

**City of Henderson
REDEVELOPMENT AGENCY**



**Downtown Mini-
Façade Improvement
Program and
Guidelines**

*Approved: August 19, 2008
Modified: April 18, 2017*

**CITY OF HENDERSON
REDEVELOPMENT AGENCY
MINI-FAÇADE IMPROVEMENT PROGRAM
QUALIFICATIONS, CONDITIONS AND TERMS**

As part of the overall redevelopment strategy, the City of Henderson Redevelopment Agency, referred to herein as the “Agency,” through its Façade Improvement Program, will provide grants to eligible property owners to enhance commercial buildings and storefronts within the program designated area.

The program is administered by the Agency. **The program operates on a reimbursement basis and the applicant is responsible for all payments to professionals, City departments, and contractors. The Agency will verify actual costs incurred by borrower prior to reimbursement.**

The Contract Agreement identifies the conditions, covenants and responsibilities for the grant, and is entered into by all applicants and the Agency. The general program, qualifications, guidelines, and grant terms and conditions are described below.

I. ELIGIBILITY

1. Applicants

- a) Applicant must be the property owner(s) of a program-eligible building or lessee of an eligible building, and have consent from the property owner for the intended renovation. All legal property owners must sign the program application, and in the case of a corporation or partnership, a corporate resolution or a power of attorney must be submitted with the application. After application approval property owner(s) must sign a notarized Property Owner Consent form.
- b) Program grants are subject to funding availability. Approval, denial, or modification lies with the Redevelopment Agency board. All applications are subject to Nevada law pertaining to public records. Unless the Redevelopment Agency board approves expedited consideration, each application will be reviewed by the Redevelopment Agency Advisory Commission, who shall make a recommendation to the Redevelopment Agency board.
- c) Applicant must have no other reasonable means available for financing the proposed improvements. The lack of another reasonable means of financing may be evidenced as follows:
 - i. An inducement for new businesses to locate or existing businesses to remain within the redevelopment area if the business would ordinarily choose to locate outside the redevelopment area if the grant were not provided. This circumstance may be evidenced by a “but for” letter or statement from the business owner, and supported by a financial review by the National Development Council.

- ii. There is a public objective and/or requirement within the redevelopment area that is more stringent and/or costly to undertake than a business would ordinarily embark upon. This circumstance may be evidenced by state or city ordinance.
- iii. There has been a lack of rehabilitation in the area and it is deemed unreasonable for the business to invest in improving the area unless the grant is provided. This circumstance may be evidenced by photographs of the immediate surrounding area displaying blight.
- iv. The exterior improvements to the property or business do not have a direct effect on revenues, therefore prohibiting the business from obtaining financing for the improvement project from a financial institution. This circumstance may be evidenced by a denial letter from a financial institution.

2. Building

- a) Building must be commercial and located in the Redevelopment Area Central Business District zoned DX. (See Appendix A)
- b) New buildings (constructed within the last three years) are not eligible for assistance.
- c) Properties affected by unresolved code enforcement issues or actions may not be eligible for participation under this program.

II. IMPROVEMENTS

1. Eligible improvements may include:

- (a) Painting of any portion of the building façade (including decorative architectural elements), rear entrances, and sides of building.
- (b) Construction, installation and/or renovation of awnings, marquees, doors, windows, display window lighting, tiles, pavement between door and sidewalk, and other façade improvements approved by the Agency and Community Development Department. All improvements must be compatible with adopted design standards.

2. **The Agency reserves the right to require certain minimum improvements as part of the program in order to meet the objectives of the Agency.** For example, façade repainting may be required as a minimum improvement.

3. Maintenance type improvements such as roofing, asphalt repairs and general structural upgrade work are not eligible unless considered to be an integral part of the façade improvement.

4. The Agency and other appropriate City departments must approve all improvements. Improvements must comply with all City building codes and architectural standards.
5. **Applicant is not to begin any improvements to the property before the grant is approved and signed by the Agency.** Construction, renovation or painting costs incurred prior to the execution of the grant will not be eligible for reimbursement. (Design, drawing, and fee costs will be eligible for reimbursement solely under conditions discussed below.)
6. Projects must comply with the adopted Downtown Henderson Investment Strategy.

