



GARLAND

**DOWNTOWN HISTORIC DISTRICT
FAÇADE IMPROVEMENT PROGRAM**

APPLICANT CHECKLIST

Use this form as a checklist for steps to be completed in connection with the Downtown Historic District Façade Improvement Program. Indicate completion of each item with a check mark in the appropriate box.

- Meet with City of Garland Downtown Development Office staff to determine the eligibility of the project described in the application (the "Project") and to walk through the instructions for completing an Application.
- If any work for the Project may require a building or sign permit, or involves historic integrity issues, meet with the City's designated historic integrity staff representative and the City's Building Inspections Department.
- Complete the Application Form and Agreement Form.
- Include the following required attachments:
 - scaled drawing that illustrates design intent of all the proposed grant work to be done including:
 - signage/awning/canopy/Façade renderings,
 - proposed materials to be used,
 - color samples of all final paint selections and/or final fabric or sign material selections, and
 - historic photographs of the Garland Square or the commercial property itself, if available, and
 - recent photographs of building's exterior façade, roof and foundation;
 - contractor(s)' bid proposal(s);
 - statement of how the proposed façade improvements are consistent with and further the historic character and appearance of the Downtown Historic District,
 - W-9 and new vendor information required by the City's Purchasing Department for disbursement of funds; and
 - proof of ownership of the building where the Project improvements are to be constructed.
- Return the completed Application and Agreement Form with required attachments to the City's Downtown Development Office at 200 N. Fifth Street, Garland, Texas 75040 and schedule an appointment for reviewing the application with the Downtown Design Review Committee (DDRC).
- If the Application is approved, execute and deliver Economic Development Program Agreement, together with plans, to the City setting forth the terms and conditions of the Downtown Historic District Façade Improvement Program (DHDFIP) grant to the applicant (the "380 Grant Agreement").
- Project construction may not commence until after approval of the grant, execution and delivery of the 380 Grant Agreement, and written notice from the City to commence work. Work must commence within ninety (90) days of approval of the grant by the City and must be completed within one (1) year of construction commencement.
- Within thirty (30) days after completion of the Project, the applicant shall furnish to the City:
 - a written request executed by the applicant for reimbursement of the amount approved by the grant;
 - a Certificate of Compliance (Exhibit "G") executed by the applicant certifying that the applicant has complied with all of the terms and provisions of the DHDFIP and the Chapter 380 Participation Agreement (Exhibit "F") and confirming that the applicant is not in default under the terms of the Chapter 380 Agreement and no event exists which, but for notice, the

lapse of time or both, would constitute a default under the terms of the Chapter 380 Agreement;

- photographs of the building's exterior showing the façade/sign or awning improvements completed in connection with the Project and the roof and foundation; and
- proof of payment by the applicant of costs incurred in connection with the Project including, without limitation, copies of paid invoices, cancelled checks and/or paid credit card receipts and notarized final lien waivers from all contractors, subcontractors and suppliers.

PROGRAM OVERVIEW

I. GENERAL PURPOSE. The City of Garland promotes Garland and its unique character through the redevelopment and revitalization of Downtown, historic preservation, and community involvement. The City has established this commercial historic façade improvement program to encourage the rehabilitation, enhancement, restoration, and preservation of façades in the Downtown Historic District as a catalyst to: (i) attract new customers and businesses to Downtown Garland; (ii) stimulate new, private investment and economic development in Downtown Garland; (iii) positively impact the marketability and perception of Downtown Garland; and (iv) promote commercial revitalization of Downtown Garland. The City has determined that the Downtown Historic District Façade Improvement Program (DHDFIP) is in the public interest and that investing public resources in Downtown Garland will promote local economic development in the City, stimulate business and commercial activity, help attract visitors and tourists to Garland, and benefit the City and its citizens.

II. PRIMARY OBJECTIVE. The DHDFIP is focused on improving the exteriors of buildings located in Downtown Garland to make them more economically viable and visually appealing by appropriately renovating the façade or, whenever possible, restoring the façade back to its original appearance.

III. DEFINITIONS:

City shall mean the City of Garland, a Texas home rule municipality.

City Council shall mean the City Council of the City.

