

# **HASTINGS DOWNTOWN FAÇADE PROGRAM GUIDELINES**

## **Project Guidelines**

The purpose of the Downtown Façade Forgivable Loan Program is to, where practical; restore, improve or create historic architectural features to facades of existing and new commercial buildings within the Downtown Business Improvement District. And, in cases where buildings have been significantly altered, damaged or demolished, the new façade should be designed to look appropriate and compatible in the midst of the surrounding buildings.

The Downtown Façade Forgivable Loan Program is administered and funded by the Community Redevelopment Authority of the City of Hastings.

### **Program Guidelines:**

**A.** The Downtown Façade Forgivable Loan Program is designed to enhance and improve existing and new exterior facades. Façade improvements shall be defined as (but not limited to):

**Façade** shall mean the front exterior (and side if located on a corner) and rear exterior wall of a building if exposed to public view. This will typically include a visual impact with items such as awnings, windows and signage.

**Painting** is eligible for exterior façade improvements in combination with window replacement or facade restoration for bricks, stucco, and exterior surfaces for historic preservation that constrains deterioration of the exterior façade. Short of this standard, painting for the purpose of changing colors (interior or exterior) is not considered restoration and is ineligible as it is considered maintenance.

**Restoration** is the preferred treatment for building façades and improvement. Restoration is most applicable to buildings where there has been very little change to the building façade over time. This results in the return of the façade to its original appearance using authentic materials and the replication of missing or deteriorated components.

**Renovation** results in improvements which do not attempt to return the building to its original appearance. Improvements made should be sensitive to historic details and materials and should respect whatever original character remains.

**Replacement** of facades is appropriate when the majority of the original façade is missing or has been significantly altered so as to make restoration or renovation impractical. Façade designs should select materials, dimensions and architectural details that are similar or compatible to surrounding buildings such as façade height, window size and spacing, materials and colors.

**Reconstruction** takes place when the building has been demolished and/or its features no longer exist. With reconstruction, façade designs are created through new construction to replicate, mimic, resemble or accentuate historic period details.

**Structural Improvements** will be considered to be the sides of the buildings not visible to the street along with the roof.

- B. Where practical, all building facades shall be restored to their original period design. If it is deemed not practical by the members of the Authority, then a similar architectural design shall be used. All horizontal and vertical features (lintels and piers) shall be retained.
- C. If a building does not have a historically significant architectural design or feature, or the project is a new construction, then a proposed design may be submitted to qualify for the forgivable loan program.
- D. All storefronts shall be designed, constructed, and maintained to compliment and accept the architectural features of the building. All accessories, signs, awnings, etc. shall likewise harmonize with the overall character of the building.

All color schemes shall accent the building as well as harmonize with adjacent buildings. Colors shall be period specific. Historical murals will be considered on a case-by-case basis.

- E. Funds shall be allocated on a “first ready, first served” basis. Tenants may qualify upon receipt of written consent of the owner of the building. All forgivable loan funds awarded require a significant expenditure by the owner/tenant. (At a minimum the applicant is encouraged to spend \$2 in interior/exterior renovation costs for every \$1 in façade forgivable loan funds) EXAMPLE: \$100,000 of private investment to \$50,000 of forgivable loan funds. The amount of an individual forgivable loan is only limited by the funds available. Applicants may request a maximum of \$50,000 in funds from the Downtown Revitalization Forgivable Loan Program.
  - Up to \$50,000.00 for facades, storefronts, awnings.
- F. No work for which a forgivable loan is sought should begin until authorized by the Community Redevelopment Authority.
- G. To qualify for forgivable loan funds, an application and appropriate plans must be submitted to the Community Redevelopment Authority at 301 S. Burlington, Hastings, NE.
- H. No forgivable loans will be made to government-owned properties or to tenants in government owned properties. (Exceptions: Properties owned by the Community Redevelopment Authority.)
- I. Work done by the applicant in which a developer/owner/general contractor would physically work on the project (either them or their employees) is allowed. An official bidding process (sealed bids, advertisement, etc.,) is not required but steps should be taken to ensure reasonableness of the bids and as such to ensure quality of work and cost effectiveness of the bids/funds invested. This shall require an estimate from an outside source to verify that costs are within reasonable parameters.
- J. All work must be completed within the boundaries of the Business Improvement District as identified in Exhibit A of these guidelines.

### **Application**

Date: \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Property Address: \_\_\_\_\_

Applicant's Phone Number: \_\_\_\_\_

Tax ID #: \_\_\_\_\_

Type of Façade Improvement Planned (note all that apply). Please attach Supporting Data Checklist.

