




MEMORANDUM

TO: Trustee Anthony Puccio, Chairperson
Economic and Community Development Committee Members

FROM: William J. Heniff, AICP, Community Development Director 

MEETING DATE: December 11, 2023

SUBJECT: **Downtown Grant Program – Introduction and Policy Draft**

At the November 13, 2023 meeting of the Economic & Community Development Committee (ECDC), the members reviewed a number of actions pertaining to the end of the Downtown Lombard TIF District and approaches to address Village Code and established policy matters. Through the discussion and as noted in the points below, staff offers the attached Downtown Grant Program (DGP) Policy for consideration by the ECDC.

As previously introduced, staff offers the following components of the DGP Policy:

1. Authority for the DGP would be through the enabling provisions given to municipalities through State Statutes for economic development purposes as well as through the Village's Business Retention Economic Incentive Policy (BREIP).
2. Recognizing that some of the applicability provisions within the BREIP do not align with past utilization of downtown grants, separate policies are needed in the DGP. Examples include "but-for" standards, performance measures, the review process, and/or the like. These are being incorporated into the BREIP and/or the draft Policy.
3. The goal is to mirror many of the Policies previously adopted by the Board or would be adopted by the Board as part of this larger comprehensive review effort. To address this approach, the existing grant programs previously established for the two other St. Charles Road TIF Districts may be by reference or by creating a hybrid document unique to the Downtown area.
4. As several applications have taken advantage of multiple grants, process and approval consistencies in such joint applications as it should be addressed or incorporated into the DGP to the greatest extent possible.
5. As the alternate funding source of the Economic Development Fund (EDF) will be the primary funding source of this effort, specific provisions are included within the Policy, with reference statements to "subject to funding availability, "annual appropriations" and the like. This is important as the EDF is subject to an annual budget review process by the Village Board and not the statutory time provisions set forth within a TIF authorization

Ordinance. This could mean that the available grant funds may or will likely change in given years.

ACTION REQUESTED:

Attached is a draft of the DGP provisions for ECDC consideration will be presented to the ECDC for consideration at the December 11, 2023 ECDC meeting. The ECDC should offer its comments and a recommendation for consideration by the Village Board concurrent with the other aforementioned actions under review by the Committee.

DOWNTOWN GRANT PROGRAM POLICY 2024

The purpose of the Downtown Grant Program (DGP) Policy is to increase the economic viability of the identified area by improving the aesthetics of the buildings and properties, improving signage, accessibility, exterior site enhancements and increase the availability and ease of parking. It is also intended to provide a partial funding source for selected Retail Business Establishments and Sit-Down Restaurants seeking to open or expand their operations in the Downtown area. The Village also reserves the right and ability to utilize the DGP as a funding source for capital improvements for public government entities.

The DGP is intended to create a more attractive downtown area through a private/public partnership, based upon past grant funding principles and adopted Village Board policies. The DGP is administered through the Department of Community Development, with grant review and approval authority by the Economic and Community Development Committee (ECDC) and the Village Board.