City Manager shall mean the City Manager of the City.

Façade Improvement Program (FIP) shall mean this program established by the Tax Increment Finance Board #1 (TIF Board #1) and approved by the City Council to encourage the rehabilitation, enhancement, restoration, and preservation of building Façades in Downtown Garland.

Façade Improvement Program Participation Agreement shall mean an economic development program agreement pursuant to Chapter 380 of the Texas Local Government Code outlining the terms and conditions of a façade improvement grant approved pursuant to this DHDFIP, such agreement to be in the form attached hereto as “**Exhibit E**” and made a part hereof for all purposes.

Downtown Development Office shall mean the Downtown Development Office of the City.

Downtown Historic District (DHD) shall mean only those properties located within the boundaries outlined in red on the map attached hereto as **Exhibit “A”** and made a part hereof for all purposes.

Enhancement shall mean replacing, adding, or repairing awnings and signs. Signs may include signboards, projecting signs, and pedestrian signage (includes window sign, hanging sign, and awning/canopy sign). Components of the façade such as signs and awnings are not stand-alone projects.

Grant Reimbursement Conditions Precedent shall mean the conditions precedent to the payment of any grant approved pursuant to the DHDFIP as more fully set forth in Article VII of this DHDFIP.

Maintenance Period shall mean the period commencing with the date the City's building and code inspectors have confirmed in writing that the Work complies with all plans, approvals, building permits, and sign permits issued in connection with the Work and continuing for five (5) years thereafter.

Rehabilitation shall mean removing slipcovers or non-historic/added façades, repainting brick or replacing mortar joints, removing paint from brick, replacing or restoring cornices, restoring or replacing windows, restoring transom windows, storefront systems, or any restoration work done that is guided by the DHDFIP Design Guidelines (**Exhibit "D"**).

Reimbursement Request shall mean a written request submitted to the Downtown Development Office at 200 N. Fifth St., Garland, Texas 75040, for reimbursement of a façade improvement grant approved pursuant to the DHDFIP.

TIF Board shall mean the Board of Directors of Tax Increment Finance District #1 (TIF Board #1), City of Garland, Texas, created by Ordinance No. 5785 and amended by Ordinance No. 6238.

Work shall mean the repair, removal, replacement, restoration, construction and installation of improvements to the façade(s) of building(s) in the Downtown Historic District that rehabilitate, enhance, restore, and preserve the façade(s) of such building(s) consisting of removing slipcovers or non-historic/added Façades, repointing brick or replacing mortar joints, replacing, or restoring cornices, restoring (or, in some cases, replacing) windows, restoring transom windows, or any repair, removal, replacement, or restoration work done to the façade of a building that is guided by the DHDFIP Design Guidelines and shall include enhancing building façade(s) by repairing, replacing, removing and installing signs and awnings [including signboards, projecting signs, pedestrian signage, window signs, hanging signs, and awning/canopy signs] and shall also include exterior lighting that enhances the rehabilitation work described above.

IV. TERMS, CONDITIONS, RESTRICTIONS, LIMITATIONS AND GRANT GUIDELINES

1. Eligibility Requirements

- A. **Eligible Properties.** Grant funds are available only for exterior Rehabilitation and Enhancement work on building façades that overlook public streets located in the area identified as the Downtown Historic District on the map attached hereto as Exhibit "A."
- B. **Eligible Applicants.** An applicant must be the owner of a property within the area identified as the Downtown Historic District on map attached hereto as Exhibit "A."
- C. **Eligible Projects.** To be eligible for a grant under the DHDFIP:
 - i. The proposed project must restore, preserve, rehabilitate, or enhance the façade of a building in the Downtown Historic District (DHD) in accordance with the DHDFIP Design Guidelines ;
 - ii. The minimum cost of the project must be at least \$10,000;
 - iii. The building where the work is to be performed must be in compliance with all applicable City codes and ordinances, and the property owner(s) or tenant(s) use of the building must be in compliance with the City's zoning ordinance;
 - iv. Ad valorem taxes assessed against the property where the work is to be completed must not be delinquent and there shall be no liens against the property for past due property taxes; and

- v. The applicant must not owe any outstanding past due property taxes, judgments, fees for code violations, or any other debts to the City that are past due.

