

AURORA CDBG DOWNTOWN REVITALIZATION 2022 FAÇADE PROGRAM GUIDELINES

The purpose of the CDBG Downtown Revitalization Façade Forgivable Loan Program is to, where practical; restore, improve or create historic architectural features to facades of privately owned commercial buildings within the Aurora Downtown Business area defined as such: The downtown improvement area is identified as such: from “N” Street (south) to “K” Street (north) and 14th Street (west) to 11th Street (east). This identified area contains the Hamilton County Courthouse (not a part of the project) at the center. The project boundaries extend one block each direction from the town square block where the courthouse is located. And, in cases where buildings have been significantly altered or damaged; the new façade should be designed to look appropriate and compatible in the midst of the surrounding buildings.

The Downtown Revitalization Façade forgivable loan program is administered by the City of Aurora and the South Central Economic Development District (SCEDD). Funding for the DTR program is provided by the Community Development Block Grant (CDBG) program through the Nebraska Department of Economic Development and the City of Aurora.

Program Guidelines:

- A. The Aurora Downtown Revitalization program is designed to enhance and improve existing exterior facades of privately owned commercial property. This activity is limited to exterior improvements (façade improvements) and correction of code violations. **If there are specific questions about eligibility of proposed activities, please consult with the City and/or SCEDD personnel before applying.** Generally, 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 façade 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.

Restoration is the preferred treatment for building facades 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 through the use of 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 and its features no longer exist. With reconstruction, façade designs are created through new construction to replicate, mimic, resemble or accentuate historic period details.

- B. Where practical, all building facades shall be restored to its original period design. If it is deemed not practical by the Downtown Revitalization Committee, 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, 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 accent 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 and consultation with DED staff shall be conducted.
- E. Funds shall be allocated on a “**first ready, first served**” basis. Once an application is submitted for review, administrative staff are required to verify several items before an application can be considered for approval. The administrator must:
 - a. Verify that the property is not in a floodplain.
 - b. Submit the project (drawings, plans, pictures, etc., as may be requested) to the History Nebraska office for consideration, input, etc. (This is formerly the State Historic Preservation Office.) History Nebraska may ask for a consultation with the applicant during this time.
 - c. Verify that the business owner is registered on System for Award Management (SAM.gov). For assistance, applicant is encouraged to contact Chuck Beck, Nebraska Business Development Center (308.865.8244). An active registration on SAM.gov is required before approval can be given.
 - d. Other items that may be required dependent on the application needs.

Tenants may qualify for funds upon receipt of written consent of the building’s owner.

Applications for downtown revitalization (commercial façade) funds may be submitted for up to \$50,000.00. **Please note this is a forgivable loan program to eligible applicants.** The Department of Economic Development has made a grant available to the City. In return, the awarded funds are made available as a forgivable loan to an eligible and qualified business (as outlined elsewhere.)

A minimum 25% cash match is required of the applicant. (Example: a \$50,000 project request will require a minimum of \$12,500 of cash match invested in the project by the owner.)

In the event that originally awarded CDBG/DTR funds remain unutilized, the DTR Committee **may** consider the submission of a second application by an eligible business for additional funding assistance from this program. The second application for assistance may not exceed \$25,000.00 and will only be considered if CDBG/DTR funds remain unrequested and unutilized for a period of ninety days. The goal of the committee, in establishing this threshold, is to provide façade improvement assistance to as many qualified businesses (within the defined downtown improvement district) as possible.

- F. No work for which a forgivable loan is sought should begin until authorized (in writing) by the Downtown Revitalization Committee and the City of Aurora.
- G. To qualify for forgivable loan funds, an application (complete with checklist) and appropriate plans must be submitted to the City of Aurora (% Eric Melcher, City Administrator), 905 13th Street, Aurora, Nebraska. Applications can be picked up from the City, the Aurora Economic Development Corporation or the Aurora Chamber of Commerce offices.
- H. No forgivable loans will be made to government-owned properties or to tenants in government owned properties.
- I. Work done by the applicant in which a developer/owner/general contractor would physically work on the project (either he or his employees) is not allowed. However, it is acceptable for a developer/owner/general contractor to work as a general contractor and obtain bids to perform “all” work associated with the project. An official bidding process (sealed bids, advertisement, etc.,) would not be required but steps should be taken to ensure reasonableness of the bids 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. In the case of an applicant being an individual or sole proprietor, he/she is required to complete and return the U.S. Citizen Attestation form which is made part of this application.
- K. All work must be completed within the boundaries of “N” Street (south) to “K” Street (north) and 14th Street (west) to 11th Street (east) as identified in Exhibit A of these guidelines.

