 2nd.

Vote: Ayes all, unanimous.

APPROVAL OF MINUTES:

A. October 19, 2022 Regular Meeting Minutes

Motion: M. Humm moved to approve October 19, 2022 minutes as presented; E. LeBlanc 2nd.

Vote: Ayes all, unanimous.

CASES:

SWEARING IN OF STAFF AND APPLICANTS: Board Secretary administered oath to those wishing to give testimony.

PROOF OF PUBLICATION: Murals do not require noticing.

WITHDRAWALS / POSTPONEMENTS: None

CONSENT: None

PUBLIC HEARINGS:

BOARD DISCLOSURE: M. Humm discloses he knows agent for the applicant for Mathew's Brewery; J. Contin discloses he was the architect for the Cana Restaurant at 604 Lake Avenue.

UNFINISHED BUSINESS: None

NEW BUSINESS:

A. PZB Project Number 22-00000018: Request by Edward Jones for a previously installed mural at 1032 North Dixie Highway. The subject site is zoned Mixed Use- Dixie Highway (MU-HD) and has a future land use designation of Mixed Use- East (MU-E).

Staff: Rosy Escobar present case findings and analysis. This mural was installed prior to Board approval. The mural shows graduates tossing their caps in the air at Bryant Park.

Public Comment: None.

Motion: M. Humm moves to approve PZB 22-00000018 with staff recommended Conditions of Approval as it meets the mural criteria based on the data and analysis in the staff report; E. LeBlanc 2nd.

Vote: Ayes all, unanimous.

B. PZB Project Number 22-00000020: Request by Joseph Lallave for the approval of a previously installed mural with two components located on the west and the south faces of the building at 604 Lake Avenue. The subject site is zoned Downtown (DT) and has a future land use designation of Downtown Mixed Use (DMU). The subject site is also within the Community Redevelopment Agency (CRA) district.

Staff: E. Sita presents case findings and analysis. The murals were installed prior to Board approvals. The muralist Eduardo Mendieta has gained recognition in South Florida. They feature individuals dancing and playing music rendered in sepia tones. A portion of the mural is located within the arcaded side of the structure. The west façade is the typical location for a mural unlike the south façade fronting on Lake Avenue which is not normally an approved façade for mural installation (per LDR Section 23.1 (e) 13 except as may be approved by the Board).

Public Comment: None

Motion: M. Humm moves to approve PZB 22-00000020 with staff recommended Conditions of Approval for mural installation as it meets the mural criteria based on the data and analysis in the staff report; E. LeBlanc 2nd.

Vote: Motion passes unanimously with M. Humm, E. LeBlanc and Z. Shamsi-Basha ayes; Chairman Juan Contin abstaining.

C. PZB Project Number 22-00000014: Request by Rodney Mayo for installation of a new mural installation at 522 Lucerne Avenue. The subject site is zoned Downtown (DT) and has a future land use designation of Downtown Mixed Use (DMU). The subject site also within the Community Redevelopment Agency (CRA) district.

Staff: E. Sita presents case findings and analysis. The art is that of re-knowned artist Man Ray of the Surrealist and Dada period as interpreted/ muralized by Nargiza Dadabaeva. The mural depicts young women in abstract monochromatic motif.

Public Comment: None

Motion: Z. Shamsi-Basha moves to approve PZB 22-00000014 with Conditions of Approval as the application meets the mural criteria based on the data and analysis in the staff report; M. Humm 2nd.

Vote: Ayes all, unanimous.

D. PZB Project Number 22-00000011: Request by Wes Blackman on behalf of Mathews Brewing Company, LLC for the approval of a mural installation with two proposed new murals and a previously installed mural on the west face of the subject building located at 130 South H Street. The subject site is zoned Artisanal Industrial (AI) and has a future

land use designation of Artisanal Mixed Use (AMU). The subject site is also within the Community Redevelopment Agency (CRA) district.

Staff: E. Sita presents case findings and analysis. The applicant is clearing up some existing code violations, one of which is the previously installed mural. Two additional murals shall be added adjacent to the existing mural. The muralist is Marcus Borgus. The Board shall determine, with regard to the existing mural, how many words, if any, shall or shall not be allowed; which depictions may or may not cause the mural to become a sign or include signage.

Signage will require a permit separate from the mural permit. Conversations with the applicant's agent have resulted in:

Option 1 removes all words and graphics but the beer can drummer.

Option 2: retain all the words, remove lightning bolt and hands.

Agent for Applicant: Wes Blackman, agent for applicant/owner Dave Mathews. As the zoning district is Artisanal Industrial, and with the Bohemian as a seed being planted, the area is set to experience a different environment than what currently exists. The mural in question has been around since 2020 and employed people during the height of the pandemic. The two new (proposed) murals are referred to as north mural and south mural.

Applicant: Dave Mathews - The intent was to be a mural, never as a sign.

Staff: E. Sita - Option 3 would include the beer Can Drummer, the lightning bolt, and hand. It will eliminate the text "live music and craft brewery".

Board: How far have they exceeded the amount of signage? Does not want to set a precedent in light of other murals having followed the exact intent of the code.

Staff: They could also come back as a sign variance if they would like all of it. Murals and signage can co-exist however it all counts toward allowable signage.

Applicant: States he is seeking approval for all of it as a variance for a mural.

Staff: Advises that is a different application from what is now before the Board.

Provided that all verbiage except "craft beer meets rock and roll" is removed, the upper part could be considered a part of the signage, with the drummer remaining a mural. This division into a mural component and sign component would be the bare minimum that could meet code. The elimination of the lightning bolt and hands in the area with verbiage would separate the two; as presented the signage and mural is integrated.

Option 2: Strike Condition #1 and replace with the drummer art shall be considered a mural; all other commercial messaging shall be removed or permitted as a sign.

Board: This is less commercial than the Herff Jones mural. As the murals are sectioned off and the actual Mathews Brewery signage is separated (over the door) and there is no mention of Craft beer for sale or live music venue, simply "where craft beer meets rock and roll". It could be interpreted as art, subjectively. It would look empty without the lightening bolt and skeleton hands.

Option 3: Strike Condition #1 and select Option 3 which includes the drummer art, skeleton hands, lightning bolt, text "where craft beer meets rock and roll". "Live music venue and craft brewery" text shall be removed.

Public Comment: None

Motion: M. Humm moves to approve PZB 22-00000011 with staff recommended Conditions of Approval striking Condition #1 and replacing with Option 3 (as stated on the record) for the first mural; E. LeBlanc 2nd.

Vote: Ayes all, unanimous

PLANNING ISSUES: None

PUBLIC COMMENTS (3 minute limit) None

DEPARTMENT REPORTS: None

BOARD MEMBER COMMENTS: None

ADJOURNMENT: 6:51 PM