



# DEVELOPER'S GUIDE TO ART

CITY OF FRANKLIN, TENNESSEE

## INTRODUCTION

### WHO IS THIS GUIDE FOR?



The **City of Franklin's Public Art Program** seeks to use art to enhance the quality of life for our citizens and visitors by encouraging a heightened sense of place, increasing our community's visual quality of Franklin's built environment. We are committed to creating community through public art and builds upon community support to conserve, preserve, and make available public art to citizens and visitors. The Franklin Public Art Program aims to enrich the community through the integration of the vision and work of artists into planning, design, and construction of public spaces.

The City highly recommend that developers integrate art into new construction and renovation projects in order to promote our community and sense of place. Please read this guide to learn how developers can incorporate public art.

### BENEFITS

There is a plethora of benefits for developers when they engage artists and commission public art. Here are a few examples:

- **Community Outreach:** build a positive relationship with visitors and residents.
- **Unique Brand:** art helps set the tone for a business. Choose an appropriate theme.
- **Sense of Pride:** after finishing a project, it gives the business, artist, and the community a sense of accomplishment.
- **Attract Business:** Public art can attract new customers and retain tenants by adding an engaging piece of art.

## PUBLIC ART

### WHAT IS PUBLIC ART

*Artwork in Public View* applies to developers when creating artwork enjoyed by the community - art located on the exterior of public or non-residentially zoned private property able to be viewed/observed from public property.

All artworks commissioned or acquired under the Franklin Public Art Program shall be designed, or the process facilitated by, artist(s). Such artworks may include, but are not limited to:

- Design work provided by the artists, including:
  - Artwork mounted or painted on exterior surfaces, fixtures and functional elements.
  - Outdoor space design elements in areas such as plazas, public parks, arcades, and pedestrian passageways.
  - Artistic design of roadways, bridges, parkways, pedestrian or bicycle pathways, transit system improvements, water and watershed facilities, solid waste transfer stations and sites with historic, archeological, and unique geological features.
- Forms of visual art such as, but not limited to:
  - Sculptures, including bas-relief (cast), mobile, fountain, environmental, kinetic and electronic, in any material or combination of materials.
  - All paintings, including murals and frescoes on portable and/or permanent structures.
  - Art forms in clay, fiber and textile woods, metal, plastics, glass mosaics and other material; any combination or forms of media.

### WHAT IS NOT PUBLIC ART

- “Art objects” which are mass-produced of standard design such as playground equipment, fountains, or statuary objects, unless incorporated into the artwork by a project artist.
- Directional elements such as graphics, signage unless where these elements are integral parts of the original work of art or Public Art project.
- Reproductions, by mechanical or other means, of original works of art, unless in cases where such reproduction is inherent in the art-making process, such as films, video, photography, printmaking, computer imagery or other media arts.
- Decorative, ornamental or functional elements or architecture except where these elements are designed by the artist and/or are an integral part of the artwork by the artist or are the results of collaboration among design professionals, including at least one artist.
- Services or utilities necessary to operate or maintain the artwork in perpetuity.



- For residential property, artwork is excluded.
- Artwork painted on unpainted masonry that is part of a historically designated building or structure.
- Artwork that is considered distasteful not suitable for public viewing as determined by the FPAC.

## TYPES OF PUBLIC ART

- **Freestanding sculpture:** art in an open space on the site or suspended over an atrium or lobby.
- **Integrated Artwork:** projects that are incorporated into the design of the project.
- **Functional Art (building and site features):** element of design to the project.
- **Murals:** decorated walls visible to the public.
- **Creative Placemaking/Temporary Art:** these are installations that are available to be viewed by the public for an allotted time.

## GETTING THE PROJECT STARTED

### WHY HIRE A CONSULTANT?

Although developers do not need to hire a public art consultant, they have the professional experience and insight to the process- creating site-specific projects, knowledge of art and artists, understanding of construction process, and experience with leveraging community support and city politics.

### BUDGET & FUNDING

A budget is key in developing a successful public art project. The overall project budget should include the design, fabrication and installation of the art work. Look at similar art projects to get a better idea of a price-point. A public art consultant or curator will be able to give a more accurate cost.

