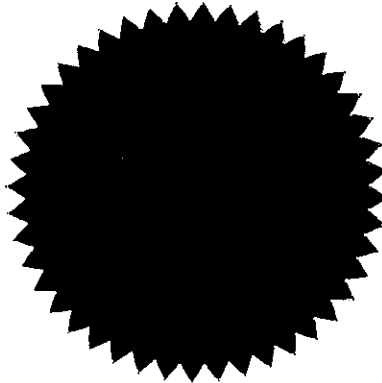


ORDINANCE 4509

PAMPHLET

FRONT OF PAMPHLET

AMENDING TITLE 3 IN REGARD TO
A DOWNTOWN LOMBARD
IMPROVEMENT AND RENOVATION GRANT PROGRAM



PUBLISHED IN PAMPHLET FORM THIS 29TH DAY OF JULY, 1998.
BY ORDER OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD,
DUPAGE COUNTY, ILLINOIS.

Lorraine G. Gerhardt
Lorraine G. Gerhardt
Village Clerk

ORDINANCE NO. 4509

AN ORDINANCE AMENDING TITLE 3, CHAPTER 36, SECTIONS 36.30 THROUGH 36.36 OF THE LOMBARD VILLAGE CODE IN REGARD TO A DOWNTOWN LOMBARD IMPROVEMENT AND RENOVATION GRANT PROGRAM

Be It Ordained by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, pursuant to their powers authorized in the Tax Increment Allocation Redevelopment Act (65 ILCS 5/11-74.4-1 et seq.), as follows:

Section 1: That Title 3, Chapter 36, Sections 36.30 through 36.36 of the Lombard Village Code shall be amended to read in their entirety as follows:

Chapter 36: Finance and Revenue

Downtown Improvement and Renovation Grant Program

36.30

There shall be established in the Village of Lombard a Downtown Improvement and Renovation Grant Program (the "Grant Program") which shall be administered by the Director of Community Development (the "Director") in accordance with the standards set forth in this Chapter.

36.31 FUNDING

Each year, commencing in 1998 and continuing until the termination of the existence of the Tax Increment Financing District established by the Village in 1989 (the 'TIF District') pursuant to the Tax Increment Allocation Financing Act (the 'Act') or until sufficient funds obtained from the sale of bonds pursuant to the Act (the 'Bond Proceeds') or tax revenues accumulated pursuant to the Act that are available for such purposes ('Incremental Property Tax Revenues') are no longer available, the Village shall, pursuant to the approved Village budget, allocate a certain amount from the Bond Proceeds or available Incremental Property Tax Revenues to be expended in the form of matching, reimbursement grants to business and/or property owners who meet the eligibility standards for improving the facades and interiors of their buildings in the TIF District. Funds shall be granted for amounts up to fifty percent (50%) of the improvement cost to a maximum per project to be established yearly, based on the total funds available.

36.32 APPLICATIONS FOR GRANTS

A. Any property owner or lessee of business or residential property who wishes to

undertake facade or interior improvements, improve signage, create additional parking, or improve existing parking may apply for a matching, reimbursement grant under this Chapter by completing an application supplied by the Director. Applications shall be eligible for acceptance if received by a date established by the Director and if they meet the following eligibility criteria:

1. The building or property must be located within the limits of the TIF District.
 2. The applicant is either a commercial, office, or residential building owner or a commercial, office, or residential tenant which has obtained consent of the building's owner to the project as evidenced by the building owner's signature on the application form.
 3. The cost of the project is at least \$500.
 4. The improvements involve certain exterior and exterior repairs, renovation, and/or restoration projects as determined by the Director and listed in the informational packet supplied with the application.
- B. Applications shall contain at least the following information: an estimate of the project costs, a detailed description of the project, a description of the building involved including ownership information and market value, lease information, if applicable, names and addresses of the applicants, names and addresses of the architect and/or contractor involved and the estimated amount of the repair, renovation, and/or restoration.

36.33 REQUIREMENTS FOR GRANT APPLICATION APPROVAL

Recipients of grants shall be chosen from eligible applicants based on the characteristics of the project as described in the grant application and materials submitted therewith.