III. ELIGIBLE COSTS (those costs eligible for reimbursement through the Mini-Façade Improvement Program):

1. **Permits and fees:** All permits and fees lawfully required to construct or modify the façade improvements shall be paid by applicant and shall be considered eligible costs.
2. **Construction drawings:** The preparation of detailed drawings shall be paid by the applicant and considered an eligible cost. (See Section V “DESIGN AND PRELIMINARY COST ESTIMATE.”)
3. **Conceptual design costs:** Conceptual design and cost estimates are eligible costs. (See Section V “DESIGN AND PRELIMINARY COST ESTIMATE.”)
4. **Other fees:** Credit reports and other related costs shall be paid by applicant and considered eligible costs.
5. **Paint-Up/Fix Program:** Exterior paint conforming to Redevelopment's palette of colors reflecting the Moderne theme.

IV. GRANT TERMS

1. Principal:

- a) **Subject to the availability of funding**, the maximum grant principal is the lesser of 1) 50% of eligible project costs actually incurred, or 2) maximum allowable grant per storefront according to frontage.

Bldg. Front Footage*	Maximum Agency Grant Participation
< 25 linear feet	\$1,000
26 to 35 Linear feet	\$1,250
36 to 40 Linear feet	\$1,500
41 to 50 Linear feet	\$2,000
51 to 60 Linear feet	\$2,500
>61 Linear feet	\$3,000

*Building Frontage includes the exposed part of buildings on corners or public access alleyways if a customer entrance to the business is on that alleyway.

2. Disbursement of Grant Funds:

Grant funds will be disbursed upon:

- a) Inspection and approval of completed improvements.
- b) Receipt of copies of acceptable (at the Agency's sole discretion) lien releases from all applicable parties. If lien releases are not provided (prior to fund draw), checks will be issued to contractors.
- c) Receipt and review of **all** invoices for improvements.

V. DESIGN AND PRELIMINARY COST ESTIMATE

1. Conceptual Design:

- a) Conceptual design and preliminary cost estimates are reimbursable program costs.
- b) **Applicant's conceptual design and cost estimate must be approved by the Agency prior to grant commitment.**

2. Drawings/Permits:

- a) All working drawings and corresponding City permits will be the applicant's sole responsibility. Detail drawings and application for permits must be completed within 90 days of approval of the applicant's conceptual design. Failure to meet this deadline will result in the cancellation of all the Agency's obligations regarding the reimbursement of any eligible past or future costs in connection with the design or construction of the improvements.
- b) The preparation of detailed drawings is an eligible cost under this program.

VI. BIDDING/CONSTRUCTION

- a) Applicant shall put the job out to bid. At least three competitive bids must be obtained. In order for any bid to be acceptable, it must be received from a contractor licensed to do business in the State of Nevada. Applicant is responsible for selecting a contractor and executing the corresponding construction agreement. Any contractor not licensed in Henderson at the time of bid, must obtain a Henderson business license prior to performing work.
- b) City of Henderson Redevelopment Agency must approve the winning bid and the contractor prior to the execution of the construction agreement.
- c) **Permits for building improvements must be obtained.** All City fees must be paid by the applicant. Fees are eligible costs under this program.

