

DOWNTOWN BUSINESS ASSISTANCE PROGRAM



DOWNTOWN BUSINESS ASSISTANCE PROGRAM MANUAL

PROGRAM SUMMARY

This program is intended to provide a small business owner project coordination and/or financial assistance for undertaking the rehabilitation and renovation of vacant commercial or industrial properties located in the city of Las Vegas' Redevelopment Area #1, Redevelopment Area #2 (RDA), Redevelopment Area #3 (RDA) and Downtown Las Vegas Overlay (DTLV-O).

PROGRAM OBJECTIVES AND GOALS

The creation of both project coordination and financial incentives designed to induce greater small business investment in the city of Las Vegas will be essential in the ongoing redevelopment of the RDA. Many existing structures downtown were originally designed under older Building and Fire Codes and operated under different Occupancy classifications. A majority of these structures have deferred maintenance and code compliance deficiencies that have not been addressed for decades. Potential businesses and entrepreneurs that plan to open or expand their business discover that many of the buildings lack minimum code requirements to support new office/retail/entertainment/food and beverage concepts that the city is striving to attract. Additionally, the city adopted a 2045 Downtown Master Plan that strives to attract new development with activated ground floor commercial uses to further enhance the public backdrop.

The objectives of this program are to:

1. Encourage new business through the rehabilitation of older vacant commercial buildings or the establishment of an initial occupancy in a speculative tenant space that has been vacant since development
2. Enhance the physical appearance of the area
3. Improve the overall economic viability of the city of Las Vegas

These objectives compliment the goals of the city of Las Vegas Redevelopment Agency Plans for the RDA and the city of Las Vegas Downtown Las Vegas Vision 2045 Downtown Las Vegas Masterplan area.

PROGRAM ELIGIBILITY

1. To qualify for Project Coordination projects must meet the following requirements;
 - a. Project eligibility is limited to businesses locating to or expanding within the RDA and Downtown Las Vegas Overlay (DTLV-O).
 - b. All applicants must participate in a pre-qualification meeting to determine what development services will be required and establish a project schedule timeline.
2. To qualify for Code Compliant Costs Reimbursement all projects must meet each of the following requirements;
 - a. Project eligibility is limited to businesses locating to or expanding within the RDA and Downtown Las Vegas Overlay (DTLV-O).
 - b. Businesses completing tenant remodel work within an existing building resulting in a new Certificate of Occupancy via a change of Use or establishing an initial occupancy in a speculative tenant space that has been vacant since development.
 - c. Tenant Space under 15,000 square-feet
 - d. A maximum of three projects on the same parcel are eligible for grant funding per fiscal year.
 - e. Funds are available on a first come, first served basis based on the performance schedule outlined in this program manual.
 - f. A full DBAP application (including the pre-qualify conference) must be submitted prior to the commencement of construction.
3. Ineligible Properties and Businesses -The following properties and businesses are ineligible from participation in the DBAP:
 - a. New ground up building construction.
 - b. Existing commercial buildings performing ongoing maintenance or building upgrades not resulting in a new certificate of occupancy, whether existing business or new operator (e.g., restaurant to restaurant, office to office equals no change of occupancy).
 - c. Single-family properties.
 - d. Residential portions of a larger mixed-use development.
 - e. Properties or projects which do not satisfy all the program eligibility requirements.
 - f. Other business types:
 - I. Cannabis related businesses
 - II. Sexually oriented businesses
 - III. Electronic Security Services
 - IV. Locksmith
 - V. Tattoo establishment
 - VI. Check cashing
 - VII. Bail bonds

PROGRAM ELIGIBILITY (continued)

- VIII. Churches
- IX. Convenience stores
- X. Pawnbroker & auto pawn
- XI. Smoke shop
- XII. Wedding Chapels
- XIII. Auction & auctioneers
- XIV. Martial arts
- XV. Psychic arts
- XVI. Teenage dances
- XVII. Massage & Reflexology establishments

QUALIFIED IMPROVEMENTS FOR FUNDS REIMBURSEMENT

1. The following Building Improvements shall be eligible for funds reimbursement:
 - a. Fire life/safety upgrades to satisfy current fire code regulations related to:
 - I. Fire sprinkler systems
 - II. Fire alarm systems
 - III. Fire panels
 - IV. Smoke control systems
 - V. Kitchen hood systems
 - b. Building & Safety upgrades to satisfy current building code regulations related to:
 - I. Egress upgrades, including panic hardware, illumination and exit signage
 - II. Mechanical, plumbing & electrical upgrades
 - III. IECC energy code upgrades
 - IV. Asbestos or similar abatement
 - c. Accessibility upgrades to satisfy current code regulations related to:
 - I. Restroom remodel for ADA compliance
 - II. Egress upgrades including ramping, panic hardware, door swings
 - III. Floor leveling/resurfacing to correct cracks or other obstructions
 - IV. ADA parking stall upgrades
 - d. Utility upgrades associated with building remodel related to:
 - I. Three-phase or similar power upgrades
 - II. Increased water line sizing
 - III. Backflow RPPA or RPDA devices
 - IV. Sewer upgrades including grease interceptors

