



CITY OF LAS VEGAS  
REDEVELOPMENT AGENCY

*REVISED FY 2012*

## COMMERCIAL VISUAL IMPROVEMENT PROGRAM MANUAL

### A. Program Summary

This program is intended to provide a property owner and/or business owner financial assistance for undertaking the exterior rehabilitation and renovation of commercial or industrial properties located in the City of Las Vegas Redevelopment Area ("Redevelopment Area"). All commercial and industrial properties within the Redevelopment Area are eligible for assistance. The City of Las Vegas Redevelopment Agency ("Agency") will rebate any Pre-approved Qualified Exterior Improvements undertaken by the applicant. **In consideration for the rebate, the property owner shall agree to grant and convey to the Agency a nonexclusive Façade Easement Deed and Building Maintenance Agreement to be recorded upon the property, at completion of the improvements, for a period of five (5) years.** The property owner and/or business owner will have the option to repurchase the Façade Easement and Building Maintenance Agreement from the Agency during the five (5) years.

### B. Program Objectives and Goals

The primary objective of the Commercial VIP is to encourage the rehabilitation of downtown commercial buildings, create and/or retain jobs, enhance the physical appearance of the area, and improve the overall economic viability of downtown. This objective compliments the goals of the City of Las Vegas Redevelopment Agency Plan, the City of Las Vegas Downtown Centennial Plan, and the City of Las Vegas 2020 Master Plan.

These objectives can be accomplished by encouraging commercial and industrial property owners and long-term tenants to reinvest in and renovate their properties. The program is intended to improve the aesthetic nature of properties and to assist in bringing properties up to current building and property code standards, while also acting as a catalyst for other nearby property owners to consider participating in the Commercial VIP.

Each applicant should be prepared to demonstrate how its proposed project meets one, or more, of the following Program goals:

1. *The project possesses positive economic attributes that will provide and increase economic activity around the surrounding neighborhood and creates or retains jobs.*
2. *The project results in a significant improvement to the exterior of a commercial or industrial building consisting of and including one or more of the following:*
  - *Appropriate, permanent landscaping;*
  - *Improved and upgraded signage on the building parapet or on a monument/pole sign. If multiple signs are used to differentiate businesses located on the property, then coordination and style of signage will be important;*
  - *Better access and availability of parking for on-site customers;*
  - *Exterior improvements to include any of the following: painting, window repair/replacement, improved entryways, lighting, new or repaired/replaced awnings, and cleaning of exterior walls; and*
3. *The building or buildings to be improved are clearly visible from a street, sidewalk, or public right-of-way.*
4. *The project maximizes the leveraging of Agency funding with private equity or private debt participation from the project owner or owners.*
5. *The owner of the project is committed to maintaining or expanding its business presence at the project location.*
6. *The owner of the project is committed to maintain all project improvements for the useful life of the improvements.*

### **C. Funding Priorities and Maximum Reimbursable Grant Funds**

Applications submitted for consideration will be classified in one of the following Tiers:

1. **Tier 1 Project** – These projects are considered high priority projects because they are vacant properties that require extensive interior and exterior rehabilitation and in most circumstances must meet new city codes for occupancy. Additional consideration is given to a Tier 1 project for its job creation component. **Projects that are considered as a Tier 1 project will be eligible to receive a \$25,000 VIP reimbursement, if the VIP applicant can show that Exterior and Interior renovation costs equal or exceed \$250,000 in total project costs. (10:1 Private to Public Ratio)**
2. **Tier 2 Project** – These projects are considered as a medium priority project because they are currently occupied with an existing business and the property owner or business owner are considering exterior rehabilitation where the new exterior is significantly different from the current exterior. **Projects that are considered as a Tier 2 project will be eligible to receive a \$15,000 VIP reimbursement, if the VIP applicant can show that Exterior renovations costs equal or exceed \$60,000 in total project costs. (4:1 Private to Public Ratio)**
3. **Tier 3 Project** – These projects are a lower priority project because it entails a minimal amount of exterior rehabilitation, such as painting and new signage. **Projects that are considered as a Tier**

