

City of Las Vegas

**HISTORIC PRESERVATION COMMISSION
CITY HALL, 495 S. MAIN STREET
HUMAN RESOURCES, 1ST FLOOR, TRAINING ROOM 5
CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov**

MINUTES

January 23, 2019

12:00 PM

ITEMS LISTED ON THE AGENDA MAY BE TAKEN OUT OF THE ORDER PRESENTED; TWO OR MORE AGENDA ITEMS FOR CONSIDERATION MAY BE COMBINED; AND ANY ITEM ON THE AGENDA MAY BE REMOVED OR RELATED DISCUSSION MAY BE DELAYED AT ANY TIME. BACKUP MATERIAL FOR THIS AGENDA MAY BE OBTAINED FROM LUANN D. HOLMES, CITY CLERK, AT THE CITY CLERKS OFFICE AT 495 SOUTH MAIN STREET, 2ND FLOOR OR ON THE CITY'S WEBPAGE AT www.lasvegasnevada.gov.

1. [CALL TO ORDER](#)

Minutes:

CHAIR WHITE called the meeting to order at 12:01 p.m.

PRESENT: CHAIR WHITE and COMMISSIONERS STOLDAL, McMILLAN-ARNOLD, LEVINE, BECK, SERFAS (excused until 12:38 p.m.), COSGROVE, LARIME, PALENCAR and HOWE (ex-officio member)

EXCUSED: COMMISSIONERS KLENK and HOTCHKISS

ALSO PRESENT: ROBERT SUMMERFIELD, Director of Planning, SIDNEY NOYCE, Planner II, SETH FLOYD, Deputy City Attorney, and JACQUIE MILLER, Deputy City Clerk

Prior to moving to the next item, CHAIR WHITE introduced the Commission's newest member, MIA PALENCAR. COMMISSIONER PALENCAR stated that she lives in a historic district in Ward 3. She gave an overview of her background, including manufacturing natural products and working as a police officer in California. She is participating on this Commission because she wants to do more for the community.

2. [ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW](#)

Minutes:

ANNOUNCEMENT MADE: This meeting has been noticed and posted at the following locations: City Hall, 495 South Main Street, 1st Floor; Clark County Government Center, 500 South Grand Central Parkway; Grant Sawyer Building, 555 East Washington Avenue; City of Las Vegas Development Services Center, 333 North Rancho Drive.

3. [PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS ON THE AGENDA FOR ACTION. IF YOU WISH TO BE HEARD, PLEASE COME TO THE MICROPHONE AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED. THE PUBLIC IS ALSO WELCOME TO MAKE ANY COMMENTS AS EACH ITEM IS BEING HEARD BY THE BOARD.](#)

Minutes:

None.

4. [For possible action to approve the Final Minutes by reference of the Regular Meeting of December 12, 2018](#)

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Motion made by BOB STOLDAL to Approve

Passed For: 8; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 3

CLAYTEE WHITE, BOB STOLDAL, JARMILLA McMILLAN-ARNOLD, JACK LeVINE, COLLEEN BECK, SONDRAS COSGROVE, MICHELLE LARIME, MIA PALENCAR; Against-(None); Abstain-(None); Did Not Vote-MIKE HOWE; Excused-PATRICK KLENK, DONALD L. HOTCHKISS JR, RICHARD SERFAS

5. [HPC-75531 Discussion for possible action regarding a request for a Certificate of Appropriateness to install solar panels at 1253 8th Place within the John S. Park Neighborhood Historic District Ward 3 \(Coffin\)](#)

Motion made by SONDRAS COSGROVE to Approve

Passed For: 5; Against: 4; Abstain: 0; Did Not Vote: 1; Excused: 2

JARMILLA McMILLAN-ARNOLD, COLLEEN BECK, SONDRAS COSGROVE, MICHELLE LARIME, MIA PALENCAR; Against-CLAYTEE WHITE, BOB STOLDAL, JACK LeVINE, RICHARD SERFAS; Abstain-(None); Did Not Vote-MIKE HOWE; Excused-PATRICK KLENK, DONALD L. HOTCHKISS JR

NOTE: An initial motion by Commissioner Stoldal to Hold in abeyance to 2/27/2019, which passed unanimously with Commissioners Klenk and Hotchkiss absent and Commissioner Howe not voting, was Reconsidered upon a motion by Commissioner Cosgrove, which passed with Commissioner Stoldal voting No, Commissioners Klenk and Hotchkiss absent and Commissioner Howe not voting. A subsequent motion was made by Commissioner LeVine to Deny which failed with Commissioners McMillan-Arnold, Beck, Cosgrove, Larime and Palencar voting No and Commissioner Howe not voting.

Minutes:

COMMISSIONER HOWE informed the members that the applicant was not present. He stated that the Planning Department supports solar panels, but it is challenging in historic districts as the best solar access for some of the properties faces the street public right-of-way, which has a visual impact and triggers a review by the Historical Preservation Commission. He confirmed for CHAIR WHITE that this property has been on this Commission's agenda before for other actions.

