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Letter of Appeal of the Historic Preservation Committee's Vote to Approve HPC 38520, heard at the June 23, 2010 Historic Preservation Commission meeting, before which I spoke, and to have the appeal heard by the City Council.

Re: HPC 38520 Consideration of application for Certificate of Appropriateness for demolition of historic guard shack, façade, and tower at the Moulin Rouge located at 840 West Bonanza Road (APN 139-28-702-014), C-2 (General Commercial Zone, Ward 5 (Barlow)

Respective of the vote to approve the demolition of the guard shack, façade, and tower at the Moulin Rouge, please accept this as an official appeal of the Historic Preservation Committee's decision based on the following considerations, comprehensively and individually.

- 1) Erroneous address of the aforementioned property for demolition. All public references indicate the Moulin Rouge at 900 West Bonanza Road.
- 2) The reported lien of a 99-year lease agreement facilitated via state funding affording the Moulin Rouge Museum and Cultural Center space to operate a museum. This was reported after the meeting, and according to parties privy to those proceedings, a state grant of \$250K was provided for that specific purpose at the Moulin Rouge property, of which \$48K secured the lease with the remainder of the funds returned to the state.
- 3) A portion of Jory Schoell's presentation on behalf of Olympic Coast Investments asserted that the 77-foot tower and side walls were joined structurally and that the tower could not stand safely by itself. According to one person on the Moulin Rouge Museum and Cultural Center who was an owner, the tower would have been built as a structure that could stand separately. He contends that a tower of that height would have extensive "footing." Another party who was on the property for six years insists that the wall and tower, while appearing joined, are not so structurally.
- 4) There is a dispute that this specific item of demolition was never properly noticed nor on a City Council posted agenda. The item number to view the video is LasVegasNevada.gov Agenda and Video, City Council Agenda October 7, 2009; Item #76. Although this property was not on the Agenda the City Council discussed it and took action. The Historic Preservation Committee was led to believe that the City Council had taken proper and procedural action.

- 5) A part of the charred building that was referenced to indicate safety concerns was actually scarring from the 2003 fire. However, it was cited as an unsafe consequence of the most recent fire with the inference being that it was new but dangerous damage.

Finally, several were dismayed that discussion was so abruptly cut off and a vote called before resolving whether an independent engineer could present his or her findings.

- 6) A member of the Historic Preservation Commission most knowledgeable about the property, its condition, and value was effectively silenced via the city attorney's office and the Chair of the Historic Preservation Commission for her association with the non-profit Moulin Rouge Museum and Cultural Center. Though Ms. Duncan did not stand to profit by the decision, she agreed not to "advocate" and "abstained" from voting to the public's disservice.
- 7) Discussion points regarding an independent engineer and what could be reasonably and optimally salvaged from the fire ruins, based on advocates for the property, were not concluded. A vote was abruptly called ending discourse. Again, this was a grave disservice to the public and left the indelible impression that the vote was a foregone conclusion, steered by political forces in collusion with business interests.
- 8) A recent article in the Review Journal (June 29, 2010) quotes an historian with the National Park Service as asserting that if the remaining structures on the property are demolished, the Moulin Rouge listing in the National Register of Historic Places would be "in danger," and that even the return of the original sign would "not be enough to keep a national historic register listing."

Overall, we cannot have commissions, albeit appointed by elected officials, merely serve the interests of that elected body. The mission of an historic preservation committee should be to ensure that any and all value connected to historical properties be carefully scrutinized for that preservation and even restoration for the benefit of the community today and in the future. The overall benefit of honoring historic roots is internationally and universally respected. In the words of doctoral candidate and expert on West Las Vegas history Mahlon Chute, the Moulin Rouge affected the social, economic, and political fabric of Las Vegas and is a "significant monument " to these changes.

Sincerely,



Patricia Hershwitzky

cc: Las Vegas Department of Planning and Development