

RESOLUTION NO. 2, 2023

A RESOLUTION OF THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF VALPARAISO, INDIANA, CREATING A COMPREHENSIVE FAÇADE AND SIGN IMPROVEMENT PROGRAM

WHEREAS, the City of Valparaiso, Indiana, has operated a Façade Improvement Program for the Central Business District of the City since 2006; and

WHEREAS, the Façade Improvement Program for the Central Business District has had a positive impact on the City and improved the appearance, quality, and vitality of downtown Valparaiso; and

WHEREAS, the elimination of nonconforming signs along the City's Highest Priority Signature Streets and within the Eastgate Overlay District is recognized as key to the overall visual quality of these corridors that façade improvements alone cannot address; and

WHEREAS, looking to build upon the positive impact the Façade Improvement Program has had on the downtown, the City expanded the eligibility boundaries to include Highest Priority Signature Streets as defined in Valparaiso's Unified Development Ordinance 11.302(B) and the Eastgate Overlay District as defined in UDO 11.401(B) by adopting Board of Public Works and Safety Resolution No.1, 2022; and

WHEREAS, in an effort to increase participation and effectiveness the City seeks to modify the Program.

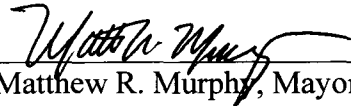
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF VALPARAISO THAT:

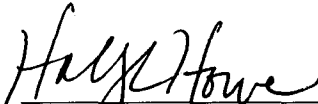
1. That the revised Façade and Sign Improvement Program (attached hereto as Exhibit "A") is hereby approved and adopted as the official incentive program for façade improvements and sign replacements in eligible areas throughout the City.
2. That all requests for façade and sign improvement incentives within the eligible areas of the City will be considered based on the Façade and Sign Improvement Program attached hereto.
3. That any applicant for façade and sign improvement incentives will be provided with a copy of the policies and guidelines set forth in the Facade and Sign Improvement Program.

This Resolution shall be in full force and effect upon adoption.

Adopted this 11th day of August, 2023.

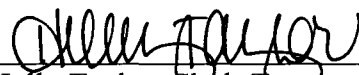
**VALPARAISO BOARD OF PUBLIC
WORKS AND SAFETY**


Matthew R. Murphy, Mayor


Holly Howe, Member


Steve Poulos, Member

Attest


Holly Taylor, Clerk-Treasurer



Planning Department
166 Lincolnway
Valparaiso, IN 46383
(219) 462-1161

For Office Use Only:

FAÇADE & SIGN IMPROVEMENT PROGRAM

PROGRAM PURPOSE

The Valparaiso Façade & Sign Improvement Program is designed to promote the continued use and improvement of commercial buildings in high priority areas. It is intended to help property owners and commercial tenants to rehabilitate and restore the visible exterior of existing structures, to construct or enhance rear pedestrian entrances of buildings, and remove nonconforming signage and replace with new conforming signage. Improvements must meet criteria for appropriateness of design. Reimbursement grants are provided to property owners or commercial tenants in recognition of the positive impact that individual property improvements can have on the overall appearance, quality and vitality in areas of Valparaiso in need of redevelopment.