**3 project will be eligible to receive a \$5,000 VIP reimbursement, if the VIP applicant can show that Exterior renovations must equal or exceed \$15,000 in value. (3:1 Private to Public Ratio)**

To support the Commercial VIP Program Objective and Goals, the Agency reserves the right to fund projects according to the following funding priorities (in no particular order):

1. *Projects located within the City of Las Vegas Redevelopment Area;*
2. *Projects for which the existing building or on-site improvements are substantially dilapidated;*
3. *Projects for which multiple and adjacent business owners seek to collaborate;*
4. *Projects for which the owner or owners demonstrate the maximum possible leveraging of City funds;*
5. *Projects which are catalytic in nature and have the potential to revitalize and promote the economic stability of the surrounding neighborhood;*
6. *Projects for which a business owner or owners demonstrate the ability to sustain the improvements; and*
7. *Projects for which a business owner or owners demonstrate that no other reasonable means of financing exist to fully fund the desired improvements.*
8. *Projects for which the property owner has tenant vacancies and is looking to substantially improve the property to attract tenants that reflect the increasing economic growth and transition of the surrounding neighborhood and will seek input from the Agency for desirable businesses, or provides a re-tenanting plan that meets with the approval of the Agency.*

#### **D. Commercial VIP: Matching Contribution Requirement**

To ensure that the Agency's investment in the Project is maximized, the Agency will require the applicant to provide a 100% matching cash contribution to the Agency's funds and that the applicant has a vested financial interest in the completion of its exterior improvements. The Agency requires that the applicant's matching cash contribution, as evidenced by paid invoices and cancelled checks, be spent first before the Agency contributes to the project.

#### **E. Program Eligibility**

All commercial, industrial and mixed-use properties located in a designated Redevelopment District Commercial VIP corridor and located in commercial or industrial zoning districts throughout the City are eligible to participate in this program. Properties which have multiple retail tenants and/or vacant storefronts will be considered on a case-by-case basis. Applicant must provide a list of current tenants and a re-tenanting plan which details the types of commercial retail tenants the applicant will recruit.

All of the following requirements must be satisfied for a project to receive funding:

1. *The project is located within the City of Las Vegas Redevelopment Area at the time of application.*
2. *The applicant must demonstrate site control for the project. This can be demonstrated through either:*
  - a. *Fee simple ownership; or*
  - b. *Owner/mortgagor of the property with a minimum of 20% equity interest in the property; or*
  - c. *Long-term leasehold interest for a minimum period of five (5) years subsequent to the date of application, with all lease payments current at the time of application.*
  - d. *Long-term leaseholder will provide proof that property owner has consented to the business owner to apply for the Commercial VIP.*
3. *The property on which the project is situated must be free of all mechanic's lien at the time of application.*
4. *The applicant must not have any current bankruptcy proceedings, or past bankruptcy proceedings, whether corporate or personal, within the past five (5) years.*
5. *If applicable, the applicant must have a current City of Las Vegas business license.*
6. *The applicant must have proper zoning on which the building or improvements are situated.*
7. *The applicant must not have any past-due federal, state, or City of Las Vegas tax bills at the time of application.*
8. *The applicant must have no past-due bills or debts payable to the City of Las Vegas or the Agency.*

**F. Ineligible Properties**

The following properties are ineligible:

1. *Single-family residential properties;*
2. *Multi-family residential properties; or*
3. *Properties which have received funding from the Agency, or from the City of Las Vegas, within the prior five (5) years for capital improvements, on-site improvements, or off-site improvements; or*
4. *Properties or projects which do not satisfy all of the Program Eligibility requirements;*
5. *Vacant land that is being developed as a surface parking lot or a parking garage.*

## G. Program Operation

### 1. Direct grants on Reimbursement Basis

Incentives to program applicants will be in the form of cash rebates. The maximum amount for any individual grant award is dependent upon what Tier the Project is and stated in Section C of this Program Manual. The Agency reserves the right to pay in installments, or in one lump sum amount. Participation in this program and approval of any grant is at the sole discretion of the Agency. The Agency reserves the right to refuse payment of any change orders not authorized prior to the commencement of construction work.

