



## **Metropolitan District Public Art Plan Procedures**

last update 1-1-10

***Mission:*** *To increase the value of a development by using public art as a tool to create a unique identity while giving back a cultural amenity to the community.*

***Vision:*** *Public art enables Aurora to contribute to the civic pride of the community while reinforcing and expanding the City’s commitment to improving the aesthetic character of its public places.*

### ***What Does the Metro District Public Art Plan Require?***

Ordinance No. 2007-34, Chapter 146, Article IV, Division 5 of the City Code of the City of Aurora, Colorado Sec. 146-411. Public Art Plan.

(A) ***Requirement.*** Each Development Application for any development that benefits from a Title 32 District organized pursuant to and in accordance with Title 32, article 1, C.R.S., and chapter 122 of this code shall include a Public Art Plan.

(b) ***Submittal.*** The Public Art Plan shall be submitted along with the first Site Plan or Contextual Site Plan for the development. Alternatively, if the first Site Plan or Contextual Site Plan has been approved as of the effective date of this ordinance, the Public Art Plan shall be submitted along with the next ensuing Site Plan or Contextual Site Plan or the first application for a building permit, whichever is appropriate. At the time of submittal, each applicant shall pay to the city a review fee in an amount established by the director of Library, Recreation, and Cultural services in accordance with the provisions of section 2-587 of this code.

(c) ***Content.*** The Public Art Plan shall provide for the acquisition of exterior works of art in compliance with the rules and regulations promulgated by the director of Library, Recreation, and Cultural Services.

(d) ***Minimum Expenditure.*** The total amount to be expended by the property owner on such art shall be calculated by multiplying the total gross acreage of land included in the Framework Development Plan, General Development Plan, or other type of Master Plan, or, in the absence of such plan, addressed in the Development Application, by the following amount [2008 values below]:

- (1) for that portion of the acreage located in a residential zone or subarea.....\$290.76 per acre
- (2) for that portion of the acreage located in a mixed-use zone or subarea.....\$447.33 per acre
- (3) for that portion of the acreage located in a non-residential zone or subarea....\$603.90 per acre

(e) ***Annual Adjustment.*** Commencing January 1, 2007, the per acre amounts in subsections (d)(1) and (2) of this section shall be adjusted annually by the percentage change in the twelve-month construction cost index published by the Engineering News-record.

(f) ***Exemption.*** Nothing in this subsection shall apply to any development located within a title 32 district, where the district is obligated by virtue of the district service plan or an intergovernmental agreement with the city to provide for public art.



## **Metropolitan District Public Art Plan Procedures**

last update 1-1-10

### ***How is the Public Art Plan Budget Calculated?***

\$290.76 per acre for that portion of the acreage located in a residential zone or subarea

\$447.33 per acre for that portion of the acreage located in a mixed-use zone or subarea

\$603.90 per acre for that portion of the acreage in a non-residential zone or subarea

### ***What Are the Steps of this Process?***

1. The Developer schedules a meeting with AIPP Staff to discuss the Public Art Plan Requirements including potential public art sites, themes, project budget and schedule, professional artist selection process (see “What Comprises the Public Art Plan?” page 5).
2. The Public Art Plan must be submitted by the first Contextual Site Plan submittal unless, through prior arrangement, the AIPP Staff gives written consent to extend the Public Art Plan submission.
3. The Project Coordinator implements the artist selection process (see “What is the Artist Selection Process?” page 6 and “Who is Responsible for Project Coordination and What Does that Include?” page 4).
4. There should be two contracts executed with the artist: one for design work prior to the Public Art Plan submittal and one for fabrication and installation post Public Art Plan approval.
5. Once an artist and public art design have been selected, the Project Coordinator prepares a Public Art Plan and submits it to the AIPP Staff for review by the Director of Library, Recreation, and Cultural Services Department (see “What Comprises the Public Art Plan?” page 5).
6. The Public Art Plan must be completed before the issuance of the first Certificate of Occupancy (C.O.) unless, through prior arrangement, the AIPP Staff gives written consent to issue the first C.O.
7. At the completion of the project, the Project Coordinator submits the Closing Documents (see “What Comprises the Closing Documents?” page 8) to the AIPP Staff.