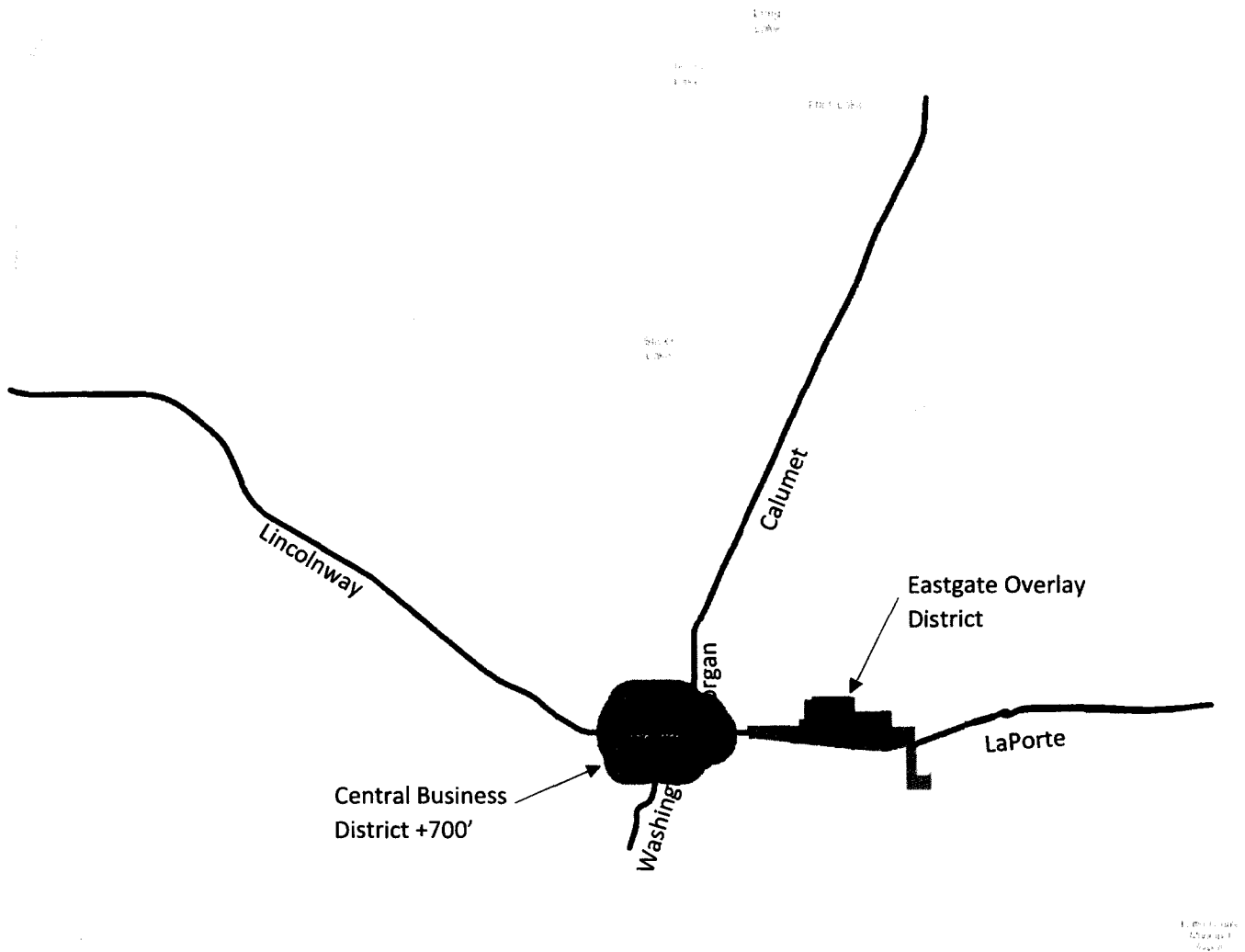
ELIGIBLE PROPERTIES

To be eligible for a Façade & Sign Improvement Program reimbursement grant, an applicant and building and/or nonconforming sign shall meet all of the following criteria:

- ☐ The property is used in whole or in part for commercial purposes.
- ☐ The property is located within the Central Business District (+ 700 ft.), the Eastgate Overlay District, or on a parcel with frontage on a Highest Priority Signature Street (see map on following page).
- ☐ Neither property nor Applicant shall be delinquent in property taxes.
- ☐ Buildings or signs with existing code violations or deficiencies must include their remedy as part of the proposed improvements.
- ☐ Buildings without a public entrance meeting ADA standards must include the remedy as part of the proposed improvements.

Properties used in whole or in part for commercial purposes are also eligible for a reimbursement grant for rear entrance improvements if they also meet all of the following criteria:

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



Map of grant-eligible areas. If you have questions about geographic eligibility, please contact the Planning Department.

