



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO ARTS COMMISSION

SUBJECT

Approve Art in Private Development Project - Irvine Company/Pathline Park
(Phase 3)/N. Mary Avenue

BACKGROUND

Under the City's Art in Private Development Ordinance (SMC 19.52), the Pathline Park development at N. Mary Avenue is required to provide public art. The public art component must be equal in value to one percent of the building permit valuation. The minimum artwork expenditure for this project has been established as \$558,877.

The procedure established for reviewing the artwork is:

- 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 the nature and style of the artwork is appropriate to the site;
- 3) Determine whether the proposed artwork is appropriate in scale for the overall development; and
- 4) Review the location of the artwork for accessibility to the public.

The developer, Irvine Company, is constructing Pathline Park in five phases. Phases 1, 2 and 4 have been completed; artwork for these phases was approved by the Arts Commission on July 18, 2018.

The purpose of this report is to provide information and request the Arts Commission review and consider approval of the proposed artwork for Phase 3. The artwork for Phase 5 will be reviewed at a future date.

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

A program-level EIR for the Peery Park Specific Plan was prepared for the underlying project, Pathline Park/N. Mary Avenue. Consistent with SMC Chapter 19.52 (Art in Private Development), public art was a required component of the project and project conditions of approval required that the applicant provide a bond for the required art and meet with the City's Public Art Coordinator regarding the project's art concept and

integration, which was completed. The City Council adopted the EIR and approved the project on June 6, 2017 (RTC 17-0491).

DISCUSSION

Project Location: This project is a 49.55 acre, seven parcel site located in the Peery Park Specific Plan area (Attachment 1 - Vicinity Map). The site is bounded by Highway 101 to the north, Maude Avenue (office/industrial) to the south, Pastoria Avenue (office/Industrial) to the east and Benecia Avenue (office/industrial) and the Sunnyvale Golf Course to the west. Staff anticipates a high volume of vehicular and pedestrian traffic at the site because of its size, location and increase in office space.

Project Description: The development includes 28 existing lots with buildings and combines them into one large, seven parcel, master-planned project (Attachment 2 - Site Plan). The existing buildings will be demolished and replaced with new construction of 9 three-story and 3 four-story sustainable, state-of-the-art office/research and development buildings. The project also includes three amenity buildings (1 two-story and 2 one-story) and four above ground parking structures (1 four-level and 3 six-level structures).

The project has frontages on Maude Avenue, Maude Court, Benecia Avenue, Mary Avenue, Almanor Avenue, Palomar Avenue, Del Rey Avenue and Pastoria Avenue. It is designed to focus on the pedestrian experience and encourage collaboration by incorporating long walkways, courtyards, new and existing landscaping, amenity buildings, outdoor seating and areas for mingling.

Artwork Locations: Irvine Company is creating an art walk that meanders throughout the development (Attachment 3 - Site Plan with Art Trail). In total, there will be eight individual locations for the artwork, and each will incorporate outdoor seating and descriptive signage for viewers. The locations will be visible and accessible to vehicular and pedestrian traffic in the area.

Selected Artist: The artist selected for this project is sculptor Entienne Viard (Attachment 4 - Artists Resume). Mr. Viard lives and works in Paris and Vaucluse (south of France) and has been creating sculptural artworks since 1980. He has exhibited extensively throughout Europe and Canada, and nationally in New York.

Images of Mr. Viard's works and commissions can be found at entienne-viard.com.

Artwork Proposal: For this project, the developer wanted to visually connect a series of outdoor spaces, while simultaneously complementing the architecture and landscaping, by creating an art walk with eight unique locations throughout the site. Each of the eight art locations will contain an abstract, corten steel sculpture, outdoor seating and signage with information about the art.

Rooted in the minimalist movement, the artist concentrates on a single element: the line. Whether "fragmented, pulled long, rounded, laid down flat or stood up straight, [the line] delicately fights gravity in a fragile equilibrium. [It] creates a perpetual and precarious energetic tension."

The Arts Commission approved the first six sculptures, and their locations, on July 18, 2018

(Attachment 5 - Sculpture Locations Presented at the July 18, 2018 Meeting).

Since that time, one sculpture, *Eclat*, is planned for relocation from Almanor Avenue to W. Maude Avenue, as the developers believe the sculpture will work better and be more visible in this space. The relocation of *Eclat* requires Arts Commission approval and is part of the Phase 3 review.

The original art proposal included nine sculptures, however, due to budget constraints the total number of sculptures for the project has been reduced to eight. The developer anticipates the artwork budget will still be equal to or greater than the one percent requirement.

The eight sculptures will be installed in five phases:

Phase	Sculpture	Installation
Phase 1	<i>Torsion</i> - Attachment 6* <i>Hyperbole</i> - Attachment 7* <i>Pluie De Cales</i> - Attachment 8*	September 2019
Phase 2 and 4	<i>Cartes 1</i> - Attachment 9* <i>Sequences</i> - Attachment 10*	February 2020
Phase 3	<i>Eclat</i> - Attachment 11** <i>Arcs</i> - Attachment 12	October 2020
Phase 5	TBD - 1 sculpture	February 2022
* approved by the Arts Commission on July 18, 2018 **moved to Phase 3 due to relocation. Previously approved as part of Phase 2 and 4		

Lighting Plan: Each sculpture will be up-lit with in-ground LED lights. At times, the sculpture will be grazed by light, while at other times, it will be washed with light. The lights at each location will be adjusted to the individual sculpture and landscaping characteristics.

Maintenance: Constructed from corten steel, the sculptures will need minimal maintenance. This steel is known for its ability to naturally mature and superficially rust in outdoor environments. It requires only an occasional dusting to eliminate spider webs and dust. Regular maintenance of the sculptures will be incorporated with the landscaping maintenance.

Art Bond: The City has collected a security in the form of a bond to guarantee installation of the art. The bond will be held until 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. Installation of the art
2. Installation of outdoor seating and signage for each artwork location
3. Installation of lighting for the artwork
4. Registration of the artwork(s), and the property owner's obligation to maintain the artwork, with the county of Santa Clara.
5. Verification of the 1 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.

The developer anticipates the artwork budget will be equal to or greater than the 1 percent requirement; if it is not, the developer will be required to contribute the difference to the City's Public Art Fund. The developer is required to provide backup documentation to substantiate all art expenditures.

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: Damon Sparacino, Superintendent of Community Services

Approved by: Cherise Brandell, Interim Director, Department of Library and Community Services

ATTACHMENTS

1. Vicinity Map
2. Site Plan
3. Site Plan with Art Trail
4. Artists Resume
5. Sculpture Locations Presented at July 18, 2018 Meeting
6. Renderings of *Torsion*
7. Renderings of *Hyperbole*
8. Renderings of *Pluie De Cales*
9. Renderings of *Cartes 1*
10. Renderings of *Sequences*
11. Rendering of *Eclat*
12. Rendering of *Arcs*