

**City of Peoria
West Main Street
Façade Improvement Program
2006-2007**

Program Purpose and Benefits:

The Façade Improvement Program (the “Program”) provides the use of public funds to leverage private investment for exterior façade improvements to properties located within Renaissance Park. The Program applies to all commercial and/or mixed-use property¹ that front West Main Street or Main Street between Crescent Street and University Avenue (see attached map).

The Program is intended to encourage owners and business tenants of existing properties to restore or renovate their buildings, in order to improve the area’s physical character and enhance the aesthetics of the commercial environment.

Program’s Goals

1. Beautify the area by improving exterior building facades.
2. Enhance commercial growth in Renaissance Park.
3. Encourage redevelopment and reinvestment.
4. Increase community pride in the adjacent neighborhoods.
5. Add significant physical improvements to the aesthetics of the property.
6. Create a unique and distinct place.
7. Coordinate implementation efforts of the Renaissance Park Comprehensive Master Plan.

Project Eligibility:

The West Main Street Façade Improvement Program applies to commercial or mixed-use properties that meet the geographic requirement listed below. In order to apply, all of the following conditions must be met:

- Property must front West Main Street or Main Street between Crescent Street and University Avenue.
- Property may not have any outstanding code violations;
- Payment of all property taxes and/or assessments, general and special, must be current;
- Property must be zoned for commercial/mixed-use and/or operate under a current legal commercial/mixed-use for the property²;
- Applicant must make a financial commitment of a least \$500 or 50% of project costs, whichever is greater, prior to any participation by the City;
- Neither the owner of record, the occupants nor any of either’s principals may be in default of any obligations to the City of Peoria, including but not limited to, fines, ordinance violations, debts or otherwise;
- Projects must focus on the exterior façade of the building and be a visual improvement;

¹ Commercial and/or mixed-use property refers to the current legal use of the property and/or the property’s zoning designation. Property is defined by the building’s storefront and corresponding address and PIN.

² The City of Peoria Department of Planning and Growth Management is an available resource to confirm a property’s current legal use. For more information, please contact Gene Lear at (309) 494-8604 or glear@ci.peoria.il.us

- Improvements must comply with all City of Peoria zoning and building code requirements and must in all instances be initiated and done only pursuant to any and all applicable permitting as required by the City of Peoria's ordinances.
- Improvements must also comply with the Urban Corridor Design Overlay, adopted by City Council on April 18, 2006 (see attached).

Project eligibility will be determined by the City of Peoria Department of Economic Development (EDD), who will also issue a recommendation for approval or denial. For projects requesting less than \$10,000 in city funds, final approval will be granted by the Renaissance Park Commission. Requests of \$10,000 or more will require approval from both the Renaissance Park Commission and City Council. EDD, the Renaissance Park Commission and/or the City Council reserve the right to decline any application request during initial review process of proposed plans in its sole and exclusive discretion, with or without cause. Project applications will be reviewed and considered on a "first come- first served" basis.

Eligible applicants include owners of commercial/mixed-use property that meet the criteria listed above. Those business occupants who are tenants of commercial/mixed-use buildings in the area are also eligible to participate in the Façade Improvement Program, if the property owner's consent is in writing (Form B1 or B2).

The applicant must obtain and attach to the Final Application no less than one written cost estimate for improvements \$1,000 or less to be performed from licensed³ contractors. The applicant must obtain and attach to the Final Application two written cost estimates for improvements \$1,000 or more to be performed from licensed contractors. An estimate, however, must be submitted for each proposed improvement. The City of Peoria reserves the right to request additional contractor estimates.

If the façade improvements are within the capabilities of the property owner, then work may be completed by the owner. Business tenants are also eligible to complete the property's façade improvement. However, if the tenant performs the work, the tenant must obtain the property owner's written consent for façade improvements, financial assistance and compliance. (Form D1 or D2). In either case in which the property owner or business tenant is completing the façade improvements, no less than one written cost estimate from another licensed contractor must be submitted and attached to final application, regardless of improvement costs. Restrictions presently or subsequently determined by the EDD, Renaissance Park Commission and/or City Council in its sole and exclusive discretion may apply depending on the type of façade improvements proposed.

To be eligible for grant assistance for rear entrance improvements to a building, the project must also meet all of the following criteria in addition to the foregoing:

- a) The building must have an existing rear entrance or a location for a new rear entrance accessible to the public from a dedicated public street, alley or other right of way, or from a parking lot or walkway owned or leased by the City or from other property that is encumbered by an easement granting public pedestrian access;
- b) The rear entrance must provide public access to a business or businesses within the building.

³ The City of Peoria does not require licensing for general contractors, however, the following types of contractor(s) and/or subcontractor(s) require licensing- electrical, heating and cooling, sidewalk and driveway, parking lot paving, sewer connector and house mover.