WHAT GRANTS ARE AVAILABLE?

The maximum amount of the reimbursement grant for a specific property will be set forth in a Façade & Sign Improvement Agreement between the City and the property owner or tenant. If costs exceed the original estimates, the property owner or tenant shall be solely responsible for the payment of the full amount of the excess. **The maximum aggregate amount of grants approved for a property within any ten-year period shall be limited to \$60,000 for façade-related work, \$20,000 for removal and replacement of nonconforming signs, and \$7,500 for architectural services.** *This limitation applies to all eligible properties regardless of the number or width of qualifying facades or number of signs.*

The owner or tenant shall retain an architect to prepare a conceptual design and cost estimate for work proposed unless this requirement is waived by the Planning Department due to limited project scope. The architect may provide bidding and construction plans and documents, as well as construction supervision. The grant amount for architectural services shall be limited to \$7,500 per property, reimbursable at 100%. Only those architectural services directly related to the approved grant eligible scope of work will be reimbursed.

Upon recommendation of the Planning Department and approval by the Board of Works, the maximum aggregate amounts of grant funds may be increased based on availability of budgeted funds, significance and location of the proposed work, and the percentage of funds being contributed by the property owner towards the project.

- ☐ **Exterior Building Facades** - Property owners or commercial tenants who install at least \$5,000 of improvements (excluding architectural services) are eligible to receive a grant to reimburse 50 percent of the cost of actual, reasonable, and necessary construction of exterior building improvements and 100% of architectural fees, up to \$30,000 per façade for construction and architectural fees combined. A façade is defined as a building elevation of up to 900 square feet along the front or side of a building facing a public street, measured along the building wall generally parallel to the right of way line. For building fronts or sides exceeding 900 square feet, a pro rata amount may be applied.
- ☐ **Rear Entrance Improvements** - Property owners or commercial tenants who install at least \$5,000 of improvements are eligible to receive a grant to reimburse 50 percent of the cost of construction of exterior building improvements and 100% of architectural fees, up to \$10,000 per 900 square feet of rear facade for construction and architectural fees combined.
- ☐ **Sign Replacements** - Property owners or commercial tenants who will incur at least \$5,000 of expenses in the removal of a nonconforming sign and, if desired, the installation of a new conforming sign are eligible to receive a grant to reimburse 100% of demolition and removal and 50% of installation, up to \$20,000 per sign. Required landscaping around new signage is an eligible improvement up to \$1000 per sign.

Reimbursement grants are subject to Federal and State taxes and are reported to the Internal Revenue Service on Form 1099. You are required to provide your taxpayer ID number as part of the Façade Improvement Agreement. Property owners and tenants should consult their tax advisor for tax liability information.

ELIGIBLE IMPROVEMENTS

- ☐ **Exit Doors (Exterior)** - installation, repair and replacement of exit doors and hardware to provide public access, or where current doors do not meet the building and fire codes, or it will improve the overall appearance of the building.
- ☐ **Painting** - painting of the exterior surface of buildings.
- ☐ **Shutters and Awnings** – repair, replacement or addition of exterior shutters and awnings. (Exceptions: mansard roofs, backlit and/or plastic awnings are not eligible for funding)
- ☐ **Sign structural elements** – repair and replacement for sign backers, monuments, and all other signage elements not specific to the business. All exterior signage must be brought into compliance with existing city ordinance.
- ☐ **Stairs, Porches, Railings, Exits** – repair and replacement or installation of exterior stairs, porches, railings, ADA ramps, and exit facilities.
- ☐ **Walls** – repair and rebuilding of exterior walls, including cleaning, sealing, tuck pointing, painting, etc.
- ☐ **Landscape** - limited to landscape associated with a grant-eligible facades and signs at \$1000 per sign or façade. Landscape materials shall be maintained in good condition by the property owner or tenant for a minimum of five years.
- ☐ **Lighting** – installation, repair and replacement of energy efficient lighting that illuminates the façade or signage.
- ☐ **Hardscape** – ADA accessible sidewalks, pavers, plazas, and other permanent improvements designed primarily for pedestrian use.
- ☐ **Windows** – repair of frames, sills, glazing, replacement of glass and installation of new windows.
- ☐ **Roofs** – repair and re-roofing, where the effects of the repair will be visible from a public way or public parking lot. (In general, sloping roofs would qualify, flat roofs would not).