D. **Eligible reimbursements.** The DHDFIP is a single reimbursement to property owners of building(s) in Downtown Garland. Reimbursement grants are available for façade Rehabilitation and Enhancement projects consisting of eligible improvements. The following are eligible for reimbursement under the DHDFIP:

- Signs (new, repairs, replacement, removal) as part of a rehabilitation project;
- Awnings as part of a rehabilitation project;
- Paint;
- Removal/replacement of inappropriate or incompatible exterior finishes or materials;
- Door/window/storefront system/trim replacement or repair;
- Brick/stone/masonry;
- Structural improvements to the façade;
- Exterior lighting attached to the façade;
- Building permits and inspection fees; and
- Architect, engineering, and other professional design fees if needed or required.

E. **Non-Eligible reimbursements.** The following are not eligible for reimbursement under the DHDFIP:

- Routine maintenance;
- Interior improvements;
- Heating, air-conditioning, plumbing, electrical;
- Landscaping;
- Parking lots and/or paving;
- Sidewalks;
- Equipment;
- Financing costs;
- In-kind, donations, or “sweat equity” contributions; and
- Sums paid to any contractor, laborer, or supplier owned directly or indirectly by the applicant, building owner, or family member of the applicant or building owner.

2. **Matching Grant.** All grants under the DHDFIP are 50/50 matching grants which means that the applicant must match dollar for dollar the amount of the grant. All of the applicant’s match must be for exterior façade improvements within the scope of the Project proposed in the application. All of the applicant’s match must be monetary.

3. **Reimbursement Grant.** The DHDFIP is a reimbursement program. If an architect or engineer is needed, applicants must pay their architect, engineer, contractors, suppliers, and all other costs in connection with the project before receiving any payment from the City.

4. **Grant Criteria.** The criteria used to review and score projects will include, but shall not be limited to, the following:

- A. the amount of the grant requested;
 - B. the availability of grant funds;
 - C. other pending grant requests;
 - D. compliance of the project with the terms, conditions, restrictions, limitations, and guidelines of the DHDFIP;
 - E. score of the project in maintaining Downtown's historic character (as expressed in the DHDFIP Design Guidelines) and in preserving Contributing status of historically significant structures, based on the Secretary of Interior's Standards for Rehabilitation;
 - F. the architectural and structural condition of the building where the work is to be performed;
 - G. the economic impact the project is anticipated to have on the revitalization and redevelopment of Downtown Garland;
 - H. compliance of the project with all current building standards;
 - I. ability of the project to increase the taxable value of the property where the work is to be performed and the values of the properties around it – preference will be given to projects that will contribute additional increment to the Downtown Tax Increment Fund (TIF#1) , City of Garland, Texas;
 - J. perceived need for proposed renovations to the building;
 - K. historical accuracy of the proposed renovations and use of non-synthetic natural materials;
 - L. design quality of the proposed rehabilitation and compatibility of design in relation to other buildings;
 - M. project compatibility in relation to Downtown Garland development goals at time of application;
 - N. proximity to other development projects (new construction or renovations);
 - O. number of projects the applicant has already successfully completed; and
 - P. such other matters as deemed appropriate may be considered on a case-by-case basis.
5. **Reimbursement Agreement.** All grants will be awarded on a reimbursement basis. Reimbursement will only be initiated after all covenants and conditions to be performed by the applicant under the terms of the 380 Grant Agreement have been satisfied, the work to be performed in connection with the grant has been satisfactorily completed, and City staff has inspected the work and verified that it is compliant with the plans proposed in the approved application, and compliant with all city building codes and permits issued.
6. **Construction Requirements for Approved Grants**
- A. The applicant is required to obtain all applicable City permits and City approvals required for the construction of the project if a grant is awarded.
 - B. Applicants receiving approval by the City shall commence construction described in the application within ninety (90) days from the date the grant is awarded by the City. All applicants must complete the construction described in the Application within one (1) year from the date the grant is approved by the City. If the applicant is unable to commence construction within ninety (90) days from the date the grant is approved or complete construction within one (1) year from the date the grant is approved, the applicant may submit a written request for an extension of the commencement date

or completion date to the City Manager provided the extension request is made prior to the ninety (90) day or one (1) year time limit. The City Manager shall not be obligated to allow extensions but may do so for good cause determined solely by the City Manager. An extension, if granted, shall be for the term and subject to the conditions determined exclusively by the City Manager. The denial by the City Manager of a request for extension cannot be appealed and shall be final.