Grant assistance is available for a side of a given property if the side of the property, to include the proposed façade improvements, is visible from West Main Street or Main Street.

Eligible Improvements:

The following list contains eligible improvements which may be included under the Façade Improvement Program for grant assistance:

- *Exit Doors (exterior):* Installation, repair and/or replacement of exit doors and hardware to provide public access, or where current doors do not meet the building or fire codes or it will improve the overall appearance of the building;
- *Painting:* Painting of the exterior surface of building;
- *Fencing:* Decorative fencing for pedestrian plazas or courtyards;
- *Facia/Gutters/Downspouts:* Replacement or repair of facia, gutters and downspouts;
- *Shutters/Awnings/Canopies:* Repair, replace or addition of exterior shutters, awnings or canopies;
- *Signs:* New, repair, replacement or removal of exterior signage;
- *Stairs, Porches, Railings, Exits:* Repair, replacement or installation of exterior stairs, porches, railings and exit facilities;
- *Walls:* Repair or rebuilding of exterior walls, including cleanings (wall and/or brick), sealing, painting, etc.;
- *Windows:* Repair of frames, sills, replacement of glass and installation of new windows;
- *Roofs:* Repair and/or re-roofing where the effects of the repair will be visible from a public street or public parking lot;
- *Walkways:* Restoration or replacement of deteriorated or hazardous sidewalks, pavers, plazas or other permanent improvements designed primarily for pedestrian use;
- *Lighting:* Repair, replacement or installation of exterior building and sign lighting;
- *Landscaping:* Limited to perennial plantings, such as trees and shrubs; construction of planter or window boxes permanently affixed to the building is included;
- *Removal of materials:* Removal of any inappropriate or incompatible exterior finishes and materials.
- *Aluminum or Vinyl Siding:* Installation, repair and/or replacement of aluminum or vinyl siding.

All improvements must be permanently affixed to the building. Architectural costs incurred in the project's design are eligible for grant assistance not to exceed \$1,000 to any particular property through the Façade Improvement Program. Parking lot improvements on existing parking facilities for the property maybe included as an element based on the total façade improvements.

The following list contains items NOT eligible for grant assistance through the Façade Improvement Program under any circumstances whatsoever:

- Building permits fees and related costs;
- Title reports and legal fees;
- Extermination of insects, rodents, vermin and other pests;
- Private sidewalk replacement or repair except as specified in the eligible improvements;
- Acquisition of land or buildings;
- Refinancing of existing debt;
- Air conditioning and/or heating facilities;
- Plumbing;
- Sprinkler systems- interior and exterior;
- Building security systems- interior and exterior;
- Electrical wiring or service upgrade, except electrical work necessary to illuminate an eligible sign;
- Elevator repair or installation;
- Interior floor, wall, flooring and/or ceiling replacement or repair;
- Working capital for businesses;
- General repair/maintenance work not contributing to the overall exterior impact of the building;
- Any façade improvements made before August 2006.

Improvements not specifically listed as eligible or ineligible are subject to review as to their eligibility or ineligibility by the EDD, Renaissance Park Commission and/or City Council in its sole and exclusive discretion.

Funding:

The program will be funded by a 50/50 split between the applicant and the City of Peoria (applicant funding 50% and the City of Peoria funding 50%) of the total project costs. The City's funding (grant assistance) may not exceed 50% of the total project costs or \$20,000 to each property, whichever is less.

The 50% of funding from the City will be provided:

1. Grant Assistance (50% of total project costs) - Property or business owners who install no less than \$500 of improvements are eligible to receive a grant to reimburse 50% of total project costs. Grants are not to exceed 50% of the total project costs or \$20,000, whichever is less.

Approval of Façade Program Applications

Interested applicants whose project would meet the Program's requirements should contact the EDD to receive and complete a Preliminary Application (Form A). EDD will review the Preliminary Application to ensure program compliance. Submitted applications will be reviewed on a first come-first serve basis. It is strongly recommended that the applicant attend the City of Peoria One-Stop Shop Meeting, prior to or after submitting the Pre-Application to EDD, to discuss the proposed façade improvements.⁴

⁴ The City of Peoria One-Stop Shop Meeting is held every Monday at 1:30 pm in Planning & Growth Management, Suite 402. For more information, please call (309) 494-8600.

If a Pre-Application is denied by EDD, the specific reasons for denial will be conveyed to the applicant. The applicant will have thirty (30) calendar days to resubmit the application, addressing the EDD review reasons for denial. If the EDD again denies a resubmitted application, the applicant will be required to wait one calendar year from the date of the second denial to submit another Pre-Application. In the event the application is denied and/or re-denied, the property owner and/or business tenant is solely responsible for all costs associated with submitting the application. Denial and/or re-denial are in the sole and exclusive discretion of the EDD, Renaissance Park Commission and/or the City Council.