The following items are **not** eligible for reimbursement grants under the City of Valparaiso's Façade & Sign Improvement Program:

- Building Permit fees and related costs
- Extermination of insects, rodents, vermin and other pests
- Hardscape or entrance improvements that do not fully comply with ADA standards
- Title reports and legal fees
- Acquisition of land or buildings
- Air conditioning and heating facilities
- Electrical wiring or service upgrade, except electrical work necessary to illuminate an eligible sign
- Elevators – repair or installation
- Sign faces or other brand-specific sign elements
- Items considered routine maintenance
- Interior improvements such as floor or ceiling replacement and repair
- Plumbing
- Refinancing existing debt
- Sprinkler systems
- Sweat equity – which includes any work provided by the Applicant or a contractor in which the Applicant has a financial interest.
- Working capital for businesses
- Resurfacing of parking lots
- Landscape not associated with eligible façade or sign and any annual plantings

Improvements not specifically listed as eligible, or ineligible are subject to review as to eligibility by Planning staff and approval or disapproval by the Valparaiso Board of Works & Public Safety.

Planning staff will consider the architectural appropriateness of proposed improvements using the applicable design standards in the Unified Development Ordinance. Improvements that do not meet the applicable design standards are not eligible for a reimbursement grant.

APPROVAL OF FAÇADE IMPROVEMENT AGREEMENT

Applications are accepted on a rolling basis. Properties that have not received a Façade & Sign Improvement Program reimbursement grant in the past will be given priority. In the event that the total amount of the potential reimbursement grants exceeds the amount budgeted for the program for that fiscal year, the applications which cannot be approved due to budget limitations will be carried over for consideration during the following fiscal year. Not more than one Façade & Sign Improvement Agreement shall be approved for an improvement project in any fiscal year, and a Façade & Sign Improvement Agreement shall not be approved if a Façade & Sign Improvement grant was made for the same portion of the building within the previous five years.

COMMENCEMENT OF WORK

After the Façade & Sign Improvement Agreement is approved by the Board of Works, applicants may obtain a building and/or sign permit and begin the work. **DO NOT COMMENCE ANY WORK THAT YOU INTEND TO SEEK REIMBURSEMENT BEFORE SECURING APPROVAL OF A FAÇADE IMPROVEMENT AGREEMENT. APPLICANTS WILL NOT BE REIMBURSED FOR WORK STARTED PRIOR TO APPROVAL OF THE FAÇADE IMPROVEMENT AGREEMENT.**

COMPLETION OF WORK

All improvements shall be completed and requests for reimbursement submitted within 180 days after the Board of Works approval of Façade & Sign Improvement Agreement unless otherwise authorized by the Planning Department for a maximum of a one (1) year extension. It shall be the applicant's sole responsibility to make sure that all deadlines are met. All requests for extension must be submitted in writing to the Planning Department prior to the expiration of the initial deadline to complete the work and submit requests for reimbursement. In the event that an applicant fails to comply with these deadlines or otherwise requests an extension from the Planning Department, the City may terminate its obligation to reimburse the applicant.

REIMBURSEMENT PAYMENTS

Upon completion of the work, the applicant shall submit copies of all architect's invoices, contractor's statements, invoices, proof of payment, and notarized final lien waivers to the Planning Department as evidence that the owner or tenant has paid the architect and contractor(s). You should use the attached forms for the contractor's statement and final lien waivers. Payment will be authorized upon completion of all work items as originally approved and receipt of all of the required documents. Payments are generally reviewed and approved within 30 days of a submittal being completed.