Signage:      Removal      New      Altered      Repaired

Painting: (Approximate Sq. Ft. area): \_\_\_\_\_

Structural Alterations: \_\_\_\_\_

Cosmetic Alterations: (Moldings, etc.): \_\_\_\_\_

New Construction: \_\_\_\_\_

Other work: Please specify (Awnings, etc.): \_\_\_\_\_

Other work:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Total Cost of Project: \$ \_\_\_\_\_

Amount Requested: \$ \_\_\_\_\_

I hereby submit the attached plans, specifications and color samples for the proposed project and understand that these must be approved by the Community Redevelopment Authority and no work should begin until I have received written approval from the Community Redevelopment Authority. I further understand that the facade project must be completed within 12 months of project approval or any extension thereof), and that forgivable loan monies will not be paid until the applicant/ recipient; submits a paid bill for reimbursement together with an affidavit from the contractor certifying the work, as submitted, is complete. I agree to leave the completed project in its approved design and colors for a period of five (5) years from the date of completion.

\_\_\_\_\_  
Property Owner - Printed

\_\_\_\_\_  
Signature of Property Owner

Date: \_\_\_\_\_

Supporting Data Checklist for Applicants

**Please submit this checklist as part of your application**

**PAINT\*:**

- Provide samples of the colors chosen
- Mark which color will be body color and which will be accent colors.
- Note where each color will be used.
- Submit written estimate from painter of your choice.

*\* Painting is eligible for exterior façade improvements in combination with window replacement or facade restoration for bricks, stucco, and exterior surfaces for historic preservation that constrains deterioration of the exterior façade. Short of this standard, painting for the purpose to change colors (interior or exterior) is not considered restoration and is ineligible as it is considered maintenance.*

**AWNINGS:**

- Provide information about color and style of awning chosen.
- Note where awning will be placed on building.
- Submit written estimate.
- Submit written verification that design and size comply with City codes.

***Awning selection must take into account the architectural style of the building.***

**MAJOR FACADE ALTERATION:**

- Provide a rendering of major changes, including paint and awning colors where applicable.
- Submit a written estimate from contractor.

**NEW INFILL BUILDINGS AND CONSTRUCTION:**

- Provide design drawings and renderings of façade, including paint and awning colors where applicable.
- Submit a written estimate from contractor.

**ALL PROJECTS PROPOSED BY TENANTS**

- To be eligible for a forgivable loan, tenants need to provide a notarized Authorization for Work from the property owner.
- Submit signed Hold Harmless Agreement (see attached).
- Submit copy of current Occupational License and Certificate of Use.

### **Forgivable Loan Procedures – Design/Document Approval Flow Chart**

1. Fill out the application and checklist and submit one copy to the Community Redevelopment Authority, 301 S. Burlington with supporting data. (See attached sheet for required supporting data checklist.) Applications will only be accepted for improvements located within the Business Improvement District in downtown Hastings which is outlined on the attached map.
2. Projects will be submitted to the Community Redevelopment Authority (CRA) which meets every 3<sup>rd</sup> Wednesday or at the call of the Chairman. The CRA will accept applications on “first ready, first served” basis with no formal submission deadlines in place. Funds for the program are budgeted annually and will be expended until depleted.
3. Applicants shall be notified in writing by the Community Redevelopment Authority of their decision of approval or non-approval. Once the Community Redevelopment Authority has approved the project, they shall issue a written notice of approval. Said notice of approval will be issued, dated and signed by an authorized representative of the CRA.
4. The forgivable loan will be secured by a Deed of Trust filed on the property. Work cannot begin until the project is approved and the Deed of Trust is signed and filed with the Register of Deeds. Once the Deed of Trust is filed the CRA will issue a notice to proceed and work can begin. No work may start until written notice to proceed is received.
5. Conflict of Interest – No member of the governing body or other official, employee or agent of the Community Redevelopment Authority who exercises policy, decision-making functions or responsibilities in connection with the planning and implementation of the Downtown Façade Forgivable Loan Program shall;
  - a) Directly or indirectly benefit from this program, this prohibition shall continue for one year after an individual’s relationship with the Community Redevelopment Authority ends. Any other employee, officer, or board member may be eligible, but will be treated no differently in the determination of applications accepted for funding. Enclosed with this person’s application shall be a statement of disclosure that outlines the nature of the potential conflict and a description of how the public disclosure was made. Included will also be verification that the affected person has withdrawn from the active involvement in any loan related issues;
  - b) Accept gratuities, favors or anything of monetary value from contractors, potential contractors or parties to any sub-agreement;
  - c) Obtain a financial interest in any contract, subcontract or agreement for themselves or for persons with business or family ties.
6. Applicant is responsible for obtaining any permits required to do the project. The applicant is responsible for contacting the City of Hastings Development Services office (402) 461-2302. The Development Services office oversees planning and zoning as well as building and construction. The City of Hastings Development Services Department exists to help, with information about permits, codes, etc.
7. After formal Notice of Approval, the forgivable loan recipient must:
  - At a minimum seek to obtain at least two bids to verify that costs are reasonable.
  - Participate in a pre-construction conference with a representative of the Community Redevelopment Authority to review project scope and project requirements.

