

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda


Resolution or Ordinance (Blue) Waiver of First Requested
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott Niehaus, Village Manager

DATE : April 15, 2019 (BOT) Date: April 18, 2019

SUBJECT: Downtown Improvement & Renovation Grant; 116 S. Main Street

SUBMITTED BY: William J. Heniff, AICP, Director of Community Development 

BACKGROUND/POLICY IMPLICATIONS:

The Community Development Department received an application for the Downtown Improvement and Renovation Grant Program (also known as the Facade Grant Program) for 116 S. Main Street. The applicant/business is seeking to install exterior improvements, including accessibility improvements. The property is located in the Downtown TIF. The project total is \$103,350.00 and is grant eligible up to \$50,800.00. As this request is over \$10,000, it requires final approval from the Village Board of Trustees.

The ECDC unanimously recommended approval of this request subject to conditions.

Fiscal Impact/Funding Source:

Review (as necessary):

Finance Director _____ Date _____
Village Manager _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: William J. Heniff, AICP, Director of Community Development *WJH*

MEETING DATE: April 18, 2019

SUBJECT: **Downtown Improvement & Renovation Grant; 116 S. Main Street**

Please find the following items for Village Board consideration as part of the April 18, 2019 Board meeting:

1. Economic and Community Development Committee (ECDC) memo; and
2. A Resolution Approving a Downtown Improvement and Renovation Grant for the Property Commonly Known As 116 S. Main Street.

The Community Development Department received an application for the Downtown Improvement and Renovation Grant Program (also known as the Facade Grant Program) for 116 S. Main Street. The applicant/business is seeking to install exterior improvements, including accessibility improvements. The property is located in the Downtown TIF. The project total is \$103,350.00 and is grant eligible up to \$50,800.00. As this request is over \$10,000, it requires final approval from the Village Board of Trustees.

The ECDC unanimously recommended approval of this request subject to conditions. Please place the attached Resolution approving the request on the April 18, 2019 Board of Trustees agenda.

RESOLUTION
R _____

**A RESOLUTION APPROVING A DOWNTOWN IMPROVEMENT AND
RENOVATION GRANT FOR THE PROPERTY COMMONLY KNOWN AS
116 S. MAIN STREET**

WHEREAS, the Village disburses funds for the Downtown Improvement and Renovation Grant Program (the “Program”) under the authority of the Village Board of Trustees, and will provide monetary grants to qualified property owners in the Lombard Tax Increment Financing (TIF) Downtown District to enhance and improve buildings and parking areas; and,

WHEREAS, Luxica Group (the “Applicant”), wish to participate in this Program for façade renovations to the building (the “Project”) located at 116 S. Main Street, Lombard, Illinois (the “Subject Property”) and,

WHEREAS, the Applicant is also the owners of 116 S. Main Street, Lombard, Illinois; and,

WHEREAS, the Project shall consist of those renovations to the façade of the building on the Subject Property as set forth on Exhibit “A” attached hereto and made part hereof; and,

WHEREAS, the Project will complement and support the Village’s plans to maintain a quality Central Business District;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DUPAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That the Village shall provide the Applicant grant of up to fifty thousand eight hundred 00/100 dollars (\$50,800.00), pursuant to the Program (the “Grant”). Such grant monies shall be available to the Applicants upon the authorization of the Village’s Director of Community Development, after receipt of satisfactory evidence that the project components have been completed, and that the Applicants have paid all invoices for labor and materials in connection therewith.

SECTION 2: The Applicants, as well as any subsequent business or property owner, will perform the following obligations in connection with the Project:

1. Permits must be applied for and received for applicable work.
2. Before the grant can be paid out, the applicant will submit a final receipt (showing the project is paid in full), waivers of lien from the contractors, and an IRS W-9 (provided by staff).

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116 S. Main Street

3. That the applicant/property owner shall not apply for a vacancy exemption from the York Township Assessor.
4. Work covered by the grant request must be complete within one year from the date of approval by the Village Board of Trustees.

