

# CITY OF KEARNEY, NEBRASKA

## Downtown Rehabilitation Program

### Application and Guidelines



City of Kearney, Nebraska  
18 East 22<sup>nd</sup> Street P.O. Box 1180  
Kearney, NE 68848-1180  
[www.cityofkearney.org](http://www.cityofkearney.org)

# Background

The City of Kearney (City) has received funding through the Community Redevelopment Authority (CRA).

The following are guidelines for local business owners/tenants to access this funding for building rehabilitation, facade, energy efficiency improvements, architectural barrier removal, and other improvements.

## Program Overview

### Statement of Purpose:

To prevent or eliminate slum or blight as well as to facilitate development in the Downtown Kearney District.

### Funding Mechanism:

A grant program administered by the City of Kearney from contributions from the Community Redevelopment Authority.

### Grant Details:

- Available to property owners/developers within the Downtown District
- A 50% developer/owner contribution is required (matching funds)
- Must meet approval of Downtown Revitalization Committee, which is comprised of City Staff members and Downtown Improvement Board representation
- **Applications are due by 4:00pm, August 20, 2020**
- **Applications should be emailed to [ehellriegel@kearneygov.org](mailto:ehellriegel@kearneygov.org) in pdf format. A return email will be provided to acknowledge the receipt of your application.**

### Questions or Technical Assistance:

Please contact Assistant City Manager Eric Hellriegel at [ehellriegel@kearneygov.org](mailto:ehellriegel@kearneygov.org) or 308-233-3222.

## **General Guidelines (Including Building Rehab and Energy Efficiency)**

A business may apply for grant funding for one or more of the following improvements:

- Commercial Rehab (other than facades; includes improvements to structure, plumbing , wiring, and fire prevention systems)
- Facade Renovation (includes sidewalk areas)
- Energy Efficiency Improvements
- Architectural Barrier Removal

**Applications:** Applications will be accepted from business owners /tenants in the Downtown Revitalization District (map attached to these guidelines). The DTR Committee will begin review of applications as soon as they are received. Allocation will be done until all monies are committed.

The City of Kearney and the DTR Committee reserve the right to deny any application for any reason other than on the basis of race, color, gender, national origin, religion, handicap or familial status.

The Application must consist of the appropriate, complete program Application Forms (attached to these Guidelines), a picture of the building that the tenant/owner is requesting monies to rehab, drawings of the work to be completed, firm estimates from the contractor(s) for the costs for construction and labor , and a narrative answering questions on the application form.

The cost of the rehab project may not exceed 50% of the assessed value of the building. Once an Application is approved by the City and DTR committee, an environmental review will be completed on the property to be rehabbed. After all reviews are completed satisfactorily, the Application will be considered complete and ready to begin construction. No grant may be awarded if it is discovered the property taxes are not up-to-date. **No work for which funding is sought should begin until authorized by the City of Kearney.**

### **Grants:**

**Grant:** 50% of the total project (up to a maximum of \$20,000) may be granted to the business owner/tenant (applicant). The applicant must pay the other half. All or part of that other half may come from other sources of funding (see " Match" below). **All grant funding to projects will be in the form of reimbursement following the successful completion and reporting for each project.** Before reimbursement, the applicant must provide documentation that all bills have been paid (e.g., cancelled checks). Invoices and source documentation will be required.

**Match:** The applicant (business owner/tenant) will be required to provide at least 50% match of the total cost of the rehab project. This match may be achieved by applicant's cash contribution or labor /supplies provided by the applicant at an approved cost by the City of Kearney /or the DTR Committee. If applicant is providing their own labor as a match for a portion of the project, the amount approved for applicant's labor shall equal the cost as if said labor was performed by a qualified contractor. An estimate of that labor from a qualified contractor must accompany the application. Applicants who will be doing their own labor must be pre-approved by the DTR Committee, the labor costs must be a lump sum estimate (not hourly) and will not be eligible for additional funding if the project requires more time than estimated.

**Evaluation:** Applications will be scored based on the following: Building Preservation-25 points; Project Readiness-25 points; Visual impact-25 points; Additional Property Owner/Tenant Investment-25 points with 100 total points possible.

**Construction Time Frame:** When the building owner/tenant receives notice from the City of Kearney or the DTR Committee that their application is complete and approved ("Notice to Proceed"), the project must be completed within twelve (12) months or September 1, 2021; whichever is later. A City of Kearney building inspector or staff member from time to time may visit construction sites and review work as it progresses. A final inspection will be completed when the project is complete.

**Architectural Barrier Removal:** A business may apply for grant funding to remove or correct impediment to handicapped persons including: handicapped ramps/removal of step-down features, adapting doorways to improve accessibility, improving restrooms for handicap/wheelchair access, braille signage, handrails, accessible door handles and/or buzzing flashing devices (for persons with visual/hearing impairment).

**Energy Efficiency Improvements:** Any improvements must demonstrate lower energy consumption within the business. Generally this entails replacing old technologies with newer ones. Examples of improvements include: insulation, high-efficiency heating and/or air conditioning, high-efficiency lighting, and energy-efficient windows. Note: cash incentives are available from the Nebraska Public Power District, which can be used to offset the business match obligation. Contact the Assistant City Manager for more information. In addition, the federal government offers tax credits for many energy efficiency upgrades. Visit [www.energystar.gov](http://www.energystar.gov) for more information.