Application

Date: _____

Applicant Name: _____

Property Address: _____

Applicant's Phone Number: _____

Tax ID #: _____ DUNS #: _____

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.): _____

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 Downtown Revitalization Committee and the City of Aurora. No work should begin until I have received written approval from the Downtown Revitalization Committee and the City of Aurora. I further understand that the facade project must be completed by the end of the CDBG DTR Program deadline (April 25, 2025) (date yet to be determined by DED award) 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: _____

Date: _____

Supporting Data Checklist for Applicants

Please submit this checklist as part of your application

SIGNS:

- ☐ Provide a color rendering of the design chosen
- ☐ Include specifications as to the size and width of the sign.
- ☐ Note how and where the sign will be hung on the building
- ☐ Submit a written estimate from a sign company
- ☐ Submit written verification that design and size comply with City codes.

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.

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.
- ☐ Where Applicant is a sole proprietor or individual, submit completed US Citizenship Attestation Form

United States Citizenship Attestation Form

For the purpose of complying with Neb. Rev. Stat. §§ 4-108 through 4-114, I attest as follows:

☐ I am a citizen of the United States.

— OR —

☐ I am a qualified alien under the federal Immigration and Nationality Act. In addition to this Form, I have included a current and legible copy of the front and back of one or more of the available USCIS forms, (listed below), required for verification.

- ☐ I-327 (Reentry Permit)
- ☐ I-551 (Permanent Resident Card)
- ☐ I-571 (Refugee Travel Document)
- ☐ I-766 (Employment Authorization Card)
- ☐ Certificate of Citizenship
- ☐ Naturalization Certificate
- ☐ Machine Readable Immigrant Visa (with Temporary I-551 Language)
- ☐ Temporary I-551 Stamp (**on passport or I-94**)
- ☐ I-94 (Arrival/Departure Record)
- ☐ **Unexpired Foreign Passport (must include an I-94)**
- ☐ I-20 (Certificate of Eligibility for Nonimmigrant (F-1) Student Status)
- ☐ DS2019 (Certificate of Eligibility for Exchange Visitor (J-1) Status)

I hereby attest that my response and the information provided on this form and any related application for public benefits are true, complete, and accurate and I understand that this information may be used to verify my lawful presence in the United States.

Print Name _____
(First, Middle, Last)

Signature _____

Individual NMLS ID # _____ Date _____

Forgivable Loan Procedures – Design/Document Approval Flow Chart

1. Fill out the application and checklist and submit one copy to the Downtown Revitalization Committee c/o Eric Melcher, City of Aurora, 905 13th Street 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 Aurora which is outlined on the attached map.
2. Projects will be submitted to the Downtown Revitalization Committee which meets at the call of the Chairman. The Committee will accept applications on “first ready, first served” basis with no formal submission deadlines in place. Funds will be expended until depleted.
3. The Downtown Revitalization Committee will review the project and submit the package to the Aurora City Council with their recommendation.
4. All proposed projects are subject to a Tier II environmental review. This review will be completed upon receipt of a complete and formal application to the DTR committee. The environmental review consists of contact with the History Nebraska/State Historical Preservation Office (SHPO) and SHPO’s approval of the project. The Tier II environmental review will be assembled/submitted to SHPO by the general grant administrator of the project. South Central Economic Development District, Inc., is contracted to provide those services to the City of Aurora.
5. Applicants shall be notified in writing by the Downtown Revitalization Committee of the Committee’s decision of approval or non-approval. Once the Committee and the City have approved the project, the Downtown Revitalization committee shall issue a written notice of approval. Said notice of approval will be issued, dated and signed by an authorized representative of the Downtown Revitalization Committee.
6. ***Work cannot begin until contract is signed and certain requirements met. Once contractual items accepted by the Committee, the Committee issues a notice to proceed and work can begin. No work may start until written notice to proceed is received.***
7. Grievance Procedure – In the event that any applicant feels he or she has been unfairly treated or discriminated against during the process of selection of projects to be funded, s/he may appeal the decision by writing either to the Downtown Revitalization Committee, City of Aurora, 905 13th Street, Aurora, NE 68818 or to the General Grant Administrator (South Central Economic Development District) who will attempt to resolve the problem. The DRC Board Chair will make a written response to the appeal within 15 working days. If the applicant is not satisfied with the response, an appeal may be filed with the City of Aurora, which will make a written response to the appeal within 30 days. As the grantee, the City is held responsible for the overall program so a review of grievance or appeal documentation is prudent. In the event that the applicant is not satisfied with the City’s decision, a complaint may be filed with the Nebraska Department of Economic Development.
8. Conflict of Interest – No member of the governing body or other official, employee or agent of the City of Aurora or the Downtown Revitalization Committee who exercises policy, decision-making functions or responsibilities in connection with the planning and implementation of the Downtown Revitalization 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 City of Aurora or Downtown Revitalization Committee 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.