### 2. Required Matching Contribution from Participant

Each applicant located within the City of Las Vegas Redevelopment Plan Area must meet the appropriate Tier criteria to receive the maximum VIP grant.

The Agency will only consider cash contributions, or equivalent, from the applicant as evidence of meeting the required matching contribution.

**The Agency requires the participating business or property owner to expend its matching cash contribution prior to the disposition of Agency funds.**

The Agency encourages applicants to contribute the maximum matching contribution possible. Applicants which propose to contribute higher matching contributions may be given preference by the Agency for assistance.

### 3. Use of Funds – Pre-Approved Qualified Exterior Improvements

Pre-approved Qualified Exterior Improvements which shall be considered for reimbursement includes the following: painting, cleaning, tuck pointing, façade repair/replacement, window repair/replacement, doorways, lighting, new or substantially rehabilitated signage, window tinting, new or replacement awnings, permanent landscaping, parking lots, and rear access renovations. All Pre-approved Qualified Exterior Improvements must be seen from the public right-of-way.

Demolition of obsolete structures or signage improvements may be eligible only when undertaken as part of an overall renovation project. Any other external improvements required to bring a building or property up to code are also eligible. Additions and expansions to buildings that will benefit the overall appearance of the property may also be eligible.

**All plans must be approved by the City of Las Vegas Redevelopment Agency prior to the commencement of any construction work.**

Improvements may be made to individual commercial or industrial buildings and commercial or industrial centers, as well as qualified commercial or industrial property. Permanent landscaping may be included in this program provided that all improvements meet City codes and ordinances, and are

consistent with any development plans adopted by the City of Las Vegas and by the City of Las Vegas Redevelopment Agency.

4. Contractor procurement

A minimum of three (3) comparable bids must be submitted as part of any Application requesting Agency participation of \$25,000 or greater. All bids must include detailed specifications of the scope of work to be performed. Contractors must have all proper licenses, including but not limited to a business license and a Nevada State Contractor's license. If the applicant is unable to obtain three (3) or more competitive bids, the applicant shall provide the Agency with documentation detailing when and which licensed contractor(s) were contacted.

5. Review by Internal Design Committee

The Director of the Economic and Urban Development Department, as the Program Director, may appoint members of an Internal Design Review Committee. The Committee shall include, but not be limited to, staff from the following City departments or divisions: Land Development, Public Works; Current Planning; Development Coordination,; Economic and Urban Development Department; and additional staff as needed to review the architectural, engineering, and planning merits of the proposed improvement or improvements.

6. Warranty information

The final selection of a contractor is the sole responsibility of the participating business. As such, the Agency shall offer no warranty on work performed. The applicant should obtain any desired warranty information from the contractor in writing.

7. Prohibited use of funds

Funds may not be used for: working capital; property, equipment or inventory acquisition; the refinancing of existing debt; or the refinancing of private funding.

**H. Availability of Funds**

The Agency has agreed to budget a certain amount of funds for this program, which may be amended from time to time. Applications will be accepted throughout the year. Once all budgeted funds for that year are expended, no further applications will be accepted.

For the purposes of this program, a commercial property shall be any property, business, or use which contains a zoning designation of a P-R, N-S, O, C-D, C-1, or C-2 as defined by City of Las Vegas Zoning Ordinance Chapter 19A.04.

An industrial property shall be any property, business, or use which contains a zoning designation of either C-PB, C-M, or M, as defined by City of Las Vegas Zoning Ordinance Chapter 19A.04.

To be eligible, a commercial property or industrial property must meet all requirements of the Commercial VIP Program, as specified above in Section E, Program Eligibility. Properties specified in Section F. Ineligible Properties and those properties that are deemed non-responsive to addressing the changing characteristics of the surrounding neighborhood by the Agency, shall not be eligible for this program.

The Agency shall have the ultimate authority to accept or reject each Application, and have complete authority to decide whether requested work is eligible for this program.

### **I. Approval Policy**

Applications will be reviewed in the order which they are received. Approval will be based on the following criteria:

- Number of jobs created or retained;
- the condition of the existing structure or property;
- the value of the completed improvement;
- the amount of matching funds contributed by the Participant;
- consistency with City of Las Vegas development and construction requirements;
- potential to stabilize or increase economic activity within the surrounding neighborhood;
- current and future tenant mix; and
- the quality of the proposed design.