36.34 DISBURSEMENT OF GRANT FUNDS

No grant funds shall be disbursed unless all building improvements are undertaken in compliance with all applicable provisions of the Village Code and until the Village receives an affidavit from the grant recipient containing his or her sworn statement that he or she has paid at least fifty percent (50%) of the cost of the project. Original paid receipts from contractors amounting to at least fifty percent (50%) of the project cost must be attached to the affidavit and no disbursement of grant funds shall be made until such receipts are received. The approved grant percentage of the receipted amounts shall be released upon filing of the required material. No further disbursement shall be made thereafter until an affidavit containing a sworn statement that the project is complete is received together with attached paid receipts for the remaining project costs. Upon filing of such affidavit and receipts, the grant percentage of the amounts which will result in payment of no more than the originally approved grant amount shall be disbursed.

36.35 RESTRICTIONS

Current or future owners or lessees of buildings which have been improved through use of funds obtained through this Grant Program shall not alter the facade or substantially change the use of the building for three (3) years after completion of the improvements without written approval from the Director.

36.36 PENALTY

Any person, firm or corporation who or which shall violate Section 36.35 of this Chapter shall be subject to a fine upon conviction thereof of not less than \$100.00 nor more than \$750.00, and each day such violation is permitted to continue shall constitute a separate offense.

Section 2: That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this 18th day of June, 1998.

First reading waived by action of the Board of Trustees this _____ day of _____, 1998.

Passed on second reading this 23rd day of July, 1998.

AYES : Trustees Borgatell, Tross, Schaffer, Jaugilas and Kufrin

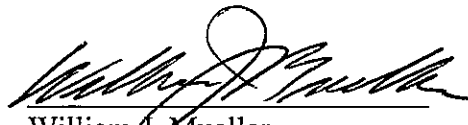
NAYS : None

ABSENT : None

APPROVED by me this 23rd day of July, 1998.

ATTEST:


Lorraine G. Gerhardt
Village Clerk


William J. Mueller
Village President

Published by me in pamphlet form this 29th day of July, 1998.


Lorraine G. Gerhardt
Village Clerk

*Downtown Improvement and Renovation Grant Program***§36.30 DEFINITION.**

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§36.31 FUNDING.

Each year, commencing in 1998 and continuing until the termination of the existence of the Tax Increment Financing District established by the Village in 1989 (the 'TIF District') pursuant to the Tax Increment Allocation Financing Act (the 'act') or until sufficient funds obtained from the sale of bonds pursuant to the Act (the 'Bond Proceeds') or tax revenues accumulated pursuant to the Act ('Incremental Property Tax Revenues') are no longer available, the Village shall, pursuant to the approved Village budget, allocate a certain amount from the Bond Proceeds or Incremental Property Tax Revenues to be expended in the form of matching, reimbursement grants to business and/or property owners who meet the eligibility standards for improving the facades, interiors, and exteriors of their buildings and property in the TIF District. Funds shall be granted for amounts up to fifty percent (50%) of the improvement cost to a maximum of per project to be established yearly, based on the total funds available.

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A. Any property owner or lessee of a business or residential property who wishes to undertake facade or interior improvements, improve signage, create additional parking, or improve existing parking may apply for a matching, reimbursement grant under this Chapter by completing an application supplied by the Director. Applications shall be eligible for acceptance if received by a date established by the Director and if they meet the following eligibility criteria:

1. The building or property must be located within the limits of the TIF District.
2. The applicant is either a commercial, office, or residential building owner or a commercial, office, residential tenant which has obtained consent of the building's owner to the project as evidenced by the building owner's signature on the application form.
3. The cost of the project is at least \$500.
4. The improvements involve certain exterior and exterior repairs, renovation, and/or restoration projects as determined by the Director and listed in the informational packet supplied with the application.

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her sworn statement that he or she has paid at least fifty percent (50%) of the cost of the project. Original paid receipts from contractors amounting to at least fifty percent (50%) of the project cost must be attached to the affidavit and no disbursement of grant funds shall be made until such receipts are received. The approved grant percentage of the receipted amounts shall be released upon filing of the required material. No further disbursement shall be made thereafter until an affidavit containing a sworn statement that the project is complete is received together with attached paid receipts for the remaining project costs. Upon filing of such affidavit and receipts, the grant percentage of the amounts which will result in payment of no more than the originally approved grant amount shall be disbursed.

