



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO ARTS COMMISSION

SUBJECT

Approve Art in Private Development Project - Hunter Properties/CityLine

BACKGROUND

Under the City's Art in Private Development Ordinance (SMC 19.52), the CityLine development in downtown Sunnyvale is required to provide public art. The public art component must be equal in value to 1 percent of the building permit valuation. The public art component for this project will consist of two phases and a total of six artworks by various artists. Phase 1 will include two works of art and Phase 2 will include the remaining works.

The minimum artwork expenditure for Phase 1 of the project has been established as \$451,381, although this amount will be used to commission two works.

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 purpose of this report is to provide information and request the Arts Commission review and make a recommendation to the City Council for one of the two artworks proposed for Phase 1. Created by FutureForms this design was reviewed at the Nov. 20, 2019, meeting in conjunction with a second artwork by sculptor Woody de Othello (RTC 19-1187). After receiving feedback from the Arts Commission and the public, the developer decided to defer the approval request for both artworks. The developer has now opted to submit them individually for review. The FutureForms artwork is included in this report. Mr. Othello's sculpture will be presented to the Arts Commission at a future date.

Final approval for AIPD projects is usually determined by the Arts Commission. However, the conditions of approval for this project state "Upon review by the Arts Commission the plan shall be forwarded for review and approval by the City Council." Therefore, the Arts Commission's recommendation will be forwarded to the City Council for final approval at the Feb. 25, 2020 meeting.

EXISTING POLICY

Sunnyvale Municipal Code 19.52 - Art in Private Development

ENVIRONMENTAL REVIEW

In 2016 (RTC 16-0458), the Planning Commission approved a special development permit to amend the Final Conditions of Approval for the Sunnyvale Town Center 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 CEQA Guidelines Section 15168(c)(2). Subsequent environmental review is not required as none of the exceptions to the exemptions specified in CEQA Guidelines Section 15300.2 had occurred, and the amended conditions were deemed categorically exempt from CEQA pursuant to CEQA Guidelines Sections 15304 and 15305.

DISCUSSION

Project Location: In 2007, the City Council approved a master land use and site development plan for the CityLine project (previously referred to as “Sunnyvale Town Center”). The site covers six blocks located between South Mathilda and South Sunnyvale and West Washington and West Iowa avenues (Attachment 1 - Vicinity Map).

Project Description: The development includes a mixture of retail, commercial, office and residential apartments. The project will retain the Target store, Nokia and Apple office spaces and the existing Redwood Square along McKinley Avenue. The former Macy’s building will be demolished during Phase 2 (Attachment 2 - Site Plan).

A two-story commercial building is currently under construction and will be occupied by Whole Foods on the ground floor and AMC Theaters on the second floor with a public parking garage immediately adjacent on the southwest corner of McKinley and Sunnyvale Avenues. This part of the project is slated to open in early 2020.

Artwork Location: Hunter Properties is curating 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 artwork is being developed, approved and installed in two phases. Phase 1 addresses the McKinley Avenue corridor, which runs through the center of the development. Phase 2 locations and proposals are still being developed.

Phase 1 artwork includes two locations. The first artwork, which is being considered in the report, will reside in the median along McKinley Avenue between Taaffe and Mathilda Avenues. The second artwork will be located on the northeast corner of Murphy and McKinley Avenues, directly across from the future Whole Foods and AMC Theaters and will be reviewed at a later date (Attachment 3 - Site Plan with Art Locations).

Location 1- McKinley Avenue median

Selected Artist: The artistic team selected for this project is San Francisco-based FutureForms

(Nataly Gattegno and Jason Kelly Johnson). Their approach to art and design has been explained as “experiential, interactive and materially rich.” The artistic duo has been creating public art since 2011, completing public art installations in San Francisco, Palo Alto, Albany, Denver and Milan, Italy. (Attachment 4 - Future Forms’ Resume). Upcoming art installations include projects for St. James Park Levitt Pavilion in San Jose, CA; Sea Beach Line Station, New York, NY; Oakland, CA; North Union Station, Washington D.C. and San Francisco, CA. FutureForms was also recently approved (February 2019) by the Arts Commission for an Art in Private Development project at 1050 Kifer Road, Intuitive Surgical.

More information and images for FutureForms can be found at futureforms.us.

Artwork Proposal: For this project, FutureForms has developed a sculptural geometric shade canopy entitled *1000 Suns* (Attachment 5 - *1000 Suns* Daytime Rendering and Attachment 6 - *1000 Suns* Street View Rendering). Standing 15 feet tall, this canopy was designed to foster pedestrian interaction and contemplation through playful shapes and shadows. It will cover a 23 by 31 feet square area and includes shaded seating for pedestrians.

The artwork will consist of 1000 brushed stainless steel or aluminum cylinders with stainless steel hardware. The round cylinders will vary in size and will be welded together allowing sunlight to show through and cast shadows onto the seating and concrete areas below (Attachment 7 - *1000 Suns* Study #1). The center cylinders will be larger in size and will house a layer of colored eco-resin polycarbonate which will add colored circles to the shadow pattern (Attachment 8 - *1000 Suns* Study #2).

The structure will be supported by four clusters of three, 4-inch diameter carbon steel columns. Each column will be coated with an industrial metal finish and accompanied by a cluster of concrete cylinders for seating. The size of the canopy, interplay of shadow and central location in the median combine to create a focal point in the development.

Lighting Plan: At night, the artwork will be lit by four in-ground lights directly under the canopy and eight above-ground light poles to the sides of the canopy which will create ambient light (Attachment 9 - *1000 Suns* Evening Rendering).

Maintenance: The artwork will be constructed using marine-grade materials including stainless steel, galvanized and epoxy-coated carbon steel, and UV resistant polycarbonate. All fasteners will be stainless steel. The artwork can be power-washed and/or wiped down with non-abrasive cleaning solutions. Graffiti can be removed with solvents and/or painted over using touch-up paint.

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 plaque
3. Installation of lighting for the artwork
4. Registration of the artwork, and the property owner’s obligation to maintain the artwork, with the County of Santa Clara

5. Verification of the 1 percent expenditure
6. Submission of the landscape plan to the Visual Arts Coordinator

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. Recommend approval of the artwork as it is proposed.
2. Recommend approval of the artwork as it is proposed with the following condition of approval:
 - a. Require the developer to submit a landscape plan to the Visual Arts Coordinator prior to installation of the art.
3. Do not recommend approval of the artwork as it is proposed.

RECOMMENDATION

Alternative 2: Recommend approval of the artwork as it is proposed and require the developer to submit a landscape plan to the Visual Arts Coordinator prior to the installation of the art. Staff concludes that the proposal adequately meets the criteria of the Art in Private Development requirement. However, the landscape plan is not finalized so the art proposal has been reviewed without considering nearby landscaping and tree locations.

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, Director, Department of Library and Community Services

ATTACHMENTS

1. Vicinity Map
2. Site Plan
3. Site Plan with Art Location
4. Future Forms' Resume
5. *1000 Suns* Daytime Rendering
6. *1000 Suns* Street View Rendering
7. *1000 Suns* Study #1
8. *1000 Suns* Study #2
9. *1000 Suns* Evening Rendering