Exception: Upon written request, exceptions may be granted by the Nebraska Department of Economic Development on a case-by-case basis.

9. Applicant is responsible for obtaining any permits required to do the project. The applicant is responsible for contacting the City of Aurora (402) 694-6992 to determine what permits may be needed for the project. The applicant must also register on the System for Award Management (www.sam.gov) prior to approval of application. Assistance for registering can be obtained through the local Nebraska Business Development Center at University of Nebraska – Kearney.

10. 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.
- Prior to solicitation of bids, ensure that the participating contractors are aware of Davis Bacon Wage requirements and the need to pay prevailing wage rates, submit payroll reports to the administrator, as well as adherence to all other federal wage requirements.
- Provide proof that all participating contractors and sub-contractors are also registered on www.sam.gov and or show no active exclusions on sam.gov.
- Participate in E-Verify.
- Participate in a pre-construction conference with a representative of the Downtown Revitalization Committee and the City's CDBG administrator to review project scope, project requirements, Davis Bacon wage requirements, submission of payrolls, etc.

11. The City of Aurora or the Downtown Revitalization Committee does not maintain a contractor's list. However, the City and DRC strongly encourage 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.

12. At such time as the Recipient has satisfied all contractual provisions, a written notice to proceed will be issued by the authorized representative of Downtown Revitalization Committee. Said notice to proceed will be issued, dated and signed by an authorized representative of the Downtown Revitalization committee.

13. Participation in the City of Aurora Downtown Revitalization 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), as specified in contract with the City. The City will require applicant to execute a promissory note for the award amount.

14. Forgivable loan Recipient must submit a paid, itemized invoice for reimbursement together with proof of payment (e.g., cancelled 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 Downtown Revitalization Committee. Any unapproved changes will void the forgivable loan. If Recipient decides to change the project after approval they must contact the authorized representative of the Downtown Revitalization Committee for review of the changes.
15. Prior to reimbursement, the work will be inspected by Downtown Revitalization Committee or administrative 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 Downtown Revitalization Committee.
16. The City, upon recommendation of Downtown Revitalization Committee, reserves the right to loan additional money to targeted projects that they believe will have a significant impact on the area.
17. Downtown Revitalization Committee members will be available to offer assistance and may seek outside guidance on any project being considered for the forgivable loan program.
18. The Downtown Revitalization 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 City of Aurora. The loan will be prorated at 20% forgiven each year. Should a Forgivable Loan Recipient be required to repay any portion of the grant, those monies would be remitted to the Nebraska Department of Economic Development immediately.
19. A complete application packet may be obtained by contacting: Ric Melcher at the City Office, 905 13th Street; Kelsey Bergen at the Aurora Economic Development Corporation or Justise Rhoden at the Aurora Chamber of Commerce Office. Kelsey and Justise's offices are located at the Bremer Center, 1604 L Street, Aurora.
20. The Downtown Revitalization Committee members serve on a volunteer basis and are appointed by the Mayor/City Administrator. If a member of the Committee has a financial interest in the project being reviewed, he/she shall make that conflict of interest known to the committee and will abstain from the review/recommendation process. Members of the

Downtown Revitalization Committee will serve indefinite terms; however, the Mayor/City Administrator has the right to replace members of the Downtown Revitalization Committee in the event of resignation or other necessary circumstances. Members of the Aurora Downtown Revitalization Committee consist of the following;

- a. Dick Phillips, President of CRA, City Council Member
- b. Wayne Brehm, Member of Aurora Planning Commission
- c. Kelsey Bergen, Executive Director of Aurora Economic Development Corp.
- d. Kurt Johnson, Member of the CRA
- e. Roger Scott, President of A'ROR'N Days Committee
- f. Justise Rhoden, Executive Director of Aurora Chamber of Commerce
- g. Ric Melcher, City Administrator, City of Aurora

21. These program guidelines may be amended periodically as required and deemed necessary by the Downtown Revitalization Committee and the City of Aurora. All program guideline amendment(s) will be subject to the approval of the Nebraska Department of Economic Development.



Proposed DTR project boundaries are described as one block from each side of the Hamilton County Courthouse. Described as "N" to "K" and 14th to 11th.

Google Earth Imagery date: 9/4/20 - newer