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§36.36 PENALTY.

Any person, firm or corporation who or which shall violate Section 36.35 of this Chapter shall be subject to a fine upon conviction thereof of not less than \$100.00 nor more than \$750.00, and each day such violation is permitted to continue shall constitute a separate offense.

**DOWNTOWN IMPROVEMENT AND RENOVATION
GRANT PROGRAM
JUNE 18, 1998**

The Downtown Improvement and Renovation Grant Program (DI&RGP) seeks to increase the economic viability of Downtown Lombard by improving the aesthetics of the buildings, improving signage, and increasing the availability and ease of parking. The Downtown Improvement and Renovation Grant Program will offer a one for one matching grant to eligible property owners or businesses. The maximum grant amount is \$50,000.

There are two eligibility requirements to apply for the Downtown Improvement and Renovation Grant Program: (1) The business or property must be located in the Tax Increment Financing (TIF) district; (2) the applicant must be either the property owner or tenant of the property. However, if the applicant is a tenant, the property owner must provide written permission for any improvements. All grants over \$10,000 must be approved by the Village Board. Any grant below \$10,000 can be administratively approved by the Director of Community Development. A pre-application meeting with the Department of Community Development staff is required for all projects.

The Village is particularly interested in improving existing parking and increasing the total number of parking spaces available downtown. The Village may request lease rights to some portion of the renovated parking lots. This will help to meet the long term parking needs of the merchants and shoppers downtown.

Upon completion of the project and proof of release of lien, the Village will release the grant money to the property owner or business.

The application packet consists of a statement of the DI&RGP policy, instructions to applicant, a pre-application form, a program application checklist, certificate of eligibility, a notice to proceed, and an agreement form. It is the intention of the Department of Community Development to make the application process as easy as possible.

**DOWNTOWN IMPROVEMENT AND RENOVATION
GRANT PROGRAM POLICY
JUNE 18, 1998**

The purpose of the Downtown Improvement and Renovation Grant Program is to increase the economic viability of Downtown Lombard by improving the aesthetics of the buildings, improving signage, and increase the availability and ease of parking. The Downtown Improvement and Renovation Grant Plan will offer a one-for-one matching grant for facade improvements, signage improvements, and to increase the availability and ease of parking. This Program is intended to complement and support the Village's plans to maintain a quality downtown. The Downtown's image, appearance and environment is an important factor in attracting shoppers and new businesses to the downtown. The Downtown Improvement and Renovation Grant Program provides an incentive to owners and tenants to improve the downtown. The intention of the Program is to create a more attractive area through a private/public partnership.

Grant Eligibility

1. **Improvements.** Eligible storefront improvements may include facade renovation, lights, signs, graphics, windows, doors, window displays, awnings, landscapes, and parking improvements. Eligible structures must be at least five years old. Facade renovation of upper floors are also eligible if first floor improvements are approved simultaneously. The sides of commercial buildings which are highly visible from main shopping streets are also eligible.
2. **Amount.** Approved applications for the Downtown Improvement and Renovation Grant Program are eligible to receive a fifty (50) percent matching grant. Grants up to \$10,000 are approved administratively by the Director of Community Development. All grants above \$10,000 must be approved by the Village Board. The maximum grant amount is \$50,000. Requests for grants above \$50,000 will be considered on a case by case basis.
3. **Ownership.** Eligible applicants include the owners of commercial or residential buildings or the owner of a commercial business, located within the TIF district. Business owners who are tenants of commercial buildings must provide written consent from the building owner for all proposed improvements.
4. **Fees.** Professional, architectural, engineering, and Village permit fees may be included in the total improvement costs. The Downtown Improvement and Renovation Grant Program will fund up to 25 percent or \$1500, whichever is less, of architectural rendering fees prior to approval of the improvements. All requests for architectural rendering fees prior to approval must have proper documentation and invoices. If the submitted architectural rendering plans are approved the applicant is eligible to receive the full 50

percent matching grant amount. There are no application fees to apply for the grant program. However, if a business or tenant owes money to the Village all accounts must be current before any portion of the grant is disbursed.