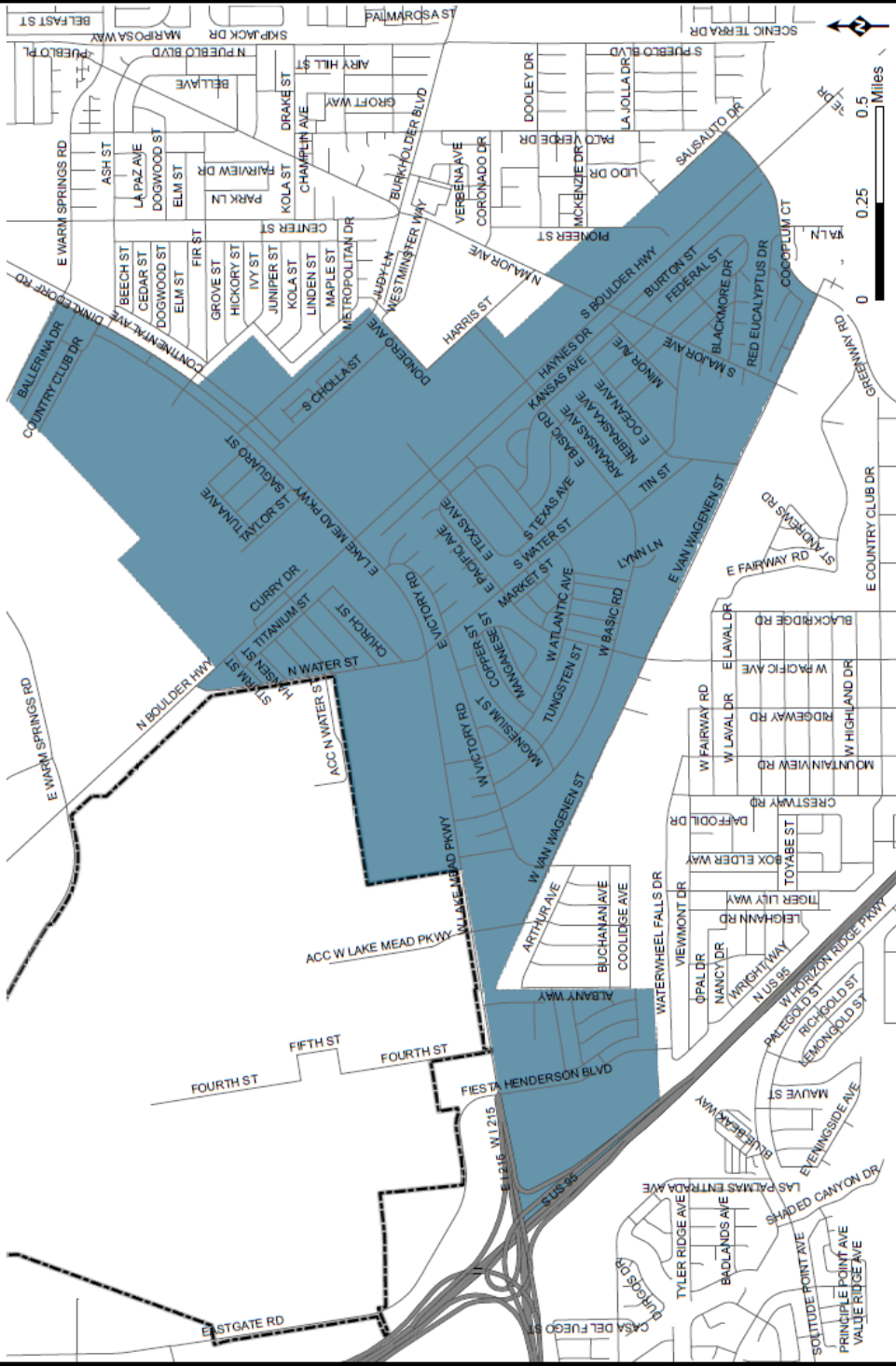
- d) Contractors licensed by the State of Nevada must construct all work. All contractors must have a valid Henderson business license and adequate bonding.
- e) All improvements must be completed within six months of execution of the grant agreement unless a written extension is granted by the Agency. Failure to meet this deadline will result in the cancellation of all City of Henderson Redevelopment Agency obligations regarding the reimbursement of any eligible past or future costs in connection with the design or construction of the improvements.

VII. MAINTENANCE OBLIGATION

- a) Applicant shall maintain the improvements and façade of the property in good condition and in accordance with local and State building codes.
- b) Conditions that constitute a failure to maintain the property in good condition include, but are not limited to, peeling paint, chipped surfaces, broken windows, covered transoms or window spaces, boarded windows, excessive bird droppings or debris, graffiti and illegal or non-conforming signage, lack of landscaping maintenance, and obstructed windows.
- c) Failure to maintain exterior building façades that have been awarded grant monies will result in inability of award for future Agency grants to that individual or entity.

Appendix A

Downtown Redevelopment Grant Eligibility Area



City of Henderson Redevelopment Agency

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