Upon review and approval of the Pre-Application by the EDD, the applicant will then be asked to submit a Final Application (Form C). Any suggested revisions provided by the EDD during the Pre-Application review process shall be incorporated into the Final Application for the project.

Final Application items include:

- Completed application form;
- Full and correct legal description and/or survey of property containing such description of property, together with complete address(es) and PIN(s);
- Proof of property ownership (e.g. deed, title search, etc.) or written owner's consent and appropriate proof of that owner's ownership, if applicable;
- Proof of property/liability insurance;
- Site plan with elevations showing proposed improvements drawn to scale;
 - If proposed improvements, however, are to replace or maintain⁵ existing conditions, material descriptions and photographs are acceptable.
- Construction plan with materials, schedule and dimensions;
- Two attached contractor bids or one contractor bid if the work is to be completed by property owner or business tenant or improvements are \$1,000 or less;
- Final written cost estimates and name of the licensed contractor(s) chosen to perform the work;
- Copy of written contract(s) with contractor(s) if applicable;
- Landscape plan, if applicable;
- Signage plan, if applicable.

It is recommended that applicants retain the services of a registered architect or similarly qualified design professional to prepare plans, drawings and construction specifications for their entire project as needed for the application. However, only fees for services provided by a registered architect will be eligible to be included in the Façade Improvement Program reimbursement funds.

The EDD will review the Final Application for completeness and compliance and will make a project recommendation. The EDD's recommendation shall be issued in writing and state the reason(s) for approval or rejection. EDD's recommendation for project approval will then be presented to the Renaissance Park Commission at their next regular meeting for their review, endorsement and approval. Requests for less than \$10,000 in City assistance only need the approval of the Renaissance Park Commission. If a façade's project and its requested City grant assistance is \$10,000 or more, the project and Final Application must be presented to the City Council for final

⁵ Maintenance and/or repair improvements are considered as any improvements that do not require a structural, square footage and/or addition change to a building. For example, installation of new siding or replacing a current entrance door is considered maintenance and/or repair, whereas, installing a new window opening or adding awnings to a building is not and would require a site plan. For more information, contact EDD (309) 494-8640.

approval and allocation of funds. EDD and Renaissance Park Commission recommendations for approval will accompany the Final Application that will be submitted to the City Council.

If the Final Application is rejected, the applicant may write a Letter of Reconsideration to EDD, Renaissance Park Commission and/or the City Council requesting a second review of the Final Application if the reasons for denial are sufficiently addressed. A Letter of Reconsideration must be filed with the EDD, Renaissance Park Commission and/or the City Council within 30 calendar days after receipt of the denial notice. EDD, Renaissance Park Commission and/or the City Council may, but need not, grant an extension of this time period if extenuating circumstances exist.

Project Award

Following the review and approval of the Final Application by the EDD, Renaissance Park Commission and, if necessary, the City Council, the applicant will receive and sign a Letter of Commitment stating the reimbursement grant amount, terms of the improvements, conditions for construction and any other provisions related to the project. The Letter of Commitment must be signed by the applicant and executed within 15 calendar days of the notification of the award. The applicant can then obtain the necessary building permits and any other applicable review processes. Department of Economic Development, Renaissance Park Commission and/or the City Council reserve the right to request a copy of the building permit from the applicant at any time during project construction.

*Applicants should NOT start improvements before he/she receives notification of approval by the EDD, Renaissance Park Commission and/or the City Council, the Letter of Commitment is signed and building permits are issued! Any work performed, materials purchased or contracts entered into prior to approval and a completed Letter of Commitment will **NOT** be eligible for grant assistance.*

EDD will have administrative approval of additional and/or incidental costs for a façade improvement project after construction begins and will be able to amend the Letter of Commitment relating to the approved reimbursement grant amount up to 10% of the approved amount. An amount higher than 10% of the approved grant amount for any additional and/or incidental costs must be approved by the entity which gave final approval, either the Renaissance Park Commission or City Council. Façade projects that have requested the maximum grant assistance amount (\$20,000) will not be eligible for grant increase to compensate additional and/or incidental costs. For example, if a façade project is approved for \$5,000 of grant assistance from the City and after construction begins unforeseen costs arise, EDD will be able to increase the grant assistance amount by \$500 or less without requiring further approval. If at such time, however, the requested grant amount increase is 10% or more than the approved grant amount, in this case approval from the Renaissance Park Commission would be required.