5. **Franchise store.** Special approval by the Director of Community Development is required for all free-standing franchise drive-in stores. Franchise stores which follow a company design policy may apply on a case by case basis.
6. **Conformance.** All improvements must conform to current building and zoning codes of the Village of Lombard and to *minimum design criteria* developed for the Downtown Improvement and Renovation Grant Program as outlined in the "Downtown Lombard Improvement Plan" dated March 26, 1987.
7. **Process.** The applicant must submit an application for the Downtown Improvement and Renovation Program to the Community Development Department. A separate request for a building permit, an electrical permit and/or other permits and licenses shall be submitted to the Bureau of Inspectional Services. The Director of Community Development shall review the application and all supporting documentation.
8. **Appeals.** If the grant was disapproved by the Director of Community Development, the applicant may resubmit the application after addressing the application deficiencies or appeal the decision. If the applicant chooses to appeal the decision, a letter of appeal and supporting documentation must be sent to the Director of Community Development stating the reason for the appeal. The letter of appeal and supporting documents will then be forwarded to the Village Board. The Village Board will review the appeal and make the final determination of the grant application.

If the application was denied by the Village Board, the applicant may resubmit after addressing the concerns of the Board.

Design and Selection Process Criteria

The design and selection process will follow the recommendations of the "Downtown Lombard Improvement Plan" dated March 26, 1987. The improvement plan provides recommendations for the enhancement of building facades, efficient and appropriate land use, parking, and traffic circulation. A copy of the "Downtown Lombard Improvement Plan" is available for perusal at the Community Development Department.

Federal and Local Requirements

In order to qualify for the Downtown Improvement and Renovation Program, the building must be located within the Tax Increment Finance (TIF) in downtown Lombard. The property owner or representative must complete the pre-application, and must be prepared to comply with all

federal and local laws, ordinances and, regulations. The Director of Community Development will administer the Downtown Improvement and Renovation Grant Program.

Procedural Requirements

An applicant must first meet with the Director of Community Development for advice and technical assistance. The provided **checklist** is to be followed when applying for the Downtown Improvement and Renovation Program. The applicant will submit a pre-application form accompanied by renovation plans, including sample materials, color samples, and detailed cost estimates of the improvement or renovation. All improvements and renovation plans for buildings located in the TIF district must follow current code requirements. Improvements made and expenses incurred prior to approval of the application and execution of the agreement may not be eligible.

In exchange for grants in excess of \$10,000, the Business Owner and any subsequent owner agrees to maintain the business in accordance with local codes, and agrees not to substantially change the use of the Business or interior space for which this grant was received for a period of not less than three (3) years from the date of this Agreement.

The following types of businesses are encouraged in the downtown (the list is not all inclusive):

1. Restaurants
2. Outdoor cafes
3. New retail shops

The following types of businesses are discouraged in the downtown (the list is not all inclusive):

1. Second hand or rummage stores
2. Sports card shops
3. Pawn shops
4. Currency exchanges

Failure to maintain the business in accordance with local codes or negatively changes the use of the Business or interior space will require full repayment of grant funds to the Village of Lombard. This requirement may be waived by the Director of Community Development on a case-by-case basis.

Please call (630) 620-5746 for further information or to set up an appointment.

Village of Lombard
Community Development Department
255 E. Wilson Ave., Lombard, IL 60148

DOWNTOWN IMPROVEMENT AND RENOVATION GRANT PROGRAM INSTRUCTIONS TO APPLICANTS

This preliminary instruction form is designed to assist eligible applicants in preparing the necessary documents for submittal. Please refer to the handout entitled "Downtown Improvement and Renovation Grant Program Policy" dated June 18, 1998 for explanation of eligibility criteria.

After a preliminary meeting with representatives from the Community Development Department and eligibility for this program has been determined, the following steps need to be accomplished:

1. The proposed improvements and renovations are presented to the Director of Community Development or a designated representative.
2. The owner and/or applicant shall submit the following documents to the Director of Community Development:
 - a. Pre-application form.
 - b. Preliminary plans and preliminary cost estimates.
 - c. Color of materials and material samples.
 - d. Details of signage and/or awning design.
 - e. Proof of ownership, lease; and/or owners approval.
3. After review by the Community Development Department, a "Certificate of Eligibility" will be forwarded to the owner/applicant.
4. Upon receipt of the "Certificate of Eligibility", the owner and/or applicant should proceed as follows:
 - a. Submit final plans and cost estimates to the Department of Community Development and apply for proper building permits.
 - b. Submit three (3) contractor bids for the work outlined in the Downtown Improvement and Renovation Grant Program application. Also, indicate the preferred contractor.