**Facade Improvements/ Design Standards:** Any improvements must comply with the Kearney DTR Design Standards (attached). Applications that do not comply risk non-approval by the DTR Committee. Also, the Nebraska State Historical Preservation Office reviews all applications and has authority to disallow design changes.

**Estimates:** If a project is completed at a lower cost than the estimate, reimbursement will be based on actual costs (the lower amount).

**Changes:** While a project is in progress, the applicant may submit modification requests in writing to the DTR Committee. All changes are subject to review and approval by the Committee. Once reimbursement has been requested, no modifications will be accepted.

**Eligible businesses include but are not limited to:** Storage, warehousing, distribution, or sale of tangible personal property; retail trade businesses; the conducting of research, development or testing for scientific, agricultural, animal husbandry, food products or industrial purposes; the performance data processing, telecommunications, insurance, or financial services; the assembly fabrication , manufacture , or processing of tangible personal property ; the administrative management of any activities, including headquarter facilities relating to such activities; or any combination of the above activities, which include value-added enterprises .

Tourism attractions which are expected to draw 2,500 additional visits annually from origins of at least 25 miles away. Tourist attractions are sites and facilities, which draw visitors from a distance because of their scenic, historic, cultural, scientific, and/or recreational attributes. Examples of eligible attractions are: historic restorations, museums, participatory sports facilities, and convention centers.

**Ineligible businesses include:** gambling operations; liquor stores; production agriculture, generally including crop and livestock production; petroleum production; and owner-occupied residential property.

## **Design and Document Approval Flow Chart**

1. Contact is made with City of Kearney regarding participation in the Downtown Rehabilitation Program, to discuss project and items of qualifications.
2. Application is filled out and submitted to the City of Kearney, along with supporting documentation.
3. A meeting of the Downtown Revitalization Committee is scheduled with the applicant at the site of the proposed improvement, if deemed necessary by the committee.
4. The Downtown Revitalization Committee reviews the formal application and then communicates formal recommendation to the Downtown Improvement Board of Directors (DTIB).
5. After formal approval and completion of paperwork and documents, the project is undertaken.
6. At project/phase completion the City of Kearney works with applicant and contractors to complete final paperwork and legal documents.
7. City of Kearney disburses grant proceeds.

## Commercial Rehab Program Application Form

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

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

Applicant's email address: \_\_\_\_\_

Business Name: \_\_\_\_\_

Business Owner: \_\_\_\_\_

Property Owner: \_\_\_\_\_

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

Property Legal Description: \_\_\_\_\_

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

Type of commercial rehabilitation planned (see Design Guidelines):

_____ Roof Repair	_____ Energy Efficiency Updates	_____ Plumbing
_____ Sidewalk Repair	_____ Interior Improvements	_____ Lighting or Electrical
_____ Exterior Lighting	_____ Architectural Barrier Removal	_____ Exterior Paint/Siding
_____ Signage	_____ Windows and/or Doors	_____ Façade Improvements
_____ Other	_____	

Total cost of project: \$ \_\_\_\_\_

Amount requested (up to 50% of project cost – not to exceed \$20,000) \$ \_\_\_\_\_

Please Attach:

1. A detailed description of the project including materials, size, and colors with a before picture and drawing that include the proposed changes.
2. Narratives that explain:
  - a. How you believe this project will improve the aesthetics and/or efficiency of the property;
  - b. How this project will improve your business;
  - c. The effect you project will have on neighboring businesses;
  - d. The estimated project costs; timeframes and amounts requested
3. A copy of a valid City of Kearney building permit, if applicable
4. A completed Release and Hold Harmless Agreement

I hereby submit the attached plans, specifications and color samples for the proposed project, and understand that these must be approved by the City of Kearney. No work may begin until I have received written approval from the City of Kearney. I further understand that I must cooperate with City Staff to ensure grant guidelines are followed. **Grant funds will not be paid until the project is completed.**

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

\_\_\_\_\_  
Signature of Business Owner (if applicable)

\_\_\_\_\_  
Printed Name & Title of Property Owner

\_\_\_\_\_  
Printed Name & Title of Business Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



## Release and Hold Harmless Agreement

Release executed on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by  
(Property Owner) \_\_\_\_\_  
and (Business owner if applicable) \_\_\_\_\_, of (Street Address)  
\_\_\_\_\_, City of Kearney, County of Buffalo, State of  
Nebraska, referred to as Releaser(s).

In consideration of being granted monies for restoration, modifications, signage, or other physical changes to the property located at the above address, the Releaser(s), understands that they are solely responsible for providing their own contractors, and to assure that those contractors are fully insured and licensed and have obtained all necessary permits in accordance with all pertinent regulations. The Releaser(s) waives, releases, discharges, and covenants not to sue or interplead and agrees to indemnify the City of Kearney (or entities under the City's umbrella), for loss or damage, and claims or damages therefore, on account of any work that has been performed in accordance with City or State guidelines.

Releaser(s) agrees that this release, waiver, and indemnity agreement is intended to be as broad and inclusive as permitted by the laws of the State of Nebraska and that if any portion of the agreement is held invalid, it is agreed that the balance shall; notwithstanding, continue in full legal force and effect.

Releaser's obligation and duties hereunder shall in no manner be limited or restricted by the maintaining of any insurance coverage related to the above referenced event.

This release contains the entire agreement between the parties to this agreement and the terms of this release are contractual and not a mere recital.

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

\_\_\_\_\_  
Signature of Business Owner (if applicable)

\_\_\_\_\_  
Printed Name & Title of Property Owner

\_\_\_\_\_  
Printed Name & Title of Business Owner

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

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