



**AGENDA SUMMARY PAGE**

**CITY COUNCIL MEETING OF JANUARY 20, 2010**

**DEPARTMENT: NEIGHBORHOOD SERVICES**

**DIRECTOR: STEPHEN KUHARSIN**

☐ Consent ☒ Discussion

**SUBJECT:**

Hearing Review for the vacant or abandoned buildings located at 901 West McWilliams Avenue Units 101-104, 106, 201-202, 203-206, 301-306, 401-406, 501-505, 601-606, 701-702, 704-706, 801-803, 804-808, 810, 902-904, 906-907, 1001 West McWilliams Avenue, 840 West Bonanza Road and 920 West Bonanza Road. PROPERTY OWNER: LAS VEGAS APARTMENT LENDERS LLC (Barlow)

**Fiscal Impact**

☐

No Impact

☐ Augmentation Required

☐

Budget Funds Available

**Amount:**

**Funding Source:**

**Dept./Division:** Neighborhood Services/Response

**PURPOSE/BACKGROUND:**

The subject property was determined to be substandard, dangerous and declared a public nuisance as defined in Las Vegas Municipal Code (LVMC), Title 9.04.020, LVMC 16.08 and 16.31. Notice and Orders Regarding Vacant or Abandoned Dangerous Building and Dangerous Building Demolition were mailed to the property owners to correct the violations. Today's hearing is a review regarding the status of violations from the public hearing item on August 5, 2009, review hearing on September 2, 2009, and review hearing on October 7, 2009.

**RECOMMENDATION:**

Review status of violations listed in the Revised and Re-Recorded Notice and Order Regarding Vacant or Abandoned Dangerous Building and the Revised and Re-Recorded Notice and Order to Abate Dangerous Building Demolition mailed on June 18, 2009. Neighborhood Response recommends a one-year review.

**BACKUP DOCUMENTATION:**

1. Agenda Memo
2. Location Maps
3. Notice and Orders Regarding Vacant or Abandoned Dangerous Building and Notice and Orders to Abate Dangerous Building Demolition
4. Review Hearing Notification Letters
5. Las Vegas Fire & Rescue Report dated July 14, 2009
6. Agreement of Terms and Conditions dated August 5, 2009

Motion made by RICKI Y. BARLOW to Approve a 90-day review

## CITY COUNCIL MEETING OF: JANUARY 20, 2010

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, GARY REESE, STEVEN D. ROSS, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-OSCAR B. GOODMAN)

### Minutes:

MAYOR PRO TEM REESE declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, read the Purpose/Background and Recommendation sections, noting that staff would like a 90-day review instead of a one-year review. He indicated for MAYOR PRO TEM REESE that this matter is for review only.

A videotape shown, but a copy was not submitted.

JORY SHOELL, 3813 Howard Hughes Parkway, representing Las Vegas Apartment Lenders, provided an update on this matter. As part of an agreement with the City, Apartment Lenders agreed to the recordation of two liens, one on the Las Vegas Apartment Lenders' property and another on the Olympic Coast Investments property, which is the Moulin Rouge Hotel/Casino is located. The liens are to be paid at the time of closing of the sale of the properties. The only outstanding matter in the agreement at the time he previously appeared before the Council was the stability of a structure referred to as a "Bell Tower" on the Moulin Rouge property. Apartment Lenders agreed to hire an acceptable engineer to prepare a report. The City's civil engineer expressed concern that the report lacked some detail. Subsequently, the Apartment Lenders' engineer met with the City engineer and the report was updated to indicate that the "Bell Tower" is not in danger of collapsing, pursuant to the engineer's letter. He noted that security is on-site 24/7.

When the sale contract was entered into in November, several liens came up, which had to be addressed through the courts, with the last one of those pending resolution this month. The closing on the sale should occur within the next two weeks. Should the sale fail, Apartment Lenders intends to engage a broker to help sell the property; should that fail, a meeting will be scheduled with City staff to discuss possible options.

MR. SMITH indicated that not much has changed on the property; it remains secure. Staff would prefer the sale of the property to move forward. There are no violations on the property at this time.

COUNCILMAN BARLOW questioned the reason for the recommended 90-day review, to which MR. SMITH replied that the condition of the property at the end of that period could make a difference in staff's recommendation, possibly to proceed with demolition.

To COUNCILMAN BARLOW'S question of whether he could place a condition to demolish the property at the conclusion of the 90-day period, DEPUTY CITY ATTORNEY DAN STILL replied he would have to review the underlying agreement before he could offer any advice.

**CITY COUNCIL MEETING OF: JANUARY 20, 2010**

MR. SHOELL stated that obtaining loans is very challenging. COUNCILMAN BARLOW empathized; however, he said that the condition of the structures is a burden on the neighborhood. If his concerns are not addressed at the end of the 90-day period, he will be compelled to move forward with demolition.

See Item 58 for related discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

