

REPORT TO ARTS COMMISSION

SUBJECT

Approve Art in Private Development Project - Jay Paul Company/280 North Wolfe Road

BACKGROUND

Under the City's Art in Private Development Ordinance, the development at 280 North Wolfe Road is required to provide public art. The public art component must be equal in value to one percent of the building permit valuation. The procedure established for reviewing the artwork is as follows:

- 1) Review the artist's background to ensure he/she has the experience and knowledge to design, fabricate and install large-scale artworks;
- 2) Review the artwork itself to determine whether or not the nature and style of the artwork is appropriate to the site;
- 3) Determine whether or not the proposed artwork is appropriate in scale for the overall development; and
- 4) Review the location of the artwork for visibility to the public.

The purpose of this report is to provide information and to request the Arts Commission to review and consider approval of the proposed artwork. Under the Art in Private Development Ordinance, the Arts Commission is authorized to make a final determination of the proposed artwork and the City Council is not scheduled to consider this item. The Commission's decision, however, may be appealed to the City Council by the developer.

EXISTING POLICY

Sunnyvale Municipal Code 19.52 - Art in Private Development

ENVIRONMENTAL REVIEW

An Environmental Impact Report (EIR) (SCH # [2013082063](#) <tel:2013082063>) was prepared for the underlying project, Landbank Central and Wolfe Campus. Consistent with SMC Chapter 19.52 (Art in Private Development), art was a required component of the project and was included as one of the listed project objectives in the EIR. The City Council certified the EIR, adopted a statement of overriding considerations and approved the project on October 14, 2014 (RTC 14-0695), and then approved the development agreement on October 28, 2014 (Ordinance 3046-14).

DISCUSSION

Project Location: This project is a 17.84-acre site located on the corner of North Wolfe Road and East Arques Avenue (Attachment 1 - Vicinity Map). The site is located in a predominately industrial and commercial area, bordered to the north across East Arques Avenue by the Lowes Home Improvement store. Due to the property's location, staff anticipates that there will be a large amount of vehicular traffic and a fair amount of pedestrian traffic.

Project Description: The project consists of 3 four-story office buildings totaling 747,100 square feet. The buildings will be constructed over two levels of parking. An additional six-story parking garage and a 30,000 square foot amenities building will also be on site (Attachment 2 - Site Plan).

Selected Artist: The artist selected for the project is Southern California artist Cliff Garten (Attachment 3 - Artist's Resume). Mr. Garten has been active in the public art arena since 1990. He has received civic commissions for major U.S. cities such as: Austin, Texas; Los Angeles, California; Cerritos, California; Rochester, New York; Denver, Colorado; Calgary, Alberta, Canada; Arlington, Virginia; Hillsboro, Oregon; Clearwater, Florida; and Salt Lake City, Utah. Locally, Mr. Garten has major public commissions at the Tully Library in San Jose; San Francisco General Hospital in San Francisco; the Transit Center in Dublin; and the Veterans Memorial Building in Walnut Creek. Mr. Garten has completed three previous projects in Sunnyvale: Moffett Towers in 2012; the Courtyard by Marriott in 2014; and most recently, Moffett Gateway in July, 2016. He is also in fabrication for the Moffett Place public art component, which was approved by the Arts Commission in November 2014.

The artist's work is born from his interest in the relationship between sculpture and landscape and how art creates public spaces. His work often creates a spatial composition of earthworks, landscaping, sculpture, light, architecture and public plazas, intended to be both beautiful and functional. He writes in his self-description that the places he creates "must be experienced, as opposed to looked at, because they do not enlist a single object, but are the sum of what happens on any specific site."

Images of Mr. Garten's installations and sculpture environments can be found at cliffgartenstudio.com.

Artwork Location: Located along an exterior pathway that runs along Arques Avenue to the north and along Wolfe Road to the west, the artwork will be installed in four separate seating environments (Attachment 2 - Site Plan). All four of the selected locations will be visible to passing motorists and accessible to the community (Attachments 4-7 - Site Maps).

Artwork Proposal: For this project, the artist has created four environments where sculpture joins with the landscape. Each environment will be similar, yet site-specific to its location. These environments will be a place that people can enjoy viewing the natural world and simultaneously experience art, as well as a place where the natural birds of the site can rest, drink and use the garden of flowers amongst a public setting (Attachment 8-9 - Computer Renderings of Site 1).

