



**CITY OF HENDERSON  
REDEVELOPMENT AGENCY LOAN COMMITTEE  
MEETING AGENDA**

**Regular Meeting  
Tuesday, April 26, 2011  
3:30 p.m.**

**City Hall  
Council Chambers Conference Room  
240 Water Street, First Floor  
Henderson, Nevada 89015**

**Notice to persons with special needs:** For those requiring special assistance or accommodation at the meeting, please contact 702-267-1515 or the Relay Nevada TTY telephone 7-1-1 at least 72 hours in advance of the meeting.

The Chairman reserves the right to hear agenda items out of order. All items are action items unless otherwise noted.

CITY OF HENDERSON WEB SITE ADDRESS: <http://www.cityofhenderson.com>

**I. CALL TO ORDER**

**II. CONFIRMATION OF POSTING AND ROLL CALL**

**III. ACCEPTANCE OF AGENDA**

**IV. ITEMS OF BUSINESS**

1.	MINUTES CITY OF HENDERSON REDEVELOPMENT AGENCY LOAN COMMITTEE MEETING OF OCTOBER 26, 2010
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Recommend approval of City of Henderson Redevelopment Agency Loan Committee minutes of October 26, 2010 meeting.

2.	REQUEST FOR A DOWNTOWN SIGN GRANT AWARD FOR 310 W. LAKE MEAD PARKWAY, SUITE 100
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Recommend approval of the Downtown Sign Grant for Jimmy John's of Henderson.

3.	REQUEST FOR AN EASTSIDE FAÇADE LOAN TO GRANT AWARD FOR 722 W. SUNSET ROAD.
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Recommend approval of the Eastside Façade Loan to Grant to Robert McMackin, owner of "Star Square" located on the northeast corner of Sunset Road and Middlegate Road.

**V. PUBLIC COMMENT**

Note: Items discussed under Public Comment cannot be acted upon at this meeting, but may be referred to a future agenda for consideration (NRS 241.020).

**VI. ADJOURNMENT**

**Agenda posted prior to 9:00 a.m. on April 13, 2011 at the following locations:**

City Hall, 240 Water Street, 1<sup>st</sup> Floor Lobbies (2)  
Multigenerational Center, 250 S. Green Valley Parkway  
Whitney Ranch Recreational Center, 1575 Galleria Drive  
Fire Station No. 86, 96 Via Antincendio



## REDEVELOPMENT AGENCY LOAN COMMITTEE AGENDA ITEM

REGULAR MEETING

April 26, 2011

LC-001

<b>SUBJECT</b>	MINUTES—CITY OF HENDERSON REDEVELOPMENT AGENCY LOAN COMMITTEE MEETING OF OCTOBER 26, 2010.
<b>PETITIONER</b>	Economic Development/Redevelopment Division of the City Manager's Office
<b>RECOMMENDATION</b>	Recommend Approval

**CITY OF HENDERSON REDEVELOPMENT AGENCY  
LOAN COMMITTEE  
MINUTES  
October 26, 2010**

**I. CALL TO ORDER**

Chairman Foster called the Redevelopment Agency Loan Committee to order at 3:35 p.m. in the Mayor and Council Board Room, City Hall, 240 Water Street, Henderson, Nevada.

**II. CONFIRMATION OF POSTING AND ROLL CALL**

Tiffany Reardon confirmed the meeting had been noticed in accordance with the Open Meeting Law by posting the Agenda three working days prior to the meeting at City Hall, Henderson Convention Center, Green Valley Police Substation, and Fire Station No. 86.

Present: Chairman Tom Foster  
Roy Borsellino  
Mark McGinty  
Michelle Romero  
Richard Serfas  
Stan Southwick

Excused: None

Staff: Bob Cooper, Director of Redevelopment/Economic Dev.  
Christine Guerci-Nyhus, Assistant City Attorney II  
Anthony Molloy, Redevelopment Project Manager  
Lisa Sich, Special Projects Accountant  
Tiffany Reardon, Administrative Assistant III  
April Parra, Minutes Clerk

**III. ACCEPTANCE OF AGENDA**

(Motion) Ms. Romero introduced a motion to accept the agenda as presented. The vote favoring approval was unanimous. Chairman Foster declared the motion carried.

**IV. ITEMS OF BUSINESS**

1.	MINUTES CITY OF HENDERSON REDEVELOPMENT AGENCY LOAN COMMITTEE MEETING OF AUGUST 24, 2010
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Recommend approval of City of Henderson Redevelopment Agency Loan Committee minutes of August 24, 2010 meeting.

(Motion) Mr. Borsellino introduced a motion recommending approval of the August 24, 2010, minutes as presented. The vote favoring approval was unanimous. Chairman Foster declared the motion carried.

2.	REVOCATION OF FAÇADE LOAN TO GRANT AWARD FOR 1104 N. AND 1120 N. BOULDER HIGHWAY
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Recommend revocation of the Eastside Façade Loan to Grant approval for Mugshots Casino and Outpost Motel.

Anthony Molloy, Redevelopment Project Manager, gave a brief summary of the proposed item and stated staff recommends approval.

Responding to a question by Mr. Southwick regarding future loans, Mr. Molloy stated this will not hinder any future loans.

(Motion) Mr. Serfas introduced a motion to recommend revocation of the Eastside Façade Loan to Grant approval for Mugshots Casino and Outpost Motel. The vote favoring approval was unanimous. Chairman Foster declared the motion carried.

3.	REVOCATION OF SIGN GRANT AWARD FOR 1104 N. AND 1120 N. BOULDER HIGHWAY
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Recommend revocation of the Eastside Sign Grant approval for Mugshots Casino and Outpost Motel.

Anthony Molloy, Redevelopment Project Manager, gave a brief summary of the proposed item and stated staff recommends approval.

(Motion) Mr. Borsellino introduced a motion to recommend revocation of the Eastside Sign Grant approval for Mugshots Casino and Outpost Motel. The vote favoring approval was unanimous. Chairman Foster declared the motion carried.

4.	REQUEST FOR A DOWNTOWN TENANT IMPROVEMENT GRANT FOR 155 WATER STREET
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Recommend approval of the Downtown Tenant Improvement Grant to Onee55 Water, a city café.

Anthony Molloy, Redevelopment Project Manager, gave a brief summary of the proposed item and stated staff recommends approval.

(Motion) Ms. Romero introduced a motion recommending approval of the Downtown Tenant Improvement Grant to Onee55 Water, a city café. The vote favoring approval was unanimous. Chairman Foster declared the motion carried.

5.	REQUEST FOR A DOWNTOWN SIGN GRANT FOR 340 N. BOULDER HIGHWAY
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Recommend approval of the Downtown Sign Grant to Cruzers Fresh-Ground Burgers located at 340 No. Boulder Highway.

Anthony Molloy, Redevelopment Project Manager, gave a brief summary of the proposed item and stated staff recommends approval.

(Motion) Mr. Southwick introduced a motion recommending approval of the Downtown Sign Grant to Cruzers Fresh-Ground Burgers located at 340 N. Boulder Highway. The vote favoring approval was unanimous. Chairman Foster declared the motion carried.

6.	REQUEST FOR A DOWNTOWN FAÇADE LOAN TO GRANT FOR 340 N. BOULDER HIGHWAY
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Recommend approval of the Downtown Façade Loan to Grant to Cruzers Fresh-Ground Burgers located at 340 N. Boulder Highway.

Anthony Molloy, Redevelopment Project Manager, gave a brief summary of the proposed item and stated staff recommends approval.

(Motion) Mr. Foster introduced a motion recommending approval of the Downtown Façade Loan to Grant to Cruzers Fresh-Ground Burgers located at 340 N. Boulder Highway. The vote favoring approval was unanimous. Chairman Foster declared the motion carried.

7.	<b>JAMES ZISCHKE LOAN RESTRUCTURE</b>
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Recommend approval of a loan restructure for James Zischke, a participant in the Homeowners Assistance Program.

Lisa Sich, Special Projects Accountant, gave a brief summary of the proposed item and stated staff recommends approval.

(Motion) Mr. Serfas introduced a motion recommending approval of a loan restructure for James Zischke, a participant in the Homeowners Assistance Program. The vote favoring approval was unanimous. Chairman Foster declared the motion carried.