The Planning Department may authorize reimbursement to be made in two payments, if all of the following conditions are present: 1) The first partial payment may be made upon completion of work representing at least fifty percent (50%) of the amount specified in the Façade & Sign Improvement Agreement; 2) The architect's invoices, contractor's statements, invoices, notarized final lien waivers and proof of payment for the completed work have been submitted; 3) The remaining work is expected to be delayed for thirty days or more following completion of the initial work due to weather, availability of materials, or other circumstances beyond the reasonable control of the owner or tenant.

Reimbursement for architectural services will be made at the same time reimbursement is made for improvements, and only if a Façade Improvement Agreement has been approved. Architectural services may be reimbursed, at the sole discretion of the Board of Works, as follows:

- ☐ Concept Plans and cost estimates prepared before approval of a Façade Improvement Agreement.
- ☐ Architectural construction drawings and specifications for the improvement to the extent required by the Valparaíso Building Code, prepared after approval of a Façade Improvement Agreement.
- ☐ Construction supervision conducted after approval of the Façade Improvement Agreement.

Major changes or elimination of improvements must be approved by the Board of Works. Minor changes must be approved by the Planning Director. **THIS IS A REIMBURSEMENT PROGRAM – YOU MUST PAY YOUR ARCHITECT, CONTRACTORS AND SUPPLIERS BEFORE YOU RECEIVE PAYMENT FROM THE CITY.**

ALTERATIONS

The property owner and tenant shall be responsible for maintaining the façade, sign, and rear entrance improvements without alteration for **five (5) years** unless approved by the Planning Director. A restrictive covenant limiting alterations may be required by the Board of Works at the time of approval of the Façade Improvement Agreement.

FAÇADE & SIGN IMPROVEMENT PROGRAM – STEP-BY-STEP PROCESS

1. Review the Program Description or contact the Planning Office to see if the improvements you are considering are eligible.
2. Define the scope of your proposed improvements with the help of an architect or confirm with the Planning Office that architectural services are not required.
3. Complete grant application including elevations, detailed description of work to be done, and project score sheet.
4. Submit draft application to Planning Office, 166 Lincolnway, Valparaiso, IN or planningdepartment@valpo.us.
5. Revise plans as necessary to meet relevant design standards from Article 11 and/or Article 5 of the Unified Development Ordinance.
6. Submit final revised plans, two quotes for the full scope of work, quote breakdown worksheet and legal documentation to Planning Department for final review.
7. Application and grant agreement are presented to the Board of Works for their review and approval.
8. Apply for a building and/or sign permit through the Building Department. Ensure all contractors are registered with the city.
9. Pick up permit(s) at Building Department when notified.
10. Construct per approved plans and call Building Department to schedule inspections as required.
11. Finish Construction.
12. Call the Building Department for final inspection.
13. Request reimbursement: Submit Lien Waivers, Treasurer's Form (to show compliance with property tax), receipts or cashed checks for completed work etc., to Planning Office
14. Receive check from Clerk/Treasurer Office after approval of the claim at the relevant public meeting.

VALPARAISO FAÇADE IMPROVEMENT PROGRAM – APPLICATION FORM

PROJECT INFORMATION		<i>TYPE OR PRINT IN INK</i>
Property location: _____ _____ Business(es) located on property: _____ _____ Building age(s): _____ Nonconforming sign on property: ☐ Yes ☐ No	Property zoned as: _____ PIN #: _____ Owner of record: _____ _____ IF LEASED: Lease expiration date: _____ Renewal term: _____	
APPLICANT INFORMATION		
Applicant name: _____ Address of property to be improved: _____ _____ Name of business: _____ Tax ID #: _____	Home address: _____ _____ _____ Cell phone: _____ Home phone: _____ ☐ Same as cell Email: _____	
PROPERTY OWNER INFORMATION		
Applicant name: _____ _____ Phone: _____ Email: _____	Address: _____ _____ _____ _____ _____	
<i>Describe in detail the proposed scope of work including design firm and/or contractor(s) selected. In describing project, be sure to differentiate between interior renovations vs. exterior façade improvements to be undertaken. Use separate sheet(s) if necessary.</i>		
DESCRIPTION OF PROPOSED PROJECT: (EXHIBIT NO. _____)		
_____ _____ _____ _____ _____		