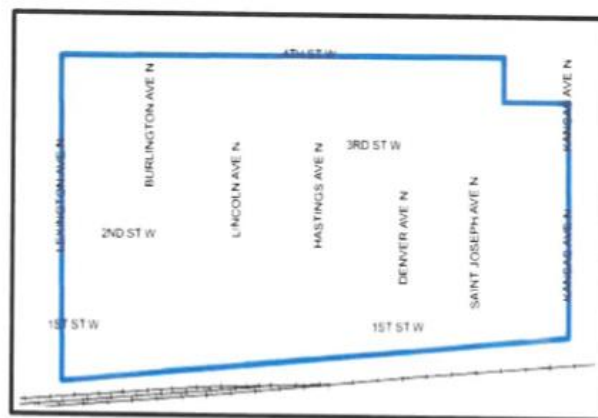
8. The Community Redevelopment Authority does not maintain a contractor's list. However, the CRA strongly encourages the applicant to ensure that the contractor performing the work is well-qualified to complete the proposed work and knowledgeable about any City codes that are applicable to the project.
9. At such time as the Recipient has satisfied all contractual provisions, a written notice to proceed will be issued by the authorized representative of the Community Redevelopment Authority. Said notice to proceed will be issued, dated and signed by an authorized representative of the Community Redevelopment Authority.
10. Participation in the program by an applicant is a stated agreement of the recipient of DTR funds, that the completed project, its approved design and colors, etc., will remain intact and in place for a period of not less than five (5) years from the date of project completion. **Changes to improved facades and signage prior to five years may trigger repayment of the forgivable loan (or a percentage thereof).**
11. Forgivable loan Recipient must submit a paid, itemized invoice for reimbursement together with proof of payment (e.g., canceled check) and an affidavit from the contractor certifying the work, as submitted, is complete. This should be consistent with the work proposed to and approved by the Community Redevelopment Authority. Any unapproved changes will void the forgivable loan. If the Recipient decides to change the project after approval they must contact the authorized representative of the Community Redevelopment Authority for a review of the changes.
12. Prior to reimbursement, the work will be inspected by Community Redevelopment Authority staff to ensure compliance with the project as designed and guidelines for improvements. A written notice of completion will be issued, dated and signed by the Authorized Representative of the Community Redevelopment Authority.
13. The Community Redevelopment Authority reserves the right to loan additional money to targeted projects that they believe will have a significant impact on the area. The Community Redevelopment Authority is seeking projects that have a significant amount of private investment that will include renovation of all levels. Significant impact can be measured by one of several methods:
  - Substantial private investment (e.g., greater than 200%)
  - Addresses a building or local landmark in the target area
  - Building is listed or eligible for listing on the National Register of Historic Places
  - Improvements are chiefly for historical renovation/reconstruction in nature, etc.
  - New infill construction
14. Community Redevelopment Authority staff will be available to offer assistance and may seek outside guidance on any project being considered for the forgivable loan program.
15. The Downtown Façade Program is a forgivable-loan program. Eligible improvements are permanent fixtures/improvements to a structure and as such any and all improvements remain a part of the structure in the event a sale is transacted between current and future owners. The five-year forgivable loan can be transferred by property owner at the time of a sale to the purchaser if approved by the Community Redevelopment Authority. The loan will be prorated at 20% forgiven each year.

16. A complete application packet may be obtained by contacting; Randy Chick, at the Chamber Development Center at 301 S. Burlington, Hastings, NE 68901.
17. These program guidelines may be amended periodically as required and deemed necessary by the Community Redevelopment Authority.

## **EXHIBIT A**

### **BUSINESS IMPROVEMENT DISTRICT MAP**

Business Improvement District



The Business Improvement District was created by ordinance by the Hastings City Council in April of 1986 and includes a 20-block area within the Central Business District right in the heart of Hastings. Property owners within the District are assessed annually and the funds raised are used for developing public activities and events, newsletters or promotional materials, banners, physical improvements such as lighting, landscaping, benches, planters, plantings, trash receptacles and signage.

#### **BOUNDARIES**

Bordered by the Burlington Northern tracks on the south, 4th Street on the north, Lexington Avenue on the west and Kansas Avenue on the east the Business Improvement District includes approximately 150 properties and over 100 property owners.