



City of Sunnyvale

Agenda Item

25-0402

Agenda Date: 4/16/2025

REPORT TO ARTS COMMISSION

SUBJECT

Recommend Council Approve Art in Private Development Project - Hunter Properties/Cityline, Titled *Redwood Dawn* (Phase 2, Artwork 4 of 4)

BACKGROUND

Under the City's Art in Private Development Ordinance (Sunnyvale Municipal Code (SMC) Chapter 19.52), the Cityline project in downtown Sunnyvale is required to provide public art. This project was permitted prior to the adoption of the Master Plan for Public Art in 2020 and, therefore, requires a minimum of 1% of the project's construction valuation to be allocated for art, which is equal to \$1,378,090.

The artwork has been developed and installed in two phases. Phase 1 consists of two works of art installed along the McKinley corridor. Phase 2 has four works of art: three already installed and a fourth sculpture being presented in this report.

The procedure established for reviewing artwork is as follows:

1. Review the artist's background, including their experience and ability to design, fabricate and install large-scale artwork; and
2. Review the proposed artwork to determine whether the nature and style of the artwork is appropriate to the site; and
3. Determine whether the proposed artwork is appropriate in scale for the overall development; and
4. Review the location of the proposed artwork for accessibility to the public.

The Arts Commission usually has final approval for Art in Private Development projects; however, due to the high visibility of the Cityline project, the conditions of approval state: "Upon approval (recommendation) by the Arts Commission, the plan shall be forwarded for review and approval by the City Council." This report provides information for the Arts Commission's review and recommendation to the City Council for *Redwood Dawn*, the fourth proposed artwork of Phase 2. The report also includes a breakdown of the combined art expenditures and the anticipated actual costs, which are currently trending above the required 1% expenditure at 1.28%.

The City Council is scheduled to consider this item on May 6, 2025.

EXISTING POLICY

Sunnyvale Municipal Code Chapter 19.52 (Art in Private Development)

ENVIRONMENTAL REVIEW

In 2016 (RTC No. 16-0458), the Planning Commission approved a Special Development Permit to amend the Final Conditions of Approval for the Cityline project. Required public art was included in those amended conditions of approval. The approved amendments to the Special Development Permit Final Conditions of Approval, including the public art requirement, were determined to be within the scope of the previous environmental analysis for the Downtown Program Improvement Update in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15168(c)(2). Subsequent environmental review is not

25-0402

Agenda Date: 4/16/2025

required as none of the exceptions to the exemptions specified in CEQA Guidelines Section 15300.2 have occurred, the amended conditions were deemed categorically exempt from CEQA pursuant to CEQA Guidelines Sections 15304 and 15305, and the specific art proposal consists of a moderately sized metal sculpture that does not present any new environmental impacts.

DISCUSSION

Project Location: In 2007, City Council approved a master land use and site development plan for the Cityline site. The site covers six blocks between South Mathilda, South Sunnyvale, West Washington, and West Iowa avenues (Attachment 2).

Project Description: Phase 1 of the 36-acre development is complete and includes office buildings, apartments (including affordable units), and retail spaces. Phase 1 also incorporated re-opening the area surrounding the large redwood trees near Murphy and McKinley Avenues (Redwood Square), the extension of Murphy Avenue, demolition of the former Macy's building, new construction of the AMC theaters, and Whole Foods Market. Additional Cityline tenants include AT&T, Xfinity, Salon Republic, Ulta Beauty, Urban Plates, Road Runner Shoes, City National Bank, Pacific Catch, Rumble Boxing, Topsy Putt and Teazzi.

Phase 1 also required artwork equal to a combined minimum expenditure of \$451,381. The developer chose to place two large-scale sculptures along the McKinley corridor to satisfy the requirement:

1. *1000 Suns* by Future Forms (Attachment 3) was approved by City Council on Feb. 25, 2022 (RTC No. 20-0064) and installed in September 2022. The artwork is valued at \$586,680.
2. *Fountain* by Woody de Othello (Attachment 4) was approved by City Council on Jul. 14, 2020 (RTC No. 20-0053) and installed in September 2022. The artwork is valued at \$212,243.