- C. All work contemplated by the application must conform to applicable city building codes, zoning ordinances, and local, state, and federal laws.
7. **Process for Reimbursement.** Within thirty (30) days after completion of the project and prior to payment of any reimbursement, the applicant shall provide to the City:
- A. a written request for reimbursement of the amount approved by the grant duly executed by the applicant, together with an itemized list of all work completed;
 - B. a Certificate of Compliance (Exhibit "G") executed by the applicant certifying that the applicant has complied with all of the terms and provisions of the Chapter 380 Agreement and that the applicant is not in default under the terms of the Chapter 380 Agreement and no event exists which, but for notice, the lapse of time or both, would constitute a default under the terms of the Chapter 380 Agreement;
 - C. photographs of the building's exterior showing the improvements completed indicating compliance with approved drawings in connection with the approved application; and
 - D. proof of payment by the applicant of the costs incurred in connection with the approved application including, without limitation, copies of all paid invoices, cancelled checks, and/or paid credit card receipts and notarized final waivers or releases of lien for the work performed from all contractors, subcontractors, laborers, and suppliers.
8. **Payment of Reimbursement Grant.** Provided all covenants and conditions of the 380 Grant Agreement have been satisfied, approved façade grants shall be payable as a single payment reimbursement within sixty (60) business days after the applicant has submitted the payment request and supporting documentation required.
9. **Grant Forfeiture.** Any deviation from the approved grant project and design without the prior written consent of the City will result in the total or partial withdrawal of the grant.
10. **Non-Alteration of façade, awning or sign work.** If an applicant is awarded a reimbursement grant for façade, awning, or sign work and the façade, sign, or awning is altered for any reason within five (5) years from construction without the prior written consent of the City, the applicant will be required to reimburse the City immediately for the full amount of the grant.
11. **Affirmative Covenant of Maintenance.** Each applicant will be required to maintain the property and its façade improvements in the condition of its renovated and improved state for five (5) years after project completion. An applicant who fails to comply with this condition shall be required to repay all of the grant.

12. **Miscellaneous Provisions**

- A. No grants will be awarded for work that has already been completed or for work that is covered by insurance.
- B. No grants will be awarded for work that is not within the scope approved by the design review.
- C. Grant applications must be approved, and written notice from the City received, prior to commencing work in order for project costs to be eligible for reimbursement.
- D. No applicant has a proprietary right to receive grant funds. Each request will be considered on a case-by-case basis. The City shall have sole discretion in awarding grants and the award of any grant is subject to the allocation and availability of grant funds. There is no certainty that grant funds will be available at any given time.
- E. Grants are considered as they are received and may be funded—if approved—until funds allocated to the DHDFIP are depleted.
- F. An applicant who submits an application that was denied a grant by the City shall not be eligible to re-submit a grant application for sixty (60) days from the date the prior application was denied by the City.
- G. Recipients of any façade grant funds must agree to observe all applicable federal, state, and local laws pertaining to the use of grant funds.
- H. No grant funds may be assigned or pledged to any third party and no 380 Grant Agreement shall be assigned without the prior written consent of the City in the City's sole discretion.
- I. Grants approved through the DHDFIP may be treated as income subject to federal income tax provisions. The City is not liable for any tax implications resulting from any grant award. Applicants should consult a tax advisor for tax liability information.
- J. No applicant, or applicant's agent, representative, or tenant shall be entitled to receive grant approval on the same property if requested within five (5) years from the date a previous grant was awarded on the same property.
- K. If a grant application is approved, as a condition to participation in the DHDFIP, an Economic Development Program Agreement, outlining the terms and conditions of the façade grant to the applicant must be executed by the applicant and the City (the "380 Grant Agreement").
- L. All proposed projects will be reviewed and scored based on the DHDFIP Design Guidelines (see attached document). The DDRC will review proposed projects and make a recommendation to the Tax Increment Finance Board #1 (TIF#1) based upon the project's score. Approval from the TIF Board #1 must be obtained before any eligible work may begin.
- M. The applicant shall be required to furnish "before" photographs of the building's exterior as part of the application request and shall provide "after" photographs of the building's exterior showing the completed project improvements as a condition of final grant reimbursement.
- N. The applicant shall be required to submit with its application proof of ownership of the building where the project improvements are being constructed such as a deed.
- O. Construction bid(s) that are current and dated no earlier than ninety (90) days prior to the application submittal must be presented with the application. Construction bids shall be submitted on the project architect's, engineer's or contractor's letterhead and shall contain the contractor's name, address, and telephone number and shall itemize the bid in a manner that allows City staff and the DDRC to determine