The Agency shall commit funds only after a Commercial VIP Agreement with the applicant is approved by the Las Vegas City Council acting as the Board of Directors for the City of Las Vegas Redevelopment Agency.

Any action taken by the City of Las Vegas Redevelopment Agency Board of Directors is final. There is no appeal process for applications which are not approved by the City of Las Vegas Redevelopment Agency Board of Directors.

Payment for grants under \$25,000 shall be made in accordance with the City's Direct Payment Request Policy, No. FN206.

### Items Needed to Complete Application

- List of all property owner's names and contact info
- Proof of ownership or long-term lease
- Property parcel number (s) and legal description (s)
- List of proposed improvements w/ estimated project costs
- Initial funding source
- Maintenance program
- High resolution images of the property, currently, from all sides and angles
- High resolution images of proposed project
- Copies of contractor bids (3 minimum)
- Copy of signed estoppels if you are the tenant not the property owner

### Application Process

- Confirm that the subject property is within the Redevelopment Area
- Confirm that the subject property is zoned commercial, industrial or mixed-use
- Meet with Redevelopment Agency Staff to discuss project
- Meet with City of Las Vegas Planning and/or Public Works Staff to discuss project
- Complete, sign and date *Application*
- Complete and have notarized *Disclosure of Ownership/Principals*
- Complete and have notarized *Participant Affidavit and Employment Plan*
- Complete and submit all applicable building and/or encroachment permits
  - o (Building and encroachment permits are handled by the City of Las Vegas Planning & Development Department and should be returned directly to them.)
- Make copies of completed Application, Disclosure of Ownership/Principals and Participant Affidavit and Employment Plan for your files
- Return all original completed forms, copies of bids, copies of estoppels (if applicable) with current and proposed project images (CD of images is preferred) to:

City of Las Vegas  
Redevelopment Agency  
400 Stewart Avenue, 2<sup>nd</sup> floor  
Las Vegas, NV 89101

Your application will be reviewed by the Internal Design Committee. You will be contacted by staff if there are additional questions or requirements. Staff will also notify you of the preliminary decision regarding your application. Note: Final approval will be determined by the Redevelopment Agency and Las Vegas City Council. The Internal Design Committee is a recommending group to the RDA and City Council and has no authority to grant funds on its own.

If your application is approved by the Internal Design Committee all necessary preparations will be made to present the application to the Redevelopment Agency and City Council.

- Attend Las Vegas City Council Meeting Date: \_\_\_\_\_
  - Date and time will be provided to you by staff
  - Attendance to this meeting is necessary

If your project is approved by the Las Vegas City Council, acting as Board of Directors for the Redevelopment Agency and you have received the appropriate building and/or encroachment permits you may commence work on your project.

**Once your project is completed:**

- Take pictures of the completed project
- Submit copies of paid invoices with corresponding copies of cancelled checks and/or bank statements and notice of lien release from all contractors.

Staff will record the façade easement and maintenance agreement with the Clark County Assessor as well as process the paperwork for reimbursement.

**Time Frames:**

- Application Process takes approximately 60-90 days once all necessary documents and materials are received
- Reimbursement of funds takes approximately 30-60 days once copies of all invoices and cancelled checks are received

## CITY OF LAS VEGAS REDEVELOPMENT AGENCY

### APPLICATION FOR VISUAL IMPROVEMENT PROGRAM (VIP)

#### APPLICANT INFORMATION

Applicant's Name: \_\_\_\_\_

Applicant's Corporate Name: \_\_\_\_\_

Applicant's Corporate Business Address: \_\_\_\_\_

Name of Business at Project Address: \_\_\_\_\_

Applicant's City of Las Vegas Business License Number: \_\_\_\_\_

Federal Tax ID Number or Social Security Number: \_\_\_\_\_

Applicant's Phone Numbers: \_\_\_\_\_ Business \_\_\_\_\_ Cell

Applicant's Email Address: \_\_\_\_\_

Is Applicant the property owner or a tenant proposing the façade improvements?  Owner  Tenant

