

Fall 2015

Perspectives - William Morrish, Professor of Urban Ecologies at Parsons The New School for Design

James Hagy

New York Law School, jhagy@luc.edu

Follow this and additional works at: https://digitalcommons.nyls.edu/rooftops_project



Part of the [Business Organizations Law Commons](#), [Land Use Law Commons](#), [Legal Education Commons](#), [Organizations Law Commons](#), [Property Law and Real Estate Commons](#), [Social Welfare Law Commons](#), [State and Local Government Law Commons](#), and the [Tax Law Commons](#)

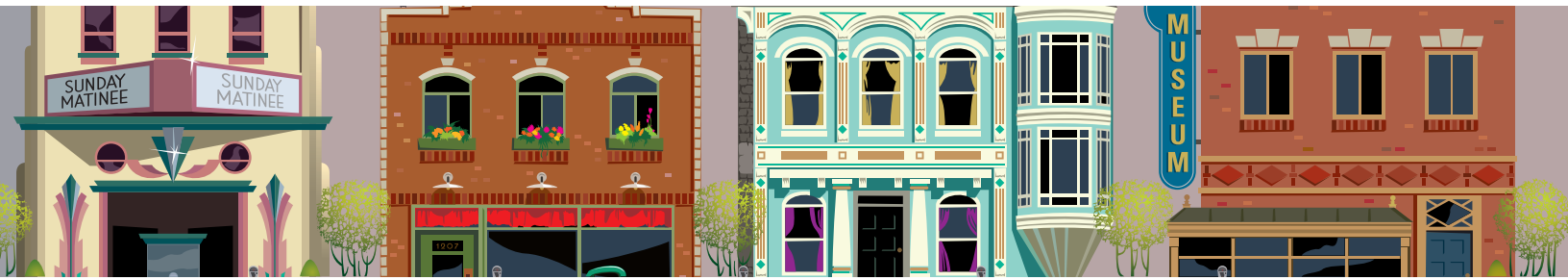
Recommended Citation

Hagy, James, "Perspectives - William Morrish, Professor of Urban Ecologies at Parsons The New School for Design" (2015). *Rooftops Project*. 30.

https://digitalcommons.nyls.edu/rooftops_project/30

This is brought to you for free and open access by the Academic Centers and Programs at DigitalCommons@NYLS. It has been accepted for inclusion in Rooftops Project by an authorized administrator of DigitalCommons@NYLS. For more information, please contact camille.broussard@nyls.edu, farrah.nagrampa@nyls.edu.

THE ROOFTOPS PROJECT



Perspectives

William Morrish, Professor of Urban Ecologies at Parsons The New School for Design

How can arts organizations with an aspiration to build their own facilities connect project design both with the broader community and with financial sustainability? The Rooftops Project's **Zulaihat Nauzo** and **Professor James Hagy** talk with **William Morrish, Professor of Urban Ecologies at Parsons The New School for Design**.

Professor William Morrish has had a decades-long affinity and involvement with arts organizations nationwide in the process of planning, designing, and funding properties in which to house their visual and performance programming. His extensive work in the field is reflected in his books *Building for the Arts*, co-authored with Catherine Brown and William Fleissig in 1984 and revised and expanded in 1989, and in *Planning to Stay*, co-authored with Catherine Brown and first published in 1994.

Bill has been a past conference and workshop speaker for The Rooftops Project. The perspectives reflected in his remarks, and in his writing, combine a passion for policy with a pragmatism drawn from involvement in the field with real estate projects for organizations large and small. His ideas are expressed in practical terms that can be as accessible to not-for-profit readers as they are to his students at The New School. We were eager to draw from his experiences, as well as to explore how Bill views the learning contained in *Building for the Arts* in the context of funding and operational realities in the 21st century.

RTP: How did *Building for the Arts* come about?

Bill: We received a grant from the National Endowment for the Arts to write *Building for the Arts*.

RTP: In the second edition of *Building for the Arts*, there is an observation that government funding for the arts was declining even in the 1980s. How

did that trend impact planning by arts organizations for major capital projects and how do you see the environment today?