5. A *final* "Notice to Proceed" letter and draft agreement to be executed between the owner/applicant and the Village of Lombard shall be forwarded to the owner/applicant by a representative of the Department of Community Development.
6. Improvements and renovations may start after the required building permits have been issued. All necessary inspections should be coordinated through the Bureau Inspectional Services (BIS).
7. The site will be inspected by the Community Development representative for conformance with the Downtown Improvement and Renovation Program Grant application.
8. When the Program Checklist is completed and presented to the Director of Community Development, the Village of Lombard will process and disburse the grant.

In exchange for grants in excess of \$10,000, the Business Owner and any subsequent owner agrees to maintain the business in accordance with local codes, and agrees not to substantially change the use of the Business or interior space for which this grant was received for a period of not less than three (3) years from the date of this Agreement.

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Failure to maintain the business in accordance with local codes or negatively changes the use of the Business or interior space will require full repayment of grant funds to the Village of Lombard. This requirement may be waived by the Director of Community Development on a case-by-case basis.

Please refer to the "Downtown Facade Renovation Grant and Loan Program Policy", dated June 18, 1998, for more information on this program. Additional information may be requested from:

Village of Lombard
Community Development Department
255 E. Wilson Ave., Lombard, IL 60148
630-620-5746

**DOWNTOWN IMPROVEMENT AND RENOVATION GRANT
PROGRAM PRE-APPLICATION**

1. A. Building Address and Description: _____

B. Property Identification Number: _____

C. Legal Description of Property: _____

2. A. Owners Name: _____

B. Owners Address: _____

C. Phone (day time): (____) _____

3. Current Tenant, Building Address, Lease Terms, and Description of Business: (use additional paper if necessary)

A. _____

B. _____

C. _____

4. Proposed Improvements and Renovations: _____

5. Plans/Drawings prepared by:

A. Name: _____

B. Address: _____

C. Phone (day time): _____

D. Estimated Cost of the Improvement and Renovation: \$ _____

6. Statement of Understanding.

- A. The applicant (undersigned) agrees to comply with the guidelines and procedures of the Downtown Improvement and Renovation Grant Program and the specific design recommendation of the Director of Community Development.
- B. The applicant must submit detailed cost documentation, copies of building permits, and all contractors waivers of lien upon completion of work.
- C. The applicant, owners, and all contractors must comply with all federal and local regulations (see the attached list).

Business Owner Signature _____ (Date) _____

Property Owner Signature _____ (Date) _____

Return application to:

Village of Lombard
Community Development Department
255 E. Wilson Ave., Lombard, IL 60148
630-620-5746

**DOWNTOWN IMPROVEMENT AND RENOVATION GRANT
PROGRAM APPLICATION CHECKLIST
JUNE 18, 1998**

Application No. _____ Date: _____
 Owner: _____ Owner Phone (W): (____) _____
 Store Name(s) _____
 Store Address: _____
 Owners Address: _____

Plan Approval Steps:	Date	Comments
A. Receipt of Application by Community Development Department (CDD) and application distributed.	_____	_____
B. Owner Presentation to Community Development Department		
1. Pre-application Submitted.	_____	_____
2. Preliminary Plans & Cost Estimates.	_____	_____
3. Color/Material Sample.	_____	_____
4. Proof of Ownership	_____	_____
5. Review of Design.	_____	_____
C. Certificate of Eligibility Issued.	_____	_____
D. Final Plans and Three (3) Estimates.	_____	_____
F. Application Received.	_____	_____
G. Notice to Proceed Letter and Agreement.	_____	_____

Work/Inspection Steps

- A. Permit Issued (Building Dept.) _____
- B. Progress/Payroll Report. _____
- C. Work Site Inspection. _____
- D. Final Inspection (BIS & CDD). _____
- E. Departments (all) sign-off. _____

Grant Disbursement Steps

- A. Check(s) and Lien Waiver(s) Presented. _____
- B. Request to Village Board. _____
- C. Rebate Check Issued. _____

Village of Lombard
Community Development Department
255 E. Wilson Ave., Lombard, IL 60148
630-620-5746

**AGREEMENT CONCERNING PARTICIPATING IN THE
DOWNTOWN IMPROVEMENT AND RENOVATION
GRANT PROGRAM**

This Agreement, entered into this _____ day of _____, 199 ,
by and between the Village of Lombard, Illinois, (the "Village") and _____
doing business as _____ at _____
_____ Lombard, Illinois (the "Business Owner") with personal property
being secured at _____.