### ***What Type of Art Projects Are Eligible?***

Unique or limited edition artworks created by a professional artist (see “Who Qualifies as a Professional Artist?” page 7) including:

- Functional elements such as gates, benches, fountains, or shade structures;
- Landscape integrated enhancements such as passageways, bridges, street lighting elements, or garden features;



## **Metropolitan District Public Art Plan Procedures**

last update 1-1-10

- Mosaics or terrazzo walls, floors, and passageways;
- Sculpture such as freestanding, wall-supported, suspended, kinetic, or electronic;
- Neon, LED, glass, photographs, prints, and any combination of media including sound, film, video, or other interdisciplinary artwork.

### ***What Type of Art Projects are NOT Eligible?***

- Reproductions or unlimited editions of original work;
- Art objects that are mass-produced;
- Artworks that are decorative, ornamental or functional elements of the architecture or landscape design, except when commissioned by a professional artist;
- Architectural rehabilitation or historical preservation;
- Directional elements such as super-graphics, signage, or graphics that would already be a part of the project;
- Fountains or playground equipment that is mass-produced;
- Designs that are created by the project architect or landscape architect firms;
- Business logo.

### ***What Costs are Eligible to be Paid by the Public Art Budget?***

- Public Art Plan Application Fee paid to the City of Aurora Art in Public Places, 5% of the public art budget.
- Professional artist's budget, including:
 

artist fees	business and legal expenses	photo of the work
materials	operating costs	ID plaque
assistants' labor costs	art dealer's fees	artwork lighting
insurance	site preparation	artist solicitation
permits	fabrication	
taxes	installation	



## Metropolitan District Public Art Plan Procedures

last update 1-1-10

- Long-term maintenance of the artwork, up to 10% of the public art budget.
- Project Coordination Fee, up to 10% of the public art budget (see “Who is Responsible for Project Coordination?” page 4).
- Artist solicitation costs including call for entries printing and mailing, artist proposal design fee, or other costs.

<b>Example Project:</b>		
<b>384.6 acre residential use x \$260 per acre = \$100,000 art budget</b>		
<b>100%</b>	<b>Public Art Budget</b>	<b>\$100,000</b>
75%	Professional Artist Budget	\$75,000
5%	Public Art Plan Application Fee (paid to City)	\$ 5,000
10%	Future Maintenance & Repairs (set aside)	\$ 10,000
10%	Project Coordinator (up to 10%)	\$ 10,000

### ***Who is Responsible for Project Coordination and What Does that Include?***

The Developer may use in-house staff, the landscape architecture firm, the architecture firm, a private consultant, or AIPP Staff to coordinate the public art project. Up to 10% of the public art budget may be used to offset this administration cost. Coordination responsibilities include:

- Meet with Developer and City to define the public art project including potential sites, themes, budget, schedule, professional artist selection process, and Public Art Plan Requirements.
- Set communication procedures and act as liaison between the selected artist, City of Aurora, Developer, landscape architect, engineers, and architects.
- Establish Budget Controls.
- Implement professional artist selection process (see “What is the Artist Selection Process?” (page 6).
- Prepare the Public Art Plan for review by the Director of Library, Recreation, and Cultural Services via AIPP Staff (see “What is Included in the Public Art Plan?” page 5).
- Prepare and monitor artist contract.



## **Metropolitan District Public Art Plan Procedures**

last update 1-1-10

- Monitor art fabrication process.
- Ensure adherence to schedules, public safety issues, and budget.
- Assist artist in developing a maintenance and conservation plan and procedures for the artwork.
- Coordinate site preparation and installation logistics with project architect, landscape architect, and engineers.
- Supervise installation of artwork.
- Prepare identification plaque and artwork documentation.
- Prepare the Closing Documents for review by AIPP Staff.