DGP Authority

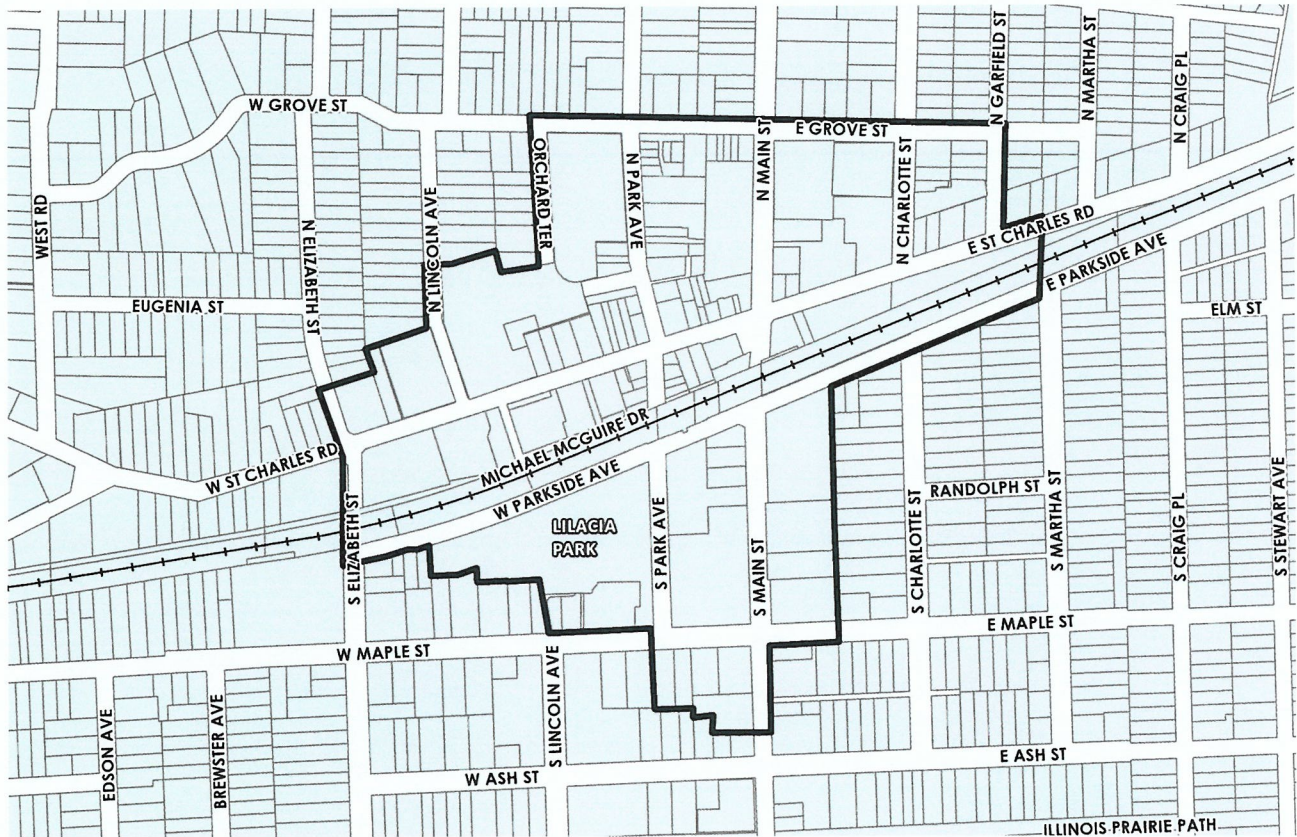
The Village has previously adopted a Business Retention Economic Incentive Policy and a companion Economic Development Fund (EDF), which would be used as a funding source for any Village source revenues for approved projects and activities. The EDF is subject to annual appropriations as set forth within the Village Board's annual Budget process. As such, the Policy does not make any representations that funding is guaranteed beyond the calendar year, or subsequent calendar year in which the grant funds are sought. Additionally, if designated EDF allocations have been expended within a calendar year, the Village reserves the exclusive right to suspend further grant application awards unless and/or until such funds are available for dispersal purposes.

The Village recognizes that properties located within the geographical limits of the Downtown Key Development Sites area are unique based upon their historical nature and are frequently comprised of property owners and/or business establishments without significant capital assets or projected revenues to undertake improvements to an extent that addresses code provisions, requires capital investment in the applicable buildings and/or properties, and meets the desired goal of creating and enhancing a vibrant downtown area.

Recognizing this distinction from other key development sites previously incorporated into the Policy, and that the Downtown Grant Program properties are not eligible for tax increment financing funding, these properties and businesses, individually and as a whole, can meet the "transformative projects" standard set forth within the Policy. However, in these limited cases, the "but-for" or sales tax generation provisions do not need to be met for any project which would meet criteria and parameters of the Downtown Grant Program Policy.

DGP Eligibility

1. **Qualifications.** In order to Qualify for the DGP, the subject property must be located within the geographical area identified within the graphic below:



2. **Eligible Improvements.** While the properties located within the geographical extent of the DGP are not located within the limits of the Lombard St. Charles Road TIF 1- West nor the St. Charles Road TIF 2 – East Districts, the eligibility criteria and provisions set forth within the following grant policies shall also be applicable to properties located within the DGP:

- Renovation & Improvement Grant Program
- Retail Business Grant Program
- Restaurant Forgivable Loan Program
- Business Relocation Grant Program
- Art Grant Program

Capital Improvements made and expenses incurred prior to approval of the application by the ECDC or Village Board, whichever is applicable, are not eligible for an award, unless specifically authorized by the Village Board.