**V. PUBLIC COMMENT**

There were no comments presented by the public.

**VI. ADJOURNMENT**

There being no further business to be discussed, the meeting was adjourned at 3:55 p.m.

Respectfully submitted,

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April Parra,  
Minutes Clerk



## REDEVELOPMENT AGENCY LOAN COMMITTEE AGENDA ITEM

REGULAR MEETING

April 26, 2011

LC-002

<b>SUBJECT</b>	SIGN GRANT APPLICATION 310 W. LAKE MEAD PKWY SUITE 100
<b>PETITIONER</b>	Economic Development/Redevelopment Division of the City Manager's Office
<b>RECOMMENDATION</b>	Recommend Approval

**Sign Grant Staff Summary  
Loan Committee Meeting  
April 26, 2010  
3:30 pm Council Chambers Conference Room**

Property Address:	310 W. Lake Mead Pkwy Suite 100
Applicant:	Robert Buckel– It's My Favorite, LLC
Proposed Used:	Jimmy John's Gourmet Sandwiches
Redevelopment Area:	Downtown
City Zoning:	CC-PUD-RD – Community Commercial PUD with Redevelopment Overlay
Design Review Required:	No
Sign Permit Required:	Yes

Summary

The applicant is requesting a sign grant in the amount of \$2,500 to assist with paying for the installation of three wall signs at this new business that will be opening in the near future. Per the Program Guidelines, the applicant received three estimates from sign contractors. The applicant intends to use Bendsen Signs and Graphics Inc. Although Bendsen was not the lowest estimate received, Bendsen has experience in fabricating signs for Jimmy John's.

The following are the estimates that were obtained:

Bendsen – \$15,437.57 (excluding sales tax)  
American Sign Factory - \$16,955.00  
Vision Sign Inc - \$13,801.79

Note: Contractor must have a City of Henderson Business License at the time work is performed in order to be eligible for property owner to be reimbursed.

Staff Recommendation

It is the recommendation of staff that the Loan Committee conditionally approve the Sign Grant to 310 W. Lake Mead Parkway Suite 100 in an amount not to exceed \$2,500 according to the following conditions:

1. Applicant obtaining the required sign permit and obtaining approval from Community Development;
2. Execution of Grant Agreement;
3. Applicant submitting all required paper work for reimbursement; and
4. Applicant to provide Agency with a copy of contractor's current City of Henderson Business License and State Contractor's License.



City of Henderson Redevelopment Agency  
240 Water Street, P.O. Box 95050  
Henderson, NV 89009-5050  
Phone: (702) 267-1515  
Fax: (702) 267-1503

## FINANCIAL ASSISTANCE APPLICATION

This program provides Redevelopment Agency (RDA) Funds to assist any property owner(s) or tenant(s) who are interested in upgrading or expanding their business located within the boundaries of the Redevelopment Area.

Please submit a complete application with the listed required documents and appropriate signatures to avoid any delays in financial consideration. Please print legible in either blue or black ink. Please select which redevelopment area your business resides in:

Downtown       Eastside

### 1. TYPE OF APPLICATION (check one)

- Facade Improvement Program       Mini-Façade Improvement (Downtown only)  
 Signage Program  
 Tenant Improvement Program (Downtown only)  
 Development

### 2. PROPERTY INFORMATION

Business Name: <u>IT'S MY FAVORITE, LLC / Jimmy Johns of Henderson</u>		
<input checked="" type="checkbox"/> Corporation (d/b/a)	<input type="checkbox"/> Partnership	<input type="checkbox"/> Sole Proprietorship
Physical Address: <u>310 W. LAKEMEAD PKWY, SUITE 100 HENDERSON, NV 89015</u>		
Mailing Address: <u>10076 BEACON VIEW ST</u>		
City: <u>LAS VEGAS</u>	State: <u>NV</u>	Zip Code: <u>89178</u>
Phone: <u>702.530.2825</u>	Cell: <u>714.351.3214</u>	Fax:
Building Use: <u>Quick Serve Sandwich Shop - DINE-IN, TAKE-OUT, DELIVERY</u>		

### 3. APPLICANT INFORMATION

Name: <u>ROBERT BUCKEL</u>		
Mailing address: <u>10076 BEACON VIEW ST</u>		
City: <u>LAS VEGAS</u>	State: <u>NV</u>	Zip Code: <u>89178</u>
Phone: <u>702.530.2825</u>	Cell: <u>714.351.3214</u>	Fax:
Do you <input type="checkbox"/> Own <input type="checkbox"/> Rent or <input checked="" type="checkbox"/> Lease the subject property? If you are not the property owner, than owner must complete section 4 and sign the application.		

<b>4. PROPERTY OWNER</b>		
Owner name:	Lake Mead Crossing, LLC	
Mailing address:	8375 W. Flamingo Rd. #200	
City:	State:	Zip Code:
Las Vegas	NV	89147
Phone:	Cell:	Fax:
702-368-5800		702-368-5801
Are there multiple owners? [ ] Yes or [ ] No If yes, provide executed Affidavit for each.		

<b>5. CONTACT PERSON OR REPRESENTATIVE</b>		
Name:	John Stewart	
Mailing address:	8375 W. Flamingo Rd. #200	
City:	State:	Zip Code:
Las Vegas	NV	89147
Phone:	Cell:	Fax:
702-368-5800		702-368-5801

I / We hereby affirm that I have full legal capacity to authorize the filing of this application and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The owner invites the City of Henderson (COH) and/or RDA to make all reasonable inspections, investigations and take pictures of the subject property during the process period associated with the application. I authorize the use of any pictures taken by the COH or Agency.

I / We have read and understand the selected financial assistance program guidelines, accept the qualification, and understand that in order for my request of funds to be approved, I / We must agree to work within and follow the recommendations of the RDA before starting any work on the subject property following approval of the application. I / We must complete, sign and have notarized a Program Agreement to initiate a date of project execution.

                    R. R. R.                      
 Applicant signature Date

                    [Signature]                      
 Owner signature Date

\_\_\_\_\_  
 Owner signature Date

## PROGRAM APPLICATION REQUIREMENTS

### Facade Improvement Program

- Complete signed application form.
- Ownership disclosure form.
- Provide three (3) bids or competitive quotes for proposed work with an itemized cost estimate.
- Three (3) 8½" x 11" copies of existing and proposed front building elevations showing the exterior (front and side) dimensions of the structure in linear feet.
- Project may require development application review, additional copies of project may be required (i.e. Architectural Review Committee, CUP).
- This program operates on a reimbursement basis and the applicant is responsible for all payments to professionals, City departments and contractors. Agency staff will verify actual costs incurred by borrower prior to reimbursement.
- Applicant may not begin any improvements before the loan agreement is executed.
- Applicant shall maintain the improvements and façade of the property in good condition and in accordance with local and State building codes for a minimum of five years.
- Completed W-9 Form for all individuals receiving assistance.
- Legal descriptions typed on a separate page for each parcel.

### Mini-Facade Improvement Program

- Complete signed application form.
- Ownership disclosure form.
- Provide three (3) bids or competitive quotes for proposed work with an itemized cost estimate.
- Three (3) 8½" x 11" copies of existing and proposed front building elevations showing the exterior (front and side) dimensions of the structure in linear feet.
- Project may require development application review, additional copies of project may be required.
- This program operates on a reimbursement basis and the applicant is responsible for all payments to professionals, City departments and contractors. Agency staff will verify actual costs incurred by borrower prior to reimbursement.
- Applicant may not begin any improvements to the property before the grant agreement is approved by the Loan Committee.
- Applicant shall maintain the improvements and façade of the property in good condition and in accordance with local and State building codes for a minimum of five years.
- Completed W-9 Form for all individuals receiving assistance.

### Signage Program

- Complete signed application form.
- Ownership disclosure form.
- \* • Written consent from property owner if applicable.
- \* • Building must be commercial and located in either the Downtown or Eastside Redevelopment Area.
- \* • Provide three (3) bids or competitive quotes for proposed work with an itemized cost estimate.
- \* • Three (3) 8½" x 11" site plan for proposed pole sign replacement projects.
- \* • Three (3) 8½" x 11" color copies of exterior rendering of exhibit.
- Project may require development application review, additional copies of project may be required (i.e. Architectural Review Committee, CUP).
- This program operates on a reimbursement basis and the applicant is responsible for all payments to professionals, City departments and contractors. Agency staff will verify actual costs incurred by borrower prior to reimbursement.
- Applicant may not begin any improvements to the property before the loan agreement is approved by the Loan Committee.
- Applicant shall maintain the signage in good condition and in accordance with local and State building codes for a minimum of five years.
- Completed W-9 Form for all individuals receiving assistance.