Bill: The history is important. There was direct support for the arts from the federal government before President Reagan's election. Then the whole context changed. Direct support for health care and the arts declined at the federal level. The context was the notion that artists should pay their own way instead of being given funding directly. There have also been cutbacks at the state level. There are few organizations that will provide general sustaining funds. And it's hard to get philanthropic organizations to fund infrastructure. [From the first edition to the second edition of *Building for the Arts*,] the chapter on funding changed its focus from government funding to earned income and the economic life of the arts. But have the arts ever been able to pay their way through earned income?

RTP: Arguably there was a shift in audiences for the arts during that period, too. How did that impact the equation?

Bill: This was the rise of big shows, like King Tut. There was also a rise in interest for downtown redevelopment. There was, and is, a lot of money out there, but it is very particular. The theme has changed to focus on attracting money, instead of focusing on what is being produced, such as better artists, increasing audience, or encouraging screenwriters to write good plays. Most of it is based on entertainment, or topical issues, or promoting specific artists.

RTP: You mentioned in *Building for the Arts* that, at the time it was written, most private real estate projects had some arts component. Do you think that is still true?

Bill: Yes, it's a very popular and a very important piece. But a lot of arts organizations may not know how to negotiate with the developer. In most cases, neither one of the parties is familiar with how to do joint programming.



RTP: Does design come first, or does site selection?

Bill: They are all interactive. You have to iterate it. It's like a dance, because you really don't know since you have never put all of this together at that particular site before. You just have to spend money up front, it is cheaper than making a mistake. Don't let the architect do a free drawing, because then they may think they've got the job.

RTP: Should the organization's concerns be lessened if the property is being offered as a charitable donation, or occupancy is being offered for a reduced rent?

Bill: Don't pick a site [just] because you know you could get it for free. An old building requires maintenance. The organization needs to determine who is going to take on that responsibility and critical expense. Externalizing that cost is a critical factor. It's hard to find money, which is always a problem with preservation of buildings of any function. Even with a gifted property, it's like a Trojan horse where there are a lot of Trojans inside that you need to be aware of.

RTP: Beyond the physical structure, how important is the heritage of a site? Can it influence site selection?

Bill: The problem with any existing property is that you acquire its history and everything that has been done to it and in it. We were looking at Jackie Robinson Park [in New York City], where my students were doing some research. There was something interesting about Jackie Robinson Park. They all loved it because it was named after Jackie Robinson [baseball star and later the first black vice president of a major U.S. corporation, the Chock full o'Nuts coffee company]. It was a great place.

But we also found out that a woman was murdered there in the late 1960s or early 1970s, after which they buried the stairway [where the incident happened]. This was a heart-wrenching story, which had nothing to do with Jackie Robinson; it had to do with the brutal murder of a woman.

RTP: How does the arts organization's planning for the proposed property fit with the expectations of the neighborhood or community at large?

Bill: A lot of communities consider putting an organization and an existing building together and figure out a way to subsidize the infrastructure to preserve the structure and history, that the arts will be a celebration of the memory of the building. It's a good mission, but as an arts organization that may not necessarily be *your* mission. And no one usually puts the [necessary] infrastructure costs into it. So the real question becomes, whose mission is it?

RTP: In *Planning to Stay*, you said that when a post office closes the community loses one of its most valuable anchors. How responsible should not-for-profits feel in their role, beyond mission, in anchoring communities? Should they feel a responsibility and how should they incorporate that in their thinking?

Bill: An arts organization may sell itself a bill of goods that it can revive the community. It helps, but it won't generate jobs, it won't pick up the garbage. Artists are active player, but by themselves they aren't going to change the community.

Working with hospitals for a number of years, I feel that hospitals are anchoring institutions. As hospitals move from acute care to wellness, they begin to understand that they are part of a shared world. These are places

where we see what an urban society is. Some arts and entertainment places are anchoring institutions, too. That is their role.