the bid components and authenticity of the bid, with a breakdown showing cost of all labor and materials.

- P. All applications must be complete and contain all required information and design intent before the application will be considered for a grant.
- Q. Grant applications and awards can be made only for projects as defined herein.

V. GRANT APPLICATION PROCESS

1. **Determine eligibility**
 - A. Applicant shall discuss project plans with the Downtown Development Office and set up an appointment for project review with the DDRC; and
 - B. Consider the DHDFIP Design Guidelines as a guide to creating a successful design.
2. **Complete the application form and sign the Agreement Form**
 - A. All grant applications must include a drawing to scale showing design intent, materials, and colors to be used of all the proposed grant work to be done;
 - B. Color samples of all final paint selections and/or final fabric or sign material selections must be included with the application to be reviewed by the DDRC;
 - C. Attach itemized, written contractor(s)' bid(s) on all project work from contractors or project architects; and
 - D. All grant applications must include all other information and attachments required by the terms, conditions, restrictions, limitations, and guidelines of the Downtown Historic District Façade Improvement Program.
3. **Return the completed application form.** The completed application must be accompanied by the signed Agreement Form and include all original itemized architect/engineer cost estimates and construction bids, color samples, drawings, example sign material of the proposed work, and all other information and attachments required by the DHDFIP and shall be delivered to the Downtown Coordinator at 200 N. Fifth Street, Garland, Texas, 75040 in person, or mailed to PO Box 469002, Garland, Texas, 75040.
4. **The approval process will include without limitation the following:**
 - A. Only proposed projects that comply with all of the terms, conditions, restrictions, limitations, and guidelines of the DHDFIP are eligible for consideration of a grant award;
 - B. Only applications that have been properly and fully completed and that contain all attachments and information required by the DHDFIP will be submitted to the DDRC and TIF Board #1 for consideration;
 - C. All projects must meet current building standards and codes, as well as building permit requirements;
 - D. Applicants are required to attend and present their project to the DDRC. The DDRC meets monthly, as needed. Grants then must be reviewed by the TIF #1 Board. The TIF meets bi-monthly and will review submitted applications and consider the DDRC's recommendation.
 - E. If recommended by the DDRC, grants will be placed on the TIF #1 Board agenda. The DDRC recommendations are advisory only, and no recommendation shall be binding on the TIF #1 Board.

- F. If an applicant wishes to appeal a recommendation made by the TIF #1 Board, the applicant may submit a written request for appeal directly to the City Manager. Upon review of the TIF #1 Board's recommendation, the determination by the City Manager to accept/reject the decision shall be final.

EXHIBIT INDEX

Exhibit "A": Downtown Historic District Map

Exhibit "B": Application

Exhibit "C": Application Scoring Sheet

Exhibit "D": Downtown Historic District Façade Improvement Program Design Guidelines

Exhibit "E": Agreement Form

Exhibit "F": Chapter 380 Participation Agreement

Exhibit "G": Certificate of Compliance

Exhibit "H": Reimbursement Request Form

EXHIBIT "A"

DOWNTOWN HISTORIC DISTRICT MAP



EXHIBIT “B”

APPLICATION

Please return completed with necessary attachments and signature to the City of Garland Downtown Development Office, 200 N. Fifth Street, Garland, Texas 75040. If you have any application questions, please contact the City of Garland Downtown Coordinator at (972) 205-2370 or lmcnatt@garlandtx.gov.