### **Downtown Tenant Improvement**

- Complete signed application form.
- Letter explaining request. If requesting additional funding for Green Initiatives, letter must include details on the five elements being incorporated into the design.
- Number of floors in building and use break out for each floor. (e.g. office, retail, restaurant)
- Three (3) copies of detailed floor plans drawn to a recognized architectural or engineering scale showing all improvements being made.
- Development schedule with specific time frames indicated.
- Narrative describing how the project complements the Downtown Redevelopment Plan, Downtown Investment Strategy, and Downtown Design Guidelines.
- A breakdown of the sources and use of funds for the construction of the project including prevailing wage, if applicable. This must include proof of funding source, e.g. bank approval of loan, for costs that must be covered by the applicant for the improvements.
- Pro-forma financial analysis to include development budget, cash flow analysis and financing plan. Must include detailed information on employment history and performance for the business owner and manager.
- Legal Structure Documentation is required if the applicant is either a partnership or a corporation (including both Subchapter S and C corporations and LLC's). The documentation required includes the Articles of Incorporation and the By-laws.
- A partnership agreement is required on all partnerships. A general partnership agreement is not required to be recorded at any level. A limited partnership agreement must be recorded with the State of Nevada.
- Fictitious Business Name Statement is required by any business not operating under the legal name of the entity operating the business. For example, if a sole-proprietorship is owned by John Smith and is being operated under John's name only, no statement is required. If the business is being operated as Smith's Plumbing, however, a recorded statement is required. If a corporation operates under a name other than that on the incorporation documents, a statement is also required. The same standard is used for partnerships and LLC's.
- A lease is required for businesses operating in rented premises. The lease should be for a period not less than two (2) years. If the lease is for a shorter period of time, then a renewal clause that is exercisable by the tenant is acceptable.
- A minimum of three (3) bids are required for all improvements.
- Credit Report Authorization and Release for all individuals involved in the business.
- Completed W-9 Form.
- If applicant is not the property owner, a notarized letter from the property owner authorizing the applicant to submit the request.

### **Development**

- Complete signed application form.
- Site coverage.
- Number of floors.
- Square footage for each floor and use (e.g., office, retail, restaurant, condominium, etc.).
- Concept elevation and site plan.
- Development schedule.
- If project is located in the Downtown Redevelopment Area, a narrative describing how the project complements the Downtown Redevelopment Plan, Downtown Investment Strategy, and Downtown Design Guidelines. If located in the Eastside Redevelopment Area, the narrative is not required.
- A breakdown of the sources and use of funds for the construction of the project including prevailing wage if applicable.
- Pro-forma financial analysis to include development budget, cash flow analysis and financing plan. See attached example of Pro Forma.
- Credit Report Authorization and Release for all individuals involved in the business.

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### IT'S MY FAVORITE, LLC

New Search

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Business Entity Information			
Status:	Active	File Date:	8/11/2010
Type:	Domestic Limited-Liability Company	Entity Number:	E0388292010-6
Qualifying State:	NV	List of Officers Due:	8/31/2011
Managed By:	Managers	Expiration Date:	
NV Business ID:	NV20101611954	Business License Exp:	8/31/2011

Registered Agent Information			
Name:	JAMES R. ADAMS, ESQ	Address 1:	8681 W SAHARA AVE STE 280
Address 2:		City:	LAS VEGAS
State:	NV	Zip Code:	89117
Phone:		Fax:	
Mailing Address 1:		Mailing Address 2:	
Mailing City:		Mailing State:	NV
Mailing Zip Code:			
Agent Type:	Commercial Registered Agent		
Status:	Active		

[View all business entities under this registered agent](#)

Financial Information			
No Par Share Count:	0	Capital Amount:	\$ 0
No stock records found for this company			

Officers			
<input type="checkbox"/> Include Inactive Officers			
<b>Manager - WILLIAM L BLODGET</b>			
Address 1:	732 PANORAMA ROAD	Address 2:	
City:	FULLETON	State:	CA
Zip Code:	97831	Country:	USA
Status:	Active	Email:	
<b>Manager - ROBERT R BUCKEL</b>			
Address 1:	10076 BEACON VIEW STREET	Address 2:	
City:	LAS VEGAS	State:	NV
Zip Code:	89117	Country:	USA
Status:	Active	Email:	

**Note:** Applying for grant funds does not obligate the Redevelopment Agency (RDA) to allocate funds for the specified project. Only after the review and approval of the application and plans will the RDA authorize funds. The project shall comply with the selected Program Guidelines and upon approved final inspections by the City of Henderson will the RDA be obligated to disburse the authorized funds. In the event that application is denied by the Redevelopment Agency's Loan Committee, applicant may appeal to the Redevelopment Agency Board.

**\*Additional Requirements may include but are limited to:**

- In some cases, personal financials may be required to be sent directly to the RDA's independent reviewer, National Development Council. If so, the program administrator will supply you with the appropriate information request.

**Office Use Only**

Date Application Received: 3/24/11 Date of Complete Application: 3/24/11  
Assessor's Parcel Number: 179-18-11-1002 Zoning: CC-PDD  
Approved Project Program: \_\_\_\_\_ Approved Grant \$ \_\_\_\_\_  
Approval Letter Date \_\_\_\_\_ Denial Letter Date \_\_\_\_\_  
Certificate of Insurance Received: \_\_\_\_\_

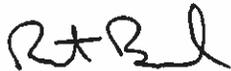
Robert Buckel  
10076 Beacon View St  
Las Vegas, NV 89178  
March 22, 2011

Anthony Molloy  
Redevelopment Project Manager  
City of Henderson  
240 Water Street, PO Box 95050  
Henderson, NV 89009-5050

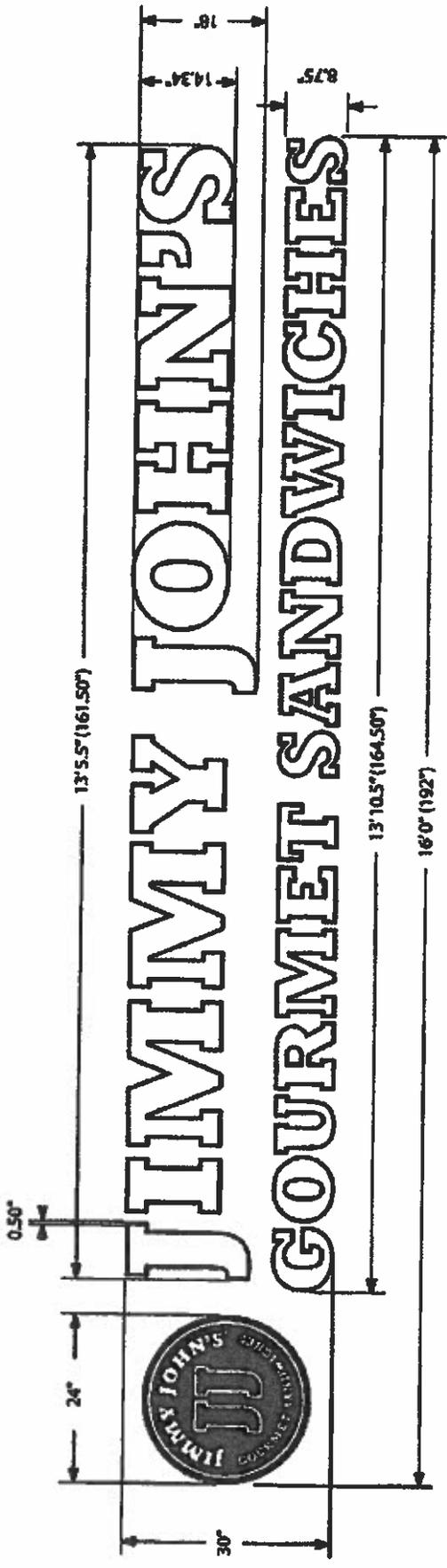
Anthony:

I have decided to use the Bendsen Sign bid proposal. Although not the cheapest, I chose Bendsen Signs bid because they have experience building Jimmy John's signage across the country.