RTP: How can an arts organization engage with the community to explore common goals and aspirations for the proposed project?

Bill: Before an organization says "yes" to using the building, it can have a workshop process. You can act out with the community how the place would perform. Get people to talk about their expectations. For instance, you can take people on a tour of the building, including areas people don't want to see. So, take people to the basement, go and visit the heating system, go backstage and see water coming through the roof.

We did this with an armory in the Midwest, which was going to be torn down for a jail. They went into the building, discussed the problems and all the costs involved in different scenarios. People got excited, and depressed. [laughter]. But people walked away with a lot of knowledge and understood the challenges. People don't want to be exposed, but I find that it's very healthy. I have done it with many organizations, even hospitals and other institutions that I thought would find it difficult to be exposed to the underbelly. But if they are your neighbors, they should probably be glad.

RTP: Do you see this exercise occurring once the organization has narrowed its focus to a single location, or where you are still considering different sites?

Bill: I used to do it in multiple locations. If they had the budget or time, it didn't take too long. In Rockford, Illinois, we worked years ago to establish the children's museum [the Discovery Center Museum]. The mayor asked us, "Which building would you like?" We went up and down the town and picked a 1950s former Sears Roebuck building. Everyone got excited about it. It was an interesting exercise. You have to try on these spaces and understand them in relationship to your performance [or exhibits], and how the building will influence your image. It takes a lot of time, and it can be frustrating. But people not only learn about their city, they learn about who they are and how they are understood by their community and by their audience.

RTP: How much time does an organization need for all of this? When you are dreaming of that first art installation or first series of plays and your artistic director is very excited, should you think it is going to take a little while to get there?

Bill: For a brand new facility, we often found that it would take anywhere from eight to 11 years. The fastest I saw was the Guthrie Theatre [in Minneapolis], which took about seven years. With a new facility, construction alone might alone take three years.

RTP: How many of your clients or organizations with which you have had contact imagined that their project was 10-15 years off?

Bill: None. You have to get the board dudes engaged, speaking not only to the artistic director but to the mayor. Interviewing architects. They come back having learned more about the facility.

RTP: So what can you do in the meantime to satisfy the audience you think you have and the ambitions of your artistic team that are busy rehearsing?

Bill: Your organization can introduce the community into the search for the



facility. I would keep them very much aware of what is happening, how the artists and others are preparing for the move and the kinds of art involved. The Guthrie had supported people for 45 years and the mythology and spirit of Tyrone Guthrie went on.

RTP: Arts organizations may also work in the interim with temporary projects or installations. How is that process different?

Bill: Part of the exercise of looking at sites is to understand where you are now and where you could be. A lot of times when you look at temporary projects, you focus on what can be done within the time constraints. What can be done by Monday? In the 1970s, my old friend Anna Halprin did a lot of modern dance public space projects in San Francisco. She did something called "Healing the City," where she would dance on the freeway on Sunday mornings. Starting a temporary project is interesting, but it raises a lot of questions. You get people moving in the space, but what are you initiating or opening the door for? What are you putting into motion in society and what are you trying to gain?

RTP: In your book, you state that, "Art will not flourish in 'make-do' headquarters." Many organizations have funding constraints. What do you mean by "making do?"

Bill: Make-do refers to people living in an informal economy. The informal economy is a very sophisticated concept; it is slightly above the level of survival. You can't live on the level of bare subsistence, because eventually you become exhausted. You can't be in a constant state of survival and always be \$1,500 short. This is my critique of arts funding organizations. The philanthropic world really hates infrastructure and subsistence. It is a real problem, and I've never seen it is bad as it is now.

RTP: How do you view your own role, the impact you make on projects that is influenced by your background in architecture and design? If you were not teaching, what would your business card say? What is your role?

Bill: I'm kind of a creative intermediary. I'm in the process of being an intermediary to bring resources together. I'm trying to teach my students to be intermediaries. My self-identity as an "urban landscape architect" was sort of that idea. I learned from landscape architecture that the day you open the process, growth begins. If I just build a building, I walk away and never see it again and its state of deterioration begins.