3. **Eligible Funding Amounts.** DGP funds and matching grants are capped at the grant funding amounts established as set forth within the aforementioned programs. For public capital

improvement projects being undertaken by a governmental entity, the funding amounts and limitation would be subject to available amounts within the EDF for a given applicable year. An applicant can apply for more than one grant, subject to available funding, grant review by the ECDC and approval by the Village Board.

4. **Ownership.** Eligible applicants include:
 - a. Owners of commercial, office, mixed-use buildings or property (excluding single-family residences);
 - b. Business owners of a commercial or office tenant space. Business owners who are tenants of commercial buildings must provide written consent from the building owner for all proposed improvements; or
 - c. Governmental entities.
5. **Fees.** Professional, architectural, engineering, and Village building permit fees may be included in the total improvement costs and are subject to funding parameters within the respective grant programs. There are no application fees to apply for the DGP. However, if a business or property owner has outstanding debts owed to the Village, all accounts must be current before any portion of the grant is disbursed.
6. **Conformance.** All improvements must be prepared to comply with all federal and local laws, ordinances, and regulations.
7. **Process.** The applicant must apply for the DGP to the Community of Development Department. A separate request for companion permits shall be submitted to the Community Development Department for review. The Director of Community Development or their designees, shall review the application and all supporting documentation. The applicant, or their designee, shall be present at the ECDC meeting to make a brief presentation on the request.
8. **Timing.** If approved, the applicant has twelve (12) months from the date of the final grant approval by the ECDC or the Village Board, whichever is applicable, to start the project and eighteen (18) months from the grant approval date to complete the project. If the project has not started within twelve (12) months or completed within the eighteen (18) months from the approval of the grant, the applicant must reapply to either the ECDC or Village Board (whichever entity provided approval) for a time extension. If the applicant does not reapply, the grant approval shall automatically expire.
9. **Appeals.** If the grant was not recommended for approval by the ECDC, the applicant may resubmit the application after addressing the application deficiencies or appeal the decision to the Village Board. 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 is 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 Revitalization Guidebook, dated March 23, 2011 as well as any other applicable adopted Village Plans. The improvement plan provides recommendations for the enhancement of building facades, efficient and appropriate land use, parking, and traffic circulation. A copy of the aforementioned documents are available at the Community Development Department and on the Village's website.

Procedural Requirements

Participants in the Program must accomplish the following steps:

1. An applicant must first meet with the Director of Community Development, or their designee(s), to review the proposal. Upon completion of the initial review, the applicant shall submit the following documents to the Community Development Department:
 - a. Completed application form(s);
 - b. Preliminary renovation and improvement plans (the Village reserves the right to request additional plans, drawings or exhibits that may be necessary in order to process the request(s));
 - c. Three detailed and uniformly quoted contractor cost estimates. This provision may also be waived by the ECDC upon submittal of a formal request and justification to waive a review of the quote, along with a review by the Village's Building Director determining that the submitted quotes or estimates are deemed to be reasonable for grant submittal purposes.
 - d. Proof of ownership, lease, and/or owner's approval.
2. After review and approval by the ECDC and/or Village Board, the applicant shall proceed as follows:
 - a. The applicant shall submit final plans and cost estimates to the Department of Community Development and apply for building permits.
 - b. Upon issuance of the building permit improvements and renovations may start. All necessary inspections should be coordinated through the Village's Building Division.
 - c. All improvements and renovation plans must follow current code requirements.

- d. Upon completion of the project and after all final inspections have been approved, the eligible and approved grant elements will be inspected by the Village for conformance with the grant application. The applicant shall provide the Village with a copy of final receipt(s) showing that the approved grant project was paid in full, a waiver of lien from the contractor(s), and a completed Internal Revenue Service (IRS) W-9 form. Upon receipt and final review, the Village shall issue a reimbursement check in an amount not to exceed the approved grant request.
- e. In exchange for a grant approval, 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 building for three (3) years after completion of the improvements without written approval from the Director. Grant recipients shall be obligated to notify the Village should the property be placed on the real estate market for sale.
- f. Upon a request by the Village, and after the grant funds are paid, the owner/applicant shall display the Village window sign acknowledging they received a grant for the requested improvements.

Please call (630) 620-5750, or email cd@villageoflombard.org, for further information or to schedule an appointment.

Village of Lombard
Community Development Department
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