QUALIFIED IMPROVEMENTS FOR FUNDS REIMBURSEMENT (continued)

- e. Health Department regulations associated with building remodel related to:
 - I. Three compartment or mop sinks
 - II. Sanitation regulations including FRP or similar
 - III. Qualifying Code Compliant improvements (Qualified Improvements) will be based solely on the work shown on the tenant improvement plan for a tenant completing qualified improvements resulting in a new certificate of occupancy (C of O).

***Ineligibility Note: Non-Code Compliance Building Improvement costs**, including but not limited to, working capital, property purchase, furniture, fixtures and equipment or inventory acquisition and installation, aesthetic/cosmetic upgrades, demolition/clean-up or any soft costs including but not limited to consulting, professional, financing, marketing or legal fees **shall not be included** in the Code Compliance Building Improvement qualifying funds expenditure.

Funds Reimbursement Ratio

1. To ensure that the city's investment in the Project is maximized, the city will require the applicant to provide a 100 percent matching cash contribution to the city's funds so that the applicant has a vested financial interest in the completion of its improvements. Projects must meet the following Private to Public Investment Ratios as listed below under the project milestone investment schedule.
 - a. Code compliant qualified building improvements as listed under subsection D.1 above: 4:1 private to public investment ratio; maximum **\$35,000** reimbursement for projects with qualifying code compliance costs of **\$140,000** or greater.

APPLICATION PROCESS

Projects requesting assistance must participate in a pre-qualification meeting with staff to determine project eligibility.

- Confirm that the subject property meets all the requirements in the "Program Eligibility" section of this manual.
- Complete the [online DBAP application](#); sign and notarize
- Submit a contractor's itemized bid proposal including the cost of the qualifying code compliant building improvements. This itemized bid proposal must match the qualifying scope of work as approved on the tenant improvement building permit.

APPROVAL PROCESS

Applications will be reviewed based on the criteria listed herein and in the order which they were received. All projects meeting the minimum qualifications will be accepted into the Project Coordination program.

Approval for matching funds contributions shall be based on permit issuance date as outlined below:

1. Submittal of a completed DBAP Funds Reimbursement Application Form and the issuance of the projects Tenant Improvement for Certificate of Occupancy permit by the city of Las Vegas Building & Safety Department. Projects qualifying for funds reimbursement shall be accepted into the program on a first come, first served basis.
2. The city has agreed to budget a certain amount of funds for this program, which may be amended from time to time. Once all budgeted funds for the fiscal year are expended, no further funds may be awarded.
3. The Code Compliant reimbursement funds shall be reserved for a project for a period of 180-days after Building Permit issuance.
4. If the project is not completed within the 180-day allotment, the funds reserved for Code Compliant reimbursement will no longer be reserved exclusively for the project and may be used for other eligible projects. Projects not completed within this timeframe can submit an amended project completion schedule proposal IF the project encountered an unavoidable or unique hardship that resulted in the projects delay. It will be at the sole discretion of the city to approve or deny this request based on the merits of the hardship. There will be no appeals process after the decision has been made.
5. The city 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.

PROJECT COMPLETION CHECKLIST

- Site inspection with city of Las Vegas staff
- Submit proof of payment:
 - copies of paid invoices OR
 - copies of cancelled checks OR
 - other proof of payments documentation as deemed acceptable by the city
- Contractor's conditional lien releases
- If a loan was used to pay the contractor, loan documents may be requested
- W9
- Certificate of Occupancy issued or Final Inspection
- Business License Issued

FUNDS DISTRIBUTION

Copies of all invoices and cancelled checks or other proofs of payments must be submitted within 60 days from Certificate of Occupancy or Final Building Inspection. After 60 days, funds will no longer be reserved for the project and may be used for other qualifying projects.

For funds distribution, Property Owner and/or Applicant must not have any past-due bills or debts payable to the city of Las Vegas or the Redevelopment Agency. Property taxes must be current. Property must be free of all mechanics liens at time of application.

Payment for funds up to \$35,000 shall be made in accordance with the city's Direct Payment Request Policy, No. FN206. Payment of funds takes approximately 30-45 days once all copies of all invoices and cancelled checks are received.

Any action taken by the city of Las Vegas is final. There is no appeal process for applications which are not approved by the city of Las Vegas.

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