SECTION 3: The Applicants, and any subsequent business or property owner, shall be required to maintain the Property in accordance with all Village codes and ordinances, and obtain any and all necessary licenses and permits required relative thereto.

SECTION 4: That the Downtown Improvement and Renovation Grant Program Agreement, relative to the Project, attached hereto as Exhibit "B" and made part hereof is hereby approved (the "Agreement")

SECTION 5: The Village may terminate the Agreement if the Applicants, or any subsequent business or property owner, fails to comply with any of the terms of the Agreement. In the event of termination, the Applicants shall be required to repay any amount of the Grant disbursed.

SECTION 6: That the Village President and Village Clerk are hereby authorized and directed to sign, on behalf of the Village of Lombard, the Agreement attached hereto as Exhibit "B".

Adopted this ____ day of _____, 2019.

Ayes: _____

Nayes: _____

Absent: _____

Approved this ____ day of _____, 2019.

Keith T. Giagnorio
Village President

ATTEST:

Sharon Kuderna
Village Clerk

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116 S. Main Street

EXHIBIT A
Legal Description

PIN Number: 06-07-213-006

Common Address: 116 S. Main Street

Legal Description:

LOT 3 AND THE NORTH 25 FEET OF LOT 4 IN CAVERNO'S SUBDIVISION BEING A SUBDIVISION OF PART OF BLOCK 21 IN TOWN OF LOMBARD, A SUBDIVISION IN SECTIONS 5, 6, 7, 8, AND 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT SAID CAVERNO'S SUBDIVISION RECORDED MAY 17, 1912 AS DOCUMENT 108107, IN DUPAGE COUNTY ILLINOIS.

EXHIBIT B

**DOWNTOWN IMPROVEMENT AND RENOVATION GRANT PROGRAM
AGREEMENT**

This Agreement is entered into this eighteenth day of April, 2019, by and between the Village of Lombard, Illinois, (hereinafter referred to as the “Village”), and Luxica Group (hereinafter referred to as “Applicant”) doing business at 116 S. Main Street, Lombard, Illinois (said location being legally described on Exhibit “1” attached hereto and made part hereof – hereinafter referred to as the “Subject Property”), with personal property being secured at 116 S. Main Street, Lombard, Illinois. The Village and the Applicants are sometimes referred to herein collectively as the “Parties.”

WITNESSETH

WHEREAS, the Village, pursuant to Sections 36.30 through 36.36 of the Lombard Village Code, has established a Downtown Improvement and Renovation Grant Program (hereinafter referred to as the “Program”) and, as such, will provide grants to qualified business owners and property owners in the Eligible TIF Districts (as said term is defined in Section 36.31 of the Lombard Village Code) for exterior renovations; and

WHEREAS, the Program compliments and supports the Village's plans to maintain a quality Central Business District; and

WHEREAS, exterior renovations are desirable within the Central Business District and contribute to an economically strong Central Business District; a commercial area where the image, appearance, and environment encourage the attraction of shoppers; and

WHEREAS, the Applicants wish to participate in this Program for proposed exterior renovations to be located at 116 S. Main Street, Lombard, Illinois; Program Application No.: **19-01**; with said exterior renovations being more specifically described in Exhibit “2” attached hereto and made part hereof (hereinafter referred to as the “Project”);

NOW, THEREFORE, in consideration of the foregoing, and other good and valuable consideration, the receipt of which is hereby acknowledged by the Parties hereto, the Parties agree as follows:

SECTION 1: The Village shall provide the Applicants with a grant under the Program in an amount not to exceed fifty thousand eight hundred and 00/100 dollars (\$50,800.00), (hereinafter referred to as the “Grant”). Such Grant shall be available to the Applicants upon the authorization of the Village's Director of Community Development, and after the Applicants has constructed the Project, and complied with the

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116 S. Main Street

provisions of this Agreement and Sections 36.30 through 36.36 of the Lombard Village Code, as well as paid for the Project. The maximum amount of the Grant, as set forth above, is based upon the Applicants expending no less than one hundred and three thousand and three hundred and fifty and 00/100 dollars (\$103,350.00) in relation to the Project. In the event that the Applicant expenditures for the Project are less, the Grant shall be reduced such that the maximum amount of the Grant shall not exceed fifty percent (50%) of the amount expended by the Applicant in relation to the Project.

SECTION 2: The Applicant shall undertake the following in connection with the Project:

- a. Permits must be applied for and received for applicable work.
- b. Before the grant can be paid out, the applicant will submit a final receipt (showing the project is paid in full), waivers of lien from the contractors, and an IRS W-9 (provided by staff).
- c. That the applicant/property owner shall not apply for a vacancy exemption from the York Township Assessor.
- d. Work covered by the grant request must be complete within one year from the date of approval by the Village Board of Trustees.

SECTION 3: Upon completion of the Project, the Applicants shall maintain the Subject Property and the business located thereon in accordance with all applicable federal, state and local laws, rules and regulations.

SECTION 4: The Applicants hereby consent to the recording of this Agreement to serve as notice to future purchasers, assigns, estate representatives, mortgagees, and all other interested persons of the conditions outlined in this Agreement.

SECTION 5: In the event the Village terminates this Agreement as a result of the Applicants failing to comply with any of the terms of this Agreement, the Applicants shall be required to repay any amount of the Grant that has been disbursed by the Village. In the event said amount is not repaid, the Village shall have the right to record a lien against the Subject Property for said amount.

SECTION 6: This Agreement shall be binding upon the successors and assigns of the Parties hereto.

VILLAGE OF LOMBARD

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116 S. Main Street

By: Keith T. Giagnorio, Village President

Attest: Sharon Kuderna, Village Clerk

APPLICANTS

Frank LaGambina

Chris Czarnowski

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116 S. Main Street

STATE OF ILLINOIS)
)SS
COUNTY OF DUPAGE)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY that Keith T. Giagnorio, personally known to me to be the President of the Village of Lombard, and Sharon Kuderna, personally known to me to be the Village Clerk of said municipal corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such President and Village Clerk, they signed and delivered the said instrument and caused the corporate seal of said municipal corporation to be affixed thereto, pursuant to authority given by the Board of Trustees of said municipal corporation, as their free and voluntary act, and as the free and voluntary act and deed of said municipal corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this _____ day of _____, 2019.

Commission expires _____, 20____.

Notary Public

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116 S. Main Street

STATE OF ILLINOIS)
)SS
COUNTY OF DUPAGE)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO
HEREBY CERTIFY that Frank LaGambina, personally known to me to be the same
person whose names are subscribed to the foregoing instrument, appeared before me this
day in person and severally acknowledged that they signed and delivered the said
instrument, as their free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this _____ day of _____, 2019.

Commission expires _____, 20____.

Notary Public

Resolution No. _____
116 S. Main Street

STATE OF ILLINOIS)
)SS
COUNTY OF DUPAGE)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO
HEREBY CERTIFY that Chris Czarnowski, personally known to me to be the same
person whose names are subscribed to the foregoing instrument, appeared before me this
day in person and severally acknowledged that they signed and delivered the said
instrument, as their free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and official seal, this _____ day of _____, 2019.

Commission expires _____, 20____.

Notary Public

Resolution No. _____
116 S. Main Street

EXHIBIT 1
Legal Description

PIN Number: 06-07-213-006

Common Address: 116 S. Main Street

Legal Description:

LOT 3 AND THE NORTH 25 FEET OF LOT 4 IN CAVERNO'S SUBDIVISION BEING A SUBDIVISION OF PART OF BLOCK 21 IN TOWN OF LOMBARD, A SUBDIVISION IN SECTIONS 5, 6, 7, 8, AND 18, TOWNSHIP 39 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT SAID CAVERNO'S SUBDIVISION RECORDED MAY 17, 1912 AS DOCUMENT 108107, IN DUPAGE COUNTY ILLINOIS.

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EXHIBIT 2

The Community Development Department retains a copy of the submittal to the Economic and Community Development Committee. This submittal includes contractor's quotes and a description of the work to be completed. The Applicants propose to install exterior work, including accessibility improvements, and a new sign.