Each of the seating areas will include an ensemble of sculptural elements:

- **Decking:** The sculpture ensembles will be housed atop a deck of wooden planks. At each site, based on size there will also be one or two California Sycamores growing through an opening in the deck floor, providing natural shade for the seating areas.
- **Planting:** Surrounding the deck areas will be a variety of annuals and perennials native to the area. These flowers and grasses will be strategically planted to make the deck appear to be floating in the center.
- **Bird Houses:** Measuring 4' - 6' long by 12" wide by 14" tall, these bird houses will be functional "bird condos" (Attachments 10-11 - Computer Renderings of Bird Houses). Each one will have multiple compartments and will be mounted on a 10' pole for safety. The interior of the houses

- will be wood, while the exterior of the houses will be covered with a laser cut bronze pattern.
- Bird Baths: These baths will be a 1'8" by 3' oval bronze bowl seated on a granite boulder (Attachments 12-13 - Computer Renderings of Bird Baths). Standing approximately 1' - 3' above ground, the bowls will be fed by an irrigation line and operate with a float valve to replace evaporated water.
 - Seating: Each deck area will host two to three acid etched and sand blast finished, concrete benches for seating (Attachments 14-15 - Computer Renderings of Benches). The benches will measure 8' - 10' long by 18" wide by 18" tall and be etched with a landscape pattern.
 - Shadow Boxes: These illuminated sculptures will be bronze sheets laser cut with a delicate landscape pattern (Attachments 16-18 - Computer Renderings of Shadow Boxes). The boxes will be 8' - 12' long by 1' wide by 8' tall and illuminated from inside and outside.

Lighting Plan: The artist is proposing to light each seating environment with a combination of ambient lighting from area light poles and the light produced from within the shadow box. The exact location of area light poles is still being determined. The lighting within the shadow boxes will be produced by six linear, white, L.E.D. fixtures. There will be no spot lighting included.

Maintenance: Maintenance for the seating areas will be minimal with most of the elements requiring only an occasional rinsing and dusting, although the bird baths may require more frequent rinsing to keep the fountain properly running. The artist has also provided detailed directions on recommended yearly or bi-yearly reapplication of clear lacquer for the bronze elements and polishing instructions for the cement and granite elements.

Artwork Valuation: For this project the developer will be required to spend a minimum of \$650,039 for the purchase of public art. Eligible costs will be tracked by the developer and verified by City staff at the completion of the installation to ensure the full one percent was spent. In the event the eligible artwork costs are less than the one percent expenditure, the developer will be required to pay the difference to the Public Art Fund.

Staff anticipates that the proposed artwork will fulfill or exceed the required one percent expenditure.

FISCAL IMPACT

If approved, the developer will be responsible for design, fabrication and installation costs of the artwork, as well as ongoing maintenance. 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 through posting of the Arts Commission agenda on the City's official-notice bulletin board, on the City's website, and the availability of the agenda and report in the Office of the City Clerk.

ALTERNATIVES

1. Approve the artwork as it is proposed.
2. Not approve the artwork as it is proposed.

RECOMMENDATION

Alternative 1: Approve the artwork as it is proposed. Staff concludes that the proposal adequately meets the criteria of the Art in Private Development requirement.

Prepared by: Kristin Dance, Community Services Coordinator

Reviewed by: Trenton Hill, Community Services Manager

Reviewed by: Daniel Wax, Superintendent of Community Services

Reviewed by: Cynthia E. Bojorquez, Director, Department of Library and Community Services

ATTACHMENTS

1. Vicinity Map
2. Site Plan
3. Artist's Resume
4. Site 1 Map
5. Site 2 Map
6. Site 3 Map
7. Site 4 Map
8. Computer Rendering of Site 1
9. Computer Rendering of Site 1
10. Computer Rendering of Bird House
11. Computer Rendering of Bird House
12. Computer Rendering of Bird Bath
13. Computer Rendering of Bird Bath
14. Computer Rendering of Benches
15. Computer Rendering of Benches
16. Computer Rendering of Shadow Box
17. Computer Rendering of Shadow Box
18. Computer Rendering of Shadow Box