Phase 2 construction is nearing completion and includes apartments, offices, retail spaces, and a landscaped open space area (Redwood Square). Phase 2 also includes four artworks, with a combined minimum expenditure of \$926,709:

1. *Heads* by Olaf Breuning (Attachment 5) was approved by City Council on April 19, 2022 (RTC No. 22-0372) and installed in a temporary location along McKinley Avenue. The permanent location for *Heads* is still under consideration, but a change in location will require Arts Commission review and City Council approval. The artwork is valued at \$200,000.
2. *Dropping the Ball* by Camille Henrot (Attachment 6) was approved by Council on Oct. 24, 2023 (RTC No. 23-0747) and was installed in January 2025. The artwork is valued at \$392,000.
3. *Redwood Blue* by Mark Handforth (Attachment 7) was approved by City Council on Apr. 9, 2024 (RTC No. 24-0280) and was installed in February of 2025. The artwork is valued at \$223,000.
4. *Redwood Dawn* by Sam Falls (proposed). The artwork is valued at \$153,250.

Artwork Locations: Hunter Properties (one of the partner owners) is curating an outdoor art walk through a "dynamic installation of public art that invigorates communal spaces and provides a link between the past, present and future of Downtown Sunnyvale...by engaging avant-garde contemporary artists whose work addresses methodologies and ideas of our time." The art will help activate pedestrian spaces throughout the urban environment by inviting community members to experience the public artwork and many small businesses, restaurants, and shops along the way (Attachment 8).

Artwork Expenditures: The Developer is required to provide supporting documentation to substantiate the art expenditures and anticipates the total budget for Phase 1 and Phase 2 artworks to be equal to or greater than the minimum 1% of the construction valuation requirement (Attachment 9). If not, the Developer will be required to contribute the difference to the City's Public Art Fund.

Selected Artist: The artist selected for this location is Sam Falls (attachment 10). Mr. Falls is a California-

25-0402

Agenda Date: 4/16/2025

based artist who draws upon plant matter and the natural landscape to create engaging paintings, photographs, and sculptures. "By embracing the variable conditions of working en plein air, Falls actively engages with the environment and the passage of time to produce works that serve as a direct conduit to the immersive experience of nature."

Since 2010, the artist has exhibited both internationally and nationally. His work can be found at the Jessica Silverman Gallery in San Francisco, at 303 Gallery in New York, and via Instagram @samfalls.

Artwork Location: The artwork will be placed on the sidewalk on the SE corner of Washington Avenue and Francis Street (Attachment 11). It will be visible to passing cars, pedestrians, and occupants of the adjacent buildings.

Artwork Proposal: Hunter Properties selected *Redwood Dawn*, a monumental sculpture that stands 30 feet tall. The artist will use an I-beam as a base to adhere brightly glazed ceramic panels (Attachment 12).

The ceramic panels will incorporate imagery that references the local environment, specifically the Redwood trees that anchor the heart of Cityline and the surrounding Bay Area, along with their native undergrowth. This totemic sculpture will serve as a beacon or icon for those approaching Cityline along Washington Avenue and Frances Street, and it will pay homage to the redwood tree, once named Vargas, that stood at the center of the site.

Juxtaposing the organic with the man-made, the piece will feature two distinct sides. One side is connected to the grand tapestry of the earth and landscape, and the other represents the passage of each day. Looking south at the sculpture towards the park, the artist envisions the glaze transitioning in an organic gradient from earth tones to verdant greens of a redwood canopy, to oceanic and astral blues, mimicking the colors of the forest floor and the sky. Looking north at the sculpture from the park, the colors will evoke the hues and tones of a day passing, from sunrise to sunset. The artwork also functions obliquely as a sundial nodding to the artist's interest in the passage of time. As the sun traverses the sky, the public will witness a shadow cast by its singular form, reminiscent of standing beneath a Redwood tree and encouraging prolonged engagement with the work.

The ceramics will be created by pressing plant matter into the clay and firing in the kiln. The impressions left after the plant matter "burns off" create a "fossil" effect. The artist then paints the clay with glazes of various colors and fires the clay panels a second time for the final product. The ceramic panels are affixed to steel mesh that stretches across the channel of the steel beam with mortar in a mosaic-like process.

Maintenance: The maintenance for the proposed sculpture is minimal, requiring a rinsing with clean water 4-times per year. Any stains, bird droppings, or graffiti can be removed with a non-abrasive detergent and soft bristle brush.

Lighting Plan: Art in Private Development projects are required to submit lighting plans (SMC Section 19.52.050) to ensure lighting is incorporated into the overall art proposal. Final review and approval of the lighting plan and light fixtures are overseen by the Community Development Department as part of the permitting and installation process. This process allows for adequate review to verify the art lighting is following the various specific and precise plans within the City and the applicable design guidelines and standards, including Bird Safe Guidelines, Dark Sky Requirements, and Downtown Streetscape Standard Specifications and Details.