I'm also working under the umbrella of urban ecology. People are interested now in establishing relationships and not systems design. Trust for Public Land is a really good example. If you're an urban neighborhood group and you want to build a park, TPL is there to sit between the neighborhood and the city to help everyone perform.

RTP: What if instead of the process you envision, you are just asked to be an order taker? Say you get an email as the architect that says "please design the box and send us the drawings"? A client may have only an idea, but not know what they need to ask or what they really need.

Bill: The beginning of the process can be very rough.

RTP: You've seen lots of projects with arts organizations with specific needs. Are there common themes or mistakes? Are there frequent common regrets?

Bill: [For performing arts organizations,] most of them would be mistakes in back of the house and an overabundant focus on the lobby. Groups can also overly experiment with basic performance space. Before an organization decides to take a space, there should be an understanding of how to perform in the space. In one project in the western United States, there was a theatre property being offered for sale at one dollar. But the dance and theatre group [considering it] wouldn't be able to utilize it without a good stage. Without a big stage, there can't be any traveling shows. There also should be an understanding of how the performance ties in to the acoustics.

RTP: How does your role as a creative intermediary work in practice?

Bill: In the back of the book *Planning to Stay*, you see six things that run in parallel, because I am thinking about all of these things at the same time. The first step in negotiation is, "Can we agree to meet for a common purpose"? And that means if it doesn't work out we walk away and we're friends. The last one is, "We have a great idea, but can we sustain it every day?" Also, "What do we already have that we can use?", which is a sustenance question. We have to utilize more of what we have as an existing system. But we are stuck in an artist loft mentality because that's the only way we can get funding.

RTP: There are two things we admire and that fascinate us most about your approach and about your work, one of which we understand pretty well and one of which we don't understand at all. [laughter] The one we understand is that we aren't used to seeing someone who is involved in a project (other than the lawyers perhaps) saying at each stage of the process that one of the possible outcomes is essentially a conclusion that "This is stupid, we should stop." You are not afraid of raising that as one of the choices, which we really respect.

Bill: When we work in arts development, we consider different scenarios. These include a possible conclusion of "No, we don't need a facility." This always runs against whether you are producing everything you need to produce.

RTP: The part of your work that we are fascinated by and still don't understand is the idea that since in a not-for-profit project you have multiple stakeholders, you should include them as broadly as possible. You involve the community, you involve the government, you advocate for asking everybody to come with their ideas and at the end of that you believe that you can have a very harmonious, celebrated joint vision. A typical lawyer's perspective might be that the more people in the room, the more of a mess. Perhaps that is because we are trained to be negotiators, and our job is to reflect outcomes in precise terms in documents with legal consequences.

Bill: To start a negotiation, there have to be some legs to the table. I need at least three anchoring legs! What is on the table and what is off the table when you walk into a room? Be very clear about that. "What is it you want me to do? What am I expected to do? What is my role, what is my job?" A big part of it is to determine whether people understand the kind of problem they are involved in. That is going to define the conversation.

I'm also really interested in why they haven't done something before. I have to get people to understand that their decisions are performative and not punitive. If they don't know how the thing is performing then they won't know how to make the cuts that are going to come up. They'll cut out five percent across the board and won't know that they are cutting out the backstage area. I have to get them to understand not to cut out the green room, or the toilet!



Then give them a rough sketch of everything they ask for and show them what it looks like. The thing is, they thought they had a lot of money. But institutions have bad habits; we don't call them institutions for nothing. Whether its soapsuds or theater curtains, they have to deliver something on time. At end of the day, they didn't realize that they might have envisioned a billion dollar deal. What does that look like? You have to find an anchor that everyone agrees to.

RTP: Our training as lawyers also doesn't always celebrate experimentation. Clients don't call us and say, "Let's try this and just see if it works."