Anticipated construction: Start date: _____ Completion date: _____ Total project cost: _____	
BUILDING INFORMATION	
Will the proposed project result in a change of use for the building? ☐ Yes ☐ No Uses of the building after completion of façade project: 1 st Floor: _____ _____ ☐ Same as previous	2 nd Floor: _____ _____ ☐ Same as previous 3 rd Floor: _____ _____ ☐ Same as previous Other: _____
OTHER REQUIRED DOCUMENTATION:	
☐ Property deed with legal description of property ☐ Proof that all property taxes are paid and current ☐ Detailed project budget ☐ Two (2) contractor quotes for total scope of work and completed quote worksheet ☐ Proof of property and liability insurance ☐ Signed mortgage note ☐ Copies of any leases associated with the property ☐ Photographs of proposed project site	
FOR OFFICE USE ONLY:	
Grant #: _____ Date Filled: ____/____/____ Application Type: _____	Staff Reviewer: _____ Review Date: ____/____/____ Decision Date: ____/____/____

I/We certify that all information set forth in this application is a true representation of the facts pertaining to the subject property for the purpose of obtaining funding under the Valparaiso Façade & Sign Improvement Program. I understand and acknowledge that any misrepresentations and/or inaccurate information contained in this application could result in disqualification from the program, requiring any funds already disbursed to be repaid in full to the City of Valparaiso.

The applicant further certifies that he/she has read and understands the Valparaiso Façade & Sign Improvement Program Guidelines. If a determination is made by the Board of Works that program funds have not been used for eligible program activities, the Applicant agrees that the proceeds shall be returned, in full, to the City of Valparaiso and acknowledges that, with respect to such proceeds so returned, he/she shall have no further interest, right, or claim. It is understood that all Valparaiso Façade & Sign Improvement Program funding commitments are contingent upon the availability of program funds.

If contractor proposals/quotes are submitted with this Application, applicant represents and warrants that such are true and accurate copies of proposals/quotes prepared by the contractors and received by the applicant.

Signed this ____ day of _____, 20 ____ By: _____

City of Valparaiso Façade & Sign Improvement Program Project Score Sheet

All Projects are to be scored by the applicant based on the project scoring criteria.



ELIGIBLE IMPROVEMENTS														
	ADA – COMPLIANT ENTRY/EXIT	PAINTING	SHUTTERS/AWNINGS	SIGN STRUCTURE	POLE SIGN REMOVAL	STAIRS, PORCHES, RAILINGS	WALL REPAIR	ARCHITECTURAL DETAIL	WINDOWS	HARDSCAPE	LANDSCAPE	LIGHTING	ROOFS	TOTALS
<i>Points Possible</i>	1.5	1	1	.5	3	.5	1	1	1	.5	.5	1	.5	13
<i>Applicant Score</i>														
<i>Staff Score</i>														

A minimum of 3 points are required for projects to be eligible for the Façade & Sign Improvement Program. The following eligible improvements are worth one point each; Painting, Shutters/Awnings, Wall Repair, Windows, Architectural Detail, and Lighting. Stairs, Porches, Railings, Sign structures, Roofs, Hardscape, and Landscape are worth .5 point each. ADA Compliant Entry/Exits are worth 1.5 points. Pole sign removal is worth 3 points. The applicant shall score the project based on the criteria eligible improvements on page 3 of the façade program description. Planning Department staff will review the applicant's scores to ensure that the criteria is met for the minimum required 3 points.