Other costs to consider is the following: site preparation, coordination with the design team, signage, communications and dedications, maintenance and conservation, and contingency.

It is important that developers carefully evaluate how they will fund their project. In some cases, developers add a public art project to their new development and assign a line-item to their budget. The City of Franklin Arts Program does not provide funding to public art projects.



### CREATING A SCHEDULE

There are four phases to consider when creating a schedule. This is a general guide, not an exact timeline.

1. *Finding an appropriate artist (varies)*

2. *Finalizing the contract* (varies)
3. *Design development* (about 6 months)
4. *Fabrication and installation* (about 1 year)

## HIRING AN ARTIST

### RESOURCES

Below are three local sources that can assist you with your search for artist.

- The Franklin Public Arts Commission
  - Website: <https://www.franklintn.gov/government/board-of-mayor-aldermen/boards-and-commissions/public-arts-commission>
  - Staff Liaison: Monique McCullough, 615-550-6606
- Arts Council Williamson County
  - Website: <https://artscouncilwc.org/>
  - Phone: (615) 428-3845
  - Email: [info@artscouncilwc.org](mailto:info@artscouncilwc.org)
- Metro Arts
  - Website: <https://www.metroartsnashville.com/>
  - Phone: 615-862-6720
  - Email: [arts@nashville.gov](mailto:arts@nashville.gov)

### THE SELECTION PROCESS

Below is an example of what a selection process could look like for a project.

- **The Selection Team:** this team will help select the appropriate artist and make decisions regarding the project's future. The team should comprise of members of the design team, community stakeholders, and independent arts professionals.
- **Qualifications:** the selection team should look at the artists' portfolio with descriptions of each project, the artist's resume, references, and a letter of interest.
- **Interview:** Meet with one or more candidates to discuss how they would approach the project, where they get their inspiration, how they work with a client and design team, their research and community engagement process, etc.
- **Competitive Proposal:** in addition to the interview, artists can develop specific concepts for prior to selecting them as the artist for the project. For the proposal phase, develop a brief letter of agreement with the artists.

### ARTIST CONTRACTS

Once an artist(s) is selected, the parties should complete an artist contract, which could include the following listed below. This is an example of what a contract could look like for a project.

- Budget, timeline, fee and payment schedule.
- Design, review, revision and approval process.
- Responsibility for design, fabrication and installation of artwork.
- Responsibility for improvements to the site where the artwork will be located, including foundations, structural support, lighting, landscaping and signage.
- Responsibility for permits and approvals.
- Warranties made by the artist regarding the artwork's originality, soundness and durability.
- Insurance requirements for design, fabrication, transportation, installation and warranty phases.
- Artist moral rights, copyright, rights of reproduction and licensing.
- Protocols for involving artist in conservation, repair, relocation, de-accession and changes to the site.

## DEVELOPING THE PROJECT

### PUBLIC ART DEVELOPMENT PROCESS

There are four general processes on the developer's end when creating a piece of public art. They include concept design, schematic design, final design documentation, fabrication and installation. For approvals on the public-side of the process, please read the "City of Franklin Approvals" section. Below is an example of what the public art development process could look like for a project.

**CONCEPT DESIGN:** the artist develops and presents a rendering of the artwork, a list of the materials, a narrative description of the work, specifics on siting, a description of considerations regarding site work and installation, a preliminary budget and schedule. The artist may conduct site visits, meet with stakeholders, and engage in other research.

**SCHEMATIC DESIGN:** Once the developer signed off on the concept design, there may be a need to develop the design further in a schematic design phase. The artist provides more specific information regarding siting, fabrication methods, materials, budget, timeline, project coordination and approvals.

**FINAL DESIGN DOCUMENTATION:** The final design phase includes drawings that detail every physical feature of the artwork and its integration with the site. A qualified, licensed engineer should certify that the artwork will be of adequate structural integrity. The final design documentation should include an updated narrative description of the artwork, a final budget and a final timeline for fabrication and installation.