WHEREAS, the Village is an agent for disbursement of funds for the Downtown Improvement and Renovation Grant Program under the authority of the Village Board of Trustees by their action of _____; and as such, will provide monetary grants to qualified property owners in the Lombard Tax Increment Financing (TIF) District, to enhance and improve downtown buildings and parking areas.

WHEREAS, this program will compliment and support the Village's plans to maintain a quality Central Business District;

WHEREAS, the improvement and enhancement of buildings and parking areas are crucial to maintaining an economically strong Central Business District; a commercial area where the image, appearance, and environment encourage the attraction of shoppers; and

WHEREAS, the Business Owner wishes to participate in this program for a building or parking area rehabilitation located at _____ Lombard, Illinois.
Downtown Improvement and Renovation Grant Program Application No.: _____.

NOW, THEREFORE, the parties agree as follows:

1. The Village shall grant up to \$ _____ for which Business Owner qualifies pursuant to the Downtown Improvement and Renovation Grant Program. Such grant shall be available to Business Owner upon the authorization of the Village's Director of Community Development, after receipt of satisfactory evidence that the project has been completed and Business Owner has paid all invoices for labor and materials in connection therewith. The maximum amounts of the grant identified in this paragraph are based upon the Business Owner's expending for the projects no less than the estimated costs of \$ _____. In the event that Business Owner's expenditures for the project are less than said estimate, the grant shall

be reduced by the same percentage as Business Owner's actual costs are less than the estimate.

2. The Business Owner agrees that the project will be performed in accordance with plans and written estimates approved by the Director of Community Development of the Village of Lombard, and attached hereto as Exhibit A and incorporated in this agreement.
3. The Business Owner will perform the following obligations in connection with the project;
 - a. Comply with all regulations and standards of the Village of Lombard Downtown Improvement and Renovation Grant Program and all applicable building codes.
 - b. Take all reasonable action to assure completion of the project within six months from the date of execution of this agreement. Failure to complete the project within six months from the date of execution of this agreement may result in forfeiture of the grant and loan and termination of this agreement.
 - c. Allow inspection of the project by authorized employees of the Village to assure compliance with federal, state, and local regulations related to the grant, as well as compliance with applicable building codes.
 - d. Maintain and allow access to the financial records that pertain to the project by authorized employees of the Village. At a minimum, all contracts, change orders, bills, invoices, receipts, canceled checks and partial and final waivers of liens shall be kept.
 - e. Submit copies of all final waivers of lien, canceled checks, invoices related to the project to the Department of Community Development.
4. In exchange for grants in excess of \$10,000, the Business Owner and any subsequent owner agrees to maintain the business in accordance with local codes, and agrees not to substantially change the use of the Business or interior space for which this grant was received for a period of not less than three (3) years from the date of this Agreement.

The following types of businesses are encouraged in the downtown (the list is not all inclusive):

1. Restaurants
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Failure to maintain the business in accordance with local codes or negatively changes the use of the Business or interior space will require full repayment of grant funds to the Village of Lombard. This requirement may be waived by the Director of Community Development on a case-by-case basis.

5. In exchange for grants in excess of \$10,000, the Business Owner agrees that this Agreement may be duly recorded against the property located at _____ to serve notice upon future purchasers, assigns, estate representatives, mortgagees, and all other interested persons of the conditions outlined in this Agreement.
6. The Village may suspend or terminate this Agreement if the Business Owner fails to comply with any of the terms of this Agreement. In the event of suspension or termination, the Business Owner shall be required to repay any amount of the grant disbursed.

BUSINESS OWNER
(Lessee)

VILLAGE OF LOMBARD

By: _____

By: Village Manager _____

Address _____

City, State _____

By: Director of Community Development _____

PROPERTY OWNER

By: _____

Address _____

City, State _____

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