### ***What is included in the Public Art Plan?***

After the artist is selected and the Developer has approved the design, the Project Coordinator prepares the Public Art Plan and submits it to the AIPP Staff for review by the Director of Library, Recreation, and Cultural Services Department . Two copies of the Plan should be submitted in separate 3-ring binders with section tabs. The Public Art Plan must include:

- The Application Fee (see “What Costs are Eligible to be Paid by the Public Art Budget?” page 4);
- The public art budget (see “How is the Public Art Budget Calculated?” page 1);
- Itemized list of expenses to be paid for by the public art budget;
- Narrative description of the public art project;
- Schedule;
- The artist’s itemized budget;
- Documentation: artist drawings, plans, or other media reflecting the project;
- Artist resume and biography (including contact information);
- Maintenance plan;



## **Metropolitan District Public Art Plan Procedures**

last update 1-1-10

- Signed copy of artist design contract and draft copy of artist fabrication and installation contract (signed copy to be provided to AIPP Staff within thirty days of approval).

### ***What is the Artist Selection Process?***

The Developer will work with the Project Coordinator and AIPP Staff at the initial meeting to decide which option works best for the project. The Developer and/or its assigns will be responsible for selecting the artwork. There are three processes to choose from:

#### **1. Open Competition**

- The Project Coordinator prepares a Request for Qualifications to be advertised.
- A Panel (selected by the Developer) reviews the submitted professional artist application packets (not proposals), including images of past work, letters of interest, and resumes.
- The Panel selects finalists to prepare a proposal for the site who are paid a design fee. The Panel may select one artist to commission based on an interview with finalists.
- The finalists present proposals to the panel.
- The Panel recommends the most appropriate artists/proposals.
- The Project Coordinator prepares a Public Art Plan for review by the City's Director of Library, Recreation, and Cultural Services.

#### **2. Invitational Competition**

- The Panel will review slides by professional artists recommended by the AIPP Staff or Project Coordinator.
- Professional artists are asked to submit an application packet (not proposals), including slides of past work, letters of interest, and resumes.
- The Panel selects finalists who prepare proposals for the site and are paid a design fee. The Panel may select one artist to commission based on an interview with finalists.
- The finalists present proposals to the panel.
- The Panel recommends the most appropriate artists/proposals.
- The Project Coordinator prepares a Public Art Plan for review by the City's Director of Library, Recreation, and Cultural Services.



## **Metropolitan District Public Art Plan Procedures**

last update 1-1-10

### 3. Direct Purchase

- The AIPP Staff or the Project Coordinator recommends existing artwork for purchase.
- The Panel selects the artwork to purchase from the recommendations.
- The Project Coordinator prepares a Public Art Plan for review by the City's Director of Library, Recreation, and Cultural Services.

### ***Who Qualifies as a Professional Artist?***

The criteria below are based on art industry standards of who qualifies as a professional artist. Artists who are being considered for a public art project(s) under this program must meet at least one of the criteria. The more criteria an artist can fulfill, the higher the quality of the final public art project.

- Bachelor of Fine Art and/or Master of Fine Art from an accredited college or university;
- Exhibition experience in a professional context, i.e., galleries, museum, art centers, or other exhibit venues;
- Is recognized by his/her peers as such by way of honorable mentions, awards, prizes, scholarships, appointments, and/or grants;
- Is pursuing his/her work as a means of livelihood and/or a way to achieve the highest level of professional recognition;
- Has had his/her artwork publicly written about or discussed;
- Has his/her artwork held in public or private collections;
- Is commissioned or employed on the basis of his/her art skills.

### ***What Comprises the Closing Documents?***

After the public art is installed, the Project Coordinator prepares the Closing Documents and submits them to the AIPP Staff. The closing documents include:

- Final Report form (provided by AIPP Staff) completed by the artist;
- Itemized list of expenses paid for by public art budget;
- Sample copies of all printed and promotional materials;



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## **Metropolitan District Public Art Plan Procedures**

last update 1-1-10

- Copy of signage identifying artwork;
- Documentation: photos, slides, and digital images.