Date

Grant Recipient Name

Recipient Mailing Address

Recipient Phone

Recipient Email

Historical/Current Building Name

Project Building Street Address

Type of Work (check all that apply):

Façade Rehabilitation

Awnings

Signage

Other (explain): _____

Details of Planned Improvements for Project:

List Contractor/Project Architect/Engineer Proposals and Total Amounts (*attach bid proposals*):

Total cost of proposed project: \$ _____

Amount of grant requested: \$ _____

REQUIRED ATTACHMENTS:

- Scaled drawing that illustrates design intent of all the proposed grant work to be done including:
 - signage/awning/canopy renderings,
 - color samples of all final paint selections and/or final fabric or sign material selections,
 - historic photographs of the Garland Square or the commercial property itself, if available, and
 - recent photographs of building’s exterior façade;
- Contractor(s)’ bid proposal(s);
- W-9 and all other forms required by the City’s Purchasing Financial Services department for disbursement of funds; and
Proof of ownership of the building where improvements are to be constructed.

The undersigned applicant (“Applicant”) authorizes the City to inspect the building where the project work is to be performed to determine whether such building is in compliance with all city codes and ordinances. The Applicant acknowledges that DHDFIP grants are provided on a reimbursement basis only and certifies that no building permit for any work described in the application has been requested and no work for which a reimbursement grant is being requested has commenced.

By signing below, the undersigned applicant acknowledges that the applicant has read and understands the terms, conditions, restrictions, limitations, and guidelines of the DHDFIP and has read the DHDFIP Design Guidelines and hereby certifies that this application and the proposed work for which a reimbursement grant is being requested is guided by: (i) the DHDFIP Design Guidelines and (ii) all of the restrictions, grant limitations, terms, conditions, and guidelines of the DHDFIP.

Incomplete applications will not be processed until all required information and documents are submitted. An incomplete application will automatically be denied if all required information and documents are not submitted within thirty (30) days after the application is received by the City of Garland Downtown Development Office.

[If Applicant is an individual]:

[If Applicant is a Business/Organization]:

Applicant’s Signature

Applicant’s Signature

Date

Date

Business/Organization Names

By (printed name)

Grant Recipient’s Title

EXHIBIT “C”

APPLICATION SCORING SHEET

SCORING CRITERIA	SCORE
ECONOMIC IMPACT	0 - 20
a. Investment in major structural work to improve the integrity/longevity of the building	
b. Investment to improve basic aesthetics of the building (repair/replacement of peeling paint, aging stucco, damaged signs/awnings, etc.)	
CHARACTER OF HISTORIC DISTRICT	0 - 20
a. Adheres to attached Downtown Historic District Façade Improvement Program Design Guidelines	
b. Proposed design does not detract or conflict with existing overall character of Downtown, particularly semi-permanent elements of design	
HISTORIC INTEGRITY OF BUILDING	0 - 20
a. Restores a building to a previous, historically accurate representation; applies to all buildings, whether deemed individually historically significant/ <i>Contributing</i> or not	
b. Maintains <i>Contributing</i> Status/historic significance of a structure by adhering to the Secretary of the Interior’s Historic Preservation Standards; applies to any structure already deemed <i>Contributing</i> /historically significant	
VISUAL INTEREST	0 - 15
a. Preserves an existing iconic element of the building/Square	
b. Creates a new architectural element or feature that improves the iconic profile of the building and contributes to the overall enhanced marketability of the district	
QUALITY OF APPLICATION	0 - 10
a. Overall design is of quality and professionally crafted	
b. Proposal is complete and realistic to accomplish as presented	
STRATEGIC CONSIDERATIONS	0 - 15
a. Property is of particular importance to implementing a Catalyst Area, economic development strategy, master plan, or other strategic initiative	
b. Partners with other businesses	
c. Project is a “target” business (i.e., locally owned retail, dining, arts)	
d. Promotes development of Garland arts and entertainment	
TOTAL SCORE:	