#### PROPERTY INFORMATION

Property Owner's Name: \_\_\_\_\_

Property Owner's Mailing Address: \_\_\_\_\_

Property/Project Address: \_\_\_\_\_

Assessor Parcel Number(s): \_\_\_\_\_

Name of Tenant(s): \_\_\_\_\_

Lease Expiration Date: \_\_\_\_\_ Option to Extend:  Yes  No How Long: \_\_\_\_\_ Years

Property Manager: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

1. Is the proposed project located in the current Redevelopment Area?  YES  NO
2. Current Number of Employees: \_\_\_\_\_ Full-Time \_\_\_\_\_ Part-Time \_\_\_\_\_ Contract
3. Number of Employees (Post Project): \_\_\_\_\_ Full-Time \_\_\_\_\_ Part-Time \_\_\_\_\_ Contract
4. Current and/or Projected Wages for Employees:

Job Title _____	Salary Range \$ _____	(annual/hourly)
Job Title _____	Salary Range \$ _____	(annual/hourly)
Job Title _____	Salary Range \$ _____	(annual/hourly)
Job Title _____	Salary Range \$ _____	(annual/hourly)





**TOTAL PROJECT BUDGET**  
(Estimated)

USE OF FUNDS (ACTIVITY)	SOURCE OF FUNDS	ESTIMATED COST
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
<b>TOTAL PROJECT BUDGET</b>		<b>\$</b>

Estimated Project Costs: \$\_\_\_\_\_ (Exterior) \$\_\_\_\_\_ (Interior) \$\_\_\_\_\_ (TOTAL)

Project Funded with: \_\_\_ (Owners equity) \_\_\_ (Bank financing) \_\_\_ (Investors) \_\_\_ (Other\_\_\_\_\_)

**Execution of Application**

The Applicant acknowledges that the City of Las Vegas Visual Improvement Program (VIP) will not pay for work which is commenced prior to the award of a VIP grant as evidenced by an executed VIP Agreement. Any work started prior to the execution of the Agreement shall be the Applicant's responsibility. Furthermore, the Applicant acknowledges that the Las Vegas City Council, acting as Board of Directors for the Redevelopment Agency, must approve the application and a corresponding VIP Agreement prior to the award of any VIP grant. Applicant also acknowledges that it must expend its matching contribution prior to any reimbursement of Agency VIP grant funds.

Applicant must circle the appropriate Tier to determine the maximum VIP grant.

TIER (Circle One)	VIP GRANT (Maximum)	CRITERIA
1	\$25,000	Exterior and Interior renovation costs must equal or exceed \$250,000.
2	\$15,000	Exterior renovation costs must equal or exceed \$60,000.
3	\$5,000	Exterior renovation costs must equal or exceed \$15,000.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

## Definitions

"city" means the city of Las Vegas.

"City Council" means the governing body of the city of Las Vegas.

"Contracting Entity" means the individual, partnership, or corporation seeking to enter into a contract or agreement with the city of Las Vegas.

"Principal" means individual or entity holding more than one percent interest;

for each type of business organization:

- (a) sole proprietorship – the owner of the business;
- (b) corporation – the directors and officers of the corporation; but not any branch managers of offices which are a part of the corporation;
- (c) partnership – the general partner and limited partners;
- (d) limited liability company – the managing member as well as all the other members.

for each type of real property interest:

- (a) estate in severalty - sole ownership by one individual or entity
- (b) tenancy in common - multiple owners without right of survivorship
- (c) joint tenancy - multiple owners with right of survivorship

## Policy

In accordance with resolution 79-99 and 105-99 adopted by the City Council, Contracting Entities seeking to enter into certain contracts or agreements with the city of Las Vegas must disclose information regarding ownership interests and principals. Such disclosure generally is required in conjunction with a Request for Proposals (RFP). In other cases, such disclosure must be made prior to the execution of a contract or agreement.

## Instructions

The disclosure required by the resolutions referenced above shall be made through the completion and execution of this certificate. The Contracting Entity shall complete the attached disclosure. The Contracting Entity shall complete either the Disclosure of Ownership/Principals section or the Alternative Disclosure of Ownership/Principal section. An officer or other official authorized to contractually bind the Contracting Entity shall sign and date the Certificate, and such signing shall be notarized.

