

**ORDINANCE 7525
PAMPHLET**

**DOWNTOWN LOMBARD AREA IMPROVEMENT & RENOVATION
GRANT PROGRAM – TEXT AMENDMENTS TO SECTION 36.30 OF THE
VILLAGE CODE AND COMPANION POLICY**



PUBLISHED IN PAMPHLET FORM THIS 18th DAY OF MAY 2018, BY ORDER
OF THE CORPORATE AUTHORITIES OF THE VILLAGE OF LOMBARD, DUPAGE
COUNTY, ILLINOIS.

A handwritten signature in black ink that reads "Sharon Kuderna".

Sharon Kuderna
Village Clerk

ORDINANCE NO. 7525

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

WHEREAS, on March 25, 2011, the Corporate Authorities of the Village of Lombard (the "Village") adopted the Downtown Lombard Revitalization Guidebook; and

WHEREAS, Section 7: Economic Development Implementation Strategies in the Guidebook recommends that the Village examine incentive models to obtain ideas that support downtown's Lombard's size and business opportunities; including proposing modifications to incentive programs; and

WHEREAS, the Village has previously established the Downtown Area Improvement and Renovation Grant Program (the "Grant Program"), as set forth within Section 36.30 et. seq. of the Village Code of Ordinances; and

WHEREAS, in an effort to address and promote additional accessibility accommodations within the Downtown Lombard Area as well as updating and clarifying provisions of the existing Grant Program, amendments to the aforementioned Section 36.30 et. seq. have been created; and

WHEREAS, said amendments were unanimously recommended for approval by the Village's Economic and Community Development Committee at their April 9, 2018 meeting.

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, pursuant to 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 is hereby amended to read in its entirety as follows:

ARTICLE IV. - DOWNTOWN AREA IMPROVEMENT AND RENOVATION GRANT PROGRAM

§ 36.30 - Definition.

There shall be established in the Village of Lombard a Downtown Area Improvement and Renovation Grant Program (the "Grant Program") which shall be administered by the Director of Community Development (the "Director" with approval from the Economic & Community Development Committee (ECDC)) 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 of their buildings in the TIF District. Funds shall be granted for amounts up to 50 percent of the improvement cost to a maximum per project to be established yearly, based on the total funds available.

(Ord. 4159, passed 4/25/96, Ord 4509, passed 7/23/98)

§ 36.32 - Applications for grants.

(A) Any property owner or lessee of business or residential property who wishes to undertake façade improvements, improve signage, or improve existing parking to facilitate additional use of same for the village may apply for a matching, reimbursement grant under this Chapter by completing an application supplied by the Director provided that the principal structure located on the property is at least ten (10) years old. 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 following TIF Districts:
 - a. Lombard Downtown TIF District
 - b. Lombard St. Charles Road TIF 1-West District
 - c. Lombard St. Charles Road TIF 2-East District
- 2) The applicant is either a commercial, office, residential or mixed-use building or property owner (excluding single-family residences) or a commercial or office 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 improvements involve certain exterior renovation and/or restoration projects as determined by the ECDC and listed in the informational packet supplied with the application. General maintenance items are not eligible.

(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 subject property, lease information, if applicable, names and addresses of the applicants, names and addresses of the architect and/or contractor involved and three detailed and uniformly quoted

contractor cost estimates. If the request is exclusively for an accessibility enhancement and the grant request does not exceed \$1,000.00, the need for two additional quotes may be waived by the Director.

§ 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. The ECDC shall have the authority to approve grant applications, as provided for within Sections 36.30 to 36.36 of this Code, in an amount of less than \$10,000.00. The Board of Trustees has the authority to approve grant requests of \$10,000.00 or greater.

(Ord. 6725, passed 5/17/12)

§ 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, the adopted Grant Program Policy and any conditions of approval of the grant award.

§ 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 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.

(Ord. 4020, passed 5/18/95)

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 3rd day of May, 2018.

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Johnston, Pike and Ware

Nays: None

Absent: None

First reading waived by action of the Board of Trustees this ____ day of ____, 2018.

Passed on second reading this 17th day of May, 2018, pursuant to a roll call vote as follows:

Ayes: Trustee Whittington, Fugiel, Foltyniewicz, Pike and Ware


Nays: None

Absent: Trustee Johnston

Approved by me this 17th day of May, 2018.


Keith T. Giagnorio, Village President

ATTEST:


Sharon Kuderna, Village Clerk

Published by me in pamphlet form on this 18th day of May, 2018.


Sharon Kuderna, Village Clerk

DOWNTOWN AREA IMPROVEMENT AND RENOVATION GRANT PROGRAM POLICY 2018

The purpose of the Downtown Area Improvement and Renovation Grant Program is to increase the economic viability of Downtown Lombard area by improving the aesthetics of the buildings, improving signage, and increase the availability and ease of parking. The Downtown Area Improvement and Renovation Grant Program will offer a one-for-one matching grant for selected exterior improvements. This Program is intended to complement and support the Village's plans to maintain a quality downtown area. The Downtown Area Improvement and Renovation Grant Program is to create a more attractive area through a private/public partnership.

The Program 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.

Grant Eligibility

1. **Qualifications.** In order to Qualify for the Downtown Area Improvement and Renovation Grant Program, the building must be located within one of the following Tax Increment Financing Districts (TIF) in Lombard:
 - Lombard Downtown TIF District
 - Lombard St. Charles Road TIF 1- West District
 - Lombard St. Charles Road TIF 2- East District

2. **Improvements.** Eligible storefront improvements may include façade renovation, lights, signs, graphics, windows, doors, window displays, awnings, landscapes, exterior accessibility accommodations and parking improvements. Grant funds are available for improvements to existing buildings that are at least ten (10) years old. Façade renovation of upper floors is 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. If a property receives notification from Code Administration on a potential violation, the ECDC has discretion to deem the proposed improvement eligible or not.

3. **Eligible Funding Amounts.** Approved applications for the Program are eligible to receive a fifty percent (50%) matching grant. Grants up to \$10,000 are approved by the ECDC. All grants above \$10,000 must be approved by the Village Board. The maximum grant amount is \$50,000, although requests for grants above \$50,000 will be considered by the Village Board on a case-by-case basis if extraordinary conditions exist.
 - A. **Signage and Awnings:** Applicants are allowed to apply more than once for the program at the same location. New applications are allowed seven (7) years after the initial request. Subsequent applications for signage and awnings at the same location, by the same applicant, will be eligible for the fifty percent (50%) grant as long as the contract price is \$2,000.00 or less. If a business relocates a signage or awning at the new location would be eligible for the 50% matching grant. If a new

tenant or property owner acquires the property they would be eligible for a 50% matching grant for their first signage or awning request.

- B. **Accessibility Improvements:** Exterior accessibility improvements that meet the provisions of the Illinois Accessibility Code (IAC) or the Americans with Disabilities Act (ADA), whichever regulation is applicable, are exempt from the \$50,000 cap on improvements, but are still subject to Village review and approval on a case by case basis. Exterior accessibility enhancements that are not required by applicable codes but enhance accessibility, as determined by the Village's Accessibility Coordinator, may be also eligible for grant funding, subject to final review and approval by the ECDC and/or Village Board.
4. **Ownership.** Eligible applicants include:
- A. owners of commercial, office, residential or mixed-use buildings or property (excluding single-family residences); or
 - B. business owners of a commercial or office. Business owners who are tenants of commercial buildings must provide written consent form the building owner for all proposed improvements.
5. **Fees.** Professional, architectural, engineering, and Village building permit fees may be included in the total improvement costs. The Downtown Improvement and Renovation Grant Program will fund up to twenty-five percent (25%) or \$1,500, whichever is less. There are no application fees to apply for the grant program. However, if a business or property owner owes money to the Village, all accounts must be current before any portion of the grant is disbursed.
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 as well as the Downtown Lombard Revitalization Guidebook, dated May 23, 2011. 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.
7. **Process.** The applicant must submit an application for the Program to the Community of Development Department. A separate request for a building permit, an electrical permit and/or other permits and licenses shall be submitted to the Community Development Department. The Director of Community Development or his/her designees, shall review the application and all supporting documentation. The applicant, or his/her 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 denied by the ECDC, 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 as well as the Downtown Lombard Revitalization Guidebook, dated March 23, 2011. 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 his/her designee, to review the proposal. Upon completion of the initial review, the applicant shall submit the following documents to the Community Development Department:
 - a. A completed application form;
 - 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);
 - c. Three detailed and uniformly quoted contractor cost estimates (if the request is exclusively for an accessibility enhancement and the grant request does not exceed \$1,000.00, the need for two additional quotes may be waived by the Director);
 - 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. Submit final plans and cost estimates to the Department of Community Development and apply for proper building permits;

- b. Upon receipt of the plans and a review and approval by the Community Development Department for compliance with code and consistency with the approved grant request, a "Notice to Proceed" shall be forwarded to the applicant by the Department of Community Development.
- c. Upon issuance of the Notice to Proceed, improvements and renovations may start after the required building permits have been issued. All necessary inspections should be coordinated through the Village's Building Division.
- 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.

All improvements and renovation plans must follow current code requirements. Improvements made and expenses incurred prior to approval of the application and execution of the agreement are not eligible. 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.

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. This requirement may be waived by the Director of Community Development on a case-by-case basis.

Please call (630)620-5749 for further information or to set up an appointment.

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