



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO ARTS COMMISSION

SUBJECT

Approve Art in Private Development Project - Sunrise Assisted Living/581-583 Fremont Avenue

BACKGROUND

Under the City's Art in Private Development Ordinance (Sunnyvale Municipal Code (SMC) Chapter 19.52), the Sunrise Assisted Living project at 581-583 Fremont Ave. is required to provide public art. This project was permitted in 2019 prior to the adoption of the Master Plan for Public Art in 2020. Therefore, it is subject to a minimum requirement of 1% of the project's construction valuation or \$15,844.

The procedure established for reviewing the artwork is:

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

The purpose of this report is to request the Arts Commission review and approve the proposed artwork. Under the Art in Private Development Ordinance, the Arts Commission is authorized to make a final determination on the proposed artwork and the City Council is not scheduled to consider this item.

EXISTING POLICY

Sunnyvale Municipal Code 19.52 - Art in Private Development

ENVIRONMENTAL REVIEW

The underlying project in this case (assisted living facility at 581-583 Fremont Ave.) was determined to be exempt from review under the California Environmental Quality Act (CEQA) pursuant to a Class 32 exemption, which is intended to streamline smaller projects (up to 5 acres in size) in urbanized areas that are consistent with General Plan and zoning designations and have no significant impacts on traffic, noise, air quality, or water quality. Consistent with SMC Chapter 19.52 (Art in Private Development), art was a required component of the project, and project conditions of approval required the applicant to obtain Arts Commission approval of the proposed art. The Planning Commission made findings approving the CEQA exemption and approved the project on or around Dec. 9, 2019 (RTC 19-0989).

DISCUSSION

Project Location: The project is located at 581-583 Fremont Avenue at the corner of Manet Drive and Fremont Avenue (Attachment 1-Vicinity Map). The site is along a busy road and is bordered by residential uses on all sides. Staff anticipates heavy vehicular and pedestrian traffic on or near the site.

Project Description: The project consists of the demolition of two existing religious buildings (Trinity United Methodist Church) and new construction of an assisted living facility on a 2.3-acre site (Attachment 2-Site Plan). The facility will have 120 beds and is oriented toward Fremont Avenue. The building is three stories at the south along Fremont Avenue, but steps to two stories near the existing residential neighborhood to the north. Parking is provided underground with limited surface parking at both the front and rear of the building.

Sunrise intends to maintain the existing community garden at the rear of the property with a third-party gardening group managing the garden.

Artwork Location: The proposed location for the artwork is along Fremont Avenue, in a landscaped area between the public right of way and the driveway round-a-bout, directly in front of the main entrance to the facility. (Attachment 3-Renderings Showing Art Location). The artwork will be visible to passing motorists, pedestrians in the neighborhood, visitors to the facility and residents residing in the south facing rooms.

Selected Artist:

The selected artist for this project is Southern California sculptor Michael Kalish (Attachment 4-Artist's Resume). Mr. Kalish has been creating large scale sculptures since 2010, including national and international public art commissions. His work can be found at the Ronald Reagan Presidential Library, Simi Valley, CA; Atlanta Braves Stadium, Atlanta, GA; Tampa Children's Hospital, Tampa, FL; Glendale Fire Station, Glendale, CA; Pratt Sculpture Garden, Brooklyn, NY; Staples Center, Los Angeles, CA; Stone Quarry Art Park, Cazenovia, NY; and the U.S. Embassy, Moscow, Russia.

More information on the artist and visuals of his work can be found at michaelkalish.com.

Artwork Proposal: For this project, the artist has created a "visually stimulating installation that will not only beautify the space, but seamlessly fit into the surrounding landscape as if it has grown from the ground to become part of the environment." *Sunflower Sky* will be a composition of dozens of water jet cut aluminum sunflowers. The flowers will be stacked and arranged to create an interactive canopy of color, situated on oversized stems sprouting from the ground (Attachment 5-Renderings of *Sunflower Sky*).

Standing 12-feet high by 17-feet in diameter, the canopy will float above the hardscape and accompanying benches. The piece will provide one perspective as the viewer looks up towards the canopy where blue or grey skies peek through, and another perspective as the viewer looks down upon the flowers from the rooms above. A third unique perspective will appear as the canopy creates shadows when sunlight passes through the individual flowers.

All materials will be military grade and UV and weather resistant.

Lighting Plan: At night the artwork will be up lit by four articulating well lights at ground level (Attachment 6-Lighting Plan).

Maintenance: The artwork will require minimal maintenance. Fabricated from aluminum and treated with a military grade powder coating, the sculpture will require only a pressure washing as needed. Additionally, the piece will be assembled with mechanical fasteners rather than a welded construction. This will allow for easy disassembly in the event any of the elements need to be repaired or replaced.

The developer is responsible for the on-going maintenance and associated costs of the artwork. As with all private development artworks, if the artwork falls into disrepair, staff will work with the developer to address this concern. If the artwork is not properly maintained there is the potential for fines to be imposed.

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 a plaque identifying the artwork and artist.
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 that the 1% expenditure has been met.

FISCAL IMPACT

If approved, the developer will be responsible for the design, fabrication and installation, as well as ongoing maintenance costs 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 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. Do not recommend approval of the artwork as it is proposed.

RECOMMENDATION

1. Recommend approval of the artwork as it is proposed.

Prepared by: Kristin Dance, Recreation Services Coordinator II
Reviewed by: Trenton Hill, Recreation Services Manager
Reviewed by: Damon Sparacino, Superintendent of Recreation Services

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

ATTACHMENTS

1. Vicinity Map
2. Site Plan
3. Renderings Showing Art Location
4. Artist's Resume
5. Renderings of *Sunflower Sky*
6. Lighting Plan