Bill: Let me go back to the scenarios question, because I think that's important. Why am I running the scenarios? One reason is to see what the organization thinks are variables and see how they think they will perform. So it is more a reflection of how your organization is operating and what you are willing to take on. It is more than just "let's have arts change the neighborhood." I don't want to box you in, but some gravity would be nice!

RTP: Do you think that involving so many people in the feasibility and planning stages can take away from artistic creativity?

Bill: When we did the Phoenix [Center for the] Arts project, we wanted several artists involved to reveal the cultural aspects of infrastructure. I believe that artists open our imagination. But they don't actually build the space that occupies our imagination. My students ask me, "Well, how do you commit to community engagement?" I say, "Well, I don't know, what do you want from them? What's your intention? What do you tell them? Again, what's on the table? What's off the table?" That's always very important.

With the Yerba Buena Center project [the Yerba Buena Center for the Arts in San Francisco, California], they didn't trust us for weeks! They watched

everything we were doing. We broke the door open about the money, and we ran three scenarios and made a matrix for each with every question answered. They were now discussing issues they didn't know about and I didn't either. We were halfway through and were exhausted. But they wanted us to sort everything out and now they trusted us. I said, "Good, you are artists. I am a designer, let me figure this out." There's no more confusion [about roles]. They have a clearer sense of what you do and you have a clearer sense of the frame you are now working in and what's excluded. I think it goes to the heart of what art is.

Who's involved and how are they involved? You can grind down a process by public involvement. I want people who are committed to make this thing work. I want people who can build and can do it on time. I'm a huge critic of community participation. You've got to understand why you want to bring in all that capital. Because if they contribute, can you handle it?

You can download your own free copy of *Building for the Arts* through the Western States Art Federation website at https://s3.amazonaws.com/marketing.westaf.org/westaf.org/building_for_arts.pdf



Zulaihat Nauzo (Class of 2016) concentrates her study on commercial law and intellectual property. She served as the Lieutenant Governor of Communications for the American Bar Association Law Student Division, Second Circuit, for the 2013-2014 academic year. Prior to law school, she worked in federal civil rights litigation as a paralegal. She looks forward to pursuing a legal career in entertainment law



James Hagy is Distinguished Adjunct Professor of Law at New York Law School. He also founded and directs The Rooftops Project at New York Law School's Center for Real Estate Studies. More information about The Rooftops Project and Professor Hagy may be found at www.nyls.edu/rooftops.

Copyright © 2015 Rooftops Group LLC. All rights reserved. These materials may not be quoted, copied, referenced, or reproduced in any way, in whole or in part, whether in printed or electronic format, without express written permission, which may be given or withheld in the sole discretion of Rooftops Group LLC.

The author and copyright holder may be contacted at james.hagy@nyls.edu.

Important Note:

This publication is not intended and should not be construed as legal, tax, investment, or professional advice. It does not purport to be a complete or exhaustive treatment of the topics addressed. The information and views expressed may not apply to individual readers or to their organizations or to any particular facts and circumstances. Sending or receipt of this publication does not create any attorney-client relationship. Engagement and consultation with appropriately qualified, experienced, and licensed professionals should always be sought with respect to planned transactions, investments, and projects.

Views expressed by persons or organizations interviewed or quoted by The Rooftops Project are not necessarily those of New York Law School, its faculty, staff, or students.

Neither New York Law School nor its faculty or staff evaluate, rate, review, or recommend products, services, or suppliers whatsoever. Any particular products, services, or suppliers mentioned are used as examples to illustrate concepts and are for general information only.

No representations or warranties are given whatsoever, express or implied, with respect to information contained in this publication or to its accuracy. Any representations or warranties that might otherwise exist, whether by statute, common law, or otherwise, are expressly excluded and disclaimed.

New York Law School, its faculty, and the authors, editors, and copyright holder of this publication expressly disclaim and do not accept any liability for any loss resulting from errors or omissions contained in, or for following or applying principles or views expressed in, this publication, including without limitation any liability for direct, indirect, consequential, exemplary, or punitive damages or for loss of profits or business opportunity, whether by tort, negligence, breach of contract, or otherwise.