COMMISSIONER STOLDAL asked if the John S. Park Association is taking any type of stand on this issue, and COMMISSIONER PALENCAR stated that they do, but there is no enforcement. COMMISSIONER STOLDAL asked if they are opposed to solar panels, and she replied that in the John S. Park neighborhood, there is a mixture of historic homes and homes that were built after 1975. She thought there was exception for those built after 1975.

CHAIR WHITE stated that this is a 1946 property, but it is not a contributing source.

COMMISSIONER LeVINE was in favor of sustainable energy and solar panels, but he did not like them being visible from the street and would vote against approving that portion of the solar panels.

CHAIR WHITE asked if it was possible to have solar panels on only part of the roof. COMMISSIONER HOWE replied that he has reviewed the plan with the property owner and the installer, and there have to be enough panels to function and recoup the costs of the system. They understand that he can review and approve the project if the solar panels will not be seen from the street; because these would be seen, it has to be reviewed by this Commission. ROBERT SUMMERFIELD, Director of Planning, added that the property owner and installer feel that they cannot make it smaller.

COMMISSIONER McMILLAN-ARNOLD thought that the solar panels needed to be located where they could get the most sun, and if that is from the front of the house, it would be hard for her to deny this request as the applicant would otherwise not receive the full benefit from the solar panels.

COMMISSIONER LeVINE was concerned about setting a precedent that houses on one side of the street can have solar panels that face the street, but houses on the other side cannot. He believed they should either take the position that no solar panels can be visible from the street in the historic district or anyone can install solar panels.

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MR. SUMMERFIELD clarified that this Commission is considering a Certificate of Appropriateness for the subject property only. Each request for a Certificate of Appropriateness is considered for a particular site. He pointed out that this is not a contributing property. If the Commission finds that this request is appropriate as it is a non-contributing property, that does not set a precedent for the next request, which may be a contributing property, and solar panels on that roof may not only affect the aesthetics but the historic significance of the district.

COMMISSIONER LeVINE felt that if this project was approved, the approval would be the argument subsequent applicants would use to get their request approved. MR. SUMMERFIELD understood but reiterated that this Certificate of Appropriateness is for this project on this property and does not mean the next applicant must be approved. COMMISSIONER LeVINE noted that the contributing factor is about determining the number of properties in a particular district to make it eligible as a historic district. Once designated as a historic district, non-contributing properties are still part of that historic district.

COMMISSIONER LARIME stated that she read through the district guidelines, and they are silent regarding solar panels. She did not feel that the solar panels went against any of the other design guidelines as the masting of the roof and roof materials are not changing. She tends to agree that the panels somewhat ruin the streetscape, but she did not think there was enough in the design guidelines to recommend denial. She thought they could ask the John S. Park neighborhood to look at their design guidelines and provide the Commission with feedback regarding their position on solar panels and car ports and what those attributes do to their district.

COMMISSIONER STOLDAL asked what guideline regarding solar panels prevented COMMISSIONER HOWE from making this approval. COMMISSIONER HOWE replied that it was due to the installation being visible from the public right-of-way. MR. SUMMERFIELD stated that the code allows for administrative action if the panels are not visible from the right-of-way. Based on statute, the code also gives the Historic Preservation Commission the ability to give input when panels are visible from the right-of-way in a historic district versus a blanket support of solar panels by the State and the City.

COMMISSIONER STOLDAL stated that he was uncomfortable voting on this matter without the applicant being present so the Commissioners could ask questions regarding how many panels were needed and if there were additional options.

CHAIR WHITE asked who the neighborhood association's president is, and COMMISSIONER PALENCAR replied it is DAYVID FIGLER.

COMMISSIONER PALENCAR wondered if the property owners were aware of the regulations when they purchased property and if they could sue the City if they found out after the purchase. DEPUTY CITY ATTORNEY SETH FLOYD replied that they could not sue the City. CHAIR WHITE stated that when she purchased property in a neighborhood with a homeowners association, she received all of the CC&R's (Covenants, Conditions and Restrictions) prior to making the purchase.

COMMISSIONER LeVINE informed the Commissioners that there are no CC&R's in the John S. Park neighborhood. There is a set of guidelines that people should be made aware of during the purchasing process; however, there are people who have purchased property without that information being disclosed.

MR. FLOYD stated that people are presumed to know what the public laws are, and anything that is in the City's code was approved through the public process. Anyone who purchases property could look up the information or call the Planning Department; however, CC&Rs are different because they are private covenants and have to be disclosed prior to the purchase.

CHAIR WHITE believed that the decision regarding this site would set a precedent and did not think they should vote on this item before speaking with the applicant, the installer and MR. FIGLER.

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COMMISSIONER PALENCAR loved the idea of being in a historic district and protecting historic property, but she pointed out that they are allowing people to rent, the streets to become dilapidated, commercial trucks to drive on the streets and transients to set up in the neighborhood. She thought what they were considering as a Commission was appropriate but did not think it made sense to let everything else in the John S. Park neighborhood slide while being concerned about the applicant who wants to cut their electric bill.

CHAIR WHITE pointed out that the other issues were not under the purview of this Commission and thought their association needed to do more for the neighborhood. COMMISSIONER LeVINE stated those would be Code Enforcement issues.

Subsequent to the motion and vote for abeyance, COMMISSIONER HOWE indicated that he would notify the applicant of the next meeting.

Subsequent to the vote on Item 6, MR. SUMMERFIELD announced that the applicant for this item was now present and wondered if the Commission would like to reconsider the item. COMMISSIONER STOLDAL stated that the issue was that the Commissioners wanted a neighborhood association representative from the John S. Park at the meeting so they could understand the association's position.

MR. FLOYD stated that he would be uncomfortable with the abeyance for the sole purpose of wanting to hear from the neighborhood association, which does not govern this part of the code. He confirmed for CHAIR WHITE that the Commissioners could hear from the applicant and hold the item again if they choose to do so.

SIDNEY NOYCE, Planner II, reported that the applicant is requesting to install solar panels on a large portion of the roof. The home was constructed in 1946 and is considered to be non-contributing in the John S. Park District due the numerous alterations to the structure. Staff identified other properties in the district where the Historic Preservation Commission approved Certificates of Appropriateness for similar solar panels facing the right-of-way. Based on those approvals and on the non-contributing status, staff recommended approval.

JAYMIE HALBASCH, Vivint Solar, appeared representing the homeowner and stated that they found many homes in the neighborhood that have solar panels facing the right-of-way. She had photos along with a mock-up of what the home would look like with solar panels, which she distributed and submitted as backup. She noted that if the solar panels were not installed on the front, it would change the efficiency of the system.

COMMISSIONER McMILLAN-ARNOLD asked if the panels were flat, and MS. HALBASCH replied that they are black and are not flat.

COMMISSIONER STOLDAL asked if the proposed panels provide a return on investment for the homeowner or if it is profit making. MS. HALBASCH explained that they aim for 100 percent usage of the solar panels, and the homeowner cannot make additional money due to the way NV Energy is structured. They install the number of solar panels it takes to generate 100 percent of the power needed. COMMISSIONER STOLDAL asked if there was room elsewhere on the roof to install solar panels, and MS. HALBASCH stated that additional panels could be placed on the front section but there is no reason to do that.

MR. FLOYD explained that he thought the Commission would like to remove the panels from the front altogether if that would provide enough efficiency to make solar panels worthwhile. MS. HALBASCH indicated that removing panels reduces the efficiency; removing them from the front portion of the roof would reduce the efficiency from 100 percent to approximately 42 percent.

COMMISSIONER STOLDAL did not understand the efficiency of the panels being placed on the roof. He wondered if there were more expensive panels that could be installed that would create the same amount of energy but not use the same space. MS. HALBASCH replied that NASA uses more efficient solar panels; Vivint Solar uses 315 watt panels, which are the most efficient panels in the industry; the average solar company uses approximately 295 watt panels.

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COMMISSIONER PALENCAR wondered how the Commission could deny this project if there are additional homes in the area that have been approved for solar panels. MR. FLOYD explained that each project is reviewed on its own, and the Commission makes a finding on each one regarding compatibility in the neighborhood. It is not necessarily true that this would have to be approved just because a previous one was approved.

CHAIR WHITE thought a precedent had already been set. MR. FLOYD reiterated that the Commissioners are not legally bound by precedent. They need to make a finding on each application that comes before the Commission. They can consider the fact that there are others in the neighborhood as part of their analysis. CHAIR WHITE thought that the Commissioners need to speak with the group who makes rules for the neighborhood to hear what they are doing going forward. MR. FLOYD explained that neighborhood associations versus homeowners associations do not enforce anything. Because they do not have enforcement powers, he would be uncomfortable abeying the item for the sole purpose of hearing testimony from the neighborhood association. He pointed out that the neighbors were given notice of the subject item.

COMMISSIONER LeVINE stated that the neighborhood became a historic district because the majority of the homeowners approved it. A neighborhood association and the John S. Park guidelines were created, which he believed were approved by the neighborhood association 12 to 15 years ago. The guidelines were also approved by the Planning Commission and the City Council. They need to be updated as there are new technology and design elements that are in contrast to what was trying to be accomplished by having a historic district.

COMMISSIONER McMILLAN-ARNOLD asked if the association can enforce the guidelines, and COMMISSIONER LeVINE replied that they could not, but Code Enforcement and the Planning Department have the enforcement ability based on the guidelines.

COMMISSIONER McMILLAN-ARNOLD asked if the Planning Department would make decisions based on the association's guidelines, and MR. SUMMERFIELD explained that as part of the zoning that made the area a historic district, the City adopted design guidelines for the John S. Park neighborhood, which he believed had not been updated since their inception. Updating the guidelines is a legitimate issue, and he thought the City and this Commission should engage with the neighborhood association so staff and the Commissioners understand the association's interest regarding the new design elements. CHAIR WHITE asked how long that process would take, and MR. SUMMERFIELD thought it would be at least a year-long process to get revised standards for the neighborhood.

COMMISSIONER STOLDAL stated that the existing standards do not specifically address solar panels, but they deal with the visibility issue. COMMISSIONER HOWE stated that per NRS (Nevada Revised Statutes), there are limits to how much solar installs can be controlled and thought they should be cautious about approving some and not others and being in violation of State law. Knowing the solar installations will continue, he thought they should work with the John S. Park and Beverly Green neighborhoods to design better guidelines to deal with these types of issues.

CHAIR WHITE wondered if they should consider this application and then work with the neighborhood association to update the design guidelines. COMMISSIONER McMILLAN-ARNOLD referred to the handout and indicated she would approve the panels for this application and then work with neighborhood association to review their guidelines and deal with future applications individually.

MR. FLOYD suggested voting on this item, and if they would like further discussion regarding solar panels in the John S. Park neighborhood, to request that as a future agenda item under Item 12. MR. SUMMERFIELD added that they could direct staff to reach out to the neighborhood association and invite the president of the association to join the Commissioners for that discussion.

COMMISSIONER STOLDAL thought that they have to evaluate applications on a case-by-case basis and believed they need to listen to MR. FLOYD'S advice. He felt this decision would set a precedent, and they are faced with the issue of

saying no to any intrusion of anything on the street side or open the door to solar. He said the job of this Commission was historic preservation, and if they are overruled in the future, so be it. COMMISSIONER LeVINE agreed.

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COMMISSIONER BECK asked if the roof would still be intact if the solar panels were removed, and MS. HALBASCH replied that solar panels penetrate the roof surface to secure the panels to the roof, but the roof would still be there. COMMISSIONER LeVINE asked if this install was a lease or purchase, and MS. HALBASCH believed it was a lease but was unsure.

COMMISSIONER LARIME recalled when the Beverly Green neighborhood was going through the historic designation process, the City's previous Historic Preservation Officer, COURTNEY MOONEY, told the Commissioners that per Nevada state law, solar panels could not be denied. The Commission could work with residents to determine the best placement location; however, in some circumstances, if the best location was on the front of the roof, it was not something the Historic Preservation Commission could control. COMMISSIONER HOWE confirmed that was the case. MR. SUMMERFIELD expanded that the way the City's code reads, which is compliant with statute, if the only place the solar panels can be installed is visible from the public right-of-way that creates a conflict for this Commission. However, if they choose to deny the panels for this application, it does not preclude the applicant from installing solar on the property and derive some benefit from it, but they would not have the same level of efficiency. The City's code allows this Commission to weigh in on appropriateness of solar panels in the historic district if they are visible from the public right-of-way.

COMMISSIONER LARIME asked if there is a certain efficiency the Commission is required to allow, and MR. SUMMERFIELD replied that the Commission cannot unduly restrict solar or wind, and whether in a historic district or not, if solar panels are not seen from the public right-of-way, they can be approved administratively.

6. [HPC-75533 Discussion for possible action regarding a request for a Certificate of Appropriateness to install solar screens over an existing balcony opening at 1700 Rexford Drive within the Beverly Green Historic District Ward 3 \(Coffin\)](#)

Motion made by BOB STOLDAL to Deny

Passed For: 8; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 3

CLAYTEE WHITE, BOB STOLDAL, JARMILLA McMILLAN-ARNOLD, JACK LeVINE, COLLEEN BECK, SONDRAS COSGROVE, MICHELLE LARIME, MIA PALENCAR; Against-(None); Abstain-(None); Did Not Vote-MIKE HOWE; Excused-PATRICK KLENK, DONALD L. HOTCHKISS JR, RICHARD SERFAS

Minutes:

COMMISSIONER HOWE announced that this proposal emanated from a Code Enforcement citation for unpermitted construction as screens were placed on the balconies of the Rexford Apartments. The screens have a visible impact to the apartments, and since the balcony is located on the north end, he opined that the solar screens are not really screening anything but are providing privacy where other methods are available.

CHAIR WHITE stated that she could not find this building, and COMMISSIONER LeVINE stated that it is a co-op building on the corner of Rexford Drive and Oakey Boulevard.

SIDNEY NOYCE, Planner II, reported that this request is to install solar screens. The building is International style, was constructed in 1957 and is located in the Beverly Green District. Prior to the district's designation, the building was evaluated as being individually eligible for the National Register. MR. NOYCE noted that it was designed by architect JACK KNIGHTON, and LIBERACE'S mother owned a unit in the building. Staff determined that this work is outside the character of the Beverly Green District and recommended denial.

COMMISSIONER PALENCAR stated that is a high crime area and wondered if the screens were installed to mitigate criminal activity. COMMISSIONER HOWE replied that based on the permit, it is an extruded aluminum frame with a plastic solar screen.

COMMISSIONER LeVINE stated that being on the second story on the north side of the building, it would never get direct sunlight, and nobody is climbing the wall to get to it. He asked if the association's board had weighed in on this matter, and COMMISSIONER HOWE replied that he had no response from them. COMMISSIONER LARIME said that she drove by the property; the screens look like window screens, and she did not believe they were installed for security.

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7. [HPC-75320 Discussion for possible action regarding a request for a Certificate of Appropriateness for an ornamental iron fence at 539 E St. Louis Ave within the Beverly Green Historic District Ward 3 \(Coffin\)](#)

Motion made by JACK LeVINE to Hold in abeyance to 2/27/2019

Passed For: 9; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 2

CLAYTEE WHITE, BOB STOLDAL, JARMILLA McMILLAN-ARNOLD, JACK LeVINE, COLLEEN BECK, RICHARD SERFAS, SONDRAS COSGROVE, MICHELLE LARIME, MIA PALENCAR; Against-(None); Abstain-(None); Did Not Vote-MIKE HOWE; Excused-PATRICK KLENK, DONALD L. HOTCHKISS JR

Minutes:

COMMISSIONER HOWE confirmed for CHAIR WHITE that the subject property has a black iron fence. CHAIR WHITE asked if this was a house, and COMMISSIONER HOWE replied that it is an apartment complex.

SIDNEY NOYCE, Planner II, reported that the applicant is requesting approval of an ornamental iron fence. The building is located in the Beverly Green District and was constructed in 1961. In the survey conducted prior to the neighborhood's historic designation, the building was determined to be individually eligible for the National Historic Register. Staff has no recommendation.

COMMISSIONER HOWE informed the members that this item emanated from a Code Enforcement issue as the minimum standard black iron fence was installed without permits. When the issue was brought to the Planning Department, he did not feel the fence met the minimal standards, and he deferred it to this Commission.

CHAIR WHITE asked if color photographs were available to allow for better viewing. COMMISSIONER HOWE indicated that the elevations the applicant submitted were not accurate to what was installed.

COMMISSIONER LeVINE asked if the request was to modify the fence or asking for forgiveness because it is already installed. COMMISSIONER HOWE replied that the applicant is asking for forgiveness. COMMISSIONER LeVINE commented that he has passed by this location many times, and he did not realize it was out of character. COMMISSIONER HOWE clarified that what is installed is a black wrought iron fence with no ornamentation, so this discussion is about aesthetics.

COMMISSIONER STOLDAL commented that submitting something that is not what was installed is deceptive. COMMISSIONER HOWE though there had been some confusion due to the unpermitted install and a new contractor.

COMMISSIONER PALENCAR stated that this is a high crime area, and they need the fence because they have to protect their property, but she did not understand what was acceptable. CHAIR WHITE expressed concern about adhering to the guidelines.

COMMISSIONER HOWE confirmed for COMMISSIONER McMILLAN-ARNOLD that the applicant should have gotten a permit prior to the installation, and if the plans they submitted did not meet the historical guidelines, it would have been brought before this Commission.

COMMISSIONER LeVINE would like to see the fence with ornamentation that matches the railings of the balconies and patios that are behind it. He felt that would further contribute to the historic preservation efforts this Commission favors. He asked if they could request that the applicant match the railings to the balconies and patios.

DEPUTY CITY ATTORNEY SETH FLOYD found it interesting that the applicant submitted an elevation that does not match what was installed. He advised the Commissioners that they could approve what was submitted which means when the applicant applies for a building permit, it will be denied until the applicant matches what is in the materials that were submitted. ROBERT SUMMERFIELD, Director of Planning, stated that if the Commissioners approve of the fence but

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want the ornamentation that was depicted in their elevations, then they would approve this Certificate of Appropriateness. When the applicant applies for permits, which he noted will now cost double the amount it would have if they had gotten them prior to the installation, staff will review to verify the applicant is meeting their Certificate of Appropriateness. What is installed does not match the elevations that were submitted, so staff will notify the applicant that they need to either match what was approved or resubmit a new Certificate of Appropriateness to the Historic Preservation Commission for review of what was actually built.

COMMISSIONER LARIME commented that she thought what was submitted competes with the property and is worse than what was actually installed because the scroll work shown did not match the building. She agreed with COMMISSIONER LeVINE and thought it would be advisable to see if the applicant would install something that matches and brings more value to the property.

COMMISSIONER STOLDAL asked what would happen to this item if the Commissioners voted to deny. MR. SUMMERFIELD explained that depending on the finding for voting for denial, staff will work with the applicant to see if there is a road forward. If this is denied, the applicant can appeal to the City Council; if that denial is upheld, the applicant will have to remove the fence because it was built without permits, and as it is now, staff will not approve the permits.

COMMISSIONER STOLDAL asked how they could request matching ornamentation, and MR. SUMMERFIELD explained that they could hold this item in abeyance as the applicant is not present, and allow staff to reach out to the applicant and request that they attend the meeting to discuss the design of the fence. The Commissioners could also deny this item; the applicant could choose to appeal that decision to the City Council, who would then make the decision, or the applicant would hear the reasons why the Commission denied it and submit an application that satisfies the Commission's request. The only approval at this meeting is regarding the submitted design as that cannot be changed during the approval process.

COMMISSIONER LeVINE wished to hold the item in abeyance and directed staff to speak with the applicant regarding the design elements matching and contributing to the building.

8. [HPC-75564 Discussion for possible action regarding outreach efforts for preserving historic structures within the boundaries of the Las Vegas Boulevard Scenic Byway Overlay](#)

Motion made by BOB STOLDAL to Approve Commissioner LeVine to act as the Historic Preservation Commission's representative in front of the City Council regarding the Gateway Motel at their meeting on February 6, 2019

Passed For: 9; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 2

CLAYTEE WHITE, BOB STOLDAL, JARMILLA McMILLAN-ARNOLD, JACK LeVINE, COLLEEN BECK, RICHARD SERFAS, SONDRAS COSGROVE, MICHELLE LARIME, MIA PALENCAR; Against-(None); Abstain-(None); Did Not Vote-MIKE HOWE; Excused-PATRICK KLENK, DONALD L. HOTCHKISS JR

Minutes:

COMMISSIONER LeVINE inquired about the outcome of the Gateway Hotel/Terrible Herbst car wash item when it was heard at the Planning Commission meeting. ROBERT SUMMERFIELD, Director of Planning, explained that the gas station at the corner of Las Vegas Boulevard and Charleston Boulevard was denied by the Planning Commission, but it will be heard by the City Council. He also informed the Commissioners that the City Council did approve the drive-thru location at the corner of Park Paseo and Las Vegas Boulevard. MR. SUMMERFIELD stated that there is still an opportunity for this Commission to express its view regarding appropriateness of the Gateway Motel becoming a Terrible Herbst car wash/gas station as it will be heard by the City Council in February. COMMISSIONER LeVINE asked how they could weigh in on the matter, and MR. SUMMERFIELD explained that the Commissioners could either individually comment on the item at the City Council meeting, or if the Commission as a collective group has an opinion about preservation of structures and/or the elements that make up the Scenic Byway, the Chair or a designee of the Historic Preservation Commission could represent the Commission's position.

CHAIR WHITE asked who would be interested in representing the Commission in front of the City Council, and COMMISSIONERS PALENCAR, LeVINE and LARIME indicated they would. MR. SUMMERFIELD advised the

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Commissioners that if they wanted someone to represent the Historic Preservation Commission, one representative should be designated to do so; otherwise, they would appear as individuals.

COMMISSIONER STOLDAL asked if the Commission has an official position on this subject, and DEPUTY CITY ATTORNEY SETH FLOYD advised the Commissioners that once they designate a representative they could establish their position.

COMMISSIONER LeVINE stated that the Gateway Hotel is the next item being heard by the Council that has bearing on the Scenic Byway. It is one of the classic old hotels with a neon sign that deserves to be preserved, and he would like to see the hotel restored to its original beauty, repurposed and put into service again. He noted that it is still functioning as a motel. He thought that the sense of the Commission should be to preserve the look of the Scenic Byway from Washington Avenue to Sahara Avenue and they are opposed to approving a new gas station/car wash as part of the gateway into the City of Las Vegas Downtown.

CHAIR WHITE made a motion that their representative in front of the City Council meeting would be COMMISSIONER LeVINE. MR. FLOYD advised CHAIR WHITE that someone else should make the motion; COMMISSIONER STOLDAL did so, which CHAIR WHITE stated was for COMMISSIONER LeVINE to act as the Commission's representative in front of the City Council regarding the Gateway Motel at their meeting on February 6, 2019. CHAIR WHITE asked the Commissioners if there were additional points COMMISSIONER LeVINE should make when appearing before the Council.

COMMISSIONER HOWE stated that this item emanated from a wedding chapel and ongoing concerns with the state of the property. He has been actively pursuing the property owners of the site where a wedding chapel exists along with other properties in the development of the Denny's site. He thought COMMISSIONER LeVINE should not only focus on the Gateway Motel, which is a critical element, but also emphasize that the Scenic Byway has a character to it that the Commission wants to preserve, and future development impacts that.

COMMISSIONER LeVINE thought that he should provide examples of endangered properties in the area, and COMMISSIONER HOWE confirmed that he would coordinate with COMMISSIONER LeVINE to compose that information.

COMMISSIONER STOLDAL thought the City was required to provide an update regarding the status of buildings along the Scenic Byway. MR. SUMMERFIELD explained that staff does an annual inventory of the signage along the Scenic Byway, and this will be discussed under Item 9.

COMMISSIONER PALENCAR asked if the billboards are included in the update as well. MR. SUMMERFIELD replied that on premise signs are reviewed as part of the process, but off-premise signs are not included.

9. [HPC-75565 Report by Department of Planning regarding Project Update list](#)

Minutes:

ROBERT SUMMERFIELD, Director of Planning, updated the Commissioners regarding the Historic Preservation Officer (HPO) responsibilities. He reported that the RFP (Request For Proposal) went out for consultant service to provide historic preservation services to City. The RFP closed, and there were three respondents; however, he is holding off moving forward with that because he believed that multiple members of the Commission for the Las Vegas Centennial were interested in funding a three-year grant for a full-time HPO, and he has an item on their January 28th agenda. If that item is approved, the process for a full-time recruitment will begin instead of having a contract service. MR. SUMMERFIELD hoped to have another update for this Commission at their next meeting.

MR. SUMMERFIELD confirmed for CHAIR WHITE that the meeting would be held at 2:00 p.m. It is a public hearing so if any of the Commissioners wanted to, they would be allowed to speak on the item. CHAIR WHITE indicated that she would like the Commissioners to attend if possible.

COMMISSIONER STOLDAL stated that he was optimistic that the item would be approved at the Centennial Commission meeting. He asked if the Commissioners could have input regarding the job description as they will be working with that

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position. MR. SUMMERFIELD indicated that could be added as an agenda item for their next meeting. COMMISSIONER STOLDAL asked how soon someone could be in place, and MR. SUMMERFIELD replied that he was looking at this being an Appointive position and hoped it would be filled by June. COMMISSIONER STOLDAL asked if there was something the Centennial Commission could request in their motion to speed up process, and MR. SUMMERFIELD replied that if there was a motion to approve, there are still protocols and processes that cannot be circumvented. Additionally, the process cannot start until there are funds allocated for the position.

COMMISSIONER HOWE reported that the RFP is in the Purchasing Department for the Motor Court Survey, and staff is working with the department to expedite the contract. He stated that consultants associated with the Fremont Enchilada Project can provide the Commissioners an update on the work they have completed on the paint and sign analysis and show what they have done on the Fremont Street project. He confirmed for COMMISSIONER STOLDAL that this is separate from the Motor Court Survey, but it should clarify the work they have done; the Motor Court Survey is covering what is remaining. COMMISSIONER STOLDAL was concerned that this would be a combined effort instead of a unique and independent survey of the Motor Court. COMMISSIONER HOWE confirmed for COMMISSIONER STOLDAL that they are not waiting for that presentation to get the Motor Court Survey done, and MR. SUMMERFIELD added that staff is in the process of getting contracts lined up so they can start the project.

COMMISSIONER HOWE reported that the RFP for the Las Vegas High School National Register Nomination is out, and SIDNEY NOYCE, Planner II, believed it was in the same process/timeline as the Motor Court Survey. COMMISSIONER STOLDAL asked about the timeframe, and MR. SUMMERFIELD replied that once the RFP is closed, it will be 30 to 60 days to get the contract through the legal process, agree to terms and get insurance documentation. He was not sure if a vendor had been selected, and COMMISSIONER HOWE indicated he would follow up on this.

COMMISSIONER HOWE reported that he did not have an update for the Moulin Rouge. He acknowledged the concern about the status of the columns and signage, noting that they want to make sure they are protected but there are some legal constraints. MR. SUMMERFIELD added that there are legal issues about who owns the signs, including the Moulin Rouge sign. However, that sign is protected and is at the Boneyard. He confirmed that the columns are still on the site and open to the elements, but the City does not have any legal authority to remove them.

COMMISSIONER STOLDAL asked if a concern letter to the bankruptcy judge asking if there was any action they could take to protect the columns would help, and MR. FLOYD replied that he will follow-up with CITY ATTORNEY BRAD JERBIC, who is working on this, to see what can be done.

Regarding the Reed Whipple building, COMMISSIONER HOWE reported that the City Council approved the nomination report in 2017. Clarification was required on the nomination regarding basing the historic preservation on the LDS Church aspect or the architectural aspect. He needs to follow through with City staff to understand where Reed Whipple is moving as there is a desire to pursue renovations and possible partnerships with UNLV. However, there are questions about costs due to the amount of damage that has been done to the structure.

CHAIR WHITE asked if they are supposed to look at the history of the building itself and thought PATRICIA MARCHESE would be able to help with that as she intimately knows the history of the building.

COMMISSIONER LARIME thought that if they could get the building listed, it could potentially help with renovations because tax credits could be used.

SIDNEY NOYCE, Planner II, reported that he and another Planner will be walking the entire length of the Scenic Byway to do an annual review of the signage. In addition to looking at general sign maintenance, they will also check the specific Byway standards such as percentages of neon/animated signage and that signs are illuminated an hour before dusk and an hour after dawn. Anything that violates the ordinance will prompt a letter being sent to the property owners with a request to make corrections by mid-April. In mid-April, they will do another walk through to make sure those issues have been fixed; if the violations have not been fixed, they will be turned over to Code Enforcement.

CHAIR WHITE asked if the Commissioners get a copy of what is found, and MR. NOYCE indicated that he could provide them with an update. COMMISSIONER STOLDAL thought that to fully understand the update, he would like to see last

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year's report as well. MR. NOYCE stated that they could condense their narrative into the number of notices that were sent out versus how many still needed to be corrected.

COMMISSIONER HOWE reported that Economic and Urban Development and Planning staff have been assisting with going through all of the permits and work that has been done on the Huntridge Theater. The City is working with the property owner to negotiate a sale. COMMISSIONER HOWE stated that he is working with SHPO (State Historic Preservation Office) to review the obligations that have not been met and what the new owner would have to be beholden to.

COMMISSIONER STOLDAL asked if there are certain things the City requires before a sale can take place or if someone could buy it as is. COMMISSIONER HOWE deferred to the City Attorney as there are some levels of performance that SHPO has that require the building to be safely occupied, and it is not currently in a state of safe occupation.

COMMISSIONER LeVINE stated that any new owner would have to fulfill the requirements, and the fact that they are available for review during the due diligence period is a good thing. COMMISSIONER STOLDAL stated that with the new Attorney General, the State is actively involved in the Huntridge Theater as well. CHAIR WHITE inquired why that was, and COMMISSIONER STOLDAL said there are some State covenants, and MR. SUMMERFIELD replied that there are some financial obligations where the State granted money for things that have not been met.

COMMISSIONER HOWE reviewed the potential historic preservation projects and mentioned that they are making good progress with the hay barn at Floyd Lamb State Park at Tule Springs getting it to the point where there is a preservation plan and the hay barn can be used as an event structure. Regarding the Adaptive Reuse Ordinance, Planning Department staff has been researching adaptive reuse, particularly focused on some of the motels, considering the development pressure they were seeing on the Scenic Byway and Fremont. He hoped to have another update later in the year.

COMMISSIONER LARIME asked about Project Enchilada funding by the Centennial Commission that needed City Council approval. She wondered if the funding had been approved. MR. FLOYD thought that had been approved in December, and he and MR. SUMMERFIELD thought it was on the Consent Agenda.

See Items 8 and 11 for related discussion.

10. [HPC-75566 Report by Department of Planning regarding historic and archaeological resources in local media](#)

Minutes:

CHAIR WHITE expressed appreciation for the information.

11. [HPC-75567 Discussion regarding topics for future agenda items by the Historic Preservation Commission. Comments made during this portion of the agenda by individual Commission Members shall refer solely to proposals for future agenda items and any discussion shall be limited to whether or not any such proposed item\(s\) is/are within the purview of the Commission and/or whether such proposed item\(s\) shall be placed on a future agenda. No discussion regarding the substance of any such proposed topic shall occur and no action shall be taken regarding the proposal.](#)

Minutes:

CHAIR WHITE requested that there be an item for discussion regarding the job description for the three-year Historic Preservation Officer position. She also requested discussion regarding the property with the fence on the corner of 8th

Street and Franklin Avenue. ROBERT SUMMERFIELD, Director of Planning, confirmed with CHAIR WHITE that it could be added to the agenda, and staff would ensure that Code Enforcement takes a look at the site as well.

COMMISSIONER STOLDAL requested that a representative, possibly DAYVID FIGLER, from the John S. Park neighborhood come to a meeting, and he wondered if the Commissioners could have access to the existing governing rules for the neighborhood beforehand.

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COMMISSIONER LARIME requested an item to discuss design guidelines for the Beverly Green neighborhood, and she noted that that neighborhood had never formally put together any guidelines.

COMMISSIONER STOLDAL also asked about having an item regarding awarding the Las Vegas High School contract, and COMMISSIONER BECK asked about the timeline of updating the National Register document for the Las Vegas High School and what the timeline is for making changes.

COMMISSIONER SERFAS requested follow up on the Reed Whipple building and a strategy for pursuing the listing.

DEPUTY CITY ATTORNEY SETH FLOYD informed COMMISSIONER LARIME that approval for the Project Enchilada Funding was on the December 19th, 2018 City Council agenda, and he read the item.

See Item 5 for related discussion.

12. [CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMISSION. NO SUBJECT MAY BE ACTED UPON BY THE COMMISSION UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED.](#)

Minutes:

None.

13. [ADJOURNMENT](#)

Minutes:

The meeting was adjourned at 1:50 p.m.

Respectfully submitted:

Jacque Miller, Deputy City Clerk

Michael Howe, Planning Section Manager

Facilities are provided throughout City Hall for the convenience of persons with disabilities. Reasonable efforts will be made to assist and accommodate persons with disabilities or impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerks office at 702-229-6311 and advise of your need at least 48 hours in advance of the meeting. Dial 7-1-1 for Relay Nevada.

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

City Hall, 495 South Main Street, 1st Floor
Clark County Government Center, 500 South Grand Central Parkway
Grant Sawyer Building, 555 East Washington Avenue
City of Las Vegas Development Services Center, 333 North Rancho Drive