



City of Las Vegas

Agenda Item No.: 25.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: SEPTEMBER 24, 2009**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
DIR-3547 - DIRECTOR'S BUSINESS - PUBLIC HEARING - APPLICANT:
WESTLEIGH NEIGHBORHOOD ASSOCIATION OWNER: PEDRO FLORES, ET AL -
Request to designate the Westleigh Neighborhood as an Historic District on the city of Las Vegas Historic Property Register, as approved by Historic Preservation Commission (HPC-35007), generally bounded by a public alley approximately 160 feet south of Charleston Boulevard on the north, Valley View Boulevard on the west, Oakey Boulevard on the south and Cashman Drive on the east (APNs Multiple), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian)

THIS ITEM WILL BE FORWARDED TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	161	Planning Commission Mtg.	36
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:
APPROVAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions (Not Applicable) and Staff Report
3. Historic Preservation Commission (HPC-35007) Westleigh Application
4. Westleigh Neighborhood Historic Resource Survey February 2009
5. Historic Preservation Commission Staff Report (HPC-35007)
6. Historic Preservation Commission Protest/Support Postcards
7. Westleigh Historic Report Text
8. Westleigh Historic Report Images
9. Protest/Support Postcards and Protest Letter
10. Submitted after Final Agenda Protest/Support Postcards
11. Submitted at Meeting Westleigh Neighborhood Activities Calendar and 116-Signature Protest Petition

Motion made by GUS FLANGAS to Hold in abeyance to 11/5/2009

Passed For: 4; Against: 2; Abstain: 0; Did Not Vote: 0; Excused: 1
BYRON GOYNES, GLENN TROWBRIDGE, STEVEN EVANS, GUS FLANGAS; (Against-KEEN ELLSWORTH, VICKI QUINN); (Abstain-None); (Did Not Vote-None); (Excused-RICHARD TRUESDELL)

Minutes:

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CHAIR TROWBRIDGE declared the Public Hearing open.

COURTNEY MOONEY, Urban Design Coordinator and Historic Preservation Officer, gave a brief presentation of the Historic District Designation process, steps taken on the Westleigh Neighborhood application and effects of the designation. She noted the neighborhoods boundaries and explained the neighborhoods characteristics which made it eligible for the Historic District designation.

At the request of the Westleigh Neighborhood Association, MS. MOONEY stated she had attended several neighborhood meetings from May 2005 to January 2009 and described the public meetings held from May to July 2009 regarding the Westleigh Historic Neighborhood Designation application. Staff determined that the Westleigh Neighborhood met the Historic District Designation as defined by Title 19 and MS. MOONEY listed the requirements for making that determination.

If the application is approved by the Planning Commission and the City Council, the Historic Preservation Commission (HPC) will work with the property owners to develop design guidelines which will address exterior features and materials only. The design guidelines will be used to review any new construction and the Historic Preservation Office has the authority to approve some requests administratively. MS. MOONEY explained the requirements for a review by the HPC and stated there are no additional fees associated with this review process.

TIFFANY BESSER, President of the Westleigh Neighborhood Association (NA), submitted for the record a summary of the associations efforts to inform the residents and gain their support since 2005. She explained that mailers and postcards had been sent to residents and listed the options for neighbors to express their support or opposition. She noted that the majority of the opposition had come forward recently. JOHN MURCHAY, Vice President of the Westleigh NA, expressed his support and stressed that every effort had been made to inform the neighbors and gain their support.

DAN CONNELL appeared in support and stated the Historic District designation would help protect the neighborhoods integrity and property values. ROBERT REITZ and LISA KATIC concurred.

JOSEPH THOMAS appeared in opposition and stated the neighborhood did not meet the criteria to be designated a National Historic District and only qualifies as a Historic District within the City. He expressed his concern with the proposed walking tours and suggested that he was being forced to join a homeowners association. He also pointed out that the Westleigh NA has no current representation on the HPC. ROMA LYNN CAMP appeared in opposition and submitted a protest petition. She stated that homeowners should not be forced through another bureaucratic process when they wish to remodel their homes and suggested the historic designation would make it difficult for homeowners to improve their properties. SEAN SPANGER appeared in opposition and suggested the notification process was flawed. MRS. BRAY appeared in

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opposition and stated that she had received adequate notification, but did not have the time to attend the many meetings. She requested that property owners be allowed improve and maintain their properties without government interference. STEVE and CYNTHIA McCOY, SCOTT DUNHAM, JERI BALLEW, GEORGE HANDAL, WILLIAM CAMP and TOM LIOUBAS concurred with the previous speakers. HARRY PAPPAS appeared on behalf of his mother and expressed his opposition. He also echoed the concerns of previous speakers.

FRED LANDAU appeared in opposition and requested clarification of the constraints on homes that were currently non-compliant.

MS. MOONEY explained that the properties that are non-conforming would not be forced to come into compliance and stressed that no action would be taken retroactively. Property owners would continue to be allowed to paint their properties as they see fit. If the Historic District designation were approved, future improvement requests that can be viewed from the street would be evaluated to ensure they maintain the character and the integrity of the neighborhood. MS. MOONEY noted that the Westleigh NAI is not currently represented on the HPC, but if the designation were approved, they would gain a seat on the board.

In response to COMMISSIONER QUINN'S question, MS. MOONEY explained that proposed additions to homes in historic districts are reviewed to ensure addition maintains the character of the neighborhood. She invited any property owners seeking such additions to meet with her so they can clearly understand the requirements. MS. MOONEY added staff would typically recommend denial of requests to demolish a building within a historic district, but the HPC could vote as it saw fit.

COMMISSIONER EVANS observed that the debate regarding the John S. Park Historic District designation had been very similar to the debate regarding Westleigh Neighborhood. While he acknowledged that the designation would add another layer of bureaucracy to the process of improving a home, he pointed out that the designation had improved the property values in John S. Park. He also noted that John S. Park had been recognized as one of the best neighborhoods in the City and encouraged the neighbors to work together to come to an understanding.

COMMISSIONER ELLSWORTH concurred with COMMISSIONER EVANS and assured the neighbors that the Historic District designation would benefit everyone.

COMMISSIONER FLANGAS noted the wide divergence of opinions among the neighbors and suggested that they start the process over from the beginning. He recommended the neighbors reach a consensus and then resubmit this application.

CHAIR TROWBRIDGE acknowledged the challenges in dealing with homeowners associations and the City when homeowners seek to improve their properties, but suggested that this request needed to be reexamined. He also expressed support for holding this item in abeyance to allow the neighbors to clear up the confusion and added that homeowners' associations can be beneficial.

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COMMISSIONER GOYNES suggested that starting the process over would not be necessary and encouraged the neighbors to meet with City staff in their neighborhood to address their concerns. COMMISSIONER EVANS concurred, noting that over five years of work has gone into this application.

MARGO WHEELER, Director of the Planning and Development Department, noted that staff had attended several neighborhood meetings and the HPC had held several hearings on this matter. She also observed that some neighbors had indicated their reluctance to attend such meetings and pointed out the information available on the City's website which could address the residents' concerns. She suggested holding the item in abeyance to 11/5/2009 to allow the neighbors to address the issues and meet with staff and the HPC before the winter holidays arrive.

CHAIR TROY BRIDGE declared the Public Hearing closed.