Sincerely,

A handwritten signature in black ink, appearing to read "R+B", written in a cursive style.

Robert Buckel  
It's My Favorite, LLC  
Owner



LED (US LED)	LED (US LED)	LED (US LED)	LED (US LED)
FACE	FACE	FACE	FACE
REAR	REAR	REAR	REAR
SIZE	SIZE	SIZE	SIZE
COLOR	COLOR	COLOR	COLOR
TYPE	TYPE	TYPE	TYPE
APPL.	APPL.	APPL.	APPL.
SAFETY	SAFETY	SAFETY	SAFETY
COL.	COL.	COL.	COL.
SCHEM.	SCHEM.	SCHEM.	SCHEM.

LED (US LED)	LED (US LED)	LED (US LED)	LED (US LED)
FACE	FACE	FACE	FACE
REAR	REAR	REAR	REAR
SIZE	SIZE	SIZE	SIZE
COLOR	COLOR	COLOR	COLOR
TYPE	TYPE	TYPE	TYPE
APPL.	APPL.	APPL.	APPL.
SAFETY	SAFETY	SAFETY	SAFETY
COL.	COL.	COL.	COL.
SCHEM.	SCHEM.	SCHEM.	SCHEM.

LED (US LED)	LED (US LED)	LED (US LED)	LED (US LED)
FACE	FACE	FACE	FACE
REAR	REAR	REAR	REAR
SIZE	SIZE	SIZE	SIZE
COLOR	COLOR	COLOR	COLOR
TYPE	TYPE	TYPE	TYPE
APPL.	APPL.	APPL.	APPL.
SAFETY	SAFETY	SAFETY	SAFETY
COL.	COL.	COL.	COL.
SCHEM.	SCHEM.	SCHEM.	SCHEM.

This is an original unpublished drawing. Confidentiality is maintained for your personal use in connection with a project being planned for you by Bardsen Signs and Graphics, Inc. It is not to be shown or distributed to other persons or to be used reproduced, copied or altered in any fashion.

Designer: *[Signature]*  
 Date: 10-1-11  
 Project No: BSKD-1005

For: Jimmy John's Gourmet Sandwiches - Henderson, NV  
 Quantity: One (1) set of internally illuminated channel letters  
 Letters and logo have vinyl applied: 3630-83 Regal Red and 3630-22 Black

PH: 817-877-8348 (Dallas)  
 PH: 817-838-1888 (Chicago)  
 FAX: 817-877-8247

8805 N. Woodford St., Chicago, IL 60688  
 301 N. Oak St., Suite 400, Chicago, IL 60602

Signs & Graphics, Inc.



## REDEVELOPMENT AGENCY LOAN COMMITTEE AGENDA ITEM

REGULAR MEETING

April 26, 2011

LC-003

<b>SUBJECT</b>	FAÇADE LOAN-TO-GRANT APPLICATION 722 W. SUNSET ROAD
<b>PETITIONER</b>	Economic Development/Redevelopment Division of the City Manager's Office
<b>RECOMMENDATION</b>	Recommend Approval

**Amended Facade Loan-to Grant Staff Summary**  
**Loan Committee Meeting**  
**April 26, 2011**  
**3:30 Council Chambers Conference Room**

Property Address:	722 W. Sunset Road
Property Owner:	Robert McMackin
City Zoning:	CC-RD –Community Commercial with Redevelopment Overlay
Design Review Required:	Yes
COH Building Permit Required:	Yes

**Summary**

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The purpose of this amended analysis is twofold: Per the applicant first to request a budget increase for project from \$98,124.63 to \$111,811.63, and secondly, to allow staff to review more closely the components of the project and revise the recommendation.

The applicant initially requested a façade loan to grant award in the amount of \$78,499.70 based on a total project cost of \$98,124.63. Because of an increase in cost of the landscaping and sidewalk improvements, the budget has increased by \$13,687. As a result of this budget increase, the applicant is now eligible to be reimbursed \$89,449.30 if approved as submitted.

The existing commercial center has multiple tenant spaces occupied by some new tenants and some tenants such as Moody's Auto Connection and Sunset Thai House which have been there for over 10 years. The owner of the property has stated that in just the last month, they have lost two tenants. This effort to remodel is being made so that the property is more attractive to both the tenants and customers.

In order to reduce overhead, the property owner will act as the General Contractor, without assessing fees for this service. As indicated below, and based on the applicant having a State and City license, the applicant will be performing the landscaping and sidewalk improvements.

Proposed improvements to the property, contractors to be used, and budget for each item are as follows:

**Awnings** – maintain existing metal framing and replace cover materials with solar rated Sunbrella fabricate. Two alternating color choices will be used and work to be completed by Accent Awning Company - \$8,070.00

**Doors** – replacement of all existing wood doors with commercial quality doors with low-E glass. Contractor is Wholesale Builders Supply - \$13,669.01

**Landscaping** – add new landscaping in all garden areas, expand and enhance perimeter landscaping, add low voltage rope lighting to palm trees, demolish an existing landscape pony wall at the corner and replace with an inverted landscape wall at the same location, install 18 new decorative boulders, add 25 tons of new decorative rock, replacement and expansion of existing irrigation system, and relocate electrical panels, timers and disconnects from wall and mount on a free standing sign pole. Contractor is Mac-Mar Inc, Contractors. The applicant is the owner of this company. The applicant has provided estimates from other companies as required by the Program Guidelines. The applicant's estimate is lower than the other estimates that were received - \$36,285.00 (previously \$23,386.00)

**Seal Parking Lot** – reseal the entire parking lot that now has many cracks. Contractor is Stripe-a-Lot - \$4,138.00.

**Stripe Parking Lot** - Contractor is Stripe-a-Lot - \$819.00.

**Sidewalks** – remove all existing sidewalks around the building perimeter. The existing sidewalks are in disrepair and according to contractors that were contacted by the applicant, cannot be satisfactorily repaired and provided with a five-year warranty as required by the Program. The sidewalk area in front of the USA Lounge will be decoratively paved with flagstone as an accent. The Contractor is Mac-Mar Contractors. The applicant is the owner of this company. The applicant has provided estimates from other companies as required by the Program Guidelines. The applicant's estimate is lower than the other estimates that were received - \$12,560.00 (previously \$11,772.00)

**Painting** – paint the entire structure and add several accent colors. Contractor is Vegas Painters - \$6,000

**Sign** – Rehab the existing free-standing sign; add a decorative pole sleeve, upgrade electrical, add new architectural elements. Contractor is Nevada Signs - \$29,985.00

Miscellaneous Costs such as photo copying and preparation of application materials - \$285.62.

Eligible Reimbursement:

Front façade has multiple tenants and per the Program Guidelines, each window space is eligible for a separate award amount. The west side façade of the structure is also visible from Middlegate Road, making that façade also eligible. Based on the Program, this building is eligible for the maximum award of \$90,000.

The applicant has not taken into account in the project estimates the costs for a Design Review Fee or for the Sign Permit fee. If the applicant provides this information to staff in terms of receipts, those costs could be considered eligible expenses if approved by the Loan Committee.

**Note: All Contractors must have a City of Henderson Business License and where required, State Contractors License at the time work is performed in order to be eligible for property owner to be reimbursed.**

Staff Analysis

This development is in need of improvements, and the award of a façade loan to grant will facilitate the improvements. However, it is the opinion of staff that two of the proposed improvements are more of a benefit to the property owner/tenants, and do not have the visual impact necessary to warrant the investment of the associated costs.

*Sidewalk Improvements – Staff compared the original estimate of \$11,772.00 and the revised estimate of \$12,560, and there appears to be no increase in the scope of work. As a result, it is the recommendation of staff that the lower estimate be used as the basis for evaluating the improvement.*

The improvements referenced are the replacement of the sidewalks around the perimeter of the structure. While the sidewalks are in a deteriorated condition, that condition is not noticeably visible from off site and does not appear to affect the aesthetics of the property as it appears from adjacent properties or the public right-of-way. The only exception in the opinion of staff is the sidewalk area adjacent to the entrance to the USA Lounge which really does need improvement.