## Incorporation

This certificate shall be incorporated into the resulting contract or agreement, if any, between the city and the Contracting Entity. Upon execution of such contract or agreement, the Contracting Entity is under a continuing obligation to notify the city in writing of any material changes to the information in this disclosure. This notification shall be made within 15 days of the change. Failure to notify the city of any material change may result, at the option of the city, in a default termination (in whole or in part) of the contract or agreement, and/or a withholding of payments due the Contracting Entity.



**Alternative Disclosure of Ownership/Principals**

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee retirement Income Act), a copy of such disclosure may be attached to this certificate in lieu of providing the information set forth on the previous page. A description of such disclosure documents must be included below.

Name of Attached Document \_\_\_\_\_

Date of Attached Document \_\_\_\_\_

Number of pages \_\_\_\_\_

**Certificate of Disclosure of Ownership/Principal – Real Property**

I certify, under penalty of perjury, that all the information provided in this certificate is current, complete and accurate.

Signature \_\_\_\_\_

Date \_\_\_\_\_

State of \_\_\_\_\_ }

County of \_\_\_\_\_ }

This instrument was acknowledged before me on \_\_\_\_\_ (date) by  
\_\_\_\_\_ (name of person).

Notary Public: \_\_\_\_\_



**Alternative Disclosure of Ownership/Principals**

If the Contracting Entity, or its principals or partners, are required to provide disclosure (of persons or entities holding an ownership interest) under federal law (such as disclosure required by the Securities and Exchange Commission or the Employee Retirement Income Act), a copy of such disclosure may be attached to this certificate in lieu of providing the information set forth on the previous page. A description of such disclosure documents must be included below.

Name of Attached Document \_\_\_\_\_

Date of Attached Document \_\_\_\_\_

Number of pages \_\_\_\_\_

**Certificate of Disclosure of Ownership/Principal – Business**

I certify, under penalty of perjury, that all the information provided in this certificate is current, complete and accurate.

Signature \_\_\_\_\_

Date \_\_\_\_\_

State of \_\_\_\_\_ }

County of \_\_\_\_\_ }

This instrument was acknowledged before me on \_\_\_\_\_ (date) by  
\_\_\_\_\_ (name of person).

Notary Public: \_\_\_\_\_



- e. The visual improvement of the property or addition of the business to the area is so dramatic that it is a catalyst for economic development in the area. Evidenced by a positive economic impact analysis.

Participant agrees to submit to the Agency its documentation which evidences that no reasonable means of financing are available to the Participant.

4. Participant hereby warrants the following:

- a. The property on which the project is situated is free of all Mechanic's Liens at the time of application. \_\_\_\_\_ (initial)
- b. The applicant has no current bankruptcy proceedings, or past bankruptcy proceedings, whether corporate or personal, within the past (5) five years. \_\_\_\_\_ (initial)
- c. The applicant has no past-due federal, state, county or city of Las Vegas tax bills at the time of application. \_\_\_\_\_ (initial)
- d. The applicant has no past-due bills or debts payable to the city of Las Vegas or the Redevelopment Agency. \_\_\_\_\_ (initial)

5. Participant hereby acknowledges that existing opportunities for employment within the surrounding neighborhood of the redevelopment project are limited for neighborhood residents. Most residents must travel outside the neighborhood to find employment opportunities outside the redevelopment area, via public transportation or personal vehicles. Of the existing businesses within the neighborhood, many are family owned and have been in business for a long time. These existing businesses are not in an expansion mode and are not likely to employ neighborhood residents.

Furthermore, the project will help facilitate the continued expansion of employment opportunities by setting an example to other property/business owners to renovate their property/business and help create more employment opportunities through an expansion of business and renovation of vacant storefronts. The Project will allow neighborhood residents to apply for those positions (when available) for which they are qualified for as an employment opportunity. Appropriate measures will be taken to ensure that the neighborhood is aware of any job opportunities available from the business.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Authorized Signature: \_\_\_\_\_

SIGNED AND SWORN TO before

me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_.

NOTARY PUBLIC

My Commission Expires:

