

# FAÇADE GRANT PROGRAM APPLICATION

Town of Apex, North Carolina



This document is a public record under the North Carolina Public Records Act and may be published on the Town's website or disclosed to third parties.

*A Small Town Character Overlay District Exempt Site Plan application is required to be submitted concurrently with the Façade Grant application. The approval of the Small Town Character Overlay District Exempt Site Plan application shall occur concurrently with the Façade Grant approval.*

**For more information on the Façade Grant Program, please contact the Apex Planning Department at 919-249-3426 or [planninginfo@apexnc.org](mailto:planninginfo@apexnc.org).**

1. The Façade Grant Program is designed to provide incentive funds to non-residential tenants/property owners to increase rehabilitation activity in the Downtown Festival District as shown on the attached Downtown Festival District map and described in Apex's Unified Development Ordinance (UDO) Section 12.2. The Façade Grant Program includes provisions for Tier 1/Tier 2 Projects, which are small-scale improvements often initiated by tenants or property owners and Tier 3 Projects, which are large-scale improvements initiated by property owners. See eligible projects within each Tier below.
2. **Tier 1 and Tier 2 Projects.** The grant can provide up to 50% of the cost of the exterior rehabilitation based on the following:
  - a. Tier 1 - up to a maximum of \$2,000.00 per façade for paint and awnings, or 50% of the cost, whichever is less.
  - b. Tier 2 – up to a maximum of \$5,000.00 per façade for structural improvements including window replacement, brick repair and repointing, door replacement, ADA accessible entrance improvements, and similar structural repairs or replacement, or 50% of the cost, whichever is less.
  - c. Applicants can submit for one Tier 1 grant and one Tier 2 grant within the same fiscal year; if both are granted, no one property can receive more than \$7,000 in one year.
  - d. No more than \$10,000 can be issued to any one property within any 36-month period for Tier 1 and Tier 2 Projects.
  - e. Total grants issued per fiscal year shall not exceed the amount budgeted for that given year.
  - f. Offered on first-come, first-served basis each fiscal year, beginning on July 1. Projects will be considered "submitted" once all required paperwork for the Small Town Character Overlay District and Façade Grant Program are provided to Town Planning staff. Incomplete applications will not be considered "submitted" until such time that a complete application package is received by Town Planning staff.
  - g. Tier 1 and Tier 2 grants may be used for the following types of renovation only:
    - Removal of false fronts (such as aluminum panels)
    - Repair or replacement of windows, doors, and cornices
    - Repair or replacement of façade materials
    - Repair or replacement of character defining architectural features
    - Repair, replacement, or new ADA accessible entrance (e.g. ramp)
    - New awnings
    - Decorative exterior lighting
    - Exterior painting
    - Design and construction costs

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3. **Tier 3 Projects.** The grant can provide up to 50% of the cost of the exterior improvements based on the following:
- Up to a maximum of \$200,000 per property per fiscal year.
  - No more than \$300,000 can be issued to any one property for Tier 3 Projects within any 36-month period.
  - Total grants issued per fiscal year shall not exceed the amount budgeted for that given year.
  - Offered on a Quarterly Submittal and Award Cycle each fiscal year, beginning on July 1. Projects will be considered for pre-authorization for the Small Town Character Overlay District and Façade Grant Program by providing application to Town Planning staff. All projects submitted within one of the quarterly award cycles will be considered by Town Council for pre-authorization on their merits, so it is recommended that applicants provide as much information as possible called out in the Small Town Character Overlay District and Façade Grant Program be provided for Town Council consideration. It is at the Town Council's sole discretion whether to award a façade grant to one project, no projects, or multiple projects.

#### Quarterly Submittal and Award Cycle:

Quarter	Submittal Month	Town Council Pre-Authorization Meeting	Town Council Approval of Façade Easement and Easement Agreement
1	July	September	Next available Town Council meeting after easement agreement is finalized with Town staff.
2	October	December	
3	January	March	
4	April	June	

- e. Town Council pre-authorization is required for Tier 3 Projects. Planning staff will present the proposed Tier 3 Project(s) as a New Business Item on the Council agenda per the Quarterly Submittal and Award Cycle above. Tier 3 Projects may include elements shown in the Downtown Plan or proposed for Council consideration on publicly viewable portions of the property:
- Streetscape elements matching Downtown Plan in public right-of-way.
  - Streetscape elements (pavers/bricks/bus stops) on private property.
  - Creation of patios or other outdoor service areas for public use and benefit on private property.
  - Permanent streetscape-style outdoor furniture (tables, chairs, benches, permanent planters not to include vegetation, etc.) for public use and benefit on public or private property.
  - Other Downtown Plan elements like catenary lighting, wall murals, ground murals, etc.
  - Public parking on private property.
  - Other significant improvements which in the Town Council's sole determination provide benefit to the general public or serve as a catalyst for future development.
- f. Once Town Council provides pre-authorization of a Tier 3 Project, the applicant shall provide all required Small Town Character Overlay District and Façade Grant documentation to Planning staff before the project can move to the easement agreement phase. If a complete application package is not received by Planning staff within 1 year of the Town Council pre-

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authorization, the applicant must go back to Town Council for another pre-authorization before the application package can move to the easement agreement phase.

- g. A façade easement and easement agreement is a requirement of the Tier 3 grant approval. The façade easement agreement shall be worked out between Town staff and the applicant prior to Council approval. The factors to be considered in the façade easement agreement shall include but not be limited to the following considerations:
  - Level of financial participation by the Town.
  - The type of façade/property improvements being proposed.
  - The term of the proposed easement; a higher funding amount should require a longer easement length.
  - Any other public requirements the Town would need/like to have in exchange for the Town funds.
  - Any expenditure of public funds must be for a public purpose.
4. Application requirements:
  - a. Completed Small Town Character Overlay District Exempt Site Plan application.
  - b. Completed Façade Grant application form signed by the property owner.
  - c. Photos of the structure showing the current condition.
  - d. Paint samples or fabric swatches for Tier 1 requests.
  - e. Detailed drawings and details of features including awnings, windows, doors, pavers, tables, chairs, benches, or other improvements.
  - f. Cost estimates from a qualified professional (e.g. Licensed contractor, mason, or professional painter or awning company). Cost estimates must be detailed in a line by line format.
5. Applications must be approved before work begins or no funds will be disbursed.
6. Planning Department staff have been granted authority to administer the Façade Grant Program process by Town Council for Tier 1 and Tier 2 Projects only. Town Council approval is required for Tier 3 Projects and shall be considered as a New Business item on a regularly scheduled Town Council meeting agenda per the Quarterly Submittal and Award Cycle above. Town Council allocates the funding for the grant program through the yearly budgeting process.
7. Renovations must be completed within four (4) months of application approval for Tier 1 grants and eighteen (18) months for Tier 2 grants. In the Planning Director or designee's sole discretion, a one-time request for an extension of two to twelve months may be approved upon satisfactory explanation of the delay. Work for Tier 3 grants will be completed per the timeline specified by Town Council in their approval of the easement agreement.
8. Grant is to be calculated and used for exterior façades and publicly viewable portions of the property only.
9. Grant amount shall be paid only when construction is completed and receipt(s) are submitted to the Planning Department. If the actual costs are less than the cost estimates, the maximum amount shall not exceed 50% of the actual costs and/or the dollar limits for Tier 1 and Tier 2 Projects, or 50% of the actual costs and/or the dollar limits for Tier 3 Projects. In no case shall a grant be issued higher than the originally-approved grant amount, unless re-approved for the higher amount by Town Council either before or after work has begun.

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10. Renovations on historic buildings shall follow the Secretary of the Interior's Guidelines for Rehabilitation of Historic Structures and applicable regulations in the Unified Development Ordinance, Section 6.3 *Small Town Character Overlay District* and Article 9 *Design Standards*. Non-historic structures shall conform to the applicable regulations in the Unified Development Ordinance, Section 6.3 *Small Town Character Overlay District* and Article 9 *Design Standards*.

11. Eligibility Criteria:

- a. If a tenant will be doing the proposed work, the tenant must obtain the property owner's signature on the application.
- b. Tenants are not eligible for Tier 3 grants. Façade easements must be signed by the property owner.
- c. Only properties with existing buildings constructed more than 3 years prior to the date of application are eligible.
- d. Applicant shall agree at the time of Tier 1 and/or Tier 2 application to maintain the façade and may not receive a grant for the same work within any five-year period. Tier 3 Projects shall be subject to the terms of the façade easement.
- e. Improvements and/or rehabilitation must comply with all state and local regulations, including obtaining required building permits through the Building Inspections Department.
- f. Utility and mechanical equipment, if any, must be concealed or screened from view. Screening shall be of similar color and design as the building.

I have read the Façade Grant Program Information:

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Applicant Signature

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Date

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Application #: \_\_\_\_\_ Submittal Date: \_\_\_\_\_

## Hard Copy Submittal Requirements: (Submit to Planning Department)

- One (1) copy of Façade Grant Application
- One (1) Small Town Character Exempt Site Plan Application
- 11" x 17" Architectural Plans/Drawings
- Material and/or color samples

## Applicant Information:

Applicant: \_\_\_\_\_ Tax ID: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

## Owner Information:

Owner: \_\_\_\_\_ Tax ID: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

## Project Information:

Address: \_\_\_\_\_  
Property PIN: \_\_\_\_\_ Owner or Tenant Occupied? \_\_\_\_\_  
Amount of Street Frontage: \_\_\_\_\_ # of Floors: \_\_\_\_\_  
Current Building Use: \_\_\_\_\_  
Proposed Building Use: \_\_\_\_\_  
Major Repairs Needed? \_\_\_\_\_  
Cost of Overall Project: \_\_\_\_\_ Façade Grant Funds Requested: \_\_\_\_\_

## Renovation Information:

1. Please provide as much detail as possible about the types and extent of renovations and/or exterior improvements to be completed. Attach separate sheet, if necessary.

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2. On a separate sheet, provide a detailed cost estimate or construction bid for the façade renovation and/or exterior improvements. Once the work is completed, please provide the Planning Department with a copy of the receipt(s) for all labor and supplies. Façade Grant funds will not be released without receipt(s).

3. Please describe how these renovations and/or exterior improvements will significantly contribute to the historic character of the Downtown Festival District and what public purpose is served.

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## Owner/Applicant Signatures

I understand the limits and requirements of this program and if approved, agree to complete the project according to the approved plan (Tier 1 and/or Tier 2) and/or easement agreement (Tier 3). In addition, I shall indemnify and hold harmless, the Town of Apex from and against any and all claims, actions, causes of action, demands, damages, losses, costs, expenses, and compensation of whatsoever kind and nature which may hereafter accrue on account of or in any way growing out of any and all known or unknown, foreseen and unforeseen bodily and personal injuries and property damage and consequences thereof, which might result from any occurrence in connection with this grant.

_____	_____
Applicant Signature	Date
_____	_____
Owner Signature	Date
_____	_____
Staff Approval	Date

Conditions of Approval:
• Please continue working with the Building Inspections Department and obtain a Building Permit.

# AGENT AUTHORIZATION FORM

Application #: \_\_\_\_\_ Submittal Date: \_\_\_\_\_

\_\_\_\_\_ is the owner\* of the property for which the attached application is being submitted:

- Rezoning: For Conditional Zoning and Planned Development rezoning applications, this authorization includes express consent to zoning conditions that are agreed to by the Agent which will apply if the application is approved.
- Site Plan
- Subdivision
- Variance
- Other: \_\_\_\_\_

The property address is: \_\_\_\_\_

The agent for this project is: \_\_\_\_\_

- I am the owner of the property and will be acting as my own agent

Agent Name: \_\_\_\_\_

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

Telephone Number: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Signature(s) of Owner(s)\*

\_\_\_\_\_

\_\_\_\_\_ Type or print name

\_\_\_\_\_ Date

\_\_\_\_\_

\_\_\_\_\_ Type or print name

\_\_\_\_\_ Date

Attach additional sheets if there are additional owners.

\*Owner of record as shown on the latest equalized assessment rolls of Wake County. An option to purchase does not constitute ownership. If ownership has been recently transferred, a copy of the deed must accompany this authorization.

Pursuant to Article 40 of Chapter 66 of the North Carolina General Statutes (the Uniform Electronic Transactions Act) this application and all documents related hereto containing an electronic or digitized signature are legally binding in the same manner as are hard copy documents executed by hand signature. The parties hereby consent to use electronic or digitized signatures in accordance with the Town's Electronic Signature Policy and intend to be bound by the application and any related documents. If electronic signatures are used the application shall be delivered in an electronic record capable of retention by the recipient at the time of receipt.

**AFFIDAVIT OF OWNERSHIP**

Application #: \_\_\_\_\_

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

The undersigned, \_\_\_\_\_ (the "Affiant") first being duly sworn, hereby swears or affirms as follows:

1. Affiant is over eighteen (18) years of age and authorized to make this Affidavit. The Affiant is the sole owner, or is the authorized agent of all owners, of the property located at \_\_\_\_\_ and legally described in **Exhibit "A"** attached hereto and incorporated herein (the "Property").
2. This Affidavit of Ownership is made for the purpose of filing an application for development approval with the Town of Apex.
3. If Affiant is the owner of the Property, Affiant acquired ownership by deed, dated \_\_\_\_\_, and recorded in the Wake County Register of Deeds Office on \_\_\_\_\_, in Book \_\_\_\_\_ Page \_\_\_\_\_.
4. If Affiant is the authorized agent of the owner(s) of the Property, Affiant possesses documentation indicating the agency relationship granting the Affiant the authority to apply for development approval on behalf of the owner(s).
5. If Affiant is the owner of the Property, from the time Affiant was deeded the Property on \_\_\_\_\_, Affiant has claimed sole ownership of the Property. Affiant or Affiant's predecessors in interest have been in sole and undisturbed possession and use of the property during the period of ownership. Since taking possession of the Property on \_\_\_\_\_, no one has questioned Affiant's ownership or right to possession nor demanded any rents or profits. To Affiant's knowledge, no claim or action has been brought against Affiant (if Affiant is the owner), or against owner(s) (if Affiant is acting as an authorized agent for owner(s)), which questions title or right to possession of the property, nor is any claim or action pending against Affiant or owner(s) in court regarding possession of the Property.

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
(seal)

\_\_\_\_\_  
Type or print name

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

I, the undersigned, a Notary Public in and for the County of \_\_\_\_\_, hereby certify that \_\_\_\_\_, Affiant, personally known to me or known to me by said Affiant's presentation of said Affiant's \_\_\_\_\_, personally appeared before me this day and acknowledged the due and voluntary execution of the foregoing Affidavit.

\_\_\_\_\_  
Notary Public  
State of North Carolina  
My Commission Expires: \_\_\_\_\_

[NOTARY SEAL]

**AFFIDAVIT OF OWNERSHIP: EXHIBIT A – LEGAL DESCRIPTION**

Application #: \_\_\_\_\_

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

**Insert legal description below.**