Of the total sidewalk improvement budget of \$11, 772.00, the cost for improvements to the entrance of the USA Lounge is \$2,650.00. Actions involve the removal of the existing sidewalk and tile and replacement with decorative flagstone. This portion of the work in the opinion of staff should be approved for funding using the Loan to Grant Program.

*Landscaping Improvements - Staff compared the original estimate of \$23,386.00 and the revised estimate of \$36,285.00, and there appears to be no increase in the scope of work. As a result, it is the recommendation of staff that the lower estimate be used as the basis for evaluating the improvement.*

There are two activities included in the landscaping improvements that in the opinion of staff are not necessary to create the visual improvement that is necessary based on cost. First is the removal of the existing pony wall in the landscape area on the north-east corner of Sunset Road and Middlegate Road, and the associated cost to relocate the electrical panels, timers and disconnects from the wall to be demolished and mount on the free standing light pole. Part of the reason for this assessment by staff is that there is an existing matching pony wall on the opposite side of the street indicating entrance to this geographic area. If the proposed removal of the wall takes place, it will result in a miss-match to the other wall. Additionally, the significant cost to relocate the electrical wiring reference above of \$12, 500 can be saved. This also mitigates the budget cost of \$1,345.00 for the construction of a new wall and \$850 for demolition of the existing wall. However, in not removing and replacing this wall there will be associated cost for repair

and painting of the existing wall and this should be considered in the grant approval as indicated below.

Based on the above referenced adjustments suggested by staff, the eligible budget costs would amount to \$74,307.63. If a \$500 allowance were provided for repairs and painting to the existing landscape wall, the eligible expense budget increases to \$74,807.63 of which 80% or \$59,856.10 is eligible for reimbursement. This of course does not mean that the applicant cannot conduct all improvements as proposed on the plans, simply that the applicant cannot request reimbursement for costs associated with the replacement of sidewalks around the building (except for the entrance to the USA Lounge) and replacement of the existing wall and any costs associated with that improvement.

### Staff Recommendation

It is the recommendation of staff that the Loan Committee approve the requested façade loan to grant to the owner of 722 W. Sunset Road, Robert McMackin, according to the following conditions:

1. Amount of Loan to Grant to not exceed \$59,856.10;
2. Improvements per elevations, colors, swatches, site and landscaping plans provided by the applicant;
3. Reimbursement at a rate of 80% for eligible landscape improvements per original estimate provided but not to include cost for the removal and replacement of the existing pony wall in the landscape area on the north-east corner of the intersection of Sunset Road and Middlegate Road or costs associated with electrical panels, timers and disconnects but to include an allowance not to exceed \$500 for improvements to the existing wall;
4. Reimbursement at a rate of 80% for eligible sidewalk improvements per original estimate and limited only to the replacement of the sidewalk areas in front of the USA Lounge with flagstone entrance at a cost not to exceed \$2,650.00.
5. Loan is for a five-year term with deferred principle and interest payments based on applicant meeting maintenance requirements as identified in Program Guidelines;
6. Interest rate of five-year Treasury note yield plus 3%;
7. Deed of Trust being recorded against property tax records to secure the debt;
8. Execution of Loan Documents; and
9. Prior to commencement of any work, applicant is to provide copies of all City and State Licenses required by contractors;
10. Prior to commencement of work, applicant receiving approval from City of Henderson Community Development and Building Inspection Departments;
11. Applicant submitting to staff copies of all invoices from contractors, lien releases where applicable, copies of checks for payment and proof of deposits;
12. Applicant providing to staff a copy of the final inspection from the City of Henderson Building Department if one is issued.



City of Henderson Redevelopment Agency  
240 Water Street, P.O. Box 95050  
Henderson, NV 89009-5050  
Phone: (702) 267-1515  
Fax: (702) 267-1503

## FINANCIAL ASSISTANCE APPLICATION

This program provides Redevelopment Agency (RDA) Funds to assist any property owner(s) or tenant(s) who are interested in upgrading or expanding their business located within the boundaries of the Redevelopment Area.

Please submit a complete application with the listed required documents and appropriate signatures to avoid any delays in financial consideration. Please print legible in either blue or black ink. Please select which redevelopment area your business resides in:

Downtown  Eastside

### 1. TYPE OF APPLICATION (check one)

- Facade Improvement Program  Mini-Façade Improvement (Downtown only)  
 Signage Program  
 Tenant Improvement Program (Downtown only)  
 Development

### 2. PROPERTY INFORMATION

Business Name: "Star Square"

Corporation (d/b/a)  Partnership  Sole Proprietorship

Physical Address: 722 W. Sunset

Mailing Address: 1940 N. Boulder Hwy

City: Henderson State: Nev Zip Code: 89011

Phone: (702) 565-1945 Cell: (323) 240-2888 Fax:

Building Use: Commercial

### 3. APPLICANT INFORMATION

Name: Robert McMackin

Mailing address: 1940 N. Boulder Hwy

City: Henderson State: Nev Zip Code: 89011

Phone: (702) 565-1945 Cell: (702) 378-2011 Fax:

Do you  Own  Rent or  Lease the subject property?

If you are not the property owner, than owner must complete section 4 and sign the application.

<b>4. PROPERTY OWNER</b>		
Owner name: <u>Same</u>		
Mailing address:		
City:	State:	Zip Code:
Phone:	Cell:	Fax:
Are there multiple owners? [ ] Yes or [ ] No If yes, provide executed Affidavit for each.		

<b>5. CONTACT PERSON OR REPRESENTATIVE</b>		
Name: <u>Shannon or Robert MC Mackin</u>		
Mailing address: <u>(Same)</u>		
City:	State:	Zip Code:
Phone: <u>(702) 378-2011</u>	Cell: <u>(323) 240-2888</u>	Fax:

I / We hereby affirm that I have full legal capacity to authorize the filing of this application and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. The owner invites the City of Henderson (COH) and/or RDA to make all reasonable inspections, investigations and take pictures of the subject property during the process period associated with the application. I authorize the use of any pictures taken by the COH or Agency.

I / We have read and understand the selected financial assistance program guidelines, accept the qualification, and understand that in order for my request of funds to be approved, I / We must agree to work within and follow the recommendations of the RDA before starting any work on the subject property following approval of the application. I / We must complete, sign and have notarized a Program Agreement to initiate a date of project execution.

 \_\_\_\_\_ April 7 2011  
 Applicant signature Date

\_\_\_\_\_  
 Owner signature Date

\_\_\_\_\_  
 Owner signature Date

## **PROGRAM APPLICATION REQUIREMENTS**

### **Facade Improvement Program**

- Complete signed application form.
- Ownership disclosure form.
- Provide three (3) bids or competitive quotes for proposed work with an itemized cost estimate.
- Three (3) 8½" x 11" copies of existing and proposed front building elevations showing the exterior (front and side) dimensions of the structure in linear feet.
- Project may require development application review, additional copies of project may be required (i.e. Architectural Review Committee, CUP).
- This program operates on a reimbursement basis and the applicant is responsible for all payments to professionals, City departments and contractors. Agency staff will verify actual costs incurred by borrower prior to reimbursement.
- Applicant may not begin any improvements before the loan agreement is executed.
- Applicant shall maintain the improvements and façade of the property in good condition and in accordance with local and State building codes for a minimum of five years.
- Completed W-9 Form for all individuals receiving assistance.
- Legal descriptions typed on a separate page for each parcel.
- A statement indicating the number of new jobs that will be created and/or retained.

### **Mini-Facade Improvement Program**

- Complete signed application form.
- Ownership disclosure form.
- Provide three (3) bids or competitive quotes for proposed work with an itemized cost estimate.
- Three (3) 8½" x 11" copies of existing and proposed front building elevations showing the exterior (front and side) dimensions of the structure in linear feet.
- Project may require development application review, additional copies of project may be required.
- This program operates on a reimbursement basis and the applicant is responsible for all payments to professionals, City departments and contractors. Agency staff will verify actual costs incurred by borrower prior to reimbursement.
- Applicant may not begin any improvements to the property before the grant agreement is approved by the Loan Committee.
- Applicant shall maintain the improvements and façade of the property in good condition and in accordance with local and State building codes for a minimum of five years.
- Completed W-9 Form for all individuals receiving assistance.
- A statement indicating the number of new jobs that will be created and/or retained.