**FABRICATION AND INSTALLATION:** the developer should notify the artist to proceed with fabrication. Regular check-ins, photographic documentation and physical site visits will ensure that the fabrication is on schedule and in conformity with the approved design. The installation should be coordinated with the owner, that there is appropriate room to stage the installation, that all permits have been pulled, that proper equipment and workers are available, and other relevant details are in order.

We recognize that this is a lengthy process! In order to make it a well-loved project by the entire community, developers should engage residents, businesses, and the City of Franklin.

## CITY OF FRANKLIN APPROVALS

This section discusses the public-side of the public art process.

COMMUNICATION WITH THE COMMUNITY: It is important for developers to keep their neighbors informed about the plans. Announce the artist and artist concept like any other important milestones of a major project. To accomplish this, consider press releases, presentations at community meetings, on-site signage and Internet-based resources.

SUBMITTAL OF A PROPOSAL: All proposals for public art are submitted to the City's Public Art Coordinator on the appropriate form. The form must be accompanied by drawings, models, photographs or any other graphic depiction that will help to clearly define the artwork.

EVALUATION OF A PROPOSAL: Once the proposal is received by the Public Art Coordinator, they call together the **Franklin Public Arts Commission (FPAC)**. The Commission applies the standard guidelines for public art in making a determination that the proposed project is acceptable to the City and should move forward in the approval process.

Upon recommendation of the FPAC, the public art application is forwarded to the **Historic Zoning Commission (HZC)**, when applicable (i.e. within Historic Preservation Overlay), and the City of Franklin Board of Mayor and Aldermen for consideration. Projects proposed for areas of high historical sensitivity should be given the closest possible scrutiny to determine if the project would be an enhancement to the area. Projects which do not garner the support of the HZC will not proceed. If the Commission rejects a proposal, the applicant has the right to appeal this decision to the **Board of Mayor of Aldermen (BOMA)**. The Commission's findings and rationale for rejecting the project will be made available to the BOMA when considering the appeal.

To ensure the success of the project, projects should be presented to the **BOMA work session**. A quick five-minute presentation will suffice.

APPROVAL OF A PROPOSAL: Once a project is recommended for placement on City-owned property, it will be reviewed by representatives from the following Public Works Departments, the Parks Department, and the Risk Manager. The City's Public Art Coordinator acts as the project manager for all such projects and is responsible for "shepherding" them through the following approval stages.

1. that the artwork's placement will not create undue difficulties for maintenance of the surrounding area.
2. that the proposed materials are durable and will not create significant maintenance problems for the artwork itself.
3. that any engineering or structural concerns are addressed.
4. to assess whether it provides undue risks or safety issues.
5. In some cases, proposals may take additional review because of their nature, design or location.

ISSUING OF PERMITS: The applicant is directed to prepare plans and specifications for the artwork where a permit is required (i.e. electrical, structural, etc.).

## AFTER COMPLETION

Below is an example of what after completion could look like for a project.

TRANSFER OF TITLE: The title to the artwork generally passes to the owner upon final acceptance of the artwork. This step should be outlined in the contract.

DEDICATION AND CELEBRATION: A dedication is a great way to acknowledge the artist and all of the people who helped make the project possible, as well as to get broader attention for the project. Dedications can be small, invitation-only celebrations or larger community events.

MAINTENANCE AND CONSERVATION: the developer is the owner of the artwork and is responsible for maintenance and conservation. Property maintenance staff should be trained on special requirements for maintenance. The work should be inspected by a professional conservator as recommended by the artist.

SELLING THE PROPERTY: The property owner determines how to handle the artwork if the property is sold. There are several practical issues to consider:

- If the artwork is integrated, it would likely be difficult to remove, and would remain on the property after the sale.
- If the artwork is not integrated, consider the intentions of the artist and the concerns of the community.
- If the work is removed and relocated, and the artwork was created specifically for that site, consider the artist's moral rights in the artwork, under the Visual Artists Rights Act.
- If the artwork is included in the overall sale of the property, transfer the title to the artwork and ensure that the new owner has all records pertaining to the artwork, including the maintenance and conservation instructions and history.