The sculpture will be primarily lit by four in-ground up-lights installed around the base that point directly at the artwork to show off the piece at night and alert pedestrians to its presence (Attachment 14). Supplemental lighting will come from spotlights installed on the canopy level of the adjacent building. All lights will land directly on the sculpture, in compliance with dark sky requirements.

25-0402

Agenda Date: 4/16/2025

Art Bond: The City has collected security in the form of a bond to guarantee the installation of the art. The bond will be held until the completion of the public art requirement, consistent with SMC Chapter 19.52 (Art in Private Development). The requirement will be deemed complete when the following conditions are met:

1. Art installation
2. Plaque installation
3. Lighting installation
4. Covenant recording which requires the property owner to keep and maintain the art
5. Verification of the 1% expenditure

FISCAL IMPACT

If the artwork is approved, the developer will be responsible for design, fabrication, installation costs, and ongoing maintenance of the artwork. There is no fiscal impact on the City's operating budget other than incidental staff time to monitor the project, which is budgeted in the Art in Private Development Program.

PUBLIC CONTACT

Public contact was made by posting the meeting agenda on the City's official-notice bulletin board at City Hall. In addition, the agenda and this report are available at the City Hall reception desk located on the first floor of City Hall at 456 W. Olive Avenue (during normal business hours), and on the City's website.

ALTERNATIVES

1. Recommend Council Approve Art in Private Development Project - Hunter Properties/Cityline, titled *Redwood Dawn* (Phase 2, Artwork 4 of 4)
2. Do not recommend Council approve the artwork as proposed

RECOMMENDATION

Alternative 1: Recommend Council Approve Art in Private Development Project - Hunter Properties/Cityline, titled *Redwood Dawn* (Phase 2, Artwork 4 of 4)

Staff concludes that the artwork meets the Art in Private Development requirements. Under different circumstances, this sculpture may not be considered substantial enough to stand out in such a busy environment because it is very slender and situated amongst large buildings. However, staff concludes the sculpture is adequate for this project due to the following considerations:

- This is one of six artworks being installed as part of a larger art walk experience throughout the downtown area.
- The urban landscape of downtown naturally lends itself to viewing the art up close, as opposed to viewing it from across the road or parking lot, as you would on a corporate business campus.
- The sculpture will be 30 feet tall and visible over a crowd and from the adjacent buildings.
- The sculpture will be illuminated at night.

LEVINE ACT

The Levine Act (Gov. Code Section 84308) prohibits city officials from participating in certain decisions regarding licenses, permits, and other entitlements for use if the official has received a campaign contribution of more than \$500 from a party, participant, or agent of a party or participant in the previous 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html

An "X" in the checklist below indicates that the action being considered falls under a Levine Act category or

25-0402

Agenda Date: 4/16/2025

exemption:

SUBJECT TO THE LEVINE ACT

- ☒ Land development entitlements
- ☐ Other permit, license, or entitlement for use
- ☐ Contract or franchise

EXEMPT FROM THE LEVINE ACT

- ☐ Competitively bid contract*
- ☐ Labor or personal employment contract
- ☐ Contract under \$50,000 or non-fiscal
- ☐ Contract between public agencies
- ☐ General policy and legislative actions

* "Competitively bid" means a contract that must be awarded to the lowest responsive and responsible bidder.

Prepared by: Kristin Dance, Recreation Services Management Analyst

Reviewed by: Trenton Hill, Recreation Services Manager

Reviewed by: Jesus Raygoza, Superintendent of Recreation Services

Reviewed by: Michelle Perera, Director, Library and Recreation Services

Reviewed by: Sarah Johnson-Rios, Assistant City Manager

Approved by: Tim Kirby, City Manager

ATTACHMENTS

1. Reserved for Report to Council
2. Vicinity Map
3. *1000 Suns*
4. *Fountain*
5. *Heads*
6. *Dropping the Ball*
7. *Redwood Blue*
8. Artwalk Locations
9. Artwork Expenditures
10. Artist Resume and Past Works
11. *Redwood Dawn* Proposed Art Location
12. *Redwood Dawn* Proposal
13. *Redwood Dawn* Maintenance and Materials
14. Lighting Plan