### **Signage Program**

- Complete signed application form.
- Ownership disclosure form.
- Written consent from property owner if applicable.
- Building must be commercial and located in either the Downtown or Eastside Redevelopment Area.
- Provide three (3) bids or competitive quotes for proposed work with an itemized cost estimate.
- Three (3) 8½" x 11" site plan for proposed pole sign replacement projects.
- Three (3) 8½" x 11" color copies of exterior rendering of exhibit.
- Project may require development application review, additional copies of project may be required (i.e. Architectural Review Committee, CUP).
- This program operates on a reimbursement basis and the applicant is responsible for all payments to professionals, City departments and contractors. Agency staff will verify actual costs incurred by borrower prior to reimbursement.
- Applicant may not begin any improvements to the property before the loan agreement is approved by the Loan Committee.
- Applicant shall maintain the signage in good condition and in accordance with local and State

- building codes for a minimum of five years.
- Completed W-9 Form for all individuals receiving assistance.
- A statement indicating the number of new jobs that will be created and/or retained.

### **Downtown Tenant Improvement**

- Complete signed application form.
- Letter explaining request. If requesting additional funding for Green Initiatives, letter must include details on the five elements being incorporated into the design.
- Number of floors in building and use break out for each floor. (e.g. office, retail, restaurant)
- Three (3) copies of detailed floor plans drawn to a recognized architectural or engineering scale showing all improvements being made.
- Development schedule with specific time frames indicated.
- Narrative describing how the project complements the Downtown Redevelopment Plan, Downtown Investment Strategy, and Downtown Design Guidelines.
- A breakdown of the sources and use of funds for the construction of the project including prevailing wage, if applicable. This must include proof of funding source, e.g. bank approval of loan, for costs that must be covered by the applicant for the improvements.
- Pro-forma financial analysis to include development budget, cash flow analysis and financing plan. Must include detailed information on employment history and performance for the business owner and manager.
- Legal Structure Documentation is required if the applicant is either a partnership or a corporation (including both Subchapter S and C corporations and LLC's). The documentation required includes the Articles of Incorporation and the By-laws.
- A partnership agreement is required on all partnerships. A general partnership agreement is not required to be recorded at any level. A limited partnership agreement must be recorded with the State of Nevada.
- Fictitious Business Name Statement is required by any business not operating under the legal name of the entity operating the business. For example, if a sole-proprietorship is owned by John Smith and is being operated under John's name only, no statement is required. If the business is being operated as Smith's Plumbing, however, a recorded statement is required. If a corporation operates under a name other than that on the incorporation documents, a statement is also required. The same standard is used for partnerships and LLC's.
- A lease is required for businesses operating in rented premises. The lease should be for a period not less than two (2) years. If the lease is for a shorter period of time, then a renewal clause that is exercisable by the tenant is acceptable.
- A minimum of three (3) bids are required for all improvements.
- Credit Report Authorization and Release for all individuals involved in the business.
- Completed W-9 Form.
- If applicant is not the property owner, a notarized letter from the property owner authorizing the applicant to submit the request.
- A statement indicating the number of new jobs that will be created and/or retained.

### **Development**

- Complete signed application form.
- Site coverage.
- Number of floors.
- Square footage for each floor and use (e.g., office, retail, restaurant, condominium, etc.).
- Concept elevations and site plan.
- Development schedule.
- If project is located in the Downtown Redevelopment Area, a narrative describing how the project complements the Downtown Redevelopment Plan, Downtown Investment Strategy, and Downtown Design Guidelines. If located in the Eastside Redevelopment Area, the narrative is not required.
- A breakdown of the sources and use of funds for the construction of the project including

- prevailing wage if applicable.
- Pro-forma financial analysis to include development budget, cash flow analysis and financing plan. See attached example of Pro Forma.
- Credit Report Authorization and Release for all individuals involved in the business.
- A statement indicating the number of individuals this project will employ that are:
  - Persons living in the area; and
  - Persons living in the area that are:
    - Economically disadvantaged
    - Physically disabled
    - A minority
    - A veteran
    - Women

**Note:** Applying for grant funds does not obligate the Redevelopment Agency (RDA) to allocate funds for the specified project. Only after the review and approval of the application and plans will the RDA authorize funds. The project shall comply with the selected Program Guidelines and upon approved final inspections by the City of Henderson will the RDA be obligated to disburse the authorized funds. In the event that application is denied by the Redevelopment Agency's Loan Committee, applicant may appeal to the Redevelopment Agency Board.

**\*Additional Requirements may include but are limited to:**

- In some cases, personal financials may be required to be sent directly to the RDA's independent reviewer, National Development Council. If so, the program administrator will supply you with the appropriate information request.

**Office Use Only**

Date Application Received: 4/7/11 Date of Complete Application: 4/7/11  
 Assessor's Parcel Number: 179-02-202-014 Zoning: CC-RD  
 Approved Project Program: \_\_\_\_\_ Approved Grant \$ \_\_\_\_\_  
 Approval Letter Date \_\_\_\_\_ Denial Letter Date \_\_\_\_\_  
 Certificate of Insurance Received: \_\_\_\_\_

Parcel **17802202014**

**Print**

Parcel Genealogy

**Owner Information**

Owner  
**MCMACKIN ROBERT W**

Owner2

Mailing Address  
**3006 LA MESA  
 HENDERSON NV**

**89014-3721**

Etal Flag  
**N**

**Site Information**

Site Address  
**722 W SUNSET RD**

Subdivision Name  
**PARCEL MAP FILE 38 PAGE 93**

Lot	Block	T-R-S	Tax District
<b>1</b>		<b>22-82-02</b>	<b>521</b>
Land Acres 1	Land Acres 2	SAM	
<b>1.8</b>	<b>0</b>	<b>163</b>	

**Document Information**

Document Number	Doc. Date	Multiple Document	Doc. Vesting
<b>1</b>	<b>20080122</b>	<b>2008012202438</b>	<b>F</b>
Map Type	File	Page	Part
<b>Parcel Map</b>	<b>0038</b>	<b>0093</b>	<b>PT</b>

# improvements

- \* awnings
- \* doors
- \* landscaping
- \* painting
- \* parking lot
- \* sidewalk
- \* signage

# **budget**

- ✱ awnings - Accent Awning Company - \$8,070.00
- ✱ doors - Wholesale Builders Supply - \$13,669.01
- ✱ landscape - Mac-Mar Contractors - \$23,386.00
- ✱ seal parking lot - Stripe-a-Lot - \$4,138.00
- ✱ stripe parking lot - Stripe-a-Lot - \$819.00
- ✱ sidewalk - Mac-Mar Contractors - \$11,772.00

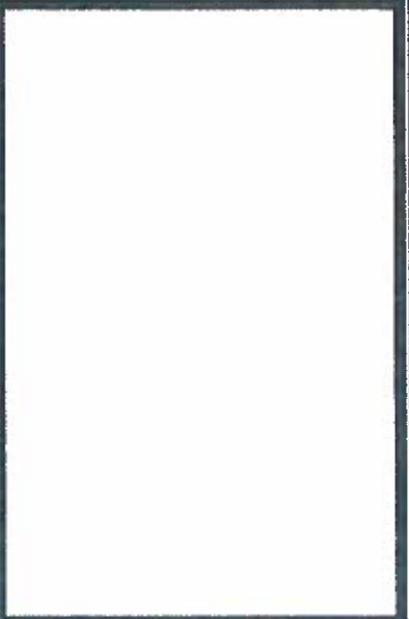
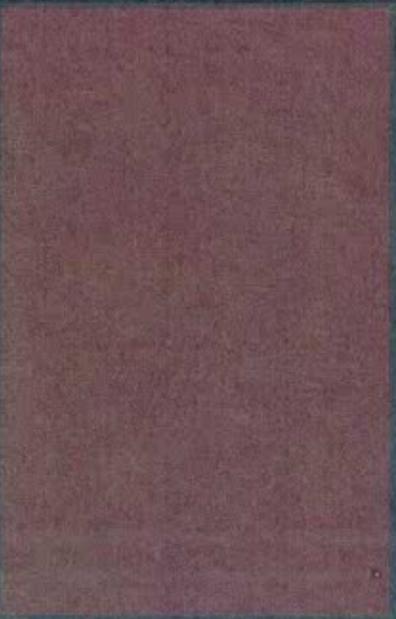
# budget

- \* painting - Vegas Painters - \$6,000
- \* sign - Nevada Signs - \$29,985.00
- \* misc. reimbursable expenses - \$285.62
- \* TOTAL \$98,124.63

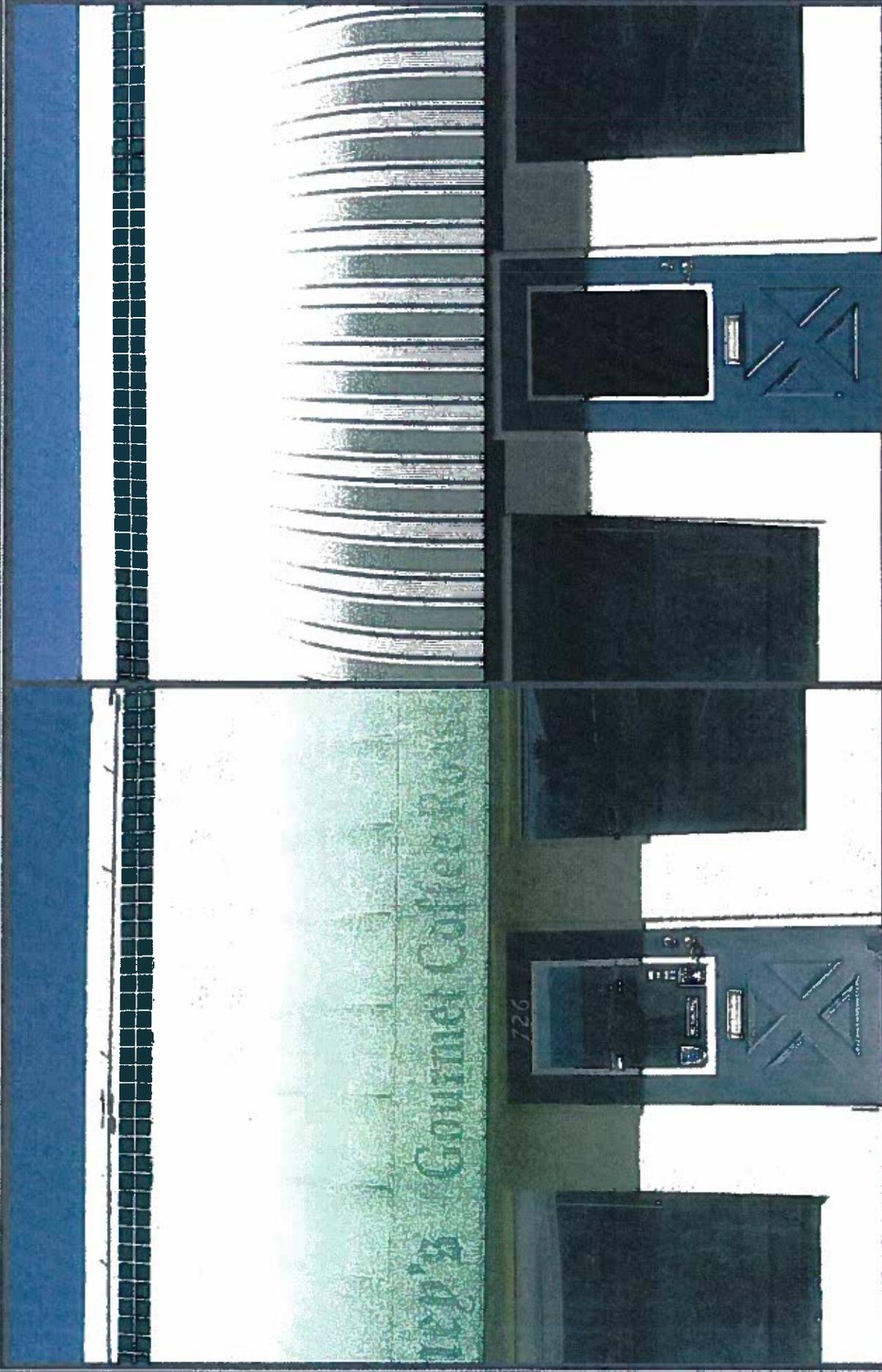


# COLOR PALATE

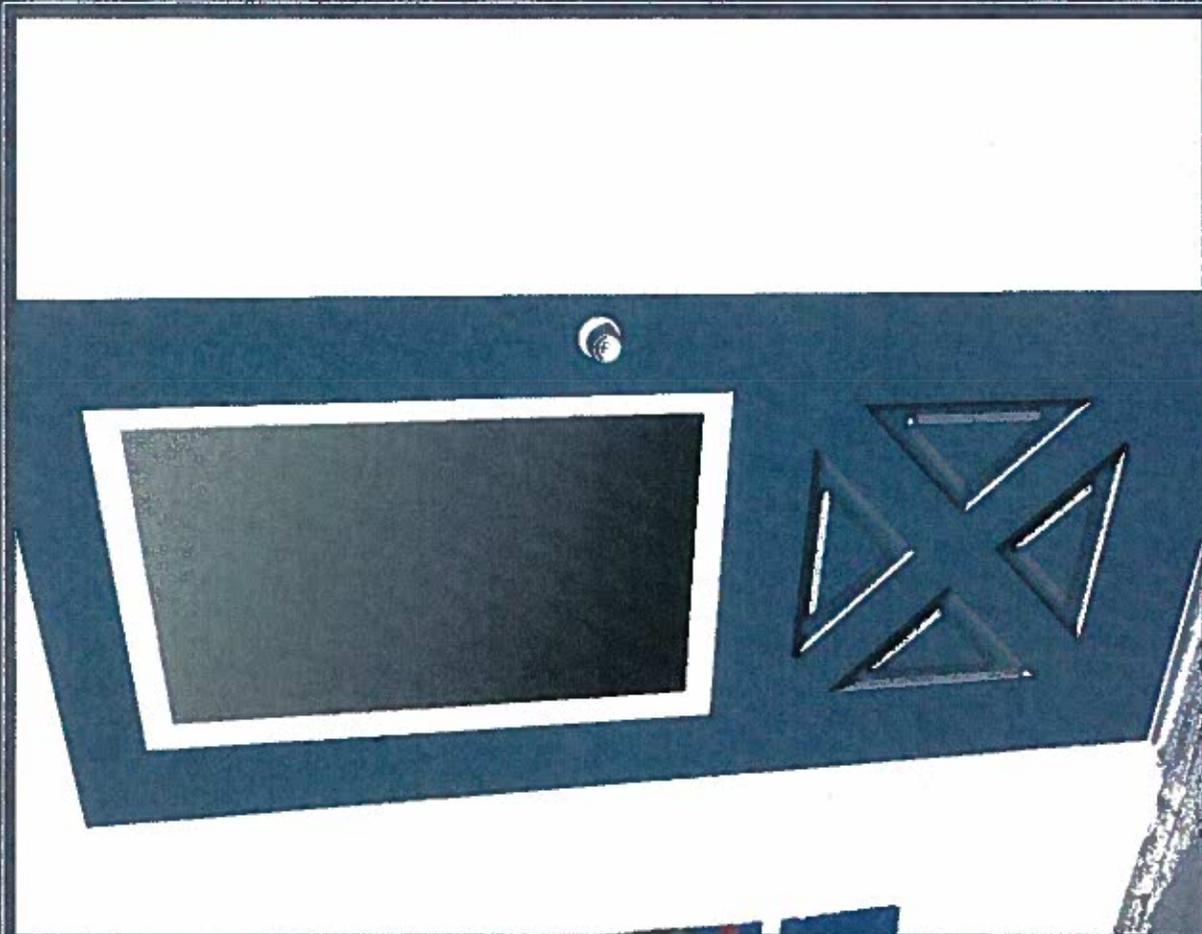
BUILDING/TRIM/DOORS



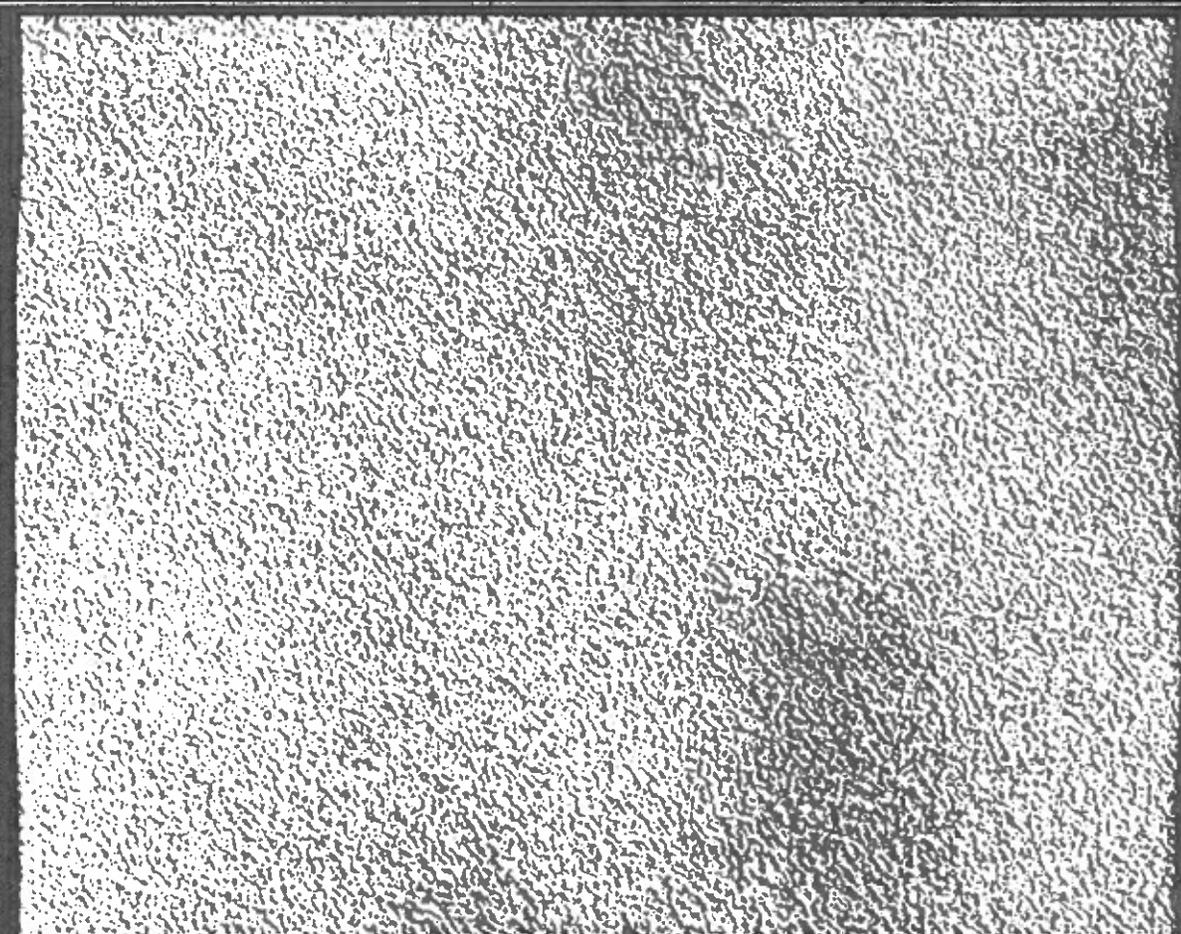




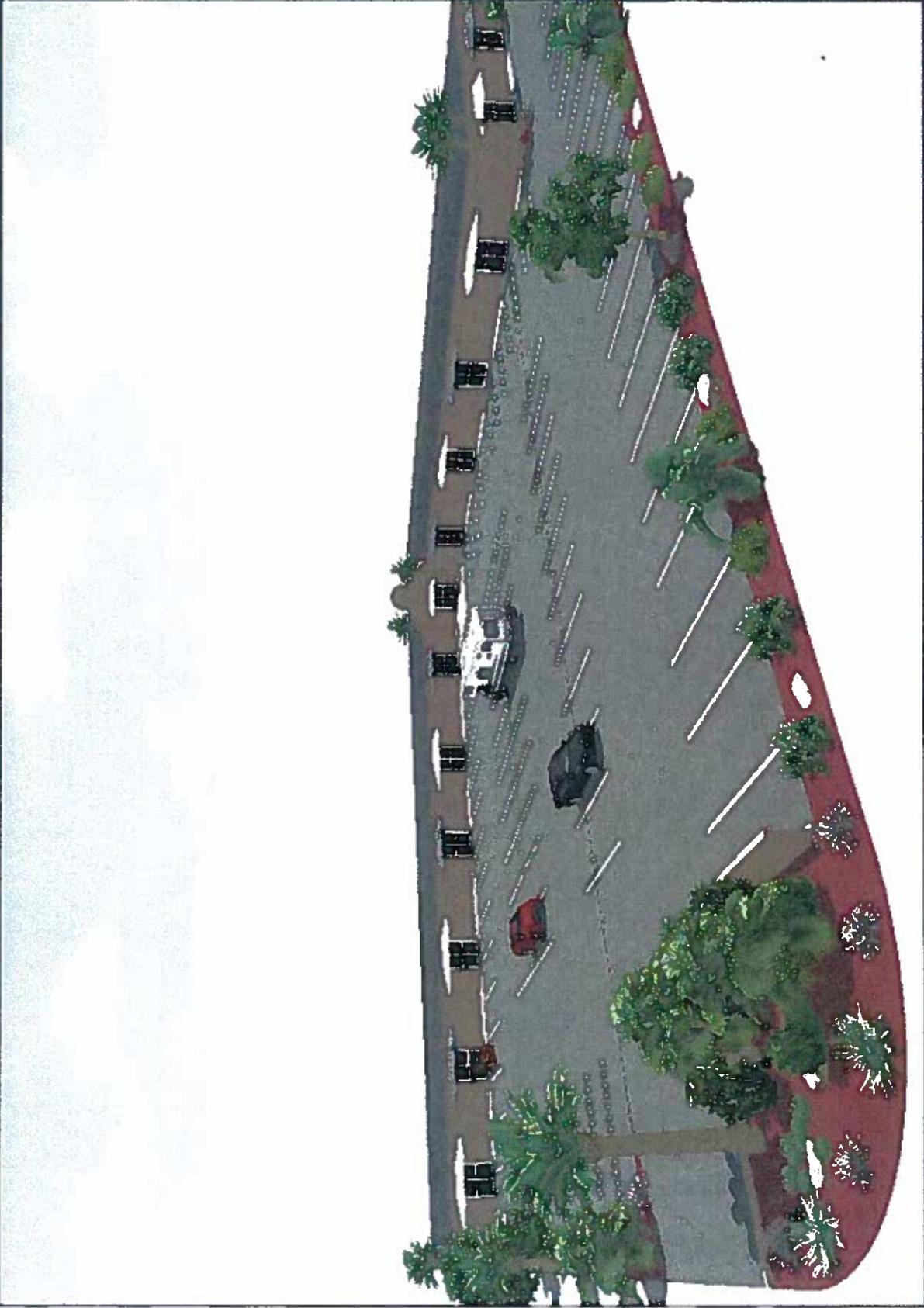
**AWNINGS**  
**BEFORE/AFTER**



**DOORS**  
BEFORE/AFTER (RESIDENTIAL DOORS REPLACED WITH COMMERCIAL STEEL DOORS)



**SIDEWALKS**  
BEFORE/AFTER



**LANDSCAPE**  
AFTER/RENDERING

770 SUNSET STRIP 564-1150  
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**AUTO CONNECTION**  
**GENE'S LOCKSMITH**  
**VALLEY PAINTS**  
**KICKBOXING**  
**AUTO TITLE LOANS**

**USA LOUNGE**  
**DINING DRINKING DANCING**  
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 Banquettes-Weddings  
 Seating 50-200 Tel: 565-1945  
**OFFICE SPACE AVAILABLE**  
**565-1945**



**USA**  
*Lounges & Dances*  
**GRAND OPENING**  
**COMING SOON**  
**FREE BEER**

**770**

**SIGN**  
 BEFORE/AFTER