Façade grant assistance is limited to one time per fiscal year⁶ for each property. Applications cannot be submitted for properties which received façade assistance under this program within the prior five years. Grants are limited to funding allocations for any given fiscal year. The City of Peoria reserves the right to cancel the Program at any time, prior to grant approval and without notice, if sufficient funds are determined unavailable by the City of Peoria in its sole and exclusive discretion.

⁶ Fiscal year is defined as January 1st to December 31st.

Enterprise Zone

In conjunction with the City's grant and loan assistance, all properties that are eligible for this façade improvement program are also located within the Enterprise Zone. The financial incentive specifically available for façade improvement projects is the Building Materials Sales Tax Exemption. Sales tax will be waived on building materials purchased within the State of Illinois for use in commercial properties located in the Enterprise Zone, provided a building permit has been issued and a Certificate of Eligibility has been obtained from EDD. Building materials can be used for remodeling, rehabilitation or new construction. Building materials are considered to be any items permanently affixed to real property. 100% of the 8.0% sales tax is waived.

Sales tax exemptions by qualified retailers to qualified buyers are made at the point of sale. The procedure is similar to any other non-taxable transaction. The retailer deducts the amount of sales tax on the monthly sales tax return (Form RR-1-A). Retailers must maintain records to substantiate the Enterprise Zone transaction, including a copy of the invoice and a signed purchaser's statement. The purchaser must present a Certificate of Exemption signed by the Enterprise Zone Administrator. Photocopies of the Certificate of Exemption are acceptable.

Construction

After the Letter of Commitment has been executed, applicant may award the construction contract and secure all necessary construction permits, if applicable. Applicant must notify the EDD of the construction start date and apply for a building permit within 30 calendar days of executing the Letter of Commitment. Construction must be completed within 180 calendar days (or as otherwise determined) upon notification to the EDD of construction commencement.

The City of Peoria will not be responsible in any manner whatsoever for the selection of a contractor. An applicant shall be responsible for determining contractor qualifications, quality of work and professional reputation. The applicant will bear full responsibility for reviewing the competence and abilities of prospective contractors and secure proof of their licensing and insurance coverage. No employee of the City of Peoria may refer, recommend, not recommend or in any other way be involved in the selection of any contractor by owner and/or tenant.

Modifications to the approved final plans or changes to the construction documents which produce visible differences in the previously approved Final Application and its façade design (such as changes in exterior materials or colors, additions or deletions) will require review and approval by EDD, Renaissance Park Commission and/or the City Council. Failure to receive such approval shall invalidate the project and its related applications and documents. The project will be deemed terminated and the applicant will NOT be eligible for grant assistance.

On construction completion, including but not limited to clean-up, the applicant shall schedule a final walk-through with EDD staff to determine compliance with the Final Application and Letter of Commitment. Discrepancies between the approved project plans and actual construction will be noted, and a time frame for their correction will be established as necessary. All improvements must be in compliance with applicable City of Peoria building codes as determined by the City's Inspection Department and done in a professional manner.

Release of Funds

Grant funding will be provided upon a **post-completion** basis only. Applicant will certify, and the Inspection Department and EDD staff will make the final determination, as to whether the project has been completed according to the Final Application and its approved plans. Applicant must

provide verification, satisfactory to the City of Peoria's Legal Department, of all project costs, including paid contractor invoices, contractors' affidavits and final mechanics' lien waivers from any and all contractors, subcontractors and/or suppliers, before façade grant funds can be disbursed. Applicant will be responsible for any costs equivalent to applicant's share of the costs or those beyond the approved Letter of Commitment amount and must show proof of payment at or before payment by the City.

Grant funds will be disbursed by a check payable to the applicant upon certification of completion and the EDD staff verification that the work was completed as outlined in the Final Application and its approved plan. Funds will not be disbursed on projects which are not in accordance with the Final Application, its approved plan and original documentation of all expenses submitted and approved by the EDD, Renaissance Park Commission and/or the City Council.

Displacement of Tenants

No financial assistance will be provided if the project involves the permanent and involuntary displacement of tenants unless the applicant agrees to provide financial assistance to the tenants at levels consistent with the Federal Relocation and Real Property Acquisition Act, as amended.

Disclaimer

The City of Peoria takes no responsibility as to the tax consequences of funds disbursed or forgiven pursuant to this Program. It is the sole responsibility of the applicant to determine consequences for receipt and/or subsequent forgiveness of these funds pursuant to the Internal Revenue Code or Illinois Revenue Code as currently in force or as periodically amended.

This Program is a reimbursement grant; applicant must pay any and all architect, contractors, suppliers, etc. before it/he/she receives grant assistance from the City.

The City of Peoria expressly reserve the right to reject any or all applicants or to request more information from any and/or all applicants in its sole and exclusive discretion.